

COLLECTIVE PROSPERITY FUND ACT, 2024

1. Preamble: (Subs. by Art. 15 18/05/2024)

We, the members of the [THE BOYS (WhatsApp group created on 23/04/2022, hereinafter "group")], driven by the noble spirit of collective progress and mutual succour, do hereby establish this Constitution to govern the functioning of the group and its dedicated Fund, aptly named the "[Consolidated Fund]."

2. Membership:

(a)¹ Any person of sound mind and character, willing to abide by this Constitution and contribute Fifty Rupees (₹50) per month to the Fund, may be admitted as a Member. (Subs. by Art. 15 18/05/2024)

(b) **. (Rep. 18/05/2024)

(c) **. (Rep. 18/05/2024)

(d) Anything in this shall not bar the right of the member to continue with the existing group that was created on 23/04/2022.

3. **. (Rep. 18/05/2024)

4. Legislative Council

It comprises all the members in the group whether a party to the fund or not.

5. Fund Contributions and Penalties:

(a) Each Member shall faithfully discharge the obligation of monthly contribution, payable by the [7th] of each month. There shall be special provision for Members making voluntary contributions other than mandatory provision.

(b) Delinquency Charges: A late payment fee of [25 percent] shall be levied on contributions received after the stipulated deadline. Persistent delinquency, defined as [3] consecutive missed payments, will result in:

(i) Temporary Suspension: Loss of voting rights (only in matters related to the governance of this fund) and eligibility for loans and benefits until all outstanding contributions and fees are settled.

(ii) Termination: Involuntary Membership termination after [6] months of suspension, with subsequent ineligibility for re-enrollment until all liabilities are cleared.

5A. Pursuant to the stipulations set forth in Article 5(a), voluntary contributions are encouraged through the imposition of an additional annualised remuneration commitment of 2.5 percent, in addition to the obligatory contribution already undertaken at a rate of 5 percent per annum. This results in a cumulative interest rate of 7.5 percent on said voluntary contributions.

6. Withdrawals and Early Termination:

(a) Members may voluntarily withdraw from the fund by submitting a written notice to the Treasurer, with a minimum notice period of [1 month].

(b) Early Termination Fee: Members withdrawing before completing a minimum commitment period of [One year] will be liable for an early termination fee calculated as [75 percent of total accumulated fund in his capacity]. This fee will be used to compensate the Fund for lost contributions.

(c) Alternative Contribution Options: Members facing temporary financial hardship may discuss alternative contribution options with the Committee, such as temporary reductions, lump sum payments, or non-financial contributions like volunteer work.

7. Loan Provision:

(a)² **. (Rep. & Subs. by 2nd CAA 18/05/2024)

(b) **. ~~(Rep. 18/05/2024)~~

(c) Loan approvals shall be based on available funds, merit of the request, and the applicant's past contribution record.

(d) Loan repayment shall be prioritised to ensure the Fund's sustainability.

8. Charitable Contributions:

(a) **. ~~(Rep. 18/05/2024)~~

(b) Proposals for charitable contributions may be submitted by Members, with final decisions reached by a simple majority vote at a designated members' meeting.

(c) Disbursements shall be made directly to the chosen charities or causes.

9. Recreational Activities:

(a) The Group may, at its discretion, organise social or recreational activities for Members utilising available resources.

(b) Proposals for such activities may be submitted by Members, with final decisions reached by a simple majority vote at a designated members' meeting.

(c) Participation in activities shall remain voluntary and may involve additional costs not covered by the Fund.

10. **. (Rep. 18/05/2024)

11. **. (Rep. 18/05/2024)

12. **. (Rep. 18/05/2024)

13. Ratification and Effective Date.

- a. Upon securing the requisite legislative approval, the proposed document shall be deemed ratified and incorporated.
- b. In witness whereof, this document is hereby enacted on this [01/01/2024], affixed with the official seals of the Executive Committee and the Legislative Council.

