

SANSKAR SARJAN EDUCATION SOCIETY

KURAR VILLAGE MALAD (EAST), MUMBAI - 400 097.

TEL : 840 00 28

Memorandum of Association

And

Rules & Regulation



1964

For Sanskar Sarjan Education Society,

[Signature]

Hon. Secretary



नोंदणीचे प्रमाणपत्र

याव्दारे प्रमाणपत्र देण्यात येते की साली वर्णन केलेली सार्वजनिक विश्वस्त व्यवस्था ही आज, मुंबई सार्वजनिक विश्वस्त व्यवस्था अधिनियम, १९५० (सन १९५० चा मुंबई अधिनियम क्रमांक २९) यान्वये बृहन् मुंबई विभाग, मुंबई येथील सार्वजनिक विश्वस्त व्यवस्था नोंदणी कार्यालयात योग्य रीतीने नोंदण्यात आली आहे.

सार्वजनिक विश्वस्त व्यवस्थेचे नाव **संस्कार सर्जन एज्युकेशन सोसायटी**.
मालाड, कुरार, एक्सप्रेस हायवे पलीकडे, मालाड (पूर्व), मुंबई - ६४ (एन. वी.)
सार्वजनिक विश्वस्त व्यवस्थांच्या नोंदणी पुस्तकातील क्रमांक **एफ - २५२९ (मुंबई)**
श्री. धीरजलाल टी शहा यास प्रमाणपत्र दिले.

आज दिनांक **२१ जुलै १९७२** रोजी माझ्या सहीनिशी दिले.

शिवका

सही

हुद्दा **धर्मादाय उप आयुक्त,**
बृहन् मुंबई विभाग, मुंबई

Certificate of

Registration

The Societies Registration Act, 1860
(Act XXI of 1860)

Maharashtra State

Registration No. Bombay 78/1964 GBBSD

It is hereby certified that "**SANSKAR SARJAN
EDUCATION SOCIETY**" has this day been duly
Registered Under the Societies Registration Act,
XXI of 1860

Assistant
Registrar of
Societies
Greater Bombay
Region.

Given Under my Hand this
SD.
Assistant Registrar of
Societies
Greater Bombay Region

MEMORANDUM OF ASSOCIATION

1. The Name of the Society shall be "SANSKAR SARJAN EDUCATION SOCIETY".
2. The Registered Office of the Society shall be at Malad (Bombay) or such place as may be decided from time to time.
3. *The Objects of the Society :-*
 - (a) To work for advancement of education by providing for, imparting and spreading education in Arts, Medicines, Science, Technical, Vocational, Industrial and other useful subjects.
 - (b) To inaugurate/take over Schemes of opening a High School at Malad and to maintain and manage the same.
 - (c) To establish or take over and maintain Schools, Colleges and institution and to do all acts and things necessary for or conducive to promotion of Primary, Secondary, Higher, Commercial and Technical education in Malad and other places in the Bombay Suburban District.
 - (d) To solicit obtain or accept subscriptions, donations grants, gifts, devices bequests and trusts from any person, firm, corporation, Company or Institution.
 - (e) To hold movable and immovable property belonging to the Society or trust for the purposes which would assist or further the objects of the Society.
 - (f) To do all or any of the above things in connection with any other body, company or institution.

RULES & REGULATIONS

1 The society shall consist of members who have completed 21 years of age, may be called Trustees, Patrons and Life Members.

2 (i) TRUSTEES :- Refer cl. 38.

(ii) PATRONS :- Any person who approves the objects of the Society and applies and pays a subscription of Rs. 25,000/- may be a member for life.

(iii) LIFE MEMBERS :-

(a) All existing benefactors shall be treated as Life Members.

(b) Any person who approves the objects of the Society and applies and pays a subscription of Rs. 5,000/- shall be a Member for Life.

(c) Existing Ordinary Members shall pay Rs. 2,000/- and become the Life Members within one month after approval of the General Body Meeting.

PROVIDED THAT the Managing Committee shall have powers to reject any application for Membership without assigning any reason thereof.

3 No person who is an employee of the Society or any of its institutions shall be the member of the Society.

4 A member may resign on giving notice in writing to the Secretary of the Society and on the same being accepted by the Managing Committee he shall cease to be a member subject to his liability to the Society, if any be discharged.

