



MEMORANDUM AND BY-LAWS



TRIVANDRUM BENGALEE ASSOCIATION

Drafted by : Sri. N. K. Debnath

Deliberated & Modified by :

Sri. B. R. Ghosh
Sri. S. C. Ghosh
Sri. S. Sinha Chaudhuri
Sri. S. S Manna
&
Sri. S. N. Pal



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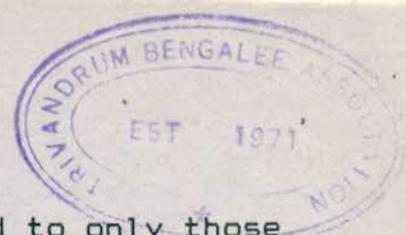
1. Sri B.R Ghosh
2. Sri S.C Ghosh
3. Sri S. Sinha Chaudhuri
4. Sri S.S Manna
- &
5. Sri S.N Pal



TRIVANDRUM BENGALEE ASSOCIATION
C/O Bharat Bhavan, TRIVANDRUM

MEMORANDUM AND BYE-LAWS

1. **Name:** The name of the association shall be "Trivandrum Bengalee Association".
2. **Office:** The permanent office of the association shall be Bharat Bhavan and temporary office may be C/O Secretary.
3. **Objects:**
 - a) To facilitate the national integration through its various activities
 - b) To promote and spread the Bengali Art and Culture
 - c) To promote welfare activities among its members and their relatives
 - d) To assist distressed Bengalees visiting /residing in Trivandrum
 - e) To maintain a Library for the benefit of Members
 - f) To encourage its members and their families to participate actively in cultural programmes of other linguistic associations and other bodies of Kerala
 - g) To propagate Bengali literature/ language through various programmes/education
- 4.0. **Activities in furtherance of Objects**
 - 4.1. To organise Durga Puja, Saraswati Puja, Lakshmi Puja, and other activities of Bengalees
 - 4.2. To provide opportunities to its members and their families to enhance their knowledge in Bengali
 - 4.3. To participate through cultural programmes in the activities of the association and other linguistic associations
 - 4.4. To felicitate individuals for outstanding performance in any field of culture, sports, education, literature, science and technology etc.
 - 4.5. To invite experts in Bengali culture, art and literature to share their knowledge with its members
 - 4.6. To publish and distribute bulletin, news letter etc. for the benefit of its members
 - 4.7. To organise sports, picnics, games etc. for the benefit of its members and their families
 - 4.8. To organise social get-togethers including send off parties
 - 4.9. To keep constant liaison with other linguistic associations and cultural affairs department of Govt. of Kerala
 - 4.10. To organise joint cultural programmes with other linguistic associations



5.0. Membership

5.1. The membership of the association is limited to only those persons who are interested in Bengalee culture and literature. Any individual /family who subscribes to the objectives of the association may be admitted to the membership of the Association.

5.2. Method of Admission

5.2.1. Application for membership in the prescribed form duly filled in and signed by the applicant, proposed by one member and seconded by another member of the association together with an undertaking by the applicant to abide by the Bye-laws of the association and annual subscription and entrance fee, shall be submitted to the President of the association.

5.2.2. The Executive Committee, hereafter called EC, after receiving the application for membership and after careful scrutiny in accordance with these Bye-laws, may admit the applicant as member and communicate the same to the applicant. The decision of the EC shall be final. On rejection of any application, the money received from the applicant shall be refunded forthwith.

5.3. Suspension from Membership

The EC may by resolution of a three fourth majority of its members present and voting at the meeting, after due investigation, may suspend any member from membership of the Association for any period for any act of omission and commission which is in violation of these Bye-laws or is against the interest of the Association. However, no such resolution to suspend a member shall be passed unless a member concerned is given an opportunity to explain his conduct.

5.4. Resignation

Any member may withdraw from the association by giving three months notice in writing to the Secretary of the intention to do so, provided the annual subscription up to the current year is fully paid off.

5.5. Cessation of membership

5.5.1. A member shall cease to be a member of the Association

- In case he is default in paying his subscription for last consecutive two years
- In case he resigns as per Bye-law 5.4

5.5.2 Cessation of membership shall be decided by the EC.

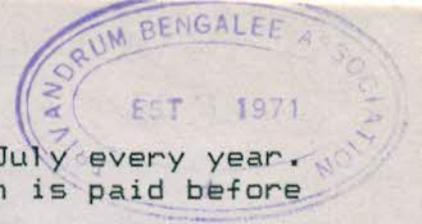
5.6. Register of Members

5.6.1. A register of members shall be maintained by the Secretary, in which name, address and other relevant information of each member shall be entered. This register shall be open for inspection by any member, on request.

6.0. Subscription

6.1. The subscription and admission fee shall be as follows:

Admission fee	: Rs. 10/
Annual subscription	: Rs. 100/ for family member Rs. 60/ for single member



6.2. The subscription shall be payable on 1st of July every year. Each member shall ensure that his subscription is paid before 30th September.

