

JANTA VIDYA MANDIR GANPAT RAI RASIWASIA COLLEGE SOCIETY

Ram Krishan Gupta Marg, CHARKHI DADRI, DISTT. BHIWANI (HR.)

Byelaws of the Society

Name of the Society: **JANTA VIDY MANDIR GANPAT RAI RASIWASIA COLLEGE SOCIETY.**

1. The Registered Office of the Society shall be at (complete postal address): Ram Krishan Gupta Marg, CHARKHI DADRI, BHIWANI (HARYANA).
2. The Society shall carry out its major activities in the territory of State of Haryana.
3. **Membership:**
 - (1) The Society shall have a maximum of 400 members including the founder members/ life members.
 - (2) **Eligibility:** In order to be admitted as a member of the Society, a person:
 - (i) must be 21 years of age on the date of admission;
 - (ii) should subscribe to the aims and objects of the Society;
 - (iii) must have deposited the admission fee and annual subscription fee and must not be in arrears of payment of such fee as on the date of annual general meeting for continuing as a member;
 - (iv) must not be an insolvent and of unsound mind; and
 - (v) must not have been convicted of an offence involving moral turpitude involving imprisonment of one year or more.
 - (3) **Kinds/ Types / Categories of Members:** The Society shall consist of two different categories of members as under:
 - (i) **Life Members** - A person may be admitted as a life member on payment of the prescribed fees and such person shall continue to be the member of the society for his life. The total number of life members shall not exceed 400.
 - (ii) **Honorary Member** - The Governing Body may admit individuals of distinguished talent and merit or whose association is deemed to be beneficial to the Society or who has rendered services of outstanding merit to the Society or who is a distinguished citizen of India or any other country as Honorary Member of the Society, after obtaining consent of the individual, without payment of any membership or subscription fees. The number of such honorary members shall not exceed 400. The Honorary members shall be entitled to attend the meetings and contribute to the deliberations but shall have no right to vote.

(4) Membership Fee & Annual Subscription:

- (i) The rates for membership of the Society and the annual subscription shall be as under:

As may be decided by the Society in its Byelaws:			
Sr. No.	Type of Member	Admission Fee	Annual Subscription
(i)	Life Member	Rs. 31,000/-	Nil
(ii)	Honorary Member	Nil	Nil

(5) Admission Procedure (for members other than the subscribers):

- (i) The admission of a person as a member of the Society shall be decided by its Governing Body from time to time;
- (ii) An individual willing to be a member of the Society has to submit an application in prescribed form, and along with supporting documents to the Secretary duly filled in and signed and recommended by a regular member of the society.
- (iii) The Secretary shall examine the application and place the same before the Governing Body for a decision.
- (iv) The Governing Body may accept or reject the application and the decision of the Governing Body in this regard shall be final. It shall not be bound to assign any reason for its decision.
- (v) The approval of the Governing Body shall be intimated to the member, his name shall be entered in the register of members, to be maintained in such manner & form as prescribed under the Haryana Societies Registration and Regulation Rules, 2012 and he/she will be issued an Identity Card of the Society.

- (6) Identity Card for every member:** Every person admitted as a member will be issued an identity card containing his/her photograph, brief particulars and membership category, duly signed by the individual Member and the General Secretary of the Society.

(7) Rights & Obligations of Members:

- (i) All the members of the Society shall be bound by the rules and regulations of the Society as contained in its byelaws and amended from time to time;
- (ii) Every member, except an Honorary member, shall have a right to cast his vote at the elections of the Society;
- (iii) Every member of the Society shall have the right to inspect the books of accounts, books containing the minutes of proceedings of the general meetings, meetings of the Governing Body and register of members of the society on any working day by giving a notice of seven days;
- (iv) Every member shall inform the Society about any change in his address, which shall be duly recorded in the register of members of the Society and upon which the Society shall issue a fresh Identity Card to such member.

