

# **BYE LAWS OF SOCIETY FOR PROMOTION OF SERVE HUMANITY AMONG YOUTHS (SPARSHA)**

## **1. SHORT TITLE AND COMMENCEMENT**

a) These Bye Laws adopted in the General Body meeting of the Society held on XX/XX/2021, at XXXXXXXX may be called the “Bye Laws of the SOCIETY FOR PROMOTION OF SERVE HUMANITY AMONG YOUTHS” (SPARSHA in short).

b) These shall come into force from the date of registration of the Society under Societies Registration Act, 1860 as applicable to Andaman and Nicobar Islands.

## **2. DEFINITION**

In these Bye Laws unless the context otherwise requires :

- a) “Society” or “SPARSHA” means the SOCIETY FOR PROMOTION OF SERVE HUMANITY AMONG YOUTHS (hereunder referred to as the Society or SPARSHA).
- b) “Bye Laws” means the Bye Laws of the Society.
- c) “Governing Body” means the governing body of the society constituted under Rule 9 of Bye laws.
- d) “President” means the president of the Society.
- e) “Vice President” means the vice president of the Society.
- f) “General Secretary/ Organising Secretary/ Treasurer/ Joint Treasurer/ Convenor/ Executive Member” means the general secretary/ organising secretary/ treasurer/ joint treasurer/ convenor/ executive member of the Society.

- g) “Simple Majority” means majority of more than 50% of the members voted or present as the case may be. When type of majority needed is not specified, simple majority is considered for voting.
- h) “Office Bearers” means office bearers of the Governing Body.
- i) “Administration” means The Andaman and Nicobar Administration.
- j) “Central Government” means the Government of India.
- k) “Act” means the Societies Registration Act, 1860, as applicable to Andaman and Nicobar Islands.

### **3. NAME AND LOGO OF THE SOCIETY**

3.1) The name of the society shall be “Society for Promotion of Serve Humanity Among Youths” herein after referred to as the “Society” or स्पर्श in Hindi and SPARSHA in English)

3.2) Logo of the society shall be as given below :



### **4. REGISTERED OFFICE**

The society shall have its registered office at Shore Point Village, Bambooflat, Post Office, Ferrar Gunj Tahsil, South Andaman District, PIN – 744107.

### **5. AREA OF OPERATION**

The area of operation of the society shall be the Union Territory of Andaman and Nicobar Islands.

## **6. AIMS AND OBJECTS OF THE SOCIETY**

- i) To conduct charitable, community service activities with the view to help the needy and motivate the youths to Serve Humanity.
- ii) To conduct science awareness, literary, social and cultural activities with the view to inculcate scientific temper and conservation of A&N Islands Social, Cultural and Ecological Heritage.

## **7. MEMBERSHIP**

### **7.1) ELIGIBILITY**

In order to be admitted as a member of the Society with voting rights,

- i) Must be a citizen of India and attained 18 years of age;
- ii) Should subscribe to the aims and objects of the Society;
- iii) Must have paid the admission fee and membership fee and must not be in arrears of payment of such fee;
- iv) Must not be an insolvent or of unsound mind;
- v) Must not have been convicted for an offence involving moral turpitude involving imprisonment of one year or more.

### **7.2) CATEGORIES OF MEMBERSHIP**

The Society shall consist of two distinct categories of membership as under :

**Society for Promotion of Serve Humanity  
Among Youths (SPARSHA)**

#### **a. MEMBERS (with voting rights)**

##### **i. LIFE MEMBER**

A person may be admitted as “Life Member” of the society on payment of the prescribed fees and such person shall continue to be the member of the Society for his life.

## **ii. ANNUAL MEMBER**

A person may be admitted as “Annual Member” of the society who pay the prescribed annual membership fee and shall continue to enjoy their membership so long as they are not in arrears of payment of their membership fee.

Every Annual Member will have the option to upgrade to Life Member of the society by paying the difference of fees between the two categories of membership.

Also annual members who have paid membership fees for 10 years will automatically be upgraded to life member on the 10<sup>th</sup> year of membership of the society.

## **iii. DONOR MEMBER**

The society shall also have such person as “Donor Member” of the society who have contributed to the endowment fund of the society. Tenure of such membership shall be coterminous with the endowment fund.

It shall be open to the donor of the endowment fund to name himself/herself or nominate (one nomination per fund) anyone as Donor Member of the society, subject to fulfilment of eligibility criteria set out in the bye law of the society.

## **b. PARTICIPANT (without voting rights)**

i) Annual members whose membership is deemed to be under suspension due to non-payment of membership fee by the stipulated date shall be treated as “Participant” (without voting rights).

ii) Those who otherwise fulfill the eligibility criteria but doesn't intend to take membership of the society however would like to participate in online/social

media interactions of the society may opt to pay only the admission fee and become a “Participant” (without voting rights).

