

BASSEIN KERALA SAMAJAM (REGD.)

(Registered under The Bombay Public Trust Act 1950)

REG. No.E-407/THANE/ Dt.30 - 08 - '71

THE CONSTITUTION

(AS AMEMDED BY THE SPECIAL GENERAL BODY MEETING HELD ON 27-10-1997)

1. The name of the Samajam or the Association shall be "THE BASSEIN KERALA SAMAJAM"
- 2.1 The Registered Office of the Samajam shall be situated at Manickpur, Bassein Road, Thane District.
- 2.2 No branch office/sub-office shall function for the Bassein Kerala Samajam.
3. **THE OBJECTS OF THE SAMAJAM**
 - 3.1. To promote physical, mental, material and cultural welfare of the population, irrespective of their caste, creed or language of Bassein Taluka, Maharashtra State.
 - 3.2 To promote friendly relations and spirit of co-operation amongst all the citizen in general and Keralites in particular and to work for the welfare and progress of Keralites/Malayalees residing in Vasai Taluka.
 - 3.3 To organize, encourage, develop, promote and co-ordinate the educational, cultural, literary, health care and sports activities.
 - 3.4 To establish and conduct library and reading rooms.
 - 3.5 To promote and undertake publication of journals, magazines etc. of literary nature.
 - 3.6. To promote public welfare activities by providing educational and medical aids, relief to the needy in distress and advancement of any other objects of general public utility services.
 - 3.7. To do all such other acts, deeds and things as are incidental or conducive to the attainment of the above objects or any of them.

4. **MEMBERSHIP**

- 4.1. All Malayalam speaking persons residing at Bassein Taluka not below age of 18 years are eligible for membership of the Samajam.
- 4.2. Malayalam speaking people will include for the purpose of this section non-malayalees whose husband, wife, father or mother is a Malayalee.
- 4.3. Any applicant seeking membership of the Samajam shall apply in the prescribed form issued by the Samajam to the Managing Committee and shall pay a non refundable fee of Rs.10/- by cash towards application processing charges.
- 4.4. Membership shall be of four kinds,

PATRONS : Patrons are those who pay to the Samajam a sum of Rs.1,000/- at a time.

LIFE MEMBERS : Life members are those who pay to the Samajam a sum of Rs.250/- at a time.

ORDINARY MEMBERS : Ordinary members are those who pay to the Samajam a sum of Rs.60/- per year. The subscription shall be payable on yearly basis at the registered office of the Samajam.

ASSOCIATE MEMBERS : Associate members are those who pay an annual fee of Rs.60/- along with the application or any amount as may be fixed by the General Body from time to time. All Non Keralites and Keralites outside Bassein Taluka are eligible for Associate Membership. However, Associate Members shall not be elected to the Managing Committee of the Samajam and shall have no voting right.

- 4.5 Any payment to the Samajam, other than application processing fee, shall be paid either by cash or Account Payee cheque.
- 4.6 The Managing Committee of the Samajam shall have power to accept or reject application for membership. A decision as to acceptance or rejection of any application for membership of the Samajam shall be taken within 30 days from the date of its receipt by the Managing Committee. The Membership, if granted, will take effect from the date of receipt of the prescribed fees.
- 4.7 In the event of any application being rejected by the Managing Committee, the reason for such rejection shall be recorded in the minutes of the Managing Committee Meeting and the reason for the rejection must be intimated to the applicant in writing by registered post.
- 4.8 The subscription of the applicants whose applications have been rejected by the Managing Committee shall be refunded to them, in full, by account payee cheque only, within thirty days upon production of the original receipt. The original receipt returned by the applicant must be kept in safe custody of the Samajam along with the rejected applications. The rejected applicants have the right to appeal to the General Body and the General Body's decision in this regard is final and binding.
- 4.9 Every member shall be bound to conform to the Memorandum, Rules & Regulations of the Samajam in force from time to time.
- 4.10 Any person who has resigned once from the membership of the Samajam and wishes to rejoin the Samajam may be admitted subject to the approval of the General Body after a time limit of two years
- 4.11 All the applications must accompany two passport size photograph of the applicant.
- 4.12 The membership of the Samajam ceases :
- i) On the death of member.
 - ii) On resignation in writing to the Managing Committee and on acceptance thereof.
 - iii) Due to insanity.
 - iv) When he/she has been convicted of an offence involving moral turpitude/criminal offences.
 - v) Upon taking membership from any other organisation in Bassein Taluka with similar aims and objects.
 - vi) Any member whose subscription is in arrears for 2 years from the due date.
 - vii) If he/she is convicted by a court or law or charity Commissioner in any malpractices or misappropriation of Samajam funds.
- 4.13 All the above decisions of the Managing Committee / General Body shall be intimated to the member concerned in writing within thirty days of such decision under Certificate of Posting.

