

RULES AND
REGULATIONS
OF
MARFAT

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Unless the context otherwise requires, words and expressions contained in these Rules and Regulations shall bear the same meaning as the West Bengal Societies Registration Act, 1961 or any statutory modifications thereof.

MEMBERSHIP

1. Admission

- a. The signatories to the Memorandum of Association and the office bearers of the Governing Body of the society shall be the first members of the Society.
- b. The governing body may admit to membership any person of any caste, breed, religion, or sex who has attained the age of 18 years and agreed in writing to be bound by the Memorandum of Association and rules and regulations of the Society and who in the opinion of the Governing Body will be interested in advancement of the objects of the Society. Membership fees and contribution are to be fixed by the Governing Body.

Be it noted that the power to admit member is the sole and absolute power of the Governing Body and the Governing Body may refuse to admit any person s a member without assigning any reason thereof.

2. Types of members.

1. Honorary members: Any person, whose connection with the Society is deemed to be useful, may with the consent of such person be elected a Honorary member of the Society. Such members shall not, however, be eligible to be member of the Governing Body nor shall be entitled to vote in any meeting.
2. Ordinary member: Any person, qualified to be a member and paying ordinary membership fee may be admitted as ordinary member of the Society.

3. Cessation of Membership.

Any person shall cease to be a member: --

- a. On the acceptance of his resignation form membership,
- b. On his becoming insane or insolvent,
- c. On his conviction of any offence in connection with the formation, promotion, management or conduct of affairs of the society or a body corporate or of any offence involving moral turpitude.

4. Register of Members.

The Society shall maintain a Register of members containing the names, address and their occupation, the date of admission and cessation of membership. The Register shall be kept open for inspection by members of the Society on requisition. All entries required to be made shall be entered within a period of 15 days.

5. Rights and Obligation of Members.

Any ordinary member of the Society shall have the right:--

- a. To elect and be elected in any election of the Society.
- b. To submit suggestions for discussion to the Governing Body and any sub-committee on any matter of the Society.
- c. To inspect the accounts and proceedings of the society on appointment with the Secretary.
- d. To pay his subscription within the prescribed time. Defaulting members shall not be allowed to take part or vote in a meeting.

Members shall have one (1) vote each.

6. Expulsion and Removal

Frequent actions of any member, if found by the Governing Body is detrimental to the interest and in violation of the rules and regulations of the Society, he may be after due enquiry, censured, suspended or expelled from the membership of/by the Governing Body. In that case the Governing Body shall first serve the member concerned with a show cause notice showing therein the charges framed and ask him to submit his statement of defence within a month. On receipt of the explanation the Governing Body shall have the powers to take suitable action against the delinquent member after allowing him to defend his case. If no reply to the show cause is received within a month, the Governing Body may take *ex parte* decision.

For any act of expulsion or termination no such member shall be entitled to proffer any claim for compensation or damage even if proved on subsequent date that such act of expulsion or termination was wrongful and/or unlawful.

GOVERNING BODY

1. Composition, election/appointment, resignation/removal, term of office.

There shall be a Governing Body consisting of not less than seven (7) members. The office bearers of the Governing Body shall comprise of the President, Vice-President, Secretary, Assistant Secretary, Treasurer and other committee members. The office members and other committee members shall be elected at the Annual General Meeting (A.G.M.).

The resignation and removal of the Governing Body members shall be dealt with or has been prescribed in the case of other members noted hereinbefore.

The term of office of the Governing Body shall ordinarily be three (3) year unless it is dissolved/terminated early under unforeseen circumstances. After election the old Governing Body will continue to function till the new Body takes over charge which, shall under no circumstances be more than 30 days from the date of election.

2. Meeting

A meeting of the Governing body shall be held at least six (6) times a year at such place, date and time the President of the society shall determine.

Any four (4) members of the Governing Body may requisition the meeting and the Secretary shall summon the same within seven (7) days and failing which the President or the requisitionists may do so provided no business other than specified in the notice shall be transacted at such meeting.

3. Notice and Quorum

Seven (7) days notice of the meeting, specifying the place, time and general nature of the business to be transacted, shall be given to every member of the Governing Body. Emergency meeting may be called on 24 hours notice. 1/3rd members of the Governing Body personally present shall constitute a quorum for the meeting and if a quorum is not present within one (1) hour of the time members present shall adjourn the meeting.

4. Procedure of the Meeting.

The President or in his absence the Secretary shall preside over all meetings of the Governing Body and in

their absence members present shall elect a Chairman of the meeting. All questions before the meeting will be decided by a majority of vote. The President or the Chairman shall have a second or casting vote in addition to his own vote in case of equality of votes.

5. Powers and duties of the Governing Body.

The Governing Body shall have a general power of supervision and conduct over all the affairs of the society and in particular shall discharge the following duties:--

- i.** To appoint sub-committee with such powers and duties as may be considered necessary or expedient.
- ii.** To accept donation, gift. Subscription, movable or immovable property for objects of the Society.
- iii.** To sell, lease, mortgage or otherwise dispose of and deal with all or any partial property of the Society.
- iv.** To keep proper accounts of the Society and to open bank account in the name of the Society in one or more banks.
- v.** To co-opt not more than two (2) members to the Governing Body.