### **7.3) ADMISSION FEE AND MEMBERSHIP FEE**

(i) The rates shall be as under :

Sl No	Category of membership	Admission Fee	Membership Fee	Due date
1	Life Member	Rs 100/-	Rs 2000/-	---
2	Annual Member	Rs 100/-	Rs 200/-	1st April
3	Donor Member	Rs 100/-	-*-	---
4	Participant	Rs 100/-	---	---

*Note: all fees are non-refundable | \* See Clause 12.2 of the Bye Laws.*

ii) Payment of annual membership fee shall become due on the 1st of April of every year, which may be paid latest by 30th of June of such year.

iii) Membership of a defaulting member shall be deemed to be under suspension after the due date (30th June) and such member shall not be entitled to cast vote during any election of the Society held in that particular year.

iv) Suspension of membership on account of default in payment of membership fee may be revoked after the dues have been cleared. However, such member will not be eligible to cast vote in any election held during the remainder of the financial year.

### **7.4) PROCEDURE FOR ADMISSION**

i) An individual willing to be a member of the Society has to submit the prescribed membership application form along with applicable fee to the President or General Secretary duly filled and introduced/recommended by any member of the society or a prominent citizen other than a relative.



- ii) The General Secretary shall examine the application and place it before the governing body for a decision;
- iii) The Governing Body may accept or reject the application which shall be binding on the applicant. The Governing Body shall not be under any obligation to assign any reason for its decision.
- iv) On the approval of the Governing Body, the applicant shall be inducted in the society and the same shall be intimated to the member.
- v) Name and other details of such members shall be entered in the Membership Register as prescribed under the Societies Registration Act, 1860 applicable to Andaman and Nicobar Islands.
- vi) Life members, at their discretion will be issued an Identity Card of the Society free of cost. All other category of members desirous of getting an Identity Card in their name need to pay I-Card fee separately.

### **7.5) MEMBERSHIP REGISTER**

The society shall maintain at its registered office a register of its members and shall enter therein, within 15 days of admission as member or cessation of membership as the case may be, the following particulars :

- i) The name, address and other details from membership application form.
- ii) The date on which the member is admitted.
- iii) The date on which a member ceased to such membership.

### **7.6) CESSATION OF MEMBERSHIP**

A person cease to be a member:

- i) On death or
- ii) On his/ her written resignation from the society.

- iii) Has not attended 03 consecutive meetings of the general body of the society without intimation.
- iv) Has failed to pay applicable membership fee.
- v) Have been found of immorality, theft, mischief, gambling or convicted in any criminal case.

## **7.7) RIGHTS AND PRIVILEGES OF MEMBERS**

- i) Every member shall have an equal right to vote at the annual general body meeting.
- ii) Every member shall have the right to participate in the activities of the society.

## **8. GENERAL BODY**

General body shall consists of all members (with voting rights) of the society.

### **8.1) POWERS AND FUNCTIONS OF GENERAL BODY**

- i) To elect the office bearers of Governing Body by voting.
- ii) To consider any item of business brought forward by any Member or the Governing Body, which shall be decided or turned down by simple majority after voting.
- iii) A simple majority shall decide all questions before the general body.

### **8.2) NOTICE OF GENERAL BODY MEETING**

- i) Meeting of the general body shall be held at-least once in a financial year. A notice for convening such meeting shall be issued to all the members by post or email or though newspaper issued 10 days in advance.
- ii) Special General Body meeting may be convened, as and when required, with a clear notice issued 7 days in advance.

iii) The quorum in the general body meeting will be one third of the total live members. In case quorum is not completed, the meeting shall be adjourned and reconvened after 30 minutes. Condition of quorum would then deemed to have been fulfilled.

## **9. GOVERNING BODY**

The Governing Body shall be the executive organ of the Society, responsible for translating the aims and object of the society into reality. The income and property of the Society shall be vested in the Governing Body of the Society.

The first governing body shall consists of such persons whose name are given in the Memorandum of Association and shall hold office till elections are held.

### **9.1) OFFICE BEARERS OF THE GOVERNING BODY**

The governing body shall consists of the following office bears :

President (1), Vice President (1), General Secretary (1), Organising Secretary (1), Treasurer (1), Joint Treasurer (1) and Convenor (1)

### **9.2) TENURE OF OFFICE BEARERS OF GOVERNING BODY**

a) The ordinary tenure of the governing body will be five years after which election will be held.

b) In case, election does not take place after five years for what-so-ever reason, the existing office bearers shall continue to hold office for a further period of maximum one year in excess of their ordinary tenure.

### **9.3) GOVERNING BODY ELECTION**

a) The general body of the society shall conduct elections to appoint office bearers of the governing body once in five years.

b) Voting in such election shall be conducted through secret ballot.



## **9.4) POWERS OF THE GOVERNING BODY**

- a) The Governing Body shall exercise all such powers as are required to attain the aims and objects of the society.
- b) To invest the funds in such manner which is beneficial to the society and incur expenditure as may be necessary for attaining the aims and objects of the society.
- c) To make future plans, programs and activities aimed at furtherance of the aims and objects of the society.
- d) To make necessary amendments in the Memorandum of Association or Bye Laws of the society as and when such need may arise with a majority of 3/5.
- e) To admit new members or to terminate non-conforming members as per Bye Laws of the society.
- f) To conduct membership/donation drive to bring new members/donation/endowment funds for the society as and when the need may arise.
- g) To fix the minimum amount of fund that would qualify to be called and accepted as endowment fund.
- h) Governing Body shall meet at-least twice in an accounting year.