5. FINANCIAL YEAR

- 5.1 The financial year of the Samajam shall be from 1st April to 31st March or as per the rules and regulations of the government.

6. MANAGEMENT OF THE SAMAJAM

- 6.1 The administration of the Samajam shall be vested with the Managing Committee which shall consist of 21 members elected by the General Body.

7. OFFICE BEARERS

- 7.1 Office Bearers :

- i) The President
- ii) The Vice President
- iii) The General Secretary
- iv) The Joint Secretary
- v) The Treasurer
- and vi) The Joint Treasurer.

- 7.1.1. Managing Committee members - Fifteen
- 7.1.2 In addition to the above, the Annual General Body Meeting will also elect two Internal Auditors along with the Managing Committee.
- 7.2. In case, total number of all types of membership exceeds one thousand, then the strength of the Managing Committee is to be increased by one member for every additional hundred members. The Managing Committee shall be responsible to the General Body for any omission and commission in their actions, functions and duties. They shall take over the office from the outgoing Committee within fifteen days from the date of their election.
- 7.3. The terms of office of the Managing Committee shall be two years.
- 7.4. No member who is already an office bearer in any of the identical local organisations of Keralites shall be elected to the Managing Committee of the Samajam.
- 7.5. Any member of the Managing Committee absents himself/herself without leave of absence from three consecutive meetings of the Managing Committee shall cease to be a member of the Managing Committee for a period of four years. The General Secretary will inform the concerned member in writing that he/she ceases to be a member of the Managing Committee with effect from relevant date. Managing Committee shall have the power to fill up the interim vacancies by co-option but such co-option shall not be more than five vacancies during its tenure. The co-opted members should not be elected to the post of office bearers.
- 7.6. In any event, if 11 or more of the members cease to be members of the Managing Committee, the General Secretary shall convene an Extra Ordinary General Body Meeting within one month from the date of such a situation to fill up such vacancies for the rest of the term. Till the formation of the new Managing Committee the remaining members shall conduct the normal activities of the Samajam on a care taker basis without taking any major decisions.

8. NO CONFIDENCE MOTION

- 8.1. One or more No-confidence motions may be brought forward against the Managing Committee at the Half Yearly/ Annual General Body meeting provided that such a motion is signed by a minimum of 100 valid members of the Samajam. The no-confidence motion shall be the first agenda of the meeting provided 80% of the signed members shall be present at the meeting.
- 8.2. A no-confidence motion should be passed by 2/3rd of the eligible members present at the meeting.
- The Managing Committee against whom the no-confidence motion is passed by the General Body should resign from the office immediately.
- 8.3. The Managing Committee against whom the no-confidence motion is passed shall not be entitled to contest the next election to the Managing Committee.

9. NO-CONFIDENCE MOTION WITHIN THE COMMITTEE

- 9.1. The office bearers of the Samajam shall cease to be the office bearer, if the motion of "no-confidence" is moved in the special meeting of the committee called, upon the notice given by 1/3rd members of the committee and the motion of "no-confidence" is passed by 2/3rd members of the committee present and voting.
- 9.2. Further that, another motion of "no-confidence" shall not be brought against the same office bearer unless the period of six months has elapsed from the date of the preceding motion of no-confidence.

10. QUORUM

- 10.1. A minimum of fifty members will form the quorum for the General Body Meetings. In case there is no quorum the meeting should be adjourned for half an hour and again if there is no quorum the President can conduct the meeting as per the agenda and the decision of the General Body is final and binding on all the members.
- 10.2. *SPECIAL GENERAL BODY*

At least fifty valid members should sign the memorandum to be submitted to the Managing Committee for calling special General Body to discuss the specific agenda. The quorum for the Special General Body meeting must be 80%

of the valid members signed in the memorandum. In case if 80% of the valid members signed in the memorandum are not present in the General Body, the President should adjourn the meeting for a suitable date, but within fifteen days to give one or more chance to the signed members for presenting their case. If there is no quorum for the adjourned meeting also, the President should declare that the Special General Body meeting as canceled. No further memorandum on the same specific matter should be entertained for a period of six months.