- vi. To appoint person or persons on payments to assist the Secretary/Treasurer in the maintenance of accounts etc.
- vii. To appoint person or persons on payments on projects of the Society as per requirement.
- viii. To conduct any other business not specified herein for the attainment of the objects of the Society provided such business is not repugnant to such object.

SAFE CUSTODY OF PROPERTIES

1. The Governing Body shall be responsible for the safe custody of the funds, properties and assets of the Society.
2. The funds of the society shall be kept in banks/Post office/ Mutual funds and be invested in any securities specified under Section 20 of the Indian Trusts Act, 1882.

BOOKS OF ACCOUNT AND INSPECTION

The books of Account and other statutory books shall be kept at the registered office and shall be open to inspection of the members at such time and place as the Governing Body directs on a written request of any member.

ACCOUNTING YEAR

The accounting year of the Society shall be from 1st day of April of each year to 31st March of the following year.

GENERAL MEETINGS

ANNUAL GENERAL MEETING:

Notice: The Secretary shall annually call the Annual General Meeting within two months from the end of the last financial year giving at least fourteen (14) days notice to all members. The notice shall contain the place, date, day and time of the meeting.

Agenda: The business to be transacted at the A.G.M shall be:--

- a. To confirm the minutes of the last A.G.M and of special general meeting if any;
- b. To adopt with or without modification the report of the working of the Society for the previous year;
- c. Adoption of the Annual General Report.
- d. To pass audited accounts of the Society for the previous year ended;
- e. To appoint qualified Auditor or Auditors:

f. To transact any such business as may be fixed by the Governing body;

g. To transact such other business as may be brought forward by giving fourteen (14) days previous notice from any member.

h. To conduct general elections.

Quorum of the Meeting: 1/3rd members personally present at the commencement of the meeting shall constitute the quorum.

Manner and Method of Voting: The Chairman of the meeting shall decide the manner and method of voting at the outset of the meeting.

SPECIAL GENERAL MEETING:

A Special General Meeting may be convened by the Governing Body at any time in view of urgency of the matter. At least Seven (7) days notice shall be given to every member for the Special General meeting.

Members may request the Governing Body for a Special General Meeting by placing a requisition signed by 2/3rd of total members. In that case the Governing Body shall convene a Special General Meeting within a month for the receipt of such notice. In case of default by the Governing Body, the requisitionists shall hold such meeting provided no

business other than those specified in the notice shall be transacted.

EXTRA ORDINARY GENERAL MEETING.

The Governing Body may decide to convene an Extraordinary General Meeting for consideration of addition, alteration or amendment of the Memorandum/ Regulations of the Society. Seven (7) days notice along with the proposed draft of change shall be sent to the members before the meeting. The resolution for change, amendment etc. of the Memorandum and Regulations shall be carried out if accepted by three-fourths ($3/4^{\text{th}}$) of the members present at the meeting.

DUTIES OF THE OFFICE BEARERS

President: He/She shall:

- a. Preside over all meetings of the Society.
- b. Take disciplinary actions as removals, dismissal etc. in consultation with the Governing Body.
- c. Advise the Secretary in any matter requiring urgent action.
- d. Intervene in case of any differences at all levels of the Society.
- e. Call emergency meeting.

Vice President: In absence of the President, the Vice President shall perform all the duties of the President.

Secretary: He/ she shall:

- a. Convene all meetings of the Society.
- b. Maintain minute book of all meetings.
- c. Issue general circular and notices.
- d. Receive all applications for membership, which shall be placed before the Governing Body.
- e. Sign on behalf of the Society all receipts for all sums received as subscription etc.
- f. Sign and give pay order to all bills for payments.
- g. Get the accounts of the Society audited by a Chartered Accountant.
- h. Ensure compliance with all statutory requirements.
- i. Transact all other business subject to the decision of the Governing Body.

Treasurer: He/she shall:

- a. Collect and receive all sorts of subscriptions, donations and deposits of money and grant receipts of the same.

- b. Maintain and keep cash book and such other accounts as are necessary.
- c. Operate bank account/s jointly either with the Secretary or the President.
- d. Prepare the budget in consultation with the Secretary for consideration of the Governing Body.

MAINTENANCE AND AUDIT OF ACCOUNTS.

The society shall maintain book of Accounts as required under Section 15(1)(a)(b) of the Act. The accounts shall be audited by a duly qualified Auditor as stated in section 15(2) of the Act.

SUIT AND LEGAL PROCEEDINGS.

All suits and legal proceedings by or against the Society shall be in the name of the Secretary or such person appointed by the Governing Body.

ALTERATION OF MEMORANDUM AND REGULATIONS

THE memorandum and regulations may be altered, modified, rescinded or added by special resolution passed by three-fourth (3/4th) members in the general meeting called for the purpose.

The Governing Body shall have power to make, alter, modify or rescind such bye-laws and rules as maybe considered necessary in the interest of smooth functioning of the Society.

DISSOLUTION OF THE SOCIETY.

Subject to the provisions of Section 24 & 27 of the West Bengal Societies Registration Act, 1961 or any statutory modifications thereof, the Society may be dissolved by a resolution to that effect passed by three-fourth (3/4th) members of the Society at a general meeting. The said meeting shall also decide the manner of disbursement of the funds and assets of the Association, if any after dissolution.