5 The affairs of the Society shall be managed by the Managing Committee.

MANAGEMENT

6 The Managing Committee shall consist of :

(a) Trustees,

(b) Five members elected by the Patrons from amongst them selves.

- (c) Nine Members elected by the Life Members from amongst themselves.

7 The Managing Committee will elect its own office bearers at its first meeting from amongst themselves and they shall be the office bearers of the Society for one year.

Office Bearers of the Society shall be :

- (a) President,
- (b) Vice-President,
- (c) Three Secretaries
- (d) Treasurer.

Atleast one Office Bearer shall be from the Life Members.

8 The members of the Managing Committee to be elected by General Body as per Clause 6 above shall hold office for one year. At the very first Annual General Body Meeting after election of nine members as per the change in the rules of the Society, three elected members will retire, in the following year. The other three members will retire next year thereafter, and in the third year remaining three members of the said category will retire. The retiring member shall be entitled for re-election. The members to retire will be decided from the alphabetical order of surnames.

9 (a) The Managing Committee shall meet atleast once in a month and shall do all acts and things to promote and carry out the objects of the Society.

(b) The Managing Committee and the Office Bearers not with standing the expiration of their term of office, shall continue to function till the new managing committee and the Office Bearers are constituted and have taken over the charge.

10 Without detracting from the generality of the powers conferred by these presents the Managing Committee shall have the following powers.

- (a) To prepare and submit every year to the General body of members a statement of audited accounts and report of the Society.
- (b) To prepare a budget for the ensuing year.

(c) To expand the funds of the Society in such a manners as they consider most beneficial for the purpose of the Society and to invest in the name of the Society or in the name of the Trust such part thereof as they deem fit in any of the securities, for the time being authorised by law for the investment of the Trust properties or in any such manner that may be decided by the Managing Committee at meeting called for the purpose and having a quorum and to direct the sale or transportation of any such investment and to re-investment in manner aforesaid and to expand the proceeds of any such sale for the purposes of the Society.

(d) To acquire by all lawful means in the name of the Society or in the name of the trust as absolute owners or as or lessees, any movable or immovable property and to build upon until, pull-down, rebuild, add to alter, repair, improve let out, sell, exchange or dispose of or otherwise deal with any land buildings or immovable property or any movable property for any purpose of the Society.

(e) To carry on negotiations for and enter into all agreements and contracts on behalf of the Society and to nominate any one from amongst themselves to execute such agreements or contracts or any other deeds and assurances on behalf of the Society.

(f) To borrow moneys on the Securities of any of the properties of the Society or otherwise and to grant or direct to be granted mortgages for securing them.

(g) To direct the transfers, retrenchments, to give promotions or increments, bonus, honorarium and gratuity or any other benefit and grant leave and extension of service to reduce salary of any of the employees of the Society.

(h) To start, open and conduct classes, schools and colleges, libraries, reading rooms, sports, gymnasiums and laboratories.

(i) To frame and prescribe the course of studies and text books.

(j) To fix the scale and fees for different classes.

(k) To hold examinations and inspections.

(l) To fix and distribute prizes, scholarships, and free studentships.

(m) To open banking and other accounts and to appoint any two or more from themselves to operate on such accounts and sign, endorse, negotiate cheques, securities and other negotiable instruments.

(n) To frame bye-laws for the conduct and management of any of the Society's schools or Institution.

(o) To invite and accept donations and subscriptions.

(p) To call General (Annual or Special) Meetings of the Society and to publish Reports and Accounts of the Society.

(q) To take legal advice or action in the interest of the Society and appoint anyone or more from themselves or any Offices of the Society to file suits or to make or defend any action or proceedings and to authorise him to do all things necessary in that behalf including power to sign warrants in favour of the Advocate or Attorney appointed by them and to sign, affirm any complaints applications, statements, Appeals, Petitions and such other things as may be necessary.

(r) To decide from time to time the field work of the Society.

(s) And generally to do all things necessary or expedient for the due conduct of the affairs of the Society not herein expressly provided for.

