

# **MEMORANDUM**

- 1) **Name** : The name of the society shall be **ALL INDIA FEDERATION OF DHAT MAHESHWARI SAMAJ.**
- 2) **Office** : The office of the society is situated at 9/B, Harita Apartment, Opp. Memnagar Fire Station Street, Navrangpura, Ahmedabad. The office of the society may be changed to such other place as the Managing Committee may decide from time to time.
- 3) **Objects** :
  - 3:1 The objects of the society hereby created shall be public charitable purpose which shall include relief of the poor, education, medical relief and the advancement of any other object of general public utility. It is hereby clarified that the public charitable purpose shall enure for the benefit of the public at large in India or any part thereof without any distinction of caste, color or creed and shall not be for the benefit of any particular religious community or caste.
  - 3:2 To help any institution, association, trust to donate to Central or State Government or Local authority or any fund for all or any of the objects of the trust.
  - 3:3 To undertake activities in co-operation with Central or State Government, Local authority, any individual ,association, trust for all or any of the objects of the trust.
  - 3:4 Without in any way limiting the generality of the foregoing objects but always in conformity with the said objects, the objects of the trust shall be deemed to include:-
    - 3:4:1 To assist and/or encourage deserving students studying or carrying on research work in any branch of knowledge at any stage by scholarship, award of fellowship, prizes or loans in cash or in the form of books, educational implements or in any manner whatsoever,
    - 3:4:2 To establish or take over management of and manage or help schools, colleges, hostels, and any other institutions for advancement of education.
    - 3:4:3 To establish or take over management of and manage or help dispensaries, Diagnostic Centers, Hospitals, Nursing Homes, Clinics Maternity Homes, and such other institutions for treatment in any branch of medicine.
    - 3:4:4 To organize diagnostic camps and camps for operations, to organize and help activities like visiting nurses, mobile dispensaries and to undertake activities to propagate knowledge about prevention of diseases.
    - 3:4:5 To help the needy, the physically and mentally handicapped and persons affected by calamities like fire, flood, scarcity, cyclone, earthquake, riot and war in their need of food, clothes, shelter, medicine or any other necessities of life in cash or kind.
    - 3:4:6 To assist deserving persons devoting their time for public charitable activities.

The names, addresses, occupation and designation of First Managing Committee shall be as under :-

Sr. No	Name & Address of the member	Occupation	Designation
1.	Dr. Ashokkumar H.Maheshwari "Khushbu" Nr. English Medium School, Shaktinagar Part-II, Mansarovar Road, Palanpur Distt. Banaskantha	Doctor	President
2.	Sh. Kishanlal Vasudev Shah 21, Laxmikunj Society, Modasa Distt. Sabarkantha	Business	Vice-President
3.	Sh. Ashokkumar Ambaram Kella 5/2, Kashyap Apartment, Bhairavnath Cross Road, Maninagar, Ahmedabad	Service	Vice-President
4.	Sh. Gopalbhai L. Rathi A-72, Om Tower, Camp Road Shahibaug, Ahmedabad	Business	Secretary
5.	Sh. Ashokkumar B. Maheshwari 1 <sup>st</sup> Floor, Sub Market Yard, Janta Bazar, Borsad Distt. Anand	C.A.	Joint Secretary
6.	Sh. Kirankumar M. Rathi C/o M/s Kirankumar & Co. Mehta Market, Surendranagar	Business	Treasurer
7.	Sh. Chhaganlal J.Maheshwari "Matruchhaya", Chhapi Tal. Vadgam Distt. Banaskantha	Advocate	Member
8.	Sh. Inderlal P.Maheshwari 39/4, Bimanagar Society, Nr. Umiya Vijay Bus-Stand, Satellite Road, Ahmedabad	Service	Member
9.	Sh. Kantilal P. Maheshwari C/o Maheshwari Cha Bhandar, Gandhi Chowk, Deesa Distt. Banaskantha	Business	Member
10.	Sh. Khaitan K.Sharda C/o M/s Shivam Agency, 103, Sakar Flats, Begumpura, Sahara Darwaja, Surat	Business	Member
11.	Sh. Manubhai D.Harani A/4, Shreyadarshan Apartment 32, Jawaharnagar Society, Anjali Char Rasta, Paldi Bhatta Ahmedabad	Business	Member
12.	Sh. Pitamberdas G.Bhootra A-303, Jalsagar Apartment, Opp. Swaminarayan's Temple Vaniavar, Nadiad Distt. Kheda	Business	Member
13.	Sh. Shankarlal Omkarmal Kella 18, New Maheshwari Society, Opp. Dalukund Temple Kadi, Distt. Mehsana	Business	Member
14.	Sh. Vasudev Prabhulal Chandak C/o Mahesh Trading Co., A/89, Market Yard, Hathikhana, Fatehpura, Vadodara	Business	Member

