

Constitution

(as amended upto 14.09.2003)



Memorandum of Association and Rules and Regulations of

Shri Vile Parle Kelavani Mandal

SHRI VILE PARLE KELAVANI MANDAL

CONSTITUTION

MEMORANDUM OF ASSOCIATION

1. The name of the Society shall be Shri Vile Parle Kelavani Mandal.
2. The office of the Mandal shall be situated at Vile Parle.
3. The OBJECTS for which the Mandal is established are:
 - (a) To take over the whole of the Assets Property and liabilities of the Institution known as Shri Vile Parle Rashtriya Shala.
 - (b) To establish or take over and maintain Schools and other Educational Institutions and to do all acts and things necessary for or conducive to promotion of Primary, Secondary, Higher, Commercial, Technical and Industrial Education and undertake research in Natural Sciences including Applied Research and Analysis of products in Chemistry and Biological Sciences and also to promote and conduct research in Social Sciences and for this purpose to start, establish, conduct and maintain Reading Rooms, Libraries, Laboratories, Gymnasiums, Workshops, Publishing-houses, Hostels, Boarding houses, Residential Quarters and the like and to aid in the teaching of handicraft, fine arts, dairy farming and the planting, cultivation and growth of food and other crops, plantations, vegetables and flowers and making of compost manure.

- (c) To solicit, obtain or accept Subscriptions, Donations, Grants, Gift, Devises, Bequests and Trusts from any person, firm corporation or institution.
- (d) To acquire by purchase, lease or otherwise lands, buildings, play-grounds, parks and property movable and immovable for the furtherance of all or any of the objects of the Mandal.
- (e) To construct, maintain, repair, extend, alter or enlarge any land, building, play-ground or park or any other immovable property belonging to or held by th Mandal.
- (f) To accept any cash or immovable or movable property e.g. books, science apparatus etc.) subject to any special trust created by any particular donor, not being inconsistent with the objects of the Mandal, and to apply for and obtain grants and other aids from Goverment, Local Authorities and Public Bodies.
- (g) To borrow moneys, without any security or on the security of any of the assets of the Mandal on such terms as the Society may deem fit.
- (h) To sell, transfer, exchange, mortgage, charge, lease, dispose off, or otherwise deal with any property movable and immovable belonging to the Mandal, transfer any such property without any consideration whatsoever for the promotion and furtherance of any educational object to Goverment or any legal authority, public trust or other institution.
- (i) To assist in the furtherance of any educational purpose either by donation in cash or by way of the grant of any property movable or immovable belonging to the Mandal and to effectuate such donation, deliver possession of and make such instrument of transfer as may be required to the donee.
- (j) To give loans, scholarship, prizes and monetary assistance to students of the Mandal's institutions, to help them in their studies.

- (k) To pay out of the funds belonging to Mandal or out of any particular part of such funds all expenses of or incidental to the function of the Mandal and management and administration of any of the foregoing objects including all rates, rents, taxes and the salaries of the employees.
- (l) To assist otherwise than by donation in cash in the furthrance of any education purpose.
- (m) To frame rules, to regulate appointment and Discharge of Staff, Condition of Service, Grant of Leave and Transfers.
- (n) To promote, establish, maintain and contribute funds for the promotion, establishment and maintenance, upkeep, development and progress of any association or Federation of Managers of Schools.
- (o) To invest and deal with the Moneys of Mandal not immediately required in such manner as may from time to time be determined.
- (p) To draw, make, accept, endorse and discount cheques, notes or other negotiable instruments.
- (q) For the purposes aforesaid, to sign, execute and deliver such assurance and deels as may as be necessary and to do and carry out or assist in doing and carrying out all such matters and things likely to the objects of the Mandal.

- 4 The management of the affairs of the Mandal is entrusted in accordance with the rules, to a Managing Committee of which the first members are :

Name	Office	Occupation	Address
† Shri. Bhagwanlal G. Bhatt	President and Member of the Executive and Managing Committee	Merchant	Ahi-Chhatra Nivas, Vile Parle (East).
† Shri. Shivajibhai D. Shethia	Vice President and Member of the Executive and Managing Committee	-Do-	Madhu Sadan, Irla Road, Vile Parle (West).
† Shri Gunavantrai R. Desai B.A., LL.B.	Secretary & Member of the Executive and Managing Committee	Landlord	Desai Cottage, Lajpatrai Road, Vile Parle (West).
† Shri Bhaidas D. Bhuta	Treasurer and member of the Executive and Managing Committee	Merchant	North Pound Road, Vile Parle (West).

