



महेश्वरी विद्या प्रचारक मंडळ

प्रधान कार्यालय: १०९९/अ, मॉडेल कॉलनी, पुणे १६. दूरभाष: (०२०) २५६७ १०९० /९१
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स्थापना : १९२९

“CONSTITUTION”

1. **NAME:**“MAHESHWARI VIDYA PRACHARAK MANDAL (MVPM)”
2. **OPERATING AREA:** The MVPM will be working in India and across the globe.
3. **REGISTERED OFFICE/ HEAD OFFICE:** 1099/A, Model Colony, Pune-411016, Maharashtra
4. **OBJECTIVES OF MVPM:**
 - a) Establish, construct, acquire, run, maintain, support and / or to grant aid to educational institutions with good quality of education from Kinder Garden to Post Graduate, from Engineering field to medical, management, sciences, agriculture, art, culture and sports, skill development, Research & Development, institutions which imparts education, training and life-skills and all such fields where students can be educated, make their career and lead a good holistic life. The education through these institutions should be affordable to all classes of society. MVPM also intend to inculcate Social, Moral, Cultural and patriotic values amongst the youth.
 - b) Establish and administer hostel facilities for students of the society migrating to bigger cities for the purpose of pursuing education. The facility may be availed on long term or short term basis as the need may be. MVPM may build their own hostels or may take premises on rent for this purpose or collaborate with likeminded institutes for these purposes. Also, to build and administer working men’s/ women’s hostel.
 - c) To work towards women empowerment through various activities like education, empowerment and capacity building, household businesses, skill development, personality development, grooming, etc., activities which are helpful in order to build self-esteem and confidence in them.
 - d) To award scholarship, bestow fellowship, grant by way of loan and otherwise and on such conditions as it may be thought for the purpose of providing financial assistance to deserving and needy students of the society. The MVPM will institute Loan scholarships, Regular scholarships, free stay and food arrangements for the meritorious, deserving or needy students in the hostels.

- e) To felicitate outstanding students and professionals of society by recognizing their excellence and by giving them accolades and financial rewards, awards, etc. Also to create a platform where these achievers can interact with students and mentor them to lead a successful career.
- f) To support and guide youths of the society to increase their presence and contribution in the various upcoming fields, such as Civil Services, Army, technological opportunities and new age careers, etc.
- g) Create facilities like Incubation Center so as to support budding entrepreneurs of the society. These centers will facilitate them with infrastructural support, technological support and financial support. Networking with established business players and giving exposure to potential market places. This centre will promote entrepreneurship in the society by supporting the start-ups.
- h) To extend helping hand by financial help to the economically weaker and underprivileged people of the society.
- i) To set up deemed or autonomous University/ Institutes for imparting any kind of formal or informal education to the students
- j) To conduct, arrange, manage seminars, workshops, lectures, training sessions, programs, social or cultural programs, and to provide free assistance or guidance for the purpose of upliftment of the needy and deserving economically weaker students or persons.
- k) To motivate and encourage resourceful people to join and contribute in the various projects of MVPM.
- l) To collaborate with other Trusts/Entities/Individuals having similar objectives for speedier implementation of its programs, objectives, by sharing resources or joint ventures.
- m) To give priority to education and primarily work in the field of education as its main objective; however, it can also take any ancillary and supportive objective to support its main objective viz., education.
- n) To undertake all the necessary steps in case of natural calamity, Pandemic where the majority of the population has suffered.
- o) To take any objects mentioned above on priority basis, decide by majority resolution which of the objective to be taken singly, jointly or simultaneously and to take any charitable objective as may be permissible by laws for the time being applicable.

5. LIFE MEMBER OF THE MVPM:**A] Eligibility:**

Any person male or female, belonging to Maheshwari community who:

- a) Has attained the age of **21** (Twenty-one) years at the time of being admitted as a member of the trust.
- b) Has accepted in writing the constitution of the trust.
- c) Who is desirous of becoming a member of the trust and who applied in writing to get membership.
- d) Has paid in full the amount of membership fee, after he /she has been so admitted by Governing Council.
- e) Understands and accepts the values and objectives of MVPM and is willing to contribute constructively towards the fulfillment of the objectives of MVPM.
- f) Whose application is approved and admitted as member by Governing Council.

B] Process of Application:

- a) Interested people should apply at the head office of MVPM in writing with his/her intention to join along with their social credentials and other details as name, occupation, complete address, contact numbers, email id, etc. by duly filing prescribed life membership form available at the head office of MVPM.
- b) On receipt of application form, MVPM will scrutinize and verify the credentials of applicant in respect to potential contribution to MVPM and will put up their application to the meeting of Governing Council with its remarks.
- c) The Governing Council will consider the application in the meeting and will decide whether the membership can be granted or not and their decision will be final and binding. Governing Council reserves all the rights to accept or reject membership application to any person without assigning any reasons.
- d) Once the life membership is granted, the person has to deposit life membership fees in one installment within **30** days of receipt of this intimation. This period of **30** days can be extended to further **30** days' maximum on the written communication by such person seeking extension of time. However, such period cannot be extended for any reason whatsoever beyond **60** days in total.

- e) Failure to deposit membership fees in stipulated time of above stated **30** days and extension of another **30** days (total of **60** days), the membership offered will stand rejected automatically.
- f) All the existing members whose name appears in the register of MVPM will automatically become life member of MVPM with this new constitution, without paying differential fees.

