

GENERAL MOHYAL SABHA (REGD.)

A-9, QUTAB INSTITUTIONAL AREA, U.S.O ROAD,
JEET SINGH MARG, NEW DELHI 110 067



(Established in 1891 and first Registered at Lahore in 1900, under the Societies Registration Act, XXI of 1860; after partition registered again at New Delhi vide Registration No.S/873/JSC of 1955-56, dated 16.8.1955)

CONSTITUTION

(Amended and translated from Urdu (Original) into English on 28th December, 1980 and further Amendments/Additions/Deletions incorporated at the Extraordinary General Body meetings of the GMS on 26th March, 1995, 18th March, 2007, 15th May, 2011 and finally.)

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SUBJECT

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of Foundation Trustees 16-17

Secretary General
 Secretary Finance
 Secretary
 Secretaries Public Relations (2)
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 Joint Secretary Finance
 Joint Secretaries PR, Youth
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INTRODUCTION

The Mohyal Community originally constituted the Mohyal Mitter Sabha at Lahore, on 24-05-1891. Its name was subsequently changed to The General Mohyal Sabha, Punjab and then to the present name of General Mohyal Sabha. It was first registered as a Society at Lahore in 1900. After partition of the country it was shifted to India, in 1948, and started functioning from Amritsar. For purposes of better-coordinated working, it was soon after shifted to Delhi, where it was again registered with the Registrar of Societies on 16th August, 1955 and since then is functioning as such.

Now, in order to give a wider and more effective scope, the Sabha's activities need to be extended, from time to time, so as to serve the general public, AND, hence, THIS CONSTITUTION.

THE CONSTITUTION OF THE GENERAL MOHYAL SABHA

PREAMBLE:

We the members of the Mohyal Community comprising of its sub-castes namely BALI, BHIMWAL, CHHIBBER, DUTT, LAU, MOHAN and VAID devoting ourselves to the progress, prosperity and welfare of the General Public, hereby constitute the General Mohyal Sabha with its registered office at Delhi and do hereby ADOPT, ENACT and GIVE unto OURSELVES this Constitution.

Art.1 NAME:

The Sabha shall be called GENERAL MOHYAL SABHA (Regd.) hereinafter referred to as the GMS and shall be the sole representative of 'MOHYALS'.

Art.2 REGISTERED OFFICE:

The registered office of the GMS shall be situated in the Union Territory of Delhi and is located at Mohyal Foundation Building, A-9, Qutab Institutional Area, U.S.O. Road, Jeet Singh Marg, New Delhi - 110 067 or any other place that may be decided in the future subject to the approval of the Managing Committee of the GMS.

Art.3 JURISDICTION:

The GMS being the sole representative of MOHYALS, its jurisdiction, shall extend to the whole of INDIA including MOHYALS residing abroad and as determined by the Managing Committee of the GMS from time to time.

Art. 4 DEFINITIONS:

In this Constitution and its RULES & REGULATIONS: -

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| 1. Word 'MOHYAL' | shall mean and include a person of either sex, belonging to any of the seven sub-castes namely, BALI, BHIMWAL, CHHIBBER, DUTT, LAU, MOHAN & VAID. |
| 2. Acronym 'GMS' | shall mean the "GENERAL MOHYAL SABHA". |
| 3. Words 'MANAGING COMMITTEE' | shall mean the MANAGING COMMITTEE of the GENERAL MOHYAL SABHA. |
| 4. Words 'EXECUTIVE MEMBER' | shall mean a member of the MANAGING COMMITTEE. |
| 5. Words 'OFFICE-BEARER' | shall mean an OFFICE BEARER of the GMS and of the Managing Committee of the GMS. |
| 6. Word 'MEMBER' | shall mean a member of the GENERAL MOHYAL SABHA. |
| 7. Word 'COMMUNITY' | shall mean the GENERAL PUBLIC. |
| 8. Words 'LOCAL SABHA' | shall mean a Local Mohyal Sabha DULY AFFILIATED to the GMS operating in the area of its jurisdiction, in India or abroad, under the overall supervision and guidance of the GMS. |
| 9. Word 'CONSTITUTION' | shall mean the CONSTITUTION of the GENERAL MOHYAL SABHA. |
| 10. Words 'RULES & REGULATIONS' | shall mean the RULES & REGULATIONS framed under the CONSTITUTION of the GMS. |
| 11. Word 'CONFERENCE' | shall mean an ALL INDIA MOHYAL CONFERENCE held every five years, or thereabout, at any place in India, as decided by the MANAGING COMMITTEE of the GMS. |
| 12. Word 'MITTER' | shall mean the MOHYAL MITTER, the official organ of the GENERAL MOHYAL SABHA. |

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13. Word 'BHAWAN' shall mean a building or a bhawan, as the case may be, constructed / raised by GMS of its own, or by / through any Local Sabha. Local Sabhas are not permitted to dispose of the Bhawan(s) without approval of the GMS, if they have taken any financial aid from the GMS for their Bhawan(s).

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14. Words 'REPRESENTATIVE MEMBER' shall mean the EXECUTIVE MEMBER of the MANAGING COMMITTEE of the GMS, who has been duly elected as a REPRESENTATIVE MEMBER by a local affiliated Sabha.
15. Words 'AD-HOC COMMITTEE/ COMMITTEES' shall mean any COMMITTEES/ COMMITTEES' appointed by the GMS President.
16. Words 'AREA/ TERRITORY' shall, in the case of an AFFILIATED LOCAL SABHA mean the city/town/village/locality after which the particular LOCAL SABHA is named after.
17. Word 'ASHRAM' shall mean the ASHRAMS constructed/ owned/aided/ financed by the GMS at Haridwar, Vrindavan Govardhan or, at any other place where any facility or activity of public/community welfare, including but not limited to free-concessional stay/education/medical/ clinical activity/service is initiated/undertaken by/ as per the direction/supervision/control of the GMS.
18. Word 'FOUNDATION' shall mean the MOHYAL FOUNDATION COMPLEX, located at A-9, Qutab Institutional Area, U.S.O. Road, Jeet Singh Marg, New Delhi 110 067.
19. Acronym 'MERIT' shall mean the MOHYAL EDUCATIONAL & RESEARCH INSTITUTE OF TECHNOLOGY located at MOHYAL FOUNDATION COMPLEX and/or its branch/unit/extension elsewhere.
20. Words 'SEWA SADAN' shall mean the BHAGAT YASHRAJ MEHTA MOHYAL SEWA SADAN, located at the MOHYAL ASHRAM COMPLEX, Haridwar.
21. Word 'ESTATE' shall mean all immovable property vested in, bequeathed, acquired, constructed or owned by the GMS.
22. Word 'LANGAR' shall mean any meal provided free by the GMS at any of the Ashrams of the GMS.

Deleted: shall mean the MOHYAL ASHRAM(S) constructed/owned by the GMS at Haridwar, Vrindavan Goverdhan or, at any other place where such a facility is constructed by the . GMS, in future.¶

Art. 5. AIMS AND OBJECTS

The following shall be the aims and objects of the Sabha:

1. To promote welfare, progress and prosperity of the general public.
2. To provide aid, relief, scholarships, stipends and other assistance to needy and deserving widows, orphans, students, children, aged, sick and mentally retarded persons for their uplift, maintenance, rehabilitation, furtherance of education, vocational and technical training, medical treatment and social and personal service, according to the requirements and needs of such persons.
3. To establish, maintain and run educational, vocational, technical institutes and prepare, train, inform and guide the youth, in regard to the various avenues, where they could be more usefully and remuneratively employed.
4. To take necessary steps to draw up a Trust Deed for and in the name of any Trust that may be founded/established for the welfare and any other community oriented activities, which in the opinion of the Management Committee of GMS, should be managed / controlled / directed through a Trust. The Managing Committee is authorised to draw up the final Trust Deed in respect of any such Trust and may, by a special resolution, approve its various provisions, keeping in view the requirements, welfare and interest of all those, who are in need of help and succour. The Trust shall be provided, to begin with, a corpus of such amount as may be

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considered appropriate keeping in view the need of the hour. Any such Trust, may consist of such number of Members/Trustees as may be provided in the Trust Deed, who shall be appointed in the manner provided therein. GMS is also authorised to create more Trusts, on need basis, like Mohyal Ashram Trust, Mohyal Sewa Sadan Trust, MERIT Trust, Mohyal Bhavan Trust and any other Trust, in future, on similar terms and conditions.

