

SECOND AMENDMENT TO THE
CONSTITUTION
OF

**BANGA
MAITRI
SANSAD**

(Regd. under Public Trust Act No. F-607 (B) & Societies Act No. 53/1939 GBB SD)

17, Air View, Nehru Road, Santacruz (E), Mumbai - 400 055.

DRAFTED BY

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CHAIRMAN
BOARD OF TRUSTEES
OF
BANGA MAITRI SANSAD



SECOND AMENDMENT TO THE
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BANGA MAITRI SANSAD

1. The Trust created and Registered under Registration No. F - 607 (B) shall be hereinafter called and referred to in perpetuity as "Banga Maitri Sansad" which for the sake of brevity shall be hereinafter called and referred to as "Sansad".
2. The Registered office of the Sansad shall be at 17, Air View, Nehru Road, Vakhola, Santacruz (E), Taluka Andheri, MSD Mumbai, Mumbai-400 055, for the time being, which address may be changed to some other suitable place and location with a prior written permission of the Trustees and with the approval of the General Body Meeting consisting of at least 1/3 rd (one third) of the total number of members of the Sansad.
3. The activities of the Trust and its objects will be confined to Indian domain.
4. There will be no profit motive, whatsoever and all its activities would be prompted and oriented solely by service motive.
5. The benefit is intended for the public at large without any discrimination of any cast, creed, colour, language, sex and religion.
6. The Trust will not embark on any business nor activity unrelated to its objects.
7. If any of the objects, above is found to be inconsistent with the object of Public Charitable Institution exempt formally under section 10(22), (22A) and now under section 10(23C) or 11 of the Income Tax Act, 1961 or any other law applicable to Public Trust as now enacted or as may be amended relating to Public Trust, they will be treated as modified to accord with such law.

BOARD OF TRUSTEES

Board of Trustees shall be comprised of a maximum number of 5 (five) Trustees, duly

electd by the Members of the Sansad in the Annual General Body Meeting. Out of the five Trustees one Trustee shall be elected as the Chairman of the Board of Trustees and another Trustee shall be elected as the Managing Trustee in the Board of Trustees. It will be open to the Board to Co-opt two more Trustees by Consensus, however the total number of Trustees at no time shall exceed 7 (seven). In the event of any Trustee or Trustees vacating his/her/their office for any reason whatsoever, or in the event of his/her/their demise, the Trust Board may continue without such person, however the number of Trustees will not get reduced below 3 (three) at any point of time. If it happens to fall below 3 (three), the vacancy will be filled up forthwith by other 2 (two) by concensus, making the number of Trustees in the Trust Board 5 (five).

PRESENT
BOARD OF TRUSTEES

The Board of Trustees of Banga Maitri Sansad is composed of the following Trustees :

- | | | | |
|----|------------------------------------|---|------------------|
| 1. | Dr. Suptendu Roychoudhury | - | Chairman |
| 2. | Shri Tapas Deb | - | Managing Trustee |
| 3. | Shri Jitendra Chandra Bhattacharya | - | Trustee |
| 4. | Shri Sanjay Basu | - | Trustee and |
| 5. | Shri Chitta Ranjan Deykirti | - | Trustee |

FUNCTIONS OF THE
CHAIRMAN OF THE BOARD OF TRUSTEES

The following are the functions of the Chairman of the Board of trustees of Banga Maitri Sansad.

1. To preside over the meetings of the Board of Trustees.
2. To conduct and regulate the meetings of the Board of Trustees
3. To give directions to the Trustees and to maintain the corrum of the Board Meetings
4. To give casting vote incase of equal division of votes and opinion in the Board Meetings.
5. To allow or disallow any particular question to be raised, and / or be discussed in the Meeting of the Board of Trustees.
6. To approve or disapprove the resolution passed or minutes written of the meetings by affixing or refusing signature, in the Minutes Book, in the next consucative meeting of the Board of Trustees.

FUNCTIONS OF THE MANAGING TRUSTEES

The following are the functions of the Managing Trustee of Banga Maitri Sansad.

1. To convene the Meetings of the Board of Trustees, hence to inform the Trustees about the day, time, venue and the Agenda of the Meeting of the Trust Board at least seven days prior to the schedule date of meeting.
2. To write and read the minutes of the previous meeting of the Board of Trustees.
3. To present before the Board of Trustees the Report of the Managing Trustee about the affairs of the Sansad in respect of the major issues such as financial status of the Sansad, Accounts and Audits of the relevant financial year, property dealings, Bank transactions, Fixed deposits, Term Deposits, Bank lockers, Sale and purchase of properties, Assets of the Sansad, expulsion of Members if there be any, fund raising programmes, etc.
4. To implement and execute the decisions taken and resolutions passed in the meetings of the Board of Trustees.
5. To keep the valuable documents, records, articles, ornaments, gifts and other valuable things including the original documents and the Constitution of the Sansad in the safe custody of bank locker, and
6. Any other important work as may be directed by the Board of trustees from time to time.

MEETING OF BOARD OF TRUSTEES

All Trustees collectively will form the Board of Trustees, who will meet once in three months, or as often as required, with a prior notice of one week. Resolution on urgent and important matters can be passed and recorded. Minute Books shall be kept and maintained properly. Minutes of each and every meeting shall be recorded and be signed by the Chairman in the next meeting after the minutes of the previous meeting were read and confirmed.

Board will be presided by the Chairman or in his/her absence by the Senior most Trustee. Decisions will be taken by the majority, where there is no consensus. The Chairman will have the casting vote in case of a tie in voting.

INTERPRETATION

Trustee/Trustees used herein mean in singular any single Trustee, authorised by the Board of Trustees and Trustees in plural refer the Board collectively.

TRUST FUND

The Trust Fund will contain the initial corpus including cash in hand, Bank Accounts, Fixed Deposits, Shares, debentures, sansad premises, all other movable and immovable properties, assets, utensils, crockeries, books, articles, effects, and also any fund, contribution, donation by well-wishers, individuals, institutions and other voluntary agencies. Subscription from participants received for the furtherance of the objects upon such terms and conditions as the Trustees may at their absolute discretion accept such contributions as long as they are not inconsistent with the objects of the Trust.

Under the instructions of the Trustees the Managing Committee of the Sansad shall recover, collect, get in and receive the rents, profits, interests, dividends and income from the Trust Fund and property from time to time as and when the same may become due and payable and pay out of the same, all costs, charges, expenses and outgoings of land incidental to the execution and implementation of the resolutions passed by the Trustees and look after the affairs of the Sansad including the management and maintenance of the Funds and properties of the Trust, including ground rent and other rent, rates, taxes and costs of repairs of any immovable properties forming part of "The Trust Fund and Property" premium for insurance, Income Tax if there be any payable in respect of the said income, the wages and salaries of employees, etc. after payment of the costs, charges and expenses and the outgoings as aforesaid the Trust Fund shall be applied for achieving the objectives of the Trust which are mentioned hereinafter.

The Trustees shall pay and/or utilise the Net Income of the Trust Fund and property and/or any part of the corpus for charitable purposes without reference to caste or creed to the intent that the same shall relate to anything done or to be done within India, in such shares and proportions and in such manner in all respects as the Trustees shall in their absolute discretion think fit.

