

CONSTITUTION

THE ASSOCIATION OF MANDHATA SAMAJ, UK.

CLAUSE 1 TITLE:

The name of the Institution shall be "THE ASSOCIATION OF MANDHATA SAMAJ, UK." (hereinafter referred to as "Mandhata Samaj").

CLAUSE 2 HEADQUARTERS:

Until the Association acquires a suitable place for its office and various activities, the residence of the Secretary shall be the official Headquarters. The official language of the Mandhata Samaj shall be both Gujarati and English and shall be used when and where applicable.

CLAUSE 3 OBJECTS:

The objects of the Association shall be:

- a) to advance Hindu religion and education
- b) to relieve the effects of poverty and sickness
- c) to provide facilities in the interests of social welfare for recreation and other leisure time occupation with the object of improving the conditions of life of the youthful members of the Hindu community in accordance with the traditions of the Hindu faith, and
- d) to promote any other charitable purpose which the trustees may in their absolute discretion determine in the United Kingdom and elsewhere.

CLAUSE 4 POWERS:

As ancillary thereto and in furtherance of the above objects the Mandhata Samaj may:

- (a) Offer facilities for religious functions and the performing of all religious rites connected with births, marriages and deaths.
- (b) Provide a forum for lectures, discussions, concerts, functions, film shows and other activities to foster interest and participation for the achievement of the above objects.
- (c) Provide a library of books and periodicals.
- (d) Provide, endow, furnish and fit out with all necessary furniture and other equipment and maintain and manage such buildings and other premises as may from time to time be required for the purposes of the Mandhata Samaj.
- (e) Acquire, erect, establish, conduct, provide and manage centre or centres in furtherance of the aforesaid objects.
- (f) Subject to such consents as may be required by law to acquire, manage, erect, lease, let, hire, mortgage any such property(ies) as appropriate.
- (g) Solicit from individuals, government departments, local authorities, other national and international organisations, donations, gifts, contributions, legacies, grants, fees, subscriptions and movable and immovable property.
- (h) Raise, invest, re-invest, provide scholarships, (give financial assistance) or other financial securities as appropriate.
- (i) Undertake, executive, manage or assist any trusts which may lawfully be undertaken, executed, managed or assisted by the Mandhata Samaj in accordance with the rules and regulations as laid down in the Trusts Acts and Charities Acts at the time

- (j) Raise, spend and invest funds on any of the aforesaid powers provided that they are solely for the attainment of objects of the Mandhata Samaj and provided that the Mandhata Samaj shall not undertake any permanent trading activities in raising funds for its charitable objects.
- (k) Affiliate to other organisations and encourage other organisations to affiliate to Mandhata Samaj in order to promote the aforesaid objects.
- (l) Undertake all such lawful things, as may be necessary for the attainment of the said objects, or any of them, or the implementation of the provisions of the Constitution
- (m) The Association shall not engage in direct political activities except those permissible under its charitable status, ie in furtherance of its charitable objects.

CLAUSE 5 RESTRICTION ON THE USE OF FUNDS AND PROPERTY

The income and property of the Mandhata Samaj shall be applied solely towards the promotion of its objects as set forth in this Constitution and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit, to members of the Mandhata Samaj and no member of its Executive Committee shall be appointed to any office of the Mandhata Samaj paid by salary or fees or receive any remuneration or other benefit in money or money's worth from the Mandhata Samaj.

Provided that nothing herein shall prevent any payment in good faith in the Mandhata Samaj:

- (a) of reasonable and proper remuneration to any member, officer or employee of the Mandhata Samaj (not being a member of its Executive Committee) for any services rendered to the Mandhata Samaj;
- (b) of interest on money lent by any member of the Mandhata Samaj or of its Executive Committee at a reasonable and proper rate per annum not exceeding 2% less than the published base rate of a clearing bank to be selected by the Executive Committee;
- (c) of reasonable and proper rent the premises demised or let by any member of the Mandhata Samaj or of its Executive Committee;
- (d) of fees, remuneration or other benefit in money or money's worth to any company of which a member of the Executive Committee may also be a member holding not more than 1% (1/100) part of the capital of that Company.
- (e) to any member of its Executive Committee of reasonable out-of-pocket expenses.

class (c)
 item (c) add (2) Institutional £100.00
 amendment approved
 at AGM on 14/09/97.
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CLAUSE 6 MEMBERSHIP

Membership shall be open to all members of the Mandhata Community (ie. Koli Patel) above the age of 18 years and who endorse the objects of the Mandhata Samaj and who pay the agreed subscription as approved by the Annual General Meeting of the Mandhata Samaj.

