

HINDU SOCIETY

CONSTITUTION

Original dated 25 July 2005 (amended on 16 May 2009)

Charity Registration Number 265903

- 1 The NAME of the Association is Hindu Society (“the Society”)
- 2 The Registered Office of the Charity is to be In England and Wales.
- 3 ADMINISTRATION
- 3.1 Subject to the matters set out below the society and its property shall be administered and managed in accordance with this constitution by a committee comprising the honorary officers (defined in section 13 (Honorary Officers of the Executive committee) below) and other members elected in accordance with section 11 (Executive Committee) of this Constitution.
- 3.2 The honorary officers and other members of the committee are together called the Executive Committee.
- 4 OBJECTS

The Society’s object (the object) is the advancement of the Hindu religion based on the teachings of Sanatan Dharma.
- 5 POWERS
- 5.1 In furtherance of the Society's object, the Executive Committee may exercise the following powers.
 - 5.1 a provide a Hindu religious and social society in South London;
 - 5.1 b offering facilities for social and religious functions and the performance of all religious rites, Including but not limited to births, marriages and deaths;
 - 5.1 c arranging lectures and discussions on Hinduism and Its philosophy;
 - 5.1 d provide a library of books and periodicals about the Hindu religion;
 - 5.1 e providing a central place of worship with a resident Hindu priest for performing religious ceremonies and conducting public worship and prayer;
 - 5.1 f providing a Social and religious meeting place for Hindus of all beliefs;
 - 5.1 g providing career guidance and recreational and social facilities for Hindu youths;
 - 5.1 h providing facilities to learn Indian languages and arts including but not limited to music and dance;
 - 5.1 i arranging to teach English as second language to adults whose first language is not English;
 - 5.1 j providing playground and recreational facilities for Hindu children and their parents, grandparents and guardians;
 - 5.1 k catering for the social and health welfare needs and recreational needs of Hindu senior citizens
 - 5.1 l working for the relief of the hardship;
 - 5.1 m Working for the advancement of education.
 - 5.1 n Striving to create harmony and goodwill between communities of various faiths and religions.

- 5.1 o directing and applying the resources and managing the property (or properties) of the Society, solely for the enhancement and execution of the object of the Society as laid down in the Constitution;
- 5.1 p raising funds, and inviting and receiving contributions, donations, gifts, legacies, loans, grants from central government and local authorities or from other organisations or authorities or by way of periodical and permanent covenants or endowments provided that in raising such funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of law;
- 5.1 q to the extent required to maintain and/or increase the value of assets of the Society, but not for the general running costs or consumable costs of the Society and subject to any consent required by law, and the consent of the Board of Trustees (as defined in section 19 (appointment of the Board of Trustees) below) selling leasing or disposing of all or any part of the immovable property as is necessary for the achievement of the society's object and maintain and equip it for use;
- 5.1 r to the extent required to maintain and/or increase the value of the assets of the Society, but not for the general running costs or consumable costs of the Society and subject to any consents required by law selling, leasing and disposing of all or any part of the moveable property necessary for the achievement of the Society's object and to maintain and equip for it for use.
- 5.1 s to the extent required to maintain and/or increase the value of the assets of the Society, but not for the general running costs or consumable costs of the Society, and subject to any consents required by law buying, taking on lease or exchanging any property necessary for the achievement of the Society's object and to maintain and equip it for use.
- 5.1 t to the extent required to maintain and/or increase the value of the assets of the Society, but not for the general running costs or consumable costs of the Society, and subject to any consents required by law and consent of the Board of Trustees, borrowing money, charging all or any part of the property of the Society with repayment of money so borrowed.
- 5.1 u Employing such staff, who shall not be members of the Executive Committee, Honorary officers or members of the Board of Trustees, as are necessary for the proper pursuit of the objects;
- 5.1 v co-co-operating with other charities, voluntary bodies and statutory authorities operating in furtherance of the Objects or of similar charitable purposes and to exchange information and advice with them;
- 5.1 w Establishing or supporting any charitable trusts, association or institutes formed in furtherance of the same or similar objects to the Society's objects; and
- 5.1 x Appointing and constituting such advisory committees as the Executive Committee may think fit,

No alteration of this Constitution or any special resolution shall have retrospective effect to invalidate any prior act of the Executive Committee.

Membership of the Society

- 6 MEMBERSHIP
- 6.1 Membership of the Society shall be open to any individual over the age of 18 years who is a member of Hindu faith by descent

6.2 Membership of the Society shall be classified as follows:

- a. Life membership
- b. Ordinary membership
- c. Concessionary membership (Student, senior citizens, unemployed)
- d. Honorary membership
- e. Patron

Subscription for 6 2 (a), (b), and (c) above shall be as laid down from time to time by the Executive Committee. The Executive Committee may use its discretion to set the annual subscription rate as nil or waive the subscription in cases of hardship.