5. To advise, guide and provide material and financial assistance for organising and establishing cottage and small scale industries.
6. To motivate and induce young men towards agriculture, poultry, animal husbandry, Informational Technology, and Computer Science and such other allied courses, including vocational and technical schemes, projects and programmes initiated by government, for adoption as career and, where necessary, provide guidance and financial aid to them.
7. To encourage and help self-reliance in forming cooperative societies in respect of various enterprises and consumer goods.
8. To organise movements of children and youth clubs through lectures, seminars, cultural programmes, so as to inculcate in them the spirit of social service, human values, simple living and high standard of moral character.
9. To inculcate fellow feeling and spirit of love, brotherhood, and service among the members and their families.
10. To inform, educate and create awareness for the eradication of undesirable customs and ceremonies and propagate economy and simplicity in their performance, so that the money thus saved can be utilised towards positive and gainful spheres and purposes, intended for the progress, prosperity and welfare of the members.
11. To advise, guide, aid, supervise and control the activities of the local affiliated sabhas for their coordinated working at their level and organise, establish and encourage formation of local sabhas with a view to enlarge the scope for the realisation of these aims and objects.
12. To make efforts, sponsor and cooperate with other sabhas, associations, organisations, agencies and institutions, having common bonds and faith in the aims and objects of the GMS.
13. To collect, acquire and maintain historical books, records, farman, hukamnamas, citations, sanads, grants, certificates, government gazetteers and related material on eminent Mohyals and their sketches and biographies and other related material on the origin and growth of Mohyals and, through such material, establish libraries and maintain archives.
14. To publish articles, hold lectures, seminars, discourses, and 'melas' on the origin and growth of Mohyals and, through biographies and sketches on eminent personalities depicting their gallantry, chivalry, courage, devotion, self-reliance, moral character, human values, discipline in life and their religious and saintly orders, so as to stimulate, inculcate, promote and create a sense of realisation and awareness in children and youth for adoption of those qualities, disciplines, human values, patriotism and selfless social service to humanity, in their life.
15. To hold Conferences with a view to propagate, inform, educate and create awareness in the members for the realisation of these aims and objects.
16. To propagate, inform, educate and create awareness for the realisation of these aims and objects, the monthly official organ of the Sabha, the 'Mohyal Mitter', shall remain in publication and circulation along with pamphlets, circulars and other material.
17. To acquire, own and possess property, rent, mortgage or dispose it of, in any manner, as may be considered necessary and expedient for the GMS functions, so as to realise these aims and objects.
18. To raise funds through subscription, donations, grants-in-aid, deposits and loans and accept trusts and bequeaths, so as to realize and achieve these aims and objects.
19. To advance loans, as financial assistance, for the purposes covered under these aims and objects, to needy and deserving persons on such rate of interest and terms and conditions as the Managing Committee may consider appropriate, with adequate safeguards against risks.
20. The sphere of activities of the GMS shall be:
 - i) Social
 - ii) Economic

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- iii) Secular
 - iv) To avoid all controversies on individuals and personalities.
21. To provide proper incentives and monetary assistance to aspiring, deserving youth for pursuing, within India, education or training in general, technical, professional or vocational fields.
 22. To assist youth aspiring to enter Central or State Civil or Defence Services and to encourage upcoming entrepreneurs with a view to generate self employment.
 23. To do all such acts, as are incidental and conducive to the attainment of these aims and objects, and to do all such other acts and things as the GMS may consider necessary and conducive for the attainment and enlargement of these aims and objects or any one of them.

Art. 6. THREE CATOGORIES OF MEMBER(S) [a] LIFE MEMBERS [b] ANNUAL MEMBER(S) AND [c] HONORARY MEMBER(S) AND THEIR SUBSCRIPTION.;

- (a) Any Mohyal, who is 18 years of age and / or above, can apply in the prescribed form for becoming Life or Annual Member.
- (b) LIFE MEMBER(S): The subscription payable by a Life Member will be Rs. 5100/- or such higher/different amount as may be determined by the Management Committee from time to time. A Life Member shall have the right to vote and contest for any post of the Managing Committee upon Elections. He/She may also be nominated as a member on any Advisory or other Committee of the GMS.
- (c) ANNUAL MEMBER: Annual Member, on the other hand, will be required to pay to GMS only a sum of Rs. 500/-or such higher/different amount annually from 1st January, every year, as may be decided from time to time by the Managing Committee of GMS. The membership of Annual member shall always be for one calendar year. Those applying during the calendar year will have to pay the full prescribed fee.
- (d) HONORARY MEMBER(S): The Managing Committee has and shall continue to have the discretion regarding selecting Honorary Member(s) and for all matter connected with the number of such member(s) to be on the board of Managing Committee, their duration of membership, rights, privileges, roles, responsibilities, etc. shall solely remain with the Management Committee of GMS. An eminent Mohyal of a distinguished or illustrious reckoning or who has done exemplary service towards the community, maybe made an Honorary member without any fee/subscription. Honorary Member(s) shall have the privilege of steering the affairs of GMS on the path of growth and development and based on a special invitation, he/she shall attend, in an advisory capacity, any particular meeting without any voting right. He/She may be supplied Mohyal Mitter free of cost during the period of his/her Honorary membership. The selection criteria and for the matters concerning his/her appointment / membership, the decision of the President GMS taken in consultation with the Managing Committee either at its meeting or at a general meeting of members, shall be final.
- (e) DISCRETION OF GMS IN THE MATTERS CONCERNING ADMISSION/RENEWAL OF MEMBERSHIP: Admission/renewal including on issues concerning their respective admission/renewal fee and other deposits besides terms, conditions and provisions governing each membership thereafter shall always be the sole discretion and prerogative of GMS and shall remain subject to the admission/renewal application form having been found in order by the Managing Committee in its sole discretion. Similarly, the decision to have someone or not admitted as Life and/or Annual Member too shall solely vest with the Managing Committee and the person opting / applying for membership under any category shall not be considered as Member unless and until the Managing Committee takes a decision admitting his/her membership and communicates to him/her in writing. Any such decision shall be final and binding.
- (f) A member, by whatever name, called, shall have the privilege and responsibility of owing allegiance to GMS besides respecting, upholding and promoting the objectives, faiths, rules, regulations and guiding principles of GMS and its Constitution.
- (g) Local affiliated Sabha's recommendation regarding any such application of membership for a positive or negative decision thereon shall be given due consideration but will not be binding on the Managing Committee of GMS.
- (h) The Managing Committee, either on its own accord or based on any such remark/recommendation of any Local Sabha, shall be competent to deny, or suspend or terminate or

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Deleted: (b) . By virtue of being a Patron/Prathishth member, he/she shall be treated as a special invitee at any meeting of the GMS with the right to vote and may be nominated as a member on any Advisory Committee of the GMS.†

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Deleted: A distinguished member of wide experience and maturity, and dedicated to the cause of the GMS, or a person, holding high office or commanding eminence, in social, political, educational and technical sphere, may be nominated as a Patron at a meeting of the General Body of the GMS, on the recommendations of the Managing Committee.

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revoke or cancel the membership to / of anyone, who, in the opinion of the Managing Committee (which opinion shall be final and binding), has been indulging in activities detrimental or prejudicial to the interests of the GMS or the community it represents besides requiring him to immediately leave the meeting concerned upon noticing his disorderly, unruly and/or unbecoming conduct or for hindering the smooth functioning/progress of the meeting. The Managing Committee shall also have the full and absolute right to prevent attendance of any member whose presence is deemed or apprehended to be disruptive posing risk to an orderly conduct of the meeting and/or to ensure the interests of GMS.

