

Memorandum of Association
of
DR. NIKHIL VIHARI MEMORIAL FOUNDATION

1. Name of the society: DR.NIKHIL VIHARI MEMORIAL FOUNDATION

2. The Registered office of the society shall be situated at 28A, Madan Mitra Lane ,
Kolkata – 700006

Branch Office at *VILL – GOURNOI , P.O.– KHAMARGACHI ,BLOCK–
BLAGARH, DIST – HOOGLY*

3. The objects for which the society is established are :

- a) To acquire, establish, start, aid, run, maintain or manage primary schools, libraries, for the benefit of the public.
- b) To arrange and organize lectures, debates, discussions, seminars & excursions for the diffusion of knowledge.
- c) To publish or cause to be published useful literatures, magazines, etc. without profit motive.
- d) To study, cultivate and demonstrate the art of music and dancing.
- e) To promote and encourage advancement of literary, cultural, political, religious, Scientific education.
- f) To help the needy students of all communities for the prosecution of studies.
- g) To collect and preserve manuscripts, painting sculptures, works of art, antiquities, natural history specimens, mechanical and scientific instruments and designs.
- h) To help the aged, sick, helpless and indigent persons by solving the basic health problems.
- i) To alleviate the sufferings of animals, or other living creatures as may be deemed appropriate.
- j) To engage and assist in such other philanthropic activities as may be deemed appropriately the Governing Body of the society.
- k) To do all such acts, deeds, matters and things as may be deemed incidental or conducive to the foregoing objects.

The income and properties of the society whatsoever derived or obtained shall be applied solely towards the promotion of the object of the society and no portion thereof shall be paid to or divided amongst any of its members by way of profits.

4. The names, addresses and descriptions of the members of the Governing Body :

	<i>NAME & ADDRESS</i>	<i>DESCRIPTION</i>
<i>1</i>	<i>PRAMITA BHADURI</i> <i>28A,MADAN MITRA LANE,KOLKATA – 700006</i>	<i>PRESIDENT</i>
<i>2</i>	<i>SWARNALATA GHOSH</i> <i>VILL – GOURNOI , PO – KHAMARGACHI ,</i> <i>BLOCK BALAGARH , DIST HOOGHLY</i>	<i>VICE – PRESIDENT</i>
<i>3</i>	<i>ANUP GHOSH</i> <i>VILL – GOURNOI , PO – KHAMARGACHI ,</i> <i>BLOCK BALAGARH , DIST HOOGHLY</i>	<i>SECRETARY</i>
<i>4</i>	<i>JAYDEEP BHADURI</i> <i>28A,MADAN MITRA LANE,KOLKATA – 700006</i>	<i>TREASURER</i>
<i>5</i>	<i>ROSHNI GHOSH</i> <i>10/1 N.M.ROAD , SALKIA , HOWRAH - 711106</i>	<i>ASST . SECRETARY</i>
<i>6</i>	<i>DR.PRADIP BHADURI</i> <i>28A,MADAN MITRA LANE,KOLKATA – 700006</i>	<i>MEMBER</i>
<i>7</i>	<i>AYAN BANERJEE</i> <i>4 , BELIAGHATA MAIN ROAD , KOLKATA –</i> <i>700085</i>	<i>MEMBER</i>

THE WEST BENGAL SOCIETIES REGISTRATION ACT, 1961

REGULATIONS OF

Unless the context otherwise requires words and expressions contained in these Regulations shall bear the same meaning as in the W.B.Societies Registration Act, 1961 or any statutory modification thereof.

MEMBERSHIP

1. Admission :

- (a) The signatories to the Memorandum of Associations & the office bearers of the Governing Body of the society shall be first members of the Society.
- (b) The Governing Body may admit to membership any person of any caste, creed or sex who has attained the age of 18 years and agreed in writing to be bound by the Memorandum of Association and regulations of the Society and who in the opinion of the Governing Body will be interested in advancement of the objects of the Society.

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

2. Types of Members :

1) *Honorary members :* Any person whose connection with the society is deemed to be useful, may with the consent of such person be elected as Honorary member of the society. Such members shall not, however, be eligible to be member of the Governing Body nor shall be entitled to vote in any meeting.

2) *Ordinary member:* Any person, qualified to be a member and paying prescribed ordinary membership fee may be admitted as ordinary members of the Society.

3. Cessation of Membership :

Any member shall cease to be a member - (a) on the acceptance of his resignation from membership, (b) on his becoming insane or insolvent, (c) on his conviction of any offence in connection with the formation promotion, management or conduct of affairs of society or a body corporate or of any offence involving moral turpitude.

4. Register of Members :

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

5. Rights and Obligations of Members:

Any ordinary member of the society has the right (a) to elect and to be elected in any election of the society; (b) to submit suggestion for discussion to the Governing Body and sub-committee on any matter relating to society; (c) to inspect the accounts and the proceedings of the meetings of the society on appointment with the secretary; (d) to pay his subscription within the prescribed time. Defaulting members shall not be allowed to take part or vote in a meeting. Members shall have one vote each.

6. Expulsion & Removal:

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

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

GOVERNING BODY

1. Composition, election / appointment, resignation / removal, terms of office :

There shall be a Governing Body consisting of not less than 7 members. The Office bearers of G.B. shall comprise of President, vice-President, Secretary, Assistant Secretary, Treasurer and other Committee members. The Office bearers & other Committee members shall be elected at the A.G.M.

The resignation and removal of the G.B. members shall be dealt with as has been prescribed as in the case of other members noted hereinbefore.

