



**ALL INDIA CIVIL ACCOUNTS OFFICERS  
(Senior Accounts Officers and Pay & Accounts Officers) ASSOCIATION**  
(Recognised by Govt. of India as per CCS (RSA) Rules, 1993 vide CGA's letter No.  
23003/1/2020-NGE-CGA /270 dated: 29th August, 2022)  
House No: H-405, Street No. 4, RAJ NAGAR, PART-2,  
PALAM COLONY, NEW DELHI- 110077  
nebaicaoa@gmail.com

**President**

**H C Mathpal**  
9810856355

**Vice-Presidents**

**Kaushal Mishra**  
**Anita Rawat**

**Addl. Secretary General**

**Sreemati Bhowmik**  
9810869034

**Jt. Secretary Generals**

**Rajeev Kumar**  
9873815175

**Avinash Kumar**  
8851049471

**Finance Secretary**

**Subhash Chand**  
9717943630

**Asst. Finance Secretary**

**Rajesh Kumar Sharma**

**Asst. Secy. Generals**

**Subhasish Deb Roy**

**P. Mahesh Kumar**

**Subhash Chander**

**Biswajit Mondal**

**Satyabrata Mishra**

**Jitender Singh**

**Pankaj Jain**

**Geetanjali**

**Asha Pal**

**Rekha Dahiya**

**Sumitra Goganio**

**Ajay Sood**

**Santosh Kumar**

**Kumar Ashish**

**Uttam Biswas**

**Ashok S Tripathi**

**Auditor- Rahul Butola**

AICAOA/Transfer-Posting/2022-23/78

Dated: 30<sup>th</sup> April, 2023

**CIRCULAR**

\*\*\*\*\*

In pursuance of decision taken unanimously in the NEC Meeting held on 28<sup>th</sup> February 2023, a Standard Operating Procedure for the working of Legal Committee of AICAOA has been formulated with the approval of NEC as annexed. The purpose of the Standard Operating Procedure is to maintain effective functioning of the Legal Committee without any kind of ambiguity and to achieve the goals and objectives of AICAOA.

(Sreemati Bhowmik)

Addl. Secretary General (AICAOA)

Encl: As above

To

1. Chairperson, Legal Committee (AICAOA)
2. All Members of NEC
3. All Members of Legal Committee

## PROVISIONS FOR FORMATION OF LEGAL-COMMITTEE OF AICAOA

Article 16 (f) of the Constitution of AICAOA and Rule 17 (f) of Byelaws of AICAOA provides for the formation of different committees as under:

*“The General Body shall appoint an ad-hoc committee(s) for specific tasks”.*

Further Article 19 (i) of the Constitution and Rule 32(i) of the Byelaws also speaks about the functioning of such Committees as under:

*“The National Executive Committee may delegate any of their powers to committees consisting of such members or members of the National Executive Committee as they think fit, and any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations imposed on it by the National Executive Committee. The meetings and proceedings of any such committee shall be governed by the provisions of these presents for regulating the meetings and proceedings of the National Executive Committee so far as applicable and so far as the same shall not be superseded by any regulations made by the National Executive Committee”.*

### **Brief Background:**

1. During delegate session of 1<sup>st</sup> GBM of AICAOA on 19<sup>th</sup> Nov.’ 2022 held at New Delhi, it was decided unanimously that AICAOA will file court case in the matter of promotion of PAO to Sr. AO and it was incorporated in resolution of 1<sup>st</sup> GBM vide Agenda No. 1(i) issued vide letter no. AICAOA/GBM/Resolutions/2022/43 dated 07.12.2022 which read as below:  
*“Resolved to go ahead for filing court case and authorized Mr. U. C. Joshi to take initiative in this regard with the assistance of Shri Kaushal Mishra, Vice President”.*
2. With the coordination and approval of NEC, Shri U.C, Joshi and Shri Kaushal Mishra completed the task in line of Agenda 1(i) of Resolution of GBM and court case was filed in CAT, Principal Bench, New Delhi vide O.A. No. 3694/2022.
3. Further, it was felt and demanded by members of NEC that a permanent Legal Committee is required to be formed to give advice on legal matters of AICAOA and filing court cases on other issues as well as filing RTIs.
4. After a detailed deliberation in NEC and approval by majority of NEC members, Circular of formation of Legal Committee was issued vide letter no. AICAOA/Legal Committee/2022 dated 25.12.2022 which includes topics as formation, Composition, Functions and Operating Procedure. Subsequently, AICAOA filed another court case in the matter of Cadre Review vide O.A. No. 192/2023.

