

Shri Shivaji Education Society, Amravati
AMENDED CONSTITUTION, 1967

PREAMBLE :

Whereas it necessary to make special efforts for the progress of education in Vidarbha and elsewhere, particularly for the poor and backward classes, and whereas it is necessary to start special institution for achieving this objective, in the faculties of Agriculture, Science, Literature, Commerce, Industry, Arts and Law and to encourage Games and Sports, Women's Education etc, and whereas it is necessary to establish a Society and to frame rules for the conduct of institutions establishment for the purpose, the following rules are framed.

1. NAME :

The name of the society shall be "The Shri Shivaji Education Society, Amravati" All correspondence of the Society shall be in the name of "The Shri Shivaji Education Society, Amravati."

2. DEFINITIONS :

A) Society means "The Shri Shivaji Education Society, Amravati," registered on the 2nd December, 1932 under Society's Registration Act XXI of 1860 and under Bombay Public Trust Act, 1950 on the 18th March, 1963.

B) Member means "A member of the Society."

C) OFFICE BEARERS :

The President, the Vice : Presidents and the Treasurer shall be the Office - Bearers of the Society."

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- i) a) A person duly enrolled as a member of the Society under any of the Categories from 1 to 7 (under Article 5), except the employees of the Society, shall be eligible for contesting election to the Executive Council.
 - b) In case a member of the Executive Council seeks employment in any of the institution of the Society he /she shall cease to be the member of the Executive Council with effect from the date of employment.
 - ii) A person with the following disqualifications shall not be eligible for contesting election to the Executive Council.
 - 1) A person who is insolvent.
 - 2) A person who is a previous convict for an offence under the I. P. C. (excluding political offence) and sentenced to imprisonment for more than one day.
 - 3) A person who owes any debt to the Society.
 - 4) A person who makes contracts with the Society regarding sale, purchase or transfer of the Society's movable or immovable property, for the sake of monetary gain for himself / herself.
 - 5) Any member elected to the Executive Council incurring any disqualification from out of (1) to (4) above shall cease to be the member of Executive Council as soon as the disqualification is detected.
- D) SPECIAL RESOLUTION :
- i) A special resolution to remove a member of the Executive Council of the Society shall require a majority

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- of 3/5 ths of the members present at the meeting of the General Body of the Society, which shall be attended by at least fifty members.
- ii) A special resolution to amend the constitution of the Society or to alter, extend or abridge the purpose for which the Society is established within the meaning of Society's Registration Act XXI of 1860 or its constitution or to amalgamate the Society wholly or partially with any other Society, shall not come in to effect, unless the Executive Council's report containing the proposal passed by 4/5 ths of its members present is sent Under Postal Certificate to every members of the Society, ten days previous to the special meeting of the General Body of the Society called for the purpose and is confirmed by three-fifths of members Present at the special meeting of the Society convened after an interval of one month from the former meeting.
- iii) A special resolution to dissolve the Society shall come into effect only after the consent of Government, if it is necessary by law, has been obtained.
- iv) A special resolution to propose to give Society's Property that remains after payment of all debts and liabilities, to some other Society, shall require the concurrence of 4/5 ths of the members present personally at a meeting of the General Body of the Society.
- v) At a meeting of the General Body called for the specific purpose of considering and passing a 'Special Resolution,' as defined above, the quorum shall be one hundred. (100) members.

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3) OBJECTS :

The objects of the Society shall be :

- i) to establish, conduct, manage, supervise and take over educational institutions of various kinds for boys, girls and adults.
- ii) to provide facilities for the acquisition of knowledge and information and the advancement of culture;
- iii) to undertake make available facilities for research in all branches of knowledge and to establish institutions for the purpose.
- iv) to carry on experiments with a view to improving methods of teaching and to establishing institutions for this purpose.
- v) to encourage physical, culture and start conduct or manage institutions for this purpose.
- vi) to encourage women's educations by establishing special institutions like hostels, widow's homes and nursing school, etc.
- vii) to establish hostels for poor boys and girls and to open and conduct orphanages.
- viii) to co-operate with Government other societies, institutions and bodies for the purpose of promoting the cause of education and spread of knowledge and culture.
- ix) to establish, start conduct and manage Printing Presses for publishing books, periodicals journals and other educational media;

