

The West Bengal Societies Registration Act, 1961

RULES AND REGULATIONS OF XAVIER'S COLLEGE ALUMNI ASSOCIATION of BURDWAN (XCAAB)

Unless the context otherwise requires words and expressions contained in these Regulations shall bear the same meaning as in the West Bengal Societies Registration Act, 1961 or any statutory modification thereof.

MEMBERSHIP

1. Admission:

a) The signatories to the Memorandum of Association & the office bearers of the Governing Body of the society shall be first members of the Society.

b) The Governing Body may admit to membership any person of any caste, creed or sex who has attained the age of 18 years and agreed in writing to be bound by the Memorandum of Association and regulations of the Society and who in the opinion of the Governing Body will be interested in advancement of the objects of the Society.

Be it noted here that the power to admit members is the sole and absolute power of the Governing Body and the Governing Body may refuse to admit any person as a member without assigning any reason therefore.

2. Eligibility for Membership:

The following are the criteria for becoming the Member of the Association:

Any person who has completed three (03) years of his/her studies at St. Xavier's College, Burdwan and is no longer a student of the College at the material time will be eligible to become a Life Member by paying a lump sum subscription fee at a time, which shall be fixed by the Governing Council and which for the time being shall be Rs.435/- by cash/cheque.

The cheques will be made in favor of "Xavier's College Alumni Association of Burdwan".

* Service Tax as per Central Government Rules is applicable..

3. Types of Members:

1) *Honorary members* : Any person whose connection with the society is deemed to be useful, may with the consent of such person be elected as Honorary member of the society. Such members shall not, however, be eligible to be member of the Governing Body nor shall be entitled to vote in any meeting.

2) *Ordinary members* : Any person, qualified to be a member and paying prescribed ordinary membership fee may be admitted as ordinary members of the Society.

4. Termination of Membership:

All persons desirous of becoming members or associates must believe in the objects of the Association and shall have duly fill in an application form, as may be prescribed for the purposes by the Governing Council from time to time and submit the application alongwith the prescribed Registration fee, if any, and subscription fee for one year by post or in person at the Registered Office of the Association during the scheduled office hours against proper receipt to be issued by the office. A person shall be considered to have become a Member or an Associate, after completion of the formalities mentioned above, immediately if he pays the prescribed fees etc. in cash or Money Order and obtains a receipt therefore and in case he pays by cheque or postal order as soon as the proceeds thereof are collected by the Association and the name and the other particulars of each Member or Associate must be entered into the General Register of Members and Associates within fifteen days of the concerned persons becoming a member or an Associate and he shall also be issued with an identity card at the earliest possible time. Notwithstanding whatever has been stated above, a person may be refused from becoming a member or an Associate or alternatively his membership may be terminated in the following eventualities, but notice of such refusal or termination must be conveyed to the person concerned by any member of the Governing Council in writing within fifteen days of such refusal or termination :—

- a. Any person who is guilty of moral turpitude or likely to be prosecuted for such an offence.
- b. Any person who is an undischarged insolvent.
- c. Any person who has been convicted of any offence in connection with the formation, promotion, arrangement or conduct of affairs of a society or a body corporate or any person who has been expelled by a society or body corporate for such an offence.
- d. Any person who seeks to become or has become a member or an Associate of the Association under false pretence or on the basis of false representation.

- e. Any person whose behavior or conduct may be deemed to be contrary to the interests of the Association may be refused admission or expelled from the Association, if the Governing Council so decides by 2/3 rd of the Council members present and voting in the particular Council meeting and provided such decision is ratified by a majority of the members in the next following General Body Meeting .
- f. A Member or Associate shall forfeit his membership or Associateship if his annual subscription fees are not paid within 30th May of the concerned year and continues to neglect payment of such fees within a further period of thirty days of posting of the last of the two Reminder letters to that effect which should be sent to him under certificate of posting .
- g. Finally, a Member or an Associate of the Association may cease to be so from the date he informs the Association of his intention to withdraw from the Association with or without attributing any reason thereof.

Provided however that any person whose Membership or Associateship has been refused or terminated on any of the eventualities outlined in the immediately preceding sub-clauses (a) to(e) shall be permanently debarred from becoming a Member or Associate in future while any person whose Membership or Associateship has been terminated or voluntarily given up as outlined in the immediately preceding sub-clauses (f) and (g) shall be eligible for re-ad mission on the payment of Late Fee amounting to one-fourth of the membership subscription after the lapse of one year from the date of such voluntary resignation respectively.

5. Register of Members:

The Society shall maintain a Register of Members containing the Names, Addresses and their occupation, the date of admission and of cessation of membership. The register will be kept open for inspection of the members of the society on requisition. All entries required to be made therein shall be entered within a period of 15 days.

