

**DRAFT BYE-LAWS/ CONSTITUTION OF ASSAM PEOPLE’S WELFARE**  
**ASSOCIATION FOR APPROVAL OF GBM**

I. Terms: Unless there is anything repugnant in this Constitution:

- a. Society means the “**Assam People’s Welfare Association**”.
- b. The committee means the Executive Committee of the **Assam People’s Welfare Association**.
- c. The President means the President of the **Assam People’s Welfare Association**.
- d. The Vice-President means the Vice-President of the **Assam People’s Welfare Association**,
- e. The General Secretary means the Secretary of the **Assam People’s Welfare Association**.
- f. The Joint Secretary means the Joint Secretary of the **Assam People’s Welfare Association**.
- g. The Coordination Secretary means the Coordination Secretary of the **Assam People’s Welfare Association**.
- h. The Treasurer means the Treasurer of the **Assam People’s Welfare Association**.

II. Name: This Organization shall be called the **Assam People’s Welfare Association**.

III. Address: \_\_\_\_\_ (To be decided)

IV. Aims and objectives of the society

- i. To conserve, promote and showcase the rich cultural heritage of Assam in general and other parts of the North Eastern region from time to time with special emphasis on festivals, music, art, rituals, sports, mythology and cultural interactions with other communities.
- ii. To foster and strengthening of cultural ties amongst the Assamese populace based in different parts of the Delhi NCR Region, particularly in the Trans Yamuna Areas of Delhi NCR Region.
- iii. To collaborate with national and international organizations/institutions engaged in similar activities for organizing programs in accordance with the objectives of the organization.

- iv. Organizing other cultural exchange programs at national as well as international levels.
  - v. Publishing periodic journals, research papers, news magazines for promoting the activities of the organization.
  - vi. Organizing exhibitions, cultural shows and handicraft expositions to create awareness about the rich and folk tradition of Assam and other states of the Region.
  - vii. To Establish Cultural Centers, Community Centers, Convention Centers, Hospitals or any other infrastructure to support the activities of the Society and generate income for the Society.
- V. Authority: The authority of the society shall be supreme in all matters of policy, management, finance, discipline, supervision, direction and control. All other bodies and individuals exercising authority shall be subordinate thereto.
- VI. Membership: The Society shall be secular in character. Every adult of sound mind who pays Rs.500 (Rupees Five Hundred Only) one installment as membership fee and applies on prescribed form, on approval of the committee, a member of the Society irrespective of his/her caste, creed, colour, sex and social standing.
- VII. Quorum: The Quorum of an ordinary meeting of the Society shall be 1/3 of the total number of members.
- VIII. Amendment in Constitution : The Constitution and rules of the society (except Para VIII is not to be altered, changed, amended or deleted) can only be changed or amended or deleted when Quorum of the meeting is not less than 2/3 of the total number of the members of the society and the resolution is carried by the majority of 3/4 of the members present which must be more than 1/2 of the total number of members of the society.
- IX. Executive Committee: The Executive Committee shall consist of 15 members with 10 members elected from amongst members of the society through elections and with 5 members on nomination basis, to be decided by the Executive Committee to further the interests and outreach of the organisation, and later to be ratified by the members in the Annual General Meeting of the Society. No nominated member can hold the post of President, Vice President, General Secretary and Treasurer. However, they hold the right to vote in case of all major decisions of the Society.
- a. Office Bearers: The following shall be the office bearers of the executive committee:
    - i. President. (No. of Post-1)
    - ii. Vice President. (No. of Post-1)

- iii. General Secretary (No. of Post-1)
- iv. Joint Secretary (No. of Post-1)
- v. Coordination Secretary (No. of Posts – 1)
- vi. Treasurer. (No. of Post-1)
- vii. Executive Member (No. of Post-7)

b. Qualifications: The society can obviously be better managed by educationally well-qualified managing bodies. Following qualifications are, therefore, laid down for the guidance of electors of the Executive Committee. Variations can however be made in special cases:

- i. President & Vice President: No educational qualifications are laid down for these office bearers, but they should be persons of repute and dignity.
- ii. General Secretary: A man of experience and letters can be elected as General Secretary.
- iii. Auditor: A person who is well versed in accounts is to be elected for auditor-ship.
- iv. Members of the Committee: Minimum educational qualification for a member of the Executive Committee that he should be literate.

c. Elections: The members of the committee shall be elected by successive votes of majority. In case of equal number of votes polled by last two candidates, the President shall have casting vote.

d. Duration: The duration of the committee once formed shall be of two (2) years. The duration of all the elected office bearers of the committee shall be of two (2) years.

e. The duration of all nominated members is one year or co terminus with the tenure of the Elected Office bearers, whichever is earlier. However, the Executive Committee reserves the right to extend the tenure of the nominated members in the interests of the organization to be duly ratified by the members in the Annual General Meeting of the Society.

f. Termination : The Executive Committee may take a decision to terminate any member of the Society (including Executive Members) on disciplinary grounds if he or she is found of any harmful intent towards causing damage to the reputation of the Society or any other unlawful activity as deemed such by prevalent laws of the land. The Constitutional Committee will guide the process of termination examining all circumstances and procedure as per the rule of law.

X. Duties:

a. **President:**

The President will be dignitary constitutional head with executive powers. Every act of the committee or the society shall be in the name of "President".

- i. Shall be Executive head of the executive committee.
- ii. The President shall preside over the meetings of the society and the committee to take both, to declare the result of voting to determine the order in which the several proposals shall be laid before the society and committee and generally to supervise the conduct of the business.
- iii. Shall be responsible for all acts of the committee to the society.
- iv. The President may advise the committee on matters of policy and Management, if he/she so desires.
- v. He/she will have casting vote, if necessary.
- vi. He/she can set up special subcommittee from amongst of the members of the society in consultation with the committee.

b. **Vice-President:** shall perform all the duties of President in his absence.

c. **General Secretary**

- i. Shall superintend all institutions started by the society subject to its control.
- ii. Shall carryon correspondence and maintaining proper order the records of the society and the committee.
- iii. Shall propose items of business for the meetings of the society and the committee in consultation with the President or in his absence Vice President.
- iv. Shall prepare and place a report of the general condition and the progress of the society in the annual meeting of the Society.
- v. Shall lay accounts already checked by the President before the committee at the end of every quarter.

d. **Joint Secretary:** Shall help the General Secretary in all matters of administration and management and exercise same powers and responsibilities in his absence.

e. **Coordination Secretary:** Shall help in communications/publications of all kinds with the General Members of the Society, general or interested collaborators, media, Government Bodies etc. in accordance with the activities of the Organization requiring both external / internal correspondence.

f. **Treasurer:** Shall maintain all the accounts of the committee or society.

XI. Duties of the Auditor: He/she audit the accounts of the Society quarterly and shall certify to the correctness of the account or otherwise. He/She shall bring all errors, omissions and irregularities to the notice of the manager in writing. He/She shall also prepare an annual report of the accounts to be put up before the society in the Annual General Meeting.

XII. Meetings

a. Annual Meetings

- i. The notice convening the annual meeting of the Society shall be issued by the General Secretary or on his behalf, Coordination Secretary with the approval of the President and shall be sent to every member at least 10 days before the date fixed for the meeting with clear agenda containing date, time and place fixed by the committee.
- ii. It is obligated on the General Secretary under these rules to convene a meeting of the Society and if he fails to do so, the President shall convene the meeting of the Society.
- iii. The meeting of the Society shall be convened at least once a year between 1st May and 30<sup>th</sup> June to consider following:
  - a. Consider annual progress report of the society.
  - b. Pass the budget for ensuing year.
  - c. Discuss the resolutions sent by the members of the society.
  - d. Discuss and adopt amendments to the Constitution, if any.
  - e. Elect members of the executive committee.
- iv. If General Secretary or the President fails to convene such a meeting any 10 members are entitled to convene such meetings provide 15 days clear notice is given to every member of the Society, specifying agenda, date, time and place of meeting.

b. Special meetings:

- i. The committee of its own accord at the written requisition of not less than 1/6<sup>th</sup> of the total strength of the society shall convene meeting of the Society. In case of requisition the meeting shall be called within 21 days from the date of receipt of such requisition. If within this period the committee fails to call a meeting, any 1/5<sup>th</sup> of the total strength of the Society shall be entitled to call special meeting, notice of which shall be given under registered, to each member of the Society specifying agenda, date, time and place of the meeting.
- ii. A motion for vote of censure or no confidence against the committee can only be discussed at a special meeting of the Society provided that at least 30 days clear

notice in clear terms is given to all members of the society. Such meeting shall only be called at the written requisition of 1/4<sup>th</sup> of the total strength of the society. In case of vote of censure or no confidence is carried in such a meeting the term of the committee shall terminate but such meeting shall always provide for the management of society for the interim period till a new committee is elected again, unless it is so constituted then and there.

c. The meeting of the Society shall be decided by the President, in his absence by the Vice President and failing that by any official president elected at the meeting. The proceedings of meeting shall be recorded in a book under the signature of the President by the General Secretary, in his absence by the Joint Secretary and failing that by a General Secretary elected at the meeting and shall be laid before the next meeting of the Society for confirmation.

d. All matters brought before the Society shall be decided by a majority of votes, the presiding officer have a casting vote, if necessary.

e. If any meeting of the society is adjourned for want of quorum to a certain specified date it can transact business of that meeting alone on a adjourn date even without the ordinary quorum of the society but no change in the constitution can be effective. The period of an adjournment be 15 days to 30 days and notices for the next meeting shall be given a fresh.

### XIII. Cessation of society membership

- a. If a member dies.
- b. If he/she resigns and the resignation was accepted by the President. But it shall not be applicable to patrons.
- c. If he/she is convicted for an offence involving moral turpitude by a competent court of law.
- d. If he/she becomes insane.
- e. If he/she accepts paid appointment under the society his membership shall remain in abeyance so long as he/she is employee of the society.
- f. If he/she does not attend three consecutive meetings of the society without giving satisfactory reasons acceptable to the committee but Patrons shall be exempted from this rule.

XIII. The monies of the Society shall always be deposited in some approved bank (by the committee) and the account shall be operated jointly by the President, General Secretary, Treasurer (in Either two of three mode of operation) in the name of the society.

XIV. Withdrawals from the bank shall not exceed one-month expenses an exception can, however, be made to this rule when some big projects are in hand. On such occasions the President/General Secretary and Treasurer shall withdraw under the advice of the special subcommittees such amounts as will enable them to carry on one-month expenses.

XV. Member shall cease to be a member of the committee in a case of absence for three consecutive meetings of the committee without giving satisfactory reasons acceptable to the committee or if he/she does not take an oath as provided, if he/she resigns from the committee.

XVI. The casual vacancy/vacancies occurring for reasons given in article XV shall be filled up by selection by the committee from amongst the member of the Society. Such membership shall lapse on the date fixed for the next general meeting of the Society when by-election shall be fought for such a vacancy.

XVII. *Property*: all property is movable, or immovable of the society shall vest in the society or its Executive Committee.

XVIII. All the proceedings in the court of law on behalf of the Society or its Executive Committee or any of its institutions or vice versa and other legal commercial transactions and business in connection with the society or its Executive Committee or any of its institution shall be in the name of its President.

XIX. The President in consultation with other members of the Executive Committee may appoint from amongst the members of the society special subcommittees to assist and advise the committee in a certain special matter.

XX. The Society shall appoint a constitutional committee of well qualified persons, the number of whom shall not exceed three (3), for the interpretation of these rules, on any reference of the society or the committee. Any time a dispute arises to the interpretation of these rules, the decision of the Constitutional committee shall be final. The term of office of such a committee shall be one year.

XXI. Every and anyone can be supplied with a copy of these rules on payment of Rs. 100 certified by the manager or the President.

XXII. The posts of all office bearers, the auditor and the members of the executive committee shall be purely honorary.

*Any feedback suggestions may be mailed at : [dhruba271@yahoo.com](mailto:dhruba271@yahoo.com) with a cc to : [advocatemanishgoswami@gmail.com](mailto:advocatemanishgoswami@gmail.com) by 31<sup>st</sup> October , 2019*