

## Memorandum of Association

Name : JAMGHAT - A GROUP OF STREET CHILDREN

### **Registered office**

The Registered Office of the Society shall remain in the Union Territory of Delhi at **18-A (MIG) Phase-I, TRIVENI, NEW DELHI.**

### **Area of operation**

Delhi

### **Vision of the society**

A world that has space for homeless children to evolve as healthy and productive human beings

### **Mission**

To engage creatively with homeless children for their overall development

### **Aims and Objectives of the Society**

- To engage with groups of homeless children in Delhi and create a space for their inclusive self-development.
- To enlist support of all sections of society so that homeless children can enjoy their rights and realize their potential
- Create a pedagogy - a curriculum for living, which caters to the needs of homeless children and ensures their self-development
- To initially work with a small group of homeless children and create a model of care and development, which includes
  - Provision of basic security and services (shelter, food, health care etc)
  - Education - Through building a curriculum that is meaningfully contextualized to children's' lives
  - Capacity building - Multifarious skills training for self-growth and if feasible livelihood options
  - Recreation and Creative development - Learning of arts as a means of growth and as a healthy outlet for creative energies
  - Adult support and guidance
- To replicate this model across the city and bring into fold an increasing number of homeless children. To build a network of such collectives using the faculty of the initial group of children; they become the lead facilitators in reaching out to their counterparts.



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- To build an all-inclusive resource and documentation Centre to facilitate best possible interventions for model creation. The resource centre should include wide-ranging conceptual and material facilities for dealing with the manifold issues related to children, including security, sustenance, emotional and creative development, as also future vision.
- To specially emphasize on **theatre** as a way of engaging with children, along with other arts
  - Learning and utilizing theatre as a therapy for children to vent and overcome the brutality they have faced in their lives
  - Using it as a medium of their self-expression and growth
  - Using it as a performing art to sensitize the larger society about the deep-rooted injustices and inequities of the society, about the struggles and aspirations of the marginalized sections
  - Using theatre to carve a distinct identity of the group which becomes a binding thread to expand outreach
- To establish networks, with other like minded individuals, groups and societies for resource sharing and creative inputs. *as per cent present*
- To collaborate with similar organisations at regional, state, national and international level which have similar aims and objectives.
- To open the branches, regional or zonal offices of the Society to propagate the objects of the Society.
- To make short films, plays, film serials or feature films or publish magazines, periodicals, news Letters, souvenirs etc.
- To organize all variety of programmes including street and stage plays, film shows, seminars, meets, debates, charity shows etc., or to do any other thing for the benefit of the members.
- To acquire, purchase, takeover, take on rent, lease, license or possession of any movable or immovable property in the form of land, building, means of transport such as car, bus, coach, van etc., or any other property and to raise construction of structure thereon or to make that property usable for the purposes of the Society in any manner, whatsoever. *As per cent*
- To do any other work, task or undertake any other activity, service, facility or any other thing which may lawfully and legally be done or undertaken by the Society and is covered by the Societies Registration Act, 1860, as extended to the Union Territory of Delhi.
- Receive grants/ donations from national and international agencies for the pursuit of above stated objectives
- The Society may raise its funds by way of receiving admission fee, subscription, donations, grants, subsidies, assistance, advertisements, help or aid from the members, the organisations, firms, bodies corporate, societies, clubs, individuals or from any other person, local bodies, statutory bodies, governments etc., and the incomes received from the various kinds of services or facilities provided or arranged or managed by the Society or from any other source, which should of course be legal one.

- All the incomes, earnings, movable and immovable properties of the Society shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no profit thereof shall be paid or transferred directly or indirectly by way of claiming through any one or more of the present or the past members. No member of the Society shall have any personal claim on any movable or immovable properties of the Society or make any profits, whatsoever, by virtue of this membership.
- To organize voluntary camps to promote donations in cash or in kind to any good cause.
- To open and operate banks/ post office accounts in the name of the society to facilitate its working.
- To borrow, avail loans and deposits with or without interest from banks, institution, organization & / or institutions.
- To invest the monies of the society, not immediately required, in securities or deposits as are permitted by the law for the time being in force.
- To incur all and every expenditure, including capital expenditure required for the running of the society from the funds generated or to be generated in the future.