All applications for Membership must be made to the General Secretary as defined in Section 13 Honorary Officers of the Executive Committee) below) signed by the applicant, proposed and seconded by two fully paid-up qualified members of over one year's standing. For the purposes of this Constitution a qualified member shall be a member whose annual subscription is fully paid up 30 days before the meeting in which the matter to be resolved is placed on the agenda for resolution and who has been a member of the Society for at least one year (a qualified member) The membership of the applicant is subject to approval and mu j canon by the Executive Committee in their next meeting. The Executive Committee may refuse an application for membership if, acting reasonably, they consider it to be in best interests of the Society to refuse the application.

Members will be entitled to use the hall belonging to the Society

Only qualified members of the Society will be permitted to vote at General Meetings (defined in subsection 37I) or to stand for any post of an honorary officer.

Every qualified member shall have one vote per matter to be resolved at any General Meeting of the Society.

7 LIFE MEMBERSHIP

Life membership is available to any member of the Hindu faith or by adoption of Hindu faith who subscribes to an agreed sum as laid down by the Executive Committee from time to time.

8 PATRONS

8.1.1 Patrons may be appointed at the discretion of the Executive Committee. They shall be persons who have rendered distinguished services to the Society or who have made a significant financial contribution or who will, in the opinion of the Executive Committee and the Board of Trustees make potentially significant contributions to the growth progression and advancement of the Society.

8.1.2 Patrons shall not have voting rights

9 HONORARY MEMBERS

9.1 The Executive Committee, in agreement with the Board of Trustees, may from time to time invite such persons as they deem fit to be Honorary members of the Society. The criteria used by the Executive committee In appointing honorary members will be outstanding service, significant contribution to the Society and dedication to the dissemination of the Hindu religion and culture.

9.2.1 The Honorary members shall not have voting rights.

10 TERMINATION OF MEMBERSHIP

10.1 Membership of the Society is terminated if:

a. he member dies

b. the member resigns by written notice to the Society unless, after the resignation, there would be less than two members;

c. The member is removed from membership by unanimous vote of the Executive Committee that it in the best interest of the Society that his or her membership Is terminated.

Governance of the Society - The Executive Committee.

11 EXECUTIVE COMMITTEE

11.1 Subject to section 11.4 below, the Executive Committee shall consist of thirteen members being:

a. The honorary officers in Section 13 (Honorary Officers of the Executive Committee) below and Seven additional members elected at the Annual General Meeting who shall hold the office from the conclusion of that meeting (Together known as elected representatives).

11.2 The Executive Committee shall be appointed at the Annual General Meeting in accordance with section 35 (Annual General Meeting)

11.3 All members of the Executive Committee shall retire from Office together at the end of the Annual General Meeting after the date on which they came in office but subject to subsection 13.7 below, they may be re-elected or re-appointed

11.4 Any casual vacancy in the Executive Committee may be filled by a person appointed by the Executive Committee and person so appointed shall retire from Office at the end of next Annual General Meeting following the date on which they came into Office but subject to subsection 13.7 below, they may be re-elected or re-appointed

11.5 The Executive Committee may in addition appoint no more than 4 co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee and Shall take effect from end of that meeting unless the appointment is to fill in a place which has not then been vacated In which case the appointment shall run from the date when the post becomes vacant.

11.6 Subject to subsection 18.2, the proceedings for the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member

- 11.7 Nobody shall be appointed as a member of the Executive Committee who would if appointed is disqualified under the provisions of the following section 12 (Determination of membership of the Executive Committee)
- 11.8 The Executive Committee shall keep a register of name and address of every member appointed to the Executive Committee and the dates on which their terms of office begin and end.
- 11.9 Save in respect of the Society's first year of incorporation, only qualified members shall be entitled to act as a member of the Executive Committee.
- 11.10 No person shall be entitled to act as a member of the Executive Committee, whether on a first or on any subsequent entry into office, until they have signed a declaration of acceptance and of willingness to act in the interest of the Society in the minute book of the Executive Committee
- 11.11 No person shall be entitled to act as a member of the Executive Committee if they receive any payment of money or other material benefit (whether directly or indirectly from the Society except for reimbursement of reasonable 'out of-pocket' expenses actually incurred in running the Society or if they are paid employee of the Society.

12 DETERMINATION OF MEMBERSHIP OF EXECUTIVE COMMITTEE

- 12.1 A member of the Executive Committee shall cease to hold office if he or she:
- a. Is disqualified from acting as a member of the Executive Committee by virtue of Section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision.
 - b. Ceases to be a member of the Society
 - c. Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her affairs.
 - d. Is absent without apology to the Executive Committee from two or more consecutive meetings of the Executive Committee and the Executive Committee resolves that his or her office be vacated, or
 - e. Notifies to the Executive Committee a wish to resign but only if at least five members of the Executive will remain in office when the notice of resignation is to take effect.
- 12.2 If the members of the Board of Trustees feel at any time that the interest of the Society are in jeopardy or being compromised in any way or that the Executive Committee has failed in its duty to manage, they may convene a special meeting of the members, in accordance with subsection 29.8 below to propose to dismiss the Executive Committee and appoint new members of the Executive Committee with immediate effect.