We, the undersigned are desirous to register the society by name under the Societies Registration Act 1860.

Sr. No	Name & Address of the member	Occupation	Signature
1.	Sh. Ashokkumar A. Sharda Ahmedabad	Business	
2.	Dr. Amrutlal K. Maheshwari Ahmedabad	Doctor	
3.	Sh. Bhavanishankar A. Rathi Ahmedabad	Business	
4.	Sh. Maheshkumar K. Chandak Ahmedabad	Business	
5.	Sh. Tuljaram M. Chandak Ahmedabad	Business	
6.	Sh. Purshottamdas K. Chandak Anand	Business	
7.	Sh. Dungarmal B. Panpalia Dhanera	Business	
8.	Sh. Gautambhai B. Kella Palanpur	Business	
9.	Sh. Madanlal R. Mohta Bhildi	Business	
10.	Sh. Maheshkumar D. Kella Palanpur	Service	
11.	Sh. Motiram A. Maheshwari Thara	Business	
12.	Sh. Gautambhai T. Kachoriya Morbi	Business	
13.	Sh. Amolakhadas U. Goklani Modasa	Business	

**ALL INDIA FEDERATION OF DHAT MAHESHWARI SAMAJ**  
**R U L E S**

**1. MEMBERSHIP :**

- 1.1 Only a person of DHAT MAHESHWARI SAMAJ who has completed 21 years of age and is agreeing with the objects and rules of the society will be entitled to be a member of the society on payment of Life time membership fees of Rs.25/- or the amount that may be fixed by the Representative Committee of the society from time to time.
- 1.2 In the places, where there is an Organization exists as on date and/or which may be formed hereafter & they desires to enroll them as a UNIT, instead of membership by each individual, they will be admitted as a UNIT, subject to the passing of resolution with a majority in their Annual General Meeting/ or meeting to be held for specific purpose of becoming the member of the Society, to be enrolled as a UNIT & fee will be paid as under :-
- |  |             |
|--|-------------|
| 1.Places, where there are less than<br>100 families live | Rs. 1,000/- |
| 2.Places, where there are more than<br>100 families live | Rs. 2,000/- |
- 1.3 One who desires to be a member of the society will make an application in the prescribed form to the Managing Committee and will pay the prescribed Membership fees. On receipt of the application, the secretary will scrutinize the same and put up before the Managing Committee for approval. The applicant will be a member of the society on approval of the said application. When an application for membership is disapproved, the fees paid with the application will be refunded to the applicant. The Managing Committee may at its discretion shall have the right to accept or reject such application without assigning any reason thereof.

**2. PROPERTY OF THE SOCIETY AND VESTING OF THE PROPERTY :**

- 2.1 At present, the property of the society is Rs.675/- (Rupees Six Hundred Seventy Five only) in cash lying with Treasurer Sh. Kirankumar Mahadevbhai Rathi, which will be deposited in bank account of the society. This amount and all other money and properties that be paid or transferred to or received by the society by way of the donations, contributions or income or property acquired by the society, in any manner whatsoever and investments and conversion of such money or property shall be the property of the society.
- 2.2 All the properties of the society shall vest in the members of the Managing Committee for the time being and shall be administered, managed and used by the members of the Managing Committee in accordance with these rules for the fulfillment of all or any of the objects of the society.

