

# Green Society Nepal

Office  
Seal

## Statute, 2064 BS

### Preamble:

WHEREAS, our country Nepal has been prosperous, in terms of Bio-diversity, Geographical diversity, cultural diversity and other numerous possibilities, despite its small size in the world map in the context of its rational utilization , preservation and promotion can not be achieved by the mere efforts of Government acknowledging the contribution and duty of citizens towards this direction and extending the contribution of civil society

AND

Now, THEREFORE, by the motive of implementation of its stated objectives in the statute, this statute has been formally framed and promulgated.

### **Chapter – 1**

#### *Preliminary*

1. **Short name and commencement:** The name of this organization shall be "Hariyali Samaj Nepal". It shall be called Green Society Nepal" in English.
- a. **Address to be situated the office of organization:** The office of this organization shall be situated in Chitwan District, Bachhauli Village Development Committee Ward No.- 6.
- b. **Working area of the organization:-** The working area of this organization shall be in all over the country.
- c. Commencement of constitution: This constitution shall come into force from the date of its Registration.
2. **Definitions:** Unless the subject or the context otherwise requires, in this constitution. The words used in this statutes shall be as follows.

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### **Functions to be performed for the attainment of its objectives:**

Following works shall be done to achieve the said objectives:

- a. The said objectives shall be implemented only obtaining license or approval from the concerned body in accordance with the prevailing laws.
- b. The organization shall construct the house needed for the organization or take on rent, lease, purchase, use taking on hire the official appliances, like computer, telephone, typewriter and fax, vehicles.
- c. To appoint staffs to be necessary for the organization and prescribe their terms and reference.
- d. To operate bank account by depositing the received amount of the organization.
- e. There shall be a separate seal, name of organization, it may like and individual may purchase by, transfer movable or immovable property.
- f. The organization like an individual may sue and also be sued.
- g. To carry out study, research or investigation.

### **Chapter -3**

#### **Membership**

#### **Classification of Membership**

Following four types of membership of this organization has been classified:

- a. General Member
- b. Life-time member
- c. Honorary member

#### **Necessary qualification for obtaining membership:**

- a. Nepalese citizen having completed the age of 16 years.

Condition not to be appointed a member of organization or not remaining membership.

No individual could be appointed members or not remaining membership on the following conditions:

- a. Non Nepalese citizens having not completed the age of 16 years.
- b. Mentally insane/.or mad,
- c. Having fall in insolvency of the creditor,

- c. Having fall in insolvency of the creditor,
- d. Having convicted in embezzlement of public property, theft forgery or misuse of property having own custody by un authorized means or having fall in corruption within one year of sentence awarded by court.
- e. Having personal interest in the business of concerned organization,
- f. Remaining due amount of membership.
- g. Having active in damaging bio-diversity.

#### **9. Termination of Membership:**

- 1. Any individual's membership shall not remain on the following conditions:
  - a. If he or she fails to acquire the membership pursuant to section-8(a) of this constitution.
  - b. If 2 third of majority members passes the resolution of terminate the membership of the organization,
  - c. If the resignation tendered by he/she form the post, is accepted,
  - d. if he/she done dishonesty and malafide intention while performing the job of the organization, is upheld by the court.
  - e. The work prescribed not to be performed as per its constitution, if done, a chance of hearing and furnishing evidences shall be granted to the person, before reaching in any conclusion regarding the matter of disqualifying to provide membership or retain membership.

#### **10. Procedure relating to membership fee and issuing of membership:**

The members according to section-6 of this constitution, can obtain membership upon the payment as prescribed on the following sub-sections:

- a. Life time member: Any general member may obtain life time membership upon submission of Rs. 1000/- .
- b. General member: If any individual desires to obtain membership of this organization by submitting the entrance fee Rs. 200/- (Two hundred only) may be granted the membership of this organization by the decision of the working committee. The membership fee of any member shall only for the period of last date of Mid July, in which he/ she has paid the amount. The membership subject to renewal within mid July of every fiscal year. Renewal fee shall be as prescribed by the working committee.
- 1. Honorary member: Honorary membership can be conferred to the illustrious person, organization working in the interest of organization.