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- x) to undertake farming, gardening and to acquire or take on lease, or to purchase land for the same purpose.
- xi) to start other subsidiary activities and institutions such as the establishment of stores, medical aid Societies etc.
- xii) to help, assist aid any institutions under the management of the Society or otherwise by advice; guidance and supervision.
- xiii) to organize exhibitions and culture - weeks, etc.
- xiv) to organize and run to tournaments, competitions olympiads etc;
- xv) to undertake publicity and propoganda by all possible means, such as films lectures, debates and demonstrations;
- xvi) to hold organize arrange and manage Conferences, Seminars, Kavi Sammelans etc.;
- xvii) to acquire property both movable and immovable, to raise funds for carrying out the objects of the Society on security of its immovable property and for that purpose to alienate immovable property of the Society by mortgage, sale etc;
- xviii) to do each, every and all such things as are incidental or helpful or conducive to the accomplishment, attainment, and furtherance of the above objects.

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4. **HEAD OFFICE OF THE SOCIETY :**

The Head Office of the Society shall be at Amravati, (M.S.)

5. There shall be the following classes of members of the Society:

- 1) **Patron-in-Chief :** one who contributes rupees fifty thousand or more, shall be a patron in chief of the Society. This membership shall be hereditary. He / she shall be entitled to vote in Person or by proxy, at a meeting of the General Body of the Society, and his / her portrait shall be hung in a place determined by the Society.
- 2) **Patron :** One, who donates rupees twenty thousand or more, to the Society, shall be a Patron of the Society. He/she shall be a life-member and shall be entitled to vote in person or by proxy at a meeting of the General Body of the Society.
- 3) **Vice-Patron :** One, who donates to the funds of the Society, rupees ten thousand, shall be a Vice-Patron and a lifemember of the Society, He / she shall be entitled to vote in person or by proxy, at a meeting of the General body of the Society.
- 4) **Donor :** One, who contributes to the fund of the Society the amount of rupees five thousand shall be called a Doner. A Donor shall be entitled to vote in person or by proxy, at a meeting of the General Body of the Society.

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5) **Vice-Donor :** One, who contributes rupees two thousand five hundred to the funds of the Society, shall be a Vice-donor and a life member of the Society.

6) **Sympathiser :** One, who contributes to the funds of the Society, rupees five hundred or more shall be a Sympathiser and a life-member of the Society.

7) **Life member :** One, who contributes to the funds of the Society, rupees two hundred and fifty (Rs. 250/-) in lump sum or more, shall be a Member of the Society.

8) **Ordinary Member :** One who contributes to the funds of the Society, rupees twenty five per year, shall be an Ordinary Member to the Society, for the calender year in which the subscription is made one who contributes to the funds of the Society, rupees one hundred. in lump sum, shall be an Ordinary Member of the society for five year. An ordinary member shall not be entitled to work on the Executive Council but shall be entitled to vote at a meeting of the General Body of the Society, provided he / she has been a member of the Society for the, previous two years and has paid his / her subscription for the current year. He / she may be admitted to life-membership as soon as he / she completes the contribution of Rs. 250/-

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6. From the above-mentioned categories admission to the membership under categories (1) to (8) shall be subject to the approval of the Executive Council.
7. Composition of the Society.
 - a) There shall be a "General Body" consisting of all the members of the Society.
 - b) There shall be an Executive Council constituted as per provisions contained in article 10 (a) below. The Executive Council shall manage the affairs of the Society.
8. The term of Office :

The term of office of the Members of the Executive Council shall be five years. But untill the new Council shall be five years. But untill the new Executive Council is elected as per clause (b) under article (7) the old Executive Council shall continue.
9. Function of the General Body :
 - a) to elect members of the Executive Council on the expiry of the term of their office and to fill in casual vacancies from amongst the members of class 1 to 7 (Under Article 5) of the General Body. The Members elected to casual vacancies shall have to vacate membership along-with other members, at the end of the remaining period of the term of the Office.
 - b) to approve the budget estimates and expenditure;
 - c) to consider and approve the annual financial statement of accounts as submitted by the Executive Council.