C] Life Membership Fees:

- a) Initially the life membership fees will be **₹10,000/-** (Rupees Ten Thousand Only) per member. After every **5** years from the date of adoption and implementation of this new constitution, the fees will be automatically increased by **₹2,000/-** (Rupees Two Thousand only) to the then existing fees. For such increase, there is no need for the extra ordinary General Body or General Body to be called for this purpose and increase in the fees shall have deemed acceptance every **5** years. Governing council reserves right to **change** such membership fees further by its resolution to that effect which need to be approved by General Body. However maximum Life membership can be increased upto Rs 25000/- only. In order to increase the fee beyond Rs 25000/- the extra ordinary AGM should approve it.

D] Rights of the Life members:

- a) To attend the annual general meeting of MVPM.
- b) To participate in the discussions and work taken in the GENERAL BODY
- c) To cast the vote in GENERAL BODY and Special or Extra-ordinary General Body meetings.
- d) To contest election as per the pre- qualification criteria stated in ANNEXURE A

E] Duties of members:

- a) To actively participate in the activities of MVPM
- b) To volunteer for the programs of MVPM and allied activities
- c) To attend meetings of general or special /extra-ordinary general body or when called for.
- d) To update changes in their whereabouts like addresses, email ids, contact numbers, other details, well in time and in writing. If these updates are not given by the member well in advance then MVPM or its authorities/boards shall not be held responsible for sending notices or updates or reports on the last updated details like address, email, contact etc.

6. HONORARY MEMBERS:

Any person of high moral, social or ethical values, or contribution to Educational field or to Maheshwari Samaj, or to the public at large and having high reputation in the society or in Maheshwari Samaj, can be enrolled as honorary member by the Governing Council, if Governing Council thinks fit by majority resolution and for the specific tenure of not more than 3 years at a time and shall retire automatically after the end of 3 years from the date of appointment. Such appointment shall be by invitation only. The decision of Governing Council is final in case of honorary members. A separate register will be maintained for all such honorary members. However maximum number of Honorary members will not be more than seven at any point of time.

6A. Mentors committee:

All ex-presidents of MVPM shall be ex-officio members of the mentor's committee. Such mentor's committee is formed to guide Governing Council whenever required. President of MVPM may call the mentors committee or invite any of its members, to meetings of Governing Council and seek guidance or consultation in any regard of MVPM. However, such opinion or guidance or consultation may be considered by MVPM.

7. ORGANIZATIONAL STRUCTURE:

1. The organizational structure of the trust will be as below:

- a. General Body [GB]
- b. Board of Trustees {BOT}
- c. Governing Council (GC)
- d. Karyakarini [Managing Committee]
- e. Local Management Committee (LMC)
- f. Any other committee constituted by Governing Council from time to time

2. Office Bearers of MVPM

President ; 1

Vice President : 4

Working President : 1

Secretary ; 2

Treasurer : 1

8. GENERAL BODY:

Formation and rules of General Body:

- a) The General Body shall consist of all life members only.
- b) The General Body shall meet normally once in a year: physically or virtually.
- c) The General Body shall be conducted every year within six months of financial year ending or as per law of land.
- d) The notice of General Body shall be given **14** days before the date of meeting, by way of email, courier, post, by hand, other electronic ways or any other means.
- e) Such notice of General Body shall be issued by the Secretary of MVPM as per direction of Governing Council. If Secretary is not available then such notice can be issued even by President or Treasurer as the case may be.
- f) The “quorum” for General Body shall be either **1/10th** of total members’ strength or **75** whichever is less. In absence of “quorum” the meeting will be adjourned and re-convened after **30** minutes of scheduled time at the same venue and no quorum will be required in this case. In such situations only the subjects on the agenda of scheduled meeting can be taken and decided. Subject on agenda shall only be discussed at such adjourned meeting. Resolutions passed in such meeting or adjourned meeting shall be valid and binding.
- g) Special invitees, experts from various fields can be invited by the President or the working president as per the need of agenda. Such members will not have power to vote, take part in election or hold any post. They can attend the meeting and can share their views on particular subject if asked for by the President.
- h) General Body and Extra Ordinary General Body can be held at Pune only. Other meetings can be called and held at convenient places.

9. EXTRA ORDINARY GENERAL BODY

- a) Governing Council or Board of Trustees can call Extra Ordinary General Body meeting, as and when required, for deciding crucial and urgent matters of MVPM, by giving notice of **7** days in advance.
- b) On directions of Board of Trustees or Governing Council, the secretary or the President shall issue such notice and circulate agenda for meeting along with notice.
- c) The Extra Ordinary General Body can also be called by Governing Council on the receipt of the demand /request notice signed by minimum **75** of the life members given to MVPM.

On receipt of such request /demand notice, President and/or Secretary of the Governing Council shall call such Extra Ordinary General Body within the next **45** days from the date of receipt of such request notice. Norms applicable to General Body regarding quorum, manner of sending notice, etc., shall also be applicable to Extra Ordinary General Body Meeting. The subjects mentioned in the request / demand notice only shall be the subjects on agenda of such Extra Ordinary General Body meeting. Subject only on the agenda shall be discussed in such meetings. It is necessary that, more than **50%** of all the members who have signed on such request / demand notice, should be present in given time for such meeting when called. If such life members are not present, then such meeting shall not be adjourned for want of quorum and in such case such meeting shall stand vitiated and further no such meeting can be called for same subject for the next another **6** months.

