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RULES AND REGULATIONS

OF

THE MAHARASHTRA ASSOCIATION OF MINORITY

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सहायक संस्था निबंधक
बुद्धन मुंबई विभाग, मुंबई

1) Definitions :

In these Rules & Regulations, the following expressions shall have the following meanings :

- a) 'Association' means the MAHARASHTRA ASSOCIATION OF MINORITY EDUCATIONAL INSTITUTION.
- b) 'Member Institution' means a Linguistic and/or Religious Minority Educational Institution (briefly referred to as 'Management') which having its registered office in the State of Maharashtra runs an educational institution like College, a High School or a Primary School in the State of Maharashtra duly recognised by the concerned statutory authority in the State of Maharashtra or at the Centre and which has been accepted as a Member by the Managing Council of the Association and has paid the entrance fee of Rs.1,000/- or any higher amount as may be prescribed by the Managing Council and has paid the yearly subscription of Rs.250/- or any higher amount as may be fixed by the Managing Council from time to time.
- c) State of Maharashtra means the territories of the State of Maharashtra as defined in the first schedule to the Constitution of India as amended from time to time.
- d) 'General Body' means the General Body of the Association consisting of one representative of

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each Linguistic or Religious Minority Educational Institution which has become the member of the Association.

- e) 'Managing Council' means the Managing Council of the MAHARASHTRA ASSOCIATION OF MINORITY EDUCATIONAL INSTITUTIONS, consisting of :
- i) Eleven elected members by the General Body at its meeting.
 - ii) Four members co-opted by the Managing Council at its first meeting in the manner prescribed herein.
- f) 'Associate Member' means an institution having its registered office outside the State of Maharashtra but running a College, a High School or a Primary School in the State of Maharashtra duly recognized by the concerned statutory authority and which has been admitted as a member by the Managing Council of the Association and has paid the entrance fee of Rs.500/- or any higher amount as may be prescribed by the Managing Council and has paid the yearly subscription of Rs.125/- or any higher amount as may be fixed by the Managing Council from time to time. However, such a member is neither entitled to contest the election for the Managing Council, nor can vote at the election of the Managing Council.

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2. Area of Operation :

For all or any of the aims and objects in the Memorandum of Association, the Association shall operate and function in the State of Maharashtra.

3. - 1) Application for membership shall be submitted by any Management to the Association in the prescribed form alongwith the copy of the Resolution of its Governing Body to become a member of the Association together with payment of entrance fee as stated herein. The member will also be required to pay yearly subscription as may be fixed by the Association from time to time.

ii) There shall be two classes of members of General Body of Society :

a) Member Institution : The Institution pays Rs.1,000/- as an Entrance Fee and yearly contribution of Rs.250/-

b) Associate Member : Institution who pays Rs.500/- Entrance Fee and yearly contribution of Rs.125/-.

4. Cessation of Membership :

- a) Any member who desires to resign/withdraw its membership may do so in writing by giving three calendar month's notice enclosing a copy of the Resolution of its Management to that effect. Such application shall be placed before the Managing Council for its decisions ^{to be} communicated to the concerned Member-Institution.

- b) If a Member-Institution is dissolved, its membership of the Association will automatically cease.
- c) If the Member-Institution fails to pay yearly subscription for a continuous period of two years, its membership will cease automatically.
- d) The General Body may discontinue the membership of any Member-Institution, if it is found that the working of the said Member-Institution is contrary to the aims and objects of the Association or in any way jeopardise the interests of the Association.

5. Corpus :

- A) The Association may receive, with or without invitation, any voluntary contribution from any individual or a body corporate, legacy or otherwise either on revenue account or towards corpus, either generally or specifically for any of its objects mentioned in the Memorandum of Association by way of sums or properties or assets in any form or manner, or raise funds through holding of any exhibitions, shows or other forms of entertainment or by publication of Souvenirs for the purpose of collecting funds on such terms and conditions as may be deemed proper by the Managing Council and not being inconsistent with the terms of these rules. PROVIDED

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HOWEVER that it shall be always open to the Managing Council to decide in their absolute discretion whether to accept or refuse any contribution and/or donation without giving any reason for the same.

