

**Constitution
for
Chapter Formation of
Bharatiya Jain Sanghatana (BJS)**



Schedule B & C

2016

Schedule B

Memorandum of Association

2016

Schedule 'B'

Memorandum Of Association

1. Name of this Society :- **'BJS <<Chapter Location Name>>'**
2. Address of the Societies office :-
3. Area of Operation :- << geographical area covered under the location name mentioned in the Chapter Name >>
4. Aims and Objects of the Society :-
 - I. To achieve all-round development, growth and progress of the people through promotion of education, health, upliftment of self, moral foundation and by promotion of moral values and social and physical aspects of life.
 - II. In order to awaken the potentialities of Indian people and to create the stream of potentialities among them, to help the private social organizations and to assist in achieving speed in the social and economic development of India.
 - III. To assist public and private organizations devoted to social cause and, further, to assist in implementing the programmes which shall be useful to different social streams in India.
 - IV. To achieve coordination and cooperation between governmental and non-governmental institutes of national importance doing work in education and research.
 - V. To fill up the lapses in the field of national development and particularly, in the field of conflicts arising out of cultural and racial diversity.
 - VI. To provide succour and relief to people affected by unnatural and unnatural disasters through relief and rehabilitation.

President

Secretary

Treasurer

'BJS-Chapter Name'

VII. In order to achieve the above objects, to undertake the following programmes, among other things:

- a. Start and conduct orphanages, ashrams, and rescue-homes for orphans, destitute children and women, widows, the disabled and the helpless for their care, protection and rehabilitation.
- b. Start, conduct and manage hospitals, health centres, maternity-homes, dispensaries, clinics, ambulance facilities, etc. and provide the poor and the needy with medicines and medical facilities *gratis* or on nominal charges.
- c. Start and conduct institutes for promotion of science, literature, fine arts, commerce, industry, technology and engineering, as well as for training students to be self-reliant citizens of India and help other institutions with similar objects.
- d. Start and conduct pre-primary, primary, secondary schools and colleges in all faculties of education through formal, non-formal and open streams with residential and non-residential facilities.
- e. Assist victims and people affected by communal riots, atrocities, social unrest as well as natural calamities (*example: earthquakes, floods, drought, volcanoes, etc.*)
- f. To assist social and developmental activities of governmental and private institutes working in the fields of education, family planning, medical services, and other welfare activities.
- g. Start research and development centres in the field of economics, social sciences, medicine, science and industry, and other faculties and to impart education in these subjects.
- h. Provide social, legal, spiritual, moral and emotional support and services to individuals, groups and communities to cope with

President

Secretary

Treasurer

‘BJS-Chapter Name’

personal, interpersonal, inter-group and inter-community disputes and problems, and there by enabling people to live in peace, harmony and mutuality.

- i. Contributing to wards building a progressive society through promotion of mass marriages, anti-dowry movement, widow remarriages, awareness against child marriages.
- j. Honour meritorious social workers, sportspersons, athletes, scientists, and other talented personalities with meritorious achievements.
- k. Undertake all other programmes which shall assist in achieving the objects of the Trust.

Additional programmes for the achievement of the Trust's objectives

In order to achieve the aforesaid objectives of the Trust and to promote the said objects, the following programmes should be undertaken:

- I. Grant economic assistance, loans, and make available the Trust's facilities to individuals and organizations engaged in furtherance of objectives similar to those of the Trust.
- II. Initiate projects and demonstrations designed to test promising solutions and share the results.
- III. Conduct training programmes, conferences, seminars, workshops, talks and research projects relating to the objects of the Trust.
- IV. Publish newsletters, journals, books, and other material for dissemination and propagation of objects of the Trust and activities pertaining to them.
- V. Take lead in exchange of information, studies and research between the Trust, and other institutions including governmental and non-governmental bodies, international organizations..
- VI. Utilize methods and mechanisms most conducive to mutual

President

Secretary

Treasurer

‘BJS-Chapter Name’

cooperation and collaboration with individuals, organizations and institutions in India and abroad pursuing activities similar or allied or supplementing those of the Trust.