- d) Extra ordinary General body meeting must be called, if there is any amendments proposed in the Constitution. Only single subject of constitutional amendment can be taken at such extra ordinary meeting.

10. ROLES AND RESPONSIBILITIES OF GENERAL BODY:

- a) To record and confirm the minutes of the previous General Body and Extra-Ordinary General Body Meeting. Minutes of General Body can be confirmed in Extra Ordinary General Body and vice versa is also applicable.
- b) Electing office bearers i.e., Trustees, President, members of Governing Council and members of Karyakarini **after every 3 years.**
- c) Appointment of statutory Auditor and fixing their remuneration.
- d) To review and approve the annual activities and audited statement of accounts
- e) To review and sanction the projects proposed by GC.
- f) To amend the Constitution as per requirement.
- g) To ratify the annual report of MVPM.
- h) Annual report shall be made available after issuance of notice of General Body till actual General Body meeting at the head office of MVPM for perusal of the members. Such annual report in soft copy can be sent on email id as an initiative towards greener world only to life members who have requested to that effect in writing. Hard copies of annual reports can be made available on request.

11. BOARD OF TRUSTEES:

1. Board of Trustees of MVPM who will oversee the working of the Trust. They will have the right to put their observations, suggestions and comments in the GENERAL BODY.

2. Board of Trustees will have **Nine (09)** members in total.

A. Permanent Trustees: Total seats 2 (Two)

a) One will be from the family of Late Rao Bahadur Hanmantramji Rathi, resident of Pune, as per earlier understanding between MVPM and Rathi family. Such will be permanent trustee during his/her lifetime or till such trustee resigns, dies or becomes incapable of working as a trustee.

b) One will be from the family of Late Laxmibai Lalchandji Mundra, resident of Thane Mumbai, as per the earlier understanding between MVPM and Mundra family. Such will be permanent trustee during his/her lifetime or till such trustee resigns, dies or becomes incapable of working as trustee.

c) The present representative permanent Trustees of respective families mentioned above, will nominate the name of next Trustee from original family, who will become Trustee after present trustee retires or his/her tenure ends.

d) In case of failure of such current representative permanent trustee to nominate during his life time or before resignation or otherwise, the members from original families mentioned above shall give their representative member on trust board. In case of any failure to send representative for any reason or due to dispute amongst such families, and failure to nominate their representative within **60** days from falling of respective vacancy, such post shall remain vacant till such undisputed representation is received and such representative is duly appointed as a trustee, on trust board by resolution in the meeting of the Trustees.

e) MVPM shall not be held responsible for any communication to any of the families or original donors, requesting thereby to send their representatives, in case of falling of any respective vacancy stated above.

B. Donor Trustees: total seats 2 (Two)

a) Two trustees will be appointed from the family of Pioneer Donors (from pool of members from Category **A** & category **B**) on the Board of Trustees of MVPM. However maximum one trustee can be appointed from one major donor family, which also means that, not more than one trustee will be appointed from the same family.

I. **Category A of Existing Pioneer Donors:**

This category consists of present List of existing Pioneer donors who are qualified to be considered for nomination of the post of Trustee. MVPM has prepared this List of Existing Pioneer donors for this category A is as follows mentioning their donation year in the bracket:

1. Seth Ramsukhji Chandak (1942) - Santokiram Ramsukh Chandak School, Solapur.
2. Shri. Bhikamchandji Sarda (1953) - Murlidhar Sarda V. Bhavan, Ahmednagar.
3. Shri. Vithuramji Narayandasji Lahoti (Bhivandi) (1962) - V. N. Lahoti V. Bhavan, Pune.
4. Seth Bhairuratanji Damani (1968) - Damani Vidya Mandir, Solapur
5. Shri. Ramkumarji Rathi (2004) – Hiralal Ramsukh Rathi V. Bhavan, Pune
6. Deshbhakt Shri. Harinarayanji Bankatlalji Soni (2006) - DHB Soni College, Solapur

II. **Category B of Future Pioneer Donors:**

This list will consist of future pioneer donors of MVPM, who will meet all /every of the following criteria. Such list will be maintained by the Governing Council and updated from time to time:

1. Person/ Family with minimum donation of Rs. **2. Cr** (Two Crores Only) to MVPM, which is instrumental in starting a new major activity/ Project. This amount will be taken as base amount for the year **2021**. This amount will be increased by **10%** after every three years, to take care of inflation. First revision of this amount will be done in January **2025 to Rs 2.2 Cr.** (Two crore twenty lacs only) and henceforth automatically there will be **10%** rise every **3** years on the then applicable base amount.
2. Upon satisfaction of above point No.1 only, this new activity is named after one of their family members or name, as suggested by such donor.
3. Such donor must be the then existing Life member of MVPM.
4. MVPM will call the letter of interest of all such representative members of each of Donor family (Category A & B above) for becoming donor trustee. The representative should inform MVPM in writing about their interest to become donor Trustee. All such requests received in writing will be kept in next trustee meeting for consideration. If the number of application, are two or less then they will be selected in the meeting of Trustee. However, if more than two applications are received, then Trust board will select any two representatives amongst application received. The trust board's decision will be final and

binding. The post of donor trustee is rotational and all the representative should receive fair chance one by one to actively contribute towards objective of MVPM.