Name	Office	Occupation	Address
† Shri. Chaganlal L. Bakshi B.A., L.T.	Member of the Executive and Managing Committee	Superintendent of Gujarati Boy's & Hindi Schools, Bombay Municipality	Lajpatrai Road, Vile Parle (West).
† Shri. Parmanand K. Kapadia	-Do-	Merchant	Bajaj Road, Vile Parle (West).
† Shri Jhinabhai R. Desai Samay Vidya Visharad	-Do-	Principal, Vile Parle Rashtriya Shala	Shree Dadabhai Road, Vile Parle (West).
† Shri. Jayshankar V. Trivedi	Member of the Managing Committee	Merchant	Ansari Road, Vile Parle (West).
† Shri Prabhdas Keshavji	-Do-	-Do-	Tejpal Road, Vile Parle (East).
† Shri Chandulal B. Nanavati	-Do-	-Do-	Sarojini Road, Vile Parle (West).

Name	Office	Occupation	Address
† Shri. Amritlal Monji Gandhi	Member of the Menaging Committee	Merchant	Gandhi Nivas, Bajaj Road, Vile Parle (West).
† Shri Ramanikraj N. Mehta	-Do-	Manager, Bombay Provincial Co-operative Bank	Suman Vila, Juhu Road, Vile Parle (West).
† Shri Durgashankar K. Shastri	-Do-	Merchant	Abhi-Chhatra Nivas, Vile Parle (East).
† Shri Dhanprasad C. Munshi	-Do-	Service	Seva Sadan, Juhu Road, Vile Parle (West).
† Shri Girdhar D. Parekh B.Com.	-Do-	Merchant	Lajpatrai Road, Vile Parle (West).
† Shri Maneklal C. Nanavati	-Do-	-Do-	Krishna Cottage, Juhu Road, Vile Parle (West).
† Shri Vadilal A. Shah	-Do-	-Do-	Amar Nivas, Dixit Road, Vile Parle (East).

≡

Name	Office	Occupation	Address
† Shri. Dasharathlal R. Joshi	Member of the Managing Committee	Merchant	Liberty Lodge, Juhu Road, Vile Parle (West).
† Shri. Anurai B. Oza	-Do-	Treasurer, Bombay Provincial Co-operative Bank	Lajpatrai Road, Vile Parle (West).
† Shri. Vithaldas H. Sampat	-Do-	Broker	Bajaj Road, Vile Parle (West).
† Shri. Ishwarbhai B. patel B.A.	-Do-	Merchant	Sarojini Road, Vile Parle (West).
† Shri. Lalbhai R. Desai B.A., B.T.T.D., (London)	-Do-	Prof. Secondary Teachers Training College, Bombay	Vasant Nivas, Lajpatrai Road, Vile Parle (West).
† Shri Khushal Khengar	-Do-	Merchant	Surya Nivas, Lajpatrai Road, Vile Parle (West).
† Shri Brijmohan Laxminarayan	-Do-	-Do-	Committee Road, Vile Parle (West).

Name	Office	Occupation	Address
+ Shri. Mohanlal M. Mehta	Member of the Managing Committee	Merchant	Nerulkar's Bungalow, Sarojini Road, Vile Parle (West).
+ Smt. Manibahen C. Nanavati	-Do-	-Do-	Sarojini Road, Vile Parle (West).
+ Smt. Lalitaben D. Joshi	-Do-	-Do-	Liberty Lodge, Juhu Road, Vile Parle (West).
+ Smt. Sushilaben N. Nanavati	-Do-	-Do-	Narayan Nivas, Lajpatrai Road, Vile Parle (West).
* Shri. Manchand Kuberbhai Patel	-Do-	-Do-	Kuber Bhuvan, Bajaj Road, Vile Parle (West).
+ Shri. Ambalal Shankerlal Parikh	-Do-	Solicitor	Bhagvan Bhuvan Vile Parle (East).
+ B.A., LL.B.			
+ Elected by the Society at the First General Meeting on 5-8-34			
+ Co-opted by the Managing Committee at the First Meeting on 12-8-34			
+ Co-opted by the Managing Committee on 30-10-34			
+			

We several persons whose names and addreses are here under subscribed are desirous of being formed into a Mandal in pursuance of this Memorandum of the Mandal :-

SHRI VILE PARLE KELAVANI MANDAL

RULES AND REGULATION

INTERPRETATION

1. In the interpretation of these rules unless there is something inconsistent with the subject or context.

THE MANDAL means SHRI VILE PARLE KELAVANI MANDAL.

The WORDS importing the masculine gender and singular number shall respectively include the feminine gender and plural number and vice versa.

TRUST FUND shall mean and include all investments, funds and properties movable and immovable belonging to the Mandal whether held on the general trust or any special trust created by any donors.

YEAR means the period commencing from the 1st of April and ending with the 31st of March.

PERSON shall mean and include an individual, Hindu Undivided Family, Society, Association, registered under the Societies Registration Act of 1860 or any other enactment, registered Trust and incorporated body, company defined under the Companies Act and firm under the Partnership Act.

OFFICE BEARERS shall mean and include President, two Vice Presidents, Hon. Secretary, Hon. Joint Secretary and Hon. Treasurer for the time being of the Mandal and the office Bearers of any Committee or Board or Governing Board exercising the powers and performing the duties delegated to it by the Executive Committee under any of these rules.