(t) Procedure with regard to admission, supervision or removal of members,

(u) Procedure for calling meetings, holding elections and taking ballots.

11 Subject to the supervision and control of the Society the Managing Committee shall be responsible for the administration of funds and their allocation for various purposes.

12 Casual vacancies on the Managing Committee shall be filled up by the Managing Committee by Co-option till the next General Body Meeting, provided that in a given year not more

than seven vacancies be so filled up. When the number goes beyond, a General Body Meeting shall be called to fill up all vacancies including those already filled up by co-option. Co-opted member shall not have right to vote.

13 The quorum of the Managing Committee meeting shall be seven. No quorum shall be needed for a meeting adjourned for want.

14 Any member of the Managing Committee or any other Committee set up by it remains absent for three consecutive meetings without obtaining leave of absence from the Secretary shall be deemed to have ceased to be a member of the Committee.

15 Any member of the Society or any of the Committee of the Society shall cease to be such member on his retirement or on his resignation in writing, on being convicted by a Court of an offence involving moral turpitude, on his death or on passing a resolution by not less than 3/4th of the members present at the General Body Meeting called specially for the purpose.

16 (a) The Managing Committee is empowered to delegate to a Sub-committee or Sub-committee's, from among its own members the various powers invested in them and particularly for the management of the Society's school or institutions, selection of books for imparting education, holding examinations, awarding free studentships, scholarships and prizes and doing all other things necessary to carry out the objects of the Society, Such Sub-committee or Sub-committees will be entitled for the purpose of helping them in the transaction of their business, to associate with them, any other member or members of the Society.

(b) All acts done by the Managing Committee or by way of the Sub-committee shall not with standing the existence of some disqualifications or some irregularities in the appointment of any member of the managing Committee or Sub-committee be as valid as if such vacancy disqualification or irregularity has not been existed.

GENERAL MEETING

- 17 A General Meeting of the Society may be Ordinary or Special.
- 18 An annual General Body meeting shall be held once in every year at such time and place and hour as the Managing Committee shall from time to time determine.
- 19 Special General Body meeting may be convened by the Managing Committee of its own motion or upon a requisition signed and made in writing for the specified purpose by not less than 50 percent of the members on the roll.
- 20 If within one month from the date of receiving such requisition, the Managing Committee falls to convene a Special General Meeting, the requisitionists themselves may convene Special General Body meeting after two months from the date of depositing requisition at the office of the Society.
- 21 The meeting of the General Body shall require fifteen days clear notice. If such meeting has been adjourned for want of Quorum, such adjourned meeting will transact the business after thirty minutes than the schedule time of the meeting, at the same place and on the same day.
- 22 The Special General Body Meeting shall require eight days clear notice.
- 23 With the consent of all the members concerned any of the meetings of the Society may be called at short notice. Any accidental omission to give notice to any member or the non-receipt thereof shall not invalidate any work done at the meeting.
- 24 The business of the Ordinary General Body meeting shall be
 - (a) To receive and adopt the report of working of the Society as may be presented by the Managing Committee along with the audited statement of accounts.
 - (b) To elect members of the Managing Committee or the ensuring year as per clause 8 and a transfer or Trustees as per clause 38.
 - (c) To appoint auditors for the year and to fix their remuneration.

- (d) Any other matter which may be permitted by the Chairman.
- 25 Notice of amendments to the business for which a General Body Meeting has been called must be given seven days before the meeting.
- 26 Resolutions regarding other business which a member may desire to be taken up at any General Body meeting can be brought with the permission of the Chair.
- 27 The quorum of the General Body Meeting shall be thirty three point - three percent of the members on the roll, provided that an adjourned meeting shall require no quorum.
- 28 The resolutions, once passed by the General Body can only be altered or amended after six months from the date of its final approval, by single majority of votes.
- 29 Any member of the Society entitled to take part and vote at the Annual General Body Meeting and otherwise qualified as per the rules and regulations of the Society and desiring to be elected to the Managing Committee shall file his nomination paper in the form prescribed by the Managing Committee under his signature duly proposed and seconded by members of the class of members entitled to vote for such place on the Managing Committee as per the rules and regulations of the Society and shall send to the office of the Society at least 4 days before the date of the Annual General Body Meeting.
- 30 (a) Persons who are not on the roll of the Society for at least 3 months prior to the holding of the ordinary and / or Extra Ordinary General Body Meeting will not be entitled to vote.
- (b) Only members present at the time of meeting shall be entitled to vote.
- 31 Within one hour of the Annual General Body Meeting the person called scrutinizer nominated by the Managing Committee shall scrutinize the nomination papers so filled and reject those and declare them invalid which are not proper and declare the rest as valid.
- 32 In event of there being more nomination papers for membership of the Managing Committee from any class, there

shall be an election by ballot for that particular category.