**CERTIFICATE OF REGISTRATION  
UNDER SOCIETIES REGISTRATION ACT XXI OF 1860**

NO. S- 54755 of 2006

I hereby certify that

"JAMGHAT - A GROUP OF STREET CHILDREN" at 18-A (MIG) PHASE -I, TRIVENI, NEW DELHI

has this day been registered\* under the Societies Registration Act, XXI of 1860.

Given under my hand at Delhi on this 25th day of January

Two Thousand Six.

Fee of Rs. 50/- paid.

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**REGISTRAR OF SOCIETIES  
GOVT. OF NCT OF DELHI  
DELHI.**

Seal

Registrar of Societies  
Delhi

\*This document certifies registration under the Society Registration Act, 1860. However, any Govt. department or any other association / person may kindly make necessary verifications (on their own) of the assets and liabilities of the society before entering into any contract / assignment with them.

## 11 Duties of office bearers

### **President**

1. The president shall preside over the meetings of the society, the council and its committees (as formulated from time to time by the governing body)
2. He/she shall call meetings of the society, the council and its committees
3. He shall take steps in ensuring, to raise the image of the Society and its members in the eyes of one and all and conduct the affairs of the meetings and the Society in a proper, reasonable and lawful manner
4. Perform such functions as the council may specifically entrust to him/her

### **Vice President**

The Vice-president shall act for the President in his/her absence and perform such functions and duties as may be assigned to him/her from time to time by the president of the council. The Governing Body/President may entrust any other work to him from time to time.

### **General Secretary**

1. The Secretary will be the **administrative head** of the Society and he shall ensure that the affairs of the Society and the management are conducted in a proper, legal, reasonable and efficient manner.
2. He/she shall conduct, within the functions and powers delegated to him/her and subject to the general control and supervision of the council the day to day management of the businesses and affairs of the society
3. All letters, documents, agreements, instruments and the like shall be signed or authenticated for the society and the council by the executive director or by the General Secretary
4. He shall **maintain the records of the meetings**, including recording of the minutes, after the draft minutes are approved by the President or Chairman of the meeting, if the meeting is not presided over by the President, maintenance of minute books, maintenance of the Membership Register and any other work as may be assigned to him by the President from time to time.
5. He shall issue the notices of the meetings of the Governing Body in consultation with the President
6. **He shall keep apprised about the various developments of the Society's affairs, to the President and Governing Body the Secretary may delegate his/her powers and duties to the members of the staff as he /she thinks fit**
7. The Secretary in consultation with the auditors appointed by the society shall submit to the council not later than 31<sup>st</sup> July (a) the audited accounts for the ending year latest by 31<sup>st</sup> March of each year and (b) the annual report of the working of the society for that year, for consideration and approval of the council

### **Joint Secretary (2)**

The Joint Secretary will be responsible to assist the General Secretary for its affairs of the society and also in the absence of secretary it will perform its duties given in the above Para.

## Rules and Regulations = JAMGHAT - A Group of Street Children

### 1 Founder Members

The members, who have signed the *Memorandum of Association* of the Society, are the founder members of the Society, whereas the founding members might include any other person as a founding member if the majority of the founding members gives their assent thereto. They are the primary and permanent members for life, not liable to pay the subscription.

### 2 Membership

Membership to the society will be by invitation only. Any person who is desirous of becoming a member of the society should be committed to the aims and objectives of the society (as spelt out in the membership of the association). A new member may be admitted to the society by the council (governing body) only on the recommendation of a majority of councilors and on payment of prescribed membership fees as indicated below so as to change the membership fees and structure from time to time.

The membership of the Society shall be of the following categories:

<u>Category</u>	<u>Open to</u>	<u>Membership</u>
Life Membership	Individuals	Rs 5000/-
Annual Membership (Without voting rights)	Individuals	Rs 500/- (For five years)
Corporate	Companies	Rs25000/- (For one year)
Institutional	Government Depts.	Rs25000/- (For one year)
Institutional	Registered Societies. Non -profit bodies.	Rs 5000/- (For one year)

Every new member will also be required to pay non-refundable, one time admission fee of Rs. 100/-

Corporate and institutional members may nominate in writing a person who will attend meetings on their behalf.

