



Lovers Foundation- Ladakh Orbital Village Educational & Rural Sustainability

Date: 25/04/ 2018

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Not for Profit NGO- Charitable Society for the promotion of Women & Child Empowerment, Diffusion of useful knowledge, Diffusion of Political Education (raising issues endemic to Ladakh on public fora) & Channelization of Demographic Dividend.

Constitution & By-laws

Preamble

We, the youth of **Ladakh**, in order to envisage a *spirit of charity & volunteerism* in the field of Village Elementary Education, Women Empowerment & Rural Sustainability; More elaborately, to promote women & child empowerment, to promote **Diffusion of useful knowledge, to promote Diffusion of political education**, to create environmental awareness; to encourage youth initiative; to facilitate youth achievement; to empower women and children; to create a unified bond and fellowship to afford development through self-expression, self-direction, self-efficacy, self-reliance, selflessness and leadership; to serve the society through unity, cooperation and determination, to keep checks and balances in the society; to establish a sound education system in the society; and to serve as an intermediary between the Panchayat and

villagers in matters of general welfare, do hereby establish and adopt the following constitution and by-laws.

ARTICLE I : Name

Section 1: This Society shall be known as **Lovers Foundation-**Ladakh Orbital Village Educational & Rural Sustainability.

Section 2: This name shouldn't be taken as dopple-ganger with Lovers- Ladakh Orbital Virtual Educational Research Scientists. The admin at the later (Mr Khadim Hussain), himself is a member of BOD & acting President of this NGO.

ARTICLE II : Purpose

The NGO is a charitable society and its aims and objects for which it is established are as under:

Section 1: To offer opportunities for members of the Society, youth in particular, to share concerns, express opinions and jointly participate in the solution of problems with other members of the Society as well as aged members of the society and the Panchayat.

Section 2: To provide, deliberate and execute approved programs, projects and events designed to enhance the entire rustic communities.

Section 3: To foster and to recognize volunteerism and responsiveness as demonstrated in the furtherance of the

sustainable purpose and the overall welfare of the society.

Section 4: To keep check and balance in the society.

Section 5: To work for women & child empowerment,

Section 6: To provide elementary education to the children of Nomad Communities (Language & Mathematics in particular),

Section 7: To create environmental awareness,

Section 8: To afford development through self-expression, self-Directors, self-efficacy, self-reliance, selflessness and leadership, etc

Section 9: To promote Diffusion of useful knowledge.

Section 10: To promote Political Education. (Note! This NGO is not Affiliated to any Political Party. And shall so remain politically neutral in the future as well)

Section 11: To herald Channelization of Demographic Dividend, etc

ARTICLE III : Membership

Section 1: Application for membership shall be open to all and continuing membership is contingent upon being up-to-date on membership dues.

Section 2: Membership shall be granted upon a majority vote of the Board.

Section 3: Each Regular Member shall appoint one voting

representative (proxy) to attend the annual/special meetings, with prior approval from Speaker.

Section 4: There shall be three types of qualifications eligible for Membership:

A. Resident of Maita Village & Graduate/Final/Last Semester or 10+2 qualified (in case of female) or Outsider Graduate (in case of female). (RM type)

B. Outsider, but Graduate & eminent in view of President. (AM type 1)

C. Resident of Maita Village & 10+2 qualified (AM type 2)

Section 5: Depending on the type of qualifications, there shall be three types of Membership forms:

A. Regular Member (RM type), Can be a member of Board of Director. If Governing role is given, then the member shall cease to be a part of Board of Directors. After resignation or termination of Appointment, the member shall revive his/ her membership in the Board of Directors, automatically. Further, the member enjoys the right to vote.