33 In the event of there being less nomination papers than the numbers of seats or there being no nomination papers filled at all for any place on Managing Committee, then persons whose nominations have been received and not rejected and not declared invalid, shall be declared elected on the Managing Committee and the place for which no valid nomination papers are filed shall be deemed a vacancy. Such a Vacancy and any casual vacancy during the year may be filled in by the remaining members of the Managing Committee.

34 Persons who have not paid the amount of their subscription or who are otherwise indebted to the Society will not be entitled to vote.

35 All business shall be transacted and all resolutions shall be passed unless otherwise provided in the rules and regulations of the Society by a majority of the members present at such meetings. The voting at such meetings shall be by show of hands unless otherwise provided by the rules and regulations of the Society and unless any member present at the meeting and entitled to vote and take part there at demands a vote by ballot before voting by show of hands starts in which case it shall be by ballot. In case of equality of votes, the person in the Chair shall have a casting vote in addition to his vote as a member.

36 A declaration by the President as to the result of the voting shall be final and conclusive.

37 Every member of the Managing Committee shall be indemnified out of the office funds of the Society against all losses and expenses incurred in the discharge of his duties except such as shall happen through his own neglect or default and each one shall be chargeable only for such money as he shall himself actually receive in the discharge of the business of the Society and each one shall himself actually receive in the discharge of the business of the Society and each one shall be answerable only for his own acts, neglects or defaults and not for those of any security or other money payable to the Society nor for any loss or damage which may happen in the discharge of his duties unless the same through his own wilful neglect or default.

TRUSTEES

38 There shall be minimum five and maximum seven Trustees.

(1) The existing three Trustees shall be the Trustees for life.

(a) Shri Dhirajlal T. Shah

(b) Shri Sharadbhai L. Patel and

(c) Shri Ibrahimbhai Kalania

(2) Shri Dhirajlal T. Shah shall nominate two members from his family or from his Charitable Trust as Trustees for life as per the Agreement.

Shri Sharadbhai L. Patel of Aspee Charitable Trust shall nominate one member from his family or/ from his Charitable Trust as Trustee for life as per the Agreement.

Shri Ibrahimbhai Kalania of Fargo Metal Works shall nominate one member from his family as a Trustee for the life as per the Agreement.

Such nominated member by the trustee must be a member of the society and in past shall have taken interest and involved himself in the activities of the society and or any such other social and educational activities.

(3) The other elected trustee / Trustees shall hold office for three years. If any vacancy falls, the General Body Meeting shall fill the vacancy from the members of the Society.

(4) The elected Trustee/Trustees should be the member/ members of the Society for the last 5 years.

39 All the movable or immovable properties of the Society shall be vested in the name of the Trustees and the same shall be applied for the purposes of the Society.

40 The Trustees shall invest any part of the capital or income of the Trust Fund in such investments as the Managing Committee may direct and may vary or transpose such investments or place the same on deposit in any bank or realise any of such investments and obtain payment of any moneys so deposited as aforesaid provided however that the Trustees shall invest only in securities authorised under the provisions

of the Indian Trust Act 1882, except where otherwise directed by a unanimous vote of the Managing Committee at a meeting called for the purpose and having a quorum.