10.3. MANAGING COMMITTEE

10.3.1. Eleven Managing Committee Members shall form the quorum for all Managing Committee meetings. The President of the meeting shall have a casting vote in case of equal division.

10.3.2. If there is no quorum, the President can postpone the meeting for a suitable date but within 15 days. However, in case of unavoidable circumstances and/or due to emergency situation, the President can adjourn the meeting for thirty minutes and again if there is no quorum, he can conduct the meeting and the outcome of the meeting should be conveyed to the Managing Committee.

11. CONVENING OF SPECIAL GENERAL BODY MEETING

11.1. Special General Body Meeting shall be convened by the General Secretary on a written requisition of not less than fifty valid members of the Samajam. Such meeting shall be called by the Secretary in consultation with the President and the Managing Committee within a month from the date of receipt of requisition. The requisition shall state the object of the meeting and the same must be handed over to the office bearer of the Samajam and an acknowledgment must be obtained from the bearer.

11.2. If the General Secretary does not proceed to call such a meeting within thirty days, the President of the Samajam shall call the meeting within the next fortnight. If the President also fails to convene the meeting, the requisitions shall have the right to convene the General Body Meeting to transact the business proposed in the memorandum after giving fourteen days notice to the Samajam Members by the following manner.

- i) By means of individual notice and by publishing the notice in one English and Malayalam dailies preferably published from Bombay. The notice shall state the business proposed to be transacted at such a meeting.
- ii) The business so transacted with a 2/3rd majority of the members present and voting at such a meeting (subject to quorum) shall be binding upon the Managing Committee.

12. NOTICE PERIOD REQUIRED FOR GENERAL BODY MEETING

Fifteen days notice at least of every General Body Meeting, one week for Extra Ordinary meeting specifying the date, place and time of the meeting and in case of special business the general nature of such business shall give to the members of the Samajam for the time being either by advertisement or by notice sent, or displaying the notice at the Samajam premises.

13. NOTICE PERIOD REQUIRED FOR MANAGING COMMITTEE MEETING

The Managing Committee shall meet at least once in a month. The General Secretary shall convene the meeting and shall be given three days notice for an Ordinary Meeting and not less than twenty four hours for an Emergency meeting together with the agenda, the time and place.

14. RESIGNATION

14.1. A member of the committee may, by a letter addressed to the President / Secretary, resign his/her membership of the committee. The reason for resignation should be mentioned in the letter. The resignation shall be effective from the date of which it is accepted by the committee or on expiry of the period of one month from the date of receipt of letter of resignation by the President / Secretary whichever is earlier. However, if non acceptance of resignation the same may be intimated to the concerned member in writing.

14.2. The President / Vice President may resign their office by a letter addressed to the Secretary. The General Secretary should call an Extra Ordinary General Body meeting within fifteen days from the date of receipt of resignation to accept or reject the resignation. If accepted, a new President / Vice President should be elected in the same General Body Meeting.

- 14.3. Secretary / Joint Secretary may resign their office by a letter addressed to the President. The President should act immediately in the same manner as mentioned above.
- 14.4. Treasurer / Joint Treasurer may resign their office by a letter addressed to the Secretary / President. The Secretary should act immediately as mentioned above.
- 14.5. The Managing Committee shall accept the resignation of all the above office bearers only after it is satisfied that the work entrusted to them are returned in all respect and entire documents and accounts/properties whatever it may be in their possession are handed over to the committee at the time of acceptance.
- 14.6. In the event of resignation of entire committee, the Secretary must continue to function till the next General Body Meeting. The Secretary should convene an extra ordinary General Body Meeting within 15 days. The General Body must appoint an adhoc committee to fill the vaccum created by the resignation of the committee till the next election.
- 14.7. In case of resignation of Internal Auditor/s, the Managing Committee should convene an Extra Ordinary General Body Meeting to fill the vacancy/vacancies created by the resignation/s.

15. SUSPENSION & EXPULSION OF MEMBERS

- 15.1. Any member who acts against the interest and object of the Samajam may be suspended or expelled after giving due notice by the Managing Committee. Such members have the right to appeal to the General Body and the decision of the General Body is final and binding upon the concerned member and the Managing Committee.
- 15.2. Any member suspended by the General Body for a specific period have no right to vote during the suspended period. Any member expelled by the General Body should not be readmitted for the next six years.

