

RULES AND REGULATIONS
OF
THE SOCIETY FOR COMMUNITY HEALTH AWARENESS,
RESEARCH AND ACTION



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I. DEFINITIONS

1. In these rules and regulations and the bye-laws that may be made under these rules and regulations, unless there is anything repugnant to the subject or context:
 - a. Society means "Society for Community Health Awareness, Research and Action".
 - b. Memorandum means the Memorandum of Association of the Society.
 - c. Bye-laws means bye-laws that may be in force from time to time under the rules and regulations of the Society.
 - d. General body means the General Body of the Society whose names are borne in the register of Membership and who have voting rights.
 - e. Executive Committee means the Executive Committee of the Society constituted as provided by these rules.
 - f. The Act means the Karnataka Societies Registration Act, 1960 or any statutory modification or re-enactment thereof for the time being in force.
 - g. Words importing singular number and / or masculine gender include plural number and/or feminine gender and vice-versa.
 - h. Year means a year commencing on the first day of April and ending on the thirty first day of March of the following year.
 - i. Co-ordinator means the Chief Executive of the Society appointed by the Executive Committee to direct and manage the affairs of the Society. The Co-ordinator will be the ex-officio Secretary of the Society.

II. MEMBERSHIP

1. Classes of Membership

There shall be the following classes of membership:

- a. **Ordinary Members** : The membership of the Society will be open to any person irrespective of sex, caste, religion, language or region who is above the age of 18 years and is interested in the aims of the Society.
- b. **Ex-Officio Members** : The Co-ordinator of the Society shall be ex-officio Secretary and member of the Society. The General Body may nominate other persons as ex-officio members.

- c. **Institutional Members** : Institutions or Organizations subscribing to the aims of the Society may be enrolled as Institutional Members, on payment of such fees / subscriptions as may be fixed by the Society. The Institution / Organisation will have the right to nominate one person to the Society and he / she will have the right to participate in all the meetings of the General Body with the right to vote.
- d. **Honorary Members** : The Executive Committee may invite such persons as are deemed to be able to contribute to the promotion of the objectives of the Society to be honorary members. They can participate in all activities of the Society but will not have voting rights nor will be eligible to be elected to the Executive Committee. The number of honorary members shall not exceed one-third of the number of ordinary members. The tenure of honorary membership will be for a period of 3 years, unless renewed.

2. Application for admission to Membership

Application for Membership shall be made in the prescribed form to the Secretary together with the admission fee of **[Rs. 20/- and annual subscriptions of Rs. 50/- (for ordinary members)]** and Rs. 50/- and Rs. 250/- respectively for Institutional Members. The admission fee and annual subscription may be revised from time to time by the Executive Committee.

The Secretary of the Society shall place the application for Membership before the Executive Committee of the Society. The decision of the Executive Committee to admit or not to admit any particular person as an Ordinary Member or as Honorary Member or an Institutional Member to the Society shall be final and conclusive and the Executive Committee is not bound to give any reasons for such decision.

3. Privileges of Membership

All members shall have the right to participate in all activities of the Society. Voting rights are restricted to Ordinary and Ex-Officio Members and nominees of Institutions / Organisations. Any member who defaults payment of membership dues for a period exceeding 12 months ceases to have the membership privileges till all dues are paid up. Any person whose membership is terminated for this reason, may apply for re-admission to membership of the Society and may be re-admitted by the Executive Committee provided all the arrears are paid in one lumpsum together with the re-admission fee, same as the admission fee.

**amended in the General Body Meeting held on 27th June 1999*

III. GENERAL BODY AND EXECUTIVE COMMITTEE

1. Supreme Authority

The Supreme authority of the Society shall vest in the General Body of all members of the Society with voting rights and shall be exercised in all general meetings - ordinary, annual and special General Body Meetings of the Society. The general body of members with voting rights present in such general meetings shall be competent to take all steps and decisions that may be considered necessary in conformity with the Memorandum of Association and Rules and Regulations of the Society for furthering the aims and objects of the Society.

2. Annual General Meeting

The Society shall in each year hold a General Meeting as its Annual General Meeting. The day, time and place are to be fixed by the Executive Committee of the Society.

The Executive Committee shall submit the following at the annual general meeting:

- a) Annual report of the Society
- b) Audited Statement of Accounts and balance sheet along with the report of the auditors
- c) Appointing the fixing the remuneration of auditor(s)
- d) Fixing the remuneration of Co-ordinator.

Any member desiring to move a resolution at the annual general meeting shall give notice of the same in writing so as to reach the Secretary at least fifteen days before the date of the annual meeting.

