

**MAHARASHTRA MANDAL OF PERTH, WESTERN AUSTRALIA INC.
CONSTITUTION 2004**

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NAME

The name of the Association will be MAHARASHTRA MANDAL OF PERTH, WESTERN AUSTRALIA INC. (Hereunder called the "Mandal").

2. REGISTERED OFFICE

Registered office will be located at the residence of current Secretary of the Association.

3. OBJECTIVES

The objectives of the Mandal are:

- 3.1. To impart and promote the knowledge of Marathi and Maharashtra culture to the community;
- 3.2. To print and publish newsletters, periodicals or leaflets that the Mandal may consider desirable;
- 3.3. To establish a library of Marathi and Maharashtra related information resources;
- 3.4. To provide members with a common place of assembly;
- 3.5. Generally to do and execute all such other acts, deeds, or things as are or may be necessary for, or incidental or conducive to the attainment of the above objectives; and
- 3.6. The Mandal shall be a non-profit making association and all profits and other income shall be applied only to the promotion of objectives of the Mandal and shall not be paid to or distributed among past or present members of the Mandal.

4. MEMBERSHIP

- 4.1. Maharashtra Mandal membership shall be available for a person who believes in objectives of the Mandal
- 4.2. A person shall become a member of the Mandal upon payment of membership subscription and as such qualified to vote as per rule 13.5.
- 4.3. Membership categories are:
 - Family membership (includes two adults and their financially dependent children less than 18 years of age)
 - Concession membership (include a full/part time student, an unemployed person & concession card holders)
- 4.4. A person shall cease to be a member of the Mandal upon non-payment of the membership subscription or as mentioned in the rule 5.
- 4.5. Where a person shows intention of remaining a member, he/she will continue to receive all notice/s up to the first official function of that year.

5. SUBSCRIPTION

The annual subscription shall be payable in advance by 31st January each year and shall be such sums as may from time to time be determined by the Mandal at the General Meeting.

A non-refundable joining fee of \$15.00 is payable with the first subscription for all categories.

- Note :
1. If an existing member does not renew his/her membership for two consecutive years, the joining fee shall be payable with the subsequent subscription.
 2. A member can bring his/her guest on payment of entry fee as decided by the Committee for the event.

6. RESIGNATION OF MEMBERS

- 6.1. A member of the MAN DAL who has paid all moneys due and payable by him/her to the Mandal may resign from the Mandal by giving one month's notice in writing to the Secretary of his/her intention to resign. Upon the expiration of that period of notice, he/she shall cease to be a member.
- 6.2. Upon the expiration of the notice given under rule 6. 1, the Secretary shall write in the register of members an entry recording the date on which the member, by whom the notice was given, ceased to be a member.
- 6.3. No portion of the annual membership fee will be refundable in any circumstance.

7. MANAGEMENT COMMITTEE

- 7.1. The activities of the Mandal shall be co-ordinated by a Management committee who will exercise all powers of the Mandal, which are not by these rules required to be solely determined at a general meeting;
- 7.2. The managing committee shall consist of a President, Secretary, Treasurer and maximum 4 committee members;
- 7.3. The managing committee shall be elected annually at a General Meeting;
- 7.4. Only one person per family can be on the Committee during any financial year;
- 7.5. Each member can only run for one specified position in the Committee;
- 7.6. Any casual vacancy may be filled by the committee by majority vote and any person so co-opted shall hold office until the expiration of the term for which his predecessor was elected;
- 7.7. The office of a member of the managing committee shall be vacated if
 - 7.7.1. he ceases to be member of the Mandal;
 - 7.7.2. he resigns his office by notice in writing;
- 7.8. The committee shall have authority to appoint subcommittees to undertake specific responsibilities, if and when necessary. The sub-committee:
 - 7.8.1. will exist for no longer than the current financial year;
 - 7.8.2. will consist of specified number of members with at least one member of a subcommittee being a member of the Management committee who shall report to the Management committee regularly on the activities of that subcommittee;
 - 7.8.3. will have no voting rights at the management committee meetings.

8. MEETING OF COMMITTEE

- 8.1. The Management committee shall meet for the dispatch of business as often as the President, and in his absence, the Secretary shall deem necessary;
- 8.2. The presence of three members shall constitute a quorum;
- 8.3. At every meeting of the Management committee, the President, and in his absence, the Secretary shall preside. In the absence of the two, the members present shall choose one of them to be the Chairman of the meeting;
- 8.4. Questions arising at any meeting shall be decided by a majority of votes and in the case of an equality of votes the Chairman shall have a second or casting vote;
- 8.5. The secretary shall at the request of the President, or any member of the committee convene a meeting of the Management committee;
- 8.6. The Management committee may act notwithstanding any vacancy in their body, provided however that the number of members in the Management committee is not less than the number necessary for quorum;
- 8.7. The Management committee will prepare a budget for the next financial year.

9. FINANCIAL YEAR

The financial year of the Mandal shall be the year from 1st January to the 31st December.