MEMBERS

- 2
Eligibility
for
Membership
- I) Any person who has attained the age of 21 years may apply for membership of the Mandal. Application shall be made in the form prescribed and the Managing Committee may by a majority of 3/4 of the members present and voting may approve or reject the application;

Provided that no employee of the Mandal and/ or student of any of the institution of the Mandal shall be eligible for being designated/ enrolled as member of the Mandal. A member who is employed by or accepts employment of the Mandal and/or its institution shall have his/her membership suspended during the period of such employment or study.

- Categories
of members
- II) The Mandal shall have the following categories of members:
- (a) Honorary Member (b) Patron Member
(c) Donor Member and (d) Life Member.

- Honorary
Member
- (a) The Executive Committee shall have the power to nominate as an Honorary Member of the

Mandal any person who in the opinion of the Executive Committee has rendered outstanding and exemplary services to the Mandal provided that the maximum numbers of such Honorary Members shall not at any time exceed 10 and that not more than one Honorary Member shall be nominated during any year. Such Honorary member shall be a member for life.

Patron
Member

(b) Any person who has donated to the Mandal a sum of Rs. 20,000/- shall be designated a Patron. Such Patron being an individual shall be a member of the Mandal for life with the right to nominate in writing only once another individual to be a member of the Mandal for life. Such person being other than an individual shall have the right to appoint only once in writing an individual as its nominee to be a member of the Mandal for life.

Donor
Member

(c) Any person who has donated to the Mandal a sum of Rs. 10,000/- shall be designated a Donor. Such Donor being an individual shall be a member of the Mandal for life. Such Donor being other than an individual shall have the right to appoint only once in writing an individual as its nominee to be a member of the Mandal for life.

Life
Member

(c) Any person who has been approved for enrolment and paid a subscription of Rs. 5,000/- to the Mandal shall be a member of the Mandal for life.

NOTE: The Patron member or the Donor member who has not exercised his/her right to appoint his/her nominee as a member of the Mandal for life as required in Rule 2 II(b) and 2 II(c) may depute his/her representative duly authorised by him/her to attend and vote at the General meeting of the Mandal provided that intimation for the same in the prescribed form as per Annexure 'A' to this Rule is received by the Secretary of the Mandal at least seven days before the date of such meeting and provided further that such authorised

representative does not represent more than 50 Patron members and/or Donor members.

ANNEXURE 'A'

Date _____

To,
The Hon. Secretary
SHRI VILE PARLE KELAVANI MANDAL
Bhaidas Maganlal Sabhagriha
Vile Parle (W), Bombay - 400 056.

Sir,

We are the Patron member*/Donor member* of Shri Vile Parle Kelavani Mandal. We have not appointed any individual as our nominee to be a member of the Mandal for life.

We hereby authorised Shri/Smt./Kum. _____
(whose specimen signature is given below), to attend the ensuing Annual General*/Extra Ordinary General* meeting to be held on _____ and also to vote thereat on our behalf.

Signature _____

Name _____

Authorised Signatory of the registered
Association/Hindu Undivided Family /
Trust/Society/Company Partnership firm

Specimen Signature of
the representative

(*Strike out whatever is not applicable.)

TRUSTEES

- 3 (a) All Trustees except those appointed under Sub-Rules (b) and (c) of this Rule shall be elected and will hold office for a term of five year and until new Trustees are elected and they take charge of the office of the Trustee.
- (b) Shriyut Santilal Punamchand and his descendants in the male line in perpetuity shall have the right to appoint any member as a trustee of the Mandal. The right shall be exercisable by the nearest descendant and where there are more such descendants than one, by the senior most in the age among them. Any person entitled to do so may appoint himself and subject to any appointment made, shall as provided in rule 13, ensure during the pleasure of the appointment or he may revoke any appointment already made and may make another
- (c) One Trustee, Shri Ramniklal Amratlal Gandhi of Gandhi family and one Trustee, Shri Chunilal Bhagwandas Mehta appointed by the donors of Matushri Mithibai Balashram, shall be permanent trustees of the Mandal. In absence of any of the above said two trustees the same will be appointed by Gandhi Family as and when necessary provided always that he shall be a member of the Kapol Bania Community..
4. No person shall be elected Trustee of the Mandal who is not a member of the Mandal. The number of Trustee shall not be less than three and more than nine.
5. All immovable properties belonging to or leased or mortgaged or in any way otherwise transferred to the Mandal shall vest in the trustees and the income thereof shall be applied for the purpose of the Mandal and be at the disposal of the Executive committee and deal with the same in accordance with the directions issued by the Executive Committee from time to time.