3. Special General Body Meeting

The President may, whenever he thinks fit, and shall, upon a requisition made in writing and signed by not less than one third of the members of the Society with voting rights, arrange for convening a special general body meeting at such a place and time he may decide. Such requisition made by the members shall state the objectives of the proposed meeting and shall be addressed to the President.

- a. The President / Secretary shall upon receipt of such requisition convene a Special General Body Meeting within forty days of the receipt of such a requisition specifying the agenda. Such a special general body meeting shall require a notice of not less than twenty one days.
- b. The Special General Body Meeting shall discuss only the particular item for which notice is given.

4. Notice of General Meeting

Not less than 21 clear days notice of any General Meeting - annual or special - specifying the date, place and hour of meeting and the agenda shall be given to all the members of the Society.

5. The Quorum

The quorum for all annual and special general meetings shall be 7 members or a quarter of the enrolled membership strength whichever is less.

In the absence of a quorum, the meeting may be adjourned and reconvened after half an hour. No quorum will be necessary for the adjourned meeting. All decisions at the meeting shall be by a simple majority with an extra casting vote by the chairperson in case of equality of votes.

6. The Executive Committee

There shall be an Executive Committee to look after the work of the Society. The Committee shall consist of the following:

- a) President
- b) Vice President
- c) Treasurer
- d) Secretary, and
- e) 3 members.

Meetings

The Executive Committee shall meet as often as necessary on such a day and hour, notified by the Secretary and in any case at least once in four months. At least nine days notice shall be required to hold such a meeting. Any member who fails to attend three consecutive meetings without prior intimation, shall cease to be a member of the Executive Committee.

The quorum

The quorum shall be half the number of the total members of the Executive Committee. In the absence of a quorum, the meeting may be adjourned and reconvened after half an hour. No quorum will be necessary for the adjourned meeting. All decisions at the meeting shall be by a simple majority with an extra casting vote by the Chairperson in case of equality of votes.

Urgent Meeting

An urgent meeting of the Executive Committee may, at any time, be convened by the President or the Secretary in the absence of the President. Not less than three days notice of any such urgent meeting shall be given to every member of the Executive Committee stating the object

and the time and place of the meeting and no business shall be transacted at the meeting except that for which it is convened.

7. Functions of the Executive Committee

The Executive Committee shall appoint a full time Co-ordinator for the Society, who shall be ex-officio member and shall be the Secretary to the Executive Committee. The Co-ordinator shall manage and co-ordinate the activities of the Society on behalf of the Executive Committee subject to the superintendence and control of the Executive Committee. The Co-ordinator may be paid suitable emoluments, which will be fixed at the annual general body meeting. The Executive Committee may delegate to such a Co-ordinator, the necessary authority:

- a. To attend to routine matters referred by the Society from time to time.
- b. To appoint and employ either for remuneration or gratuitously on such terms and conditions as may be deemed fit and to take disciplinary action, suspend, discharge or dismiss any employee or member of staff.

In the case of disciplinary action, an appeal will lie with the Executive Committee.

- c. To organize all such activities required to raise funds to promote aims and objects of the Society.
- d. To enter into contracts on behalf of the Society.
- e. To acquire in the name of the Society, build, pull down, rebuild and to alter, repair, improve, sell or dispose off or otherwise deal with any lands, buildings or premises for the use of the Society.
- f. To purchase, take on lease and license or by way of mortgage or in exchange otherwise acquire or hold any movable and immovable property, rights, easements and privileges and improve and develop in or all of them as may be deemed necessary or convenient for any of the objectives of the Society.
- g. To apply for, collect, recover, and utilise any government, municipal or other means or allowances in connection with any institutional work, activity conducted by the Society and to deal with the same according to the terms thereof.
- h. To solicit, take, receive, hold, administer and use any gift, donation, contribution, bequest, subscription in kind or money or any other property from persons or from organisations or agencies whether upon trust or otherwise and to undertake or execute any trust or obligation which may be conducive to any of the objectives of the Society.
- i. To establish, conduct or manage any Unit in the Society, provided that such Unit/s are in consonance with the aims and objectives of the Society.

- j. To invest the funds of the Society in the modes specified under the provisions of Section 13(1)(d) read with section 11(5) of the Income-tax Act, 1961, **[as amended from time to time]***.
- k. To open and operate accounts with bank or banks on such terms and in any such manner as the Executive Committee may deem fit.
- l. To engage and remove experts, specialists, doctors, lawyers, architects, auditors, engineers, contractors, agents and others for any of the purposes of the Society on such terms as the Executive Committee shall deem fit.