13 HONORARY OFFICERS OF THE EXECUTIVE COMMITTEE

13.1 At the Annual General Meeting of the Society the members shall elect from amongst themselves the Executive Committee which shall include the following six officers.

a. President

b. Vice President

c. General Secretary

d. Joint Secretary

e. Treasurer

f. Joint Treasurer.

(the Honorary Officers) who shall hold office from the conclusion of that meeting until the end of following General Meeting after the date on which they came into office.

13.2 No member shall be eligible to stand for the position of an honorary officer unless they have served on the Executive for at least one year previously as an elected representative

(a) not more than one member of the same family (spouse, children. and siblings) shall be eligible to become an office bearer and/or a member of the Executive Committee.

13.3 No honorary officer shall use his/her private address to conduct the business of the Society.

13.4 No member of the Society may be elected as an honorary officer if he/she is an office bearer of an organisation with similar objects to that of the Society and/or has any Interests which, in the reasonable opinion of the Executive Committee, conflict with the object of the Society

13.5 All honorary officers shall work for the Society in an honorary capacity, without any remuneration whatsoever, in cash or in kind.

13.6 Subject to sub-section 13.7 below, a member shall not be eligible for the office of President, Vice president. General Secretary, Joint Secretary, Treasurer or joint Treasurer for more than three consecutive terms in any post

13.7 If it is considered by the Executive Committee and the Board of Trustees to be beneficial and in the interest of the Society, individual or collective post/s or term/s may be extended by a further year subject to the approval of the members at the Annual General Meeting.

14 DUTIES OF THE HONORARY OFFICERS OF THE EXECUTIVE COMMITTEE.

14.1 The President

- a. The President shall be the head of the Society
- b. At meetings of the Executive Committee the President shall have the casting vote in case of a tie
- c. The President shall have the power to terminate or adjourn a meeting for any reason including amongst others the misconduct of a member.
- d. The Vice President shall deputise for the President in his/her absence and shall automatically succeed if the office of the President may fall vacant during the term of his/her office.

14.2 The General Secretary

- a. Under the directions of the President, the General Secretary shall convene all meetings and give effect to all the resolutions passed at the meeting.
- b. The General Secretary shall keep minutes of the Executive Committee and general meetings of the Society and shall be responsible for the maintenance of the Society records.
- c. The General Secretary shall conduct all correspondence on behalf of the Society and shall carry out the Executive Committee's instructions in this regard
- d. The joint Secretary shall assist the General Secretary and shall deputise for the General Secretary in his/her absence.

14.3 The Treasurer

- a. The Treasurer shall receive all moneys and issue receipts for them on behalf of the Society
- b. The Treasurer shall keep all such income and expenditure incurred by the Society for examination by the Auditors.
- c. All cash received on gatherings and functions should be counted by the Treasurer or a member of the Executive Committee and countersigned together with another member and receipts issued
- d. The Treasurer shall make payments duly authorised in writing by the Executive Committee and subject to the other conditions as stipulated in Section 30 (Finance) below.
- e. After approval by the Executive Committee and the Board of Trustees, the Treasurer shall be responsible for presenting the annual audited accounts and the balance sheet to the Annual General Meeting of members, and to any legal authority which may be required under the laws of England.
- f. The Joint Treasurer shall assist the Treasurer and shall carry out the duties in his/her absence.

15 EXECUTIVE MEMBERS NOT TO BE PERSONALLY INTERESTED

15.1 Subject to the provisions of subsection 11.11 above and sub-section 45 2 below, no member of the Executive Committee shall acquire any interest in property belonging to the Society (otherwise than as a member of the Board of Trustees for the Society) or receive remuneration or be Interested (otherwise than as a member of the Executive committee) in any contract entered into by the Executive Committee.

16 ORDINARY MEETINGS OF THE EXECUTIVE COMMITTEE

16.1 The Executive Committee shall hold ordinary meetings monthly or at such other additional times agreed between the members of the Executive Committee

16.2 Ordinary meetings require at least 14 day notice

16.3 Any five or members of the Executive Committee may call an ordinary meeting at any time by the requisition to the General Secretary

16.4 The Executive Committee members shall attend meetings regularly. Any Executive Committee member who misses two consecutive meetings without informing the Executive Committee shall be treated as having vacated his or her seat from the future meetings for the remaining period of his or her term of office

16.5 Where the Executive Committee has appointed co-opted members in accordance with section 11.5 above, such co-opted members will have no right to vote in any decision of the Executive Committee.

17 SPECIAL MEETINGS OF THE EXECUTIVE COMMITTEE

17.1 A special meeting may be called at any time by at least five members of the Executive Committee upon a requisition to the General Secretary and upon the following notice periods being complied with

a. In all cases not less than 7 day notice: except

b. Where the matter to be discussed include the appointment of a co-opted member or the appointment of a Trustee to the Board of Trustees when not less than 21 days must be given.

17.2 The notice calling a special meeting of the Executive Committee must include details of the business to be transacted at the meeting and the matters to be discussed

17.3 A special meeting of the Executive Committee may, but need not, be held immediately before or after an ordinary meeting

18 PROCEEDINGS OF THE EXECUTIVE COMMITTEE

18.1 The President shall act as Chairperson at meetings of the Executive Committee. If the President is absent from any meetings, the Vice President shall act as chairperson at meetings of the Executive Committee. If both the president and the vice president are absent from any meeting, the members of the Executive Committee present Shall choose one of their number to be chairperson of the meeting before any other business is transacted.