(i) Though the freedom of speech is the fundamental right of each member and GMS values the said freedom of expression but the said right is subject to certain fair and reasonable restrictions.

The Members of GMS will enjoy full liberty and right to express their views, both verbally and in writing, within the organization, but any public expression of these by any member including in social media, if considered defamatory and/or against the interest of the organization or its functionaries, would invite action as per sub para (h) above.

Deleted: Any other person, who has common bonds and faith in, and owes allegiance to, the Constitution of the GMS and the Rules and Regulations framed there- under, and, who applies for GMS membership in the prescribed form, with the prescribed fees, and has been duly sponsored either by a member of the Managing Committee or by a local affiliated sabha, may be admitted as a member, at a meeting of the General Body. Such a member shall, however, have no voting rights.

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Art. 7. ~~MOHYAL MITTER~~ **FOR LIFE AND ANNUAL MEMBERS:**

All Life and Annual Members shall be entitled to receive a free copy of periodical Mohyal Mitter magazine which shall be supplied at the address last recorded/registered by the member concerned, upon their being admitted as members by GMS.

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Art. 7: (A) Cessation of Membership: The following provisions shall be applicable in this regard:

Any member, whether Life or Regular, will cease to be a member of the GMS, if:

- (a) He / she exits / disconnects himself/herself permanently from Mohyal Community &/or otherwise demonstrates that he/she does not wish to espouse for or build or propagate the cause of Mohyal Community or the cause of the GMS;
- (b) He / she resigns from the membership subject to his/her resignation having been so accepted;
- (c) He/she works against the aims & objectives of the GMS and/or creates hinderance in its smooth working and / or is found to be guilty of such offence by the Managing Committee and thereafter removed from the membership by the Managing Committee;
- (d) He/she is completely incapacitated to work;

Deleted: Besides the Patrons, Pratishtith and Life Members, any Mohyal, not below the age of 18 years, can apply in the prescribed form and become an annual member of the GMS, by paying the annual membership fee, as fixed by the Managing Committee, from time to time, provided always that the Managing Committee shall be competent to deny annual membership of GMS to any applicant, who, in the opinion of the Managing Committee (which opinion shall be final and binding), has been indulging in activities detrimental to the interests of the community and/or the GMS. The membership shall be valid for a calendar year.

Deleted: In addition to the payment of Annual Membership Fee of the Sabha, it shall be obligatory for an applicant for the annual membership of GMS to become a subscriber of Mohyal Mitter, after paying the subscription fixed by the Managing Committee, from time to time, for a calendar year. However, members of the family of an applicant, as aforesaid, staying at the same postal address, desirous of becoming GMS members may or may not become subscriber(s) of the Mohyal Mitter.

- (e) Becomes of unsound mind;
- (f) Adjudged insolvent;
- (g) He/she is convicted of criminal offence involving moral turpitude;
- (h) He/she (if he/she is Managing Committee member) fails to attend three consecutive meetings of the Managing Committee without obtaining leave of absence from the Managing Committee OR (if Regular Member) fails to attend five meetings of the members of GMS.
- (i) He/she creates chaos at the meeting and/or without reasonable or plausible material sufficient to substantiate the allegations with the sole aim of maligning the reputation of GMS and/or its Managing Committee member(s) or performs any other act unbecoming of a civilized or disciplined member.
- (j) He/she dies;
- (k) He/she becomes a member of any organization/entity having conflict of interest with the GMS;
- (l) For any other bonafide reason(s), to be recorded in writing, which warrant(s) his/her removal/termination in the larger interest of the GMS;
- (m) If the membership is terminated/removed, the member will be informed in writing within 30 days of such termination or within such other time as may be decided by the Managing Committee in a particular case at the time of endorsing his/her termination/removal.

(B) Re-admission:

After submission of oath in writing to the effect that the member shall obey the rules and regulations of the GMS and shall not work against the aims/objectives and/or shall not create hindrance in the smooth functioning of the GMS and/or shall not commit the offence committed for which his/her

membership is/was terminated, the Managing Committee may permit re-admission of membership, with or without conditions, as may be deemed appropriate.

Art. 8. RIGHT TO VOTE AND RIGHT TO CONTEST:

- (i) A Life Member, by virtue of his/her Life Membership, is entitled to vote and/or contest elections right from the stage of conferment of such membership by GMS.
- (ii) The voting right to an Annual Member shall after/ upon completion of 5 years (60 months) of his/her continuous membership as Annual Member and until then he/she shall have the right to attend the general meeting(s) as and when held, based on the notice / agenda of such a meeting. The starting point of commencement of voting right shall have the relation to the month of admittance for considering the eligibility to the membership by GMS and completion of 60 months from the said month. The voting right can be exercised only at a duly convened general meeting on any issue / item needing approval/confirmation of the member concerned either by a show of hands, if any such criteria is pre-announced by the President presiding the meeting, subject to and based on an ordinary 51% voice approval of those attending and forming quorum, or at a Poll subject to adherence to the rules governing such voting/polling.
- (iii) All eligible members entitled to contest, e.g., members amongst and having Life Membership, for any post/position of the Managing Committee of the GMS, as laid down in the rules and desirous of contesting the election, shall file their nomination in the form prescribed by the Election Committee duly proposed and seconded by any Life or Annual Member along with a payment of Rs. 200/- in cash, or, bank draft in the name of the General Mohyal Sabha (Regd.), or such other amount as may be fixed by the Managing Committee of the GMS, from time to time towards processing fee. On scrutiny and the nomination having been found in order, a list of candidates contesting the election together with an authenticated copy of the electoral roll shall be supplied to all the contesting candidates on the day designated for such announcement/publication of the list(s). A copy each of the authenticated electoral rolls shall, however, be supplied to all the affiliated local sabhas, free of cost.
- (iv) All contesting candidates shall be required to deposit a sum of Rs. 2,000/-, or such other sum, as may be fixed by the Managing Committee from time to time, in cash or bank draft in the name of the General Mohyal Sabha, as security deposit along with their respective nomination forms. After the elections, the security deposit money shall be refunded to such of the candidates who withdraw their nominations before the stipulated date of withdrawal of nomination and to those who contest the election and secure more than 25% of the valid votes polled. In the other cases, the Security Deposit shall be forfeited and credited to the Election Fund of the General Mohyal Sabha.

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Art. 9. MODE OF VOTING AND COUNTING OF VOTES:

- (i) Voting in all meetings of the sabha/elections shall be by show of hands, or by ballot, cast personally, by post or electronically, or by division of the members, as may be decided by the Presiding Officer of the meeting/Election Committee.
- (ii) The counting of votes can be done manually, or electronically through a computer, as per the decision of the Presiding Officer of the meeting/Election Committee.
- (iii) During meetings, except where otherwise provided, all matters shall be decided by the majority vote of the members present. In the event of equal votes on both sides, the President may exercise his/her right to casting vote, which, when done, shall be deemed to be the decision of the majority.

Art. 10. LOCAL SABHA AFFILIATION:

- (a) (1) All individual Local Mohyal Sabhas, Societies, Clubs, Institutions, Organisations, Foundations or such like bodies going under any name or title (excluding collective groups of such bodies) claiming to represent the Mohyal Community in the areas of their respective jurisdiction, and rendering social service to the general community, may seek affiliation with the GMS as constituents of the Supreme Apex Body, by making an application in the prescribed form and

paying the affiliation fee for Five Years as may be decided by the Managing Committee, from time to time. The affiliation, which will be subject to the approval of the Managing Committee, shall be for a period of five calendar years at a time and be renewable, again by application in the prescribed form together with the prescribed fee for another five years duration.