Action with respect to c - j shall be taken ordinarily with the approval of the Executive Committee, in urgent cases, it may be done in concurrence with the President, subject to ratification by the Executive Committee.

IV. OFFICE BEARERS AND MEMBERS OF THE EXECUTIVE COMMITTEE

1. The Office bearers and members of the Executive Committee of the Society will be:
 - i) President
 - ii) Vice - President
 - iii) Secretary
 - iv) Treasurer, and
 - v) Three Members
- a) The office bearers and members of the Executive Committee shall be elected at the Annual General Body Meeting from amongst the voting members of the Society.
- b) The Secretary shall invite nominations for the Executive Committee at least 45 days before the Annual General Body Meeting (AGM). Such nominations duly proposed and seconded by members and accepted by the nominee shall reach the Secretary at least 30 days before the AGM.
- c) The Secretary shall send postal ballot papers at least 20 days before the AGM. The postal votes shall reach the Secretary at least 3 days before the AGM in a closed envelope. The closed envelope will be opened at the time of counting of votes at the AGM. One representative of each candidate may be allowed to be present at the time of counting. Shall there be no nominations for the posts to be filled, members with voting rights may nominate from among themselves, candidates present at the AGM from the floor of the house; if there are still vacancies, the Executive Committee shall thereafter select and nominate any member with voting rights for the post subject to nominee's acceptance.
- d) Any vacancy arising from among the office bearers during tenure shall be filled by nomination by the Executive Committee and such a nominated member shall hold the post till the next annual general body meeting.
- e) Any dispute arising out of the conduct of elections shall be resolved by the existing Executive Committee whose decision will be final.

**[amended in the General Body Meeting Held on 25th June 1993]*

2. Tenure of the Executive Committee

The tenure of the members of the Executive Committee shall be for three years. The members of the Executive Committee are eligible for re-election to a second term. Thereafter, there shall be a break of at least one term. This restriction will not apply to the Secretary, who is also the Co-ordinator.

Working hours

The working hours of the Society will be from 9.00 a.m. to 5.00 p.m. except on Saturdays, Sundays and Holidays for the year approved by the Executive Committee.

3. Powers, Functions and Duties of the Office Bearers

a. President and Vice-President

The President shall preside over all the meetings of the Executive Committee and the General Body of the Society. In the absence of the President, the Vice-President or in his/her absence one of the members of the Executive Committee elected from among themselves shall perform the functions of the President at such meetings.

b. Secretary

The Secretary shall

- i) convene meetings of the Executive Committee and of the General Body as per procedures laid down in Clause III (2), (3), (4), (5) and (6).
- ii) carry out directions and decisions of the Executive Committee.
- iii) supervise the work of the employees of the Society, maintain records of the same and carry out routine work on behalf of the Society.
- iv) maintain minutes of all the meetings of the Executive Committee and the General Body and all records of the Society.
- v) invite nominations to fill vacancies in the Executive Committee as per procedure laid down in clause IV (1), and
- vi) carry out any other duties as entrusted to him/her by the Executive Committee.

c. Treasurer

The Treasurer shall

- i. receive funds and make payments on behalf of the Society.

- ii. Maintain accounts of funds and other assets of the Society or those that are controlled by the Society, and
- iii. Prepare a statement of accounts and balance sheet together with an audit report by the certified auditors appointed at the Annual General Body Meeting and present them at the annual general body meeting on behalf of the Executive Committee.

4. Approval of Resolution by Circular

Ordinarily the business of the Society will be conducted at meetings of the Executive Committee. If the Secretary finds it necessary, he may, with the approval of the President, transact any business or class of business of the Executive Committee by circulation.

5. Maintenance of Accounts

- a. The Society shall maintain accounts in the approved Bank and such accounts shall be operated by the signatories approved by Society.
- b. There shall be maintained all accounts of the Society regularly. The accounts shall be audited by Chartered Accountant every year.

6. Official year of the Society

The Official year of the Society will be 1st April to 31st March every year.

AMENDMENT TO THE MEMORANDUM OF ASSOCIATION AND TO THE RULES AND REGULATIONS

1. Amendment of Memorandum of Association

- a. Whenever it shall appear to the Executive Committee of the Society, that it is advisable to alter, extend or abridge for such purpose or for other purposes specified in Section 3 of Memorandum of Association the Executive Committee shall submit the proposition to the members of the Society in a written or printed report, and convene a special general meeting for consideration thereof according to the rules and regulations of the Society. But no such proposition shall be deemed to have been approved unless such report has been delivered or sent by post to every member of the Society twenty-one days previous to the date of the Special General Meeting convened by the Executive Committee for the consideration thereof, and unless such proposition shall have been agreed to by the votes cast in favour of the proposition by members who being entitled so to do, vote in person, and such votes are not less than three times the number of votes if any, cast against the resolution by members so entitled and voting and confirmed by a similar majority of votes at a second Special General Meeting convened by the Executive Committee after an interval of thirty days after the former meeting.
- b. Every change in the memorandum of association approved under subsection (a) shall be filed with the Registrar of Societies within thirty days

from the date of making thereof along with the required fee. Such change shall not have effect until it has been registered by the Registrar.