6. Any shares or securities donated to or purchased out of fund of the Mandal otherwise belonging to the Mandal shall be held in the name of and be vested in the name of the Mandal who shall as custodian Trustee deal with them and the dividend or interest thereon in accordance with the direction issued by the Executive Committee from time to time.
7. The title deeds of immovable properties and shares and securities shall be kept for safe custody with any bank or in the office premises of the Mandal if the Executive Committee shall see so fit.
8. Any security belonging to the Mandal may be dealt with or disposed of by any three of the Trustees jointly and shall be so endorsed as to permit of such disposal.
9. All documents relating to any immovable property whether made over to the Mandal or belonging to the Mandal and being conveyances, mortgages, deeds of gift or trust or leases shall be executed by the Trustees wherever the same require to be executed on behalf of the Mandal.
10. The Trustees shall be respectively chargeable only for such properties, money, funds, securities, or any other property as they shall respectively actually receive notwithstanding their signing any receipt for the sake of conformity and shall be answerable and accountable only for their own acts and defaults and not for those of any Trustees or any banker, broker, auctioneer, agent or person with whom or into whose hands the trust moneys or securities may be deposited or may come nor for the insufficiency or deficiency of any funds or securities nor for any other loss unless the same shall happen through their own wilful neglect or dishonesty.
11. The Trustee shall be entitled to reimburse themselves or pay and discharge out of the trust premises all expenses incurred and payment made by them in or about the Execution of the trusts or Powers of these presents.

12. Rule combined with Rule 4.
13. A Trustee shall vacate his office and cease to act as Trustee if he ceases to be member of the Mandal or becomes bankrupt or of unsound mind or dies or remains out of India for more than twelve successive months without the permission of the Managing Committee or is convicted of an offence involving moral turpitude by any criminal court or who desires to be discharged from the Trust or who refuses or is otherwise unfit or is incapable of acting as Trustee or upon expiration of his term of appointment if he be not re-elected or upon his non-attendance in three consecutive meetings of the Managing Committee without leave of absence from the Managing Committee.
14. The Trustee, desiring to be discharged from his office as the Trustee of the Mandal, may do so by notice in writing to the Mandal through the Secretary.

GENERAL MEETINGS

15. A General Meeting of the Mandal may be Annual or Extra Ordinary.
16. An Annual General Meeting will be held once in every year not later than 30th September at such time and place and hour as the Executive Committee shall determine.

Only those person who are enrolled as members of the Mandal (whether Parton, Donor or Life members) on or before 30th June every year shall be eligible for attending and voting at the Annual General Meeting.

In case of Extra-Ordinary General Meeting as well as requisitioned Extra-Ordinary General Meeting only those persons shall be eligible for attending and voting at the meeting who have enrolled themselves as the members of the Mandal (whether Patron, Donor or Life members) on or before the date of notice of such meeting issued by the Mandal.

17. An Extra-ordinary General Meeting may be convened by the Executive Committee of its own motion or upon a requisition made in writing by not less than two hundred fifty members of the Mandal. Such requisition shall specify the object of the meeting and shall be delivered at the office of the Mandal.
18. If within thirty days from the date of delivery of requisition the Executive Committee fails to convene an Extra-Ordinary General Meeting, the requisitionists themselves shall convene such meeting within sixty days from the date of delivery of such requisition.
19. Twenty-one clear days' notice specifying the place, date, hour and nature of business shall be given to the members by post or hand delivery to their respective addresses registered with the Mandal of any General Meeting whether Annual or Extra Ordinary.
20. **Quorum for the General Meeting** Hundred person shall form a quorum at any General Meeting. Incase however, of the Extra-Ordinary General Meeting convened upon a requisition under Rule 17, two hundred fifty persons shall form a quorum. No business specified in the notice of the requisitioned meeting shall be transacted at such a requisitioned meeting in the absence of the required quorum and if within fifteen minutes from the appointed time of such a meeting there is no quorum, then such a meeting shall stand adjourned and will be held within half an hour thereafter at the same place and the members present shall form the quorum for transacting the business specified in the notice of such a meeting.
21. The business of the Annual General Meeting shall be:
- (a) To receive and adopt the Annual Report and the audited statement of accounts of the Mandal.
 - (b) To elect once in five year the President, thirty

members of the Managing Committee and six Trustees for a period of five years as per the Rules of conduct of election prescribed by the Managing Committee from time to time.

- (c) To appoint an Auditor or Auditors for the ensuing year and fix their remuneration.
 - (d) To dispose of such matters as may be referred to it by the Managing Committee.
 - (e) To transact any other business of a general interest as may be allowed by the Chairman of the meeting.
22. Save as regard the election of the President and the requisite number of members of the Managing Committee the Appointment of Auditor or Auditors, the election of Trustees, the adoption of audited statements of accounts and the annual report of the Mandal, alterations in or additions to the Rules of the Mandal and decision on any matter referred for decision of the General Body by the Managing Committee, all other powers of the Mandal are delegated as hereinafter mentioned to the Managing Committee and the Executive Committee. Notwithstanding such delegation but subject to the provisions of the Rule 33 (c), Rule 33 (d) and Rule 33 (e), all or any of such powers may be exercised by the Mandal in General Meeting.