B) The corpus of the Society shall be divided as :

i) Permanent Funds :

The permanent Fund shall include donations received towards corpus, entrance fees of members and donations received for specific purposes.

The Managing Council may create and accept ear-marked funds and utilise the same for the ear-marked purposes.

ii) Temporary Funds :

Any other amount including yearly subscription and general donations received not with any specific purposes and any other receipts or fees, shall become a part of the Temporary Fund.

C) Utilisation of Funds :

The interest received from investment of permanent Funds and the receipts towards Temporary Funds shall be used on the aims and objects of the Association and the surplus, if any, shall be invested in any suitable form as decided by the Managing Council.

6. The Properties of the Association :

The Properties, both movable and immovable, shall vest

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in the Managing Council and shall be administered and managed by it in the best interest of the Association.

7. Sale or purchase of Property :

The Managing Council is empowered to sell/purchase/ to acquire/lease out/to take on lease/to give on hire/to take on hire/to exchange/to give as gift or to accept as gift any immovable property as required for furtherance of the object of the Association with the prior approval of the General Body. However, the provisions laid down in the Bombay Public Trusts Act, 1950 shall be followed.

8. To raise Loan/Deposits :

The Managing Council is empowered to raise loans, accept Deposits, with or without interest or by mortgaging property, for carrying out the objects of the Association. However, the prior permission of the Charity Commissioner shall be obtained before raising such loans or accepting such deposits.

9. Investment Funds :

The money which is not required for immediate use shall be invested in the name of the Association as per the provisions of the Bombay Public Trust Act, 1950.

10. Records :

The following records shall be kept by the Hon. Secretary and the Hon. Treasurer.

- 1) Membership Register as prescribed in Sch. VI (Maharashtra) under the Societies Registration/Rules, 1971.

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- ii) Proceeding Books,
- iii) File of Notices,
- iv) Attendance Register,
- v) Receipt Books,
- vi) Voucher File,
- vii) Cash Book and other subsidiary registers,
- viii) Property Register in the prescribed form
(Sch. XA of the Bombay Public Trust Rules 1951)
- ix) Any other register that may be necessary for the proper functioning of the Association.

11. Notice of the General Body Meeting :

The Notice of the General Body Meeting with Agenda shall be sent by the Hon. Secretary to every member, at least 14 days before the date of the Meeting, either by hand delivery or by sending it by post under Certificate of Posting, or by Courier services as may be convenient to the Managing Council, on its address registered with the Association. The Hon. Secretary shall fix the date and place of the General Body Meeting with the approval of the Managing Council.

12. Quorum for the General Body Meeting :

- a) ^{Two} ~~One~~ third members of the General Body shall form a Quorum. The Meeting of the General Body other than the Special General Body shall be adjourned for want of quorum and shall meet after half an hour on the same date and at the same place. No Quorum shall be necessary for such an adjourned Meeting.

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13. A) Annual General Body Meeting :

The Annual General Body Meeting of the Society will be held once a year and normally within 6 (six) months after the closing of the accounting year for transaction of the following business :

- a) to confirm the minutes of the previous General Body Meetings.
- b) to pass the Budget for the ensuing year.
- c) to consider and pass audited statements of accounts of the previous year and report of the work done by the Association.
- d) to elect the Managing Council members after every three years.
- e) to appoint Auditors.
- f) to consider amendments to the Rules, if suggested.
- g) to consider and decide policy matters affecting the aims and objects of the Association.
- h) any other work with the permission of the Chairman.

All questions shall be decided by the majority of members present at the Meeting and Chairman shall have a casting vote.

- B) All Meetings of the General Body other than Annual General Body Meetings shall be called



Special General Body Meetings and shall be convened by the Hon. Secretary of the Association whenever necessary with the approval of the Managing Council.

- c) At all the General Body Meetings the President of the Association shall preside. In the absence of the President, one of the two Vice-presidents shall preside over the Meeting and in the absence of all the three, the members present shall elect any one of them to preside over the Meeting and transact business.