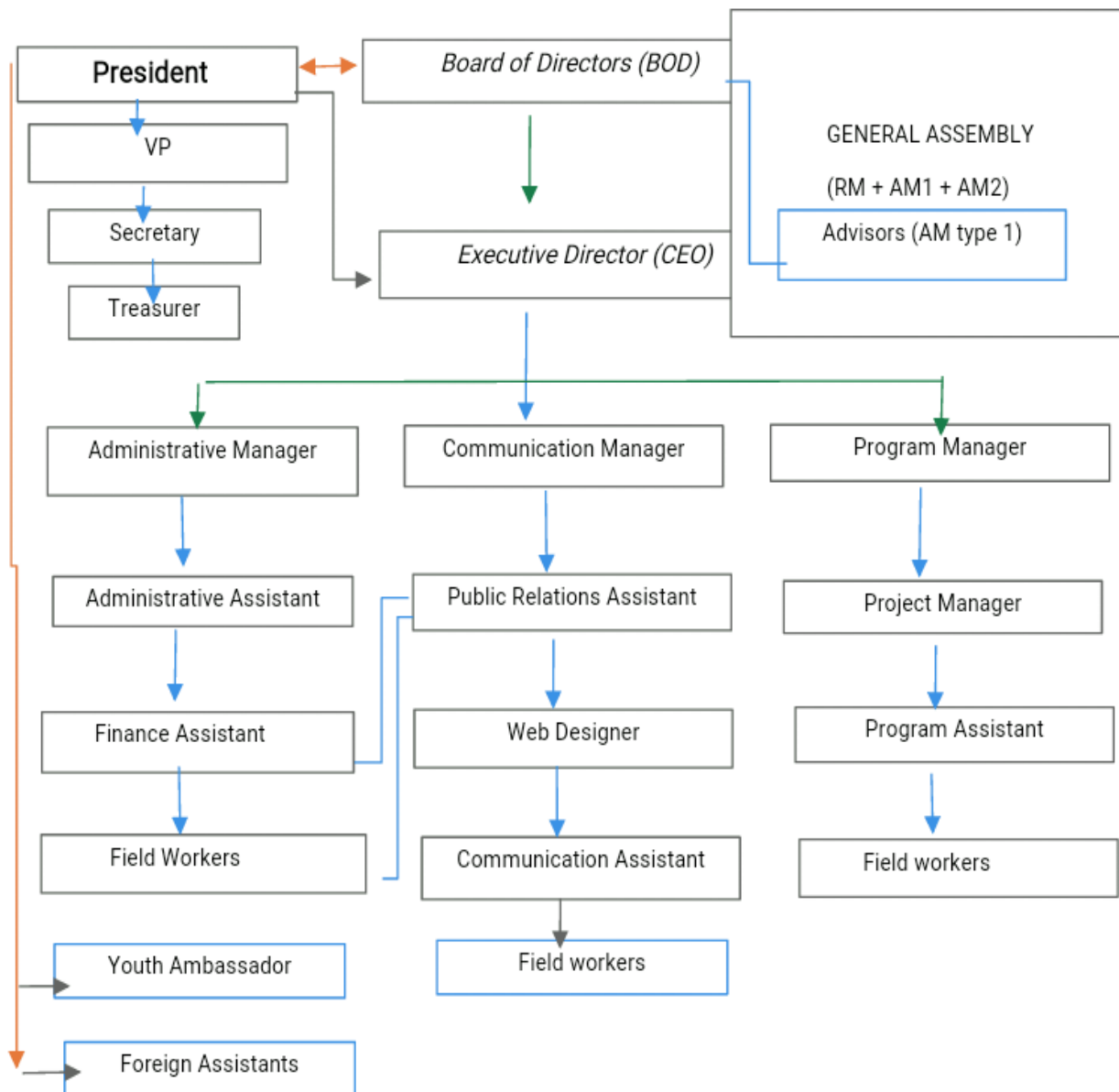
B. Affiliate Member (AM type 1), Can be a member of only General Assembly & can be appointed as a Staff member to work in the Governing Council. Doesn't enjoy the right to vote, but can perform advisory roles.

C. Affiliate Member (AM type 2), Can be a member of only General Assembly & can be appointed as a Staff member to work in the Governing Council. Doesn't enjoy the right to vote.

Section 6: Special membership shall be provided for the women,

envisaging a separate 'Women Wing'. Further 1/3rd of the membership shall be reserved for women, in every committee and Board.

ARTICLE IV : Structure



(Organisational Structure of **Lovers Foundation** - Ladakh Orbital Village Educational & Rural Sustainability)

Section 1: The Society shall consist of General Assembly, Board of Directors and Governing Council.

Section 2: The Board of Directors shall consist of all students who fall in Membership Category RM type.