14. Member-Supported Investment Mobilisation Act, 2024

- a. Any Member is authorised to solicit investments from non-Member investors, and such investments shall be construed as voluntary contributions endorsed in the name of the respective member.
- b. **. (Rep. 18/05/2024)
- c. **. (Rep. 18/05/2024)

14A. Member-Led Credit facility Act, 2024

- a. A Member consistently meeting the obligation of punctual remittance of monthly mandatory contributions is duly empowered to extend credit on his behalf to non-Member borrowers.
- b. **. (Rep. 18/05/2024)
- c. **. (Rep. 18/05/2024)

First Constitutional Amendment, 2024

Statement of Objects and Reasons

The proposed amendment to the scheme is driven by a critical deficiency in the fund allocation for loan disbursement. The prevailing monthly obligation of ₹50 has proven inadequate in accommodating the escalating demand for loans and maintaining operational efficacy. Thus, there exists an exigent need to augment the monthly obligation to ₹100 to fortify the scheme's capacity to fulfil its mandate of extending financial support to eligible beneficiaries. This adjustment is essential to uphold the scheme's integrity, efficacy, and long-term viability, thereby safeguarding its ability to serve its intended purpose effectively.

¹- Article 2(a) - Nothing in this shall be deemed invalid notwithstanding the contravention of Article 2, also to subsist the constitutionality of the above cited objects and reasons the monthly obligation stand increased to ₹100.

Article 2(a) i

- **. (Rep. 18/05/2024)

Second Constitutional Amendment, 2024

Statement of Objects and Reasons

Pursuant to the powers vested in the Treasurer by Article 11 (e), for the purpose of effectuating the directives set forth in Article 6 (c). The Treasurer Office on its own discretion shall set forth amendments as it desires to promote greater inclusivity and accessibility of its lending operations; Whereas, the current interpretation of Members may inadvertently restrict participation;

Now, Therefore, be it resolved by the Treasurer's Office, as follows:

Broad Construction of "Members": The term "Members," as used in all policies and procedures governing the lending operations, shall be construed in a broad and inclusive manner, consistent with the spirit of promoting access and participation. This broad construction shall encompass any individual or entity demonstrably meeting the objective criteria for membership, regardless of any potentially restrictive prior interpretations.

Commentary- The amendment promised a brighter future for the scheme. Its proponents envisioned waves of new participants flooding the program, propelled by the reimagined definition of "Members." Critics, however, voiced concerns. They cautioned that the loosened standards

might invite misuse, diluting the program's original intent and potentially draining its resources. The Treasurer's Office pledged vigilance, promising to carefully calibrate the eligibility criteria to achieve a balance between inclusion and responsible stewardship. Only time would reveal whether the gamble would prove a visionary act or an ill-conceived miscalculation.

Abbreviation (to be valid for whole of the document)

Member (upper case 'm' and all its variants) - includes all those who have been registered and enrolled into the collective prosperity fund.

members (lower case 'm' and all its variants)- includes all those who are part of the group THE BOYS, created on 24/04/2022.

²- Article 7(a) - Nothing in this shall be deemed invalid notwithstanding the contravention of Article 7, also to subsist the constitutionality of the above cited objects and reasons the term Member shall be read down as members for only lending operations.

Article 7(e)- **. (Rep. 18/05/2024)

Third Constitutional Amendment, 2024

Article 3A: **. (Rep. 18/05/2024)

Article 3B: **. (Rep. 18/05/2024)

Article 3C: **. (Rep. 18/05/2024)

Fourth Constitutional Amendment, 2024

Statement of Objects and Reasons

The Fourth Constitutional Amendment, 2024, was initiated to address certain lacunae in the existing constitutional framework of the First Order. It aims to streamline the governance structure, enhance the clarity of legal provisions, and strengthen democratic processes within the territory.