OBJECTIVES

1. To provide relief and benefit in such forms and manner as the Trustees may in their absolute discretion deem fit, proper and expedient to the people of India, displaced and distressed as a result of natural or other calamities such as earthquake, floods, famine, fire, epidemics, war or any other calamities and to rehabilitate their families and dependents.
2. To grant relief on the occasion of earthquake, flood, famine and other occasions of calamities and general distress and give and receive assistance and donations to and from other institution or institutions doing similar relief work.
3. To construct, establish, support, maintain or grant aid to the poor, needy and deserving students and to schools, colleges and educational institutions for public benefit which impart education and to libraries, reading rooms, museums or other institutions established for public for the promotion of culture and spread of arts, science and other branches of knowledge or for the collection of works of arts, natural history or for the encouragement of economic, scientific and literary research inventions designed for public benefit.
4. To construct, establish, support, maintain or grant aid to hospitals, schools and colleges, nursing homes, babies homes, orphanages, old age homes, homes for poor, deserving destitutes and such other institutions or societies for public benefit as the Trustees may deem fit, proper and expedient for the purpose of relief or aid to poor or needy and deserving persons.
5. To establish, maintain, and grant scholarships, prizes, awards, stipends and grant aid or loans with or without interest and with or without security as the Trustees may deem proper to poor and/or deserving students.
6. To construct, establish, support, maintain and aid boarding houses, dormitories, hostels and other institutions for boarding and lodging for the needy and deserving persons, students, patients and others.
7. To construct, establish, maintain and support homes for mentally retarded, hearing impaired, spastic, poor, needy, widows, destitutes, orphans, old, infirm and/or aged persons or otherwise to support them to do all acts, deeds, matters and things for their relief and upliftment.

8. To construct, establish, maintain and support multipurpose halls, auditoriums, which would facilitate the citizens to hold educational, social, cultural and sports activities like dramas, musical activities, literary activities, marriages, lectures, seminars, conferences, debates, drawing competitions, tournaments, matches, religious functions, puja celebrations, annual meetings, get-togethers, medical camps, blood donation, sessions, religious discourses, etc.
9. To establish, maintain, promote and/or assist institutions having public charitable objects, or to grant donations for public and charitable purposes as the Trustees may think fit.
10. To establish and maintain gymnasiums, swimming pools and games and to promote sports pavillions and games, etc.
11. To purchase, take on lease or in exchange or on rental basis or otherwise acquire any plot of land, building / buildings, premises or any other movable or immovable property, which may be required for the purpose of achieving the objectives mentioned hereinabove, hypothecate and/or let out, or give on rental basis or give in exchange or dispose off the same either in full or part thereof.
12. To purchase such articles as may be necessary for the furtherance of the objectives of the Trust and to utilise and/or distribute the same amongst deserving or affected persons on such manner as the Trustees may deem fit and proper.
13. And generally to do all acts that may be necessary to carry out in the interest of the realisation of the above objectives.

Provided that if any one or more of the purpose specified in this clause are held not to be the purpose of public charitable in nature, the Trustees shall not carry out such purpose or purposes.

14. The expression 'Charitable purpose' shall have the same meaning as is assigned to that expression in the Income Tax Act 1961 or any statutory modification or re-enactment thereof for the time being in force.
15. The Trustees shall be entitled and empowered to and it shall also be lawful for them to receive and/or accept grants, donations, contributions, legacies, subscriptions

and other moneys whether in cash, cheque, pay order, demand draft, banker's cheque and/or in kind on such terms and conditions being not inconsistent with the objectives of the Trust and the same when received or accepted by the Trustees shall form a part of the Trust Fund and property and shall be applied in accordance with the provisions of the constitution.

The Trustees shall also be entitled, be eligible and be empowered to receive and/or accept donations, grants and/or contributions from the Non Resident Indians (NRI's) and other foreign nationals.

16. The Trustees shall invest and keep invested all the Trust Fund and property in their hands as also the income thereof, if any, for the time being in hands not immediately required for the purpose mentioned hereinabove towards achieving the objectives of the Trust, in Fixed Deposit schemes and other securities authorized by the Indian Trust Act 1882, as amended from time to time upto date, subject nevertheless to the provisions of the Bombay Public Trusts Act 1950, and also with the power from time to time to vary or transfer such investments or any of them into or others of the same or of like nature and at such rate and subject to such terms and conditions and in such manner as they may think fit, proper and expedient and for the said purpose to execute any deeds of transfer or assignment or any of them, as may be necessary.

17. The investment of the Trust Fund and property or the interest or income of any part thereof shall always be kept in the name of the Trust namely "BANGA MAITRI SANSAD" or in the name of its sub-committee "THE NORTH BOMBAY SARBHAJANIN DURGA PUJA".

18. For the purpose of utilisation of the net income of the Trust Fund and property, the Trustees shall be entitled, empowered and eligible from time to time to take decisions and to instruct the Managing / Executive Committee of the Sansad to open and maintain accounts in any nationalized, scheduled, co-operative and/or multi-national bank/banks and the same shall be jointly operated by President and the General Secretary and/or the Treasurer under the instructions of the Board of Trustees as the case may be.

19. The Trustees shall from time to time decide how the net income of the Trust Fund and property, as well as the corpus viz. Trust Fund and property should be utilized as stated hereinabove.

- 20. The Trustees shall be entitled, empowered and authorized to raise loans, or borrow finance from time to time as and when so often as they deem necessary for and on behalf of the Trust if required for the purpose of achieving the objectives, of this Trust or for carrying out the said purpose and administration of the Trust or to purchase and develop any land property and/or properties, construct, build, 'Samsad Bhavan' to carry out repairs, improvements to the building property/properties of the Trust or otherwise in relation to the Trust on mortgage or charge or against other securities of the properties of the Trust at such rate of interest and on such terms and conditions as the Trustees may in their absolute discretion deem fit.
- 21. The Trustees shall have powers to let or demise the property or any other properties of the Trust or any part or parts of the property or properties on long term or short term lease be on monthly, tenancy or on leave and license basis or to sell or dispose off the same or any part thereof and to purchase new property or properties out of the income and/or sale proceeds of the property or properties sold or from the corpus of the properties of the Trust or the Funds thereof or use the income and/or sale proceeds of the properties of the Trust for the purpose of constructing or buying new building or buildings and to vary and transpose investments for the time being provided that the investments shall be such as are hereinabove authorised.
- 22. At any point of time there shall not be more than five and less than two Trustees in the Board of Trustees of the Sansad.
- 23. If and so after as the Trustees hereinabove referred or any of them or any further Trustees who may be at any time hereinafter appointed shall die or cease to be a Trustee or Trustees or go and remain out of India at a time for more than 12 (Twelve) months without a leave of the co-trustees or be desirous of being discharged or refuses or declines or becomes unfit or incapable to act in the Trust, then and so often as the same shall happen subject to clause (24) herein contained, it shall be lawful for the surviving Trustees or Trustee in the place of such Trustee or Trustees so dying or ceasing to be a Trustee or going and remaining abroad or disiring to be discharged or refusing or declining or becoming unfit or incapable to act as aforesaid for the time being (as the case may be) and that on every such appointment the Trust Fund and property shall become vested in the new Trustee or Trustees jointly with the surviving or continuing Trustee or Trustees provided further that

the Trustee or Trustees so appointed shall have the same powers as if he/she or they had been originally named as Trustee or Trustees of the Board of Trust of the Sansad.