MANAGING COMMITTEE

23. The Managing Committee shall consist of:

- a) President
- b) 30 members, elected by Annual General Meeting.
- c) Trustees for the time being of the Mandal.
- d) The Nominee of Juhu Vile Parle Co-operative Housing Development Association Ltd.

- e) A representative of Shri Gangaprasad Ranchhodbhai Jani Charitable & Educational Trust.
 - f) Shri Mahendra Manilal Nanavati and after his life time the person, if any, who may have been nominated by him to act as a member of the Managing Committee and thereafter such person as may be nominated by the senior most member among the descendents of Shri Mahendra Manilal Nanavati in the nearest-degree of relationship.
 - g) A representative of G.C. Bhatt Charity Trust.
 - h) Shri Vrajlal Prabhudas Parekh during his life time or till he voluntarily resigns. After his death or on his resigning or in his absence, a person nominated by the Trustees of Shri Prabhudas Ramji Parekh Charitable Trust.
 - i) A representative of Bharat Diamond Bourse.
 - j) Two Nominees of Vimla Dwarkadas Charitable Trust.
 - k) Heads of institutions of the Mandal as decided by the Executive Committee from time to time. They will be ex-officio members.
24. a) The term of the President, six Trustees and thirty members of the Managing Committee elected by the members of the Mandal shall be for a period of five years and shall hold their respective office upto and till the newly elected President, Trustees and Managing Committee members take charge.
- b) The President, the Trustees except those appointed under Sub-Rule (b) and (c) of Rule 3 and thirty members of the Managing Committee shall be elected once in five years by the members of the Mandal at the Annual General Meeting and shall hold

office for a period of five years. They shall be eligible for re-election.

25. The Managing Committee so constituted may at their option co-opt member not exceeding five in number, and members so co-opted shall have equal right with the elected members and shall hold office until the next Annual General Meeting.

26. (a) The Honorary Secretary shall, along with the Notice of the Annual General Meeting when elections are due, notify the members, the names of the retiring President, six Trustees and thirty members of the Managing Committee and invite nominations for filling up the vacancies on a prescribed form obtainable from the office of the Mandal at least 10 days before the time and date fixed for the elections. The members may withdraw from contesting the election at least four days, before the time and date fixed for such elections.

(b) If the number of nominations remaining after withdrawal if any, are more than the number of seats, voting by Ballot will take place.

The voting shall take place at such time, date and places as the Managing Committee of the Mandal may think fit. The procedure for election of the President, six Trustees and thirty Members of the Managing Committee and the appointment of scrutineers, shall be done as laid down by the Managing Committee and notified to the members along with the notice of the Annual General Meeting when the elections are due.

(c) The counting of votes polled shall take place as soon as possible after the completion of Ballot procedure by scrutineers appointed for the purpose and the results thereof shall be declared at the Annual General Meeting.

- (d) The demand for recounting should be made immediately on the spot.
 - (e) In case of a Tie due to equal number of votes cast in favour of two or more candidates, draw of lots by the Chairman shall be relied upon for election of such candidate or candidates.
 - (f) In cases of any disputes the decision of the Chairman shall be final.
- 27 (a) The Honorary Secretary shall within fifteen days after the results of elections are declared in Annual General Meeting, convene a meeting of the Managing Committee for election amongst themselves for:
- i) Two Vice Presidents
 - ii) A Secretary
 - iii) A Joint Secretary
 - iv) A Treasurer and
 - v) Nine other members
- and the persons so elected along with (i) the President, (ii) Shri Dwarkadas Amratlal Gandhi (or in his absence Gandhi Family's nominee) (iii) a nominee of Shri Mohanlal Dayal's family, (iv) a nominee of Shri Narsee Monjee's family, (v) a nominee of Shri Mafatlal Gagalbhai's family (vi) a nominee of Shri Amritlal Kalidas Doshi family, (vii) a nominee of Shri Dwarkadas Jivanlal Sanghvi's family, (viii) a nominee of Madgavkar Trust, (ix) a nominee of Parle (Exports) Private Limited, (x) a nominee of Lupin Laboratories Limited (xi) a nominee of Asian Paints (India) Limited (xii) a nominee of Goenka and Associates Educational Trust, (xiii) a nominee of Futarmal Himatlal Bafna Charitable Trust (xiv) a nominee of Samjuben Shamalji Ajmera Trust, (xv) a nominee of Autoriders (India) Ltd (xvi) a nominee of Remsons Industries Ltd. (xvii) a representative of Bharat Diamond Bourse. (xviii) a nominee of Vimla Dwarkadas Charitable Trust and (xix) Principals of the main institutions of the Mandal (ex-officio members), shall constitute the Executive Committee for the year.