VII. Acquire open spaces, buildings, etc. on purchase or lease-hold basis or gifts or erect new buildings with the aid of funds of the Trust or by raising loans from financial institutions_

VIII. Take over the management of other institutes and trusts as well as get merged with

The following five members shall be members of the first Managing Committee of '**BJS<<Chapter Location Name>>**' and with the addition of the rest 6 members elected by general body shall carry on the administration and affairs of the said society as per the rules and regulations of the society.

Sr.No	Full Name & Address	Age	Nationality	Occupation
1.				
2.				
3.				
4.				
5.				

We the following persons being desirous of forming ourselves into a society named '**BJS <<Chapter Location Name>>**' under the Societies Registration Act, 1860 and have subscribed our names and signed to this memorandum on / / 20 15.

Sr.No	Full Name & Address	Age	Nationality	Occupation
1.				
2.				
3.				
4.				
5.				

Date

President

Secretary

Treasurer

'BJS-Chapter Name'

Place :-

I identify all the person above and they have signed above in my presence.

Advocate

CERTIFICATE

This is to certify that to the best of my knowledge and information there is no other Society by name '**BJS <<Chapter Location Name>>**' is in existence or registered under the Societies Registration Act, 1860.

Place:

Date:

Applicant

President

Secretary

Treasurer

'BJS-Chapter Name'

Schedule C

Rules & Regulations

2016

SCHEDULE `C`

RULES AND REGULATIONS

1. Definitions:

In the Constitution, following expressions shall have the following meaning.

- A. **Constitution:** means Rules and Regulations of the Association.
- B. **Society:** means the Society by name `BJS <<Chapter Location Name>>` (For example, BJS Jalna or BJS Pune - Shivaji Nagar)
- C. **Member:** a person who has been enrolled as a member of the Society under the provisions of the constitution for annual membership.
- D. **General Body:** means the body, which shall consist of members enrolled and shown in the register of the members of the Society.
- E. **Managing Committee:** means the persons who have subscribed their names in the Memorandum of Association of the society for the first tenure and subsequently the members who are elected under the rules of the Society. The Managing Committee shall have control over the general activities of Society and for execution and implementation of objects of the Society.

2. Jurisdiction:

The area of operation of the Society shall be geographical area covered under <<Location Name>> (the location name mentioned in the Society Name.)

3. Accounting Year:

The Accounting Year of the Society shall be from the 1st day of the month of April ending with the 31st day of the month of March next.

President

Secretary

Treasurer

`BJS-Chapter Name`

4. Membership and its enrollment:

- A. Any person of Jain community who is above 21 years of age, is interested in the objects of Society, is of sound mind, has not been declared insolvent by a Court of competent jurisdiction, and is otherwise capable of entering into a contract, have applied in the prescribed form to the President/Secretary to become a member along with payment of requisite membership fees, and he/she being duly admitted as a member by the Managing Committee after passing due resolution to that effect.
- B. The members shall be enrolled as per the procedure, prescribed here under.
 - i. Any person deserving above qualifications specified in above clause and is interested in becoming a member, shall have to apply in the prescribed form
 - ii. A member shall be required to pay membership fees at the time of his/her enrollment as member. At present, the membership contribution is Rs. _____/-.
 - iii. Membership shall be valid for one accounting year only that is from the date of the membership approval till 31st March of that accounting year.
 - iv. The membership form of such person shall be considered in the Managing Committee. The Managing Committee shall consider the same & such person can be accepted as a member.
 - v. The Society reserves the right to make and enroll new members, and any membership application can be rejected by the Managing Committee without giving or assigning any reason whatsoever. The decision of the Managing Committee in the regard shall be final.
 - vi. Membership shall have to be renewed every year by following the same process.

5. Founder Members of Society and the First Managing Committee:

- A. The following persons are the founders and the first members of Society.

- 1.
- 2.
- 3.
- 4.
- 5.

President

Secretary

Treasurer

‘BJS-Chapter Name’

- B. The present five members shall also be members of the managing committee for the first term along with 6 other elected members from the General Body.
- C. In the first General Body meeting, the remaining 6 members shall be elected from members on the first Managing Committee. Subsequently, all 11 members of Managing Committee shall be elected under the rules of the Society.
- D. After election of 6 other members on Managing Committee in the first General Body meeting, first Managing Committee meeting of 11 members shall take place to elect the first office bearers as per the composition of Managing Committee, by show of hands or any other mode decided by the Managing Committee.
- E. The tenure of the First Managing Committee shall be of 2 years or till the first elections are held as per procedure within the first 2 years.