24. Each of the Trustee for the time being of the Board of Trustees hereby bonds himself/herself in the event of his/her retiring from or ceasing to be a Trustee or in the event of the death to do all necessary acts, deeds and things as may be required for duly vesting and transferring over to the name or names of the new Trustee or Trustees the Trust Fund and property belonging to the Trust as may be standing jointly with that of any of the Trustees and that all the costs, charges and expenses relating to the same shall be borne out of the income of the Trust Fund and property.
25. The Chairman of the Board of Trustees shall preside at all meetings of the Sansad, specially the meetings of the Board of Trustees. In the absence of the chairman the Meetings can be presided by the President of the Sansad. The quoram in the meetings of the Board of trustees shall be three (3).
26. In case of any difference of opinion amongst the Trustees with regard to execution or application of the Trust or powers herein contained or with regard to anything to be done or committed to be done in relation thereto the Chairman shall have a casting vote.
27. The Trustees shall be entitled from time to time to appoint any person or clerks or employees on any remmuneration or honorarium or salary or upon such terms as they may desire fit, proper and expedient and at any time dismis or remove such person, persons, clerks and/or any other official, person, persons as and when they may think necessary or desirable for the purpose of carrying out the affairs and activities of the Trust and that all salaries, fees or honorarium required or desired to be paid to any person or persons appointed, employed or taken help of under the clause shall be paid by the Trustees out of the income of the Trust Fund and property.
28. Subject to the provisions of this constitutin the Trustees for the time being of the Trust shall have full rights, powers and authority from time to time to make and to alter, amend or record such rules, bye laws, regulations and provisions with regard to any matter for the management of and administration of the Trust activities

and the Trust Fund and property, provided however and it is expressly made clear, that the Trust herein declared and the objectives and purposes for which the same are declared shall be irrevocable.

29. The Trustees shall be entitled at any time to delegate any of their duties or powers to any sub-committee or committees consisting of such of the Trustees as they may think fit. They shall also be entitled to appoint committees of supervision or management which may include non-trustees as members of such committee and may dissolve, supercede or vary the composition of such committee or committees.
30. The Trustees shall have full powers to compromise or compound all actions, claims, demands and disputes and refer to arbitration and to adjust, make-up and settle all accounts relating to the Trust Fund and property by the approval of the General Body of the Sansad, and execute, release and to do other things relating thereto without being answerable for loss and/or damage.
31. Notwithstanding anything to the contrary contained herein the Trustees shall have full powers and absolute authority to carryout by passing resolution in the Annual General Body or Special General Body meetings amendments to the constitution of the Trust if so desired by the commissioner of Income Tax as condition for the grant of certificates u/s 80-G and u/s 35 AC (i) and (ii) under the Income Tax Act 1961, as amended from time to time upto date.
32. The Trustees may invest the Trust Fund either in immovable properties or in such manner as prescribed and provided in this constitution and as allowed by law as may be in force from time to time and to convert, alter, vary, dispose off or transfer such investments from time to time for better being able to conduct the affairs of the Trust consistant with the object of the Trust.
33. If the Income from the Trust property in a particular year is not fully utilised, the unexpended income subject to the applicable provisions of the Income Tax Act 1961, as may be amended from time to time or under any provision of Trust law or regulation governing such charitable institution shall be carried over to the next year or years and be spent in such subsequent years for the advancement of any of the objectives of the Trust, the money in the meanwhile being invested in the manner required or permitted by the above said law.

34. The Trustees shall be at liberty to sell such portion or portions of the movable or immovable property forming part of the Trust Estate either by Public Auction or by Private Contract at such price or prices and in such terms and conditions relating to title or otherwise in all respects as they may in their absolute discretion think fit and to rescind or vary any contract for the sale thereof and to resell the same and to execute all conveyances or other assurances and to pass valid and affectual receipts and discharges for all monies received by them.
35. The Trustees shall maintain, improve and look after Trust property through the elected members of the Managing Committee headed by the President and the General Secretary of the sansad, in a manner that is required with reference to the nature of the Property. All other costs, charges and expenses incidental to in the administration and management of the Trust Estate and properties for the time being belongin to the Trust may be incured as they may in their absolute descretion think fit. The trustees will be entitled to reimbursement of any expense which they may incur in respest of affairs of the Trust.
36. The Trustees may manage and supervise through the elected members of the Managing Committee of the Sansad the management of any lands, hereditaments and premises for the time being comprised in the Trust Estate or any prt thereof with power to erect, pull down, rebuilt, addition to alter and repair houses and other buildings and to build drains and make roads and fences and otherwise to improve and develop and to cultivate or cause to be cultivated all or any of the said lands, hereditaments and premises and to secure houses and buildings against loss or damage by fire and/or other risk, or to let, lease or make such arrangements with tenents, agriculturist and others generally to deal with the said land, hereditament and premises as they may deem fit in their absolute discretion for the benefit of the Trust.
37. The Trustees may join, co-operate or work with any trust or institution in any joint programme or activity upon such terms as they may in their absolute descretion think fit as long as it is done in a manner not inconsistant withe the objectives of the Trust.

INDEMNITY

No Trustee/Trustees shall be personally responsible or liable for any bonafide action undertaken in good faith in exercise of his / her / their powers and duties as Trustee

or Trustees and they shall stand indemnified for any loss or damage to which they may be subject to in such exercise.

DISSOLUTION

The Trust is irrevocable, but in the event of any circumstances in which it is decided to derermine the Trust the Trust property after meeting all the liabilities shall be given or transfered to some other instution engaged in research or treatment of cancer, AIDS and similarly functioning without profit motive and eligible for exemption under section 80 G of the Income Tax Act as a Public Charitable Instution with the prior approval of the commissioner / The Chief Commissioner of Income Tax / Director of Exemption concerned, the charity Commissioner and the General Body of the Sansad.

RULES AND REGULATIONS

1. INTERPRETATIONS :

- a) Unless it is repugnant to the context or meaning thereof the interpretation of the words, terms, rules and regulations will be as follows :
 - i) SANSAD means BANGA MAITRI SANSAD.
 - ii) MEMBER means Parton, Life Member, Ordinary Member.
 - iii) ACT means Public Charitable Trust Act and the Societies Registration Act.
 - iv) COMMITTEE means the Managing Committee of the Sansad and the Sub-committee of the North Bombay Sarbajanin Durga Puja.
 - v) FINANCIAL YEAR means the period commencing on the first day of April of any year and ending on the 31st March of the following (next) year.
 - vi) RULES means the rules framed by the Managing Committee, approved by the Board of Trustees and ratified by the General Body of the Sansad.
 - vii) The North Bombay Sarbhajanin Durga Puja is a specially constituted sub-committee of and an inseparatble part of the Parent Body, Banga Maitri Sansad, the members of which committee are elected every year for the purpose of conducting, carrying on and looking after the affairs of Durga Puja, Kali Puja, raising funds by way of collecting subscriptions, donations, advertisements and sponsorships. The Accounts of the income and expenditure, duly audited shall be submitted to the parent body who shall scrutinize, examine and get approved by its General Body. A copy of the Accounts of the North Bombay Sarbhajanin Durga Puja, amalgamated and fused together with the accounts of the parent body, Banga Maitri Sansad, duly audited and approved by the Trustees and the General Body shall be submitted to the office of the Charity Commissioner for record and information.
 - viii) All the persons whether a member of the Sansad or non-member, who shall attend the General Body Meeting of the North Bombay Sarbajanin Durga Puja shall be entitled and eligible to be elected either office bearers or committee members as such. There shall not be any discremination on the grounds of caste, creed, religion, language, sex, etc.
 - ix) Every year, within a maximum period of one month immediately after the Kali Puja all the sub-committee Chairmen should submit his/her report together with the accounts of the expenditure to the Secretary / Treasurer and all the members who had taken the Bill Books for collecting donations etc. should also submit his/her/their Bill Books together with all the amounts collected and accounts to the Treasurer/Secretary of the sub-committee.

Defaulters will face disciplinary action as decided by the sub-committee from time to time.

- x) All the bonafide member of the Sansad shall be issued Member's Identity Card under the seal and signature of the President and the Secretary of the Sansad. The eligibility of the members to obtain / receive the Member's Identity Card shall be decided by the Managing Committee of the Sansad, whose decision in this respect shall be the final, conclusive and binding on all the members. The holder of the Membership Identity Card shall be extra careful about his/her activities, within and out of the sansad premises. Such member shall in no circumstances get himself/herself indulged into any kind of unlawful activities, whereby the reputation and good image of the Sansad is likely to get tarnished.