The Mandhata Samaj shall consist of members called:

(a) Patrons (Life Members)		£251.00
(b) Donors (Life Members)		£151.00
(c) Life Members (1) Individual		£15.00
(d) Annual Members (1) Institutional	£100.00	£25.00
(2) Individual		£5.00

Such Annual Members shall be deemed to be a member for the Financial year in which payment is made and shall continue to remain so long as he/she/it pays the subscription fee within nine months from the beginning of each financial year.

(e) Honorary Members

Honorary Members may be elected by the Executive Committee as a token of appreciation of his/her distinguished services to the Association. He/she pays no subscription, has no vote and shall not be eligible to hold any office in the Association.

(f) Overseas Members

It is open to individuals, institutions, organisations, associations, groups and/or societies wishing to be kept in touch with the work of Mandhata Samaj. The subscription fee for such membership may be decided by the Executive Committee.

The subscription fee for all categories of membership shall be determined by the Executive Committee. However, the subscription will be reviewed once every three years at an annual general meeting.

CLAUSE 7 ADMISSION FORM

Any person or institution, wishing to become a member of the Mandhata Samaj, shall have to fill in, and sign the prescribed form and submit the same along with the required subscription fee to the Secretary. The Secretary shall present all such applications to the Executive Committee. All rejected applications will be returned to the applicants and it shall be the absolute discretion of the Executive Committee whether or not to show cause of such rejection. However, such applicant(s) can appeal to the Annual General Meeting against such rejection.

CLAUSE 8 ENTITLEMENTS

- (1) Membership shall entitle members to participate in the work of the Mandhata Samaj at the local, regional, national and/or international levels. They have the right and privilege to attend and participate in all open meetings of the Mandhata Samaj.
- (2) Members shall have individual voting rights at all public meetings of the Mandhata Samaj.
- (3) Institutional members shall have the right to exercise two votes at such meetings.

- (4) Overseas members shall not have voting rights.
- (5) Members have a right to seek any office in the Association.
- (6) Members have a right to inspect books and records of the Samaj on giving 30 days notice at a mutually agreed place and time.

CLAUSE 9 TERMINATION OF MEMBERSHIP

The Executive Committee shall have the right, for good and sufficient reason, to terminate the Membership of any individual or institution, provided that:

- (a) Written notice of the proposal to expel the member shall be given to him/her/it at least seven days prior to the meeting of the Executive Committee at which it is to be considered.
- (b) He/she/it shall be given an opportunity to be heard before a decision is made thereon.
- (c) He/she/it has a right to appeal to the Annual General Meeting whose decision shall be final.
- (d) Any contribution made by such a member will not be refunded except loan.

CLAUSE 10 REPRESENTATIVES:

An institution, organisation or association accepted by the Executive Committee as a member, must submit to the Secretary a statement in writing and signed by a duly authorised person, two names of its representatives along with the addresses. If any of them may, however, at any time make a change in the person(s) being their representatives, such change must be notified in writing and signed by a duly authorised person to the Secretary of the Mandhata Samaj. Any representative duly appointed shall serve as official representative till the next ensuing Annual General Meeting.

CLAUSE 11 EXECUTIVE COMMITTEE:

(A) Honorary Office Bearers:

The Executive Committee of the Mandhata Samaj shall consists of the President, the Vice President, The Secretary, Assistant Secretary/ies, the Treasurer, Assistant treasurer/s, Internal Auditor, 5 Holding Trustees, 14 elected Members of whom a minimum of 4 will be ladies and 2 representatives of the Affiliated Associations from the other UK cities.