5. However, during last NEC meeting on 28.02.2023, it was decided unanimously by NEC Members vide Agenda No. 2 that Standard Operating Procedure of Legal Committee is required to be reviewed and reframed again to make it more stronger.

### **Scope & Objectives:**

Studying the demands of members of Association, formulation of plans for systemic improvement in achieving legitimate rights and bridging the gap between the authorities and the members, safeguarding the common interests of AICAOA members, acquiring information under RTI Act, promoting rule of law.

### **Composition:**

President and Secretary General of the Association will be co-opted member of the Legal Committee by default. All members including co-opted members reserve the right to vote on any issue. Chairperson, being proposer of the issue, will vote in event of tie.

Present members of Legal Committee are as below:

1. Shri Umesh Chandra Joshi	Chairman
2. Shri Umesh Saxena	Member
3. Shri P. Mahesh Kumar	Member
4. Shri Subhash Chand	Member
5. Ms. Geetanjali	Member
6. Shri Uttam Biswas	Member
7. Shri Kaushal Mishra	Member
8. Shri Satyabrata Mishra	Member
9. Shri Biswajit Mondal	Member
10. Shri Santosh Kumar	Member
11. Ms. Sreemati Bhowmik	Member - Secretary

Co-opted Members :

- 1) President
- 2) Secretary General

### **Functions:**

1. The Committee will provide legal assistance in the preparation of legal opinions, reports and correspondences, drafting of affidavits / replies, review, drafting of legal documents and advice to the Association on different issues, whenever necessary.

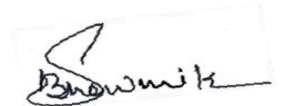
2. The Committee under the Chairperson shall explore all possibilities and identify the issues for filing court cases and RTI.

3. The Committee shall also prepare replies to all the questions/queries raised during legal proceedings and maintain all the relevant documents both in physical and digital form.

## **Standard Operating Procedure (SOP) for Legal Committee of AICAOA**

1. Legal Committee shall be bound to adhere to the provisions of the Constitution and Byelaws of AICAOA.
2. Member Secretary shall organize meetings, as and when required in consultation to the Chairperson. The Chairperson shall preside over all the meetings of Legal Committee. In case, the Chairperson is not available, Member Secretary shall preside over the Meeting. Quorum for Legal Committee Meetings shall be 50% of strength of LC members or 6.
3. Detailed deliberations on every issue shall be made within the committee and decision shall be made on the basis of majority by voice vote.
4. Deliberations and decisions/outcomes of Legal Committee shall be kept high secret by all the members of Legal Committee. All the members shall follow it scrupulously and truthfully.
5. Legal Committee can raise any issue for deliberations and advice on its own. However, decision of NEC will be final.
6. The recommendations/suggestions made after due deliberations and approval by the Legal committee shall be placed before NEC for approval, wherever required; as per jurisdiction provided in the Constitution of AICAOA. Deliberations / Documents to be placed before NEC shall be decided by Chairperson.
7. In case of any differences between NEC and Legal Committee, decision of NEC shall be final and binding on Legal Committee.
8. Chairperson shall submit his/her resignation addressing President of AICAOA. President, after due deliberations in Legal Committee, shall take the decision on the resignation by voice votes and the outcome shall be conveyed to NEC by Member Secretary. At the time of deliberations of resignation tendered by Chairperson of Legal Committee, President (SG in absence of President) will preside over such meeting. In case, Member Secretary resigns, she/he shall also follow the same procedure as prescribed for Chairperson except to clause of presiding over of meeting. However, decision of NEC shall be final in both the cases.
9. Members of Legal Committee shall tender their resignation addressing to Chairperson. Decision on resignations of members shall be the discretion of Chairperson. Decision of Chairperson on resignation of any member will be conveyed in writing by Chairperson of Legal Committee to Secretary General of the association who in turn place it before NEC. Decision of NEC will be final and binding.

10. Members shall be liable to be disqualified/ removed in case of breach of guiding principles of Legal Committee or misconduct, on recommendation of Legal Committee and approval by NEC. Recommendation for disqualification/ removal of any member of Legal Committee will be done by voice vote of Legal Committee.
11. Inclusion of any new member in Legal Committee shall be decided by NEC.
12. Legal Committee shall ensure that at least one of its members is present in the Court during hearing of cases filed by this association.
13. Legal Committee shall be dissolved on approval of NEC only.
14. This issues with the approval of NEC, AICAOA.



(Sreemati Bhowmik)  
Addl. Secretary General (AICAOA)