The Member's Identity Card is non-transferable.

If Member's Identity Card is lost by any member or gets misplaced or gets destroyed in fire or acid or eaten by white ants, under such circumstances such member shall immediately inform the President/Secretary in writing without fail. Then that Identity Card containing a particular card number shall be cancelled and declared invalid and on a fresh application made with an accompanying fees of Rs. 50/- (Rupees Fifty only) a duplicate Identity Card shall be issued subject to the approval of the Managing Committee of the Sansad, who reserves the right even not to issue a duplicate Identity Card as such.

2. MEMBERSHIP

Membership of the Sansad shall be open to all persons. There shall not be any discrimination between persons on the grounds of caste, creed, religion, sex or on the economic conditions of a person.

There would be three different categories of Members of the Sansad.

- i) **Parton :** A distinguished person from amongst the fields of literature, science, arts, social work a philanthropist having donated a minimum amount of Rs. 10,000-00 (Rupees Ten Thousand only) in one time shall become the Parton of the Sansad. However, the decision of making a person as the Parton of the Sansad shall be taken in the Managing Committee with a prior approval of the Board of Trustees, and ratified by the General Body of the Sansad.

ii) **Life Member :**

A member who has paid Rs. 5,000-00 (Rupees Five Thousand only) in one time, shall be the Life Member of the Sansad. An existing ordinary member of the Sansad can convert his / her ordinary membership by way of paying the said stipulated amount, subject to the approval of the Managing Committee of the Sansad. A fresh member can also directly become a Life Member by paying the stipulated Life Membership fees of the Sansad, subject to the approval of the Managing Committee of the Sansad.

The prescribed fees for Life Membership or that of the amount of donation to make a person eligible to be appointed a Parton may be revised from time to time with a prior permission of the Board of Trustees, ratified by the General Body of the Sansad.

The status of a Parton or a Life Member is similar to that of an Ordinary Member of the Sansad. No special privilege or additional benefit, or concession or exemption is available to Life Membership or Patronship save and except the monthly subscription of the Sansad is not required to be paid neither by the Parton nor by the Life Member.

iii) **Ordinary Member :**

A person who has paid Rs. 150-00 (Rupees One Hundred and Fifty only) as admission fees and Rs. 25-00 (Rupees Twenty Five only) as Monthly Fees regularly shall be an Ordinary Member of the Sansad. An Ordinary Member of the Sansad shall be required to pay his/her monthly subscription regularly without fail. Defaulters shall attract an interest at the reate of 21% per annum.

3. **ADMISSION OF MEMBERS**

- a) Application for Membership shall be made in writing in the printed prescribed form, duly signed by the applicant. Every application shall invariably contain a declaration that the applicant shall abide by the Rules and Regulations of the Sansad.

- b) Every application form shall be accompanied by an amount of Rs.150-00 (Rupees One Hundred and Fifty only) towards Admission Fee / Entrance Fee.
- c) It shall be preferable to incorporate the names of references in the body of the application by the applicant.
- d) All the applications submitted by the applicants shall be taken into consideration in the next (following) meeting of the Managing Committee or as soon thereafter as practicable. The decision of the Managing Committee shall be the final in respect of retification or repudiation, acceptance or rejection of the application of any applicant. The decision of the Managing Committee shall be informed to the applicant as soon as possible.

4. RIGHTS AND DUTIES

Rights and duties are complimentary to each other, for every right there is a corresponding duty. Members shall be entitled to exercise their respective rights and also to discharge their duties, responsibilities and liabilities from the date of admission as Member of the Sansad.

The Members shall abide by the Rules and Regulations of the Sansad and shall strictly follow the code of conduct.

A member is not expected to indulge himjself / herself into any unlawful activity whether inside the Sansad premises or outside the Samsad premises. Carryingout any anti Sansad activity will entail the member / members liable to be expelled from the membership of the Sansad.

Such expelled member / members shall be debarred from re-admission to the membership of the Sansad for a minimum period of six years from the date of expulsion. The decision of expulsion shall be taken by the Managing Committee with a prior permission of the Board of Trustees and ratified by the General Body Meeting of the Sansad. Before taking decision in respect of the expulsion of a member, reasonable opportunity shall be provided to such erring member to be heard. A show-cause notice shall be served upon him/her to explain and to mend his / her ways of functioning.

5. CEASATION OF MEMBERHSIP

A person ceases to be a member of the Sansad on the grounds and for the following reasons :

- a) on his/her death,
- b) on his/her resignation,
- c) on his / her removal as hereinafter provided,

- d) on his/her expulsion as provided hereinabove,
- e) on non-payment of arrears of subscription within the prescribed time limit.

a) ON DEATH

The membership of a person shall automatically stand terminated on his her death. Any amount if payable to the member from the sansad shall be paid to the next of kin / legal heir / relatives of such deceased member. The valuable services extended by such member shall be recorded in the minutes and two minutes silence shall be observed as a mark of respect to the departed soul in the Annual General Body Meeting following such demise of the member.

b) ON RESIGNATION

A member may by serving notice in writing addressed to the President / the Secretary of the Sansad tender his/her resignation from the membership of the Sansad, assigning specific reasons of resignation together with the notice the member has to return the Identity Card, any Article, books of library, library card borrowed from the Sansad. The member shall also pay up all the dues, Bill Books, arrears of subscription if there be any to the Sansad.

The Managing Committee in its following committee meeting shall discuss the matter, asses and analyse the validity of the reason assigned by such member and shall take a suitable decision.

Resignation shall take effect from the date of its acceptance by the Managing Committee or failing such acceptance, at the expiry of one calander month from the date of receipt by the President / Secretary of such notice.

c) ON REMOVAL

On the recommendation of the Managing Committee of the Sansad, with prior approval from the Board of Trustees, a member may be removed from the membership of the Sansad by a vote of not less than two-third of the members present and voting at a General Meeting of the Sansad, if,

- i) the member becomes insolvent,
- or ii) the member is convicted of an offence involving moral turpitude,
- or iii) the member does any act or makes a declaration or statement which is false, with malafide intension to cause loss to the

Sansad or to deliberately damage or injure the bright image of the Sansad and to reduce its credit.

Provided that no such removal shall be considered at the General Meeting of the Sansad, unless the member has been given a reasonable opportunity of being heard by way of serving such member a notice in writing, at least twenty days, informing the member about the committee's recommendation to remove him / her.

The member shall be instructed to return the Membership Identity Card, Library Books, Bill Books, other articles of the Sansad if there be any. The member shall also be asked to pay up his her dues, arrears of dues, monthly subscription any other amounts that is due to the Sansad from such member.

d) ON EXPULSION

Any member / members of the Sansad shall be expelled from the Primary Membership of the Sansad on the following grounds :

- a) For carrying on anti Sansad activities.
- b) For lowering the prestige of the Sansad or of its office bearers or of the Trustees, as the case may be in the eyes of the third party or in society at large.
- c) For fraudulent activities, which may be harmful to the Sansad and to its members.
- d) For accusing the office bearers of monetary embezzlements or of economic offences without any evidence, without any rhyme or reason whatsoever.
- e) For abusing or for manhandling office bearers, either within or outside the Sansad premises.
- f) For indulging or conducting such activities whether within or outside the Sansad premises which may amount to an unailable offence under the relevant sections of the Indian Penal Code (IPC).
- g) For misappropriating any amount of Banga Maitri Sansad or that of the North Bombay Sarbojanin Durga Puja's Fund.
- h) For non-payment of arrears of the Sansad or that of the North Bombay Sarbojanin Durga Puja, for a continuous period of three years or above.
- i) For not returning the utensils, crockery and other costly articles of the Sansad or of the North Bombay Sarbojanin Durga Puja for a continuous

period of one year and above despite repeated reminders by the members or office bearers of the Sansad or of the North Bombay Sarbojanin Durga Puja .

