

## **Bharat Vikas Parishad (distinctive name)**

### **MEMORANDUM & BYE LAWS OF ASSOCIATION**

#### **1. Name:**

The Name of the association shall, so long as it continues to be an Affiliate Member of the Parishad, be “**Bharat Vikas Parishad, (distinctive name), (name of the place of working)**”. Upon ceasing to be an Affiliate Member of the Parishad, the Association shall not use the name of Bharat Vikas Parishad as prefix or suffix or in any other manner.

#### **2. Registered Office:**

Registered office of the association will be located at \_\_\_\_\_  
\_\_\_\_\_ or at any other place as may be decided time to time.

#### **3. Objects of the Association:**

- (i) Objects of the Parishad as described herein below shall be the objects of the Association:
- a. To adopt ways and means for the spiritual, moral & material progress of the society on the basis of Indian Culture and Traditions.
  - b. To organize such meetings, seminars, symposia, discourses (Educational, Scientific, Social, cultural and ethical) so as to increase the knowledge and promote an understanding of the people in order to make them better citizens.
  - c. To initiate welfare schemes that may inculcate self disciplines national characters patriotism, social understanding, mutual co-operation, and the feelings of brotherhood amongst the people of the country.
  - d. To indicate adequate ways and means to the country for attaining self sufficiency and overcoming poverty, hunger both spiritual and material.
  - e. To prescribe any preach, by practice the remedy to human suffering, whether spiritual, moral, physical or material.

- f. To run educational institutions for spreading education amongst young generation.
- g. To promote raising of funds for the benefit and welfare of such student as are handicapped by any means in their studies and need of further assistance for the development of their careers and to give to the deserving students loans, scholarships, stipends or monetary help or any help in kind as may be recommended by the selection committee formed for the purpose.
- h. To raise donations from the public and subscriptions from its members, to receive gifts or other consideration and to raise or borrow for the purpose of Parishad, funds through bonds, promissory notes or other obligations, securities or without and any security and upon such terms and conditions as the managing council of Parishad may think fit and to pay out of the funds of Parishad all expenses incidental to the raising of money and to reply or redeem any money borrowed.
- i. To take on lease, to accept as gift or otherwise acquire any land or building which may be necessary or convenient for the purpose of Parishad.
- j. To purchase or construct any building, structure or properties for the benefit and use of Parishad and its activities.
- k. To sell, give on lease or on hire purchase and otherwise transfer for consideration all or any portion of the property of Parishad to any other institutions, person or persons which is in the best interest and activities of Parishad.
- l. To draw accept, make and to endorse promissory notes, bills, and other negotiable instruments for the purpose of Parishad.
- m. To invest all moneys not immediately required in such securities and in such manner as may be determined from time to time by the managing council of Parishad.
- n. To remunerate any persons, body or company for services rendered to Parishad.
- o. To execute such agreements conveyances, transfers, leases, licenses, mortgages and any other documents as may be necessary to carry out the objects of Parishad.

- p. To do within the framework of the objects all such other things as may be directly or indirectly conducive or incidental to the attainment or advancement of the aforesaid objects or any one of them.
- q. Income & Property: To apply income and property of Parishad solely towards the promotion of the objects of Parishad as set out in this memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly to any one by way of dividends.
- r. To promote dance, drama, music, literature, humanities and social sciences based on Bharatiya Culture and Traditions;
- s. To inculcate profound and pervasive sense of patriotism and deep commitment to National Integration and Unity among the people of Bharat;
- t. To commemorate Bharat's many splendored contributions to humanitarian and aesthetic values and to advance the frontiers of awareness in pursuit of the Truth, the Good and the Beautiful (Satyam, Shivam, Sundaram);
- u. To foster tolerance and understanding among all sections of the society;
- v. To preserve, promote and secure Justice, Liberty, Freedom, Fraternity and Equality so that Democracy and Rule of Law, in true sense, may become the warp and woof of our national life and Human Dignity, Social Justice and Fundamental Rights may become a living reality;
- w. To organise courses and camps for social services and social development;
- x. To observe anniversaries of Bharat's Great Men and commemorate and celebrate landmark events and occasions;
- y. To establish museums and collections of memorabilia;
- z. To undertake programmes and activities for rural development and urban rehabilitation and for the improvement of life at all levels;
- aa. To establish and manage or collaborate in establishing and managing educational institutions and to raise funds generally for such purposes and especially for the socially, economically or physically handicapped;
- bb. To do all activities as defined under schedule VII of the Companies Act, 2013 and any amendment therein, as may be carried out from time to time.

cc. To form and run one or more Trust/s for Charitable Activities.

- (ii) In addition to the above objects, the Association may pursue all objects which are not inconsistent with the objects of Bharat Vikas Parishad and which promote National interests and Social and Cultural development of the Society.