(1) President

The highest office in the Mandhata Samaj shall be that of the President, who

- (a) Shall chair all Executive Committee Meetings and sign the Minutes as confirmed by the Meetings.

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- (b) Shall endeavour to establish liaison with various like-minded groups, associations and organisations.
- (c) Shall uphold the Constitution and guide the Mandhata Samaj in realising its objects.
- (d) Shall be responsible for the observance of the objects of the Mandhata Samaj together with rules and regulations implemented by the Executive Committee.
- (e) Shall also be one of the signatories to operate and manage the account or accounts with the Bank or such institutions on behalf of the Mandhata Samaj.
- (f) Shall have a second or casting vote at any meeting of the Executive Committee and the General Meetings, in the case of an equality of votes.
- (g) Shall undertake all such steps as seen to be necessary in furtherance of the aforesaid objects.
- (h) Have power to spend as prescribed by the Executive Committee from time to time, a sum of money for any specific urgent business of the Mandhata Samaj without the prior consent of the Executive Committee; but shall account for such expenses in the immediate Executive Committee.

(2) Vice President

The Vice President shall assume duties and responsibilities in the absence of the President and assist the President in carrying out his/her duties and responsibilities.

(3) Secretary

The Secretary, besides exercising a general supervision of the detailed working of the rules of the Constitution of the Mandhata Samaj, shall also be responsible for the welfare of the Mandhata Samaj and the dignity of the institution.

- (a) Keep and record in the Minute Book minutes of the Executive Committee and the General Meetings of the Mandhata Samaj.
- (b) Issue Notice of the meetings to all members and also inform the general membership of all the events, functions organised by the Mandhata Samaj. All such notices posted, shall be deemed to have been received.
- (c) Conduct correspondence and put the decisions of the Executive Committee Meetings into execution.
- (d) Keep in safe custody the files, Minutes Books, Register of all Members, copies of the Constitution, The Mandhata Samaj Seal and all other records of the Mandhata Samaj.
- (e) Prepare and submit for the approval of the Executive Committee his/her annual report of the Mandhata Samaj's activities for presentation to the Annual General Meeting.
- (f) Shall be one of the signatories to operate and manage the account or accounts with the Bank or such institutions on behalf of the Mandhata Samaj.
- (g) Have power to spend as prescribed by the Executive Committee from time to time, a sum of money for any specific urgent business of the Mandhata Samaj without the prior consent of the Executive Committee; but shall account for such expenses in the immediate Executive Committee meeting.
- (h) Carry out such other functions, duties and responsibilities as are delegated to him/her by the Executive Committee
- (i) Shall undertake all such things as seen to be necessary in

furtherance of the aforesaid objects.

(4) Assistant Secretary/Secretaries

- (a) The Assistant Secretary shall assist the Secretary in carrying out his/her duties and responsibilities.
- (b) Shall undertake all such things as seen to be necessary in furtherance of the aforesaid objects.

(5) Treasurer

- (a) The Treasurer shall keep general control over the finance of the Mandhata Samaj.
- (b) Shall keep such books and accounts as may be required and shall be responsible for the correct accounting of the receipts and payments and of the safe custody of the funds of the Mandhata Samaj.
- (c) Shall deposit all monies received within ten days into the Bank or Financial Institution approved by the Executive Committee and as per the Up-to-date Roll of Members shall collect subscriptions and dues from members.
- (d) Shall authorise and issue receipts for all incomes received by him/her on behalf of the Mandhata Samaj.
- (e) Shall prepare and present before the Executive Committee, management accounts, budgets and financial accounts of the Mandhata Samaj as and when required. He/she will also submit, for the approval of the Executive Committee, Annual Audited Accounts for the presentation at the Annual General Meeting(s).
- (f) Shall operate and manage jointly with the President and the Secretary the accounts with the Bank or such institutions on behalf of the Mandhata Samaj.
- (g) Have power to spend as prescribed by the Executive Committee from time to time, a sum of money for any specific urgent business of the Mandhata Samaj without the prior consent of the Executive Committee; but shall account for such expenses in the immediate Executive Committee Meeting.
- (h) Shall advise the Executive Committee through the President of any financial transactions being negotiated by the Mandhata Samaj.
- (i) Shall transact the financial business of the Samaj in such manner as the Executive Committee may direct from time to time.