14. Requisitioned Meeting :

- a) On request in writing of a requisition made by 2/5th of the members of the Association, the Hon. Secretary/President shall call a Special General Body Meeting, within a month's time from the date of such a notice. In the event of the Hon. Secretary/President failing to call such a requisitioned Meeting for a specific purpose mentioned in the notice, the members themselves can call such a requisitioned meeting by designating one of them as a Convenor for the purpose. Such a requisitioned meeting shall always be held in the office of the Association.
- b) The Meeting shall stand cancelled if no Quorum is formed and/or if majority of the signatories to the requisition mentioned in (a) above remains absent.

15. Managing Council :

The Managing Council shall consist of total fifteen

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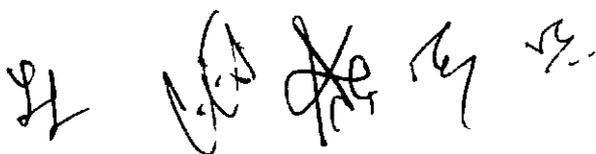
members, out of which 11 (eleven) shall be elected by the General Body in its Annual General Meeting and 4 (four) shall be co-opted by the members of the Managing Council. The tenure of the elected 11 members shall be three years. The Managing Council, at its first Meeting to be held after the election, shall co-opt four members and then the 15 members shall elect six Office-bearers from amongst themselves as shown below :

i) President	-	1
ii) Vice-presidents	-	2
iii) Hon. Secretary	-	1
iv) Hon. Joint Secretary	-	1
v) Hon. Treasurer	-	1
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Total	-	6
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Out of the four co-opted members one shall be with legal background and three others shall be educationists with sufficient administrative and/or teaching experience in any of the institutions conducted by the member institution.

The term of the Managing Council shall be three years. They shall, notwithstanding the expiration of their term, continue to hold the office until their successors take their office. The election of the members of the Managing Council shall be held at the General Body Meeting by show of hands.

However, if found necessary the election shall be held by ballot, if found absolutely necessary by the president.



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If due to any circumstances or reasons the election of 11 members of the Managing Council does not take place in the Annual General Meeting, the President shall have the power to hold such election by convincing a Special General Body Meeting for such election within six months from the date of expiry of the term of the elected members.

16. The functions of the Managing Council shall be as under :

- a) To frame rules & regulations for the conduct of the business of the Society and/or its any centre, institution, activity conducted by the Society which shall not be inconsistent with the objects, rules and regulations of the Society.
- b) To consider and recommend the applications for membership as per rules.
- c) To appoint, promote, punish, suspend, remove or dismiss employees and to frame/alter/modify/cancel rules and regulations of the service conditions and wages of the employees.
- d) To raise loans and or accept deposits with or without security and decide the terms and conditions on which they should be accepted and to offer necessary security thereon.
- e) To arrange for proper maintenance of accounts and submission of progress report and other obligatory returns before the General Body Meeting and then to submit or forward the same to the concerned authorities.

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- f) To see that the verification of the property of the Association is done every year.
- g) To do all such other acts and things that are necessary.
- h) To convene the Annual General Body or Special General Body Meeting, whenever necessary.
- i) To shift the office of the Association to any suitable and convenient place in Bombay as and when found necessary by the Managing Council.
- j) To purchase or otherwise acquire movable or immovable property for the achievement of the objects of the Association.
- k) To sell, lease out, mortgage, to create, charge, exchange, donate, gift or otherwise dispose off any portion and/or whole property on such terms and conditions as the Managing Council may think fit and proper in the interest of the Association with the prior approval of the General Body.
- l) To create different earmarked funds and to spend them for the objects of the Association.
- m) To form/reform, dissolve committee/sub-committee for carrying out any one or more objects/functions of the Association.
- n) To frame/alter/modify/cancel rules regarding scope and functions and Honorarium of the said Committee and Sub-Committee formed as per the

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above clause.

- o) To fix/revise the Honorarium of any member of the Managing Council.
- p) To file appeal, applications, petitions before any Court authority/commissions whenever found necessary in carrying out the objects of the Association.
- q) To suggest amendments to the Memorandum and/or Rules of the Association.
- r) To look after the properties and funds of the Society and keep them in good conditions.
- s) To develop the property.
- t) It shall be lawful for the members of the Governing Council to reimburse themselves out of the funds of the Society all costs and expenses incurred in carrying out the work of the Association.
- u) The Managing Council shall be competent to delegate any of its powers to the President or the Hon. Secretary, of the Managing Council or any Committee or Sub-Committee formed for specific purpose.
- v) Subject to the Rules and Regulations and resolutions passed by the Association at the General Body Meeting, the Managing Council shall have full authority to carry on the business as provided for in the Memorandum of Association of the Society and can call for its Meeting whenever necessary.