3. **UTILISATION OF INCOME :**

Out of the income of the society, in the first instance, all necessary expenses incidental to the administration and management of the society and property of the society and all rates, taxes, assessment and cost of current repairs and upkeep of immovable properties, if any, belonging to the society will be paid. The Managing Committee may set apart such amount as depreciation fund on immovable property from the income that may be deemed reasonable and necessary for the purpose of heavy repairs and renovation or rebuilding of the immovable properties, if any, belonging to the society and also set apart reasonable amount as depreciation for the movable property of the society. The balance will be applied to the objects of the society.

4. **REPRESENTATIVE COMMITTEE :**

- 4.1 Member/s of each centre will elect their representative/s from themselves within the prescribed limit as shown in the Schedule given hereunder for a period of four years.
- 4.2 On completion of two years, 50% (fifty percent) of the members of First Representative Committee shall retire by drawing of lots. Such vacancy shall be filled by election of representative/s from the same area. The remaining 50%(fifty percent) members of First Representative Committee shall retire on completion of Four Years. Thereafter, every two years, the members of Representative Committee shall retire after completion of their term i.e. Four year.
- 4.3 Thus, the members of Representative Committee can be elected for maximum period of Four Years continuously. In a life time, one person can be member of the Representative Committee for maximum period of Eight Years. The members, who are retiring after completion of two years on the basis of draw instead of four years due to applicability of rotation system can be accommodated for third term only for two years.
- 4.4 In case of death, resignation or for any other reason, the member cease to be member of the Representative Committee, then new member of the Representative committee will be elected from the same area for remaining period.

**SCHEDULE**

**PARTICULARS OF CENTRE**

SR.NO.	NAME OF THE CENTRE	NO. OF REPRESENTATIVES
1.	ISANPUR	2
2.	MANINAGAR	3
3.	NARODA	1
4.	SABARMATI	1
5.	SHAHIBAUG	1
6.	WESTERN A'BAD	3
7.	SANAND	1
8.	ANAND	2
9.	BORSAD	2
10.	KHAMBHAT	1
11.	TARAPUR	1
12.	BHILDI	1
13.	CHHAPI	1

14.	DEESA	1
15.	DHANERA	2
16.	PALANPUR	4
17.	THARA	1
18.	THARAD	1
19.	MANSA	1
20.	KAPADWANJ	1
21.	NADIAD	1
22.	GANDHIDHAM	2
23.	KADI	2
24.	VIJAPUR	1
25.	PATAN	1
26.	MORBI	1
27.	MODASA	2
28.	TALOD	1
29.	SURAT	2
30.	SURENDRANAGAR	1
31.	BAJWA	2
32.	BODELI	1
33.	VADODARA	2

## 5. **MANAGING COMMITTEE :**

- 5.1 The management of the society will be done by an elected committee of the members, known as MANAGING COMMITTEE, who are liable for day to day management of the society. The minimum & maximum number of members in the Managing Committee shall be 7(SEVEN) & 15(FIFTEEN). For smooth functioning of the society, the Representative Committee will appoint President, Two Vice-Presidents, Secretary, Two Joint-Secretaries, Treasurer & Committee members. These will be elected by the Representative Committee amongst the members for the period of two year. If the Representative Committee desires to re-elect them for another term, they can again be elected for further period of two years. Thus, they can be elected for maximum period of Four Years continuously.
- 5.2 The Managing Committee can co-opt five representatives, out of the existing members of the society, who can support them in smooth functioning of the society. These representatives shall have equal rights & duties as the elected representatives of the society .
- 5.3 The outgoing Managing Committee shall work till the new Managing Committee starts functioning.
- 5.4 In case, any member, who remains absent for three meeting continuously without informing the Managing Committee & failed to explain the genuine reason for absent, then the member will cease to be a member of the Managing Committee.