(6) Assistant Treasurer/Treasurers

- (a) The Assistant Treasurer(s) shall assist the Treasurer in carrying out his/her duties and responsibilities.
- (b) Shall undertake all such things as seen to be necessary in furtherance of the aforesaid objects.

(7) Internal Auditor

- (a) To check the books of accounts from time to time and to prepare and sign the Income and Expenditure Statement of the Mandhata Samaj with relevant comments and forward this account to the Secretary or the Treasurer for approval by the AGM.
- (b) To advice the President/Treasurer/Executive Committee in connection with the state of the finances of the Samaj.

(B) Duties Common to All Office Bearers/Trustees

On relinquishing their office for whatever reason, all documents or property belonging to Mandhata Samaj shall be handed over to their respective successor or to the President/Trustee within six weeks.

(C) Functions and Powers of the Executive Committee:

1. To manage, control and supervise all the affairs, activities, the trusts administered by the Samaj and of all things necessary for and incidental to the carrying out of all the objects of the Samaj, except such as may have been expressly reserved by the general body.
2. No member of the Executive Committee shall be employed by the Mandhata Samaj.
3. All categories of members, who have been such members for a continuous period of one year prior to the date of election of the Executive Committee, shall alone be eligible for membership of the Executive Committee.
4. The Executive Committee shall be elected for a term of one year. At the expiration of one year, all the members of the Executive Committee, including Office Bearers shall *ipso facto* be deemed to have resigned; such members shall be eligible for re-election.
5. The Executive Committee shall have power to set up sub-committees and working parties as necessary to conduct the work of the Mandhata Samaj. The Executive Committee shall be empowered to select members of such sub-committees and working parties from suitably qualified and experienced persons. All acts and proceedings of any such sub-committees shall be reported back to the Executive Committee as soon as possible.
6. The Executive Committee shall be empowered to make by-laws for the purpose of carrying out the objects of the Mandhata Samaj, but not inconsistent with any of the rules of the Mandhata Samaj or any resolutions of the Annual General Meeting(s).
7. The Executive Committee shall have power to fill any vacancy occurring in the Executive Committee during the terms of office in compliance with (5). However, the vacancy occurred by resignation, death and/or expulsion of the President cannot be filled by the Executive Committee. This vacancy will have to be filled by a specially called Annual General Meeting.
8. Shall receive and determine any application for membership of the Mandhata Samaj.
9. Shall review membership subscription provisions, fees and charges from time to time for recommendation to the Annual General Meeting.
10. The Executive Committee shall meet at least four times a year.

11. The Executive Committee may ask any individual or official of any statutory authority to attend its meetings as an observer, if required for a particular meeting, who shall NOT have any power to vote.
12. Shall appoint and/or terminate the services of any employee(s) of the Mandhata Samaj.
13. Shall call a special and/or extra-ordinary General Meeting.
14. Shall adopt, issue and put into operation the Standing Orders and/or rules and regulations of the Mandhata Samaj, subject to review by the Annual General Meeting and shall not be inconsistent with the provisions of the Constitution.
15. Shall administer the finance of the Mandhata Samaj in conformity with the objects of the Mandhata Samaj and the general direction of the Annual General Meeting and to keep true and accurate accounts thereof.
16. Any organisation or individual requiring the services of the Mandhata Samaj, shall make an application in writing to the Secretary, which shall first have to be approved by the Executive Committee, who shall arrange to give its best possible service on merit and in the light of the prevailing circumstances.
17. The quorum at meetings of the Executive Committee shall be one-half or nine of the members whichever is the greatest number of the Executive Committee. If within 15 minutes of the appointed time of commencement a quorum is not established, the members present may commence the proceedings, but shall not take any policy decision which may affect the objects of the Mandhata Samaj.