10. ANNUAL GENERAL MEETING

- 10.1. The Annual General Meeting of members shall be held every calendar year, within four months after the end of the financial year, and it shall transact business as below-
- 10.2. The Annual General Meeting shall follow proceedings as outlined in rule 13;
- 10.3. Confirmation of the minutes of the previous Annual General meeting and every Special and/or general meeting/s held since the last Annual General meeting
- 10.4. To receive and consider the audited annual financial statements and the report to the Management committee
- 10.5. The election for new Management committee
- 10.6. Any other business which may be lawfully brought before the Management committee
- 10.7. To approve the budget for the following financial year as prepared by the Management committee.

11. SPECIAL GENERAL MEETING

A Special General Meeting may be convened under following circumstances in accordance with procedures as outlined in rule 13 Proceedings at General Meetings-

- 11.1 decision of the Management committee to raise & discuss specific issue/s;

11.2 upon written request from not less than 33% of the members of the Mandal stating the objects for which the meeting is desired to be convened. Such meeting shall be convened by the Secretary on a date not later than one month from the date of receipt of the written request/s.

12. NOTICE OF MEETING

Written notice of every General meeting detailing place, date, time and agenda will be posted to all members at least fourteen days prior to the meeting date.

The notice shall be deemed to be effective by properly addressing, prepaying and posting a letter containing the notice. Any accidental omission to give notice of a meeting or non-receipt of notice to any member shall not invalidate any proceedings or resolution at any meeting of the Mandal.

13. PROCEEDINGS AT GENERAL MEETING

13.1. General Business

- 13.1.1. All business that is transacted at Special General Meeting and/or Annual General Meeting;
- 13.1.2. No item of business shall be transacted at a general meeting unless a quorum of members is present during the time when the meeting is considering that item.
- 13.1.3. Fifteen (15) members with voting rights present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 13.1.4. Special resolution may only be passed by a two-thirds majority of all the members whether by proxy or by personal presence.

13.2. Chairman

- 13.2.1. The President, or in his absence, the Secretary, shall preside as Chairman at each General and Special meeting of the Association.
- 13.2.2. If the President and the Secretary are absent from a general meeting, the committee members present shall elect one of them to preside as Chairman at the meeting.

13.3. Adjournment

- 13.3.1. The Chairman of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting any time. No business shall be transacted at an adjourned meeting other than the business left unfinished.
- 13.3.2. Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the General meeting.
- 13.3.3. Except as provided in sub-clause (13.3.1) and (13.3.2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

13.4. Resolutions

Resolution of any question arising at a General Meeting shall be determined on show of hands and/ or proxy unless a written vote is requested along with the notice of General Meeting wherever possible. No records of the numbers will be kept after the resolution is passed during the Annual/Special general meeting. In case of an equality of votes the Chairman shall have a second or casting vote.

13.5. Voting

- 13.5.1. A member is not entitled to vote at any General meeting unless all moneys due and payable by him to the Association have been paid including the amount of the annual subscription payable for the current financial year.
- 13.5.2. In case of annual family (full or concession) membership, two adults are eligible to vote and in case of annual single membership, one adult is eligible to vote. (financially dependent children over the age of 18 years are ineligible to vote while they are members under family membership).
- 13.5.3. All votes shall be given personally or by proxy.
- 13.5.4. In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a casting vote.

13.6. Proxy vote

- 13.6.1. Each member shall be entitled to appoint another member as his/her proxy by notice given to the meeting prior to the commencement of the meeting in respect of which the proxy is appointed.
- 13.6.2. The notice appointing the proxy shall be in the form set out in Appendix 1.

13.7. Poll

- 13.7.1. A specific question requested by not less than three members during General Meetings, and taken into consideration after Chairman's approval shall be resolved by a poll at that meeting. The resolution of the poll shall be deemed to be a resolution on that question.
- 13.7.2. A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

13.8. Timing

The Chairman shall endeavour to start the meeting at the assigned time unless required quorum is absent and shall generally last not more than three hours.

14. MINUTES

- 14.1. The secretary shall keep full and correct minutes of all resolutions and proceedings of every General/Special meeting and the Management Committee meetings, in books provided for the purpose, together with a record of the names of Committee members present at committee meetings.
- 14.2. Such minutes shall be signed by the Chairman of the meeting at which the proceedings took place or by the Chairman of the next succeeding meeting. The minutes so signed shall be evidence that the proceedings minuted therein actually took place at a meeting duly convened and held.

15. ROLES AND RESPONSIBILITIES

15.1 PRESIDENT

- 15.1.1 The President shall ensure that Mandal activities are consistent with Mandal constitution and reflect the expectations of majority of members;
- 15.1.2 Co-ordinate activities of the Management Committee;
- 15.1.3 Plan Mandal activities throughout the year ensuring that the programs have enough variety, are spread across the year and meet overall expectations.
- 15.1.4 In case of any dispute his/her decision shall be final and binding on the Committee.