6. Cancellation / Disqualification of Membership:

Under the following reasons/circumstances any member shall be disqualified or debarred or shall cease to be a member of the Society

- A. Who is convicted of any criminal offence involving moral turpitude;
- B. Who has given his/her resignation. In case of resignation his/her membership shall be cancelled after the acceptance of resignation by Managing Committee;
- C. Who acts, contrary to the Rules and Regulations of Society and acts adverse to the interest of Society, the Managing Committee with majority of not less than $2/3^{\text{rd}}$ of its total members, may disqualify such member as the member of the Society; debarred or suspended for certain specified period.
- D. In case of death, the member shall cease to be a member.

7. Authorities of Society:

- A. General Body
- B. Managing Committee

8. General Body:-

General Body of the Society shall consist of all members having voting rights and shall be reconstituted every year. All questions before the General Body shall be

President

Secretary

Treasurer

‘BJS-Chapter Name’

decided by majority of votes or unanimously. General body shall be the supreme authority as per the constitution.

A. Functions, Rights and Duties :

- i. To consider and adopt the Administrative Reports of the Society.
- ii. To consider and adopt the budget, estimate of the Society for the ensuing accounting year.
- iii. To pass resolutions and to adopt the Annual Reports and Annual Accounts of the Society.
- iv. To appoint the Auditors of the Society for every financial year and to fix their remuneration.
- v. To consider and adopt the resolutions with respect to the amendment of the constitution of the Society referred to it by the Managing Committee or by the members of the Society.
- vi. To pass such other resolution/s or to take such other decisions as may be brought forward with the permission of the President/ Chairman of the Meeting.
- vii. To elect Managing Committee members for every two years.
- viii. To approve proposals by Managing Committee regarding the purchase or sale of immovable property for Society.
- ix. To take policy decisions for administration of the Society.

B. Notice of General Body Meeting:

- i. General Body Meeting shall be held once in a year before 30thSeptember.
- ii. Secretary with consultation of President shall convene General Body meeting by giving 10 days clear notice for the same.
- iii. The notice of the General Body Meeting shall be served upon the members by post, by courier, by e-mail, by hand delivery, or by any other mode existing at relevant time as the Managing Committee by majority may decide. However, the proof of dispatch of the notice by any mode shall be required to be maintained by the Secretary.

C. Quorum :

- i. Minimum 30 members or 33 % of the total members whichever is less shall form the Quorum of the meeting of the General Body.
- ii. If the members actually present for the meeting fall short to form the quorum, the meeting of General Body shall be adjourned and such adjourned meeting shall be held after half an hour at the same place

President

Secretary

Treasurer

‘BJS-Chapter Name’

and the members present at that time shall constitute the quorum. The adjourned meeting shall have the same agenda.

D. Special General Body Meetings and its functions: -

- i. If not less than 2/3rd of total members apply to the Secretary of the Society with a request to convene a meeting on emergency subject, the Special General Body Meeting, shall be convened by preferring requisition to that effect, the Secretary shall place the said requisition before the President and if he finds the same to be legal shall direct the secretary to convene the meeting of Special General Body for such requisitioned subject only.
- ii. In that case, the Secretary shall convene the meeting and such meeting shall be convened with minimum 3 days clear notice. The said notice shall be served on the members of the Society either personally, or by e-mail, courier or by any other mode as President/Secretary may decide in the circumstances of urgency.
- iii. The notice will be required to be given to all members having voting rights.
- iv. The Agenda for Special General Body Meeting shall be restricted to the requisition preferred by the members.
- v. In case of failure of President/Secretary to convene the Special General Body Meeting inspite of receipt of requisition, the 2/3rd of General Body members can convene Special General Body Meeting and only subjects of requisition can be considered in that meeting.