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

2. Meeting

A meeting of Governing Body shall be held at least once in three months at such place, date and time, as the President or the Secretary may determine. Any four members of the Governing Body may requisition the meeting and the Secretary shall summon the same within seven days and failing which the President on the requisition may do so

provided no business other than specified in the notice shall be transacted at such meeting.

3. Notice and quorum

7 days' notice of the meeting specifying the place, time and the general nature of business to be transacted, shall be given to every member of the Governing Body. Emergency meeting may be called on 24 hours notice. 1/3 rd members personally present shall constitute a quorum for the meeting and if a quorum is not present within 30 minutes of the time, members present shall adjourn the meeting.

4. Procedure of the meeting

The President or in his absence the Vice-President shall preside over all meetings of the Governing Body and in their absence members present shall elect a Chairman of the meeting. All questions before the meeting will be decided by a majority of votes, each member having one vote. The President or the Chairman shall have a second or casting vote in addition to his own vote in case of equality of votes.

5. Power and Duties of the Governing Body

The Governing Body shall have general power of supervision and conduct over all the affairs of the society and in particular shall discharge the following duties : (i) To appoint sub-committee with such power and duties as may be considered necessary or expedient, (ii) To accept donation, gift, subscription, movable or immovable property for the objects of the society, (iii) To sell, lease, mortgage or otherwise dispose of and deal with all or any part of the property of the society, (iv) To keep proper accounts of the society and to open bank account in the name of the society in one or more banks. (v) To co-opt not more than two members to the Governing Body, (vi) To appoint a person or persons on payment to assist the Secretary / Treasurer in the maintenance of account, etc. (vii) To conduct any other business not specified herein for the attainment of the object of the society provided such business is not repugnant to such object.

SAFE CUSTODY OF PROPERTIES

1. The Governing Body shall be responsible for the safe custody of the funds, properties and assets of the society.

2. The funds of the society shall be kept in banks/post office/Mutual Funds and be invested in any securities specified under Sec. 20 of the Indian Trust Act, 1882.

BOOKS OF ACCOUNT & INSPECTION

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

ACCOUNTING YEAR

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

GENERAL MEETINGS

Annual General Meeting:

Notice : The Secretary shall annually call the Annual General Meeting as per provisions of W.B.S.R. Act 1961 giving at least 14 day's notice to all members. The notice shall contain the place date, day and time of the meeting.

Agenda : The business to be transacted at the A.G.M. shall be : (a) to confirm the minutes of the last A.G.M. and of special general meeting if any, (b) to adopt with or without modification the report of the working of the Society for the previous year; (c) to pass audited accounts of the Society for the previous year ended; (d) to appoint qualified Auditor or Auditors; (e) to transact such business as may be fixed by the Governing Body; (f) to transact such other business as may be brought forward by giving 14 days previous notice from any member; (g) to conduct general election.

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

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

Special General meeting:

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

Members may request the Governing Body for special General meeting by placing a requisition signed by 2/3 rd, of total members. In that case the Governing Body shall convene a special general meeting within a month from the receipt of such notice. In default by the Governing Body, the requisition shall hold such meeting provided no business other than those specified in the notice shall be transacted.

Extra-ordinary general meeting:

The Governing Body may direct to convene an Extra-ordinary general meeting for consideration of addition, alteration or amendment of the memorandum/regulations of the Society. 7 days notice along with the proposed draft of change shall be sent to members before the meeting. The resolution for change, amendment etc. of the Memorandum and Regulations be carried out if accepted by the three fourths of the members present at the meeting.

DUTIES OF THE OFFICE BEARERS

President: He shall (a) preside over all meetings of the Society; (b) take all disciplinary actions such as removals, dismissal etc., in consultation with the Governing Body; (c) advise the Secretary in any matter requiring urgent attention; (d) call emergent meeting.

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

Secretary: He shall (a) convene all meetings of the Society; (b) maintain minute books of all meetings; (c) issue general circular and notices; (d) receive all applications for membership which shall be placed before the Governing Body; (e) sign on behalf of the Society all receipts for all sums received as subscription etc.; (f) sign and give pay **order** on all bills for payments; (g) get the accounts of the Society audited by a Chartered Accountant; (h) ensure compliance with statutory requirements; (i) transact all other business subject to the direction of the Governing Body.

Assistant. Secretary: In the absence of the secretary. The Assistant. Secretary shall perform all the duties of the secretary.

Treasurer : He shall (a) collect and receive all sorts of subscriptions, donations and deposit of money and grant receipts thereof; (b) maintain and keep cash book and such other accounts as are necessary; Secretary or the President; (d) prepare the budget in consultation with the Secretary for consideration of the Governing Body.

MAINTENANCE AND AUDIT OF ACCOUNTS

The Society shall maintain books of accounts as required under Sec. 15(1)(a), (b) of the Act. The accounts shall be audited by a duly qualified auditor as stated in Sec. 15(2) of the Act.

SUIT & LEGAL PROCEEDINGS

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

ALTERATION OF MEMORANDUM & REGULATIONS

The Memorandum and Regulations may be altered, modified, rescinded or added to by special resolutions passed by the 3/4th members in a general meeting called for the purpose.

The Governing Body shall have powers to make, alter modify or rescind such regulations as may be considered necessary in the interest of smooth functioning of the society.

DISSOLUTION OF SOCIETY

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

We, the undersigned members of the Governing Body of the Society, do hereby certify that the above is a true copy of the Regulations of Society.