

THE BORIVLI EDUCATION SOCIETY

BORIVALI

BPT Act 1950 Reg. No. F 252 (Bom)



MEMORANDUM AND RULES & REGULATIONS

(Amended in Special General Meeting held on 25.03.12)

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MEMORANDUM

1. The name of the Society shall be " The Borivli Education Society "
2. The Registered office of the Society shall be at **Borivli (Mumbai)** or such place as may be decided from time to time.
3. **The Objects of the Society are:-**
 - 3.1 To establish and administer institutions for advancement of education by providing for imparting and spreading education in Arts Medicines, Science, Commerce, Technical Vocational, Industrial and other useful subjects like Fine Arts, Computer Education, Law Management courses Political Science and such other subjects allied to any branch of education.
 - 3.2 To provide and promote educational facilities like Pre- Primary, Primary Secondary, Higher education, commercial, technical and any other branch of education for Gujarati speaking population. However the beneficiaries would be from any Caste Creed or faith.
 - 3.3 To start, establish, administer, provide affiliation, incorporate, conduct, finance, maintain, take over or otherwise subsidise, assist Balmandirs, Primary and Secondary Schools, technical and Commercial Schools, High schools, colleges institutes for Scientific and / or technical research and experiments, reading rooms, libraries and Laboratories and experimental workshops, Gymnasiums hostels, boarding houses, residential quarters and other institutions to arrange, lectures, meeting and conferences and to hold exhibitions. To award scholarships, prizes, and grants to encourage, promote and reward students for research investigations, experiments, tests, etc to frame prescribe from time to time the courses of studies, books, scales of fees in any of the society's institutions and to do all acts and things necessary for carrying out the objects that may be considered likely to further the objects of the society.
 - 3.3.1 All institutions would be established & administered under linguistic minority status enjoyed by the society under Article (30) of constitution of India or under any other rules and regulations.
 - 3.4 To fix the amount of subscription payable Patrons, Donors, Benefactors, Life Members and to vary the amount of such subscriptions and to decide the terms and conditions for such admission.
 - 3.4.1 To decide from time to time total strength of Members of the society.
 - 3.5 To solicit, obtain and accept subscriptions, donations, grants, gifts, devises, boquets, endowments and trusts, Government or any person, firm, corporation, company Scholarships, Prizes and monetary Assistance to students of the Society's institutions and to help them in their studies.
 - 3.5.1 Also to get foreign contribution/donation as permissible under the prevailing rules.
 - 3.5.2 To negotiate & conclude agreements for collaboration with foreign universities.
 - 3.6 To acquire by all lawful means lands, playgrounds, parks, or any other immovable property by purchases, lease or otherwise necessary for purposes and for the furtherance of all or any objects of the society.
 - 3.7 To erect, construct, develop, maintain, repair, alter, extend or enlarge any building or property for the society.

- 3.8 To acquire by all lawful means furniture and effects and any moveable property necessary for the purpose of the society.
- 3.9 To appoint Principals, Head Masters, Professors, Teachers, Superintendents, Lecturers, Tutors, Fellows, Managers, Auditors, Accountants, Inspectors, Examiners, Secretaries, Clerks or servants or any other officers and to prescribe their duties and functions towards the society in accordance with the rights enjoyed by the linguistic minority institutions.
- 3.10 To accept property subject to trusts and conditions to be held by the Society for the general purpose of the Society or on Special Trust for any of its purposes either as Original or as New Trustees on otherwise of any sort of property or as bare or passive Trustees without undertaking Management or Administration of such property.
- 3.11 To appoint and / or nominate persons as Trustees of the Society or of any Property whether belonging to the Society or otherwise or any part thereof.
- 3.12 To appoint Referees or Arbitrators in relation to any disputes affecting the Society's Institutions Trusts and Organization.
- 3.13 To appoint and employ person / persons for any of the purposes of the society and fix their remuneration.
- 3.14 To borrow or raise moneys, to receive moneys deposits at interest and to secure repayments of the moneys either by mortgage of any of the properties belonging to the society or in such manner as the Society may deem fit.
- 3.15 To sell, transfer, exchange, mortgage, charge lease, let dispose off or otherwise deal with any property of or held by the society and or develop the property of the Society for augmenting the income there from for the benefit of and in consistent with objects of the Society.
- 3.16 To pay out of the funds belonging to the Society or out of Particular part of such funds all expenses of or incidental to the formation of the Society and Management and administration of any of the properties belonging to the society or carrying out any of the forgoing objects including all rate, rents, taxes and salaries of the employees.
- 3.17 To invest and deal with the moneys of the Society not immediately required in such manner as may from time to time be determined by the Managing Committee.
- 3.18 To draw, make, accept, endorse and discount cheques, notes, securities or other negotiable instrument.
- 3.19 To lend money for the purposes of the Society on such terms as may be deemed fit.
- 3.20 For purposes aforesaid to sign, execute, deliver such assurances, deeds as may be necessary in the premises and carry out or assist in doing and carrying out all such matters and things likely to promote the objects of the Society **PROVIDED** that none of the objects shall be carried on in such a manner as to give directly or indirectly to the members of the Society a profit from the funds of the Society which could not be so given in accordance with the provisions of the objects of the Society.
- 3.21 To take over or carry out joint venture with any other Society or Trusts with Similar objects.
- 3.22 The area and field of work of the Society and the use of its property funds and institutions