5. The duration of appointment for Donor Trustee will be for the maximum period of three years. The retiring donor trustee will not seek extension for next three years in order to give fair chance to other major donor's families. However, in case other major donors are not available/ or not interested or willing to become Donor Trustee, then the retiring Donor Trustee can be continued for the maximum period of another three years. Thus, the post of this donor trustee should be filled by rotation amongst the category A & B of major donors.
6. Major donors under category A & B can recommend members of their family [class 1 heirship] and cannot nominate member outside their family

C. Trustees: Total seats 5 (five)

- a) The remaining five trustees will be elected by the GENERAL BODY
- b) The eligibility/ pre-qualification for trustee will be as per Annexure A.
- c) 7 trustees shall form Board of Trustees. This provision is made considering contingency that, in case any of the vacancy remained to be filled for any reason, Board of Trustees should not be incapacitated.
- d) In case of any vacancy in Board of Trustees out of elected trustees (5), then such vacancy shall be filled in consecutive General Body to be held after occurrence of such vacancy by conducting election to that effect. Such post shall be filled only for the residual period of respective Board of Trustees.
- e) The President of MVPM will be the ex-officio member of the board of trustee. However, he will not be a trustee and cannot cast his vote. But he can participate in the discussion in meeting of the Trustees.
- f) Change Report only of the trustees shall be submitted to the Charity Commissioners office. Any intermittent change in the trustees should also be reported by Change Report.

3. Functioning and Responsibilities of Board of Trustees

- a) The Board of Trustees will elect its own chairman for that particular meeting. As such there will not be any specific or special posts held by the trustees. All trustees shall have equal powers and shall be jointly and severally be responsible for the affairs of trust.
- b) The Board of Trustees will meet at least **twice** a year.

- c) The Working President or President of MVPPM will be the convener of the Board of Trustees and he will organize the meeting. Similarly, on directions of trustees, meetings will be called by working President or President, for subjects to be taken up by Board of Trustees.
- d) Such notice will be issued by the working President of meeting of Board of Trustees of 7 working days. It can be sent by Email, Courier, post, other electronic mediums or by hand to all trustees.
- e) Quorum: The “quorum” for Board of Trustees meeting shall be 5. In absence of “quorum” the meeting will be adjourned and re-conveyed after **30** minutes at the same venue and quorum will not be required in this case. Subject only on agenda shall be discussed at such adjourned meeting. Resolutions passed in such meeting or adjourned meeting shall be valid and binding.
- f) In special situations circular resolutions can also be passed by the Board of Trustees.
- g) All the moving and non-moving assets of the trust shall be vested in the Board of Trustees and shall be under the control of the Board of Trustees.
- h) The Board of Trustees will have all the powers to purchase, sale, transfer, alienate, alter, develop, lease, demolish, mortgage any or part of movable or immovable fixed assets, properties and shall also have power to give or take on lease or leave and license, which may deem necessary, expedient or desirable for any of the objects of the trust, subject to the provisions of the law in force.
- i) Trustee can raise loans, cash credits, loan against FDs and can also mortgage the property of trust to obtain loans from Banks for purchase of immovable properties, construction or development of existing properties/ Infrastructure or for any other lawful purposes or for running the trust or payment of its staff or for achieving the objective of MVPPM.

12. GOVERNING COUNCIL (GC):

A. Structure: Total 21 members

a)	President	1
b)	Vice President	4
c)	Working President	1
d)	Secretary	2
e)	Treasurer	1
f)	Members	9
g)	Educational/Other experts	3

B. Formation and Rules:

- a) Governing Council members shall be elected in General Body (total 18 seats). General Body shall only elect 18 such GC members including President. President of MVPM will be elected by General Body of MVPM.
- b) President of MVPM will be elected by General Body. President in turn shall appoint Vice President (4), Working President (1), Secretary (2), Treasurer (1), **amongst other 17 elected members of Governing Council** on respective posts. President will consult the members of Governing Council regarding appointment on these posts however President will have a final power to decide for such appointments. The decision of such elected President shall be final and binding.
- c) To call the GC meeting, a notice will be served **10** days prior to the meeting. In case of special/ extra ordinary situation, the meeting of GC can be called with shorter notice or even a very short notice of **24** hours. Circulatory resolution can also be passed by the GC.
- d) All the elected members can work till their tenure as mentioned in Annexure A. In case of any membership of GC, falling vacant either by death or resignation or removal or incapacity due to health or mental conditions of such member, or for any other reason, then such vacancy of GC membership can be filled by next Annual General Body Meeting by taking the separate subject on agenda for the same. Such newly elected member's tenure will be the residual period of Governing Council.
- e) President of MVPM will chair the meeting of GC. In the absence of President, the meeting will be presided by the working president of MVPM. In the absence of both of them, the meeting will elect its own chairman from amongst the members present, only for that particular meeting.
- f) No Change Report of Governing Council or any changes in the Governing Council shall be required to be submitted with Charity Commissioners office.
- g) Non-appointment of Educational and other experts on GC shall not be ineligibility of GC or hamper its functioning.