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- d) to determine matters of general policy and consider such other matters as may be referred to it, by the Executive Council;
 - e) Amendments to the constitution of the Society Proposed by the Executive Council shall be required to approved by the General Body by a 3/5 ths majority of the members present.
10. The Composition of the Executive Council :
 - a) There shall be an Executive Council consisting of the one President, three Vice-Presidents, the Treasurer and four other members elected by the General Body from amongst its members (Class 1 to 7 under Article 5) and the fulltime, paid Secretary appointed by the Executive Council. The following representatives on behalf of the institutions of the Society, shall be nominated, by the Executive Council
 - 1) One for Colleges,
 - 2) Two for Schools,
 - 3) One for the institutions, from amongst the employees.
 - b) Those members of the Executive Council, who keep themselves absent for three consecutive meeting of the Executive Council, shall cease to be members of the Executive Council, Provided that their explanation for such absence is obtained and reasons given therein, are not found satisfactory by the Executive Council.

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- c) The Executive Council shall meet at least once in two months.
 - d) The Secretary of the Executive Council shall, in consultation with the President, issue notice for a meeting of the Executive Council. Specifying therein the date, time, place of the meeting and the nature of business to be transacted. Seven days clear notice shall be deemed to be sufficient. But this rule shall not be applicable to adjourned or emergency meetings.
 - e) A meeting of the Executive Council shall be held in consultation with the President and a minimum quorum of seven members shall be required to carry on its business. In case the meeting is required to be adjourned for want of quorum. It shall be held again after 3 days at any time and place with the agenda previously notified. For such a meeting, however a quorum is not necessary. All proposals before the meeting shall be disposed of by majority. In case of equality of votes, the question shall be decided by the casting vote of the President.
- The President has the right to convene an emergency meeting of the Executive Council but no business shall be transacted unless there is a quorum. A resolution imposing a pecuniary penalty for a breach of any rule or bye-law of the Society can be passed only by the emergency meeting convened for the purpose and with the concurrence of 3/5ths of the members present at such a meeting.

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11. A Resolution of a formal nature may be passed by circulation and it should be placed before the next meeting of the Executive Council for approval.
- a) The assets and funds of the Society shall be in the name of the Society and all transactions and correspondance etc, in this connection, shall be carried on in the name of the Society by the Secretary with the written permission of the President.
 - b) **Power of the President :**
Subject to the approval of the Executive Council, the President is empowered to manage the property of any kind situated in any place whatsoever of the Society, attest and sign all documents, bonds and securities in the name of the Society; secure loans by mortgaging any property or securities etc. of the Society or otherwise execute necessary agreements in the name of the Society, invest Society's money at interest, lend sums from Society's funds or borrow sums for the Society's funds negotiate, exchange sell or purchase securities, obtain cash credit amounts from Banks or any other sources, draw overdrafts or issue bills of exchange, invest capital, purchase for that purpose any machinery, land or buildings or have the same on ease or by hire, or by mortgage or agreement or otherwise invest capital in a Co-operative Bank of elsewhere, or dispose of, in emergency, any other activity under the jurisdiction of the Society, as full authorised to act for the Society.
- The President is also empowered to authorise any

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person to act on behalf of the Society for any of the above purpose subject to the approval of the Executive Council.

c) He shall preside over all the meeting of both the General Body and of the Executive Council. In his absence any of the Vice-Presidents, elected by the members present, shall preside over the meetings of the General Body or the Executive Council.

d) In the absence of the President, or any of the Vice-Presidents, the members present shall elect a chairman from amongst themselves to preside over the meeting concerned.

12. The Chairman of the meeting of the General Body or the Executive Council of the Society shall not vote, except when there is an equal division of votes. In case of equality of votes in an election meeting the issue shall be decided by lot.