interalia to carry out its objects shall be in Borivli or such places as may be determined from time to time and generally to do all such other things which should fulfill the objects of the Society.

- 3.23 To achieve or promote any activities of Educational, cultural, conventional and all such activities in the interest of the Society.

4. **Income and Property of the Society.** whensoever derived shall be applied solely towards the promotion and carrying out the objects of the Society as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise, howsoever by way of profits to the members of the Society. Provided that subject to the provisions contained in the following clause nothing herein contained shall prevent the payment in good faith or remuneration to any officers or servants of the Society or to any members thereof or other persons for services rendered to the society or to any of the objects for which the society is established.

5. In the Interpretation of these rules unless there is anything inconsistent with the subject or context.

- 5.1 The " Society" means " The Borivli Education Society" The word importing masculine gender shall include feminine gender and the word importing singular number shall include plural number and **Vice Versa** as the context may permit.

- 5.2 "Trust Funds" shall mean and include all investments and funds and properties and assets belonging to or accepted by the Society.

- 5.3 "Person" shall mean and include individual, firms, joint Hindu families Societies, clubs, associations, companies Incorporated bodies.

- 5.4 "Office Bearers" shall mean and include President, Vice-Presidents, Hon. Secretaries and Treasurer of the Society for the time being.

- 5.5 "Year" means the period commencing from 1st April and ending with 31st March of the following year.

RULES AND REGULATIONS

1. The Society shall consist of the members belonging to Gujarati Community who have completed 21 years of age called Patrons Benefactors, Life Members, Ordinary Members, **Donor Trustee Members & Honorary Members.**

- 1.1 No individual or the institution can hold dual membership. However this shall not affect existing dual membership.

2. Membership

- 2.1 There will be **Six** classes of members of the Society.

- 2.1.1 Patron Members

- 2.1.2 Benefactor Members

- 2.1.3 Life Members

- 2.1.4 Ordinary Members

2.1.5 Honorary Members

2.1.6 Donor Trustee Members

2.2 Eligibility and Subscriptions:-

2.2.1 Patron Members

2.2.1.1 Any person who contributes in Cash or by Cheque **Rs 1,50,000/-** or more at a time

2.2.1.2 If such patron member is an individual, he can nominate his / her heir, executors or his constituted attorney as the case may be. Such Patron Member shall during his life time inform the society in writing, the name of such nominee.

2.2.1.3 Where a Patron member (2.2.1) above is a company or firm or Joint Hindu Family or Trust, such Company, Firm, Joint Hindu Family or Trust as the case may be nominate a person as their representative in writing to the Society from time to time who shall be either a director, partner, office bearer, Proprietor, trustee, Chief Executive, manager or Secretary **with condition that it is acceptable to the Society.**

2.2.2 **Benefactor Members:-** Any individual who contributes in cash or by cheque **Rs 1,00,000/-** or more at a time.

2.2.3 **Life Member :-** Any individual who contributes in cash or by cheque by **Rs ,50,000/-**

2.2.4 **Ordinary Member:** Any individual who pays an annual subscription of **Rs 10,000/-** and an entrance fee **Rs 20,000/-** at the time of submitting membership application.

2.2.5 **Honorary Member:** The Managing Committee may by a resolution passed by a majority of **3/4 th** members present at the meeting nominate any person as Honorary Member for Current term for meritorious and exemplary service rendered by him to the Society.