However, members present may decide to adjourn such properly constituted meeting which shall stay adjourned until the day, time and place to be decided by those present at the meeting. Such an adjourned meeting shall not require a quorum, provided a written notice of such an adjourned meeting has been given to the members of the Executive Committee.

If any properly constituted meeting, having partially disposed of the Agenda, stands adjourned to a date agreed by the members present, shall not require a quorum at that adjournment to carry on with the remaining business on the Agenda of the meeting.
18. Any five members of the Executive Committee, may, in writing, request the Secretary to call a meeting of the Executive Committee. Within 14 days of the receipt of such request, the Secretary shall convene the Executive Committee Meeting.
19. All motions put to any of the meetings of the Executive Committee, shall be decided upon by a simple majority of votes.
20. A resolution or a decision approved or taken by an Annual General Meeting and Special or Extra-Ordinary Meeting cannot be overruled by the Executive Committee.

21. The Executive Committee may decide to affiliate to any charitable institution, association, group, organisation, society or authority, having formed for all or any of the objects of the Mandata Samaj.
22. In case of any dispute regarding the interpretation of the provision of this constitution, or any matter not provided herein, the Executive Committee shall decide and its decision shall be final.

(D) Disqualification of Members of the Executive Committee:

The office of a member of the Executive Committee shall be vacated:

- (a) - If a receiving order is made against him/her or he/she makes any arrangements or composition with his/her creditors.
- (b) If he/she becomes of unsound mind.
- (c) If he/she ceases to be a member of the Mandhata Samaj.
- (d) If, by notice in writing to the Mandhata Samaj, he/she resigns his/her office.
- (e) If he/she ceases to hold office by reason of any orders made under the Charities Act.
- (f) If he/she fails without satisfactory written explanation to be present from three consecutive Executive Committee meetings. However, the Executive Committee has to inform such disqualification to the Annual General Meeting.
- (g) In addition and without prejudice to the provisions of the Charities Act, the Mandhata Samaj members may, by Extra Ordinary Resolution remove any member of the Executive Committee and may by an ordinary resolution appoint another qualified member in his stead.
- (h) Change of office bearer in any circumstances, should submit all the relevant documents, files, money and any other items belonging to Mandhata Samaj, within 14 days in presence of office bearer.

CLAUSE 12 GENERAL BODY MEETINGS:

A. Annual General Meeting:

Each year during the month of September the Executive Committee shall convene an Annual General Meeting of the Mandhata Samaj by giving at least 21 days notice in writing, where all members shall be entitled to attend for the following purposes:

- (1) To receive and approve the annual report from the Secretary.
- (2) To receive and approve the audited Statements of Accounts and budget for the ensuing year presented by the Treasurer.
- (3) To appoint an Auditor or Auditors.
- (4) To elect the office bearers and fourteen other members of the Executive Committee.
- (5) Any other business, with the permission of the Chair.
- (6) Decision taken by the Executive Committee can be modified or rejected in the Annual General Meeting.
- (7) A resolution or a decision approved or taken by an Annual General Meeting or Special or Extra-ordinary Meeting cannot be over-ruled for a period of six months.

B. Special General Meeting:

A Special General Meeting shall be convened by the Executive Committee for the transaction of any urgent business and a written notice of such a meeting shall be given to the members at least 7 days prior to the date of the meeting. No other business may be transacted at a special general meeting other than the purpose for which it has been convened by the Executive Committee.

C. Extra-Ordinary General Meeting:

An Extra-Ordinary General Meeting shall be convened by the Executive Committee within four weeks after receipt of written requisition duly signed by at least 100 or one-third of the members (whichever is the lesser) and stating the purpose of the requisition.

All members shall be notified in writing at least 14 days prior to the date of the meeting.

However, should the Executive Committee fail to convene a meeting within four weeks from the date of the receipt of the request, then the Trustees should be approached, and if they too fail to call an Extra-ordinary Meeting the requisitionists themselves may call the meeting giving not less than 14 days notice to all members, and the decision taken at such a meeting shall be conclusive and binding on all. No subject, other than the specific subject for which the meeting is convened, shall be discussed at the meeting.