9. Managing Committee:

A. Composition:

- i. The Managing Committee shall consist of
 - 1) Elected Member - 11
 - 2) Ex-Officio Member - 2
 - 3) Co-Opted Member – 2
- ii. The Managing Committee office bearers shall be:
 - 1) President - 1
 - 2) Vice President - 1
 - 3) Secretary - 1
 - 4) Joint Secretary - 1
 - 5) Treasurer - 1

President

Secretary

Treasurer

‘BJS-Chapter Name’

B. The Managing Committee Formation:

- i. The Elected Members:
 - 1) The election will be held every 2 years.
 - 2) The General Body shall elect Maximum 11 members for the term of two years.
 - 3) The election of the Managing Committee members shall be by show of hands or any other mode decided by Managing Committee at the relevant time.
 - 4) The elected members shall elect the office bearers of the Managing Committee for 2 years term in the first meeting.
 - 5) The Managing Committee office bearers shall not hold the second term for the same post for consecutive two terms.
- ii. Ex-Officio Members:
 - 1) The immediate past President and the immediate past Secretary shall be the 2 Ex-Officio Members of the Managing Committee.
 - 2) The President/Secretary should complete one full term. Failing to do so he/she will not be entitled to be the Immediate Past President/Secretary. In such case, the previous Immediate Past President/Secretary shall continue to be the current Immediate Past President/Secretary and shall be the Ex-officio member.
- iii. Co-Opted Members:
 - 1) The Elected Managing Committee shall nominate 2 Co-Opted Members from the members.

C. Manner of temporary filling of the post of the Managing Committee:

If for any reason, the post of any member of Managing Committee becomes vacant before the expiry of term of office; such post shall be filled in by remaining members of Managing Committee by majority of votes for the remaining tenure.

D. Functions and powers of the Managing Committee:

- i. To approve and ratify the actions and decisions of the President and the Secretary taken with respect to the affairs and administration and other necessary policy decisions of the Society.
- ii. To frame the rules for internal management and to make the changes in the same as and when necessary.
- iii. To decide dates of General Body Meeting and to decide the dates of the Managing Committee Meeting and to arrange for the same.

President

Secretary

Treasurer

‘BJS-Chapter Name’

- iv. In case any member is found acting adverse to the interest of the Society and in such a case, if it is proved in the meeting of Managing Committee the said member shall be expelled from the membership of Society by passing no confidence motion against him by majority of not less than 1/3rd of its total members.
- v. To consider the recommendations of President regarding working, administration and policies of Society and take necessary decisions.
- vi. Besides general administration and control of the activities of the Society the Managing Committee shall have the following functions:
 - a. To frame regulations for discharge of its functions, for the conduct of its meetings, for determining the manner of the election of Managing Committee.
 - b. To approve the accounts of the Society for audit.
 - c. To administer the funds and properties of the Society.
 - d. To purchase, take on lease or in exchange, hire or otherwise acquire any movable or immovable property and sell or otherwise deal with the same.
 - e. To take approval of General Body for any purchase or sale of immovable property.
 - f. To revise the membership fees from time to time in keeping pace with the changing valuation of money.
 - g. To collect funds by accepting reasonable fees, donations, gifts, grants and/or by accepting temporary or fixed deposit.
 - h. To invest funds as allowed in Income Tax Act, 1961 Section 11 (5).
 - i. To sanction proposal for expenditure recommended by the General Body.
 - j. To Consider and to sanction with or without modification the annual accounts and budgets of the Society prepared by the concerned Authorities.
 - k. To consider and adopt the Annual Reports and the Audited Annual Accounts of the Society and to arrange for their publications.
 - l. To consider and if thought fit, to sanction, subject to confirmation by the General Body amendments to the Society Constitution.
 - m. To appoint various Committees as and when necessary, for the purpose of carrying out objects of the Society.

President

Secretary

Treasurer

‘BJS-Chapter Name’

- n. To grant leave of absence to any Managing Committee member if applied for leave of absence for the Managing Committee Meetings.
- o. Generally to do all such other acts and things as may be necessary or desirable to further the aims and objects of the Society.