16. RIGHTS & PRIVILEGES OF MEMBERS

- 16.1.i. At general election, members are given an opportunity to elect a new Managing Committee every two years in accordance with the election rules of the Samajam.
- 16.1.ii. Members can use library, free reading room. They can participate in cultural, literary sports and such other activities as may be carried on by the Samajam from time to time.
- 16.1.iii Any member of the Samajam after giving ten days notice in writing to the Managing Committee shall have the right to inspect the book of accounts and any other documents at any appointed time which shall be done within ten days from the date of receipt of such notice. The members of the Samajam who are the employees of the institutions managed by it, are however, debarred from inspecting the books of accounts and any other documents. They shall also refrain themselves from attending any such general body meeting which may be called upon to take up to discuss any matter in which they have personal interest.

17. GENERAL BODY MEETING

The General Body shall be the final authority in all matters relating to the affairs of the Samajam.

18. FRAMING OF BYE-LAWS

- 18.1. The Managing Committee shall frame bye-laws for the best interest of the Samajam subject to the approval of the General Body.
- 18.2. The members have the right to present Resolutions in the Half-Yearly / Annual General Body meeting Written notice of Resolution to be discussed at the General Body Meeting shall be received by the Managing Committee not less than ten days before the date of meeting and the Managing Committee shall include the same in the Agenda of the meeting and the agenda on the notice board of the Samajam. Any matter of urgent nature not included in the agenda may be taken up for discussion with the permission of the Chair or with the approval of 2/3rd majority of members present and voting.

19. REVOKING OF DECISIONS

Any decision arrived at a General Body meeting shall not be ordinarily altered for at least six months. Such decisions shall not be altered other than in a General Body Meeting by resolution.

20. **DECISIONS BY MAJORITY**

A decision on an issue brought out in the agenda of a meeting shall be taken by a simple majority of vote of the members present.

21. **DECISIONS CONCLUSIVE EVIDENCE**

Reports, income and expenditure accounts, balance sheet, etc. duly audited by the internal auditors and thereafter by the statutory auditors once approved by the general body shall be conclusive and which should not be reopened by another general body.

22. **CO-OPTION FROM UNREPRESENTED AREAS**

After the election, in case, if any of the area is not properly represented in the Managing Committee, the Managing Committee should co-opt one or a maximum of two members from the unrepresented areas within one month from the date of formation of the new Managing Committee. However, the total strength of the Managing Committee should not exceed twentyfive. Also while filling interim vacancies, preference should be given to unrepresented areas,

23. **FORMATION OF SUB-COMMITTEES**

- 23.1. The Managing Committee shall constitute any number of sub-committees, if required, from the eligible Samajam Members. Each sub-committee shall have its own convener who shall be elected by the sub-committee members at its first meeting which will be convened by the General Secretary, the Managing Committee shall delegate to them such powers as may be deemed. The sub-committee will deal with only the assigned job.
- 23.2. The Secretary and The President of the Managing Committee shall be Ex-officio members of such committees. In the absence of the President / Secretary, they should depute Vice President / Joint Secretary respectively to represent them. The tenure of such sub-committee is normally till the assigned job is completed, or till it is dissolved or extended by the Managing Committee, or it resigns. However, tenure of all the sub-committees shall be the same as that of the Managing Committee.
- 23.3. The convener of such sub-committee shall maintain the minutes of the meetings and shall submit the same to the Managing Committee as and when required or within fifteen days from the date of its dissolution.
- 23.4. Three days written notice in respect of all sub-committee meetings and twenty-four hours for emergency meeting shall be circulated to all sub-committee members including the Ex-officio Members.
- 23.5. Any member of the sub-committee other than Ex-officio members absenting himself/herself from three meetings without leave of absence or permission from the convener in writing shall be deemed to have vacated his/her seat from the sub-committee.
- 23.6. All decisions of sub-committee are recommendatory in nature and shall be subjected to the approval of the Managing Committee and its decision is final.
- 23.7. 50% members shall form the quorum of the sub-committee.

24. **FORMATION OF SUB-COMMITTEE DIRECTLY BY GENERAL BODY**

- 24.1. The General Body shall constitute any number of sub-committees, if required, from the eligible Samajam members. Each Subcommittee shall have its own convener elected by the sub-committee members at its first meeting which will be convened by the General Secretary. The General Body shall delegate to them such powers as may be deemed fit. The sub-committees directly constituted by the General Body shall have the power to work independently and the sub-committee's findings / reports/ proposal etc., should be submitted to the Secretary for convening extra ordinary General Body Meeting to consider the findings / reports / proposals, etc..
- 24.2. All decisions of the sub-committees are recommendatory in nature and shall be subject to the approval of the General Body and its decision is final.
- 24.3. The sub-committee dissolves itself immediately after its findings / reports / proposals, etc., is submitted to the Managing Committee.