CLAUSE 13 GENERAL PROCEDURES AND POWERS:

1. A member can attend any General, Annual or Ordinary meeting personally or by proxy, provided that the document of proxy shall be deposited at the headquarters of the Mandhata Samaj at least 48 hours before the date and time of the meeting and provided further that the proxy shall be a member of the Mandhata Samaj competent to vote according to the rules for the time being in force and provided further that, no vote shall be recorded for purposes of election on behalf of persons present by proxy.
2. All motions put to any of the meetings shall be decided upon by a simple majority of votes unless otherwise specified in the Constitution. The Chairman shall have a casting vote distinct from his/her ordinary vote.
3. Votes shall be counted by "show of hands" only unless the Meeting decides by a majority to vote by ballot.
4. Any resolution for consideration at the Annual General Meeting must be received by the Secretary, duly seconded in writing for consideration by the Executive Committee at least 21 days in advance of the Annual General Meeting.
5. No members shall be entitled to vote at the Annual General Meeting unless all money presently payable by him/her to the Mandhata Samaj has been paid. However the Executive Committee will have the power to waive this restriction in view of any special circumstances that may be brought to their attention.
6. Two representatives of every affiliated organisations shall also have the right to vote provided the names of such persons have been submitted to the Secretary well in advance in writing.

7. A resolution put to the vote of the meeting shall be decided on the show of hands, unless a secret ballot is demanded by a majority of members present at the time of the meeting. A ballot may also be directed by the President. In the absence of any such deliberations the President shall declare whether a particular resolution has been carried either unanimously or by a majority of vote or lost, and an entry to that effect shall be made conclusively in the Minute Book.
8. Every voting member and delegate of an affiliated organisation present in person shall have one vote. In the case of an equality of votes, whether on a show of hands or on a ballot, the President shall be entitled to a second or casting vote.
9. In the absence of the President, the Vice President shall preside over the meeting. In the absence of both of them the members present shall elect a chairperson for the meeting.
10. The quorum for any General Meeting shall be one third of the total membership or ten whichever is the greater. If a quorum at the aforesaid meeting is not formed for 15 minutes from the time of the meeting, the members present who shall number at least 50 may commence the proceedings, or may adjourn the meeting, to any convenient day and time for which reasonable notice shall be given to the absent members. Business may be transacted without quorum at the adjourned meeting.
11. If any properly constituted meeting, having partially disposed of the Agenda, stands adjourned to a date agreed by the meeting then it shall require no quorum at the adjournment to carry on with the remaining business of Agenda. No other subject than the Agenda will be discussed at the adjourned meeting.

CLAUSE 14 ELECTION PROCEDURE:

- (a) A notice shall be served upon all members and affiliated organisations at least 21 days before the election day, calling for nominations for the various office bearers and members of the Executive Committee, to be duly seconded and submitted in writing so as to reach the secretary not less than 5 days before the election day. En bloc nominations shall not be permitted.
- (b) All nominations should be accompanied by a written consent from the nominated person.
- (c) If the number of nominations (including those made at the meeting) does not exceed the number of vacancies to be filled, the persons nominated shall be declared to have been elected at the qualified Annual General Meeting.
- (d) In case the number of nominations exceed the number of vacancies voting shall take place by a show of hands or ballot paper as decided by the Annual General Meeting.

- (e) The required number of candidates (to fill the vacancies) obtaining the highest number of votes shall be declared elected. In the event of a tie, a second vote to elect one of those tying for it shall be taken for that position.
- (f) The election shall be conducted by the Chairperson of the Trustees. He/she may appoint scrutinizer(s) for the purpose of such election(s).

CLAUSE 15 INDEMNITY

In the execution of the Trusts hereof no Executive Committee member shall be liable for any loss to the property of the Mandhata Samaj arising by reason of any improper investment made in good faith (so long as he/she shall have sought professional advice before making such investment) or for the negligence or fraud of any agent employed by him or by any other Executive Committee member hereof in good faith (provided reasonable supervision shall have been exercised) although the employment of such agent was strictly not necessary or by reason of any mistake or omission made in good faith by any Executive Committee member hereof or by reason of any other matter or thing other than wilful and individual fraudulent wrong doing or wrongful omission on the part of the Executive Committee member who is sought to be made liable.