E. Notice for the Meeting of Managing Committee

- i. The Managing Committee shall meet at least once in three months and in the said meeting, shall discuss the items and subjects kept before it through agenda circulated with notice by the Secretary in consultation with the President and the decision will be taken on the same by majority.
- ii. The notice with the proposed agenda of the meeting of Managing Committee shall be issued by the Secretary by giving 7 days clear notice.
- iii. The notice and agenda of Managing Committee Meeting shall be served upon the members by post, by courier, by e-mail or by hand delivery, or by any other mode existing at relevant time as the Managing Committee by majority may decide. However, the proof of dispatch of notice and agenda by any mode shall be required to be maintained by the Secretary.
- iv. The person elected or continued to be a Managing Committee Member shall diligently attend meetings of the Managing Committee and shall not remain absent for more than three consecutive meetings without prior permission of the President.

F. Quorum:

- i. Minimum 5 or 50 % of the total members whichever is less shall form the Quorum of the meeting of the Managing Committee.
- ii. If the members actually present at the time of the meeting fall short to form the quorum, the meeting of Managing Committee shall be adjourned and such adjourned meeting shall be held after half an hour at the same place and the members present at that time shall constitute the quorum. The adjourned meeting shall have the same agenda.

G. Special Meeting of the Managing Committee:

- i. If there is any urgent subject, that requires to be discussed urgently and decision to that effect is required to be taken, then in such case the

President

Secretary

Treasurer

‘BJS-Chapter Name’

President/Secretary shall convene a Special Managing Committee Meeting/ Circular Meeting.

- ii. Any 3 members of the Managing Committee by requisition may apply to the Secretary or President for convening the Special Managing Committee Meeting.
- iii. The said requisition must be given at least 3 days in advance to the Secretary who shall, upon the receipt of the said requisition with the consultation of the President, convene the Special Meeting of the Managing Committee.
- iv. If secretary failed to call special Managing Committee meeting in that situation, President may call special Managing Committee meeting by his own motion. And, if both of them failed to call meeting then all three requisition applicant managing committee members can call and sign the notice of special Managing Committee meeting.

H. Notice for Special Meeting of the Managing Committee

- i. The notice of the special meeting of the Managing Committee shall be issued by the Secretary by giving 2 days clear notice.
- ii. The notice of Special Meeting of Managing Committee shall be served upon the members by courier, by e-mail or by hand delivery. However, the proof of dispatch of the notice by any mode shall be required to be maintained by the Secretary.

I. Quorum for the Special Managing Committee Meeting:

- i. Minimum 5 or 50 % of the total members whichever is less shall form the Quorum of the meeting of the Managing Committee.
- ii. If members actually present at the time of meeting fall short to form the quorum, the Special meeting of Managing Committee shall be adjourned and such adjourned meeting shall be held after half an hour at the same place and the members present at that time shall constitute the quorum. The adjourned meeting shall have the same agenda.

10. Office bearers and their functions and duties:

No office bearer shall draw any remuneration from Society funds for functions towards Society's work. Every office bearer must give certificate as required under Income Tax section 13 (1) (c) for Society's records. Following shall be the office bearers of Managing Committee and their functions:

A. President:

President

Secretary

Treasurer

‘BJS-Chapter Name’

- i. The President shall preside over the meetings of the General Body and Managing Committee and shall have the right of casting vote.
- ii. The meeting of the General Body and Managing committee shall be called with the written consent of the president.
- iii. In case of receipt of requisition from the members regarding convening the meeting the President can direct the Secretary to convene a Special General Body Meeting or special Managing Committee Meeting as the case may be.
- iv. To do all acts in order to promote the general welfare of the Society.

B. Vice-President:

- i. The Vice –President shall support the President in all matters for Society as required.
- ii. To take all responsibilities of President, in case, of his/her absence for the specific period.

C. Secretary:

- i. The Secretary shall be the custodian of records of the trust and shall represent the Society in all matters, concerning administration of Society.
- ii. To convene meetings of Managing Committee and General Body with the consultation of the president.
- iii. To convene special meetings of Managing Committee and General Body with the consultation of the president if any such requisition is received.
- iv. To write minutes of the meetings of the General Body and Managing Committee and to maintain the same properly.
- v. To conduct all the official correspondence for and on behalf of the Society
- vi. To be in charge of the Societies office and all the things connected therewith and to be the custodian of all the records of the Society including cash books and investments and records relating to the property and shall arrange for their safe custody.
- vii. To maintain list of all the members of the Society with their addresses.
- viii. To perform such other duties as may, from time to time, be assigned by the Managing Committee and/or as may be necessary to be carried in the interest of the Society.