25. **DUTIES AND RESPONSIBILITIES OF THE MANAGING COMMITTEE**

- 25.1. The Managing Committee shall have the full control of the Samajam, its funds, and other institutions controlled by the Samajam to conduct its day to day affairs subject to the superintendence and control of the General Body.
- Institute proper and well established procedure in matters of appointment of staff to the institutions managed by the Samajam. Prepare code of conduct to the institutions as well as its employees managed by the Samajam.
- Maintain a register of members of the Samajam with residential addresses.
- 25.2. Convene general body meeting after preparing its agenda as and when required.
- 25.3. The Managing Committee must meet as often as required but minimum once in every month.
- 25.4. In case an emergency, if there is no sufficient time to convene a Managing Committee meeting as per the procedure, the General Secretary may obtain consent of the Managing Committee members by circulation of papers among the members present at the head quarters. Such decisions arrived at by circulation shall be placed before the next Managing Committee Meeting for its ratification.
- 25.5. Appoint any number of sub-committees, as may be required, from the members of the Samajam for any special purpose.
- 25.6. Shall hear and deal with complaints received from the members.
- 25.7. Arrange to send reports and other information asked for by the statutory authorities from time to time.
- 25.8. Distribute the work of the Samajam among the Office Bearers and Managing Committee members and fix up the responsibilities of the same.
- 25.9. Maintain the proper and comprehensive register of dead stock and other movable and immovable properties of the Samajam.
- 25.10. Engage, employ, dismiss or suspend attorneys, advocates, architects, valuers, Engineers specialists, professors, lecturers, demonstrators, teachers, managers and other administrative staff and to fix and pay their remuneration.
- 25.11. Purchase, acquire properties for the Samajam of any nature with funds earmarked for the purpose or by raising funds without effecting the movable and immovable properties of the Samajam.
- 25.12. Lend any premises of the Samajam for any cultural and/or social functions if it is satisfied that the interest of the Samajam will not be affected in any way.
- 25.13. It shall uphold the aim and objectives of the Bassein Kerala Samajam and carry out all such activities that are in the overall interests of its members and the society in general.
- 25.14. Have the power to accept or reject application for membership.
- 25.15. Construct, maintain, alter or repair any Samajam buildings or any other works connected to the Samajam, provided the value of such work should not exceed Rs.50,000/- (Rupees fifty thousand) a time. However, under any circumstances if the Managing Committee required to spend more than Rs.50,000/- for a particular job during the same financial year, they should do so only with the prior permission of the General Body. The work should be started only after obtaining proper quotations from competent parties. Any single transaction exceeding Rs.50,000/- should have the permission of general body. Any single transaction exceeding Rs.1,00,000/- (Rupees One Lakh) shall be executed by inviting public tenders through English and local dailies.
- 25.16. Grant scholarship, stipends or any other concession and incentives to the deserving students of Bassein Taluka, or any other classes conducted by the Samajam.
- 25.17. Grant charitable, medical, educational and any such financial helps required by the needy people from Bassein Taluka up to a limit of Rs.10,000/- (Rupees Ten Thousand only)
- 25.18. The Managing Committee, for their convenience, shall open separate accounts with the banks in the nearby area in the name of any institution or classes sponsored and or managed by the Samajam and the same should be brought to the notice of the General Body for its information. Such accounts should form part of the accounts of the Samajam.

- 25.19. The Managing Committee shall be responsible for the proper collection of any amount due or receivable by the Samajam.
- 25.20. The accounts of each month shall be presented to and considered by and if thought fit adopted by the Managing Committee at the subsequent meeting.
- 25.21. The Managing Committee shall hold office for a period of two years or till a new Committee is elected by the General Body.
- 25.22. The Managing Committee can be dissolved only by a resolution adopted by the Managing Committee.
- 25.23. The decisions in the Managing Committee shall be by the majority of the members present.
- 25.24. All funds of the Samajam except a sum of Rs.2,000/- (Rupees two thousand only) which may be used for petty cash expenses, shall be kept in nationalised / schedule banks.
- 25.25. All Accounts of the Samajam should be operated jointly by the Treasurer either with the president or General Secretary.
- 25.26. The Managing Committee should submit to the Annual General Body meeting within four months from the date of financial year ending the annual accounts duly audited by a statutory auditor for its approval.
- 25.27. All responsibilities and duties not expressly given above are vested within the Managing Committee for the smooth conduct of the affairs of the Samajam.