2.3 In the case of Ordinary Members (2.1.4) above the annual subscription will be payable in advance in the beginning of every year before **30 th June**. If any member fails to pay his annual subscription within the aforesaid date, he will not be entitled to vote at any of the meeting of the Society Such member shall cease to be a member of the Society, if this subscription is not Received by the end of the year i.e 31 st March

2.4 Admission of New Member

2.4.1 Any person desiring to be a member of the Society under any clauses (2.1.1. to 2.1.4) mentioned above, (Other than Honorary Members and Donor Trustees) shall apply to the Society.

2.4.2 In case of Patron, Benefactor and Donor Membership by a letter accompanied by requisite amount of contribution / subscription as the case may be and in the case of Life Members and Ordinary Members by filling in application form prescribed by the Society accompanied by requisite amount of entrance fee and / or subscription as the case may be.

2.5 The Managing committee shall have the absolute discretion to accept or reject, without assigning any reason whatsoever the application for any of the above classes of Membership (2.1.1. to 2.1.4 and 2.1.6)

2.6 No employee of the Society shall be eligible to be member of the Society

2.7 All members will be deemed to have read the memorandum and accepted as binding Rules and Regulation of the Society.

3. **Trustees:**

3.1 There will be two classes of Trustees:

3.1.1 Elected Trustees: Refer Clause No 4.

3.1.2 Donor Trustees Refer Clause No 5.

4. **Elected Trustees**

4.1 There shall be at least two and not more three Trustees of the Society elected by the Society from amongst its members who shall hold office for not than five (5) years. The election of Trustees would be Co-terminus with that of the Managing Committee

4.2 **Vesting of properties in Elected Trustees:** All the properties (moveable or immoveable) of the Society shall be vested in the names of the Trustees and the same and /or any income thereon shall be applied for the purpose of the Society and its aims and objects.

4.3 **Investment of Trust Funds:** The Trustees shall invest any part of the capital or income of the trust fund in such investments and / or for such purpose as the Managing Committee may direct and may vary or transpose such investment or or place the same on deposit in any Nationalised Bank or Govt Security or realise any of such investments and obtain payment of any moneys so deposited as aforesaid provided however that the Trustees shall invest only in securities Authorized under the provision of the Indian Trust Act 1882 except where otherwise directed by the members of the Managing Committee called for the purpose unanimously called for the purpose and having quorum as provided.

4.4 **Two Trustees Signature Sufficient :** Any receipt (or) receipts, signed by two Trustees shall be sufficient discharge to any making any payment to the Trustees on behalf of the Society.

4.5 **Trustees to receive income :** The Trustees shall be entitled to collect and receive the income of the investments.

4.6 **Title of Trust Properties:** All securities, deposits, receipts, deeds of the title to any of the properties of the Society shall be kept with the Trustees or in such safe custody as the Trustees may decide from time to time.

4.7 **Payment by Trustees:** The Trustees shall out of the income realised by them from the properties of the society under their control make to the Secretaries or Treasurer or any other persons such payments as the Managing Committee may authorize them to make.

4.8 **Statement of Properties by Trustees:** The Trustees shall have to put every year before the Managing Committee a statement showing the Properties of the Society and the income fetched and outgoings payable showing the properties of the Society and the income fetched and outgoings payable in respect of each of them separately.

4.9 **Trustees chargeable for their own acts only:** The trustees shall be respectively chargeable Only for such properties, money, funds Securities or any other property as they shall respectively actually receive notwithstanding their signing any receipt for the sake of conformity and shall be answerable and accountable only for their own acts and

not for those of any other Trustees or anybody else.

4.10 **Trustees desiring to be discharged :** Any trustees desiring to be discharged from his office as the Trustees of the Society may do so on giving two Calendar months notice in writing to the Society.

4.11 For the purpose aforesaid, to sign, execute and deliver such assurance and deals as may be necessary and to do carry out or assist in doing and carrying out all such matter and things likely to achieve the objects of the Society.