Section 3: The Governing Council shall consist of three Managing Bodies, headed by the CEO, viz., Communication Management, Program Management and Administration Management Bodies.

Section 4: Each Managing Body shall comprise of a Manager assisted by Assistants.

Section 5: Any vacancy in the Governing Council shall be filled by appointment from the members of the General Assembly, subject to approval by the Board of Directors.

Section 6: Further Standing Committees shall be appointed by the Board of Directors after every election, on a yearly basis.

Section 7: There shall be a Vice-President who shall act as ex-officio Speaker of the General/Special Meetings. He/She shall execute the functions of the President, in case of his absence or vacancy.

Section 8: There shall be a President, a Treasurer & a Secretary in the Board of Directors.

ARTICLE V : Programs, Committees & Meetings

Section 1: All programs shall be administered by the Programme Management Body, with the aid of Administration Management Body, and prior recommendation of CEO.

Section 2: A quorum shall consist of 40% of total membership for both the Board of Directors & the Governing Council.

Section 3: All the Boards of the Society shall meet at least once every quarter. Special meetings of the Governing Councils can be called by the CEO or by petition from fifty percent (50%) of the members, or by advice tendered to the CEO by the Board of Directors, subject to majority favoring the advice.

Section 4: All Boards must keep accurate records of attendance and minutes at all meetings. All Boards must keep reports for their particular Board and submit them to the Board of Directors on an annual basis.

Section 5: General Assemblies shall be open for attending to the entire rustic vale with no bar on gender or literacy.

Section 6: Funding of the Society is contingent upon the role played by the Administration Management Bodies.

Section 7: Proceedings in the Society shall be conducted in accordance with Roberts' Rule of Order, where said rules do not conflict with this document.

ARTICLE VI : Amendments to the Constitution

Section 1: The Governing Council and/or the members of the Society may propose amendments to this Constitution. In cases where the Board of Directors makes changes in policies and procedures, which are reflected in this Constitution, those changes shall automatically become a part of this document.

Section 2: Procedures

A. Any proposed amendment must be properly jotted down, in paper and spirit of this document, with proper justifications.

B. If proposed by the Governing Council, the amendment must be voted on collectively by the Governing Council and Board of Directors.

C. If an amendment is proposed by the members of the General Assembly, it must be voted on by the Board of Directors, only.

Section 3: Ratification

Such an amendment shall be deemed to be ratified if majority votes in favour, provided the Registrar of Societies, scrutinies it, to be in consonance with the MOA and the Societies Act, under which the NGO is registered.

ARTICLE VII : Office- Committee Hall

Section 1: The Village Committee Hall shall be the main office for the Governing Council. However, the Village Panchayat shall be taken in consideration, prior to accommodation of Committee Hall.

Section 2: In case if someone's Hall is deemed as Committee Hall, the Family shall not restrict the meetings and daily business of the Society. But Panchayat too must consider the Committee Hall as a separate entity, prior to such claims.

Section 3: There should be a separate Committee Hall for proper business and consensus building.

Section 4: Till the Village Committee Hall is not resolved, a separate office shall be established within two weeks of adopting this Constitution.

ARTICLE VIII : Board of Directors

Section 1: Board Role, Size, Composition

The Board is responsible for overall policy and direction of the

Council and delegates responsibility for day-to-day operations to the Council's Executive Director and committees. The Board shall have up to Eighteen, but no fewer than twelve members.

Section 2: Meetings

The Board shall meet at least annually, at an agreed upon time & place (most likely online).

Section 3: Procedures for Election

A. Election for the post of President will be online, never offline. Immediately following the election of President of the Board, the elected President of the Board shall assume office and preside over the remainder of the meeting. The remaining statutory officer positions are then nominated.

B. Statutory Officers to be Elected

The following statutory positions shall be elected/nominated, in the following order:

President, VP, Secretary, Treasurer

(There shall be no election for the post of VP, Secretary & Treasurer)

C. Nominations:

Every member of BOD is deemed to be nominated for the office of President, without any filing of Nomination papers.

D. Mode of Election:

(Only the Speaker & the current President will be responsible for receiving mentioned names & counting the votes)

Every member of BOD+ Governing Council, shall mention a name among the members of the Board, to be elected as President. To be elected, a candidate must receive a majority of votes. In the case there are more than two candidates running and none receive a majority of affirmative votes, a coin toss shall be made by the Speaker.