- 41 Any receipt or receipts signed by two Trustees shall be sufficient discharge to any person making any payment to the Trustees.
- 42 The Trustees shall be entitled to collect and receive the income of the investments.
- 43 All securities, deposit, deeds of title to any of the properties of the Society shall be kept with the Trustees in such safe custody as the Trustees may decide from time to time.
- 44 The Trustees shall out of the income realised by them from the properties of the Society under their control make to the Secretaries or Treasurer or any other persons such payments as the Managing Committee may authorise them to make.
- 45 The Trustees shall have to put every year before the Managing Committee a statement showing the properties of the Society and income fetched and outgoings payable in respect of each of them respectively.
- 46 The Trustees shall be respectively, chargeable only for such properties, money, funds, securities or any other property as they shall respectively actually receive notwithstanding their signing any receipt for the sake of confirmity and shall be answerable and accountable only for their own acts and not for those of any other Trustees or anybody else.
- 47 Any Trustee desiring to be discharged from his office as the Trustee of the Society may do so on giving two calendar month's notice in writing to the Society.
- 48 The Trustees shall be deemed to have vacated the office if any :-
 - (a) are adjudicated or adjudged insolvent.
 - (b) are convicted of a criminal offence involving moral turpitude and Punished with imprisonment.
 - (c) become of unsound mind.
 - (d) resign or retire.
 - (e) act in contravention of the objects of the Society or in

manner detrimental to the interest of the Society or being guilty of misconduct in the opinion of the Managing Committee and the Managing Committee by three fourth of the majority of the members present resolve to remove their name.

PRESIDENT AND OFFICE BEARERS

- 49 The President and office-bearers of the Managing Committee shall be the President and Office-bearers of the Society and in the absence of President, Vice-President shall preside at all meetings of the Society and of the Managing Committee.
- 50 The President shall have a casting vote in all cases where there is tie.

SECRETARIES

- 51 The Secretaries shall look after the affairs of the Society under the direction of the Managing Committee.
- 52 They shall keep proper minutes of the proceedings of the General Body of the Society and of the Managing Committee and they will do everything necessary to give effect to the resolutions passed by the General Body Meetings of the Society and by the Managing Committee.
- 53 They will supervise the working and Management of the schools and institutions of the Society and carry all correspondence and keep proper records and prepare and place before the Managing Committee and General Body of the Members such materials as may be necessary or as may be required by the Managing Committee.

- 54 The Secretaries shall keep all records of the Society at a place to be determined by the Managing Committee.

TREASURER

- 55 The Treasurer shall receive all funds and income and shall make all disbursements necessary for carrying out the resolutions of the General Body or of the Managing Committee meetings, and the maintenance and working of the Society.
- 56 The Treasurer will act under the directions of the Managing Committee.

57 Any amount exceeding Rs. 2,000/- which is not required for immediate use shall be paid into such Bank or Banks as may be approved by the Managing Committee.

58 The Treasurer shall ordinarily receive all payments made to the Society and pass all necessary receipts and shall maintain proper books of account.

59 Once in the year and within two months of the commencement of the year the Treasurer shall make a Statement of Account of the working of the Society and submit the same to the Managing Committee.

AUDITOR

60 No member of the Society shall act as an Auditor.

61 The auditor shall have access to all books of accounts and vouchers of the Society to enable him to prepare the necessary information to certify the accounts.

DISSOLUTION

62 If on the dissolution of the Society there shall remain after the satisfaction of its debts and liabilities and property whatsoever not impressed with any trust agreed between the Society and the donor or donors the same shall not be paid to or distributed among the members of the Society or any of them but shall be given to some other Society or institution working for the same or similar objects as those of the Society to be determined by the votes of not less than three fourth of the members present at the meeting convened for the purpose or in default thereof by the Principal Court or Original Civil Jurisdiction.

63 The Society shall have powers by adding, altering, amending and modifying these rules and regulations at least by two third of the votes of the members of the General Body Meeting of the Society called specially for the purpose.

INDEMNITY

64 Trustees, every member of the managing committee and every other office bearer for the time being of the society shall be indemnified out of the properties and funds of the society against all losses and expenses incurred in the discharge of this duties, except such as shall happen through his own wilful neglect or dishonesty and each one shall be chargeable only for such money, funds or properties as he shall himself actually receive in the discharge of his duties and each one shall be answerable for his own act, and not that of any other person, nor the insufficiency of any security or other money payable to the society nor for any loss or damage which may happen in the discharge of his duties, unless the same shall happen through his own wilful neglect and dishonesty.

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AMENDED ON 5-4-1998