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## **Chapter -4**

### **Provision relating to general meeting, working committee and meeting:**

#### **11.(a) Way of calling general meeting and matters relating to providing notice thereof**

The general meeting of this organization shall be as follows:

1. Annual general meeting; and
  2. Special general meeting
- a. The first annual general meeting of this organization shall be held within two months from the expiration of fiscal year or registration of organization, and there after general meetings shall be held no later than two months from the expiration of fiscal year.
  - b. The organization shall send a notice compulsorily, specifying the place, date and agenda to be discussed to all the general members, in advance at least 15 days to hold the annual general meeting, and in advance of at least 7 days to hold the special general meeting of this organization.
  - c. Where a general meeting or a special general meeting called as per sub rule (c) section 4, can not be held because of quorum as referred to in section -8, a meeting shall be called by giving a notice of at least seven days.

#### **11.(b) Functions, duties and rights of general meeting**

To conduct election of working committee official, to appoint auditors to ratify budget and to constitute committee and sub-committees

#### **12. The composition of working committee shall be as follows:**

- a. The members of working committee shall be appointed by annual general meeting. Provided that following working committee shall be constituted comprising chairman and members, until a annual general meeting is held.

1.Chairman.....	1
2.Vice chairman .....	1
3.Secretary .....	1
4.Treasurer .....	1
5. Members .....	7

- b. There shall be working committee up to 11 members.
- c. The terms of office the working committee shall be of 3 years.
- d. If a seat of working committee member falls vacant prior to the annual general meeting, the said vacant post may be fulfilled through nomination of working committee, nominated by the working committee members for the remaining period. The term of office of the member elected to that post by such a way shall be only the remainder of the term of office of that member whose office

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- has to fallen vacant and whose place he is appointed. Provided, however, that other posts shall be fulfilled by election for the remaining period in accordance with the constitution of the organization.
- e. Meeting of the working committee shall be called by Chairman of the working committee as per necessity, if 51% members out of total members demand the chairman shall have to call the meeting.
  - f. The members themselves shall present in the meeting of working committee.
  - g. No meeting of the working committee shall be held unless it is attended by at least 51% of the total member of working committee.
  - h. The meeting of the working committee shall chair by the chairman. In his absence, the vice-chairman shall chair the meeting. Even the vice-chairman ia also absent, meeting shall chair by the selected member attending the meeting or by senior member.
  - i. Majority decision shall prevail in the working committee meeting, if the votes are evenly divided for and against at working committee meeting, the chairman of the meeting may exercise the casting vote.
  - j. The subjects and the decision taken thereon in the working committee meeting, shall be recorded in a separate minute book, and such minute book shall be signed by all the members attending in the meeting. Provided, that the member disagree on the decision shall have to sign setting out the remarks thereof.
  - k. Notwithstanding anything contained in the aforementioned sections; if all the members of the working committee so consenting in writing in regard to any act performed to be done or adopted by the working committee, such act may be done even without holding a meeting by recording such consent in the minute book. Such consent shall be deemed to be a decision of a working committee meeting.
  - l. All functions prescribed to be done by the organization shall be performed by the decision of working committee.

### Chapter -5

#### 13. Functions, duties and rights of officials

##### a. Functions, duties and rights of Chairman:

- a. To take leadership of the organization actively for the attainment of its objectives
- b. To preside the general meeting and extra ordinary general meeting.
- c. To supervise, co-ordinate the functions of the organization.
- d. To carry out functions in the interest of the organization by coordinating national, international, institution, organization and individuals and represent the organization.

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- e. To accept or reject the written resignation tendered by the officials.
- f. The expenditure amount to be expensed by the chairman shall be according to the decision of executive committee.
- g. To exercise casting vote in the case of tie in the meeting or working committee meeting.

**b. Function, duties and rights of vice-Chairman:**

- a. In the absence of chairman, to perform all the functions, duties and rights to be performed by the chairman and to assist chairman in his business.

**c. Function, duties and rights of Secretary:**

- a. To perform necessary correspondence by taking approval from the chair person or as directives issued by the chairman.
- b. To call general meeting and special general meeting as per decision made by the working committee and implement and caused to implement the decision.
- c. To carry out functions of the office according to the statute, decision and policies and maintain, control, to take responsibility and perform all tasks.
- d. To present quarterly, half yearly and yearly report of the organization in the general assembly.