- w) To examine and sanction expenditure incurred by the Hon. Secretary and by the staff members.
- x) To fix/increase/reduce the yearly and Life member's subscription. To redress the grievances faced by the member institutions.
- y) To collect funds for the Association.
- z) To frame/amend/alter the rules & regulations for conducting the elections of the Managing Council, if found necessary.
- a(1) To call for the Annual General Body Meeting.
- b(1) To do all such things which are necessary for furtherance of the objects of the Association.
- c(1) To elect the Office-bearers and co-opt four members.

17. Meeting of Managing Council :

- a) The Managing Council shall meet once atleast in two months.
- b) The decisions shall be taken by majority votes of members present and the Chairman shall have a casting vote.
- c) Notice of all Meetings shall be issued by the Hon. Secretary 4 days in advance with the prior consent of the President.
- d) The eight members shall form a Quorum.
- e) The Meetings shall stand adjourned for want of Quorum. The adjourned meeting shall be

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held after due intimation to the members, but not later than three days from the adjourned meeting.

No Quorum for such Meeting is necessary. No Resolution shall be passed on any subject which is not incorporated in the Agenda of the earlier Meeting.

f) The requisitioned Meeting shall stand cancelled for want of quorum and also for want of presence of all signatories to the requisition letter.

18. Special Meeting of Managing Council :

Business of an urgent nature may be disposed of by calling out special meeting of the Managing Council or by circulation of relevant papers amongst the members of the Managing Council provided that a resolution is passed by a 3/4th majority of the members of the Managing Council. All such resolutions passed accordingly by circulation shall be ratified at the subsequent meeting of the Managing Council.

19. The ^{1/5th}~~2/3rd~~ members of the Managing Council can give a requisition in writing to the President for meeting of a Managing Council for discussion and decision of any important question connected with the Society and which is neglected or side tracked by the Office-bearers. The President shall direct the Hon. Secretary to call the Meeting within seven days from the date of receipt of such requisition by him.

20. Casual Vacancy in the Managing Council :

The member failing to attend three consecutive meetings of the Managing Council, without giving any previous intimation, will cease to be a member of Managing

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Council. Any casual vacancy on the Managing Council on account of ceasing the membership, death, resignation etc. of a member, shall be filled in by the remaining members of the Managing Council by co-option and such member shall hold the Office till the remaining tenure of the Managing Council.

21. Duties of the Office-bearers :

a) President :

To preside over all General Body and the Managing Council Meetings.

b) Vice-President :

In the absence of President, the Vice-President shall act as a President.

c) Hon-Secretary :

i) To attend and reply all correspondence on behalf of the Association.

ii) To supervise the work and functions and activities of the Association and get them done in a proper manner from the employees and other agencies.

iii) To make expenses upto Rs.1000/- without the previous sanction of the Managing Council and get the same ratified in the next Meeting of the Managing Council.

iv) To prepare and keep the report of the working of the Association before the Managing Council and the General Body Meeting.

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- v) To convene all meetings of the Managing Council and the General Body and the Sub-Committees, if any, in consultation with the President/Chairman.
 - vi) To record proper minutes of the proceedings of the meetings of the Managing Council and those of the General Body Meetings in separate minutes books to be kept for the purpose and give effect to all resolutions passed at such meetings.
 - vii) To keep a register of the members of the Society as per the Societies Registration Act, 1860 and to make arrangements for the recovery of subscriptions.
 - viii) To implement the decisions taken by the Managing Council or the General Body.
- d) Hon. Joint Secretary :
- i) To generally help the Hon. Secretary in the discharge of his functions in matters assigned to the Joint Secretary by the Office-bearers.
 - ii) To work as a Secretary in the absence of the Hon. Secretary.
- e) Hon. Treasurer :
- i) To have custody of all funds and money of the Association.
 - ii) To have custody of all Accounts Books and Cheque Books, Bank Pass Books, Receipt Books, Vouchers and other concerned files.
 - iii) To accept any money and pass receipts.