- 8. Cessation of Membership:** Any person admitted as a member shall cease to be a member of the Society in the following events:

- (i) Attracts the provisions contained in Section 22 of the Act;
- (ii) Upon his/ her acting contrary to the aims and objectives of the Society;
- (iii) Upon such member being found guilty of a financial misappropriation of the funds of the society;
- (iv) Upon indictment and directions for removal by the District Registrar/ Registrar/ Registrar General of Societies;
- (v) An Honorary member shall cease to be a member of the Society, if the Governing Body, decides so by passing a resolution in this behalf.

5. General Body:

- (1) Every person admitted as a member shall be a member of the General Body of the Society and shall be entitled to cast his vote for the election of the Governing Body of the Society unless he is in arrears of payment of any dues of the Society,
- (2) Every member shall cast his vote in person and no proxy voting shall be allowed.

6. Meetings of the General Body:

- (i) A meeting of the General Body of the society will be held as and when required. However, at least one meeting of the General Body of the society, called as the Annual General Meeting (AGM) will be held in a year, within six months of the close of the financial year for consideration and adoption of the duly audited annual accounts of the society in addition to transaction of any other business of the Society as may be required.
- (ii) The Governing Body of the society may convene an extra-ordinary meeting of the General Body of the society at any time after giving due notice as prescribed hereunder, either of its own or within 45 days of receipt of a written requisition along with reasons for convening such meeting, from at least 1/10th of the members of the General Body.
- (iii) For any meeting of the General Body, a clear notice of at least 14 days along with a copy of the agenda of the business to be transacted, date, time & venue of the meeting will be given to the members of the General Body. A copy of such notice will also be endorsed to the District Registrar.
- (iv) A meeting of the General Body may also be convened at a shorter notice, if agreed to, by a majority (at least above 50% of the total members) of the members of the General Body.
- (v) Quorum for the meeting of the General Body will be 40% of the total members entitled to vote and present in person, subject a minimum of four members. In case of a meeting adjourned for want of quorum, the quorum for the adjourned meeting shall not be less than 10% of the total members, subject to a minimum of three. The General Body shall be competent to transact all business in such adjourned meeting except the consideration of any Special Resolution. Any Special Resolution can be passed in such adjourned meeting only if at least 25% of the total members of the Society are present.

- (vi) The proceedings of all meetings of the General Body will be recorded in the minutes-book (bound or in loose leaves) maintained separately for the purpose by the Secretary and such minutes will be signed by the Chairman of the meeting and the Secretary of the Society.

7. Powers, Functions & Duties of the General Body -

- (i) To guide the Society in determining and fulfilling its aims and objects.
- (ii) To decide policy matters such as change of name of the society, amendment in the Memorandum of Association and the Byelaws of the society, approval of annual accounts of the society, approval for disposal of immovable assets of the society etc. and all such other acts as may be required under the Haryana Registration and Regulation of Societies Act & Rules, 2012.
- (iii) To elect the members of the Governing Body.
- (iv) To remove any member from the Governing Body and according approval to the continuation of a person appointed as a member of the Governing Body against a casual vacancy.

8. Governing Body:

- (1) **Composition:** The Governing Body of the society shall consist of a total of 15 Office bearers and Members as under:

- (a) President
- (b) Vice-President
- (c) General Secretary /Secretary
- (d) Treasurer/ Cashier
- (e) Eleven Executive Members, nominated by the President
- (f) In case of Governing Body of the educational institution/institutions run by the Society, the rules framed time to time by the concerned university, Government and Statutory body will be applicable.