18.2 No meeting of the Executive Committee may transact any business of the Society except for the purpose of filling vacancies in its numbers unless a quorum in accordance with subsection 38.1 below is present at the start of and throughout such meetings.

18.3 Except for the chairperson of the meeting who has a casting vote, every member of the Executive Committee has one vote on each issue

18.4 Subject to subsection 6 7 above every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question

- 18.5 The Executive committee shall keep minutes, in books kept for that purpose, of the proceedings at meetings of the Executive Committee and any sub-committee. Such books must be retained by the General Secretary or joint Secretary, who must allow the members of the Society to access them.
- 18.6 The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any enquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee provided that all acts and proceedings of any such subcommittees shall be fully and promptly reported to the Executive Committee
- 18.7 The terms of appointment of any sub-committee must be recorded in the minute book and the Executive Committee may impose conditions on those terms as they see fit. In addition the Executive Committee may revoke or alter the appointment of any sub-committee
- 18.8 The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and custody of the documents. No rule may be made which is inconsistent with the Constitution
- 19 Administration of the Society —The Board of Trustees
- 19.1 A board of Trustees shall be appointed consisting of minimum of three members and a maximum of five members who will be recommended and approved by the Executive Committee for a fixed period of five years (the Board of Trustees) The Trustees shall be the persons who, in the reasonable opinion of the Executive Committee, have been dedicated members and have rendered invaluable services and contributions to the Society over a number of years. The new Trustees' appointment will be confirmed in writing.
- 19.2 In selecting persons to be appointed as Trustees, the Executive Committee shall take into account the benefits of appointing a person who through residence, occupation, employment or otherwise has special knowledge of the area of benefit or who is otherwise able by virtue of his or her personal or professional qualifications to make a contribution to the pursuit of the object or the management of the society.
- 19.3 Upon the death of a Trustee or upon a Trustee ceasing to act as such pursuant to section 21 (Determination of Trusteeship) below, the Executive Committee will nominate a replacement Trustee.
- 19.4 When any new Trustee is appointed to the Board of Trustees, the Executive Committee and the Board of Trustees shall ensure that any land belonging to the Society which is not vested or about to be vested in the Official Custodian for Charities or in a custodian trustee and all other property of the Society which is not vested or about to be vested in the Official Custodian for Charities, a custodian trustee or a nominee is effectively vested in the persons who are the Trustees following such appointment.
- 19.5 Any Trustee whose fixed term period in office has expired shall be eligible for re-appointment.
- 19.6 The Trustees as at 25 July 2005 are the persons listed in the schedule to this Constitution
- 20 ELIGIBILITY FOR TRUSTEESHIP

- 20.1 No person shall be appointed as a Trustee:
- a. If they are under the age of 18 years; or
 - b. In circumstances such that, had he or she already been a Trustee, he or she would have been disqualified from office under the provisions of the section 21(Determination of Trusteeship) below
- 20.2 No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry in to office until they have signed a declaration of acceptance and of willingness to act in the interests of the Society In the minute book of the Board of Trustees,

21 DETERMINATION OF TRUSTEESHIP

- 21.1 A Trustee shall cease to hold office if he or she:
- a. Is disqualified from acting as a Trustee by virtue of section 72 Charities Act 1993 (or any statutory re-enactment or modification of that provision);
 - b. becomes incapable by reason of mental disorder, illness or Injury of managing and administering his or her own affairs
 - c. is absent without the permission of the Board of Trustees from all their meetings held within a period of six months and the Board of Trustees resolves that his or her office be vacated,
 - d. remains out of the United Kingdom for more than 12 months continuously;
 - e. Wishes to resign and gives the General Secretary not less than one month's notice in writing of his/her intention to resign but only if at least three Trustees remain in office when the resignation is to take effect;
 - f. in the opinion of the Executive Committee and the remaining Trustees (on the basis of a Simple vote) is not fulfilling his or her duties and obligations to a satisfactory standard and is dismissed in accordance with the provision of subsection 29 9 below, or
 - g. Ceases to be a member of Society

22 VACANCIES IN THE BOARD OF TRUSTEES

- 22.1 If a vacancy within the Board of Trustees arises, the Board of Trustees shall note the fact In their minute book at their next meeting.
- 22.2 In the event that there are fewer than two Trustees none of the powers or discretion: hereby or by law vested in the trustees shall be exercisable except for the purpose of appointing a new Trustee or Trustees.

23 ORDINARY MEETINGS OF THE BOARD OF TRUSTEES

- 23.1 The Board of Trustees shall hold at least two ordinary meetings in each year
- 23.2 Such ordinary meetings of the Board of Trustees shall be arranged by the Trustees at their meetings or may be called at any time by the chairperson of the Board of Trustees or any two other Trustees.
- 23.3 Not less than ten day notice of a meeting of the Board of Trustees must be given to the other Trustees

24 SPECIAL MEETINGS OF THE BOARD OF TRUSTEES

24.1 A special meeting may be called at any time by the chairperson of the Board of Trustees (defined below) or any two other Trustees.