13. All questions, except a special resolution arising at General meeting of the Society and at a meeting of the Executive Council shall be decided by a majority of votes. In case of equality of vote, the question shall be decided by the casting vote of the chair.

14. The General Body of the Society shall meet at least twice a year on the dates prescribed by the President. The notice of the meeting of the General Body of the Society shall be served by post, under certificate of posting. The notice shall specify the date, time and place of the meeting and the nature of the business to

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be transacted Fifteen days clear notice shall be necessary for a General Body meeting.

15. On requisition signed by at least twenty members of if the President deems it necessary the President shall have the power to convene a special meeting of general Body of the Society. The quorum for the transaction of business at a General Body Meeting of the Society shall be fifty. In case the meeting is adjourned for want of a quorum, it shall be held again after 7 days with the agenda previously notified. For such a meeting the quorum is not necessary.

16. The Functions of the Executive Council shall be :

1. to frame bye-laws and rules subject to the approval of the General Body, for the conduct of the Executive Council of the Society and institutions;

2. To prepare and submit for approval of the General Body the Budget estimates of the Society and its institutions, for the ensuing year;

3. To dispose of any urgent business;

4. a) to appoint a full-time paid Secretary :

b) to appoint certified auditors to audit the annual accounts and financial statements of the Society and its institutions.

c) to appoint Deputy Manager for the secondary Schools.

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5. to supervise the movable and immovable property and all the funds of the Society and its institutions and to arrange for Purchase of the articles required for the institutions or to provide them otherwise.
6. to take all necessary legal steps in the interest of the Society, to file, conduct or defend suits on behalf of the Society, and to delegate powers to any person or agent or to give power of attorney of a general or particular nature.
7. to acquire sites for the Society, and its institutions and to erect thereon temporary or permanent buildings of the Society.
8. to collect funds, to run the institutions to erect necessary buildings and to purchase material of a permanent nature if necessary.
9. to arrange for the internal audit of the accounts and other records of the Society and its institutions and to print and publish annual reports and to forward the copy of the same to all the members of the Society.
10. to approve the orders passed by the President
11. to consider amendments propose by any member of the General Body of the Society.
12. to propose amendments to the constitution of the Society.

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13. to create required posts and make appointments for the same and effect transfers, if and when necessary.

17. DUTIES OF THE SECRETARY :

- 1) He shall be the secretary of the Society and shall carry on the day-to-day administration of the Society.
- 2) He shall carry on correspondence under the authority of the President of the Society.
- 3) He shall maintain minutes of the Proceedings of the meetings of the Society both of the General Body and of the Executive Council.
- 4) He shall execute the resolutions of the General Body and of the Executive Council.
- 5) Maintenance of up - to - date accounts shall be the responsibility of the Secretary. He shall submit monthly statement of accounts regularly to the President through the Treasurer.
- 6) He shall be the custodian of all the documents of the Society.

FUNDS OF THE SOCIETY :

- a) The funds of the Society shall be held in the name of the "Shri Shivaji Education Society, Amravati," in a scheduled Bank or Banks under the authority of the resolution of the Executive Council.

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b) It shall be binding upon the Secretary, who is the disbursing authority, to see that every withdrawal of amount for disbursement is within the budget sanction and is duly approved by the Treasurer and President.

c) Bank accounts shall be operated under the joint signatures of any two persons authorised by the resolution of the Executive Council.

19. All the property and the funds of the Society shall belong to the Society and no member shall have any proprietary right over them.

20. Preparation of Electoral Roll :

The Electoral roll shall be finally prepared by the 31st of December prior to the General elections of the Society. Any member enrolled after the 31st December prior to General election shall not have the right to vote in the ensuing election meeting.

21. Nothing herein laid down shall invalidate any action taken under the above rules and in good faith, merely on account of a technical irregularity of procedure.

R. J. Charphalkar
Chairman of the meeting
of the General Body
Dt/- 21-1-1967

Certified to be True Copy

Sd/- X X X X

Superintendent,

Public Trusts Registration Office,
Akola Region, Akola.

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