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(2) Every affiliated body mentioned in sub-para (1) above shall be deemed as inherent constituents of the GMS and shall be entitled to all privileges, grants and donations from the Apex Body, as the Managing Committee may decide, from time to time. They shall work within the ambit, traditions and practices of the Community and abide by the guidelines, as laid down by the GMS. No such body, as mentioned above, shall cause any disaffection within the Community, or undermine, in any manner whatsoever, the authority of the GMS. Any violation of this provision, willfully, or otherwise, by the offending body, can result in its disaffiliation, or suspension, by the Managing Committee, after affording reasonable opportunity to the body concerned to explain its conduct.

(b) Rights & Obligations of Affiliated Local Sabhas:

- (i) Every local affiliated Sabha shall send to the GMS, annually, along with its application for affiliation/renewal, the following, by 31st January of the concerned year:
 - (a) List of its members, residing in the area of its jurisdiction, with their respective addresses, telephone numbers and e-mail ids,
 - (b) List of its office-bearers with their respective designations, addresses, and current telephone numbers (if any) or any change(s) thereafter.
- (ii) A local affiliated sabha shall abide by the GMS Constitution, and the Rules and Regulations framed thereunder, and shall follow the directions issued by the GMS, from time to time.
- (iii) A local affiliated sabha shall make efforts and assist to form more sabhas in its neighbourhood, where such sabhas are not existing and have them affiliated to the GMS.
- (iv) If any local sabha or local sabhas refer any dispute, or any matter of difference of opinion to the Managing Committee, for purposes of arbitration or decision, the award or decision, given by the Managing Committee, shall be final and binding on the local sabha or local sabhas, concerned.
- (v) The local sabha may collect funds and donations for itself, and/or for the GMS, and remit to the GMS, amounts meant for the latter, so as to strengthen their respective financial position.
- (vi) All property of the local sabha shall vest in that sabha, but where any local sabha is unable to function, because of its dissolution or for any other reason, the Managing Committee shall be empowered to take over the property of the local sabha, as custodian, and to appoint a member of the local sabha, or any other suitable person, as manager or administrator, or to take such other action, as deemed necessary, and to hold the property under its control, till such time the local sabha is revived or a new local sabha is formed. Such properties/assets shall remain as trust with GMS and GMS shall have no right to dispose it of, but shall hand it over to the new local sabha, whenever it is activated.
- (vii) The local sabhas, in order to strengthen the ties of unity and brotherhood amongst its members, are expected, as a desirable activity on their part, to organise Mohyal Melas at their respective places and communicate the same well in advance to the GMS.
- (viii) Each and every affiliated local sabha, society, institution etc. is entitled to elect, in one of its regular meetings and nominate, subject to acceptance by the Managing Committee, one Representative Member to the Managing Committee, from amongst its regular members, who is either a permanent member of the GMS or its annual member for three consecutive years as per sub-para (i) and (ii) of Art.8 of the Constitution. The term of the Representative Member shall run concurrently with the term of the Managing Committee of the GMS at the time of his/her nomination or till the fresh elections of the Managing Committee of the affiliated local sabha or till his/her nomination is withdrawn by the local sabha, concerned, whichever is earlier. On the happening of such an event, the affiliated local sabha is required to nominate afresh, or re-nominate the earlier, Representative Member, if eligible, to become a representative member of the Managing Committee of the GMS, under the Rules. Further, it shall be obligatory on the local sabha to send its proceedings to the effect of the election of Representative Member concerned, to the GMS, which, on its satisfaction, shall notify his/her name in the Mohyal Mitter. The Representative Member shall have the right to vote, but not during election of office bearers, voting whereof shall be restricted only to the directly elected members of the Managing Committee.

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- (ix) The area of jurisdiction of a local sabha shall be the city/village/locality/town, after which the particular local sabha is named, and the areas immediately appurtenant to it.
- (x) The affiliated Mohyal bodies shall confine their activities only to matters concerning the respective areas of their jurisdiction and shall avoid any overlapping.
- (xi) In case of any doubt regarding jurisdiction, the affiliated body/bodies concerned may seek guidance and advice from the GMS, whose decision shall be final.
- xii) A local sabha may make its own rules of procedure not violating any provision of the GMS Constitution and its Rules and Regulations and a copy thereof shall be sent to the Secretariat of the GMS.

Art. 11. GENERAL BODY OF THE GMS:

(a) Composition:

The General Body of the GMS shall comprise of all its members.

(b) Meetings of the General Body:

There shall be Ordinary General Meetings and Extraordinary General Meetings of the GMS.

(c) Ordinary General Meeting:

- (i) There shall be Annual General Meetings held every calendar year ordinarily within six months from close of each financial year of the GMS. The quorum shall be 1/3rd of the total membership or 40 members whichever is less. In case the quorum is not complete at the time fixed for the meeting, the meeting shall be adjourned, and the adjourned House shall reassemble after the time stipulated by the Chair, irrespective of the quorum, which shall be in order. A clear 30 days notice, giving date, time and place of the meeting shall be given to the members.

- (ii) Besides the Annual General Meeting, the Managing Committee may, as and when required, call a meeting of the General Body at any time, quorum and notice conditions for which shall be the same as for the Annual General Meeting.

(d) The following shall be considered at the Annual General Meeting:

- a. To approve the Annual Report and income and expenditure of the GMS.
- b. To approve the budget for the next financial year,
- c. To approve transfer of funds from one head to another,
- d. To discuss and decide matters as already notified in the agenda.

(e) Extraordinary General Meeting:

The Extraordinary General Meeting of the GMS shall be called in the following circumstances:

- (i) When the Managing Committee considers the necessity of calling such a meeting.
- (ii) When 1/3rd of the total membership of the GMS, or 100 members, whichever is less, demand, in writing, that an Extraordinary General Meeting be called and such a demand clearly expresses the object or the specific purpose for calling such a meeting. The Extraordinary General Meeting shall then be called within 30 days.
- (iii) The proceedings shall start, only when 1/3rd of the total members of the GMS, or 100 members, whichever is less, are present. In case the quorum is not complete at the time fixed for the meeting, the meeting shall be adjourned, and the adjourned House shall reassemble after the time stipulated by the Chair, irrespective of the quorum, which shall be in order.

(f) The following shall be discussed and considered at the Extraordinary General Meeting:

- (i) Amendments, alterations and deletions to the provisions of the constitution of the GMS.
- (ii) Any others matters which, in the opinion of the Managing Committee, should be discussed in the Extraordinary General meeting.

(g) Functions & Powers of the General Body:

- (i) To do all acts and take adequate measures for the realisation of the aims and objects of the GMS.
- (ii) Is the supreme authority of the GMS and its decision shall be final and binding.
- (iii) To elect the Managing Committee for five years.

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- (iv) To control and supervise the working of the Managing Committee.
- (vii) To amend, alter and delete any of the provisions of the Constitution of the GMS.

Art. 12-A. ASSETS MANAGEMENT COUNCIL :