## 6. **DUTIES AND POWER OF THE MANAGING COMMITTEE :**

- 6.1 To collect funds for the society, to manage & look after the property of the society and to do all that is necessary to preserve and protect the same.
- 6.2 To purchase, acquire, take on lease or mortgage, land and immovable property and to construct, build, repair, renovate or develop any immovable property of the society and to purchase and acquire or take on lease any movable property including furniture, books, conveyances for the purpose of the society.

- 6.3 To utilize the property including corpus and income of the property for all or any of the purpose of the society as the Managing Committee in their absolute discretion may decide from time to time, provided that corpus or any part thereof can be utilized only by a resolution agreed to by 2/3 of the total number of Managing Committee. If the 2/3 comes to a fraction, the next whole number will be considered.
- 6.4 The Managing Committee will be entitled to accumulate the income of any year and use the same in any subsequent year or to amalgamate by a resolution of Managing Committee the accumulation or any part thereof along with corpus, subject to the provisions of Income-Tax Act.
- 6.5 The Managing Committee will be entitled to invest the money of the society in any manner permitted by the provisions of law applicable to public trusts. Investments will be in the name of the society to be operated by any two out of the President, Secretary and Treasurer.
- 6.6 To allow use and occupation of any property of the society with or without any charge or at nominal or concession fee or charge for any of the objects of the society.
- 6.7 To allow temporary use of the property of the society.
- 6.8 To determine the number of officers and other employees to be employed for society or for activities and institutions of the society and conditions of their service including pay and allowances or other remuneration and use of the property of the society during the tenure of service without any fee or charge, or at concession fee or charge and to employ necessary employees on such terms and conditions or to authorize any one or more of the members of the Managing Committee or the head of the institution or a Committee connected with the institution or a worker or workers connected with any activity to employ such employees on such conditions.
- 6.9 To suspend or dismiss the employees of the society or any activity or institution of the society or to authorize any one or more trustees or head of the respective institution or committee connected with the respective institution or a worker or workers connected with the respective activity to suspend or dismiss an employee of respective institution or activity.
- 6.10 To take over management of any institution or activity carrying on activities for one or more objects of the society.
- 6.11 To appoint advisory board or governing body for one or more activities or institutions of the society on such terms as the Managing Committee may deem proper.
- 6.12 The society may use or be used in the name of the society through secretary of the society.
- 6.13 The Managing Committee may file, prosecute or defend suits, complaints or any other legal proceedings, may refer to arbitration any claim or dispute in respect of society or property of the society and may accept arbitration award, may compromise and or forego any claim of the society. The Managing Committee will be entitled to appoint one or more of the members of the Managing Committee or one or more persons connected with the management of any activity or institution or any attorney or advocate to represent the society in suits, complaints or other legal proceedings.

- 6.14 Subject to the provisions of law applying to public trusts to sell, gift or exchange immovable property of the society, to borrow money on the security of the property of the trust or without any such security or to transfer the property of the society in any other manner provided that for any transfer of the immovable property of the society consent of not less than 2/3 members of the Managing Committee will be necessary.
- 6.15 To insure properties of the society against fire, flood, riot or any other risk. It is clarified that the Managing Committee is not bound to insure all or any of the properties of the society.
- 6.16 To arrange for proper and safe custody of valuable articles, documents and record of the society and to incur necessary expenses for the same. To entrust securities of the society for safe custody and or collection of income to any bank and to transfer the securities to any bank for the purpose.
- 6.17 The Managing Committee may delegate all or any of their duties or powers to a sub-committee of one or more of the members of the Managing Committee and generally make such arrangement between themselves for distribution and carrying out of their duties or exercising their powers as they deem fit.
- 6.18 To do all such things and acts as are necessary for or incidental to or conducive to the fulfillment of the objects of the society.

7. **ACCOUNTS :**

- 7.1 Proper and regular accounts of the property and income of the society shall be maintained.
- 7.2 The accounting year of the society will be from 1<sup>st</sup> April to 31<sup>st</sup> March. The same may be changed if the Managing Committee deems necessary subject to the provisions of law in force.
- 7.3 The accounts of the society shall be got audited as required by law applicable to public trust or public charitable societies.