2. Amendment to Rules of the Society

- a. The Society shall have the powers to add, amend, repeal or modify any of the foregoing rules and regulations provided that no addition to or modification or alterations or amendment or repeal of any of the rules shall be made which may have the direct or indirect effect of subverting any of the aims and objects of the Society as herein before set out to any extent whatsoever and as provided hereunder in clauses (b) and (c).
- b. The name and the Rules and Regulations may be amended by a resolution passed at a special general meeting convened for the purpose of which written / typed / printed notice shall have been delivered or sent by post to every member of the Society twenty-one days previous to the date of the general meeting and the resolution proposing the amendment is passed by the votes cast in favour of the resolution by members who being entitled so to do, vote in person or where proxies are allowed, by proxy and such votes are not less than three times the number of the votes, if any, cast against the resolution by members so entitled and voting.
- c. Every amendment made under sub-section (a) shall, within thirty days from the making thereof be filed with the Registrar. Such amendment shall have effect only after it is registered by the Registrar of Societies.
- d. **[No amendments to the Memorandum and Rules and Regulations shall be made which may prove to be repugnant to the provisions of Sections 2(15), 11, 12, 13 and 80G of the Income Tax Act, 1961 as amended from time to time. Further no AMENDMENT SHALL BE CARRIED OUT WITHOUT THE PRIOR APPROVAL OF THE COMMISSIONER OF INCOME TAX.]***

V. MISCELLANEOUS

1. Suits by or against the Society

The Society may sue or be sued in the name of the Secretary.

2. Indemnity

Every member of the Executive Committee shall be indemnified of the funds of Society against all losses and expenses incurred by him in the discharge of his duties except such as shall happen through his own willful neglect or default, and every such member shall be chargeable only for such moneys as he shall himself actually receive in the discharge of the business of the Society and shall be answerable only for such moneys as he shall himself actually receive in the discharge of the business of the Society and shall be answerable only for his own acts, neglects and defaults and not for those of any other person nor for the insufficiency of any securities upon which any of the money belonging to the Society may be invested nor for any loss or damage

**[amended & added (d) in the General Body Meeting Held on 25th June 1993]*

which may happen in the discharge of his duties unless the same shall have happened through his own willful neglect or default.

3. Annual Statement to be filled with the Registrar

The Executive Committee shall as provided in the Karnataka Societies Registration Act, file with the Registrar, on or before the fourteenth day succeeding the day on which the annual general meeting of the Society is held.

- i. a list of the names, addresses and occupation of the members of the Executive Committee, and
- ii. a copy of the balance sheet and income and expenditure account duly audited.

VII. AMALGAMATION OF SOCIETY

Whenever it shall appear to the Governing Body that an amalgamation is necessary, either wholly or in part, with another Society having similar objectives, to accomplish any particular purpose or purposes, it may initiate steps to do so by submitting the proposition to the members of the Society in written / typed or printed report and by convening a special general meeting for the consideration thereof according to the rules and regulations of the Society. But no such proposition shall be deemed to have been approved unless such report shall have been delivered or sent by post to every member of the Society 21 days previous to the date of the special general meeting convened by the governing body for the consideration thereof and unless such proposition is approved by members who being entitled so to do vote in person or where proxies are allowed, by proxy and such votes are not less than three times the number of votes, if any, cast against the resolution by member so entitled and voting and confirmed by a similar majority of votes at a second special general meeting convened by the governing body after an interval of thirty days after the former meeting.

VIII. DISSOLUTION

- a. The Society shall not be dissolved except in accordance with the provisions of the Karnataka Societies Registration Act.
- b. If upon the dissolution of the Society registered under this act there shall remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the said Society or any of them, but shall be given to some other Society, whose objects are similar to those of this institution **[and which enjoys recognition under Section 80G of the Income Tax Act, 1961, as amended from time to time which shall be]*** determined by the votes of not less than three fifths of the members present personally or by the proxy at the time of the dissolution or in default thereof, by such court as aforesaid.

* [amended in the General Body Meeting Held on 25th June 1993]