- (b) For the purpose of election to the posts of Office Bearers and nine other members referred to in sub-rule (a) above, the Secretary shall notify the members of the Managing Committee the names of the retiring Office Bearers as well as the nine members and invite nominations for filling the vacancies on a prescribed form obtainable from the office. One member can contest for not more than one post. In case any member violates this stipulation, his nomination will be treated as invalid. Nominations should be furnished at least four days before the time and date fixed for the meeting of the Managing Committee and shall be allowed to be withdrawn at least 48 hours before the time fixed for the said meeting.
- (c) If the number of nominations remaining after withdrawal if any, are more than the number of seats, voting by ballot will take place and distributive system of voting shall be adopted.
- (d) The other provisions as mentioned in Rule 26(d), (e), (f) and (g) shall also apply mutatis mutandis for election provided in the foregoing sub-rule (a).
28. All powers other than those expressly required to be exercised by the Mandal in general meeting are, subject to the supervision and control of the General Body, vested in the Managing Committee who shall subject as aforesaid and subject to the provisions of Rule 33 (c), (d) and (e), have the control and management of the property and affairs of the Mandal.
29. The Managing Committee shall meet at least once every quarter.
30. Notice in writing of every meeting of Managing Committee shall be given to every member at least two days before the date of the meeting.
31. Nine persons shall form a quorum at the meeting of the Managing Committee, and when at any meeting no quorum is present Rule 20 shall mutatis apply.

EXECUTIVE COMMITTEE

32. Subject to the supervision and control of the Managing Committee as provided in Rule 28 and subject to the provisions of Rule 33 (c) (d) and (e) the Executive Committee shall exercise and perform all powers and duties as follows:
- (a) To look after, manage and supervise the management of the institutions and properties of the Mandal and to expend moneys required for the purpose.
 - (b) To prepare and submit to the Managing Committee the budget for the next year and the periodical report of the working of the Mandal.
 - (c) To prepare and submit to Managing Committee, the annual audited statement of accounts of the Mandal along with the brief annual report of its working.
 - (d) To pay all rates, rents taxes and salaries and remuneration of employees of the Mandal.
 - (e) To fix, collect, increase or decrease the rents of any of the properties belonging to the Mandal.
 - (f) To fix the scales of fees in respect of any of the classes in the Mandal's Institutions and to provide for the manner in which the same is to be received.
 - (g) To invest the funds of the Mandal in the investments authorised by law for investment of the Trust Funds and to vary and transpose such investments from time to time and to direct the Trustees accordingly..
 - (h) To manage and deal with all matters appertaining to the Provident Fund.
 - (i) To fix curriculum or curricula of the Institutions of the Mandal.

- (j) To fill in vacancies, to make appointments, to direct transfers, retirements and to give promotions, increments honoraum and to grant leave and extension of service and to reduce salaries and to award punishment or to dispense with the service of an employee under the Mandal other than the Principal and such general work in connection witht the staff of the Mandal's Institutions..
- (k) To make necessary arrangements for and in respect of tournaments, gatherings, sports and socials.
- (l) To carry out necessary repairs, additions, and improvements to any of the properties of the Mandal but any additions to or improvements in immovable properties shall be with the previous approval of the Managing Committee.
- (m) To fix and distribute prizes, scholarships and give free studentships.
- (n) To invite and accept donations and subscriptions.
- (o) To appoint any sub-committee as and when necessary.
- (p) To give directions to the Trustees as regards dealing with immovable properties vested in them and shares and securities held in their names and the income and dividend accruing therefrom.
- (q) To deposit funds of the Mandal with banks in current, saving bank, or fixed deposit accounts in the name of the Mandal to be operated upon jointly by the Secretary and the Treasurer or by anyone of them with any other member of the Executive Committee.

33.(a) Subject as provided otherwise in these rules, the Executive Committee may delegate to the President or the Secretary or any member of the Executive Committee or any other employee or any subcommittee appointed from amongst its members all or any the following powers or duties.

- (i) To look after the day to day management and supervision of the Institutions and properties of the Mandal.

- (ii) To pay all rents, rates, taxes and salaries and remunerations of the employees of the Mandal.
 - (iii) To collect the rents of any of the properties belonging to the Mandal.
 - (iv) To provide for the manner in which the fees are to be received .
 - (v) To grant leave under Leave rules and give scale, promotions to the members of the staff.
 - (iv) To make necessary arrangements for and in respect of tournaments, gathering, sports and socials.
 - (vii) To invite and accept unconditional donations and subscriptions.
 - (viii) To deposit funds of the Mandal with banks, and
 - (ix) generally all such powers and duties as are of ministerial or administrative nature.
- (b) Without prejudice to the specific provisions contained in Rule 32 (c), Rule 32(d) and Rule 32 (e) the Executive Committee may delegate to sub committee of not less than four of its members of whom one shall be the Principal, all or any of the following powers:
- (i) To fill in vacancies, to make appointments, to direct transfers, retirements and to give any special promotions, increments or honorariums and to grant any special leave.
 - (ii) To fix prizes, sholarships and give free studentships and other concessions.

(c) The Executive Committee shall have power to appoint for Mandal's colleges committee, the constitution of which shall be in conformity with the requirement laid down by the University of Mumbai.