8. **BANK ACCOUNTS :**

The money of the society not necessary for immediate use will be deposited in one or more scheduled bank accounts of the society as may be decided by the Managing Committee. The bank accounts of the society will be in the name of the society to be operated by any two out of President, Secretary and Treasurer.

9. **ALIENATION OF IMMOVABLE PROPERTY :**

The immovable properties of the society will be transferred subject to the provisions of law applicable to transfer of immovable properties of the public trust with the approval of Representative Committee of the society during the meeting specially convened for the purpose. Consent of not less than 3/4<sup>th</sup> of the members of Representative Committee of the society present personally or by proxy of the meeting is mandatory. If the 3/4<sup>th</sup> come to a fraction, next whole number will have to be considered.



10. **PRESIDENT AND VICE-PRESIDENT :**

- 10.1 The President will guide and supervise all the activities and affairs of the society.
- 10.2 The President will preside over all the meetings of the society, Managing Committee or any sub-committee.
- 10.3 All the documents to be executed on behalf of the Managing Committee of the society will be executed by the President or Secretary and other two trustees appointed by the Managing Committee for the purpose unless the same are required to be executed by all the members of the Managing Committee.
- 10.4 The President shall perform all other duties and exercise all other powers under these rules.
- 10.5 **Vice President :** The Vice President will perform all duties and exercise all powers of the President in his absence and with his consent in his presence.

11. **SECRETARY :**

- 11.1 The Secretary will carry on all correspondence on behalf of the society.
- 11.2 The Secretary shall maintain or get maintained proper minute book of Managing Committee, general body or any committee.
- 11.3 The Secretary will supervise the work of all employees of the society and grant their leave.
- 11.4 The Secretary will do all that is necessary for carrying out decision of Managing Committee, general meeting and for administration of the society except those duties assigned to the treasurer.
- 11.5 The Secretary will exercise other powers and perform other duties under the rules.
- 11.6 **Joint Secretary :** The Joint Secretary will perform all duties and exercise all powers of the Secretary in his absence and with his consent in his presence.

12. **TREASURER :**

- 12.1 The treasurer will pass receipt for all the money or properties received by the society.
- 12.2 The treasurer will get maintained proper and regular books of account and will get the accounts audited within 3 months of the expiry of the financial year.
- 12.3 The treasurer shall exercise other power and perform other duties as provided in these rules.

13. **MEETINGS OF THE MANAGING COMMITTEE :**

- 13.1 The meeting of the Managing Committee will be called as and when necessary by the Secretary with the consent of the President.
- 13.2 If five or more members of Managing Committee demand in writing addressed to the President that a meeting of the Managing

Committee be called specifying the purpose, the meeting of the Managing Committee shall be called within 7 days of the receipt of such requisition, failing which the trustees requisitioning the meeting may call the meeting of the Managing Committee at the office of the society by a notice under their signatures. If in the meeting so called, number of trustees sufficient to form a quorum is not present within half an hour of the appointed time, the requisition will lapse.

- 13.3 In urgent or routine matters, decision of the members of the Managing Committee may be taken by a circular resolution if agreed to by all the members of the Managing Committee present in India.
- 13.4 Notice for meeting of the Managing Committee will be sent in writing under the signature of the Secretary not less than 7 days before the day of the meeting specifying date, time and place of the meeting and particulars of the work to be transacted at the meeting. In urgent matters, a meeting may be called by a short notice as may be decided by the President.
- 13.5 The quorum at the meeting of the Managing Committee will be FIVE, if the members of managing committee are NINE or less and the same will be SIX if the members of the managing committee are more than NINE. If within half an hour of the time appointed for the meeting, number of members present, are not sufficient to form the quorum, the meeting will be adjourned and no quorum will be necessary to transact the business of that meeting in any subsequent meeting. No business will be transacted at a meeting in which at least THREE members are not present.
- 13.6 Except as otherwise provided in these rules all questions before a meeting will be decided by a majority of votes of members present and voting. In case of equality of votes, the president of the meeting will have a second or casting vote. The members disagreeing with any lawful decision of the majority of members shall nevertheless concur in executing all such instruments and acts which may be required for the purpose of giving effect to such decision.