1. Definition of State and Fundamental Laws:

The amendment clarifies the definition of "the State" and establishes the supremacy of fundamental laws enlisted in the First Schedule. It ensures that any law inconsistent with or derogatory to these fundamental laws

is rendered void. This provision safeguards the constitutional principles and fundamental rights enshrined in the legal framework of the First Order.

2. Amendment Procedure and Presidential Powers:

To facilitate a more efficient amendment procedure, the amendment empowers the President to introduce public or private bills for ratification in the Legislative Council. This streamlines the process while ensuring the preservation of democratic principles. Additionally, the President is entrusted with executive powers, including the authority to promulgate ordinances and seek legal opinions from the Supreme Court on matters of public importance.

3. Presidential Election Process:

The amendment outlines the process for the election of the President, ensuring that any eligible member willing to abide by the constitution can assume the presidential office for a specified period. The establishment of a statutory body to oversee presidential elections ensures transparency and fairness in the electoral process.

4. Supreme Court Provisions:

Notably, the amendment introduces provisions regarding the Supreme Court, including the appointment of an Ad hoc Chief Justice for specific cases and the facilitation of pre-litigation mediation by the President. It also grants the Supreme Court expansive powers in interpreting the constitution and issuing writs against the State, thereby upholding the rule of law and ensuring access to justice for all citizens.

The enactment of this amendment was carried out under the directive of the Honourable Courts, signifying the commitment to upholding constitutional principles and ensuring the effective functioning of democratic institutions within the First Order. It reflects a concerted effort to strengthen governance, protect fundamental rights, and promote the rule of law, thereby fostering a more just and equitable society.

In conclusion, the Fourth Constitutional Amendment, 2024, represents a significant step towards enhancing the governance framework and institutional mechanisms within the First Order, in line with the principles of democracy, justice, and constitutionalism.

LIST OF ABBREVIATIONS USED

Art., arts.	for Article, articles.
Cl., cls.	" Clause, clauses.
C.O.	" Constitution Order.
Ins.	" Inserted.
P., pp.	" Page, pages.
Pt.	" Part.
Rep.	" Repealed.
Ss., ss.	" Section, sections.
Sch.	" Schedule.
Subs.	" Substituted.
w.e.f.	" with effect from.
w.r.e.f.	" with retrospective effect from.

Article 15: Renaming of the WhatsApp group created on 23/04/2022 (w.e.f. 18/05/2024)

Previously "The Boys", shall be referred to by its new name "The First Order" consisting of all its territory and that includes whatsapp group, its dedicated fund and its members.

Article 16: Definition of state (w.e.f. 18/05/2024)

In this Part, unless the context otherwise requires, 'the State' includes the President and legislative council of the first order and other authorities delegated in place by the president within the territory of the first order or under the control of the Government of the first order.

Article 17: Laws inconsistent with or in derogation of the fundamental laws. (w.e.f. 18/05/2024)

- (1) All laws in force in the territory of the first order immediately before the commencement of this article, in so far as they are inconsistent with the provisions or laws enlisted in the first schedule , shall, to the extent of such inconsistency, be void.
- (2) The State shall not make any law which takes away or abridges the provisions enlisted in the first schedule and any law made in contravention of this clause shall, to the extent of the contravention, be void.
- (3) In this article, unless the context otherwise requires, -
 - (a) 'law' includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usages having in the territory of the first order the force of law;
 - (b) 'laws in force' includes laws passed or made by a Legislature or other competent authority in the territory of the first order before the commencement of this article and not previously repealed, notwithstanding that any such law or any part thereof may not be then in operation either at all or in particular areas."

Explanation - These articles lay down the definitions and principles regarding the applicability of the term "the State" and the invalidity of laws inconsistent with or in derogation of the fundamental laws enlisted in the first schedule.