- j) For disrespecting or destroying the Constitution of the Sansad or for damaging either valuable assets and articles of the Sansad or those of the North Bombay Sarbojanin Durga Puja.

e) PROCEDURE FOR EXPULSION

For expelling any member of the Sansad the following procedure shall be adopted.

- a) When the cause of expulsion is detected, identified and substantilised, the concerned erring member shall be warned by issuing a signed by the President and Secretary of the Sansad.
- b) If such member / members keep on repeating the said cause of action then the Secretary of the Sansad shall immediately convene a meeting of the Managing Committee, the course of action to be taken against such member / members shall be discussed and a show cause notice shall be issued to such member / members asking the member / members to explain, as to why the member / members shall not be expelled from the Primary Membership of the Sansad. Nevertheless a notice shall be issued to such member / members with the prior approval of the Trustees of the Sansad.
- c) If such erring member / members of the Sansad does / do not reply to the satisfaction of the Members of the Managing Committee of the Sansad within a maximum period of 30 (thirty) days from the date of receipt of the notice by the member / members under such ciccumstances the Managing Committee shall convene a Special or Extra-ordinary General Body Meeeting with 15 (fifteen) days prior intimation to all bonafide members of the Sansad. In that Special / Extra-ordinary General Body Meeting the only one agenda shall be kept and discussed that is of the expulsion of the erring member / members of the Sansad.
- d) In the said Special / Extra-ordinary General Body Meeting the General Secretary, of the Sansad shall explain the reason and circumstrances under which the Committee of the Sansad is constrained and compelled to expel such erring member / members of the Sansad.
- e) A resolution in respect of the expulsion of the said erring member / members shall be passed by the two-third (2/3rd) of the total number

of bonafide members of the Sansad remaining personally present and voting in favour of the expulsion of the said erring member / members of the Sansad. If there be any vote of decent, the same shall be recorded in the minutes of the meeting.

- f) All the dues, arrears, outstandings identity card, Bill book, Library book / books, other articles of the Sansad lying with the said expelled member / members shall be recovered by taking suitable measures.
- g) A notice in respect of the said expulsion shall be displayed in the Sansad premises and another notice shall be circulated to all members of the Sansad for their record and information which is expected to have some deterring effect on the other members of the Sansad, so that they do not commit the similar offence / mistakes as to be liable to be expelled from the primary membership of the Sansad.

f) ON NON-PAYMENT OF ARREARS

Any member, whose monthly subscription save and except Life Members and Partons, shall be four months or more in arrears and who shall not pay and clear up all the arrears, within three weeks from the date of issue of written notice to such defaulting member calling for such payment, shall on a resolution to that effect being passed by the Managing Committee of the Sansad shall cease to be a member. On cessation from the membership, the person shall return Membership Identity Card, Library Books, Bill Books other articles if there be any taken from the Sansad, deposit or any such amount paid by the person to the Sansad shall stand forfeited.

6. RE-ADMISSION TO MEMBERSHIP

Any person seeking re-admission to membership of the Sansad, shall submit an application of membership together with prescribed re-admission fees of Rs. _____ (Rupees _____ only), which may be revised from time to time, by the General Body of the Sansad. On receipt of such application together with the prescribed re-admission fee, the Managing Committee of the Sansad shall decide upon on merit, in consultation with the Board of Trustees, whether such person shall be re-admitted to the membership of the Sansad or not.

7. REGISTER OF MEMBERS

A Register of Members shall be maintained in which shall be entered the names and addresses of the members and such other information about the members

as the Managing Committee may from time to time decide, Such Register shall be kept open for inspection of the Members of the Sansad at the time and place as may be determined by the Managing Committee.

8. HOLDING OF THE GENERAL MEETINGS

The Annual General Body Meeting (AGM) of the Sansad shall be held every year before 30th June, that is to say within a maximum period of three months from the date of Financial year ending i.e. 31st March.

9. FUNCTIONS OF THE ANNUAL GENERAL BODY MEETING

The functions of the Annual General Body Meeting in general shall be to transact the following business unless otherwise decided by the Managing Committee in consultation with the Board of Trustees :

- a) To read and confirm the proceedings and the minutes of the last General Body Meeting. After the minutes are duly approved by the General Body the minutes shall be jointly signed by the President and the Secretary of the Sansad.
- b) To consider the Secretary's Report on the working of the Sansad for the preceeding financial year.
- c) To consider the Report of the Treasurer together with the placement of the Audited Statement of the Accounts, including Balance Sheet and Profit and Loss Accounts for the said financial year.
- d) To appoint a duly qualified and experienced Auditor for the purpose of auditing the accounts of the Sansad, to determine his remuneration and/or to terminate the services of any Auditor appointed earlier, and/or to obtain no objection certificate from him, as the case may be, whatsoever.
- e) To consider the appeals against the orders of the Committee and generally to exercise supreme authority in any matter relating to the work of the Sansad.
- f) To elect the office bearers for a period of five years, and
- g) To dispose of :
 - i) Any other business duly notified by the Committee of the Sansad.
 - ii) Any business of which notice has been given to the Committee of the Sansad, by the members at least one week prior to the scheduled date of the General Body Meeting.

10. TIME AND PLACE FOR HOLDING GENERAL BODY MEETING

A General Body Meeting, whether Annual or Special, shall be held at such place and time as the Committee may consider convenient for the transaction of business of the Sansad.

11. COMMITTEE CONVENING A SPECIAL GENERAL BODY MEETING

The Managing Committee of the Sansad may whenever it deems fit, proper and expedient, convene a Special General Body Meeting either for the purpose of transacting any special business of the Sansad or for placing before the members of the Sansad a review of their activity in the preceeding month.

12. SPECIAL GENERAL BODY MEETING BY REQUISITION OF MEMBERS

Special General Body Meeting of the Sansad shall also be convened by the Managing Committee of the Sansad upon the receipt of the requisition signed and submitted by not less than 1/3 (one third) of the total number of members of the Sansad on the Register at the end of the financial year, next preceeding the date of requisition. The requisition so made shall clearly express the object and reason of the Special General Body Meeting proposed to be called and shall be presented to the Honorary General Secretary of the Sansad.

13. THE PERIOD WITHIN WHICH SPECIAL GENERAL BODY MEETING BY REQUISITION SHALL BE HELD

Upon receipt of a requisition under the last preceeding Rule, such meeting shall be convened within 15 (fifteen) days from the date of the requisition. In case the Managing Committee of the Sansad fails to convene such meeting to be held within a fortnight from the date of receipt of the requisition by the Managing Committee of the Sansad, under such circumstances the requisition members themselves shall become eligible to convene such meeting to be held within one month from the date of delivery / receipt of such notice of requisition to/by the managing Committee of the Sansad.

14. NOTICE FOR GENERAL BODY MEETING

- a) In the case of an Annual General Body Meeting 15 (fifteen) days notice and in the case of a Special General Body Meeting, 7 (seven) days notice shall be given prior to the schedule date of the meetings by putting up a notice on the notice board of the Sansad, or by written communication delivered or posted to each member or by any other reasonable means as decided

by the Managing Committee.

- b) The said notice shall specify the day, date time and place fixed for holding the meeting and shall also state the agenda, that is to say the nature of the business to be transacted at the meeting.
- c) The non-receipt of such notice by any of the members of the Sansad shall not invalidate the proceedings of the meeting in any manner whatsoever.
- d) Notwithstanding anything contained in Sub-rules (a), (b) and (c) of this Rule No. 14, at least a notice of 15 (fifteen) days shall be required to be given in respect of any Special General Body Meeting convened by the Managing Committee of the Sansad in order to revise, alter or amend the Rules of the Constitution of the Sansad with a prior permission from the Board of Trustees.