C. Roles and responsibilities:

- a) To execute and administer the working of trust and form and amend rules, regulations and sub rules for smooth and proper functioning of the trust.
- b) To consider and sanction annual income and expenditure statement/ budget of MVPM.
- c) To accept donations in cash or kind and /or arrange funds, CSR, with or without conditions.

- d) To represent the MVPM in any legal proceedings or to appoint attorney, delegates, manager/s or representatives or lawyer for and on behalf of the trust. To file or defend any kind of proceedings, cases, litigations, suits, writs, applications, file affidavits, adduce evidence etc. for and on behalf of the trust with the permission of trustees.
- e) To formulate and implement HR policies for smooth functioning of MVPM.
- f) Prepare investment policy of MVPM as per guidelines of Government. The GC can appoint or change an expert committee and get its recommendations.
- g) The GC can constitute any committee as per requirement of MVPM or discontinue or suspend or reform such committee and decide its tenure, functions, duties, responsibilities, etc. As far as possible, the preference will be given to the Life members depending upon their domain knowledge of the subject or expertise. However, the person who has domain knowledge of relevant field can also be appointed as a member of any committee even if he /she is not a Life Member of MVPM. Members of such committee other than life members will not have voting powers, cannot contest any elections or cannot hold any post. However, they can give their views. Such views or opinions expressed by such committees shall not be binding on the GC or Board of Trustees.
- h) To appoint the local management committee to look after various ongoing/ upcoming projects of the MVPM.
- i) Minimum of 4 meetings will be conducted for GC during the year.
- j) The GC will have full and exclusive right to frame the election process for all the posts in MVPM.
- k) President, working president, Secretaries and treasurer will look after day to day working of MVPM. However the entire GC shall be held responsible for the decisions of GC as a whole.
- l) Detailed roles and responsibilities are mentioned for each post as below.
- m) Once a new GC is elected, the earlier GC shall immediately hand over the charge and record to the newly elected GC.

13. PRESIDENT OF MVPM: Roles and Responsibilities:

- a) The President of MVPM shall also be the President of Governing Council.
- b) The President shall preside over all the meetings of MVPM except Board of Trustees.

- c) ALL the decisions in the General Body shall be with the consent of majority of the members, but in case of equality of votes , the President - or in his absence, the person presiding such meeting shall have the right of casting vote.
- d) The President shall have the right to call special, urgent or extra-ordinary meetings of any of the committees.
- e) The President shall supervise and give direction for overall working of MVPM with the help from Board of Trustees and Governing Council.
- f) The President shall do all acts in order to promote the general welfare of the trust.
- g) The President shall have equal power with the Secretary to call for General Body or Extra-Ordinary General Body or Special meetings of General Body or Governing Councils.

14. VICE PRESIDENT: Roles and Responsibilities

- a) He will coordinate the activities of the LMC, if more than one LMC is working at one centre.
- b) He will work as per the directions given by GC and perform any other duties and carry out any other responsibilities so given by GC by resolution to that effect.
- c) To be involved and taking leadership in new and upcoming projects of MVPM
- d) He will make special efforts to run a donation drive amongst the members of the society as per requirement of the project.
- e) He will recommend new members to be inducted at LMC level.

15. WORKING PRESIDENT: Roles and Responsibilities:

- a) The working president will execute all the decisions taken by Board of Trustees and GC and at the same time will look after the day to day working of MVPM with the direction / guidance from President.
- b) As per the need of the MVPM the Working President will be the authorized signatory for carrying out all the communication for and on behalf of the trust.
- c) The working president will have right to call special invitee members in GC
- d) In the absence of the President, working President will preside GENERAL BODY, Special or Extra-ordinary and GC meetings.

16. SECRETARY: Roles and Responsibilities:

- a) The secretary shall execute all the work of the trust as per the sanctions and directions of GC.
- b) Secretary shall be responsible for calling of GENERAL BODY. The Secretary will send written prior intimation and agenda to the members. Secretary will also be present in the meeting and shall write all the proceedings, record the minutes of the meeting, work accordingly and maintain the proper records.
- c) To prepare annual work report and present it in the ANNUAL GENERAL BODY MEETING for discussion, resolutions, rectifications and ratification.
- d) The Secretary shall be responsible for the expenses of the trust and shall spend as per sanctioned budget by GC and as per resolutions passed from time to time by the GC.
- e) Secretary shall look after day to day working of the trust as per directions of president and working president.
- f) The Secretary, as resolved in Governing Council, shall be responsible to implement rules and regulations of the working of the trust and he/she shall get all the sanctioned projects executed.
- g) The Secretary shall be responsible for the monitoring of assets and properties, payment of taxes of government and government Authorities, repairs and maintenance of asset and present the reports to GC as per the statutory requirement of Land of law.
- h) All the employees of the MVPM will work under the control of the Secretary and they will function under his direction.
- i) The Secretary shall be responsible for the maintenance of records or registers as well as, the custody of papers of all movable and immovable property of the trust and other duties that may be entrusted to him.
- j) The Secretary shall be the lead in all the functioning of the trust and shall be responsible for completion of tasks under the guidance and direction of President and working president.

17. TREASURER: Roles and Responsibilities:

- a) To monitor and control the financial transactions of the trust
- b) To prepare budgets of trust for every financial year and present it to GC
- c) To maintain accounts of the trust and present to GC
- d) To ensure that the expenses of the MVPM are within the control of the sanctioned budgets

- e) To conduct internal /external audit of the various projects of the trust, to maintain assets register and conduct annual assets and stock verification.
- f) To exercise general supervision over funds of trust and advise the committee on its financial policy.
- g) To place for correction and/or approval of budget and audit reports before GC as per law and as per the requirements of this constitution.