6. Rights and Obligations of Members:

Any ordinary members of the society has the right (a) to elect and to be elected in any election of the society; (b) to submit suggestion for discussion to The Governing Body and sub-committee on “any matter relating to the society; (c) to inspect the accounts and the proceedings of the meetings of the society on appointment with the secretary; (d) to pay his subscription within the prescribed time. Defaulting members shall not be allowed to take part or vote in a meeting. Members shall have one vote each.

7. Expulsion & Removal:

Frequent actions of any member , if found by the Governing Body is detrimental to the to the interest and is in violation of the rules and regulations of the Society, he/she may be after due enquiry, censured, suspended or expelled from the membership by the Governing Body. In that case the Governing Body shall first serve the member concerned with a show cause showing therein the charges framed and ask him/her to submit his/her statement of defence within a month. on receipt of the explanation, the Governing Body shall have the power to take suitable action against the delinquent member after allowing him/her to defend his case. If no reply to the show cause notice is received within a month, the Governing Body may take an ex-parte decision.

For any act of expulsion or termination no such ember shall be entitled to prefer any claim for compensation or damage even if proved on subsequent date that such act of expulsion or termination was wrongful and/or unlawful.

GOVERNING BODY

1. Composition, election / appointment, resignation/ removal, terms of office:

There shall be a Governing Body consisting of not less than 13 members. The Office bearers of Governing Body shall comprise of President, Vice president, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Advisor and Editor and other committee members. The office bearers and other Committee members shall be nominated by the President.

The resignation and removal of the Governing Body members shall be dealt with as has been prescribed as in the case of other members noted herein before.

The term of office of the Governing Body shall ordinarily be two years, unless it is dissolved/terminated early under unforeseen circumstances. After nomination, the old Governing Body will continue to function till the new Body takes over charge which shall under no circumstances be more than 30 days from the date of election.

2. Meeting:

A meeting of Governing Body shall be held at least once in three months at such place, date and time, as the President or the Secretary may determine. Any four members of the Governing Body may requisition the meeting and the Secretary shall summon the same within seven days and failing which the President on the requisitionists may do so provided no business other than specified in the notice shall be transacted at such meeting.

3. Notice and Quorum:

Seven days notice of the meeting specifying the place, time and the general nature of business to be transacted, shall be given to every member of the Governing Body. Emergency meeting may be called on 24 hours notice. 1/3rd members personally present shall constitute a quorum for the meeting and if a quorum is not present within 30 minutes of the time, members present shall adjourn the meeting.

4. Procedure of the Meeting:

The President or in his absence the Vice-President shall preside over all meetings of the Governing Body and in their absence members present shall elect a chairman of the meeting. All questions before the meeting will be decided by a majority of votes, each members having one vote. The President or the Chairman shall have a second or casting vote in addition to his own vote in case of equality of votes.

5. Power and Duties of the Governing Body:

The Governing Body shall have general power of supervision and conduct over all the affair of the Society and in particular shall discharge the following duties :

- (i) To appoint subcommittee with such power and duties as may be considered necessary or expedient.
- (ii) To accept donation, gift, subscription movable or immovable property for the objects of the society.
- (iii) To sell, lease, mortgage or otherwise dispose of and deal with all or any part of the property of the society.
- (iv) To keep proper accounts of the society and to open bank account in the name of the society in one or more banks.
- (v) To co-opt not more than two members to the Governing Body.
- (vi) To appoint a person or persons on payment to assist the Secretary/Treasurer in the maintenances of account, etc.
- (vii) To conduct any other business not specified herein for the attainment of the object of the society provided such business is not repugnant to such object.
- (viii) Society can acquire property both movable and immovable property for the use of the society.

SAFE CUSTODY OF PROPERTIES

1. The Governing Body shall be responsible for the safe custody of the funds, properties and assets of the society.
2. The funds of the society shall be kept in banks/post offices/Mutual Funds and be invested in any securities specified under Sec. 20 of the Indian Trust Act 1882.

BOOKS OF ACCOUNT & INSPECTION

The books of account and other statutory books shall be kept at the registered office and shall be open to inspection of the members at such time and place as the Governing Body directs on a written request made by any member.

ACCOUNTING YEAR

The accounting year of the society shall be from 1st day of April of each year to 31st day of March of following year.

GENERAL MEETINGS

Annual General Meeting :

Notice : The Secretary shall annually call the Annual General Meeting as per provisions of W.B.S.R. Act 1961 giving at least 14 day's notice to all members. The notice shall contain the place, date, day and time of the meeting.