15. BRINGING FORWARD A PROPOSAL NOT SPECIFIED IN THE NOTICE OF THE GENERAL BODY MEETING

The Managing committee or any bonafide member of the Sansad may with the consent / permission of at least 2/3rd (two third) of the members present at a General Body meeting bring forward a proposal, regarding any matter not specified in the agenda of the notice of the General Body Meeting, provided that no such proposal shall be brought about for the removal of any member of the Sansad or for the amendment of the Rules of the Constitution of the Sansad, provided further that no new proposal shall be brought at any adjourned meeting.

16. QUORUM : GENERAL BODY MEETING

1/3rd (one third) of the total number of members on the register at the end of the financial year next preceeding the date of the meeting shall form a quorum at a General Body Meeting.

17. ADJOURNMENT

If within one hour from the appointed and scheduled time of a General Body Meeting, required quorum is not formed, under such circumstances if the said meeting is a Special General Body Meeting convened upon by a requisition from members of the Sansad, shall stand dissolved, however in any other case the meeting shall stand adjourned for half an hour and then the said meeting shall be conducted on the same day, at the same place with the same agenda and the business shall be transacted notwithstanding whether there is quorum or not.

18. PRESIDING OFFICER

- a) All the General Body Meetings, whether Annual or Special General Body Meetings of the Sansad, shall be presided over by the President of the Sansad. In the absence of the President, the Chairman of the Board of Trustees shall take the chair and preside over the meeting. In case the Chairman is also absent or is unwilling to take the chair, then the members present in the meeting shall choose one of the members of the Managing Committee of the Sansad to take the chair and preside over the meeting.
- b) No business shall either be discussed or transacted at any General Body Meeting unless the same is presided over by any eligible person, the chair cannot remain vacant during the progress of the General Body Meeting.

19. MAJORITY DECISION EITHER BY SHOW OF HANDS OR BY POLL

At any General Body Meeting, a resolution shall be passed by majority decision, unanimously or by voting by show of hands or by secret ballot papers. The method of voting shall be decided in advance before any resolution is put to vote, whether the same shall be decided by show of hands or by polling through secret ballots. Then the results will be declared by the Presiding Officer as whether a resolution is unanimously passed or passed by a particular majority or lost and an entry to that effect in the minute books of the sansad shall be conclusive evidence of the passing of the resolution. It shall be accompanied by the names of the members proposing and seconding such resolution.

20. WHO CAN DEMAND A POLL

At least 10 (ten) members of the Sansad personally present in the meeting or the Presiding Officer of the meeting shall be entitled to demand for a voting / poll, in order to decide upon the majority decision of the house in respect of passing of a resolution.

21. CASTING VOTE OF THE CHAIRMAN OF THE BOARD OF TRUSTEES

In case of an equality of votes whether by a show of hands or by a poll through secret ballot papers, the Chairman of the Board of Trustees shall have the casting vote in addition to his own vote to which he will be entitled as a bonafide member of the Sansad, irrespective of the method of voting adopted at the meeting whether by show of hands or by polling through secret ballot papers.

22. MINUTES

Minutes shall be recorded in the books provided for the purpose of all resolutions and proceedings at General Body Meetings and an entry to that effect of the proceedings and resolutions of the Sansad shall be the conclusive evidence of the fact, without further proof of the number or proportion of votes recorded in favour or against the Resolution and if any such minutes is signed by any person purporting to have been the President Officer at that meeting to which it relates or by the person who shall preside as the President at the next succeeding meeting shall be receivable as evidence of the facts therein.

23. CUSTODY OF THE MINUTE BOOKS

The custody of the Minute Book containing the minutes of the proceedings of the General Body Meetings and/or that of the Managing Committee Meetings of the Sansad shall remain with the General Secretary of the Sansad and shall be made available for inspection by the bonafied members of the Sansad, during such hours on such days (subject to such reasonable restrictions as the members of the Managing Committee may from time to time or the General Body Meeting of the Sansad impose so that on a particular day in a week at a predetermined time be allowed for inspection) be open for the inspection by any bonafide member of the Sansad.

24. ONLY ONE VOTE PER MEMBER

All the bonafide members of the Sansad shall be eligible and entitled to exercise their respective voting rights either upon a show of hand by remaining personally present in the meeting and casting only one vote or upon a poll by casting only one vote through secret ballot paper.

25. NO VOTING RIGHT FOR MEMBER IN ARREARS

The members of the Sansad, who are in arrears that is to say, members who have not paid and cleared their outstanding dues shall not be eligible or entitled either to remain present in any of the General Body Meetings or to cast his/her/their vote in respect of any matter or resolution, pertaining to the affairs of the Sansad.

26. NO DISCRIMINATION BETWEEN MEMBERS

Notwithstanding anything contained in this constitution Rules and Regulations there shall not be any discrimination between any of the bonafide members of the Sansad on any ground of caste, creed, religion, language, sex, economical,

social or plotical as such. All the bonafide members of the Sansad shall enjoy the same right and subject to the same liabilities equally.

27. MANAGEMENT OF THE AFFAIRS OF THE SANSAD

The management of the affairs of the Sansad shall be vested in the hands of a body of members elected by the General Body Meeting, hereinafter called and referred to as the 'Managing Committee' and/or 'Executive Committee' of the Sansad, consisting of 11 (eleven) members, 5 (five) of whom shall be office bearers such as the President, the vice President, the General Secretary, the Joint Secretary /Assistant Secretary, and the Treasurer. The rest will be the members of the Managing Committee. All the members of the managing Committee shall be jointly and severally liable for any action, decision, omission or commission by the Managing Committee of the Sansad.

28. ELECTION OF OFFICE BEARERS

The elections of all the office bearers as mentioned hereinabove, namely one President, One Vice-President, one General Secretary, one Assistant Secretary, one Treasurer and one Librarian and five Ordinary Members of the Managing Committee shall be elected at the Annual General Body Meeting of the Sansad. The term and tenure of the elected representatives of the Sansad shall be 5 (five) years.

29. ELIGIBILITY FOR OFFICE BEARERS

Any person, who is a bonafide member of the Sansad shall be eligible to be elected as an office bearer provided the following :

- i) that the person is not of unsound mind.
- ii) the person is a bonafide member of the Sansad
- iii) the person is not in arrears of monthly subscription of the Sansad since last three months prior to the date of election
- iv) the person has not been adjudicated as an insolvent or
- v) the person has not been convicted for any offence involving moral turpitude.

30. NOTICE OF DEFAULTERS

The General Secretary shall, not less than 15 (fifteen) days before the date of Annual General Body Meeting of the Sansad, put up on the Notice Board kept in the Sansad premises, the names of the defaulters, who are not eligible to exercise their right

to vote in the Annual General Body Meeting of the Sansad.

31. ELECTION OF MEMBERS BY MAJORITY VOTES

In the matter of election of a member of the Managing Committee of the Sansad the following rules shall be applicable.

- a) The name of a bonafide member of the Sansad, who is eligible for election either as an office bearer or as an ordinary member of the Managing Committee shall be proposed by a bonafide member of the Sansad who is not in arrears of Sansad's dues and another member must second the name. The person seconding the name shall not be a defaulter either.
- b) The election of those members, who are duly proposed and seconded as above, shall be determined by a majority of votes of the members of the Sansad personally present in the Annual General Body of the Sansad, either by showing of hands or by polling through secret ballot paper in accordance with the decision of the house and with the approval of the Presiding Officer.
- c) If the number of candidates validly proposed under Rule 31 (a) is equal to or less than the number of vacancies, the candidates so proposed shall be deemed to have been duly elected. unopposed If, however, the number of such candidates exceed the number of vacancies, then only an election shall be held to determine the member's choice of office bearers.