(d) The Executive Committee shall for the purposes of the management of the affairs of "SHRI BHAGUBHAI MAFATLAL POLYTECHNIC INSTITUTE" established by the Mandal constitute a Governing Board consisting of not more than 20 members (other than the Principal of the said Institute as an ex-officio member) to be appointed as follows:

(i) 50 per cent of such members excluding the Principal of the said Institute shall be appointed by the Mandal.

(ii) The remaining 50 per cent of such members shall be comprised of the following, that is to say, one nominee of the All India Council for Technical Education, one nominee of Government of India, one nominee of the Maharashtra State Government, a nominee or nominees of University Board to which the said the Institute is affiliated for its various courses of study and the remaining seat or seats, if any, shall be filled by a person or persons nominated for the purpose by the Regional Committee of the All India Council for Technical Education.

(2) The Executive Committee shall delegate to the said Governing Board the exercise and performance of the following powers and duties with regard to the management of the affairs of the said Institute and may make such rules as it may think necessary and expedient for the purpose:

(i) To manage the affairs of the Institute and to regulate its expenditure.

(ii) To determine the cadre and grades of the different departments of the Institute and to create, suspend or abolish any posts and to fix the emoluments and the terms of service

of the employees of the Institute.

- (iii) To appoint all the members of the staff of the Institute in accordance with the rules and regulations laid down for the purpose.
- (iv) To grant leave and allowances to the members of the staff, to determine the conditions of their service, to enter into service contracts with any of them and to grant any extension or extensions of service to any of them.
- (v) To impose penalties on any members of the staff in accordance with the rules and the procedure laid down for the purpose.
- (vi) To consider the annual reports of the working of the institute and the audited accounts thereof for the previous financial year.
- (vii) To consider the Budget Estimates of the Institute for the ensuing year and to take necessary decisions thereon.
- (viii) To exercise and perform such other powers and duties as may be necessary for expedient and efficient working of the institute.
- (e) The Executive shall have the power to constitute a separate Committee or Board for the management of the affairs of any Institutions which have been and may be established by the Mandal other than the institute mentioned in Rule 32 (c) and 32 (d) and to delegate to such Committee or Board the exercise and the performance of such powers and duties as may be necessary or expedient and to make such rules or regulations for the purpose as may be deemed necessary.

34. The Executive Committee shall meet once least every month and seven persons shall constitute a quorum for every such meeting .

35. If at any meeting there is no quorum within fifteen minutes from the hour fixed, the meeting shall be adjourned for half an hour. At such adjourned meeting, if no quorum is present, the members present shall form a quorum, but no business other than specified in the notice shall be transacted at such a meeting.
36. Notice of twenty four hours shall be given to every member for every meeting in writing.
37. The Executive Committee may for any special purpose or for any specific period co-opt one or more persons not necessarily members of the Mandal as member or members of the Committee.
38. Any resolution circularised under the signature of the President or Vice President or Secretary or Joint Secretary or Principal and assented to in writing by not less than seventy five percent of the other members of the Executive Committee shall operate as a resolution of the Executive Committee passed at a meeting duly convened provided that such circularisation shall be resorted to only in case of formal or urgent matters.

PRESIDENT

39. The President of the Mandal shall preside at, conduct and regulate all meeting of the Mandal, the Managing Committee and the Executive Committee and sub-committee and his ruling on any point of order and decision as to the result of voting shall be final and conclusive. The President shall in addition to his right of voting as a member have a casting vote in case of a tie. In the absence of the President, the Senior Vice President and in his absence the other Vice President shall preside at all meetings and exercise all such powers. In the absence of both the President and the Vice Presidents, the members shall elect a Chairman for the meeting from among themselves.

40. The President may at his discretion by general or special order debar any Principal / Director from attendance at, participating in and voting at any meeting by the Executive Committee or from participating or voting upon any particular subject on the agenda of Managing Committee or any such meeting and notwithstanding such debarring any resolution passed at such meeting or upon such subject shall be fully effective and valid.

THE SECRETARY

41. The Secretary or the Joint Secretary shall whenever necessary convene meetings of the Mandal, the Managing Committee and the Executive Committee and if so required by a member of any Committee, a Meeting of such Committee.
42. The Secretary shall keep or cause to be kept proper minutes of the proceedings of the General Meeting of the Mandal and of the Managing and the Executive Committee, and will do everything necessary to give effect to the resolutions passed by the General Meetings of the Mandal as also to those passed by the Managing and the Executive Committees.
43. The Secretary shall, subject to the directions of the Managing Committee and the Executive Committee, supervise the working and the management of the Institutions of the Mandal, carry on all correspondence and keep or cause to be kept proper records and prepare or cause to be prepared and place before the Executive Committee, Managing Committee and General Meeting of the Members of the Mandal, such material and information as may be necessary or as may be required by the Managing Committee or the Executive Committee. The Joint Secretary shall exercise such functions as may be delegated to him by the Executive Committee.
44. The Secretary shall keep or cause to be kept all records of the Mandal at a place to be determined by the Executive Committee.