24.2 The following notice periods being compiled with:

a. in all cases not less than four days, except

b. Where the matters include the appointment of a Trustee then not less than 21 day notice must be given.

24.3 The notice calling a special meeting of the Board of Trustees must include details of the business to be transacted at the meeting and the matters to be discussed.

24.4 A special meeting of the Board of Trustees may but need not, be held immediately before or after an ordinary meeting.

25 CHAIRPERSON OF THE BOARD OF TRUSTEES

25.1 The Board of Trustees at their first ordinary meeting of each year shall elect one of their numbers to be chairperson of their meetings (the Chairperson of the Board of Trustees) until the commencement of the first ordinary meeting of the Board of Trustees to the following year.

25.2 The Chairperson of the Board of Trustees shall always be eligible for re-election.

25.3 If the Chairperson of the Board of Trustees is not present within a reasonable time appointed for holding a meeting, the Trustees present shall choose one of their numbers to be Chairperson of the Board of Trustees for the purposes of that meeting

26 SECRETARY OF THE BOARD OF TRUSTEES

26.1 The Board of Trustees at their first ordinary meeting in each year shall elect one of their numbers to be secretary for the purposes of their meetings (the secretary of the Board of Trustees) until the commencement of their first ordinary meeting in the following year.

26.2 The Secretary of the Board of Trustees shall always be eligible for re-election.

26.3 If the Secretary of the Board of Trustees is not present within a reasonable time appointed for holding a meeting, the Trustees present shall choose one of their numbers to be Secretary of the Board of Trustees for the purpose of that meeting.

27 PROCEDURE AT MEETINGS OF THE BOARD OF TRUSTEES

27.1 No meeting of the Board of Trustees may transact any business unless a quorum is present, in accordance with subsection 38.2 below, at the start of and throughout such meeting.

27.2 Subject to subsection 27.4 below, each Trustee shall have one vote

27.3 Every matter shall be determined by a majority of votes of the Trustees present and voting on the question

27.4 The Chairperson of the Board of Trustees at the meeting shall have a casting vote whether he or she has or has not voted previously on the same question

27.5 The Trustees shall keep the minutes of the proceedings at their meetings in books kept for the purpose, which shall be open for inspection by the Executive Committee,

28 ATTENDANCE OF HONORARY OFFICERS OF THE EXECUTIVE COMMITTEE

- 28.1 Any honorary member is entitled to attend or observe any meetings of the Board of Trustees.
- 28.2 Any honorary Officer(s) attending a meeting of the Board of Trustees shall not be entitled to count in the quorum or vote on any matter to be determined by the Board of Trustees.

Administration of the Society - the Executive Committee and the Board of Trustees

- 29 RELATIONSHIP BETWEEN THE EXECUTIVE COMMITTEE AND THE BOARD OF TRUSTEES
- 29.1 Subject to the powers set out in this Constitution, the Board of Trustees shall not Interfere In any work or activity undertaken by the Executive Committee in accordance with this Constitution.
- 29.2 A copy of the minutes of the meeting of the Board of Trustees signed by the Chairperson of the Board of Trustees and the Secretary of the Board of Trustees (or one of the two) shall be the conclusive evidence of any document passed in such meeting.
- 29.3 The Executive Committee must record in writing the appointment or discharge of a Trustee
- 29.4 The Board of Trustees must concur with the Executive Committee in a lawful acts necessary for the management of the Society unless the act in question involves a breach of trust or personal liability upon them
- 29.5 The General Secretary of Executive Committee must inform Board of Trustees in writing of all the details of all the investment accounts and the official signatories
- 29.6 A Trustee shall not hold any office in the Executive Committee but may be appointed as a member of any sub-committee of the Executive Committee
- 29.7 The Trustees shall be entitled to receive all notices and minutes of the Executive Committee meetings. They may attend the meeting and take pan in Its deliberations but shall not be entitled to vote
- 29.8 In accordance with subsection, 12.2 above, the Board of Trustees may call a Special General meeting of the Society to dismiss the Executive Committee. At least 21 day notice of such meeting must be given.
- 29.9 If the Executive Committee and the Trustees judge that a Trustee has failed fulfil or is no longer a suitable person to fulfil the responsibilities of a Trustee as laid down in the Constitution, it may pass a resolution to replace him or her. The Trustee concerned must be given 21 days written notice of the proposal to remove him or her from office to allow him or her to make written representations.
- 29.10 The Board of Trustees may direct the Executive Committee to convene an extraordinary General Meeting of the members of the Society and should the latter fail to do so within a period of 21 days from the date of such a written direction they will themselves convene such meeting by giving 21 days' notice to the members of he Society signed by any three Trustees specifying the object of the meeting.
- 29.11 The Trustees shall be indemnified by the Society from and against any liability, costs, expenses and payments what so ever which have been incurred or made by them in relation to the trusts of the property/ies of the Society or in relation to any legal proceedings or which otherwise relate directly or indirectly to the performance of the functions as a Trustee of the Society.
- 29.12 Should any legislation be introduced by the Char ty Commission after the amendments of this Constitution affecting the role of the Trustees, it should be treated as having been incorporated In to this Constitution.
- 29.13 The President of the Society and the Chairman of the Board of Trustees shall not be members of the same family which shall include spouses, children and siblings.