5. **Donor Trustees :**

5.1 Any individual Trust or company who donates in cash cheque or in kind **Rs 25 Lakhs** or more at a time.

5.1.1 Any Individual Trust or Company donating moveable or immovable property worth **Rs 25 Lakhs** or more.

5.1.2 Trusteeship under 5.1.1 would be available only after the transaction is complete in all respects and satisfactory to the Society

5.2 If such Donor Trustee is an individual he can nominate his/ her heir, executors or linear descendent as the case may be provided such Donor shall during his life time inform the society in writing the name of such nominee subject to the approval of the Society. However such nominee shall have no right to nominate further. and in any such case, number of Donor trustees shall not exceed more than **14** members.

5.3 Where a Donor Trustee (5.1.1) above is Company or firm or Joint Hindu Family or Trust, such company, firm, Joint Hindu Family or Trust as the case may be can nominate a person as their representative by virtue of his position or office in writing to the Society from time to time who shall be either Director, Partner, Proprietor, Trustee, Chief Executive, or Secretary or Karta of HUF at the relevant time, subject to the approval of the Society.

5.4 The Donor Trustees shall form a board of trustees and shall meet whenever necessary.

5.4.1 The Donor Trustees shall elect / nominate out of themselves **2/10 or 5** whichever is higher to represent them in the Managing Committee every **5** years

5.4.2 The Honorary Secretary of the Society shall be the **EX-OFFICIE** Member / Secretary of the Board of trustees.

5.5 The donor Trustee would enjoy rights as other members of the Society.

6 The Supreme control and management of property and affairs of the Society shall be vested in the Managing Committee who shall have power to do all things necessary for carrying out objects of the Society subject to the powers and supervision of the members of the Society.

7 **Powers of the Managing Committee:**

7.1 In addition to all powers hereby expressly conferred upon them and without detracting from the generality of their powers under the last proceeding or any other articles the Managing Committee shall have the following powers.

7.1.1 To expand the funds of the Society in such manner as they consider most beneficial for

the purposes of the Society and invest in the name of the Trust such part thereof as they deem fit in any of the securities for the time being authorised by Law for investment of the of the Trust properties or in any such other manner that may be decided by the Managing Committee called for the purpose and having a quorum and to direct the sale or transposition of any such investments and to re-invest in manner aforesaid and expand the proceeds of any such sales for the purpose of the Society.

- 7.1.2 To acquire by all lawful means in the name of the Society or in the name of the Trustees as absolute owners or as leases any immoveable property and to devlope to build upon, pull down, rebuild, add to alter, repair, improve , let out, sell exchange or dispose off or otherwise deal with any land, buildings or immoveable property or any moveable Property for the purpose of the Society.
- 7.1.3 To carry on negotiation for and enter into all agreements and contracts on behalf of the Society and to nominate any one from amongst the Members of Managing Committee to execute such agreements or contracts or any other deeds and assurances on behalf of the society.
- 7.1.4 To borrow money on the security of any of the properties of the society or otherwise and to grant or direct to be granted mortgage for securing them within the framework of the TrustAct.
- 7.1.5 To appoint and delegate all or any of their powers to any sub-committee.
- 7.1.6 To appoint and prescribe the duties, to fill in the vacancies of all or any of the officers and employee of the Society and at pleasure to dismiss all or any such officers and employee.
- 7.1.7 To direct the transfers, retrenchments, to give promotions or increments, bonus, honorarium and gratuity or any other benefits and grant leave and extension of services, to reduce salaries of any of the employees of the Society.
- 7.1.8 To start, open and conduct classes, schools and colleges, libraries, reading rooms, sports, gymnasiums and laboratories.
- 7.1.9 To frame and prescribe the course of studies and text books.
- 7.1.10 To fix the scale of fees for different classes.
- 7.1.11 To hold examinations and inspection.
- 7.1.12 To fix and distribute prizes, scholarships
- 7.1.13 To open banking and other accounts, to appoint any two or more from Office- bearers to operate on such accounts and sign, endorse, negotiate cheques, securities and other negotiable instruments.
- 7.1.14 To frame bye laws for the conduct and Management of any of the Society's institutions.
- 7.1.15 To invite and accept donations and subscriptions.
- 7.1.16 To call General (Annual or Special) meeting of the Society and publish reports and accounts of the society.
- 7.1.17 To take legal advice or action in the interest of the society and to appoint any one or more

from themselves or any office bearers of the Society to file suites or take or defend any action or proceeding and to authorize him to do all things necessary in that behalf including powers to sign warrants in favour of the advocate or attorney appointed by them and to sign, affirm and declare plaints, applications, statements, appeals petitions and such other things as may be necessary.