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- iv) To keep detailed and regular accounts.
- v) To prepare the Annual Budget and the audited statement of Accounts and get them duly approved by the Managing Council.
- vi) To place the audited Statements of Accounts before the General Body for their approval.
- vii) To make payment of bills/expenses supported by a voucher counter-signed by the Hon. Secretary.
- viii) To keep the Dead-Stock Register of furnitures/fixtures up-to-date.

22. Accounting Year :

The Accounting year of the Association shall be 1st of April to 31st of March.

23. Bank Accounts :

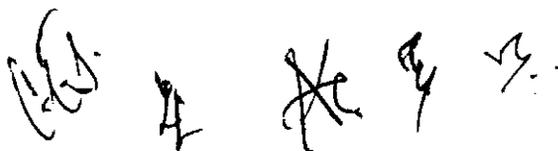
The Bank account shall be opened in any one or more Scheduled Banks, Post Office Savings Banks, Co-op. Banks approved by the State Government under Sec. 35 of the Bombay Public Trusts Act, 1950 in the name of the Association and shall be operated jointly by the Hon. Treasurer and any one of the two Office-bearers viz. The Hon. Secretary and the President.

24. Litigation :

The Association shall sue or be sued through its President/Secretary.

25. Proceedings of Meetings :

- a) The proceedings of all meetings of the General



- Body, the Managing Council, Sub-Committees if any shall be entered in separate books kept for the purpose by the Hon. Secretary and shall be signed by the Chairman of the next meeting in which the same shall be confirmed.
- b) The minutes of all General Body Meetings shall be recorded and signed by the Hon. Secretary and shall be signed by the Chairman of the next Meeting in which the said proceeding is confirmed.
- c) The members shall have a right to inspect and make copies of the minutes of the General Body meetings.
- d) Minutes of the meetings kept in accordance with the above provisions shall be a conclusive evidence of the proceedings recorded therein.

26. Claim on property of Society :

No member of the Association shall be eligible at any time for any claim over any of the properties or its income, of the Association. The funds and income of the Association shall be spent on objects and/or in furtherance of the objects of the Association.

27. The Managing Council shall decide the percentage of the income to be spent on objects, according to the priority of needs.

28. Register of Members :

The register shall be kept in the form prescribed under Schedule VI of the Societies Registration Rules and shall include the personal particulars such as name, address, occupation of each member, date of

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joining, class of membership. The Register shall be kept at the office of the Association.

29. Accounts :

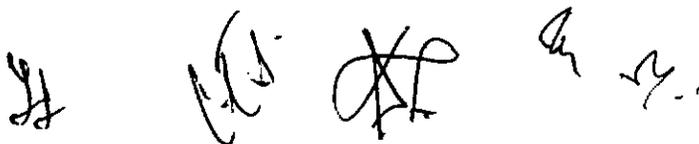
- a) The Association shall keep or cause to be kept proper books of accounts with respect to all sums of money received and expended by the Association, the matters in respect of which the receipt and expenditure take place, all purchases of goods by the Association and the assets and liabilities of the Association. The Books of accounts so kept shall be in the custody of the Treasurer. The operation of accounts and the sanctioning authority shall be as decided by the Managing Council from time to time.

- b) At every Annual General Body meeting, the Managing Council shall lay before the members a copy of the Balance Sheet and an Income and Expenditure Account for the previous year together with the reports of the Managing Council and the Auditor. Copies of these shall be sent to all the members along with the notice of the General Body Meeting.

30. Auditors :

- a) There shall be one or more auditors of the Association and they will be appointed annually at every annual General Body meeting.

- b) After the end of the financial year, as and when required by the Managing Council, the



Auditors shall audit and report upon the accounts and books of the Association which shall be given to the Managing Council not less than 3 weeks before the Annual General Body Meeting.

c) All accounts and books of the Association shall be open to the inspection of the Auditor or Auditors at all reasonable time.

31. Amendment to Rules & Regulations :

No amendment to, or alteration in the rules of the Association or the enactment of new rule shall be made except at the Meeting of Annual General Body or Special General Body Meeting convened for the purpose and passed by 3/5th number of the members present and voting for it.