Article 18: Amendment Procedure. (w.e.f. 18/05/2024)

- (1) Notwithstanding anything in this constitution, to effectuate newer amendment procedure, the president may introduce public or private bills at his personal discretion for ratification in legislative council.
- (2) Such an amendment shall secure a special majority of quorum .

Article 19: Saving of ordinary laws enlisted in the First Schedule. (w.e.f. 18/05/2024)

- (1) No laws enumerated in First schedule through a presidential gazette shall be deemed delisted, defunct or altered except for a consensus vote, such a consensus vote would require ratification from all the members of the group.
- (2) Ordinary laws on enumeration into first schedule after securing simple majority vote of quorum, wherein quorum consist of at least 50 percent of total membership shall be earmarked as Fundamental Laws.
- (3) No one Fundamental law shall be the part of the second schedule, except for a consensus vote.

Article 20: Expunging of ordinary laws enlisted in Second Schedule. (w.e.f. 18/05/2024)

- (1) Laws or part of law chronicled in the second schedule shall terminate in effect and be deemed irrevocable, once a presidential decree of such order is promulgated requiring a simple majority vote of quorum.
- (2) Ordinary laws on enumeration into second schedule shall be earmarked as dead or eclipsed laws.

Article 21: The President of the first order. (w.e.f. 18/05/2024)

There shall be a President of the first order wielding real power as the head of state.

Article 22: Election of The President. (w.e.f. 18/05/2024)

- (1) Any member willing to abide by this constitution shall be eligible to assume the presidential office for a period of 60 calendar days.
- (2) Presidential elections are to be instituted by a statutory body headed by the same official heading the fund.
- (3) Government reserves the right to frame rules concerning the presidential election.

Article 23: Powers of The President. (w.e.f. 18/05/2024)

- (1) The executive power of the state shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution.
- (2) He in an attempt to streamline administration could make rules of everyday business.
- (3) He is also entrusted with power to promulgate ordinances for introducing ordinary laws or amendment to the existing constitution, provided such an order is ratified by securing a simple majority vote within 15 calendar days from the date of notification.
- (4) He is empowered to appoint officials for managing the state, fund and election commission.
- (5) He may at will refer to the supreme court seeking legal opinion on a question of law or fact which have arisen or are likely to arise and which are of such a nature and of such public importance that is expedient to obtain such opinion.

Article 24: Supreme Court . (w.e.f. 18/05/2024)

- (1) Appointment of Ad Hoc Chief Justice: The President shall appoint an Ad hoc Chief Justice for the Supreme Court for each specific case as provided under this

document. The appointment shall be made after obtaining consensus from both parties involved in the litigation.

- (2) Pre-Litigation Mediation: Prior to the commencement of litigation, the President shall facilitate mediation between the disputing parties. In the absence of a mutually agreeable solution through mediation, either party may approach the Supreme Court for redressal.
- (3) Powers of the Supreme Court: The Supreme Court shall possess wide and expansive powers in interpreting the Constitution of the first order. It may issue writs, orders, or directions, including writs against the State, to enforce constitutional rights and uphold the rule of law.
- (4) If any question of law arises on account of issues of interpretation, opinion of the supreme court shall be deemed final.

Article 25: Right against arbitrary powers of state. (w.e.f. 18/05/2024)

No person shall be denied the rights of democratic participation and political liberty, nor shall they be deprived of the assurance of equitable administration of the group's dedicated fund except by due process of law.

	FIRST SCHEDULE	
	LISTING DATE	Provision
1.	18/05/2024	arts. 15 ,16 ,17 ,18 ,19 ,20 ,21 ,24 ,25

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	SECOND SCHEDULE	
	LISTING DATE	Provisions
1.	18/05/2024	arts. 2(a)i ,2b ,2c ,3 ,3A ,3B ,3C ,6(a) ,7(a) , 7(b) , 7(e) ,8a ,10 ,11 ,12 ,14(b), 14(c), 14A(b), 14A(c)


18/05/21

[Signatures and Seals]

President