Section 4: Board Development Committee

A Board Development Committee shall be appointed by the Board to be responsible for developing nominees for board elections, board committees, and planning for board training and leadership development.

Section 5: Terms

All Board members shall serve indefinitely till an amendment is made to the Constitution. However, no board member shall serve more than one year term on the posts of President/ Secretary/ VP/ Treasurer. The first President/ Secretary/ VP/ Treasurer (Officers) shall be taken arbitrarily depending on their knowledge & contribution.

Section 6: Quorum

A quorum must be attended by at least 40% of the Board members before business can be transacted or motions made or passed. However, for extra-ordinary circumstances, as notified by the Speaker, the quorum can be reduced to 30%.

Section 7: Notice

An official Board meeting requires that each Board member have written notice at least five days in advance.

Section 8: Officers

There shall be four officers of the Board consisting of a President, a Vice-President, a Secretary, and a Treasurer.

Section 9: Vacancies

When a vacancy on the Board exists, nominations for new members may be received from present Board members and members by the Secretary two weeks in advance of a Board meeting. All vacancies will be filled only to the end of the particular Board member's term.

Section 10: Resignation, Termination and Absences

Resignation from the Board must be in writing and received by the Secretary. A Board member shall be dropped for excess absences

from the Board if he or she has three unexcused absences from Board meetings in a year. A Board member may be removed for other reasons by a three-fourths vote of the remaining directors.

Section 11: Special Meetings. Special meetings of the Board shall be called upon the request of the President or one-third of the Board. Notices of special meetings shall be sent out by the Secretary to each Board member postmarked two weeks in advance.

Section 12: The Board may set dues schedules for memberships.

Section 13: Other Functions

A. The Board of Directors shall be the chief decision making and dispute settlement body, comprising of at the most 14 members.

B. It will tender advice to the President and his Governing Council.

C. It will act as the Election Commission for the Governing Council only.

D. Its members shall be nominated for Chairmanship of Standing Committees, by the President.

Section 14: Conduct of Business

A. All motions put forward by any member will be put to vote after due deliberation and it will be deemed to be passed, if not less

than 1/2 of the members, vote in favor.

B. In case of defiance of rules or unethical behavior during deliberation or voting, unethical members shall be suspended for a period of one month or more.

ARTICLE VIII(I): Other Officers

Section 1: Vice-President

A. The VP will chair committees on special subjects as designated by the board.

B. He will be the ex-officio Speaker of the General Assembly.

Section 2: Secretary

A. The Secretary shall be responsible for keeping records of Board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each Board member, and assuring that corporate records are maintained.

B. The HR Manager shall assist the Secretary & also execute his/her duty in absence/ vacancy.

Section 3: Treasurer

A. The Treasurer shall make a report at each Board meeting.

B. Treasurer shall chair the finance committee, assist in the preparation of the budget, help develop fund raising plans, and

make financial information available to Board members and the public.

C. The Treasurer shall transfer fund as per the appropriation bill, after due signature assigned by the President.

ARTICLE IX- PRESIDENT

Section 1: The President

A. The President shall be the head of the NGO, BOD in particular.

B. He/ She may convene regularly scheduled Board meetings, shall preside or arrange for other members of the executive committee to preside at each meeting in the following order: Vice-Chair, Secretary and Treasurer.

C. He/She will nominate the office bearers of VP, Secretary & Treasurer

D. He/ She will be the Guardian of this Document- to check whether this document is followed or violated.

Section 2: Relationship with CEO

A. The President shall advise the CEO which will be binding in nature, if not less than half of total membership of BOD, vote in favor, prior to tendering such an advice.

B. In case of defiance, the CEO shall be liable to be demoted.

Section 3: Relationship with Governing Council

A. The Governors will be accrued particular manager-ship after due deliberation by the President.

B. And in case of defiance or proved incapacity to manage affairs, they will be liable to be expelled.

Section 4: Speaker & Panel of Speaker

A. There VP shall act as Ex-officio Speaker. The office of Speaker is temporary & ceremonial. Further, the Speaker can vote in first instance.