- (1) **Constitution:** GMS, if it so desires through the decision of its Managing Committee or its General Meeting of members, as the case may be, may constitute an ASSETS MANAGEMENT COUNCIL comprising of 3 Managing Committee Members of GMS and 6 other eminent Mohyals (all 6 above 18 years of age and having an established standing / reputation and reckoning of distinguished social service) , appointed, with their written consent, initially by the Managing Committee of the Sabha and later in such manner as described/narrated hereafter.
- (2) **Office Bearers of the Board:** Ordinarily, the president of GMS shall be its presiding member (Chairman) with other eight to be appointed/nominated from time to time by him in consultation with the Managing Committee and at-least 50% of these eight will be from amongst those who are not the members of GMS. The Posts / Positions of the office bearers of the Assets Management Council, their functions, roles, numbers, duties, rights, privileges (other than those mentioned herein specifically), shall be such as may be decided by the Managing Committee of GMS from time to time. However, the principle that at least 3 GMS Managing Committee Members and 6 non-members as mentioned in the preceding para shall continue to be followed.
- (3) **Term of Office:** The term of the office of the Members of Assets Management Council, shall be for a period of five (5) years, counted from the date of their respective appointment/ election, as the case may be. Their appointment shall not be affected by their respective tenure of their membership with the Managing Committee of GMS. However, the retiring Members, shall be eligible for re-appointment / re-election on expiry of their respective term.
- (4) **Representation of the GMS on the Board:** Representation of the GMS on the Board of the Assets Management Council shall continue to be in the ratio as mentioned in (1) above until determined otherwise with the majority of at-least 75% approval of the Members of the Assets Management Council and for reasons to be recorded in writing. Any casual vacancy caused by the death or resignation or suspension/termination or if the member otherwise ceases to be its member(s) for reasons as stated in sub-clauses (9) or (10) here-below, shall be filled by itself while keeping this ratio of reservation in mind. It shall be the duty of the Assets Management Council, to not only keep the Managing Committee of the GMS informed of new elections or vacancies but also to get the said schedule & process thereof approved from it and any such request or intimation for approval as regards its composition or new elections shall be given as early as possible but not later than 15 days of any such eventuality or development or decision(s) or change happening in its constitution.
- (5) **Duties of the Assets Management Council :** It shall be the responsibility of the Assets Management Council to oversee, preserve and safeguard the finances and property, both movable and immovable, of the GMS, and prevent any action on the part of anybody that is destructive, or permanently injurious, thereto. No property of the GMS, shall be sold, transferred or mortgaged and no Fixed Deposits of the GMS, liquidated without the concurrent majority approval of the Assets Management Council taken at its duly convened meeting.
- (6) **Presiding Officer and Quorum:** All the meetings of the Assets Management Council, shall be presided over by its, Chairman. In his absence, the Assets Management Council, with two / third approval of its members attending the meeting, may elect one of them to preside over that particular meeting. The quorum for the meeting of the Assets Management Council, shall be 2/3rd, of the existing number of members of the Council, subject however to the presence of at-least 2 Managing Committee Members of the GMS forming part of the Assets Management Council. The Board shall take all decisions by a majority vote. In case of a tie, the Presiding Officer at the meeting has the right to use his/her casting vote.
- (7) **Frequency of Meetings:** The Council, shall meet at least once in three calendar months, or thereabout, for the conduct of the affairs of the Council, and may adjourn, or otherwise regulate, their meetings, proceedings and procedures, as they think fit. The Secretary of the Council, who shall be one amongst the 3 Managing Committee members of GMS, shall convene such meetings on a date and place as consented to, and agreed upon, by the Chairman-cum-Managing Trustee.

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(8) **Disqualifications:** No person, being an undischarged insolvent, of unsound mind, convicted of an offence involving moral turpitude, a minor, or having indulged in any litigation, either with the Council, or with the General Mohyal Sabha, shall be eligible to be a its member.

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(9) **Ceasing to be a Member of the Assets Management Council:** A person shall cease to be a Member of the Assets Management Council, on the occurrence of any of the following eventualities:

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a) If he/she dies, or

b) If he/she becomes insolvent, or

c) If he/she becomes insane, or otherwise becomes incapable to act, or

d) If he/she resigns his/her office, or

e) If he/she, without leave of absence, does not attend three consecutive meetings of the Council, or for one calendar year, whichever is longer, or

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f) If he/she is requested to resign by 2/3rd, or as near to it as possible, of the remaining Members.

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(10) **Removal / Termination / Suspension of Members from the Assets Management Council:** The Assets Management Council, by unanimous vote, (excluding the Member proposed to be removed), may remove any Member, from office, if he/she is found guilty of standing / working adverse to the interests of the Assets Management Council or the GMS or is found or reported to be guilty of:

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(a) serious misconduct in relation to or concerning the Council's Affairs;

(b) acting dishonestly or fraudulently;

(c) misappropriation;

(d) moral turpitude; or,

(e) misbehaviour.

However, the Assets Management Council, shall afford full and fair opportunity to such a Member, for explaining his/her conduct and defending himself/herself against the charges levelled against him/her before his/her removal. The decision of the Assets Management Council in this regard, shall be final and binding and shall not be called in question anywhere and, in any manner, whatsoever.

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(11) **Filling up of the Vacancies:** If any vacancy arises for any reason, whatsoever, the remaining Members, of the Assets Management Council, may co-opt any person from the Mohyal Community, who has excelled himself/herself in the field of Education, Administration, Armed Forces, Medical, Engineering, Judiciary, Industry and Trade or who commands stature in any field and is also a person of outstanding repute. Such appointment shall be subject to the provisions contained herein and shall require the approval by 2/3 majority of the remaining Members, present in that particular meeting of the Assets Management Council, subject to fulfilling the ratio of 3:6 of Life Members of GMS & 6 others as prescribed.

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(12) **Appointment of Additional Members:** Subject to the provisions hereof, the power to appoint new or additional Members, as long as it does not exceed the maximum number of 9 stipulated herein with the ratio as prescribed here-to-fore, and to fill up vacancies in the office of Council, shall vest in the continuing Assets Management Council.

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There shall also be a GMS Board of Foundation Trustees, consisting of 11 eminent Mohyals, appointed, with their written consent, initially by the Managing Committee of the sabha. The terms and conditions of the GMS Board of Foundation Trustees shall be identical to the terms and conditions of the GMS Board of (Sarprast) Trustees as in Art. 12-A.

Art. 13. MANAGING COMMITTEE:

(a) To carry on the work and manage the affairs of the Sabha, there shall be a Managing Committee constituted as under:

(i) Forty (40) members, of which a minimum of five (5), shall be women, elected directly by the eligible Life members of the GMS and remaining 35 from amongst other Male Life Members; and

(ii) Representative Members, elected by local Sabhas, as per Article 10(b)(viii)

(b) Office Bearers:

The following shall be the office bearers of the Managing Committee, who shall be elected, every year, from amongst the members of the Managing Committee:

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1. President
2. Senior Vice President
- 3-5. Vice Presidents - 3
6. Secretary General
7. Secretary
8. Secretary Finance
- 9-10. Secretaries Public Relations - 2
11. Secretary Youth and Cultural Affairs
12. Secretary Matrimonial
13. Secretary Istri Wing
14. Jt. Secretary Finance
- 15-16. Jt. Secretaries. PR, Youth and Cultural Affairs - 2

Note: The strength of Office Bearers may be increased by the President based on the need / work load. The President shall also have the power to re-designate posts of Office Bearers.

(c) Elections

- (i) On the expiry of the term of office of the Managing Committee, when it is proposed to hold elections to elect a new Managing Committee, the Managing Committee in office shall constitute an Election Committee, consisting of not less than three members, of which one shall be the Convener, to conduct, supervise and announce the results of the election of the new Managing Committee and/or its office bearers.

The Election Committee, so constituted, shall continue in office and perform its functions, till the Managing Committee, in office, constitutes a new Election Committee. All the members of the Election Committee shall enjoy equal powers and take all decisions, either unanimously, or through majority vote.

The Election Committee shall be fully empowered to prescribe its own rules and procedures, within the framework of the Constitution of the GMS, in the matter of:

- (a) Notification of election.
- (b) Mode of election.
- (c) Fixing dates for receipt of nominations, scrutiny of nominations, withdrawals, finalization and display of lists of contesting candidates.
- (d) Dispatch of Ballot Papers.
- (e) Dealing suitably with any complaints of misconduct or indiscipline to ensure that the elections are held in a peaceful and fair manner.
- (f) To fix the mode and date for the receipt of completed ballot papers, counting of votes and declaration of results.
- (g) Calling the meeting of the new Managing Committee and holding of elections of Office Bearers.
- (h) Any other matter connected with the peaceful and fair conducting of elections.

- (ii) The members shall elect the Managing Committee, as far as possible, at a meeting of the members of GMS, through the Election Committee, for a term of five years.