Administration of Society — Financial Matters

30 FINANCE

- 30.1 All income of the Society shall be derived from subscriptions of the members, donations, appeals and special functions approved by the Executive Committee from time to time. Monies received by the Society shall be received by the Treasurer or by any other person appointed by the Executive Committee and banked in such bank as the Executive Committee shall from time to time decide.
- 30.2 No additional bank account shall be opened by any member of the Society or Executive Committee member in the name of the Society, without express written permission by the Executive Committee and the Board of Trustees, properly constituted
- 30.3 The President can incur expenditure up to £500 (five hundred pounds) by cash or cheque if urgently required and matter cannot be delayed until the next Executive Committee Meeting for approval, The said amount must be minuted in the next Executive Committee meeting. Subject to subsection 30.4 below, the Executive Committee of the Society can spend up to £3000 (three thousand pounds) on a single financial transaction or multiple financial transactions without the cheque(s) being countersigned by the chairman of the Board of Trustees.
- 30.4 The Treasurer may sign cheques up to £3000 (three thousand pounds) which must be countersigned by the President or General Secretary of the Society. In the event that the President or the General Secretary are not available, cheques up to £3000 may be countersigned by a member of the Executive Committee authorised in writing to do so by the President or General Secretary with consent to be given by the Executive Committee.
- 30.5 Cheques for over £3000 shall be signed by the President or General Secretary or Treasurer and countersigned by the Chairman of the Board of Trustees or other authorised member of the Board of Trustees
- 30.6 No multiple cheques should be issued on a single transaction of over £3000 (three thousand pounds).
- 30.7 The resources, funds and properly belonging to the Society shall be applied only in furthering and executing the object and in meeting the proper costs of administering the Society and of managing its assets.
- 30.8 The Executive Committee shall cause the title to all land held by or in trust for the Society which is not vested in the Official Custodian for Charities and all investments held by or on behalf of the Society, to be vested in the Board of Trustees

31 ACCOUNTS

- 31.1 The Executive Committee and the Board of Trustees must comply With the statutory requirements under the Charities Act 1993 or any statutory re-enactment or modification of the Act with regard to
- a. The keeping of accounting records for the Society,
 - b. The preparation of annual statements of account for the Society,
 - c. The auditing or independent examination of the statements of account of the Society; and

d. The transmission of the statements of account of the Society to the Charity Commission

32 ANNUAL REPORT

32.1 The Executive Committee shall comply With their obligations under the Charities Act 1993 (or any statutory re-enactment or modifications of that Act) with regard to the preparation of an annual report and its transmission to the Charity Commission

33 ANNUAL RETURN

33.1 The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Charity Commission

34 AUDITORS

34.1 At every Annual General Meeting the Executive Committee shall appoint an auditor (a professional accountant) who shall not be a member of the Executive Committee

34.2 The auditor shall examine all accounts books, documents and receipts in relation to all income and expenditure and, investment of the Society for the Treasurer to make a detailed report to the annual general meeting about the finances of the Society. These should meet all (he mandatory requirements as set out by the Charity Commission

Administration of the Society - General Meeting

35 ANNUAL GENERAL MEETING

35.1 The Executive Committee shall arrange an Annual General Meeting of the Society in the month of June each year or within 90 days after 30th June each year at such time and place as the Executive Committee shall determine.

35.2 The General Secretary or the Joint Secretary (as the case may be) shall give at least 21 days' notice of the Annual General Meeting to all the members of the Society

35.3 The Annual General Meeting shall be conducted under the supervision of the representative of the Board of Trustees.

35.4 The President shall act as chairperson at the Annual General Meeting. If the President is absent, the Vice-President shall act as chairperson at the Annual General Meeting. If both the President and Vice-President are absent from any Annual General Meeting, before any business is transacted, the members shall appoint a chairperson from the elected representatives of the Executive Committee.

- 35.5 At every Annual General Meeting of the Society:
- a. The Treasurer, on behalf of the Executive Committee shall present in the Annual General Meeting the report and accounts of the Society for the preceding financial year, being from April to 31 March;
 - b. the members of the Executive Committee (including honorary officer) shall be elected under the supervision of the Board of Trustees in accordance with subsection 35.6 below; and
 - c. The Executive Committee shall appoint an auditor of the Society.

35.6 Nominations for election to the Executive Committee (including honorary officers) must be made by a qualified member of the Society in writing and duly seconded by two qualified members of the Society. Such nominations must be delivered to the General Secretary of the Executive Committee at least seven days before the Annual General Meeting either by hand or registered post. Envelops, containing such nominations must be opened in the presence of a member of the Board of Trustees. No late entries for nominations will be accepted after the set date. Should nominations exceed vacancies, election shall be by ballot.