(2) Election of the Governing Body:

- (i) The Term of the Governing Body shall be three years from the date of approval of its election by the District Registrar;
- (ii) The Governing body will declare the Schedule of Elections and appoint the Returning Officer for conduct of elections and also notify/display a list of members of the General Body entitled to vote at least 45 days prior to the holding of the General Meeting for conduct of the elections. The Governing Body shall also send notices for holding elections of the Governing Body to all the members, conveying the date, time & the manner. The information w.r.t. holding of election for the Governing Body shall also be sent to District Registrar to appoint an observer, if he so desires.
- (iii) Any objections qua the list of members of the Society entitled to vote shall be decided by the Returning Officer in consultation with the office-bearers of the society. However, the decision of the Returning Officer shall be final in the event of any difference of opinion. The Returning Officer shall, thereafter, invite nominations to be filed within the period prescribed In the Schedule of

elections, scrutiny and withdrawal of nominations, if any, for election of the office-bearers and the executive members of the Governing Body.

- (iv) The Returning Officer will display a list of the contesting members on the notice board of the society. The returning officer will conduct the election on the notified date. The members eligible to vote will be allowed to cast their vote in person, and wherever disputed, on production of the identity card issued by the society.
- (v) After closing hours on the date of the poll, the returning officer will declare the results and constitute the Governing Body of the society. A list of the elected office-bearers and the executive members of the Governing Body, duly signed by the Returning Officer, will be filed with District Registrar within 30 days, who shall accord his approval of the same upon his satisfaction.
- (vi) The office-bearers of the Society shall not be entitled to any remuneration for rendering services to the society.

(3) Filling of any Casual Vacancy on the Governing Body -

Any vacancy arising on account of resignation or death of any member of the Governing Body or for any other reason, may be filled-up by the Governing Body, if required, from amongst the members of the General Body on adhoc basis till the holding of next Annual General Meeting of the Society. Such adhoc member of the Governing Body shall cease to be a member of the Governing Body on the date of the next Annual General Meeting, if his appointment is not approved in the Annual General Meeting by a majority vote for the balance term of the Governing Body.

(4) Meetings of the Governing Body -

- (i) The meetings of the Governing Body will be held as and when required. However, the Governing Body shall meet at-least once in every quarter and there will be minimum four meetings of the Governing Body in a financial year.
- (ii) A clear notice of three days of every such meeting will be given by the Secretary of the Governing Body to the office bearers and members before the date appointed for the meeting. However, the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty percent of its members.
- (iii) The quorum of the meetings of the Governing Body shall be at least 40% of the total members of the Governing Body, subject to a minimum of 5 members. In case quorum is not present, the meeting shall be adjourned to another date for which a proper notice shall be issued. The members present in the adjourned meeting, subject to a minimum of three members, shall form the quorum for the adjourned meeting.
- (iv) The proceedings of every meeting of the Governing Body will be recorded in the proceedings book separately maintained for this purpose. Such minutes shall be signed by the Chairman of the meeting and the Secretary of the Society. In case the Chairman or the Secretary is not available to

sign the minutes, these will be signed by any two members present in the meeting as may be authorized by the Government body.

- (v) The minutes of every meeting of the Governing Body will be placed for confirmation in the succeeding meeting of the Governing body.

(5) Powers, Functions & Duties of the Governing Body-

- (i) The Governing Body will be responsible for achieving the aims & objectives of the Society and shall work in the best interest of the Society, for which it shall be empowered to deploy the funds & assets of the society for the stated objectives;
- (ii) The Governing Body will be competent to raise funds, take loan from pvt. & govt. sector (bank) and purchase property, movable and immovable, on free-hold or lease basis in its name, as decided by it.
- (iii) The Governing Body shall have full charge of all immovable properties and moveable assets belonging to or vested in the Society and these will be managed in such a manner as it considers appropriate subject to the overall control and directions of the General Body of the Society.
- (iv) The Governing Body shall be competent to invest the funds in the manner it considers appropriate in the best interests of the Society and it shall be competent to borrow or mortgage or hypothecate the properties on behalf of the Society in the manner decided.
- (v) To constitute various standing or adhoc Committees for looking after such functions as may be assigned from time to time.
- (vi) To create provision for engagement of regular or part-time employees of the Society to look after the secretarial, accounting and other functions in a seamless manner.
- (vii) To outsource certain functions e.g. cleaning, security and similar other maintenance activities of the premises of the society.
- (viii) Due to any reason if the governing body of the society is not constituted in time the governing body of the institution/institutions appointed by the society will work as per guidelines issued by the concerned authority.