26. **DUTIES & RESPONSIBILITIES OF OFFICE BEARERS**

26.1. **PRESIDENT**

- 26.1.i. The President shall preside over all the meetings of the Managing Committee as well as General Body. He / she shall have the power to expel any member from the general body or Managing Committee meetings, who is obstructing the smooth functioning of the meeting. This action is confined to only that particular meeting.
- 26.1.ii. The president shall have the power to dissolve or adjourn the General Body and the Managing Committee meetings, if he/she thinks that the meeting can not be conducted smoothly.
- 26.1.iii. The such postponed meetings or adjourned by the president shall be convened only by the Secretary or in his absence by the Joint Secretary in consultation with the Managing Committee.
- 26.1.iv. The President shall have the power to convene a General Body meeting in the event of delay or failure on the part of General Secretary / Joint Secretary.
- 26.1.v. The President shall preside over all public functions organised by the Samajam.
- 26.1.vi. The President is responsible to ensure the Managing Committee functions smoothly and efficiently and affairs of the Samajam are being looked after properly.
- 26.1.vii. The President should have the overall control and supervision of the day to day affairs of the Samajam as per the decision taken by the Managing Committee from time to time.
- 26.1.viii. The President shall be an Ex-officio member of all the sub-committees constituted by the Samajam.
- 26.1.ix. The President shall have the power to take decisions in consultation with the General Secretary and Treasurer in the event of an emergency keeping in view of the best interest of the Samajam. However, he/she shall place such decision immediately at the next Managing Committee meeting for ratification.
- 26.1.x. The President shall countersign the cash books/vouchers, etc. of the Samajam and other Institutions, Organisations, etc. controlled by the Samajam within thirty days from the date of its preparation after thoroughly discussed in the Managing Committee and fully satisfied.
- 26.1.xi. The President shall have a casting vote in case of equal division.

26.1.xii. The President's authority shall be in conformity with democratic principles and natural justice.

26.2. VICE PRESIDENT

The Vice President shall assist the President in the effective and efficient conduct of the affairs of the Samajam, discharge such duties as may be delegated to him by the President from time to time and perform the duties of the President in his/her absence.

26.3. GENERAL SECRETARY

26.3.i. The General Secretary shall carry out all the administrative work in connection with the activities of the Samajam including convening of Managing Committee meetings and General Body Meetings, preparation of minutes, etc. He/she is also responsible for the maintenance and safe keeping of all the records and registers, movable and immovable properties of the Samajam.

26.3.ii. The General Secretary shall attend and also conduct all correspondence on behalf of the Samajam as per the decision by the Managing Committee.

26.3.iii. The General Secretary shall countersign the cash books/vouchers, etc. of the Samajam and other institutions, organisations, etc., controlled by the Samajam within thirty days from the date of its preparation after thoroughly discussed in the Managing Committee and fully satisfied.

26.3.iv. The General Secretary shall prepare the audit rectification reports in respect of audit memos received from the statutory and internal auditors in consultation with the Managing Committee and Treasurer.

26.3.v. The General Secretary shall discharge such other functions not expressly mentioned herein above may be required for the smooth function of the affairs of the Samajam.

26.4. JOINT SECRETARY

The Joint Secretary shall assist the Secretary in the efficient discharge of his/her duties. Perform the duties of the Secretary during his/her absence.

26.5. TREASURER

26.5.i. The Treasurer shall attend to and be in-charge of all the monetary transaction of the Samajam and shall maintain all the accounts thereof in such books, forms and registers as may be decided by the Managing Committee and as per the rules and procedures of the accounts.

26.5.ii. The Treasurer shall prepare receipts and vouchers against all monetary transaction on behalf of the Samajam as per the decision of the Managing Committee.

26.5.iii. The Treasurer shall prepare the income and expenditure statement by the end of every month including cash in hand and submit the same in the next Managing Committee meeting for its approval. Under any circumstances the Treasurer should not keep the cash collection in his/her hand for more than three working days from the date of receipt.

If he/she fails to comply with the above Rules, the Managing Committee can take appropriate action against the Treasurer.

Under any circumstances the Treasurer should not keep more than Rs.2,000/- (Rupees two thousand only) at a time for petty cash expenditure.