18. LOCAL MANAGEMENT COMMITTEE (LMC): Roles and Responsibilities:

- a) The GC only has every right to appoint LMC to care for day to day activities of ongoing and future projects of MVPM.
- b) LMC will constitute of maximum 20 members however GC has every right to expand it as per need of the project/activity.
- c) Preference will be given to the life members however as per requirement persons having domain knowledge of any particular subject can also be appointed as LMC member, even if he is not a life member.
- d) The tenure of the member in LMC is **1** year. LMC can be reformed or changed or dissolved even during its tenure of **1** year if resolved by GC.
- e) The working president will make performance appraisal for all the LMC members and on recommendation of working president GC can omit/change/add members to LMC.
- f) One member from GC will be appointed on every LMC as its ex-officio member. He will coordinate between GC and LMC and will ensure the proper functioning of LMC.
- g) LMC shall be answerable to GC and shall follow all directions of GC given from time to time. LMC shall assist GC wherever required by GC.
- h) No Change Report of LMC or any changes in it shall be required to be submitted with Charity Commissioners office.

19. KARYAKARNI:

A] Composition & Formation of Karyakarini

Karyakarni of MVPM will be elected in Annual General Body only. The maximum number of members in Karyakarni will be limited to **15%** of the then existing total Life members of MVPM. The working president can nominate additional **20** members on the Karyakarni.

B] Criteria for getting elected as a Karyakarni member:

He should be Life member of MVPM for minimum period of three years. He should be present in the electing AGM.

C] Tenure of Karyakarni

The tenure shall be three [3] years from its formation. Same Karyakarini will continue until next General Body or formation, in case of any unforeseen delay or contingency beyond control of GC because of which General Body is required to be postponed or taken after required mandate of time mentioned above.

D] Role & Responsibility

The meeting of the Karyakarni, as far as possible, will be held at least once in a year apart from AGM date. It will be presided over by President of the MVPM. The 14 days' prior notice of such meeting can be issued either by the President or the Secretary of GC with specific subjects on agenda of such notice.

The core function of Karyakarni will be resource mobilization for various activities of MVPM.

- a) The Karyakarni will decide about the scholarship policy of the MVPM in terms of fund raising, distribution and policy for the scholarship programme of the MVPM. It will help to strengthen the healthy scholarship programme of MVPM so that not a single student is left out of main stream because of paucity of funds.
- b) Karyakarni will also brainstorm amongst itself and suggest new initiatives for MVPM to Governing Council. Karyakarni will debate and brain storm new areas where MVPM can expand its activities in relation with fast changing environment. No Change Report of the members of Karyakarni or any changes in the Karyakarni shall be required to be submitted with Charity Commissioners office.
- c) The Life member who is interested in becoming the Karyakarni member should inform MVPM in writing about his interest in becoming Karyakarni Member in writing before electing AGM .
- d) GC shall form rules and regulations if not mentioned herein about any of such aspects for the functioning of Karyakarni, its duties, responsibilities, powers etc.

- e) Even though the total number of Karyakarni so formed in General Body or members so appointed on it by President is reduced to **15%** of total strength of life members of MVPM during the tenure of such Karyakarni, then also there will not be any need to fill up such vacancies in the General Body for residual period.

20. FINANCIAL TRANSACTIONS OF TRUST:

- a) All the assets and properties will be solely under the ownership of trust and the Board of Trustees and no member or donors will have any personal rights on those assets, of whatsoever nature. Also donors have no right to challenge the decisions of Board of Trustees, taken in respect of or pertaining to any of the trust properties. Board of Trustees have right to decide on the naming, utilization and usage of any immovable properties of the trustor its part or parts subject to conditional gifts or donations so far or henceforth received by the trust.
- b) The accounts of the trust will be maintained as per the government rules and regulations.
- c) All the Bank accounts will be opened preferably in nationalized banks, however as per need bank accounts in other banks can also be opened transferred, merged or closed as per guideline of Charity commissioner or law applicable in this respect.
- d) The bank account of the MVPM will be operated by any two of the following GC members/signatories. The GC has right to change any of the signatories by majority resolution.
- i. Working President**
 - ii. Secretaries**
 - iii. Treasurer**
- e) All the fixed assets, moving assets, fixed deposits, securities and shares will be on the name of the MVPM and all the necessary operation on these will be done as per point **(d)** above.
- f) In case of MVPM raising funds through availing loans from financial institutions, this needs to be approved by Board of Trustees. Such loans accounts will be operated as per above modus operandi only.
- g) All other accounts which are opened to run ongoing and future projects or activity will be operated by any two of the following
- i. Chairman of LMC**
 - ii. Secretary of LMC**
 - iii. Co-secretary/ Treasurer of LMC**
 - iv. Treasurer of MVPM**

- h) It should be ensured that all the payments made by the trust should be through account payee cheque/NEFT/RTGS. However, payments less than **Rs.5000/-** can be made by cash as per requirement. Similarly, all the receipts above **Rs.5000/-** will be accepted by cheques /RTGS/NEFT only. All the donations will be accepted as per Income Tax Act
- i) Funds and properties of the trust shall be utilized only for the objectives of the Society/Trust viz., MVPM.