45. The Secretary shall be at liberty to expend for the purpose of the Mandal or any of its institutions on items not covered by the approved Budget a sum up to Rs. 25000/- during any calender month without any previous sanction of the Executive Committee and shall make a report of such expenditure to the next meeting of the Executive Committee.

THE TREASURER

46. The Treasurer shall receive all funds and income and shall make all disbursements necessary for carrying out the resolutions of the Mandal, the Managing and Executive Committee and the maintenance and the working of the Mandal.
47. The Treasurer will act under the directions of the Managing and the Executive Committees.
48. Subject to the retention by the Treasurer of such sum not exceeding Rs. 5000/- as he may see fit for the purpose of the Mandal all moneys received by the Mandal and every cheque received by the Mandal shall be paid into the banking accounts of the Mandal.
49. The Treasurer shall ordinarily receive all payments made to the Mandal and pass all necessary receipts. He shall keep and maintain and cause to be maintained all proper books of account. Fees and other payments receivable from the students of the Institutions shall be received the Heads of the Mandal's Institutions or by any teacher appointed by them respectively.

THE AUDITORS

50. No member of the Managing and the Executive Committee shall act as an auditor.
51. The auditor shall have access to all books of account and vouchers of the Mandal to enable him to obtain the necessary information and to certify the accounts.

DISSOLUTION

52. Any number not less than 3/5 of the members present at the meeting convened for the purpose may determine ne that the Mandal shall be dissolved whether forthwith or at any future time then agreed upon.
53. If on the dissolution of the Mandal there shall remain after the satisfaction of its debts and liabilities, any property whatsoever not impressed with any trusts agreed to between the Mandal and the donor or donors, the same shall not be paid or distributed among the members of the Mandal or any of them but shall be given to some other Mandal or Institution working, for the same or similar objects as those as those of Mandal to be determined by the votes of not less than 3/5 of the members present at the meeting convened for the purpose or in default thereof the principal court of original Civil jurisdiction of the district in which the registered office of the Mandal is situated.

INDEMNITY

54. Every member of the Managing or the Executive Committee and every other officer for the time being of the Mandal shall be Indemnified out of the properties and funds of the Mandal against all losses and expenses incurred in the discharge of his duties except such as shall happen through his own wilful neglect or dishonesty and each one shall be chargeable only for such money, funds or properties as he shall himself actually receive in the discharge of his duties and each one shall be answerable only for his own act, and not that of any other person, nor the insufficiency of any security or other money payable to the Mandal, nor for any loss or damage which may happen in the discharge of his duties unless the same shall happen through his own willfull neglect and dishonesty.

GENERAL

55. No member shall have more than one vote, at any of the meetings of the Mandal, the Managing and the Executive Committee or any sub-committee except that in case of equality of votes as above mentioned, draw of lots by the Chairman shall be relied upon.
56. The Managing and Executive Committee and the Office Bearers not with standing the expiration of their term of office shall continue to function till the new Managing and Executive Committees and the Office Bearers are constituted.
57. Any casual vacancy on the Managing or the Executive Committee shall be filled by the members of the respective bodies and the new incumbents shall hold office for the remaining period of the year and shall be eligible for reelection at the Annual General Meeting.
58. A member of the Managing or the Executive Committee shall ipso facto vacate office if he shall absent himself without previous intimation in writing from three consecutive meetings of the Committee of which he may be a member but he shall be eligible for re-instatement by the respective Committee
59. An Office Bearer, a member of the Managing or the Executive Committee shall be deemed to have vacated office, if he:
 - (a) is adjudicated or adjudged insolvent.
 - (b) is convicted by a court of criminat offence involving moral turpitude.
 - (c) becomes of unsound mind or physically unfit or unable to act as such.
 - (d) resigns, retires or ceases to be a member of the Mandal.

- (e) acts in contravention of objects of the Mandal or in manner detrimental to the interest of the Mandal or is guilty of misconduct in the opinion of the Managing Committee and the Managing Committee by 3/4 of the majority of the members present resolve to remove his name.
60. No resolution passed at any meeting of the Mandal or of Managing Committee shall be altered for a period of three months except with the support of 3/4 of the members present at the meeting convened for the purpose.
61. All acts done by the Managing or the Executive Committee or by any of the sub-committees shall, notwithstanding the existence of some disqualifications or some defects in the appointment of any member of the Managing Committee, Executive Committee or sub-committee, be as valid as if such vacancy, disqualifications or defect has not existed.
62. Any additions, alterations or omissions, in the rules and regulations of the Mandal shall be effected by a resolution of the Mandal passed by the votes of three fifth of the members present and voting at a General Meeting duly convened.

So far as concern the alterations extensions or abridgements in the purpose of the Mandal, the provision of section 12 of the Societies Registration Act shall apply.