26.6. JOINT TREASURER

The Joint Treasurer shall assist the Treasurer in the efficient discharge of his / her duties. He / she shall also discharge any other duties as may be delegated to him / her by the Treasurer / Managing Committee from time to time.

26.7. INTERNAL AUDITORS

26.7.i. Internal Auditors shall audit the accounts of the Samajam in every three months and sign the accounts book and thereafter submit the report to the Managing Committee for its evaluation.

- 26.7.ii. Internal Auditors shall keep a vigil on the finance and accounts of the Samajam. If any irregularities / misappropriation of funds are observed, they should report the same to the Managing Committee immediately.
- 26.7.iii. Internal Auditors shall be entitled to have all information and explanation as may be necessary for the performance of their duties connected with the audit of the Samajam from the Office Bearers/Managing Committee Members.
- 26.7.iv. If the requirements of the Internal Auditors are not provided by the Office Bearers within fifteen days, they shall report the same to the Managing Committee immediately.
- 26.7.v. Internal Auditors shall submit the final reports to the Managing Committee within one month of the closure of the financial year.

27. ELECTION TO THE MANAGING COMMITTEE

- 27.1. Election to the Managing Committee Members and Internal Auditors should be held once in two years by the Annual General Body Meeting.
- 27.2. The Annual General Body Meeting shall be at liberty to decide as to whether the election is to be held then and there at the AGM or to adopt the system of secret ballot paper.
- 27.3. In case the AGM decided to have the election through secret ballot paper immediately or thereafter on some other day than the day of the AGM, the election bye-laws should be adopted.

28. DISSOLUTION OF THE SAMAJAM

- 28.1. Dissolution of the Samajam, if ever so desired, can only be carried out after calling two General Body meetings with an interval of not less than fifteen days and by vote of not less than 50% of the total members on the Samajam Membership Register on the date of such meeting's. In this eventuality all the assets of the Samajam shall be transferred to charitable institutions as desired by the General Body Meetings as stated above.
- 28.2. The Managing Committee with all the powers, authority and discretion vested in or entrusted to them shall be subject to the control and directions of the Samajam as exercised in the General Body Meetings.

29. AMENDMENTS TO THE CONSTITUTION

Any of the articles of this Constitution may be amended, altered or added to at any Half-Yearly / Annual General Body Meeting or any Extra Ordinary General Body Meeting of the Samajam by two third of total members present at the General Body Meeting provided that, fifteen days notice for Half-Yearly / Annual General Body Meeting and thirty days notice for Extra-ordinary General Meeting of the proposed alterations and amendments is given to the General Secretary of the Samajam by any member. Upon receipt of such notice, the General Secretary shall give notice of the proposed alterations, amendments and additions to all the members of the Samajam at least ten days before the holding of such meeting.

***** THE END OF THE CONSTITUTION AS AMENDED ON 27 - 10 -1996 *****

ELECTION BYE-LAWS

1. The Annual General Body Meeting shall appoint an independent Election Committee comprising three members amongst the members present other than from the existing Managing Committee Members.
2. The Election Committee Members should not stand for any post or propose / second any candidate contesting the election. However, they are eligible for co-option to the Managing Committee after three months from the date of dissolution of the Election Committee.
3. The Election should be held for twenty-one Managing Committee Members and two Internal Auditors.