- 7.1.18 To decide from time to time the field of work of the Society.
- 7.1.19 And generally to do all things necessary or expediate for the due conduct of the affairs of the Society not herein expressly provided for.
- 7.1.20 Under extra ordinary circumstances to be decided by the President there can be a circular resolution within the ambit of the objects of the Society.
- 7.1.21 The resolution should have approval of 2/3rd of Members of the Managing Committee.
- 7.1.22 Such Resolution should be kept before the next Managing Committee meeting and should be recorded in the minutes.
- 7.1.23 To delegate powers or authority to any member / members of the Managing Committee as decided by the Managing Committee.

8. **Composition of the Managing Committee:-**

8.1 **The Managing Committee shall consists of : -**

- 8.1.1 The Elected & Donor Trustees as per **clause (5.4.1)** of the Society.
- 8.1.2 **Five (5)** members of the patron members elected from amongst themselves.
- 8.1.3 **Five (5)** members of the Benefactor members elected from amongst themselves
- 8.1.4 **Ten (10)** members of the Life Members Elected amongst themselves.
- 8.1.5 **Ten (10)** members or 1/10 of the Ordinary members on roll of the Society at the time of issuing nomination papers, whichever is lower, elected from amongst themselves.
- 8.1.6 Co-opted members as provided under 8.4 hereunder.
- 8.2 The tenure of the Managing Committee shall be **five (5) years** and the election of the Managing Committee shall be held every fifth year. The existing Managing Committee shall remain in office till new Managing Committee is elected.
- 8.3 The election of members under 8.1.1 to 8.1.5 shall be by ballot at the Annual meeting of the Society.
- 8.4 The Managing Committee on election will have powers at their absolute discretion to co-opt not more than **five(5)** additional persons whose services in the opinion of the Managing Committee may be useful to the Society and out of the five members, **3(Three)** will be from Donor trustee if they desire in writing then first preference to them .The co-opted persons will hold office up to the next election of the Managing Committee.
- 8.4.1 The Co-option process should be exercised during the first four years.
- 8.5 Notwithstanding anything herein before contained the Managing Committee shall be

deemed to be duly constituted and to be entitled to function despite the composition thereof not being in conformity with the provisions herein contained that such acts or actions of the said Managing Committee is for the purpose of the aims and objects of the Society.

- 8.6 If the number of nominations received are equal or less than the number of seats to be filled, all nominees will stand elected and if thereafter there is any vacancy in the post of any committee member from any class the same may be filled in by the new Managing Committee nominating any member from such class to fill such vacancy. The vacancies also so filled shall not affect the numbers to be co-opted in terms of 8.4 above.
- 8.7 In case of any vacancy other than the President occurring in the Managing Committee by death, resignation or any other cause the committee shall elect a member to fill the vacancy but such shall be subject to same tenure of office and shall be from same class as a member in whose place he has been elected.
- 8.7.1 In case of resignation of the President or Vacancy occurring for any other cause the vacancy would be filled in by one of Vice- Presidents as the acting President.
- 8.7.2 If the President presses the resignation then the vacancy would be filled from among the members of the Managing Committee.
- 8.7.3 Such appointment by the Managing Committee would be by 3/4 th of the members present.
- 8.8 If within thirty minutes from time appointed for the meeting, a quorum shall be lacking the meeting shall stand adjourned and shall be held as determined by the President / Honorary Secretaries and in such adjourned meeting no quorum shall be necessary.
- 8.9 At committee meeting every member present shall have one vote only. In case of equality of votes, the President shall have a Casting vote.
- 8.10 Decisions of the Managing Committee expressed by the resolutions and bye laws made by the committee shall be binding on all members of the Society.
- 8.11 Membership of Elected, Donor Trustees and co-opted members of the Managing Committee remaining absent in three (3) Consecutive meeting without written information to the Honorary Secretary shall stand terminated.
- 8.12 The Managing Committee shall meet at least once every two months.
9. **Election of Office Bearers:** At first Meeting after the Annual General Meeting at which the elections to the Managing Committee are held, the Managing Committee shall elect from amongst elected members as President, two Vice-presidents, two Secretaries of whom one shall be a CEO & other shall be a Manager and two Treasurers who shall be the Office bearers of the Society.
- 10 **Composition of Governing Body**
- 10.1 There shall be a Governing Body consisting of the Trustees and Office Bearers of the Society and three (3) other members out of the Managing Committee elected by the said committee to look after the day to day work of primary school and Balmandirs of the Society.
- 10.2 The Governing Body shall have powers to Co-opt not more than three members on it with academic qualifications from amongst the members of the Society.