B. The Speaker shall convey & preside the business of Board members. He will have no any extra power, except the privilege of presiding the business.

C. There shall be a Panel of Speaker, which shall consist of Secretary, Treasurer & one another member appointed by the President.

D. In case of vacancy or absence, the next member in line, shall conduct the business of the office.

ARTICLE X : List of Members of Board of Directors (BoD)

- Khadim Hussain (President)
- Mumtaz Ali (VP)
- Mansoor Ali (Secretary)
- Yousuf Ali (Treasurer)
- Ghulam Ali
- Mohd Bashir
- Mohd Bashir
- Nusrat Mehdi
- Ajaz Ali (Balti)
- Imran
- Ansari
- Abdul Hadi
- Mohd Kazim
- Mustafa
- Mohammad Ismail

(This is not permanent or the whole list. Members shall be added, subject to fulfilment of qualifications aforementioned)

ARTICLE XI : Governing Council

Section 1: There will be 13 Governors (including the CEO) and the

CEO shall be the head of the Governing Council.

Section 2: The Governing Council shall comprise of three Managing Bodies, each headed by a Chief Manager, assisted by two Assistants & other workers.

Section 3: Both RM & AM1 types can be elected for the post of Governor. And the RM-type member, if joins the Governing Council, shall cease to be a member of BOD, until and unless he/she continues to be as a Governor.

Section 4: The Governors shall be elected every Annual Meeting Day, by the RM & AM1 type members of General Assembly.

ARTICLE XII :CEO

Section 1: Executive Power- The Executive power of the Society shall vest into the CEO who will exercise it in concurrence with the advice tendered to him by the President.

Section 2: Qualification required- The CEO need to be either of RM type or AM1 type membership & shall be of the age bracket, 20- 30 years old.

Section 3: Tenure of Office- The CEO shall hold office for 1 year from the date of his election.

Section 4: The CEO shall be demoted as a manager on the following grounds:

- A. Incapacity to manage affairs,
- B. Defiance of advise tendered to him by President,
- C. and any other ground that the Board of Directors may consider, etc

Section 5: Election- The CEO shall be elected through direct election by members (RM & AM1 types) of GA.

Section 6: Process of Election- The Election Commission shall conduct election on due date, for the office of CEO, through ballot system.

Section 7: Any member can be re-elected to the post of CEO for any number of times, but on a biennial basis, that is after every 2nd year. Simply put, a person can't hold the office of CEO for two consecutive years.

Section 8: The CEO shall take an oath before the Election Commission and his Governing Council, affirming his determination and due respect to the Constitution and By-laws.

Section 9: The nomination paper shall exclusively mention, that in case of defiance of Constitution or its By-laws, the CEO shall be either expelled or demoted.

ARTICLE XIII : Governors

Section 1: There shall be 13 Governors- out of which, 4 Governors shall be exclusively women representatives. This can be further changed in future, subject to an amendment.

Section 2: The Chief Governors, including the CEO can be expelled by the Board of Directors, if majority votes favor the impeachment.

Section 3: The Chief Governors shall directly report to the CEO.

ARTICLE XIV : Administrative Management Body

Section 1: Structure- The Administrative Management will be carried by a Chief Administrative Manager, assisted by Assistants.

Section 2: Functions- The Administrative Managers have to raise/demand funds and exercise their proper appropriation with due deliberation with President and Board of Directors.

Section 3: Annual Report- The Chief Financial Manager has to submit proper account to the Board of Directors on an annual basis. Subject to lapse of submission, the CAM will be liable to be demoted.

Section 4: The Chief Administrative Manager has to keep a bird's view on Panchayat funding and appropriations, marrying with RTI Act.

Section 5: Every fund appropriation shall be made in the name of President, under his seal and warrant.

Section 6: He shall act as the First Vice-CEO.

ARTICLE XV : Program Management Body

Section 1: Structure- The Program Management will be carried by a Chief Programs Manager assisted by Assistants & field workers.

Section 2: Functions- The Program Management shall manage programs on a variegated front- religious as well as non-religious- including programs endemic to Schools and Maktabas, with prior consultation with the concerned authorities.