32. Alteration in the name of the Association and its objects:

If at any time a question of changing the name of the Association or amendments/alterations, additions to the objects of the Association shall arise then it will be lawful for the General Body to do the same, after following the procedure laid down in Section 12, 12A, and 12C of the Societies Registration Act, 1860.

33. Dissolution :

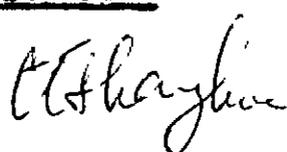
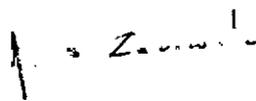
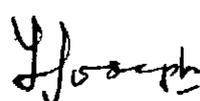
A) For any reason whatsoever, if the activities of the Association come to a standstill or are required to be wound up, the Managing Council by its resolution after settling all accounts, debts etc. shall recommend such dissolution to the General Body. A resolution for dissolution shall be passed by not less than 3/5th of the members whose names are in the membership register of the

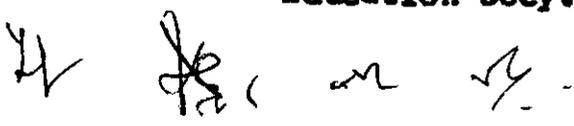
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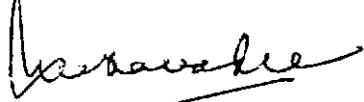
Association at the Special General Body meeting convened for this purpose with a written notice of clear 30 days.

- B) On the dissolution of the Association, if, after satisfying all its debts and liabilities, there remains any property or properties movable or immovable the same shall not be given or distributed amongst the members of the Association but shall be handed over to Society or Public Trust having same or similar objects for which this Association is formed or shall be handed over or distributed as per directions of the Court. However, the procedure for dissolution, laid down in Section 13 and 14 of the Societies Registration Act, 1860 shall be followed.

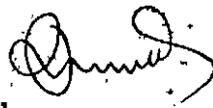
Certified to be true copy of the Rules of the Association "THE MAHARASHTRA ASSOCIATION OF MINORITY EDUCATIONAL INSTITUTIONS".

	<u>NAME & ADDRESS</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
1.	SHRI CHANDRAKANT TAPIDAS SHANGHVI 12-C, Woodlands, G. Deshmukh Marg, BOMBAY-400 026. Representing : Shri Vile Parle Kelavani Mandal	President & Educationalist	
2.	SHRI ABDUL SATTAR ABDUL MAJID ZARIWALA Neel-Sagar Abdul Gafar Khan Road, Worli Seaface, VII Floor, Block No.13, BOMBAY-400 018. Representing: Anjuman-I-Islam	Hon. Secretary & Educationalist	
3.	Prin. Dr. THEODORE MASAYA JOSEPH College House, Wilson College, Chowpatty, BOMBAY-400 007. Representing: The John Wilson Education Socy.	Treasurer & Educationalist	



NAME & ADDRESS	DESIGNATION	SIGNATURE
4. SHRI PURUSHOTTAM MAVJI KAVAD, Siriraj, Almount Road, 9-BAY-400 026. Representing: Somaiya Vidya Vihar	Educationist	
Pr. in. QURBAN HUSEIN AHSAN HUSEIN SAEED Principals Residential Quarters, VI Floor, Burhani College of Comm. & Arts, Nesbit Road, BOMBAY-400 010. Representing: Burhani Education Trust	Educationist	
6. SHRI V. SHANKAR Flat No.1 & 4 Kailash Bhavan, Plot No. 258, Sion Road, Sion (W), BOMBAY-400 077. Representing: South Indian Education Society.	Educationist	
7. SHRI GIRDHARILAL PURSHOTTAMLAL JHUNJHUNWALA Usha Kiran, 13-A, M.L. Dhanukar Marg, 16th Floor, Flat No.33, BOMBAY-400 026. Representing: Hindi Vidya Prachar Samiti.	Educationist	

Before me,



PRAVIN V. MEHTA
Notary Greater Bombay

Bombay.

Dated : 14th July 1995

Notary Public
Greater Bombay
No. 1234
1995