## **9.5) POWERS AND DUTIES OF OFFICE BEARERS**

### **9.5.1) PRESIDENT (1)**

There shall be one President who will be the head of the society and will preside over the General body, Governing body and all other meeting of the society.

### **9.5.2) VICE PRESIDENT (1)**

There shall be one Vice President, who shall supervise functioning of the society as per the advice of the President. In the absence of President, the Vice President shall exercise all powers and duties of the President.

### **9.5.3) GENERAL SECRETARY (1)**

There shall be one General Secretary whose responsibility shall include

- a. To sign all correspondences on behalf of the society and to maintain the records of proceedings of all meetings of the society.
- b. To attend and keep the minutes of the meetings of general body and other meetings of the society.
- c. To call ordinary or special general meeting of the society.
- d. He shall also represent the society at various forums and functions as and when authorized to do so by the President.
- e. He shall prepare and maintain the day to day record of functioning of the society.
- f. He shall receive and scrutinize Membership Application Forms and place them before the Governing Body for a decision. He shall also communicate the decision of the governing body and maintain the Membership Register of the society.

### **9.5.4) ORGANISING SECRETARY (1) (SPARSHA)**

There shall be one Organising Secretary who shall be responsible for organizing and executing outreach campaigns and other plan programs and activities of the society on the ground. In the absence of the General Secretary, the Organising Secretary shall exercise the powers and duties of the General Secretary.

### **9.5.5) TREASURER (1)**

There shall be one Treasurer who shall keep and maintain all kind of vouchers, books of accounts of receipts and payments and shall furnish necessary information to the governing body. The treasurer shall be responsible for getting the accounts of the society audited from certified chartered accountant annually. In the absence of convener, treasurer will carry out the responsibilities entrusted on the convener.

### **9.5.6) JOINT TREASURER (1)**

There shall be one Joint Treasurer who shall assist the Treasurer in keeping and maintaining all kinds of vouchers, books of accounts of receipts and payments of the society. In the absence of the Treasurer, The Joint Treasure shall carry out the duties and responsibilities entrusted on the Treasurer.

### **9.5.7) CONVENER (1)**

There shall be one Convener entrusted the responsibility of conducting public outreach activities, as the face of the society on the ground. Convener shall be responsible for mobilising resources and others members of general body to execute outreach campaigns, other plan programs and activities of the society on the ground. In the absence of Organising Secretary, convener shall carry out the duties and responsibilities entrusted on the Organising Secretary.

## **10. NO CONFIDENCE MOTION**

Any office bearer of the governing body may be removed from the office if no confidence motion is passed against such incumbent by at least two third majority of General body.

## **11. POWERS TO AMEND**

The Society can amend, make, adopt, substitute, add or delete, from time to time, the objects, bye laws and rules of the Society, by a resolution passed by two-third majority at an Extraordinary General Meeting, specifically called for this purpose.

## **12. SOURCE OF INCOME**

The society shall have its source of income in the following :

12.1) Membership fee, Admission fee, Donations, Special contribution, CSR, Grant in Aid, Gifts.

### **12.2) ENDOWMENT FUND**

The endowment fund will comprise of such fund(s) donated to the society by person(s)/citizens, associations or other entities. Each of such endowment fund shall be kept in separate fixed deposit or any other banking instrument in a nationalized bank whichever is beneficial in terms of accrued interest.

The returns/accrued interest shall be utilized for attaining the stated aims and objects of the society. The minimum amount of donation qualifying to be called endowment fund shall be deliberated and fixed by the governing body from time to time.

12.3) All income/earning from investments, moveable or immoveable properties of the society shall be solely utilized and applied towards the promotion of aims and objects set forth in the Bye Laws and Memorandum of Association. No portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus, profits of, any manner whatsoever be to the present or past member of the society or any person claiming through any or more of the present or past members.

### **13. FINANCIAL YEAR**

The financial year shall be from 1<sup>st</sup> day of April to 31<sup>st</sup> day of March.

### **14. AUDIT OF THE ACCOUNT**

A qualified chartered accountant/ auditor appointed by the Governing body shall audit the accounts of the society annually.

### **15. OPERATION OF BANK ACCOUNT**

The society shall open Bank Accounts, Fixed Deposits or any other accounts in any Nationalized Scheduled Bank or Post Office and shall be operated by the President and General Secretary jointly or any two office bearers authorized by the Governing body.

### **16. ANNUAL LIST OF THE GOVERNING BODY**

Once in every year a list of the office bearers of the governing body shall be filed with the Registrar of Societies, Andaman & Nicobar Administration.

### **17. DISSOLUTION**

The society shall be deemed to be dissolved by General body with 4/5th of its majority or the General body through resolution shall merge the society with another society having similar aims and objects but with a 4/5th majority vote of General body.

### **18. AUTHORITY FOR LEGAL ACTION**

For the purpose of Section 6 of the Societies Registration Act, the person in whose name the Society may sue or be sued shall be the President of the Society.