(6) Powers, Functions & Duties of individual members of Governing Body-

(i) President:

- (a) To preside over all the meetings of the General Body and of the Governing Body and regulate the proceedings of such meetings.
- (b) To do all such acts, deeds and things as may be authorized by the General Body and/or the Governing Body from time to time.
- (c) To allow or disallow discussion on any matter which is not included in the agenda.
- (d) To ensure proper & transparent functioning of the Society/ Governing Body.
- (e) To ensure strict compliance of the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules made there under.
- (f) To supervise and guide the overall activities/ achievement of aims & objectives of the Society.

(ii) Vice-president:

- (a) To assist the president in carrying out his duties.

- (b) In absence of the President, to act on his behalf and perform all duties and exercise all the powers of the President.
- (c) To do all such acts, deeds and things, as may be authorized by the Governing Body.

(iii) General Secretary/Secretary:

- (a) To conduct, organize, supervise and manage all the affairs of the Society and do all such acts and perform all such duties for the working of the Society as may be assigned by the President/Governing Body;
- (b) To receive, scrutinize and place applications for membership of the Society before the Governing Body and to enter the name of the members, if approved, in the register of members under his initials and to intimate the members about the same and issue identity cards to the members so admitted;
- (c) To convene meetings of the General Body/Governing Body with the consent of the President and serve proper notices as prescribed under these byelaws.
- (d) To attend all the meetings of the General Body and the Governing Body and assist the President in conducting the meetings and record proceedings of all the meetings.
- (e) To prepare annual report of the Society and place it before the Governing Body along with audited annual accounts of the Society, for approval to place the same before the General Body in the Annual General Meeting.
- (f) To keep and preserve the records of the Society/ Governing Body.
- (g) To help and assist the President in looking after the complete affairs of the Society and in attaining aims & objects of the Society.
- (h) To ensure timely filing of all statutory returns/ documents in the office of the District Registrar and such other authorities as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made there under.
- (i) To be the custodian for safe custody of common seals of the society and affix the same, wherever required, as per the authorization of the Governing Body.
- (j) To conduct correspondence on behalf of the Society/ Governing Body and to sign letters and papers on its behalf and to ensure that all statutory registers and records are properly kept and maintained.
- (k) To prepare before announcing of the date of election and the Annual General Meeting, the list of all the members eligible to vote, duly updated and to place it before the Governing Body.
- (l) Act as the overall in-charge of the administration and execution of all the programmes of the Society/ including financial affairs on behalf of the Governing Body including creation of posts, fixation of salaries/ remuneration/ allowances etc., make appointments/ engagement of staff, make purchases and do all other such things as may be necessary in the furtherance of the aims & objects of the Society in accordance with the delegations by the Governing

Body from time to time and where no such delegation is specifically made, in consultation with the President of the Society.

(iv) Treasurer:

- (a) To keep accounts of all financial transactions of the Society and of all the sums of money received and spent by the Society and maintain records of receipts and 6xpenses relating to such matters, and of assets, credits and liabilities.
- (b) To get the accounts of the Society audited by the chartered accountant appointed by the Governing Body at the close of the financial year, every year.
- (c) To submit to the Governing Body through General Secretary/ Secretary, the audited annual accounts of the Society, at least one month prior to the date of annual general meeting.
- (d) To act as the overall custodian of all the books of accounts of the society, financial statements, receipt books, expense vouchers, bank pass books & cheque books, cash etc.

(7) Cessation of members of the Governing Body- An office-bearer/ executive member of the Governing Body shall cease to be an office-bearer or executive member:

- (a) upon submission & acceptance of his resignation;
- (b) if he ceases to be a member in accordance with sub-clause (8) of Clause 4 of these byelaws;
- (c) if he is removed by a resolution passed in the meeting of the General Body.