CLAUSE 16 SPECIAL POWER

The President and/or the Executive Committee, Trustee or the Trustees may be removed at any time during term of office at an Extra-Ordinary General Meeting called for that purpose by a simple majority. On such removal, a new President, Executive Committee, Trustee or Trustees shall be elected in accordance with the provisions of this Constitution.

CLAUSE 17 AMENDMENT TO THE CONSTITUTION

Except where otherwise provided any provisions of this Constitution may be amended or revoked by a Resolution passed by two-third majority of the members present at the qualifying General Meeting, but any proposal to alter the rules for the time being in force, must be communicated to the Secretary and must be specific and in writing. The Secretary shall put the same to the Executive Committee for its information and thereafter circulate the same to all the members at least 28 days before the meeting at which the proposal is to be moved. No amendment shall be made which would cause the Mandhata Samaj to cease to be a Charity in Law. Provided that no amended to Clause 3, this Clause or Clause 23 shall take effect until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained.

CLAUSE 18 EXTERNAL AUDIT

- (1) Once every year the Accounts, Books and relating records shall be examined and the correctness of the Accounts prepared by the Treasurer ascertained by the Mandhata Samaj's Auditor(s).
- (2) The Auditor(s) shall be appointed at the Annual General Meeting in pursuance of the Charities Acts and Charities legislation and their duties should be in accordance therewith.

CLAUSE 19 FINANCIAL YEAR

The Financial year of the Mandhata Samaj shall be from the 1st April to 31st March.

CLAUSE 20 HOLDING TRUSTEES AND TRUST PROPERTY

Five senior members of the Samaj - patrons, donors, or life members - be elected to the Management Committee to serve for a period of five years as Holding Trustees who will be named in any documents of title of the Samaj. *

(1) Subject to the provisions of Sub-clause (2) of this clause, the Executive Committee shall cause the title to:

- (a) all land held by or in trust for the charity which is not vested in the Official Custodian for Charities; and
- (b) all investments held by or on behalf of the charity;

be vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding Trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, the Holding Trustees shall not be liable for the acts and defaults of its members.

(2) If a corporation entitled to act as custodian trustee has not been appointed to hold the property of the charity, the Executive Committee may permit any investments held by or in trust for the Charity to be held in the name of a clearing bank, trust corporation or any stockholding company which is a member of the International Stock Exchange (or any subsidiary of any of the stockbroking company) as nominee for the Executive Committee, and may pay such a nominee reasonable and proper remuneration for acting as such.

CLAUSE 21 COPY OF RULES

Every member shall have a right to a copy of the Constitution and Audited Accounts of the Mandhata Samaj passed during the year at a prescribed cost.

CLAUSE 22 STANDING ORDER

The Executive Committee shall have power to adopt and issue Standing Orders and/or Rules for the operation of Projects/Schemes. Such Standing Orders and Rules shall come into operation immediately, provided always that they shall not be inconsistent with the provisions of the Constitution.

CLAUSE 23 DISSOLUTION

The Mandhata Samaj may at any time be dissolved by a Resolution passed by three-fourth majority of Members present and voting at such a General Meeting of which at least 28 clear days written notice shall have been given to all members. Such Resolution(s) may give instructions for the disposal of any assets held by or in the name of the Mandhata Samaj PROVIDED THAT if any ASSETS remain after the satisfaction of all debts and liabilities such ASSETS shall not be paid or distributed amongst the members but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the Mandhata Samaj as the Mandhata Samaj may, with the approval of the Charity Commissioners or other authority having charitable jurisdiction, determine.

The above constitution was passed by a Special General Meeting called for the purpose on 13th June 1993 held at West Bromwich. It incorporates the amendments passed at the EGM on 18th February 1996.

President..... B. J. T. Secretary... Bhishu Patel...
18 Feb 1996.