4. In case nominations are not received for total twenty-one members and two Internal Auditors, the Gen. Secretary of the outgoing committee should call an extra ordinary general body meeting immediately and place the matter for its consideration. The general body's decision in this matter is final and binding.
5. A valid list of members eligible for voting as on 31st March of the last preceding year should be prepared by the Managing Committee and it should be exhibited on the notice board of the Samajam showing type of membership for the verification of the members. If any additions and alterations are required, the same should be brought forward to the Managing Committee in writing within ten days from the date of exhibition of the list of members. Accordingly, corrected / updated list of valid members should be published within three days by the Managing Committee. The above list should be treated as the electoral roll of the Samajam for the purpose of election.
6. The entire election process in detail should be exhibited on the notice board of the Samajam.
7. The Election Committee should issue nomination forms not more than ten to a member.
8. The nomination form duly filled in all respect should be submitted to the Election Committee in a sealed envelop within the stipulated period. The Election Committee should acknowledge receipt of nomination form received from the members.
9. The Election Committee should open the sealed envelope in the presence of the candidate or his/her authorised representative or any other members present at that time in the Samajam office. After the security, the name of the valid contestants should be exhibited on notice board on the prescribed date.
10. The contestant, whose nominations have been declared valid, should be given three days time from the date of publication of valid list to withdraw their candidature. The withdrawal should be by means of a letter handed over to the Election Committee.
11. Immediately after the expiry period allowed for withdrawal of candidature, the final list of candidates contesting the election should be notified on the notice board of the Samajam.
12. The voting at the election should be held by a secret ballot paper at the stipulated place, date and time. The members should be allowed to vote upon production of valid identity card issued by the samajam and no proxy should be allowed. The identity card issued by the Samajam to the Life members together with the photographs will be valid for ten years.
13. No person who is admitted as a member of the Samajam should have the right to vote in the General Body meeting of the Samajam or vote in any election held by the Samajam unless such member has been on the roll for a period of not less than three months previous to the day of such meeting or election.
14. The Election Committee should provide electoral roll to all contestants upon demand.
15. The contestant should have completed a minimum of six months of continuous membership of the Samajam as on 31st March of the election year.
- 16.1. No persons shall be eligible for being elected as a member of the Managing Committee or co-opted into it if,
 - a) his/her nomination is not proposed and seconded by any two valid members of the Samajam.
 - b) he/she is a paid employee of the Samajam or any other institutions or organisation controlled by it.
 - c) he/she is disqualified by the Managing Committee for a period of four years for not attending three or more consecutive Managing committee meeting without leave of absence.
 - d) he/she is prima facie involved and established by a court of law or Charity Commissioner in any malpractice or misappropriation of Samajam fund.
- 16.2. No member who has held office as an Office Bearer / Managing Committee member in the preceding year shall be eligible to be elected as internal auditor for the following year.
- 16.3. No member who has been an Office Bearer of the Samajam for two consecutive terms should be eligible to contest in any election held by the Samajam during the next term.
17. The ballot paper should be prepared by the Election Committee in the prescribed form in alphabetical order. It should bear the seal of the Samajam and counterfoil should bear the Samajam seal and signature of the EC member.
18. The Election Committee can appoint sufficient staff from the members of the Samajam for the smooth conducting of election, if they desire so.

19. Canvassing near the election premises on the election day is strictly prohibited.
20. If necessary, the contestants can appoint their polling agents with the prior written permission of the Election Committee.
21. The ballot box should be constructed in such a way that ballot papers should go conveniently into it. Fifteen minutes before starting the polling, the empty ballot boxes should be shown to the candidates or their polling agents.
22. A specimen of the ballot paper should be exhibited in front of the polling station.
23. Each member-voter should be supplied an authenticated ballot paper upon production of his/her identity card and after obtaining his/her signature on the counterfoil of the ballot paper.
24. Member-voter coming to the polling station after expiry of the time allowed for voting should not be allowed to vote.
25. Immediately after the completion of voting, the ballot boxes should be sealed in the presence of candidates or their authorised polling agents, if they are present.
26. The counting of votes should be done on the date of poll itself. The time of commencements of counting of vote should be notified/informed to all the candidates or their polling agents.
27. The results of the election should be declared immediately after the counting is over.
28. If a candidates who has lost his/her election by difference of five votes or less, may request for recounting of ballots in writing immediately after the declaration of results. No letter of recounting will be entertained after half an hour from the declaration of results.
29. The decision of the Election Committee on all matters concerning the election is final and binding on all the members and contestants.
30. The Election Commission shall take such other action as are necessary for and incidental at the time of election to the Managing Committee.
31. The name of the candidates with votes polled by each of them should be put on the notice board of the Samajam by next day of declaration of results.
32. The Election Committee should submit to the Gen. Secretary / President of the Samajam a report indicating the number of votes and the vote polled by each candidate alongwith a certificate that the polling was held in accordance with the election procedures.
33. All the records handed over to the Gen. Secretary by the election committee pertaining to the election should be carefully preserved in a sealed box for a period of three months and destroyed thereafter. However, if the result of the election is disputed, the record should be preserved until the final decision is arrived.
34. If for any reasons beyond the control of Samajam / Election Committee, if it is not possible to observe the date and time schedule already notified, the Election Committee have the right to revise the date and time with due notice to the members. However, the responsibility of informing the revised date and time of the election to the members rest in the Managing Committee.
35. The Election Committee dissolves itself immediately after the submission of its report to the General Secretary of the Samajam.

End of the Election Bye-Laws as adopted on 27-10-1996