Section 3: Annual Report: The Chief Program Manager has to submit proper account to the Board of Directors on an annual basis. Subject to lapse of submission, the CPM will be liable to be demoted.

Section 4: The processions, such as Moharram, Yo'mmula', yo'mul-quds, Eid programs, Losar & other Buddhist festivals, etc., shall be assisted by the PMB.

Section 5: Both Marriage and Funeral processions shall be aided by the Program Managers, thus promoting volunteerism and empathy for others.

Section 6: Village Clean Drives (Yul Lhakmo) shall be held annually, promoting volunteerism and responsibility. Women and children shall play a central role.

Section 7: He shall act as the Second Vice-CEO.

ARTICLE XVI: Communication Management Body

Section 1: Structure- There shall be a Chief Communication Manager assisted by two Assistant Communication Managers.

Section 2: The Chief Communication Manager has to be necessarily a person who is good at communication & dissemination.

Section 3: Functions-

A. All the Communication functions shall be carried by the Communication Managers under the seal and warrant of President.

B. They have to keep check and balance on the other two managing bodies- reviewing and assisting them.

C. All Govt schemes run in the village shall be assessed and proper voices need to be raised in case of chauvinistic and maleficent behavior. Further Angadwani centres and Schools need to be assimilated.

D. The 'Yul Lhakmo' vision has to be administered properly via promoting cleanliness and proper disposal of waste.

E. Smoking in public place need to be prevented, accordingly. Further, proper landfill sites and garbage-bins need to be administered.

F. Emaciated inhabitants and destitute need to be filed and proper report must be submitted to the President, who will refer them to the Board of Directors, which in turn will deliberate and release appropriate sums.

G. Public places need to be cleared of encroachments. Sand/silt heaps, dung beds, etc shall be cleared from public places. Stricter norms need to be enforced and appropriate fines shall be awarded.

Section 4: Annual Report- The Chief Communication Manager has to submit proper account to the Board of Directors on an annual basis. Subject to lapse of submission, the CCM will be liable to be demoted.

Section 5: Members shall be inducted and proper documentation and membership cards shall be disbursed.

Section 6: Panchayat meetings need to be attended and issues raised.

ARTICLE XVII - Impeachment Proceedings

Section 1: All members may be impeached for negligence or irresponsibility in performing the duties of their offices.

Section 2: The impeachment process shall begin upon the receipt of a written statement to the Board of Directors clearly outlining the alleged offense.

Section 3: Upon receipt of the statement, the Board of Directors shall select a committee among its members who shall investigate the charges. No later than seven (7) days after the statement has been presented to the Board of Directors, the Committee shall report its findings to the President.

Section 4: Majority in case of Board of Directors shall be required for removal from office. If the impeachment vote stands, the penalty shall be removal from office or demotion.

ARTICLE XVIII : Standing and Ad-hoc Committees

Section 1 : Standing committees for the Society shall be as follows: Election Committee, Social Media Committee, Finance Committee, etc

Section 2: Ad-hoc Committees: Islamic Life, Publication Board, Sports Committee, Discipline and Student Affairs, etc.

Section 3: Each ad-hoc committee shall consist of a chairperson, who will be appointed by the President from among the Board of Directors and members who will be assigned to these committees by the President, on the aid and advice of Board of Directors.

Section 4: Chairpersons of standing committees except Social Media Committee shall serve for one year. If a chairperson is unable to serve or the chair's position becomes vacant, the President may appoint a chairperson pro temp to service.

Section 5: Each committee must submit one report per quarter to the President discussing the relevance to the committee.

Section 6: Each standing committee must keep a notebook of all activity planning that shall be passed on to the next year's officer.

Section 7: Social Media Committee shall consist of the members bringing about the website, for an indefinite period of time, until an amendment shall be made to the Constitution.

ARTICLE XIX: Duties of Standing/ad-hoc Committees

Section 1: Student Election Committee

A. This committee shall be composed of at least three members, headed by a member from Board of Directors.

B. This committee shall oversee the electoral process and select additional members, if necessary, to carry out this process. The committee shall be responsible for the preparation, supervision and the tabulation of election ballots.

C. This committee shall be responsible for corresponding with all participating candidates about elections.

Section 2: Islamic Life Committee

A. This committee shall assist the Maktab.

B. This committee shall coordinate religious activities, along with the Program Management Body, as well as communicate with outreach programs.