- (iii) The Managing Committee, thus elected, shall designate / elect the office bearers for a term of one year, or such other term not exceeding five years, at its meeting held immediately thereafter,

- (iv) If for certain reasons, elections cannot be held on the expiry of the period fixed, the existing Managing Committee, and/or the office bearers, as the case may be, shall continue in their respective office till new members are elected in the aforesaid manner, but such an arrangement shall not remain for more than three months.

- (v) Any mid-term vacancy caused in the Managing Committee, or the office bearers, as a result of (a) death, (b) insanity, (c) resignation (d) conviction for a crime which, in the opinion of the Managing Committee, renders him/her unfit for service of the Sabha, (e) Suspension, Termination, as a result of disciplinary action (f) withdrawal by a local sabha of its Representative

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Member and (g) persistent failure to attend meetings, shall be filled up by holding supplementary elections, or the Managing Committee may fill up such a vacancy by nomination, keeping in view the interest of the GMS.

- (vi) In case any office bearer fails to attend three consecutive meetings of the Managing Committee/General Body, or, a member of the Managing Committee has been persistently absent from attending the meetings of the Managing Committee/General Body, without any valid reason in the opinion of the Managing Committee, he/she may cease to be an Office-Bearer, or member of the Managing Committee, as the case may be. The Managing Committee may, however, condone such absence at its discretion.

(d) Meeting & Quorum of the Managing Committee:

- (i) There shall be two kinds of meetings of the Managing Committee: Ordinary or Monthly Meetings and Special Meetings.
- (ii) The quorum for Ordinary Meeting shall be $\frac{1}{4}$ of the total membership or 10 members, whichever is less, and, for a Special Meeting, the quorum shall be $\frac{1}{3}$ of the total membership or 12 members, whichever is less. In case the quorum is not complete, the meeting shall be adjourned and the adjourned meeting shall recommence, after the time stipulated by the Chair, for which no quorum shall be required.
- (iii) The Ordinary Meeting shall be held once a month or oftener as the Managing Committee may deem fit.
- (iv) Seven clear days' notice shall be given to the members of the Managing Committee specifying the date, time and place of the meeting and the Agenda to be discussed.

(e) The following shall be discussed and considered at the Special Meeting of the Managing Committee:

- (i) To frame, amend, alter, delete rules and regulations, from time to time, for the conduct of its business and submit for ratification at AGM.
- (ii) Election, nomination and disciplinary action in respect of a Member of the Managing Committee, Trustee, Patron, Partisht Member, Life Member, Affiliated Local Sabha, Representative Member and any suitably designated person, other Sabha, Association, Organisation / Agency or Institution having common bond and faith in the aims and objects of the GMS.
- (iii) Preparation of anticipated budget for the next year and consideration of anticipated expenditure during the current year and accord sanction of excess expenditure if any.
- (iv) Formation of the Permanent Committees, as detailed in clause (iii) under the head Powers, Duties and Functions of the Managing Committee.
- (v) Any scheme or project or proposal for the welfare of the Sabha, and consideration of such schemes which need to be abandoned.
- (vi) Any other matter on the agenda or carried over from the previous agenda or such other issues that the President may wish to place or has accorded permission for discussion and consideration.
- (vii) Distribution of scholarships for education, aid to widows and orphans and other monetary relief and grants.

(f) The following shall be discussed and considered at the Ordinary Meeting of the Managing Committee:

Barring the aforesaid matters which should be discussed in the Special Meetings, all other matters of the GMS shall be considered and disposed of in the Ordinary Meetings.

(g) Power Duties and Functions of Managing Committee:

The Managing Committee shall perform the undermentioned duties and functions:

- (i) The general control, discipline and financial administration of the GMS shall vest in the Managing Committee.

- (ii) To hold elections of the Managing Committee and Office Bearers, on the expiry of their respective terms, and also, fill in mid-term vacancies by election or nomination, as the case may be.
- (iii) To form the following Committees, besides the Election Committee for which separate provisions have been made within one month of assumption of office:
 - a) Trusts and Trustees Committee;
 - b) Mohyal Mitter and Library Committee;
 - c) Interaction and Coordination Committees - Both Central and Zonal.
 - d) Matrimonial and Post Matrimonial Committee;
 - e) Finance Advisory Committee;
 - f) Internal Audit Committee;
 - g) Mohyal Estate Committee, including Ashram Committees.
 - h) Youth and Cultural Committee.
 - i) Constitutional/Administrative Reforms & Disciplinary Committee; and
 - j) Governing Council of MERIT.

k) Clinical / Health Advisory / Hospital / Clinical set-up Committee

l) Assets Management Council & any similar other Council for any issue of community/ general welfare and/or for the protection of the assets/interests of GMS

It shall also from time to time AD-HOC Committees and Sub-Committees for specific purposes.

- (iv) To frame rules and procedure for the aforesaid Committees.
- (v) To examine the Audit Reports and appoint Auditors.
- (vi) To do all acts and take adequate measures for the realization of the aims and objects of the Sabha and to raise resources for funds therefore.
- (vii) To regulate its procedure, frame rules, and amend, alter and delete these, from time to time, for the conduct of its business.
- (viii) To have control over and management of the funds, property and affairs of the Sabha, subject to the provisions of the Constitution.
- (ix) To determine the strength of honorary and paid employees and to frame rules for appointment, remuneration, service conditions, as also to determine and sanction honorarium to Office Bearers.
- (x) To hold Annual/General Body Meetings and Extraordinary General Body Meetings.
- (xi) To prepare the Annual Report, Financial Statements and Budget, for presentation at the Annual Meeting of the General Body.
- (xii) To prepare Agenda for the meeting of the General Body and comply with its directions and instructions.
- (xiii) To appoint/declare/nominate Trustees, Members for Assets Management Council or any other Committee and/or Members by whatever name or nomenclature called, Life Members, Affiliated Local Sabhas' Representative Members and suitably designate persons of other Sabhas, Associations, Organisations, Agencies and Institutions having common bonds and faith in the aims and objects of the GMS, when required, and to determine their suspension and termination, in the interest of the GMS.
- (xiv) To hold Conferences every 5 years or thereabout or at such durations as it may deem expedient.
- (xv) To determine and/or approve the suspension and termination of membership of Managing Committee, Office Bearers, Committees or membership thereof, or the membership of the General Mohyal Sabha, on grounds of indiscipline, acting against the provisions of the constitution of the GMS, or not performing their duties and functions, on personal differences and controversies, resorting to legal action against the GMS or its Managing Committee.
- (xvi) To act, on the advice of the Assets Management Council / Any similar other Council, for investment / reinvestment of the GMS funds / amounts / deposits and other funds of the GMS, in sound and profitable deposit schemes of the Government of India Undertakings, Scheduled

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Banks, and also to consider and act on the deliberations and reports of Committees and Sub-Committees formed by it.

- (xvii) To restrict its expenditure within the approved budget grants, with powers to re-appropriate surplus from one head of account to another head of account, provided the total budget grant is not exceeded. Any additional expenditure/extra budgetary expenditure shall be got ratified by the General Body.

- (xviii) To recommend any out-going President as President Emeritus, in recognition of his/her services rendered, in an advisory/mentor capacity and to get the same approved by the General Body of GMS.

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Art. 14. DUTIES & RIGHTS OF THE OFFICE-BEARERS:

The following shall be the duties and rights of the Office Bearers:

The President

- (i) To preside over the meetings of the Managing Committee, General Body and any other Committees and sub-Committees;
- (ii) To control, direct and supervise the functions of the GMS and to safeguard its assets and promote its interests;
- (iii) To supervise the work of the Office Bearers;
- (iv) To keep an eye on the working of the Committees and sub-Committees functioning under the control of the GMS;
- (v) To organise and coordinate local sabhas;
- (vi) To adopt special measures in the event of an emergency and to present their account in the next meeting of the Managing Committee;
- (vii) In the event of an open or constant opposition to or violation of a mandate or rule or provision of the Constitution of the GMS by a member, Office Bearer or member of the Managing Committee or a Committee or a Sub-Committee or any of its members or a Trustee or a Local Sabhas as may be detrimental to the interests of the GMS, may suspend the member or the Organisation/Local Sabha and arrange for the management of the work entrusted to the member or to the Organisation functioning under it and to present the whole matter in the next meeting of the Managing Committee;
- (viii) To delegate any power of his/her own to a Vice-President or to entrust the execution of any particular work to some one else.
- (ix) In special circumstances to spend Rs. 1, 00,000/- or such sum as may be decided, from time to time, on a single item, in accordance with the budget and present the expenditure at the next meeting of the Committee; provided no such limit shall apply for making emergent, obligatory, mandatory, contractual and time bound payments as also the Government payments - Whether Central or State.
- (x) To perform any other duties entrusted by the Managing Committee;
- (xi) To ensure the proper maintenance and safe custody of the Trust Documents, Bank, valuable Securities and other documents and ensure the safety of the property of the Sabha.