**d. Function, duties and rights of Treasurer:**

- a. To collect fund for the organization to maintain and caused to maintain the account of organization. Where any official wishes to inspect the books of account, allow them for the same.
- b. To provide co-operation to secretary.
- c. To get audited the income and expenditure account of organization by the auditor appointed by the general meeting.
- d. To take all charge relating to income and expenditure.

**e. Function, duties and rights of Members:**

- a. To take decisions for the attainment of objectives of organization and assist for the implementation of the same.
- b. To compulsorily present at the meeting.

**f. Functions, duties and powers of working committee:**

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1. To perform and caused to perform the functions as decision made by the general meeting or the special general meeting.
  1. If any post of working committee member falls vacant, such member may be fulfilled amongst the member of the organization of the organization for the reminder period.
  2. To present report in any matter upon inquiring, studying, and discussing and constitute sub-committee.
  3. To create vacancy for the operation of organization and appoint necessary staffs, to terminate and dismiss.
  4. To present policy and program at the general meeting.
  5. Any rights, duties and powers may be assigned to any member or official or sub-committee amongst the right held on him/her.
  6. To present quarterly, half yearly and yearly estimated budget for every year.
  7. If any general member, active member officials if done work contrary to its statutes, to present resolution thereof for dismissal and expulsion.
  8. To take advise and suggestions from government, non government, National and International donor agencies, Institutions for the attainment of its objectives.
  9. To carry out all necessary functions and proceedings in the interest of organization.
14. **Quorum:** (a) No proceedings of general meeting shall be held unless it is attended by at least 60% of the total members are present.

Provided, however, that the again called meeting as referred to in section 11(4) of the constitution, if 51% of members attended shall not impede to hold a meeting, even such meeting could not be held because of quorum, the members present in third time shall be considered to be a quorum.

#### **Chapter -6** **Account and Auditing**

15. **Fund of organization**

There shall be a separate fund of organization, and in that fund following amount shall be deposited:

- a. The amount received from membership and entry fee.
- b. Money received as in kinds cash, or grant service from foreign institution, organization, individual/s or international donors.
- c. Approval shall be obtained from the Ministry of Finance, Govern of Nepal, if financial assistance and grant is to be taken from foreign organization, agencies.

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16. **Account operation:** The account shall be operated by the compulsory joint signature of two persons, one chairman and treasurer of organization. Books of account and expenditure shall be maintained as per prevailing laws, rules.
17. **Account and auditing of organization:**
- The account of income and expenditure of the organization shall be maintained accurately and promptly according to prevailing laws.
  - The auditing of the organization shall be audited by registered auditor according to prevailing laws.
  - If the Government of Nepal or the local authority wants to inspect the accounts of the organization, the same may be inspect or cause to be inspected any time.
  - The auditors shall be appointed by the general meeting, provided that the auditors shall be appointed by the working committee until the first general meeting is held.
  - The fiscal year of the organization shall be mid- July to mid- July.
  - One each copy of auditors report and one annual progress report shall be forwarded to district development committee, social welfare council and concerned body.

### **Chapter -7** **Election, Amendment in Statute and windingup**

18. **Provision relating to election:**
- For the provision of election of the working committee, a 3 member election committee shall be constituted by general meeting, the committee shall conduct the election after completing the necessary procedure.
  - Every 3<sup>rd</sup> convention shall select the working committee meeting for 3 years. There shall be following working committee.

1.Chairman.....	1
2.Vice chairman .....	1
3.Secretary .....	1
4. Treasurer .....	1
5. Members .....	7
  - There shall be compulsorily representation of 33% woman in such working committee.
19. **Qualification to be a member:**
- General and Life time member
  - Person having due amount to pay

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**20. No Confidence Motion:**

- a. The no confidence motion should be registered in the organization in writing, stating clearly to whom the motion is registered, and duly be completing following procedure, if one third and life time members feels that any official or entire working committee done work contrary to statute. The no confidence motion shall be produced at the general meeting, against any officials of the organization putting signature on it.
- b. The working committee shall present such vote of no confidence motion for necessary procedure at the general meeting within 15 days. Such vote of no confidence motion deems approved if 2/3rd of majority passes the resolution. Such person to whom the motion is lodge if passed shall automatically removed from the post. Provided that, the general membership of such person shall not deem vacated. A chance of hearing shall be provided to such person against whom vote of no confidence motion has been lodged.