#### **4. Area of Operation:**

The association shall operate within the geographical limits of \_\_\_\_\_  
(Village/Town/City) ----- (District), ----- (State)

#### **5. Definitions:**

In these byelaws the following words shall, unless the context requires otherwise, have the meanings assigned to them against them respectively:

- (i) "Association" shall mean the association of persons known as "Bharat Vikas Parishad, ' \_\_\_\_\_ ', \_\_\_\_\_.
- (ii) "Parishad" shall mean Bharat Vikas Parishad, New Delhi, registered under the Societies Registration Act, 1860, registered vide Regn No.....its registered office at **Bharat Vikas Bhavan, BD Block, Behind Power House, Pitampura, Delhi-110034**, or such other place as may be decided from time to time.
- (iii) "Prescribed" shall mean prescribed by the Sub-Rules of the Association.

#### **6. Membership:**

Membership of the Association shall be of the following categories:

i **Primary Members:**

- (a) Any person who is capable of entering into a contract and who not being already a member of an association affiliated to the Parishad as an Affiliate Member, fulfils the prescribed qualifications, subscribes to the ideals, aims and objects of the Parishad and the Association and agrees to abide by the Rules and Regulations of the Parishad and byelaws of the Association, may be enrolled, on the recommendation of any two members of the Association, by the Executive Body of the Association.

- (b) A Primary Member shall have the right to attend the meetings of the General Body of the Association and to participate in the deliberations held at such meetings, to vote on resolutions brought before such meetings and to vote at and contest for any post in elections held in such meetings. He/She shall also have the right and the duty to participate in the programs, projects and activities of the Parishad and the Association.
- (c) A Primary Member shall be liable to pay such admission and periodical fees/subscriptions as are prescribed from time to time.

ii **Associate Members:**

- (a) The spouse of a Primary Member, if he/she is not a Primary Member, shall be enrolled as an Associate Member subject to his/her fulfilling eligibility criteria for Primary Membership. Such Associate Membership shall be coterminous with the membership of the concerned Primary Member.
- (b) At the request of the Primary Member his/her Associate Membership may, in the prescribed manner, be interchanged with the Primary Membership of his/her spouse.
- (c) An Associate Member shall have the right to participate in all programs, projects and activities of the Parishad and the Association but shall not be entitled to attend, participate or vote at the organizational meetings of the Association or contest election for any of the office in the Association.
- (d) An Associate Member shall not be liable to pay any kind of fees or subscription to the Association. He/she may however, make voluntary contributions/donations to the Parishad and the Association if he/she so desires.

iii **Honorary Members:**

- (a) The Executive Committee of the Association may confer Honorary Membership on distinguished persons residing within the area of its

operation, who have been, are or are likely to be helpful to the Association in carrying out its programs, projects or activities.

- (b) An Honorary Member shall have a right to participate in all programs, projects and activities of the Association. However, an Honorary Member shall not be entitled to attend, participate or vote at the organizational meetings of the Association or to contest election for any of the posts in the Association.
- (c) An Honorary Member shall not be liable to pay any kind of fees/subscription to the Association. He/she may however, make voluntary contributions/donations to the Association if he/she so desires

#### **7. Termination of Membership:**

Membership shall terminate on the occurrence of any of the following events:

- (i) On the Member's demise;
- (ii) On the Member tendering resignation from membership by addressing a letter to the President of the Association;
- (iii) On removal from membership by the prescribed authority in the prescribed manner in the following events:
  - (a) On the Prescribed Authority finding, after an enquiry conducted in the prescribed manner, that the Member is suffering from such mental or physical incapacity that he is incapable of exercising his rights and discharging his duties as a Member of the Association.
  - (b) On the Member being found **by the Prescribed Authority** to have defaulted for a period of more than six months, in payment of subscription and/or other dues payable to the Association, after conducting an enquiry **in the prescribed manner**.
  - (c) On the Member being found **by the Prescribed Authority**, after affording him proper and adequate opportunity of hearing, to have been convicted of an offence involving moral turpitude by a Court of competent jurisdiction.

(d) On the Member being found by the Prescribed Authority, after an enquiry conducted in the prescribed manner, to be guilty of misconduct, misbehaviour **or** indiscipline as defined by the byelaws of the Association or of any other conduct unbecoming of a member of the Association.

(e) On the member becoming office **Bearer** of a political party.

### **8. General Body of Association:**

The General Body of the Association shall be constituted by all the Primary Members of the Association.

### **9. Office Bearers:**

The General Body of the Association shall elect in the prescribed manner following office bearers:

**(i) President:**

A person who has been a Primary Member of the Association continuously for the last two years or more may be elected as the President.

**(ii) Vice Presidents (up to three):**

A person who **has been** a Primary Member of the Association continuously for the last two years or more may be elected as Vice President.

**(iii) Secretary:**

A person who has been a Primary Member of the Association continuously for the last two years or more may be elected as Secretary.

**(iv) Treasurer:**

A person who has been a Primary Member of the Association continuously for the last two years or more may be elected as Treasurer.

Provided that the qualification of two years of membership required for all the posts/offices above shall not apply for the first two years to a newly formed association and in case of an association which has existed more

than two years before its affiliation to the Parishad the period of membership before the affiliation of the association to the Parishad shall also be counted for the purpose of qualification.