Section 3: Publication Board

A. This committee shall assist in the publication of posters, content write-ups, school magazines, etc

B. This committee shall present opportunities for school/maktab students to be involved in publications, shaping their ideas.

Section 4: Sports Committee

A. This committee shall coordinate all sporting events.

B. In case of Archery Tournaments, the tournament will be coordinated under the aegis of President, with him holding the office of chairperson as well.

Section 5: Discipline Committee- This committee shall be

composed of the the two Vice-Presidents.

ARTICLE XX: Temporary Enrollment of Nomad Children

Section 1: The Organization shall work for ensuring temporary admission of nomad children in Community/Govt schools, during the spring/summer season, when their families stick to Kargil pastures.

Section 2: Focus will be solely on bringing these children in literacy umbrella.

Section 3: Language & Mathematics shall be taught, to bridge the gap they face, later on.

ARTICLE XXI : General Elections and Regulations

Section 1: In order to become a candidate for office, the student must submit an application for the desired office. A specific deadline shall be set by the President for submission of all applications.

Section 2: No person can simultaneously be a member of both Board of Directors and Governing Council.

Section 3: There shall be at least two weeks for campaigning before election day. All means of campaigning must be approved by the Board of Directors. Any violations of campaigning rules and regulations will result in automatic disqualification of the candidate.

Section 4: The election shall be held during the Summer Vacation, as announced by the President.

ARTICLE XXII : Educational Infrastructure

Section 1: Within one year from the date of setting up this Society, a Village library hall need to be envisaged.

Section 2: It will be managed by the Administration Managing Bodies, with proper infrastructure, materials, and maintenance.

ARTICLE XXIII : Affiliate Members

Section 1: Philanthropists, if interested shall be given observatory roles in the BOD & Affiliate Membership of GA, where they can participate in deliberations and also vote for elections, only.

Section 2: Four elders, each from respective regions shall be given Observatory roles in the Governing Council.

Section 3: List of Affiliate Members

- Habibullah (Web Designer)
- Akhtar Hussain (Program Assistant)
- Ajaz Ali (Foreign Assistant/Counsellor)
- Tufail (Public Relations Assistant/ Content creator)
- Stanzin Leo (Graphic Designer)
- Musa (Indigenous Content Creator)

- Shamim (Youth Ambassador), etc

(As of 26 April 2018)

ARTICLE XXIV : Budget Proposal & Fund Allocation

Section 1: The Budget shall be prepared by the Office bearers in BOD.

Section 2: Budget will be proposed as per Agendas/items carried in the Minutes of Meeting (MOM).

Section 3: Further, separate proposals for grants can be presented in special meetings, which need to be carried by the BOD, requiring a majority of votes.

Section 4: Each fund allocation shall be made as per the Appropriation Bill after due signature of President.

ARTICLE XXV: Embezzlement of Funds & Punishment thereof

Section 1: Any member of the General Assembly (Governing Council, in particular) or subsidiary village Associations, if steals or embezzles any money or other property of the Society, shall be stripped off his/her membership & punished accordingly.

Section 2: Any member who tries to maintain/project this Society as an affiliate of any Political Party shall also be stripped off his/her membership.

ARTICLE XXVI: Provisions for dissolution

Section 1: Any number not less than three-fifths of the members of any society may determine that it shall be dissolved, and thereupon it shall be dissolved forthwith, or at the time then agreed upon, provided, prior to-

A. Assent of BOD, at a General meeting convened for that purpose &

B. Consent of Government.

Section 2: Upon Dissolution, no any member will receive any profit/pecuniary gains.

ARTICLE XXVII - Auditing

Section 1: Annual accounts shall be audited by the BOD, before the Annual General Meeting.

Section 2: Audit reports shall be laid down during the general meeting & proper reasons sought, thereof.

CERTIFICATE

We the Board of Directors certify that we adopt to ourselves this Constitution & By-laws, as on **25/04/2018**. Further, any act done by the members, not in concurrence with this document, shall be held unconstitutional & void, by the President.

President
(Khadim Hussain)

Treasurer
(Yousuf Ali)

Secretary
(Mansoor Ali)