32. VACATION OF OFFICE OF COMMITTEE MEMBER

A Committee Member shall be deemed to have vacated his office even before the expiry of his normal term if he :

- i) is disqualified under Rule 29, or
- ii) resigns by tendering his resignation letter in writing to the Secretary or to the Chairman of the Board of Trustees or to the President of the Sansad, or
- iii) is for sufficient cause removed by a majority of votes at a General Meeting or
- iv) becomes a defaulter during the term of his/her committee membership or
- v) after receiving a notice of the date of meeting of the committee absents himself/herself at four successive meetings without taking prior leave of absence for reasons which in the opinion of the Members of the Managing Committee are not satisfactory.

33. FILLING UP CASUAL VACANCY

Any vacancy occurring in the office of the Managing Committee of the Sansad, during the interval between two Annual General Body Meetings shall be filled up by the committee in such a manner as they may decide. Such a committee member shall hold office till the next Annual General Body Meeting.

34. REMOVAL OF OFFICE BEARER

The bonafide members of the Sansad by passing a resolution by a majority of three fourth of the total number of members of the Sansad remaining personally present in a General Body Meeting specially called for the purpose and by voting shall be entitled to remove the President, the Vice-president, the General Secretary, the Assistant Secretary, the Treasurer or any other member of the Managing Committee of the Sansad.

35. POWERS OF THE COMMITTEE

The powers of the Managing Committee of the Sansad shall be the following :

- a) To admit new members
- b) To organise cultural programmes on occasions like Bengali New Year, Rabindra Jayanti, Nazrul Jayanti, Ambedkar Jayanti, Shivaji Jayanti, Vijaya Sammelani, and/or other occasions as the committee deems fit, proper and expedient.
- c) To organise Annual picnic.
- d) To organise drama competitions, sports competitions, football, cricket matches, atheletes, carrom, chess badminton, table-tennis etc. competition.
- e) To organise programmes for raising funds for various purposes.
- f) To conduct classes in various languages and in computer training.
- g) To appoint, suspend, fine or dismiss all salarised employees, servants, of the Sansad, subject to the prior approval of the Board of Trustees.
- h) To appoint zonal committees and collectors for collecting subscriptions or contributions or other sums of money from the members and doners.
- i) To hear and to deal with complaints of Members amicably.
- j) To supervise and check the accounts.
- k) To enquire into and take action in case of defaulters.
- l) To get the final accounts prepared and audited.
- m) To purchase utensils, chairs, tables, books, stationary, sports equipments, other articles, gifts, prizes, boquets, presents, black board, chalks, dusters, registers, and all other things as the committee may decide.
- n) To institute, defend, or compromise legal proceedings, and
- o) Generally to conduct the business of the Sansad.

36. HOLDING OF COMMITTEE MEETINGS

The Managing Committee of the Sansad shall meet at least once in a month and may make such regulations as they may deem proper as to the summoning and holding of the meetings of the committee as for the transaction of business at such meetings and the record of their proceedings shall be open to the inspection of members subject to such resolution as the committee may from time to time deem expedient to make.

37. DECISION BY MAJORITY VOTES

- a) All the items on the agenda placed before the committee in the periodical committee meeting of the Sansad shall be decided unanomusly or by a majority of votes, provided that the recomendation for the removal of a member shall be decided by two thirds of the committee members remaining personally present and voting.
- b) If on any matter votes are equally divided, the President / Chairman of the committee shall have a casting vote in addition to his ordinary vote.

38. QUORUM OF COMMITTEE MEETING

Six members of the committee shall form a quorum for the transaction of the business of the Sansad, provided, however, that any adjourned meeting of the committee, the number fo members required, should not be less than three.

39. ADDITIONAL POWERS OF THE MANAGING COMMITTEE

Without prejudice to the generality of the powers conferred upon committee by Rule 35, hereof, the Managing Committee shall have additional powers as follows:

- a) To make, vary and repeal Rules for the purpose of efficiently and effectively carrying on the business of the Sansad, in the larger interest of the members of the Sansad, subject however, that the Rules so made, varied or repealed shall not come into effect until confirmation by the Board of Trustees and also by the General Body Meeting of the Sansad, except in case of emergency in which the Managing Committee, pending such confirmation, provisionally order any such Rule to take effect from such date, as the members of the Managing Committee may determine. Provided no such Rule so made varied or repealed shall remain effective for a period exceeding five (5) months without confirmation by the General Body Meeting or for one (1) month without approval by the Board of Trustees.
- b) To appoint a committee or sub-committee, headed by some of the elected

members of the Managing Committee such constituted committee, zonal committee or sub-committee may be temporary or permanent as the Managing Committee of the Sansad may decide.

- c) To delegate or sub-delegate any of the powers of the managing Committee to either a committee or sub-committee or zonal committee/s or to a member or members of the Sansad whether a committee member or not, subject to such conditions as the members of the managing Committee of the Sansad may think fit, proper and expedient.
- d) To engage lawyers or experts or any other person, whose appointment the members of the Managing Committee may deem necessary, decide upon and pay their respective remunerations.
- e) To appoint and/or to remove persons from time to time in the employment of the Sansad and to fix their remuneration and to incur expenditure, necessary for effectively carrying on the business of the Sansad.

40. SAVINGS

All acts done in good faith, by the Managing Committee of the Sansad or any person acting as a Committee Member shall notwithstanding, that it is afterwards discovered that there was some defect in the appointment of such committee or persons, be considered to be as valid as if the Managing Committee or every such person had been duly appointed as such.

41. MINUTES BOOK

The members of the Managing Committee shall cause minutes of the meetings to be duly entered, in a book or books provided for the purpose.

- a) of the names of the members of the Managing Committee.
- b) of all orders made by the members of the Managing Committee and
- c) of all resolutions and proceedings of meetings of the members of the Managing Committee.

42. MINUTES TO BE PRIMA FACIE EVIDENCE

All such minutes shall be signed by the Chairman of the Meeting that is to say by the President of the Sansad who shall be presiding over the meeting and all minutes reported to be so signed shall for all purposes whatsoever be prima facie evidence of the actual passing of the resolution recorded and the actual and regular transaction or occurrence of the proceedings so recorded and the regularity of the meeting at which the same shall appear to have taken place.

43. DUTIES OF THE GENERAL SECRETARY

The duties of the General Secretary of the Sansad shall be as follows :

- a) To summon and attend all the meetings of the Sansad, such as Committee Meetings, Sub-committee or Special Committee Meetings, Zonal and/or temporary Committee Meetings, the Annual and Special General Body Meetings of the Sansad.
- b) To record the minutes and proceedings and resolutions passed in the meetings, the number of members attending the meetings etc. in a proper and systematic manner in Minutes Book / Books provided for the purpose.
- c) To receive applications for membership and other applications and to place them with necessary and relevant papers, documents and information pertaining to the subject matter of the application before the Committee for discussion and disposal.
- d) To be in charge of the stamps and seals of the Sansad, Letterheads and receipt books of the Sansad, valuable documents and other papers of the Sansad, which shall be kept in the safe custody of the General Secretary.
- e) To carry on correspondence with third parties, and members on behalf of the Managing Committee of the Sansad, with a prior approval of the Managing Committee.
- f) To attend to such other business of the Sansad, entrusted to him by the Managing Committee from time to time.

The committee may however, assign any of the duties to any of the member of the committee, in the absence of the Secretary.