35.7 Any matter other than those set out in subsection 35.5 above may be decided at the Annual General Meeting provided that any such matter must be proposed by a member of the Society in writing and must be delivered to the General Secretary of the Executive Committee at least 14 days before the Annual General Meeting either by hand or by registered post.

a. Audited accounts for the financial year preceding the Annual General Meeting should be displayed on the notice board in the Society's hall two weeks before that Annual General Meeting.

36 SPECIAL GENERAL MEETINGS

36.1 A special General Meeting of the Society may be requested at any time by either:

- a. the Executive Committee; or
- b. 40 or one third of the number of qualified members of the Society, whichever is the lowest.

36.2 A request for a Special General Meeting of the Society must be made in writing stating the exact nature of the business to be considered.

36.3 The General Secretary or the Joint Secretary shall call the Special General Meetings.

36.4 At least 21 day notice of a Special General Meeting of the Society must be given to all of the members.

37 PROCEDURE AT GENERAL MEETINGS

37.1 The following procedures shall apply to Annual General Meetings and Special General Meetings of the Society (the General Meetings)

- 37.2 In accordance with section 38 (Quorum) below, no business may be transacted at any General Meeting unless a quorum is present at the start of and throughout such meeting.
- 37.3 All qualified members shall be entitled to attend and vote at the General Meetings.
- 37.4 All members who are qualified members must Vote In person on any resolution and no provisions will be made to vote by proxy or by post.

38 QUORUM

- 38.1 The Quorum at the Executive Committee Meetings shall be seven members. (Reduced from 9 to 7) EGM dated 16 May 2009
- 38.2 The quorum at the Board of Trustees Meetings shall be three Trustees
- 38.3 The Quorum at the Annual General Meeting or any other Special General Meeting shall be 40 or one third of the qualified voting members, whichever is the lowest.

Administration of the Society – Records

39 RECORD BOOKS

- 39.1 The Executive Committee must cause proper records to be kept of
- a. all appointments made by the Executive Committee and the Board of Trustees;
 - b. all proceedings at the meeting of the Society, of the Board of Trustees and of any committees appointment, including the names of the persons present at each meeting;
 - c. all professional advice obtained; and
 - d. Accounting records.
- 39.2 All record books including the account books of the Society shall be and remain the property of the Society and the honorary officers appointed as custodians of such record books by the Executive Committee shall hand them over to the Executive Committee through the President or the Secretary on the retirement or resignation.
- 39.3 Any member of the Executive Committee shall have right to inspect such books at any reasonable time by giving at least one week's written notice to the General Secretary. The President, Vice-President, General Secretary, Joint Secretary, Treasurer and three members of the Board of Trustees shall have the same right to inspect the books of accounts

Administration of the Society - Property of the Society

40 MANAGEMENT OF THE PROPERTY OF THE SOCIETY

- 40.1 The Board of Trustees will hold the land, property and investments belonging to the Society upon trust.
- 40.2 The property and assets of the Society shall be held in the names of not less than three and not more than five Trustees.
- 40.3 The Executive Committee shall exercise overall control over all land and property of the Society and may from time to time delegate limited duties to the Board of Trustees of the Society as it may decide.

- 40.4 Subject to any consents required by law, the Executive Committee shall either sell or let any land belonging to the Society which is not required to be retained or occupied in furtherance of the object.
- 40.5 The Executive Committee shall exercise overall control over all the investment accounts of the Society and will appoint the signatories of such investment accounts, at least two of which shall comprise members of the Board of Trustees.
- 40.6 The Executive Committee may make Investments in or upon such shares, stocks, funds securities, investments in property, freehold or leasehold as they deem suitable. The Executive Committee may from time to time sell, vary and transfer such investments and properties
- 40.7 The Executive Committee shall consult With the Board of Trustees in regard to the rights described in subsections 40.4, 40.5 and 40.6 above.
- 40.8 The Executive Committee shall promptly provide the Board of Trustees with written notice of decisions made under subsections 40.4, 40.5 and 40.6 above.

41 LEASES

- 41.1 The Executive Committee shall ensure that on the grant by them of any lease the tenant shall execute a counterpart lease.
- 41.2 Every lease shall contain a covenant on the pan Ofthe tenant for the payment of rent and a proviso for re-entry on non-payment of the rent or non-performance of the covenants contained In lease.

42 INSTITUTION OF LEGAL PROCEEDINGS

- 42.1 If legal proceedings of any kind are instigated against or issued by the Society the Executive Committee or the Board of Trustees shall pursue or defend such proceedings either in the name of the Society or in the name of the Executive Committee or the Board of Trustees or otherwise an the behalf of the Society as may be necessary

43 INSURANCE

All the properties of the Society must be Insured to the full value for all purposes including public and employer’s liability by the Executive Committee.