A member who fails to pay the membership fee within three months of the due date, shall cease to be a member, unless otherwise admitted by the council.

The council may exempt a member from the payment of membership fee for special reasons.



14 **Appeals**

Any appeal in any regard what so ever, in relation to the functioning of the society governing body has to be made before a quorum of 1/3<sup>rd</sup> members of the governing body, decisions made by the governing body shall be final.

15 **Nomination of Members on Governing Body**

The President, on the advice of the Governing Body, shall fill up the vacancies of the members of the Governing Body by nomination, from time to time.

16 **Filling up Casual Vacancies**

The President on the advice of the Governing Body shall fill up the casual vacancies of office bearers and the members of the Governing Body, from time to time.

17 **Election**

The election of the office bearers namely, President; Vice-President; Secretary General; and Treasurer will be held at an interval of three years. The election will be conducted by raise of hands. Provided however, the present Body will remain in place for a period of five years and the first election will take place after five years from the date of incorporation of the society.

18 **Term of the Elected Office bearers**

The term of the elected/nominated members of the Governing Body shall be five years or till the election of the new Governing Body for the next term is held, whichever is earlier.

19 **Committees and Advisory Boards**

The council may by resolution constitute

- a. Committees or sub-committees for any purpose the council may think fit and also determine their terms of reference, duties and powers.
- b. Advisory boards including persons who need not be members of the council with such advisory functions as the council may think proper
- c. The quorum at committees and advisory boards shall be one third



20 **Business by circulation**

Any business which it may be necessity for the council or its committees to transact may be transacted by circulation among all its councilors and any resolution so circulated and approved by a majority of the members signing the circular shall be as effectual and binding as if such resolution had been passed by a meeting of the council or committee

21 **Sources of Income and utilization of funds**

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1. Sources of income of the society will be the money received by the society by way of membership admission fees, subscriptions, individual contributions, donations, gifts, sales of publications, receipts of grants, donations, subsidies, assistance, help from the Government, Local Bodies, Firms, Bodies Corporate, Individuals or others; loans from the Government, Financial Institutions, Banks, Government Corporations and others, as

may be decided by the President in consultation with the Governing Council; Receipts of revenue or income from the organising of tours, picnics, film shows, variety programmes, film programme/premiers, dramas or any other programme or activity organised by the Society; tickets, sponsored shows; undertaking of studies and surveys, research projects, consultancy fees, holding of lectures, seminars, training programmes etc

**2. The funds of the society shall be utilized**

- a. for the purposes of the Society for which it has been established including the running of the activities of the Society and meeting the administrative and other day to day and other expenditure.
- b. to set aside such yearly sums as will be adequate to repay the installments of any loan as they arise due for payment
- c. to defray all proper costs, charges and expenses incidental to the carrying out of the business of the society, including the interest payable on any loans
- d. to appropriate the surplus in such manner and for such purposes as the council may think fit for the furtherance and promotion of the aims, objects and purposes of the society

**22 Operation of Bank Accounts**

The Society shall open its accounts in any Scheduled Bank, as may be decided by the Governing Body. The Bank account shall be operated jointly by any two of following members of the Governing Body, i.e. President, Secretary and Treasurer

Such funds of the society, as are not required for current expenses, may be held and dealt with in such manner as the council may deem fit.

**23 Financial Year**

The financial year of the society shall be from April 1 to March 31 of the succeeding year.



**24 Audit**

The accounts of the Society shall be audited by the auditors appointed by the Governing Body and he shall submit his report to the Secretary General, who shall place the same before the Annual General Meeting along with Annual Accounts.

**25 Property**

The Society may hold the property in its own name and the documents in respect of the properties shall be executed by the Secretary General, as may be decided by the Governing Body.

**26 Annual List of Governing body**

Once in every year, a list of the office bearers and the members of the Society shall be filed with the Registrar of societies, as required under section 4 of the Societies Registration Act, 1860, as extended to the Union Territory of Delhi.