44. DUTIES OF THE TREASURER

The duties of the Treasurer shall be as follows :

- a) To receive, collect and to disburse money on behalf of the Sansad under the instructions of the Managing Committee.
- b) To prepare all receipts, vouchers, bills and other documents relating to monetary transactions of the Sansad. Keep proper and perfect record of all the Income and Expenditure of the Sansad and to supply the necessary information to the members of the Sansad.
- c) To prepare and maintain all books of accounts, registers and ledgers and
- d) To collect back all the bill books, distributed to the bonafide members of the Sansad for the purpose of collecting donations, subscriptions, fees and any other amount, to get the collected amount deposited in the accounts

of Sansad in the Canera Bank, Nehru Road, Santacruz (East), and to pass on a valid receipt to the collector of the funds.

- e) To get the Profit and Loss Accounts, Income and Expenditure and Balance Sheet for the relevent accounting year prepared, in consultations the the Chartered Accounted within the prescribed time limit.
- f) To place the accounts so prepared before the Managing Committee and to obtain the signature of the President and the General Secretary of the Sansad.
- g) To get the accounts audited by the Auditor appointed by the Sansad in its Annual General Body Meeting, in the previous year.
- h) To place the audited accounts in the Annual General Body Meeting of the Sansad for its due approval by the General Body of the Sansad.
- i) To submit a copy of the approved audited accounts at the office of the Charity Commissioner and to get the same acknowledged.
- j) To pay and clear all the dues, specially all the Government, Semi-Government and local body dues cleared up on priority basis, that is to say all taxes, dues, duties, levies, fees, etc. should be paid up within the prescribed time period so that no fine, penalty or interest is attracted or imposed, whereby no financial loss is incurred by the Sansad because of the negligence of the Treasurer.
- k) To attend to such other business of the Sansad, entrusted to him by the Managing Committee from time to time.

The Managing Committee may however, assign any of these duties to any other member of the committee.

45. DUTIES OF LIBRARIAN

The duties of the librarian shall be as follows :

- a) To maintain a register of all books, magazines, publications, periodicals, etc.
- b) To issue and receive the books magazines, publications, periodicals, etc. to and from the bonafide members of the Sansad.
- c) To look after and take proper care of the books and maintain them in good condition.
- d) To impose late fees on those members who return the books etc. after the due date of return, to levy charges who damage the books and to recover the cost of the book, together with penalty from those members who misplace the books taken from the Sansad library.

- e) The librarian should prepare a list of the books received from doners and submit a copy of the list to the Secretary of the Sansad for his record and information.
- f) The librarian should also prepare a list of latest, useful and knowledge oriented books of eminent authors for the purpose of purchase and enriching the library of the Sansad and be submitted to the managing Committee.
- g) The cover of the books which get torn or come out from the books should be identified and be given for book binding, in time before further damage is caused to the book, with a prior approval of the Managing Committee.
- h) The librarian shall also inspect at intervals, whether the books are infected by insects, vermines, white ants or otherwise and take utmost care of the books as such.

46. ACCOUNTS

Under the instructions of the Managing Committee the Treasurer shall prepare and maintain the accounts of the Income and Expenditure, Profit and Loss etc. of the Sansad, together with the Assets and Liabilities and Balance Sheet of the Sansad for the relevant accounting year in respect of :

- a) All sums of money received and expended by the Sansad and pertaining to matters in respect of which such receipts and expenditure take place.
- b) All sales and purchases of goods by the Sansad and
- c) The assets, credits and liabilities of the Sansad and generally of all its financial and other affairs and transactions and engagements and all other matters necessary for showing the true financial state and condition of the Sansad. The accounts shall be kept, maintained and prepared in English language in such books and in such manner as the Managing Committee may deem fit, proper and expedient.
- d) Generally, the books of accounts shall be kept with the Treasurer unless otherwise instructed by the Managing Committee to the Treasurer. Such books of accounts shall be open for inspection to the bonafide members of the Sansad or to the members of the Managing Committee during such time as may be determined by the Managing Committee in consultation with the Treasurer from time to time.

47. INSPECTION OF BOOKS

The members of the Managing Committee shall determine from time to time whether and to what extent at what time and at which place and under what conditions

or regulations the accounts and books of accounts of the Sansad or any of them shall be kept open for the inspection of the members, not being the members of the Managing Committee and no such member shall have any right of inspecting the accounts or books of accounts and/or other important documents of the Sansad except as conferred by the rules of the Sansad or authorized by the managing Committee or by the Sansad in General Body Meeting or by the Board of Trustees.

48. FINAL ACCOUNTS

Income and Expenditure, Profit and Loss Accounts, and Balance Sheet shall be signed by the President the General Secretary and the Treasurer of the Sansad. In the absence of any one of the aforesaid office bearers any other member of the Managing Committee shall sign. The Auditors Report shall also be signed in the similar manner and be kept ready at least 14 (fourteen) days before the schedule date of the Annual General Body Meeting of the Sansad. All the bonafide members of the Sansad, those who are willing to inspect the Income and Expenditure, Profit and Loss Accounts and Balance Sheet together with the Auditor's Report shall be able to inspect with the prior appointment from the General Secretary. A copy of the Balance Sheet, Profit and Loss Accounts and Income and Expenditure shall be displayed on the Notice Board of the Sansad premises, 14 (fourteen) days in advance of the scheduled date of the Annual General Body Meeting of the Sansad.

49. APPOINTMENT OF AUDITORS

An Auditor shall be appointed at each Annual General Body Meeting and his duties, responsibilities and professional fees shall be fixed and regulated in accordance with any Act or Statutory Notification thereof for the time being in force.

While appointing an Auditor the following aspects shall be taken into consideration :

- i) The Auditor shall be well experienced, well qualified and well behaved.
- ii) The Auditor shall be easily accessible and approachable.
- iii) The Auditor shall be punctual, co-operative and complete his work within a predetermined period of time.
- iv) The professional fees of the Auditor shall be reasonable and nominal and in accordance with the prevailing market trend.
- v) The Auditor should be honest, sincere and rational. The Auditor should return all the relevant papers and documents when asked for

50. INDEMNITY

Every member of the Managing Committee and the employees of the Sansad shall be indemnified by the Sansad and it shall be the duty of the Managing Committee to pay all costs, losses and expenses out of the funds of the Sansad may incur or become liable to by reason of any contract entered into or act or thing done by such member in good faith and/or under either express or implied instructions by the Managing Committee as such member of the Managing Committee or an employee of the Sansad or in any way in the due discharge of his/her duties imposed on him/her by the Managing Committee, including travelling charges, expenses and amount for which such indemnity is provided.

51. COMMON SEAL

The Common Seal of the Sansad be kept under the safe custody of the General Secretary of the Sansad. The Common Seal of the Sansad shall be used sparingly, only on important documents and on correspondence with Government departments. The Common Seal of the Sansad shall be used in presence of the General Secretary along with some other member of the Managing Committee of the Sansad.

52. DISSOLUTION

Banga Maitri Sansad may at any time be dissolved by a resolution of the Sansad passed by a majority of three-fourth of the bonafide members of the Sansad present at the General Body Meeting and the members shall be entitled to vote at the said General Body Meeting specially convened for the purpose of which 14 (fourteen) days previous notice in writing shall be given to all the members of the Sansad, specifying in unambiguous terms the intension to propose such resolution with a prior written permission from the Trustees.

53. ALTERATION OF RULES

No new Rules, Regulations, Bye-lasy shall be made and/or any of the prevailing Rules, Regulations, Bye-laws contained herein, or hereinafter to be made shall be amended, modified revised, altered and/or rescinded except with the consent of 2/3rd (two-third) of the bonafide members of the Sansad remaining personally present and voting unanimously at a General Body Meeting of the Sansad, specially convened for the purpose with a notice issued in writing to all the bonafide members of the Sansad at least 14 (fourteen) days prior to the scheduled date of the Special General Body Meeting, clearly indicating the intensions of the alteration, modification, revision, etc. of a particular rule of this constitution of Banga Maitri Sansad as such.