**(v) Organizing Secretary:**

A member of the Association may be appointed by the Prantiya Executive Committee of the Parishad to act as Organizing Secretary of the Association. Such person shall be a member of the Executive Committee of the Association and shall continue in that capacity till being removed / replaced by the Prantiya Executive committee or till the expiry of the term of the Executive Committee of the Association, whichever happen earlier.

**10. Executive Body of the Association:**

The Executive Body of the Association shall be constituted of the following:

- (i) President
- (ii) Vice Presidents
- (iii) Secretary
- (iv) Treasurer
- (v) Prescribed number of Members co-opted in the prescribed manner.
- (vi) Organizing Secretary
- (viii) All such members of the Association who are part of the - Prant and District bodies of the Parishad.

**11. Functions, Duties, Tenure and Removal of Office Bearers etc.:**

Functions and duties of various Office Bearers shall be as stated in the byelaws and as prescribed by the Sub-Rules.

- (i) Tenure of all the Office Bearers shall be Two years. If an Office falls vacant during the term, it shall be filled in by nomination by the Executive Committee of the Association for the remaining period of the term.
- (ii) Vacating Office by Office Bearers:

An Office shall be deemed to have been vacated by an Office Bearer in the following contingencies:

On the acceptance of Office Bearer's resignation in writing by the Executive Committee.

On removal of the Office Bearer from office for proved misconduct after enquiry conducted in the prescribed manner.



On the Office Bearer ceasing to be a member of the Association.

**12. Sub-Rules:**

The General Body shall have the power to make Sub-Rules for the purpose of effective implementation of the byelaws and for the purpose of achieving the aims and objects of the Association.

**13. Quorum for Meetings:**

For the meetings of various bodies of the Association quorum requirement shall be as follows:

**(i) General Body of the Association:**

Quorum for a meeting of the General Body of the Association shall be one third of the total number of Primary Members of the Association. If the required numbers of members are not present at the commencement of the meeting, the meeting shall be adjourned for half an hour. The adjourned meeting may commence thereafter without requirement of the quorum to transact the business on the agenda provided that at least ten members are present.

**(ii) Executive Committee of the Association:**

Quorum for the meeting of Executive Committee of the Association shall be fifty percent of its members.

**(iii) Other Committees and Bodies:**

Quorum for the meetings of other bodies shall be Fifty percent of the strength of the committee or body.

Note: In determination of the quorum requirement fraction of a number shall be rounded off to the next higher number.

**14. General Provisions regarding meetings of the Association:**

- (i) Meetings of Members of the Association shall be convened by the Secretary in consultation with the President of the Association as and when necessary, but it shall meet at least once in a month. One of these meetings will be Annual General Meeting at which following businesses will be transacted:
- a) To receive the Annual Report of the Association.

- b) To approve the Annual Accounts for the preceding year.
  - c) To approve Annual Budget for the current / next year.
  - d) To elect the Office Bearers, if due.
  - e) To appoint the Auditors and fix their remuneration.
- (ii) A meeting of the General Body shall be called by the Secretary if not less than 1/3rd of the total number of voters entitled to vote at a General Body meeting submit a requisition in writing in the prescribed manner demanding calling of such a meeting. Such a meeting shall be called a requisitioned meeting at which the sole agenda shall be the agenda mentioned in the Notice of requisition. A Requisitioned Meeting shall be called, giving 15 days' notice, within one month of receiving the Notice of Requisition from the members.
- (iii) Meetings of the Executive Committee shall be convened by the Secretary in consultation with the President of the Association normally by giving 7 days notice along with the Agenda.

**15. Decisions by majority:**

Decisions in all the meetings, unless specifically provided otherwise, shall be by a majority of voters present and voting and in case of equality of number of votes the person presiding over the meeting shall have a casting vote.

**16. Official and Financial Year:**

The Official and Financial Year of the Association shall be from 1st April to 31st March of the next year and the accounts shall be kept accordingly.

**17. Bank Accounts of the Association:**

The Executive Committee of the Association shall open Bank Account/s in any of the branches of a Scheduled Bank and make arrangements for operation of such accounts by its Office Bearers in the prescribed manner.

**18. Annual Accounts and Audit:**

The Treasurer of the Association shall, under the overall direction, control and supervision of the Executive Committee, maintain in the prescribed manner, proper and regular accounts of its income and expenditure and shall get them audited by

a Chartered Accountant every year. The audited accounts shall be presented to the Annual General Meeting of the Association every year for approval.

**19. Amendment of the byelaws:**

A meeting of the General Body of the Association specially called for the purpose may by a resolution brought and passed in the prescribed manner amend any of the provisions of these byelaws by a majority of the total number of members entitled to vote and 2/3<sup>rd</sup> of the members present and voting after getting prior approval from the Parishad.

We the undersigned are desirous of forming an Association and shall abide by the objects and the rules and regulation as provided herein above.

<b>SN</b>	<b>Name</b>	<b>Designation</b>	<b>Address</b>	<b>Signature</b>