27 **Dissolution**

If the Society needs to be dissolved, it shall be dissolved as per the provisions laid down under Sections 13 & 14 of the Societies Registration Act, 1860, as extended to the Union Territory of Delhi.

28 **Legal proceedings**

The Society may sue or be sued in name of the President, as per provisions laid down under section 6 of the Societies Registration Act, 1860, as extended to the Union Territory of Delhi.

29 **Amendment**

Any amendments in Memorandum of Association or Rules & Regulations will be carried out in accordance with procedure laid down under section 12 & 12A of the Societies Registration Act, 1860, as extended to the Union Territory of Delhi.

30 **Application of Act**

All the provisions under all the sections of the Societies Registration Act, 1860, as applicable to the Union Territory of Delhi shall apply to this Society "Certified that this is the correct copy of the Rules & Regulations of the Society."



### 3 Cessation of membership

- A member if the society shall cease to be a member in the event of:
  - a. death;
  - b. if found to be involved in any anti social activities;
  - c. if convicted of a criminal offence involving moral turpitude which, on the opinion of the council, renders him/her unfit to be a member;
  - d. if found to indulge in activities against the interests, aims and objects of the society.

The decision of the council regarding the termination of membership shall be appropriately taken note of /communicated to the member concerned.

### 4 Resignation

A member may **resign** his /her membership of the society by a letter addressed to the Executive Director.

### 5 Readmission

A person whose membership has been terminated can be considered for readmission in case an appeal is made to the council. The decision of the council shall be final in all such cases. The person will be readmitted only on paying all his/her dues.

A member shall have the right to contribute towards the furtherance of the aims and objectives of the society.

Where a member contributes specific service by way of writing, illustrating, editing, providing consultancy and other services, etc., he /she may be paid an honorarium or fee commensurate with the services rendered, at rates as approved by the council from time to time.

### 7 General Body

#### Power and Functions of the *General Body*

1. The general body shall consist of all the members of the society. They shall have the power of:
  - a. Laying down policy guidelines;
  - b. Deciding on broad areas of activities of the society;
  - c. Considering and adopting the audited accounts;
  - d. Considering and adopting the executive director's Annual Report;
  - e. Electing the member of the council, president, vice- president, General secretary, Joint Secretary and Treasurer though secret ballot papers; the governing body may also make a resolution to the effect, for the inclusion of a representative of homeless child/ community in the governing body for the practical inputs. The representative may hold an ex- officio Joint Secretary designation, which will remain in effect same as governing body rules. No Ex – Officio Joint Secretary who is to be nominated from the community shall remain in the council after attainment of majority (18 years)
  - f. To make bye-laws for the conduct of election, meeting and various other affairs of the society and amend them from time to time, as necessary.



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2. There shall be at least one Annual General Body (AGM), held not later than 30 September each year, to consider and audit accounts and the Executive Director's annual report and such other matters as may be necessary.
3. At least 21 days notice will be given before the AGM is held.
4. The **quorum** for an annual general meeting shall be one-third of the member of the society. If there be no quorum at the time notified for the meeting, the chairperson may adjourn the meeting, and no quorum shall be required for such an adjourned meeting.

### Governing Body

The control and management of the affairs of the society as well as of the properties of the society shall be vested in the **Governing body**, which shall be called, the **Council** and the members of which shall be called the **Councilors**.

### Strength

The council shall consist of at least seven councilors. This number may be increased by the council whenever necessary to not more than fifteen inclusive of the President.

### Term

The first council shall consist of original signatories of MOA and shall hold office for five years. Subsequently one third of the members shall retire every second year and the vacancies shall be filled by election from among the members of the society and shall hold office for two years. No member will be disqualified from standing for election of the council on the ground that he/she had been a member of the council earlier, but no member can be elected to the office for more than two concurrent terms.

### Composition

The following shall be the office bearers:

- a. President —— 1 (one)
- b. One Vice-president —— 2 (two)
- c. Secretary —— one
- d. Joint Secretary —— one
- e. Director —— one
- f. Treasurer —— one
- g. Councilors —— 1 to 8



### Powers and Functions of the Council

The Governing Body from time to time determines the rights, duties and benefits of the various kinds of membership. The ordinary members and the founding members shall be entitled to attend and vote at the meetings of the Council.