Agenda : The business to be transacted at the Annual General Meeting shall be : (a) to confirm the minutes of the last Annual General Meeting and of special general meeting if any; (b) to adopt with or without modification the report of the working of the society for the previous year; (c) to pass audited accounts of the Society for the previous year ended; (d) to appoint qualified Auditor or Auditors; (e) to transfer such other business as may be fixed by the Governing Body; (f) to transfer such other business as may be brought forward by giving 14 day's previous notice any member; (g) to conduct general election.

Quorum of the meeting : 1/3rd members personally present at the commencement of the meeting shall constitute the quorum.

Manner and Method of Voting : The Chairman of the meeting shall decide the manner and method of voting at the outset of the meeting.

Special General Meeting:

A Special General Meeting may be convened by the Governing Body at any time in view of urgency of the matter. At least 7 days notice shall be given to every member for special general meeting.

Members may request the Governing Body for special General Meeting by placing a requisition signed by 2/3rd of total members. In that case Governing Body shall convene a special general meeting within a month from the receipt of such notice. In default by the Governing Body, the requisitionists shall hold such meeting provided no business other than those specified in the notice shall be transacted.

Extra-ordinary general meeting :

The Governing Body may direct to convene an Extra-ordinary general meeting for consideration of addition, alteration or amendment of the memorandum/ regulations, of the Society. 7 days notice along with the proposal draft of change, amendment etc. of the Memorandum and Regulations be carried out it accepted by the three fourths of the members present at the meeting.

DUTIES OF THE OFFICE BEARERS

President : He shall (a) preside over all the meetings of the Society; (b) take all disciplinary action such as removals, dismissals etc. in consultation with the Governing Body; (c) advise the Secretary in any matter requiring urgent attention; (d) call emergency meeting. In this case, the present Principal of the college will be the President of the Association.

Vice-President : In the absence of the President, the Vice-President shall perform all the duties of the President.

Secretary : He/She shall (a) convene all meetings of the Society; (b) maintain minute books of all meetings; (c) issue general circulars and notices; (d) receive all applications for membership which shall be placed before the Governing Body; (e) sign on behalf of the society all receipts for all sums received as subscriptions etc.; (f) sign and give pay order on all bills for payments; (g) get the accounts of the Society audited by a Chartered Accountant; (h) ensure compliance with statutory requirements; (i) transact all other business subject to the direction of the Governing Body.

Asstt. Secretary : In absence of the Secretary, the asst. Secretary shall perform all the duties of the secretary.

Treasurer : He/She shall (a) collect and receive all sorts of subscriptions, donations and deposit of money and grant receipts thereof, (b) maintain and keep cash book and such other accounts as are necessary; (c) operate bank account jointly either with the President or the Secretary; (d) prepare the budget in consultation with the President and/or the Secretary for consideration of the Governing Body.

Asstt. Treasurer : In absence of the Treasurer, the asst. Treasurer shall perform all the duties of the Treasurer.

Advisor : He shall assist the Association in all kind of activities and betterment in mere future and will be the sole person to maintain the liason between the Association and the College management. In this case, the present Vice-Principal of the college will be the Advisor of the Association.

Editor : He/She shall be the person associated with the editorial works throughout the tenure and maintaining the record of all the activities/projects done by the Association in any manner to produce the annual report either in the manner of pamphlets/writings/blogs/magazines.

MAINTENANCE AND AUDIT OF ACCOUNTS

The society shall maintain books of accounts as required under Sec. 15(1) (a), (b) of the Act. The accounts shall be audited by duly qualified auditor as stated in Section 15(2) of the Act.

SUIT & LEGAL PROCEEDINGS

All suits and legal proceedings by or against the Society shall be in the name of the Secretary or such person as shall be appointed by the committee.

ALTERATION OF MEMORANDUM & REGULATIONS

The Memorandum and Regulations may be altered, modified, rescinded or added to by special resolutions passed by the 3/4th members in a general meeting called for the purpose.

The Governing Body shall have powers to make, alter, modify or rescind such regulations as may be considered necessary in the interest of smooth functioning of the society.

DISSOLUTION OF SOCIETY

Subject to the provisions of Sections 24 & 27 of the West Bengal Societies Registration Act, 1961 or any Statutory modifications thereof, the Society may be dissolved by a resolution to that effect passed by

3/4th members of the Society at a General Meeting. The said meeting shall also decide the manner of disbursement of the funds and assets of the Association, if any, after dissolution. In the event of dissolution the assets of the society remaining on the date of dissolution shall under no circumstances, be distributed among the members but the same shall be transferred to other societies having similar objectives.

After dissolution the Funds and Assets of the Society will be transferred to a society duly registered having same aims and objectives.

We, the undersigned members of the Governing Body of the Society, do hereby certify that the above is a true copy of the Regulations of the Society.

Signature of the members of the Governing Body :-

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
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- 9.
- 10.
- 11.
- 12.
- 13.

Dated _____ *day of* _____ *20* ____