(8) Exclusions from the Employment of a Society:

- (a) No member of the Society shall be in full-time or part-time employment of the Society;
- (b) No dependant or family member or close relative of the office-bearers and members of the Governing Body shall be engaged as an employee of the society during its term;
- (c) Every office-bearer and member of the Governing Body shall make a declaration in case any person in the employment of the Society is his close relative.

(9) Amendments in the Memorandum of Association, Byelaws, Name of the Society, etc. Any amendment in the Memorandum of Association and Byelaws, or Change of Name, amalgamation or division of the Society will be done only with the approval of the General Body by way of a special resolution. The intimation of any such amendment or change, along with attested copy of the requisite documents, shall be filed in the office the District Registrar by the General Secretary/ Secretary within such time as may be prescribed under the Haryana Registration and Regulation of Societies Act, 2012 and the rules made there under.

(10) Management of Assets and Funds of the Society

- (i) The sources of income of the society will include receipts on account of membership fee, rent from property/ assets, interest, consultation fees, donations, gifts, grants, etc. The society can also raise funds through interest-free short term loans from its members or from scheduled banks on interest. Loan from the scheduled banks on interest will be taken only for purchase of creation of capital assets, vehicle used for institution, not for meeting any recurring revenue expenditure under any circumstances.
- (ii) The Governing Body will prepare and approve an annual budget of the Society on the basis of its estimated income and the capital & revenue expenditure during the first quarter of the financial year and shall also place a copy thereof before the General Body in its Annual General Meeting for information.
- (iii) The Bank accounts of the Society will be operated by President/Secretary/ Cashier.
- (iv) All assets and funds will belong to the Society and vest in the society.

(v) All receipts and payments of the Society shall be made through Bank Instruments (i.e. DD/ Pay Order/ Cheques/ Bank Transfers/ RTGS) including a/c receipts towards the Membership Fees from the members. However, the Governing Body may determine the limits of financial transactions which may be conducted in cash in certain other cases.

(11) Accounts of the Society:

- (i) The Treasurer of the Society will be responsible for keeping and maintaining proper books of accounts i.e. cash book, ledger etc. as required under the Income Tax laws and/or any other authority including the Institute of Chartered Accountants of India, at its Registered Office with respect to all sums of money received and expended by the Society and the assets and liabilities of the Society.
- (ii) The books of accounts of the Society shall be open to inspection during the business hours by the Registrar General, Registrar, District Registrar or any officer authorized by them and by any member of the Society.
- (iii) The annual accounts of the society will be signed by any two authorized office bearers of the Society.
- (iv) The Governing Body will appoint a chartered accountant, who shall not be a member of the Governing body or family member of any member of the Governing Body, for auditing the accounts and filing of income tax return of the society for each financial year, at such remuneration as may be determined by the Governing Body.

(12) Common Seal:-

The Society will have a common seal which shall be kept in safe custody of the General Secretary/Secretary and shall be affixed wherever it is required in accordance with the authorization by the Governing Body.

(13) Amalgamation of the Society:

The Society may amalgamate itself with any other Society established with the identical aims and objects or allow any other society to amalgamate with itself by a Special Resolution passed in this behalf in accordance with the provisions contained in Section 51 of the Act and rule 25 made there under.

(14) Dissolution of the Society:

- (i) The Society may resolve to dissolve itself in accordance with the provisions contained in the Act and the rules there under in case it becomes difficult to carry on with the operations of the Society, or it becomes insolvent or for any other pressing and unavoidable reasons;
- (ii) In the event of dissolution of the Society, no assets of the society shall devolve on or distributed amongst the members of the Society;
 - (iii) Its assets and properties shall be first used to liquidate any liabilities and the left-over properties/ assets, if any, shall be considered for transfer to any other Society established with identical aims and objects or to the District Collector for use thereof in the general public interest.