1. The council shall be responsible for proper management and administration of the affairs of the society; and shall have all powers that may be necessary or expedient for the purpose.

2. Without prejudice to the general powers of the Council as in Clause (1) above, the council shall have the following powers:

- a. To execute the objects of the Society in a best possible manner.
- b. To attend the business of the Society as placed at the meetings and take decisions in the manner that such decisions are in the interest of the Society and its members.
- c. To exercise general supervision and control over the affairs of the management of the Society, looking after functioning of various sub councils made for the purposes of carrying out the objectives as envisaged in the MoA of the society, its various activities and functions undertaken.
- d. To appoint **auditors** for auditing the accounts of the Society as and when the need arises.
- e. To receive **grants, subscriptions and donations in favour of the society**, provided that the grants, subscriptions and donations are not accompanied by conditions inconsistent with the Aims and Objectives of the society, or are considered by the Council as unacceptable or for any other reason
- f. To regulate the **expenditure incurred by the society**
- g. To appoint the necessary staff and prescribe their salaries and other terms and conditions of service
- h. To co-opt members of the Council as provide for in Rule-2 of these Rules and regulations
- i. To purchase, take on lease, as gift or otherwise any land or building, which may be necessary or convenient for the purpose to be rendered by the Society, on such terms and conditions as it, deems proper.
- j. To sell, exchange or lease or otherwise dispose of any moveable or immovable property belonging to the society on such terms, as the governing body may deem proper
- k. To execute, conveyance, transfer of government securities, re-convenience, mortgage, leases, bonds and agreements in respect of moveable or immovable properties that belong to the society or are to be acquired
- l. To raise money and/or borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the society or without any securities upon such terms and conditions as they may deem fit for the objectives of the society
- m. To invest the funds of the society in such securities as it may deem fit, and from time to time transpose any investment
- n. To determine and to receive payment for any special work or service rendered by the society
- o. To decide on **honorarium or fees payable** for services rendered to the society
- p. To delegate to the General Secretary, functions and power to be exercised, subject to such conditions as it may deem fit and proper, for the smooth conduct of the business and affairs of the society.
- q. To do any other work or take action as it may feel expedient or may be entrusted by the Governing Body.

Joint Secretary (2)

The Joint Secretary will be responsible towards the General Secretary for the affairs of the society and also in the absence of secretary it will perform its duties accordingly.

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### **Director**

The Director will be accountable in regard to different committees as formulated from time to time by the governing body. The Director will be heading the committees and will give the report of progress to the concerned office bearer.

### **Treasurer**

The Treasurer shall maintain all records of cash, receipts and payments donations grants gifts or any other monitory matter. The maintenance of relevant books and papers account books ledger and coordinate with the auditor as appointed. He may be assigned any other work by the President from time to time.

### **Councilors**

The councilors will be appointed by the governing body in consultation with all the founding/members of the society. The councilors will be accountable in regard to different committees as formulated from time to time by the governing body. The councilors will be heading the committees and will give the report of the progress to the concerned office bearer.

Any councilor absenting himself/herself for three consecutive meetings without giving adequate reason shall cease to hold office unless the council condones his/her absence.

### **Auditor**

The Auditor shall not be a member of the Governing Body, but may be a member of the Society. The first auditor shall be appointed by the Governing Body and thereafter, the auditor shall be appointed at the Annual General Meetings annually. The auditor is required to be a qualified Chartered Accountant/Company Secretary/Cost & Works Accountant. He may or may not be paid fee or honorarium, which will be decided by the President or Governing Body.

## **12 Delegation of powers**

The Governing Body, in addition to the above, may delegate any other or further powers, financial or otherwise, to the office bearers and members of the Governing Body.

## **13 Meetings and Quorum of the Governing Body**

The **meetings** of the Governing Body shall be held at least once in 3 months ending March, June, September & December of each calendar year.

The **quorum** of the meetings shall not be less than 1/3rd of the total membership of the Governing Body, as the case may be.

The meetings of the Governing Body shall normally be called at seven days notice, but may be called at a shorter notice also, if the business to be considered at the meetings is of urgent nature.