7.0. Rights and privileges of Members

7.1. Every member of the association shall be entitled to get one copy of the following documents:

- a) Receipts and Expenditure account of the previous year
- b) Annual report of the previous year
- c) News letter, Souvenir, Kay Kothai etc.

7.2. Each single member shall have one vote and each family member shall have two votes to exercise at general body meetings. Authorised proxy vote shall be entertained.

8.0. Executive Committee (EC)

8.1. The EC, shall consist of the 10-12 members including the following office bearers:

- a) President b) Vice President c) Secretary
- d) Treasurer e) Joint Secretary, if necessary

8.2. The EC shall meet at least once in three months. One third of the EC members in office at the time of the meeting shall form the quorum. Decisions at any meeting will be arrived at by majority of votes.

8.3. The Treasurer, on behalf of the EC shall maintain a membership register showing the names and addresses of members and subscription status of each member.

8.4. The EC shall have the following powers:

- a) The EC may exercise all powers of the Association not required to be exercised by the members in general body meetings.
- b) The EC may delegate any power to any sub committee formed by it.
- c) The EC will be the sole authority for interpretation of the Bye-law and any decision of the EC shall be binding on all the members. The EC shall exercise all such powers and do such acts and things as may be required for the furtherance of the objectives of the Association.

8.5. Without prejudice to the General Powers conferred, the EC shall have the following powers, functions and duties:

- a) To admit members
- b) To remove the names of any member from membership
- c) To suspend a member
- d) To arrange, deal with and manage the finance and funds
- e) To invest any money not required immediately
- f) To appoint personnel for any work connected with the affairs of the Association on remuneration or otherwise
- g) To execute and sign all deeds and documents or to enter into contract on behalf of the Association
- h) To maintain minutes of General Body meetings, EC meetings and other sub-committee meetings
- i) To convene Annual General Body Meetings (AGBM) and Special General Body Meetings
- j) To prepare and present the annual report and statement of accounts of the Association
- k) To purchase or acquire any asset for the Association
- l) To fill any casual vacancy in the EC



- m) To accept donations, grants, gifts and property/asset on behalf of the Association
- n) To recommend for the amendment of the Bye-laws and Memorandum of the Association
- o) To provide common seal/monogram of the Association
- p) To provide all other acts and things required for the furtherance of the objects subject to the Bye-laws

8.6. The **President** of the Association is **empowered** to give directions regarding business of the Association and he will have a **casting vote** or second vote during EC meeting.

8.7. The EC shall delegate the following **powers** to the **Secretary**.

- a) To take day to day decisions on minor issues on ad hoc basis for the smooth functioning of the Association
- b) To incur expenditure or receive fund for and on behalf of the Association for speedy business transaction. The above decisions must be ratified by the EC on post facto basis and any item of expenditure of more than Rs. 1000/ must have the prior in principle approval of the EC.
- c) To represent the Association as ex-officio member of Committees of Bharat Bhavan

8.8. The President shall be the chairman of the EC and in his absence, the Vice President shall take the chair.

8.9. The office of a member of the EC shall be vacated if:

- a) he tenders his resignation in writing and is accepted by the President of the EC
- b) he ceases to be a member of the Association under circumstances mentioned in the Bye-laws
- c) he absents himself without prior intimation to the EC from three consecutive EC meetings
- d) The Association by resolution in AGBM or EOGBM decides his termination

9.0. Election

9.1. During the last month of the term of the existing EC, the Secretary shall invite nominations for the following office bearers and members of the EC for the next year, giving at least 10 days time to the members for the nomination.

- a) President
- b) Vice President
- c) Secretary
- d) Treasurer
- e) Members (6-8 numbers)

9.2. Any member whose dues are clear up to date can contest in the election.

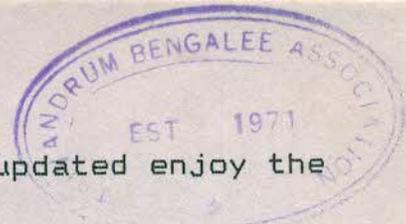
9.3. Any outgoing executive committee member shall be eligible for re-election.

9.4. Even if the number of nominations received is less than the stipulated number, the EC can be formed for the next year.

9.5. If the nominations are in excess of the stipulated number, the Secretary shall call for an election during the AGBM. Those members who receive the highest number of votes shall be declared elected by the President.

9.6. If there is an equality of votes between two or more candidates, the matter shall be settled by drawing lots.

9.7. If there shall occur any vacancy between two AGBMs, the vacancy can be filled by the EC by co-option.



9.8. Only those members whose subscription is updated enjoy the right to vote.

9.9. The election of a member of the EC shall be valid notwithstanding any defect that may be discovered subsequently.

10.0. Funds

10.1. Funds of the Association shall comprise of the amount raised from entrance fee, subscription and special contributions from members and donations, grants, gifts etc. received from other non-members and organisations.