10.3 The quorum for the Governing body shall be four (4) members.

10.4 There shall be at least one meeting of the Governing body within two months.

11 Annual General Meeting

11.1 The Annual General Meeting of the Society will be held every year within six months of the Completion of the year at such time and place as the Managing Committee shall determine to transact the following business:

11.1.1 To receive and adopt the report of the working of the Society along with the audited statement of accounts approved by the Managing Committee.

11.1.2 To elect members of the Managing Committee and Trustees every **fifth** year.

11.1.3 To appoint Auditors for the year and to fix their remuneration

11.1.4 Any other matter which may be Permitted by the President or of which Seven day's notice is given.

11.2 If under any unforeseen circumstances the Annual General Meeting is not likely to be held within the stipulated time then in that event the Managing Committee will have powers in their discretion to extend the date of such Annual General Meeting which would be communicated to all members. However in any two (2) consecutive calendar years there should be at least one Annual General Meeting.

12. Election Procedure:-

12.1 Any member of the Society entitled to take part and vote at the Annual General Meeting and otherwise qualified as per the rules and regulations of the Society and desiring to be elected to the Managing Committee shall file his nomination paper in the form prescribed by the Managing Committee under his signature duly proposed and seconded by other two member of the same class entitled to vote at such election and shall send the said nomination paper to the office of the Society within the stipulated time.

12.2 Nomination paper for the election of the Managing Committee shall be received up to seven clear days prior to the date of the Annual General Meeting and withdrawals of nomination paper shall be allowed up to the three clear days of the date of the Annual General Meeting.

12.3 The Scrutinizers shall be appointed by the Managing Committee who shall Scrutinize the nomination papers filed for the election to the Managing Committee and reject and declare them invalid those papers which are not proper and declare the rest as valid.

12.4 The Scrutinizers shall be independent and in no way concerned with the election and / or the candidate.

12.5 The decision of the Scrutinizers will be final.

12.6 A Returning Officer shall be appointed at the Annual General Meeting if election is to be held.

12.7 The Returning Officer so appointed can select one or two members to assist him from amongst the members present.

12.8 The Returning officer should not have any involvement concern (or) interest in the election.

- 12.9 All ballot papers to be signed by the returning officer.
- 12.10 The decision of the Returning Officer shall be final.
- 12.11 No member shall challenge the decision either of Scrutinizer or the Returning officer.
- 12.12 For smooth election the returning officer may formulate rules for the day.
- 12.13 In case of equal votes or tie the President would cast his Preferential vote.
13. **Procedure for casting of votes:**
- 13.1 At the election, each member who is entitled to Vote, shall cast the number of votes equivalent to the vacancies to be filled in that same class.
14. **Special General Meeting :-** On a resolution passed by the Managing Committee, the Secretaries shall call a Special General Meeting of the Society to transact any business in relation to the Society. At such meeting only the work put on the Agenda of the notice calling such meeting shall be transacted.
15. **Notice Period for Meeting:-**
- 15.1 Notice Period for convening the Meeting of the Society shall be as follows : -
- 15.1.1 General Body Meeting -----14 days
- 15.1.2 Special General Body Meeting 7 days
- 15.1.3 Managing Committee Meeting 4 days
- 15.1.4 Governing Body Meeting 2 days
- 15.2 With the consent of the President, Honorary Secretaries may call an emergency meeting of the Managing Committee to transact the business of urgent nature.
- 15.3 Any accidental omission to give notice to any member or non-receipt thereof shall not invalidate any work done at the meeting.
16. **Quorum**
- 16.1 The quorum at various meetings of the Society shall be as follows:-
- 16.1.1 General Body Meeting : - One fourth of the total number of Members of the Society or 50 whichever is less.
- 16.1.2 Managing Committee Meeting : Eleven
- 16.2 If there is no quorum at any of the Meeting of the Society the business of the meeting may be transacted at the next meeting or within half-hour if mentioned in the notice irrespective of quorum at the same place. At such meeting no other business shall be transacted.
17. **Voting:-**
- 17.1 All business shall be transacted and all resolutions shall be passed unless, otherwise provided in the rules and regulations of the Society by a majority of members present at

such meeting, the voting at such meetings shall be by show of hands unless otherwise provided by the rules and regulations of the Society and unless any member present at the meeting and entitled to vote and take part there at demands vote by ballot before voting by show of hand starts in which case it shall be by ballot.