President

Secretary

Treasurer

‘BJS-Chapter Name’

D. Joint Secretary:

- i. The Joint-Secretary shall support the Secretary in all matters for Society as required.
- ii. To take all responsibilities of Secretary, in case, of his/her absence for the specific period.

E. Treasurer:

- i. The Treasurer shall be primarily responsible for maintaining proper accounts of the Society and to get the same audited from statutory auditors appointed for that purpose.
- ii. The Treasurer shall endeavor to get accounts balanced and thereafter audited in time and shall endeavor to submit the same before the General Body for approval.
- iii. It shall be the duty of the Treasurer to keep accounts of funds including permanent, current and other funds and properties of the Society.

11. Bank Account:

The bank account may be opened in any Nationalized or Scheduled Bank in the name of Society and the same shall be operated by any two out of President, Secretary and Treasurer.

12. List of Members of the Society:

The list of the members of the Society shall be maintained as prescribed by the rules framed under the Societies Registration Act 1860.

13. Amendment of Rules and Regulations:

Any amendment or alterations in the rules and regulations framed above shall be carried in the meeting of the General Body and for carrying out such amendment or alterations resolution by 2/3rd of the total members shall be necessary.

President

Secretary

Treasurer

‘BJS-Chapter Name’

14. Alterations or Amendment in the name or object of the Society:

Any change in the name or object of the Society shall be carried out in consonance with the provisions of Sec. 12 and 12 A of the Societies Registration Act, 1860.

Any amendment to the Memorandum of Association will be carried out only with the approval of competent Income Tax Authority.

15. Provision for dissolution of the Society and adjustment of its affairs

If for any reasons it is decided to dissolve the Association, the provision of Section 13 and 14 of Societies Registration Act, 1860 shall be complied with. In the event of dissolution the surplus asset/funds of the Society as would remain after discharging and all liabilities shall be transferred to any other registered society having similar objects and also registration u/s 12 A of Income Tax Act, 1961 and the same shall not be distributed among the members.

16. Affiliation with Bharatiya Jain Sanghatana (Trust and HO, Pune)

After a duly submitted undertaking submitted by first five members listed in the Memorandum of Association (Schedule B) of Society to Bharatiya Jain Sanghatana – Head Office, Pune, and with the due permission of President of Bharatiya Jain Sanghatana, Trust Board, Pune, this society is named as ‘BJS <<Chapter Location Name>>’ with the following terms and conditions:

- A. Bharatiya Jain Sanghatana, Trust and HO, Pune is in no way connected with the decisions and financial matters of this society.
- B. With the permission of affiliation, Bharatiya Jain Sanghatana, Trust has given permission to use BJS logo and this Society gets the permission to mention the Society’s name below the BJS logo.
- C. Bharatiya Jain Sanghatana Trust and HO will have exclusive right on BJS logo and can withdraw the permission to use the logo at its own discretion. And that no member or office bearer of this society shall object action taken by Bhartiya Jain Sanghatana Trust and HO.

President

Secretary

Treasurer

‘BJS-Chapter Name’

- D. The Secretary of the Society shall send the Annual Report of the Society, Report of Managing Committee formation/re-formation and updated membership records to BJS HO.
- E. The society shall undertake all tasks communicated through the Committees formed by Bharatiya Jain Sanghatana Trust at the National, State, District/Region levels or by the Bharatiya Jain Sanghatana HO in compliance to this affiliation and to fulfill the object of Bharatiya Jain Sanghatana Trust.
- F. The member of this society shall be eligible to be selected in the higher level committees at district/region, state or national level as deemed fit by the Bharatiya Jain Sanghatana Trust and HO, Pune.

C E R T I F I C A T E

Certified that, the same is the true copy of the Rules and Regulations of '**BJS - <<>>**' to the best of our knowledge and belief.

President

Secretary

Treasurer

'BJS-Chapter Name'