10.2. The funds and income of the Association shall be used solely for the promotion of the objectives of the Association as set forth in these Bye-laws, subject to the approval of the EC. However, any extra ordinary major expenditure should have the approval of the general body.

10.3. The Treasurer on behalf of EC shall keep proper books of accounts with respect to:

- a) All sums of money received and spent by the Association and the matters in respect of which the receipt and expenditure take place
- b) All sales and purchase of the Association
- c) Assets and Liabilities of the Association

10.4. Financial year of the Association shall be July to June and accounts shall be closed as on 30th June each year.

10.5. The accounts of the Association shall be examined at the end of every year and correctness of the books shall be certified by an auditor appointed by AGBM.

10.6. The fund of the Association shall be deposited in Savings Account or Current Account in any nationalised bank or post office as decided by the EC. The Account shall be in the name of "Trivandrum Bengalee Association".

10.7. The account of the Association with bank/post office shall be operated by any two of the following office bearers.

- a) The President
- b) The Secretary
- c) The Treasurer

10.8. Expenditure of the Association shall be approved by the EC.

11.0. Annual General Body Meeting, Extra Ordinary General Body Meeting

11.1. The following business shall be transacted in the AGBM:

- a) Confirmation of the minutes of the previous AGBM
- b) Consideration and adoption of annual report
- c) Consideration and adoption of the audited accounts of the preceding year
- d) Election of the office bearers/members of the new EC
- e) Appointment of Auditor for the next year
- f) Any other matter with the permission of the chair

11.2. AGBM shall be held once in a year before the expiry of the financial year of the Association.

11.3. The General Body Meeting as mentioned above shall be called as Annual General Body Meeting or AGBM. All other meetings of the Association shall be called Extra-ordinary General Body Meeting or EOGBM.

- 11.4. The EC may, whenever think fit, call an EOGBM. An EOGBM may also be convened by any member enjoying written support of minimum two-third of the members of the Association for any reason including "no confidence" on the existing EC.
- 11.5. Not less than ten days notice for a EOGBM or AGBM shall be given to members, specifying the venue, day and hour of the meeting with a statement of the business to be transacted in the meeting in the form of a well addressed agenda.
- 11.6. Any notice to be given to a member shall be deemed to have been served if sent by post to the last known address of the member or served in person.
- 11.7. For all practical purposes, the quorum for an AGBM or EOGBM shall be one fifth of the membership strength. No business shall be transacted at any meeting unless there is requisite quorum.
- 11.8. The President of the Association or in his absence the Vice President shall take the chair during the AGBM and EOGBM.
- 11.9. If the business can not be transacted for want of quorum, the meeting shall be adjourned to such other time on the same day or any other day as decided by the EC. For this meeting, no quorum shall be necessary and limitation of notice shall be waived.
- 11.10. Every question submitted to a meeting shall be decided by show of hand or voice vote. The President shall declare whether the motion needs to be carried or not.
- 11.11. Any member desiring to move any resolution or motion at the AGBM can do so only with the permission of the chair.
- 11.12. Any such resolution or dispute shall be debated and shall be decided by the opinion of the majority of the members present in the meeting.
- 11.13. No other business except the subjects specified shall be discussed in an EOGBM.
- 11.14. The following subjects shall require the adoption of a special resolution by the EC and passed by three fourth number of members of the Association with voting rights in a Special General Body Meeting.
 - a) Amendment of the memorandum and the Bye-laws
 - b) Dissolution and disposal of assets of Association
 - c) Change of name of the Association

Dear Member,

Sub: Amendment of Bye-Laws

During the Annual General Body Meeting held on 24th June, 1990 at Vivekananda Centenary Memorial Institute, the draft Bye-laws, circulated earlier, were adopted with the following amendments.

Amendments:

1. Section 5.2.2, Last sentence amended to:

On rejection of any application, the money received from the applicant shall be refunded forthwith without any interest.

2. Section 5.3., One sentence to be added after explain his conduct.

The decision of the EC to suspend a member shall be ratified by General Body.

3. Section 5.4. - Resignation

The portion "provided the annual subscription upto the current year is fully paid off." - to be deleted.

4. Section 5.5.2., a new sentence to be added

If membership gets lapsed due to non payment of dues, the EC may permit readmission by treating the application for readmission as fresh application.

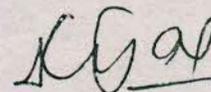
5. Section 11.1. c) - amended to

Consideration and adoption of audited accounts for the preceding year and the list of assets and liabilities if any, of the Association.

This is for your kind information and kindly keep this page along with the ~~draft~~ Bye-Laws already given to you earlier for your future reference.

Thanking you for the cooperation that you extended throughout the year,

Yours Sincerely,



(S.N. Pal)

June 25, 1990