- 17.2 In case of equality of votes the person in the chair shall have a casting vote in addition to his vote as a member.

18. Funds:

- 18.1 The funds of the Society shall of two kinds i.e Permanent and Current.
- 18.2 Permanent funds shall include all conditional donations made on condition that the corpus should be kept intact and income used for the purpose of the institution and properties of the Society and such other sums as the Managing committee decides by 2/3 rd majority of the members present may set apart as permanent Funds.
- 18.3 Current funds shall include fees from the Society's institution. All current and other donations, grants, interest and income on and from the permanent funds and subscriptions of ordinary members.
- 18.4 Permanent funds shall be utilized for expenses of Capital nature only. However in case of necessity the same may be utilized to meet current expenses with the permission of the Managing Committee & Trustees.

19. Cessation of Membership

- 19.1 A member shall cease to be member of the Society if:-
- 19.1.1 The Member tenders his resignation in writing to the Society and such resignation is accepted by the Society.
- 19.1.2 A member has his membership Terminated under 19.1.3 thereof
- 19.1.3 A member or a Trustee is found to be carrying on activities prejudicial to the interest of the Society or which causes any loss or damage to the prestige or reputation of the Society, in which case the Managing Committee at any of its meeting can terminate membership / trusteeship of such person by passing a requisite resolution by 3/4 th majority of of the members present at such meeting after instituting proper enquiry subject to the approval of the Special General Meeting to be held for the very same purpose.
- 19.1.4 Terminated member/member or Society may request to appoint Arbitrator / Arbitrators in Special General Meeting
- 19.1.5 The members present in the meeting shall appoint Arbitrator/ Aribitrators as they deem fit and proper.
- 19.1.6 The Arbitrator/ Arbitrators would then examine records and after hearing both parties would give award.
- 19.1.7 The award so given would be final.
- 19.1.8 The Arbitrator/ Arbitrators would pass award within 40 days from the date of Special General Meeting.
- 19.1.9 The Members / Trustees under inquiry or awaiting award would not enjoy any rights as

members or as office bearers.

- 20 **Indemnity:-** Every member of the Managing Committee shall be indemnified out of office funds of the Society against all losses and expenses incurred in the discharge of his duties except such as shall happen through his own willful, negligence or default and each one shall be chargeable only for such money as himself actually receive in discharge of the business of the Society and each one shall be answerable only for his own acts, neglects or defaults and not for those of any security or other money payable to the Society nor for any loss or damage which may happen in the discharge of his duties unless the same happens through his own willful neglect or default.
- 21 The Managing Committee may at any time and shall on requisition signed by not more than 50 members stating the object of such requisition shall summon a Special meeting of the Society to be held within 21 days of receipt of such requisition. If neglects to do so the requisitionst may summon such meeting. The notice convening the meeting shall specify the matter to be discussed and no resolution passed there at shall be binding unless at least 65 members remain present and majority members vote for it. No business other than that specified in the resolution shall be transacted.
- 22 The Management of the Society shall be vested in the Trustees if the Managing Committee declare that there exists a deadlock by passing a resolution to that effect at least by three fourth of the votes of the members present at that meeting. In such event, the Managing Committee shall call a Special General Meeting within one month to solve the deadlock and in case such deadlock is not solved, the trustees shall continue the Management till next election.
- 23 Any number not less than three-fourth of the members of the Society may determine that it shall be dissolved or amalgamated and there upon it shall be dissolved or amalgamated forthwith or at time there agreed upon.
- 24 If upon the dissolution of the Society there shall remain after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of the Society or any of them but shall be given to other educational Society or Institution in India to be determined by the votes of not less than three fourth of the members of the Society present and voting at the meeting called for the purpose.
25. The Society shall have powers of adding, Omitting, altering and modifying these rules and regulations at least by two thirds of the votes of the members of the General Meeting of the Society specially called for the purpose.
26. This amended constitution shall come in force from the date of submission to the Charity Commissioner's Office