15.2 SECRETARY

- 15.2.1 Be responsible for the day-to-day activities and administration of the Mandal in collaboration with the President and Treasurer;
- 15.2.2 Maintain a Register of members setting forth their names and addresses;
- 14.3. 15.2.3 Call meetings of the Mandal and keep full and correct minutes of all resolutions and proceedings of every General meeting and of all committee meetings in the minutes book together with the record of names of persons present at such meetings;
- 15.2.4 Attend to all correspondence relating to the Mandal;
- 15.2.5 The minutes book may be inspected by an ordinary member within 28 days of the receipt of the written request on mutually agreed date;
- 15.2.6 In the absence of President assume all the responsibilities of the President.

15.3 TREASURER

- 15.3.1 Maintain bank accounts, member accounts, balances, Payments due and general collections;
- 15.3.2 Collect and receive subscriptions, donations and all the moneys paid to the Mandal and issue receipts therefore;
- 15.3.3 Make all payments authorised by the committee;

- 15.3.4 Credit all moneys received at the earliest possible date to the account of the Mandal,
- 15.3.5 All cheques, drafts and other negotiable instruments shall be signed either by the Secretary and/or the Treasurer;
- 15.3.6 Keep proper receipt books, vouchers for disbursement and account books showing the financial affairs of the Mandal;
- 15.3.7 Where applicable, maintain an inventory of the property (movable and immovable) of the Mandal, including material documents;
- 15.3.8 Present financial statement at the end of the year;
- 15.3.9 The accounts and books referred to in sub clause (15.3.1) shall be available for inspection in presence of a committee member within 28 days of the receipt of the written request on mutually agreed date.

15.4 COMMITTEE MEMBERS

- 15.4.1 Regularly participate in Committee meetings and decision making process alongwith other Committee members;
- 15.4.2 Take an active role in organising and executing Mandal activities and programs alongwith others;
- 15.4.3 Back fill any voids for roles and responsibilities that may occur due to occasional absence of other members of the Committee.

16. DISSOLUTION

- 16.1. The Mandal may be dissolved or wound up by a resolution passed by a three-fourth majority of members present at a Special General meeting convened expressly for the purpose;
- 16.2. Any and all assets remaining after full settlement of all just debts and liabilities incurred by Mandal shall be given or transferred to another association incorporated under the Act which has similar objectives or for charitable purposes.

17. AFFILIATION

If representation with any affiliated group is required the current Management committee shall nominate the representatives.

18. FUNDS

- 18.1. Funds of the Mandal shall be derived from annual subscriptions, donations and such other sources as the committee determines and in the manner consistent with the objectives of the Mandal;
- 18.2. The funds shall be deposited in an interest bearing financial institution account;

- 18.3. All expenses of and incidental to the formation of the Mandal, and its registration under Act applicable thereto, liability insurance, deposit/rent for hiring of halls alongwith other legible expenses of Mandal as determined by the Management Committee shall be paid from the funds;
- 18.4. Generally to do and execute all such other acts, deeds, or things as are or may be necessary for, or incidental or conducive to the attainment of the above objectives.
- 18.5. Separate fees shall be payable for each event as decided by the Management committee and/or Subcommittee for that event.

19. ALTERATIONS TO RULES

No alteration or addition shall be made in the foregoing rules and statement of purposes unless such alteration or addition is accepted by a resolution passed by three-fourths majority of members present either personally or by proxy at any Annual or Special General meeting, notice of which contains all the terms of the proposed alteration or addition clearly set forth.

20. INDEMNITY

Every member of the committee/s, President, Secretary, Treasurer and any other officer of the Mandal shall be indemnified out of the assets of Mandal against any liabilities arising out of the execution of the duties of his/her office including defending any proceedings, whether civil or criminal, in which he/she is acquitted.

21. COMMON SEAL

The common seal of the Mandal shall be kept in custody of the committee of the Mandal. Common Seal shall be affixed to an instrument pursuant to a resolution of the committee and not otherwise. Any two committee members shall respectively sign and countersign every instrument to which the seal is affixed and the Secretary shall keep a record of all such instruments.

President	Satish Kelkar	Date:	04/12/2004
Secretary	Nitin Panhale	Date:	04/12/2004
Treasurer	Samir Tirodkar	Date:	04/12/2004

Appendix 1

FORM FOR APPOINTMENT OF PROXY

I, OFstate that as a financial member of the
Maharashtra Mandal of Perth – Western Australia, I authorizeof
..... to vote on my behalf at the Annual General Meeting / Special General
Meeting to be held on and at any adjournment of that meeting.

Signed

Date

FORM FOR APPOINTMENT OF PROXY

I,OF state that as a financial member of the
Maharashtra Mandal of Perth – Western Australia, I authoriseof
..... to vote on my behalf at the Annual General Meeting / Special General
Meeting to be held on and at any adjournment of that meeting.

Signed

Date