**21. Amendment of Constitution:** Only after approval made by 2/3 of members out of total members, there after shall be doing recommendation to local authority to repeal, amendment in any clause of the constitution of organization, upon the approval of local authority, any clause of the constitution shall be deemed repealed and amended and information thereof shall be forwarded to the Social Welfare council.

**22. May formulate rules:**

The organization may frame necessary rules in the context of operation of its functions and that rule shall be implemented after getting approval from the general meeting and information thereof should be given to local authority.

**23. Ad-hoc committee:**

The ad-hoc committee formed for the registration and establishment of this organization shall hold the election of new working committee, within six months through calling a general meeting according to the constitution by constituting a election committee and information thereof shall be provided to the local authority.

All functions and proceedings performed by the ad-hoc committee until the holding of first election; shall be regarded as done according to this constitution.

**24. Winding up or dissolution of organization:**

- a. The general meeting, if deems necessary, it may dissolve the organization, by adopting a special resolution.

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- b. While adopting a resolution to dissolve the organization pursuant to sub-section (1), the organization shall appoint one or more than one liquidator to conduct the liquidation proceedings and also appoints one or more than one auditors to verify the accounts of the organization. The remuneration of the auditor and liquidator shall be as determined by the general meeting.
  - c. The liquidator and auditor appointed as per sub-rule (b) shall forward the proceedings of liquidation.
  - d. In the event of dissolution of organization by afore mentioned reasons, following settlement of accounts and liability of the organization, all balance assets shall be devolved to His Majesty's Government.
- 25. Shall be as per Law:** Matters not mentioned in this constitution should be in accordance with prevailing laws and matter inconsistence with organization registration Act, Rules and prevailing laws, shall be void to the extent of inconsistency.
- 26. Miscellaneous**
- a. Founder Member: The person obtained membership at the time of registration and who made remarkable contribution to this organization shall be the founder members.
  - b. Chairmanship:
    - 1. The chairman shall chair the executive committee and general meeting.
    - 2. The person preside the meeting shall not have the voting right. Provided that in the case of tie he/she may cast deciding vote.
  - c. Advisory Committee:
    - 1. The organization may appoint in the advisory committee of the organization amongst the expertise and one who made remarkable contribution to the organization.
    - 2. The terms of office of such appointed advisors shall be up to the tenure of the appointing committee.
  - d. The organization shall not impede others right while exercising its own right and shall not perform the work contrary to the statute.
27. We the undersigned founder members of "GREEN SOCIETY NEPL", being agreed to work according to this constitution have subscribed our respective hands in the presence of whereof witnesses.

S.N.	Name and surname of founder	Address	Post	Signature	Name of witness	Address	Signature
1	Bashudev Dhungana	Bachhauli -8	Chairman	Sd.	Bharat Sharma Dahal	Bachhauli -8	Sd.
2	Sher Bahadur Pariyar	Bachhauli -6	Vice-chairman	Sd.	Youban Kumar Parajuli	Bachhauli -6	Sd.

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3	Bashudev Chapagain	Bachhauli -2	Secretary	Sd.	Hem Bahadur pariyar	Bachhauli -6	Sd.
4	Birendra Mahato	Bachhauli -6	Treasurer	Sd.	Shankar Baral	Bachhauli -6	Sd.
5	Pramod Khakurel	Thanapati -9, Nuwakot	Member	Sd.	Shanta Adhikari	Bachhauli -6	Sd.
6	Bashu Bidari	Bachhauli -6	Member	Sd.	Chiranjivi Tripathi	Bachhauli -6	Sd.
7	Ranjana Panjhay	Haripur-4 Sarlahi	Member	Sd.	Srilal Pariyar	Bachhauli -6	Sd.
8	Jiri Tamang	Bachhauli -1	Member	Sd.	Lal Bahadur Giri	Bachhauli -6	Sd.
9	Sita Basnet	Bachhauli -9	Member	Sd.	Jogendra Chaudhari	Bachhauli -9	Sd.

Statute drafted by:  
 Rishi Ram Bhattarai  
 Grade: Advocate  
 License No.: 6788  
 Signature: Sd.  
 Date: December 10, 2007



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