21. ACCOUNTING YEAR:

The accounting year of the trust shall be from **1st April to 31st March** each year or as per Law of Land. If the law of land makes any changes to the financial year, then such change shall ipso fact be made applicable to this trust without any necessity to amend the rules to that effect.

22. GENERAL RULES AND REGULATIONS:

- a) **Notice of meetings:** As stated earlier, the notice of any meeting of any of the organizational structure mentioned in main **clause 7** above of the MVPM can be send by any mode of communication like Email, registered post A.D., by hand, fax, courier, or any other electronic medium like email or otherwise by any other mode as may be resolved by the Governing Council.
- b) **Duty of every member:** As far as possible preference should be given to sending of notices of Board of Trustees, General Body or Extra Ordinary General Body or other meetings of Board of Trustees or Governing Council or otherwise by Email as an initiative towards a greener world. All emailed notices sent on the last updated email id, are good service of notice. It is duty of every member to give their correct email addresses and update it from time to time with head office of MVPM.
- c) **Filing of Vacancy:** If by any reason any post (Working President, Vice President, Secretary, Treasurer, or any other post of Governing Council member) falls vacant before completion of the tenure, then the post should be filled as far as within **3** months by calling the meeting of Governing Council as per rules mentioned in clauses of Governing Council. It is made clear that, Governing Council can fill all the vacant posts except the posts of President and trustee. The vacant post of President and trustees should be filled by the next General Body only. However, by virtue of any such vacancy either in governing council or Board of Trustees, the resolutions and actions taken by GC and/or Board of Trustees shall not be

invalidated for any reasons. In case of any delay for any reason if next GC or Board of Trustees is not appointed/elected, then the then existing GC and/or Board of Trustees shall continue to operate and shall be in power legally until new GC or Board of Trustees is constituted.

- d) MVPM will hire locker facility and will keep all the original important documents in this locker. The said locker will be operated jointly by one of the trustees and the secretary of MVPM.
- e) The minutes of the meetings can be shown to the life members on its request. However, life member can see these minutes only at the head office of MVPM. He /she will not be allowed to make the copies or photocopies of the same. The minutes of the meetings of the Board of Trustees, however will not be available to all members. Only Trustees will have access to it.
- f) All the decisions of MVPM in GENERAL BODY, Trust board and GC will be taken by simple majority. In case of equal voting, President of the meeting will cast his casting/additional vote.
- g) All the meetings of the MVPM can also be held physically/virtually on any online platform and will be considered as legal, valid meetings having binding effect.
- h) Annexure A and General notes given below shall form part and parcel of this constitution.

23. RULE FOR TERMINATION OF MEMBERSHIP:

- a) The Life membership of any member of the trust will be terminated if he is found to be involved in any work or activity which is against the objectives or smooth functioning of the trust or tries to damage the interest of the trust directly or indirectly, or is disqualified, ineligible to be a member or becomes bankrupt or physically or mentally incapable or working against the interest of MVPM, then Governing Council will have right to cancel the membership, in the following manner, if any such complaint is received by trust.
- b) On receipt of the complaint Governing Council will take action as follows
 - i. Governing Council will appoint a subcommittee of any 3 life members for investigation. GC has right to add or alter constitution of such sub-committee or investigation committee.
 - ii. This subcommittee will investigate the matter and will submit the report to the Governing Council within the stipulated time allotted for the work.
 - iii. The subcommittee will ensure that the member should get the fair opportunity to present his case in front of subcommittee.

- iv. The decision of retention or termination of the membership will be based on the consent of **3/4th** majority of the members present in Governing Council.
- v. Governing council also reserves right to suspend the membership of such member found guilty for such period that GC thinks fit.
- c) The life membership of the member will be automatically cancelled on their death. It is not transferable to the heirs.

24. PROVISION FOR EXPENSES TO BE DONE ON THE OBJECTS:

Expenses shall be done according to the provisions of and in keeping consonance to Income Tax Act, **1961**.

25. IRREVOCABILITY CLAUSE:

This society shall be irrevocable society for all legal purposes.

26. BENEFICIARY CLAUSE:

Beneficiaries of this society shall not be specific individual and shall be section of public belonging to Maheshwari Samaj and/ or public at large. The provisions of applicable laws including Income Tax Act, 1961 in this respect shall be applicable.

27. CHANGE IN CONSTITUTION OF THE TRUST:

If there is any amendment or change in constitution of the trust as may be drafted and proposed by Governing Council upon holding of such meeting of GC, then it should be kept before the Board of Trustees and thereafter if approved by the board of trustees, then it should be brought in the agenda of next General body meeting or an extraordinary General Body meeting with details in notice of the meeting proposing amendments to constitution. The decision for the amendment or changes will be taken if requisite quorum is present in such meeting. The amendment should be supported by minimum **2/3rd** majority of the present members. The copy of proposed amendments should be sent electronically alongwith agenda of notice of such meeting . If such amendments are approved by General Body or **1st** extraordinary meeting of General Body then another meeting of General Body or **2nd** Extra-ordinary General body shall be held with a clear gap of **30** days for approving the amendments. On the day of such **2nd** General body or **2nd** Extra-ordinary General body meeting only the new / amended constitution shall come into effect. For this **S.12** and **12A**

of the Societies Registration Act, 1860 shall be applicable if anything remained to be clarified in this clause.