Note:- In the absence of the President of the Sabha, the Senior Vice-President, and, in his absence, the Vice-President - I, II & III respectively shall be the Chairman of all the Meetings and shall perform the duties and enjoy the powers of the President of the Sabha;

Senior Vice President

- (i) To assist the President in the performance of his duties;
- (ii) To carry out the work entrusted to him by the President and/or the Managing Committee;
- (iii) All powers and duties of the President shall vest in him in the absence of the President.
- (iv) In addition to the rights and duties of the Senior Vice President, he shall also be the Chief Editor of Mohyal Mitter and over-all in-charge of the production and circulation of the Mohyal Mitter.

Vice-Presidents - I, II & III

- (i) To assist the President and the Senior Vice President in the performance of their duties, as the case may be.

- (ii) To carry out the work entrusted to them by the President and the Managing Committee from time to time.
- (iii) To carry out the duties, as per their respective seniority, of the President in the absence of both the President and the Senior Vice President.
- (iv) Any other duties assigned by the President and/or the Managing Committee, from time to time.

Secretary General

- (i) To be responsible for the office administration and to handle all correspondence on behalf of the GMS;
- (ii) To take care of all the files, registers, correspondence and documents and other records of the GMS for their proper maintenance and safe custody;
- (iii) To record all the proceedings of the General Body, Managing Committee and other Committees entrusted to him and present them at the next meeting of the Managing Committee and, after confirmation, publish the same in the Mohyal Mitter.
- (iv) To make special efforts to increase the income of the GMS;
- (v) To exercise control over the employees and to supervise their work;
- (vi) To call for the reports of the Committees and Sub-Committees nominated by the Managing Committee for specific purposes and to present them for consideration of the Managing Committee and/or General Body;
- (vii) With the approval of the Managing Committee or the General Body, to manage and look after the properties of the Sabha and local sabhas, if any, to obtain loans, to execute contracts and other agreements, to give authority letters for purchase and sale, and to give general power of attorney for all above purposes and for the conduct of suits in courts;
- (viii) To call for the list of members from the local sabhas;
- (ix) To summon the meetings of the General Body, Managing Committee and other Committees, in accordance with the Rules and Regulations, and also send Agenda and publish the same in the 'Mohyal Mitter', wherever necessary;
- (x) To maintain various registers and records and get these examined by the President, Senior Vice President and the Vice-Presidents, as the case may be;
- (xi) To prepare the Annual Report on the activities of the Sabha, and, after approval from the Managing Committee, present it to the General Body or the Conference, as the case may be;
- (xii) To make arrangements and preparations for the Conference, in consultation with the President and the Managing Committee;
- (xiii) To get all expenditure confirmed by the Managing Committee or the President, as the case may be, excluding petty expenses up to Rs.10,000/-, or such sum as may be decided, from time to time, which may be incurred without consulting the President;
- (xiv) To execute the Resolutions and proposals passed by the Managing Committee;
- (xv) To ensure that the elections are held well in advance before the expiry of respective terms and the mid-term vacancies are filled in;
- (xvi) Where required, issue voting papers to the members.
- (xvii) To ensure proper implementation of the decisions of the Managing Committee and place the proposals/suggestions received from other members of the Managing Committee and/or from the Local affiliated Sabhas, before the Managing Committee; and
- (xiii) To execute any other jobs entrusted to him by the President or the Managing Committee.
- (xix) To ensure that all policy decisions, financial issues and financial commitments are routed and approved by the President before their presentation, for final approval, to the Managing Committee, AGM and EGM, as the case may be.

(xxi) Secretary:

- (i) All powers and duties of the Secretary General shall vest in him in the absence of the Secretary General;
- (ii) To execute any other job entrusted to him by the President/Secretary General or the Managing Committee.

Secretary Finance

- (i) To receive the income of the Sabha, issue receipts, be responsible for the safety of funds, make payments of bills in accordance with the rules and maintain and operate accounts and invest the money with the prior approval of the President and Secretary General presentation to the Managing Committee.
- (ii) To refrain from spending money not provided for in the approved budget of the Sabha;
- (iii) To refrain from making any payment in the absence of an order signed by the Secretary General and the President;
- (iv) To keep an account of all income and expenditure, check and supervise it and also maintain and keep in safe custody all related vouchers and documents;
- (v) To prepare and send to the President and Secretary General the monthly cash book entries together with statement and, after approval by the Managing Committee, to keep the same in record.
- (vi) To maintain a register of employees and on authentication by the Secretary General prepare pay bill for disbursement to them;
- (vii) To prepare consolidated lists of applications for financial assistance, received from widows, orphans, students and others and submit the same to the Finance Advisory Committee for its approval and recommendations and to distribute the sanctioned aid and relief to the beneficiaries. and keep proper account and maintain record to that effect;
- (viii) To prepare all statements of accounts and ensure that the expenditure does not exceed the sanctioned budget grants;
- (ix) To keep the pass books in safe custody and ensure that the interest has been entered and accounted for in the cash book;
- (x) To keep only Rs.5,000/- or any other sum as fixed by the Managing Committee, from time to time, as imprest amount and deposit the excess into the Bank;
- (xi) To withdraw from the Bank such amount as instructed by the President or the Managing Committee;
- (xii) To keep up-to-date account & record of membership (Life, Annual, besides Honorary Members), Local Affiliated Sabhas and Representative Members;
- (xiii) To prepare the Annual Budget of income and expenditure and financial statements, after due consultations with the concerned persons and get the same approved by the Managing Committee.
- (xiv) To carry out such other jobs as may be entrusted by the President or the Managing Committee.

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Secretaries Public Relations

- (i) To give publicity to the activities of the GMS and the Managing Committee in connection with the uplift and welfare of the general public;
- (ii) To undertake tours, if desired by the President or the Managing Committee, with a view to visit Local Sabhas, Associations, Organisations, Agencies and institutions having common bonds and faith in the aims and objects of the GMS, for purposes of seeking their cooperation;
- (iii) To increase membership of the GMS and subscribers of the 'Mohyal Mitter';
- (iv) To try to get advertisements for the Mohyal Mitter;
- (v) To keep the Managing Committee and its Office Bearers informed of the feelings and views of the members and the general public;
- (vi) To inform, guide and create awareness on occasions when misunderstanding about any issue has taken place;
- (vii) To submit frequent reports and give proposals and suggestions for wider acceptance of the GMS activities;
- (viii) To seek donations, subscriptions and contributions for raising financial resources of the GMS by informing and educating the general public of the activities related to the aims and objects being pursued by the GMS;
- (ix) To propagate the advantage of elimination and eradication of undesirable customs and ceremonies, so that the savings may be utilized towards gainful spheres.

- (x) To work in complete coordination with, and, under the guidance and supervision of, the President and other Office Bearers, as the case may be.
- (xi) The distribution of work between the two Secretaries (PR) will be decided by the President, from time to time.

Secretary Youth Wing and Cultural Affairs

- (i) Shall be responsible in harnessing Mohyal youth, inculcating in the youth the Mohyali spirit in all its manifestations, organising youth seminars, excursion trips, sports, promoting cultural and social activities etc.
- (ii) Shall work in complete coordination with the Vice President designated by the President and the Secretary Public Relations.