14. **MINUTE BOOK :**

A minute book or books shall be maintained which will indicate a clear report of the proceedings of each of the meetings of the Managing Committee and Sub-Committee, if any, and of the general meeting of the society. A copy of the circular resolution of the Managing Committee shall be kept in the Minute Book. The Minutes shall be read over in the next meeting, and when confirmed shall be signed by the President of that meeting.

15. **LIMITATION OF LIABILITY OF THE MEMBER OF MANAGING COMMITTEE:**

- 15.1 The members of the Managing Committee including the trustees shall be accountable only for such property or income they shall actually receive for notwithstanding their signing any receipt for conformity. No member of Managing Committee shall be liable for any loss caused to the society arising from any act done by the member in good faith. The member of Managing Committee shall be liable for any loss caused to the society by their wrongful act, misconduct, fraud or gross negligence and not for wrongful act, misconduct, fraud or gross negligence of any other member, Banker, Broker or Agent.

- 15.2 The members will have a right to obtain information about working and accounts of the society at any time by a reasonable notice in writing to the Secretary.

16. **ANNUAL GENERAL MEETING :**

- 16:1 Every Year within FOUR months of the expiry of the accounting year, general meeting of the members of the Representative Committee will be convened by a notice of not less than 14 days to all the members under the signature of the Secretary specifying time, date and place of the meeting and particulars of the work to be transacted at the meeting.
- 16:2 At the meeting audited statements of accounts of the previous year together with auditor's report will be placed for consideration and adoption.
- 16:3 The Secretary will submit orally or in writing report of the activities of the society during previous year.
- 16:4 At the meeting auditor for the next year will be appointed and remuneration of the auditor will be fixed.
- 16:5 The quorum of the meeting will be 10 or 1/5 of the total number of members of the society whichever is lower. If the figure of 1/5 comes to a fraction, next whole number will have to be considered.
- 16:6 If sufficient number of members to constitute a quorum is not present within half an hour of the time appointed for the meeting, the meeting will, thereafter proceed with the work in the agenda with the members present.

17. **SPECIAL GENERAL MEETING :**

- 17.1 Special General Meeting of the members of Representative Committee will be called when necessary. Notice for the Special General Meeting will be sent not less than 7 days before the date of the meeting under signature of the Secretary, specifying date, time & place of the meeting and particulars of the work to be transacted at the meeting. Presence of 10 members or 1/5 of the total number of members of the society whichever is lower will be necessary to form quorum. If the figure of 1/5 comes to a fraction, the next whole number will have to be considered. If sufficient number of members to form quorum is not present within half an hour after the time appointed for the meeting, the meeting will be adjourned and a meeting will be called by a fresh notice but no quorum will be necessary to transact business of meeting adjourned for want of quorum.

18. **AMENDMENT OF RULES :**

When the Managing Committee feels it necessary, all or any of these rules may be amended or any rule may be deleted or any new rule be added, special general meeting of the members of Representative Committee will amend, delete or add to the rules by the resolution consented by 3/4<sup>th</sup> of the number of members present and voting, subject to the approval by appropriate authority under the relevant law.

19. **CHANGES IN THE NAME OR OBJECTS :**

The name of the society can be amended and the objects of the society can be altered, extended or abridged by following the procedure laid down in the Societies Registration Act, 1860.

20. **DISSOLUTION :**

Any number not less than figure of  $\frac{2}{3}$  of the total number of the members of the Society present in meeting in person or by proxy may determine that the society shall be dissolved and thereupon it shall be dissolved forthwith or at the time agreed upon by them and all the net assets of the society after satisfying all liabilities of the society shall be transferred to Central or State Government or any Local authority or society or trust or institution or fund for all or any of the purpose of the society, as may be determined by not less than figure of  $\frac{2}{3}$  of the total number of members of the society present in person or by proxy at the said meeting. If the figure of  $\frac{2}{3}$  comes to a fraction, the next whole member will have to be considered.