28. DISSOLUTION OF THE SOCIETY/ TRUST:

The proposal of dissolution of the Society and Trust has to be first approved by Governing Council and then by the Board of Trustee, then the Extra Ordinary General Body meeting will be called for final approval. In presence of requisite quorum, the present members can decide for dissolving the trust with 3/4th majority only. Once the society and trust is dissolved all the fixed and moveable assets and properties of the trust will be donated or this society shall be either merged or be amalgamated alongwith its funds and properties into another registered society or trust managed and controlled by Maheshwari Samaj only having similar objectives. In no case properties of this society/trust shall be distributed amongst members. If the Society is to be dissolved due to any reason whatsoever, then the provision of **Sec. 13 and 14** of the Societies Registration Act, 1860, will be considered.

29. MERGER OF ANOTHER TRUST IN MVPM:

- a) On the receipt of proposal of merger by another likeminded Trust into MVPM, it will be decided by Board of Trustees with 3/4th majority.
- b) Decision of Board of Trustees shall be final in this respect
- c) Board of Trustees may authorize any of the signatories to file a proposal for amalgamation or merger of another trust into this trust with Charity Commissioner office.
- d) Board of Trustees has every right to decide terms and conditions of merger.

ANNEXURE - A

Pre-Qualification of various Posts of MVPM						
Sr No	Name of Post	No. of Post	Tenure in terms	Max Total Tenure in term	Pre-Qualification (Minimum of 1 qualification is must)	Election / Appointing Authority
1	Permanent Trustee	2	N/A	N/A	Authorized Letter from family of Donors as per clause 11 (2-A) of constitution.	Ratification by General Body

2	Donor Representative Trustee	2	1	2	Resolution amongst Meeting called of Major Donor representative by President as per clause 11 (2-B) of Constitution	Ratification by General Body
3	Trustee in which Minimum 1 will be Female	5	1	2	· Former President/Trustee	General Body
					· Former Vice President	
					· Working President	
TOTAL TRUSTEE		9				
4	President	1	1	2	· Former President OR Working President	General Body
					· Former Vice President	
					· Former member of GC for 6 years	
5	Member of Governing Council (GC) Minimum of 3 Females	17	1	Max. 8 terms	· Life member of MVPM for consecutive 15 years	General Body
					· LMC Chairman for 1 year	
					· LMC Secretary for 2 Years	
					· LMC Member for 5 Years	
6	Expert Member of Governing Council	3	1	2	· Expert from Educational field · Prominent Social Worker of high repute and experience or person having expertise in public trust field. (Maheshwari or Non Maheshwari)	President in consultation with Governing Council
Total GC Members		21				
7	Members of Karyakarni As per cl.19 above	Max 15% of total Life Members	1	NA	· Life Member of MVPM for minimum 3 Years · He should be present in AGM in which he /she to be elected	The Annual General Meeting

8	Vice President Minimum of 1 Female	4	1	2	· Former Working President/Secretary/Treasurer	President
					· Former LMC Chairman for 3 Years	
					· Former GC Member	
9	Working President	1	1	2	· Former Secretary or Treasurer of MVPM	President
					· Former GC Member	
					· Former LMC Chairman for 2 years	
10	Secretary	2	1	2	· Former GC Member	President
					· Former LMC Chairman	
					· Former LMC Secretary	
					• LMC Member for minimum 5 Years	
11	Treasurer	1	1	2	· Former GC Member	President
					· Former LMC Chairman	
					· Former LMC Secretary	
					· Former LMC Member	

General Notes w.r.to chart above:

- a) Post **3 to 5 & 7** will be elected by General Body
- b) Post **8 to 11** will be selected by President amongst the elected GC Members only.
- c) Expert members (**3**) will be appointed by President in consultation with Governing Council. Such persons to be appointed may or may not be members of MVPM.
- d) General Body can waive off any pre-qualification in exceptional circumstance.
- e) The members must have minimum Graduation degree in any discipline to contest for any above post in MVPM apart from above mentioned pre-qualification .
- f) The term mentioned in above chart means a tenure between two consecutive Electing AGM which is generally 3 years. Total tenure for any elected post is maximum 2 Terms except for permanent trustees. However, General Body can extend it for another 1 Term. Under no circumstances, total tenure can exceed **3** Terms for any post by same member. However, in case of unforeseen events or circumstances beyond control, if the elections are postponed then, the bar of such maximum tenure shall automatically be extended. However, no maximum tenure is applicable for Karyakarni members.

- g) Governing Council (GC) is earlier Prabandhkarni Committee.
- h) LMC is Local Management Committee
- i) In case female members are not available as per qualifications prescribed above, for the post of Trustee/Governing Council, the qualified male members can be considered in their place. General Body can also consider the name of other female life members of MVPM by relaxing the pre-qualification.
- j) MVPM at present is operating at different locations in Maharashtra (Pune, Solapur, Mumbai, Ahmednagar and Pravaranagar). As far as possible, efforts should be made so as to give representation to all present and future centers with respect to their strength of activity in Trust Board/GC.
- k) Eligibility criteria as per above annexure A, for the post should also be considered based on earlier work done by such member, posts held, membership continued, credentials, dedication towards MVPM etc.