Secretary Matrimonial and post-Matrimonial Affairs:

- (j) To initiate, prepare and maintain record of marriageable youth of both sexes and supply the same to the interested parties directly or through the concerned local sabhas.
- (k) To be over all incharge of making arrangements for the quarterly Shaadi Darbars and Annual Matrimonial Melas, maintaining computerized records and providing necessary assistance to the participants at such get-togethers and to organize a volunteery force for the same.
- (l) To keep track of marriages in the community.
- (m) To guide, counsel and create awareness in cases of post-matrimonial problems and provide assistance, wherever required.

Secretary Istri Wing

- (i) Shall be a lady member. She shall be responsible for organising Mohyal ladies, coordinating with other Mohyal Istri Sabhas for the betterment and uplift of the Community members, eradicating evils in society, promoting cultural and social activities etc.
- (ii) She shall work in complete coordination with other lady members of the Managing Committee of the GMS specially with the Secretaries (PR), Secretary Youth and Cultural Affairs, Secretary Matrimonial and post-Matrimonial, and the Joint Secretaries (PR & Cultural Affairs)

Executive Editors

- (i) There shall be one Chief Editor and two Executive Editors, one each for English and Hindi sections of the Mohyal Mitter, who will be appointed by the President, with the approval of the Managing Committee.
- (ii) In the performance of their duties, the Executive Editors shall abide by the general directives of the President and shall focus on the broad guidelines of the GMS.
- (iii) The Executive Editors shall work in complete coordination with each other and with the Chief Editor, Publisher and Printers of the Mohyal Mitter.
- (iv) The Chief Editor and both the Executive Editors shall report to the President of the GMS.

Joint Secretary Finance

- (i) The duties of the Secretary Finance shall vest in him in the absence of the Secretary Finance;
- (ii) He shall carry out all duties entrusted to him by the Secretary Finance with the permission of the President and/or the Secretary General.

Joint Secretaries PR, Youth and Cultural Affairs - 2

- (i) To assist Secretaries (Public Relations) and Secretary (Youth and Cultural Relations) in the discharge of their duties.
- (ii) To take charge of their respective portfolios in the absence of either of them.
- (iii) The distribution of duties and area of jurisdiction amongst the two Joint Secretaries PR, Youth and Cultural Affairs will be decided by the President, from time to time.

Art. 15. FUNDS:

The funds of the GMS shall ordinarily be raised from the following sources: -

- (i) Members' subscription, affiliation fees and subscription from local sabhas and savings, if any, from the publication of the 'Mohyal Mitter';
- (ii) Donations, and contributions from members and non-members;
- (iii) Bequests, Trusts and interest income, thereof;

- (iv) Income from enterprises undertaken and rent and other income from the property belonging to the GMS;
- (v) Grants- in-Aid, other grants and subsidies;
- (vi) Deposits from members and non members: and
- (vii) Loans from members, non- members, Institutions, Associations. Agencies, Sabhas, Government Undertakings and against deposits held by the GMS.

Art. 16. OPERATION OF FUNDS:

Funds of the GMS shall be kept in Schedule Banks, preferably Banks and Post Offices, Government Undertakings and any two of the under mentioned shall be authorised and competent to operate the Bank Accounts, one of whom must be the President:

- (i) President
- (ii) Secretary General, and
- (iii) Secretary Finance

Art. 16A ACCOUNTS, AUDIT & CORPUS FUND:

The GMS shall maintain true and correct accounts of its income/assets and liabilities. Its accounts shall be annually audited by a Chartered Accountant appointed by the GMS at the meeting of its Management Committee / AGM, as the case may be, and the audited statement of accounts shall be placed before the Managing Committee of GMS and thereafter before its members for their approval at the AGM within six months of the close of the financial year, which shall be from 1st April to 31st March.

At the end of the financial year when GMS accounts are finalized and audited, 25% (twenty five percent) of the excess of income over expenditure for the year shall be retained and permanently merged into the CORPUS FUND, to reduce the effect of inflation on the CORPUS FUND, and the balance shall be utilized to meet the objectives of GMS as set forth above and subject to the provisions and conditions mentioned above. The CORPUS FUND shall be preserved and maintained in perpetuity.

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Art. 17. GENERAL:

- (i) **Execution of Documents:** The President, the Secretary General and the Secretary Finance shall execute the documents other than cash receipts, on behalf of the GMS. In the absence of any one or more of them, the Managing Committee may authorize any other Office Bearer(s) of the GMS to execute such documents.

(ii) Disposal of Assets:

- (a) **Immovable Property:** The GMS shall have the power to dispose of the immovable property owned by it, provided all the members of the General Body, are supplied with the particulars of the property intended to be disposed of and proposal for the utilisation of the sale proceeds and consent in writing to that effect is obtained from 2/5 of the total membership:

Provided further that, in relation to the properties of the GMS, the control of which is vested under or is supervised by the Assets Management Council or any Trust formed by the GMS, the prior written consent based on approval of the said Assets Management Council, shall be a mandatory pre-condition for any disposal or transfer of such properties by the GMS.

Deleted: of the Board of Trustees of such Trust

- (b) **Movable Property:** The procedure outlined for the disposal of immovable property shall be followed, if the book value of the moveable property intended to be disposed of exceeds Rs.50,000. The Managing Committee at a properly-convened Special Meeting shall determine the mode and disposal of movable property, whose book value is below Rs. 50,000/-.

Art. 18. AMENDMENT OF THE CONSTITUTION:

- (i) The GMS shall have the powers to amend, alter or delete any provisions of the Constitution but this power shall be exercised only through Resolution adopted at an Extraordinary Meeting of the General Body by 3/5 (three fifth) of the members present and voting.

OR

By circulation of agenda incorporating intended amendment/alteration/ deletion to all members, and a majority of 3/5 of the total membership vote for the same.

- (ii) A motion for amendment, alteration or deletion of any provision of the Constitution may be sent to the Managing Committee by 1/3 of the total membership.

Art.19. NOTICES:

All notices of the meeting and all other notices shall be deemed sufficient and proper, if, (i) published in Mohyal Mitter/GMS Website and, if (ii) left or posted to the address given by the Member, Depositor, Employee or any other person; it being their duty to keep the GMS informed of the change of address, if any.

Art. 20. SUITS BY AND AGAINST GMS:

The GMS shall sue or be sued, in the name, either of the President or the Secretary General, by designation, or, in the name of any other Office-Bearer of the Sabha, nominated by the Managing Committee for the purpose.

Art. 21. POWERS TO WRITE OFF:

The Managing Committee shall have the power to write off any losses incurred by the GMS, due to any damage, theft, misappropriation, irrecoverable loans, dues etc. However, appropriate action under the law of the land against the person, or persons, responsible for such losses, in all such cases, shall be taken by the GMS, either before, or after, the write-off. All such cases shall be reported to the General Body of the GMS in its next meeting.

Art. 22. JURISDICTIONS OF COURTS:

Only Courts in the National Capital Territory of Delhi, where the GMS is registered and has its Registered Office, shall have jurisdiction in regard to any suits filed by, or against, the GMS, or any of its Office Bearers.

Art. 23. SAVINGS AND REPEAL:

Notwithstanding anything contained hereinabove, any action taken, or purported to have to have been taken, under any of the provisions of the Constitution before their amendment, shall be fully legal and subsist, irrespective of whether such provision has been deleted or modified, by these amendments.

Art. 24. DISSOLUTION OF THE GMS AND ADJUSTMENT OF CLAIMS:

In the event of dissolution of the GMS, the Managing Committee shall as deemed expedient, determine its claims and liabilities.

Art. 25. PROVISION OF THE SOCIETIES REGISTRATION ACT

XXI OF 1860:

All provisions of the Societies Registration Act XXI of 1860, as extended to the Union Territory of Delhi, shall apply to the GMS.