44 RISK MANAGEMENT

At least once each year the Executive Committee shall carry out a risk management assessment including, but not limited to, in respect of the conduct and properties of the Society, and shall take all reasonable measures to address any risks identified by such assessment. Should any legislation be introduced alter the date of this Constitution affecting any duties the Executive Committee or the Board of Trustees in respect of risks management, it shall be treated as being Incorporated in to this Constitution

Administration of the Society – Miscellaneous

45 INDEMNITY

45.1 In the management of the affairs of the Society, no member of the Executive Committee or the Board of Trustees shall be liable for any loss to the funds and/or assets of the Society arising by reason of any improper Investment made in good faith (so long as he shall have sought professional advice before making the investment) or for the negligence or fraud of any agent employed by him or by any other member of the Executive Committee or the Board of Trustees here off provided reasonable Supervision shall have been exercised) although the employment of the agent may not have been strictly necessary or expedient or by reason of any mistake or omission made in good faith by any member of the Executive Committee or the Board of Trustees hereof or by reason of any other matter or thing except wilful and individual fraud or wrongdoing or wrongful omission on the part of the member Of the Executive Committee or the Board of Trustees who is sought to be made so liable.

45.2 The Executive Committee and Board of Trustees shall have power to provide indemnity insurance to cover their liability in relation to the Society: PROVIDED that such insurance shall not extend to any claim arising from any act or omission which the Executive Committee or the Board of Trustees in reckless disregard of whether it was a breach of trust or breach of duty and provided also that any such insurance shall not extend to the cost of an unsuccessful defence to a criminal prosecution brought against the Executive Committee or the Board of Trustees in their capacity as Executive Committee or Board of Trustees of the Society.

46 NOTICES

46.1 Any notice required to be served on any member of the Society:

a. shall be the responsibility of the members of the Executive Committee; and

b. Shall be in writing and may be sent by hand, or by post or by suitable electronic means or (where applicable to members generally) may be published in any circular or magazine produced by the Society or any flyer or poster distributed by the Society.

46.2 If notice is sent through the post, it shall be in a prepaid letter addressed to such member at his or her known address in the United Kingdom and any letter so sent shall be deemed to have been received within three days of posting.

46.3 Any accidental or non-deliberate failure to send notice in accordance with this section 46 shall not invalidate any meeting or resolution

47 ALTERATIONS. AMENDMENTS AND ADDITIONS TO THE CONSTITUTION OF THE SOCIETY

47.1 The Constitution of the Society may be altered, amended or added to a General Meeting. This shall be effected as follows:

a. 21 day notice of the meeting shall be given to all the members.

b. the notice shall state the proposed alteration/s, amendment/s or additions;

c. At least two thirds of the votes of the qualified members present at the meeting shall be required to vote in favour of the proposed modifications.

47.2 Above all, no such change shall be regarded as valid as would run contrary to the above rules laid down herein or would render the object of the Society ineffective

- 47.3 Subject to any requirements of law, no amendment may be made to section 47.3 (Name) or section 4 (Object).
- 47.4 No amendment may be made to section 15 (Executive Committee Members Not to be Personally Interested), section 49 (Dissolution) or this section 47 without the prior consent in writing of the Charity Commissioners.
- 47.5 The Executive Committee should:
- a. promptly send to the Charity Commission a copy of any amendment made under this section 47; and
 - b. Keep a copy of any such amendment with this Constitution at the registered office of the Society.
- 47.6 The Constitution shall remain the property of the Society.
- 47.7 Any qualified member of the Society can inspect the Constitution by giving written notice to the General Secretary to arrange a mutually agreed time to inspect or take a copy of the Constitution.

48 AFFILIATIONS

The Executive Committee with written consent of the Board of Trustees may accept any affiliation or may affiliate With other Hindu charitable bodies or likewise disaffiliate with any such bodies in accordance with the Constitution of the Scenery

49 DISSOLUTION

- 49.1 If the Executive Committee decided that it is necessary or advisable to dissolve the Society, it shall call a Special General Meeting of all members of the Society, of which not less than 21 days' notice (stating the terms of the resolution to be proposed shall be given.
- 49.2 At least 60 per cent or two third of the total qualified members present In person shall be constitute a quorum for the purpose of this meeting.
- 49.3 If the proposal is confirmed by a three quarters majority of those present and voting the Board of Trustees shall have power to implement directives of the Charity Commission for England and Wales In relation to dissolution of the Society.
- 49.4 Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other Hindu Charitable institution or institutions connected with the Hindu religion having objects similar to the object of the Society as the qualified members of the Society may determine. Na member of the Society shall receive any assets by virtue of his membership.
- 49.5 A copy of the statement of accounts or account statement for the final accounting period of the Society must be sent to the Commission.

50 DISPUTE AND COMPLAINTS

a. The Executive Committee may from time to time make such by—laws as are necessary or desirable in the interests of the Society, provided that they are not inconsistent with this Constitution

b. Any disputes or complaints arising within the Society shall be effectively dealt with by the Executive Committee shall have the power to ask any defaulting member to resign and failing compliance may terminate his membership or it may suspend him for a period. In this case the defaulter shall lose the part membership standing. The decision of the Executive Committee shall be binding

Signed Mrs. Sunita Rai, President
Mr. K.B.L.Saxena General Secretary
Mr. Gian Prashar Chairman Board of Trustees
Me Balraj Tandon, Secretary, Board of Trustees