



Reg. No. 246/34-35

THE BABBOORKAMME SEVA SAMITHI (Regd.)

No. 17, Seshadri Road, BANGALORE - 560 009

*(Registered under the Mysore Societies
Registration Act)*

Regd. No. 246/34-35

MEMORANDUM & RULES OF ASSOCIATION

*(Corrections as approved by
the Special General Body on
17-02-2008, 01-06-2008 & 26-12-2010)*



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MEMORANDUM OF ASSOCIATION

1. **Name :** The name of the Association shall be "The Babboorkamme Seva Samithi, Bangalore-560 009", here-in-after referred to as the Samithi.
- 1.1 **Registered Office :** The Samithi's registered office shall be located in its own building "Dewan Bahadur K. Ramaswamy Students' Home" No. 17, Seshadri Road, Bangalore-560 009. All communications intended for the Samithi shall be addressed to the President or the Secretary at the above address.
- 2 **Aims and Objects :** The objects of the Samithi are :-
 - 2.1 To maintain and run the Babboorkamme Hostel (Dewan Bahadur K. Ramaswamy Students' Home) primarily for the students of the Babboorkamme Community who desire to prosecute their studies at Bangalore, subject to such stipulations of admissions as the Managing Committee may decide from time to time.
 - 2.2 To grant scholarships to the students of the Babboorkamme Community to prosecute their studies in the General, Technical or Professional Courses at the discretion of the Managing Committee.
 - 2.3 To relieve, as far as possible, unemployment among the members of the community.

- 2.4 To render service and to improve the social, cultural and economic welfare of the community.
- 2.5 To establish, organise and manage institutions to achieve the above objects.
- 2.5a To promote, conduct, patronise, construct, run, manage and assist in establishing all activities of educational institutions such as schools, colleges, libraries, training centres in any discipline for the benefit of the society without having any reservation to any caste, creed, community and gender.
- 2.6 To form Trusts to manage, maintain, safeguard and develop the properties of the Samithi, existing and to be acquired by the Samithi.
- 2.7 To do all such things as are incidental to or conducive to the attainment of the above objectives.
- 2.8 To achieve such other objects as the General Body may approve.
- 2.9 The funds and income of the Samithi shall be solely utilised for the achievement of its objects and no portion of it shall be utilised for payment of the members by way of profit, interest, dividend, etc.

Extent : The Samithi's activities may extend to the whole of Karnataka State. The Samithi shall have power to establish its branches in other place or places in or outside the State wherever the Babboorkamme people are known to reside, in furtherance of its objects.

Financial Resources : To promote its objects, the Samithi shall have power to raise its funds by membership subscription, donations in cash or kind, endowments from philanthropic persons and charitable institutions and by debentures and other avenues.

Registered Office : The Samithi's registered office shall be located in its own building "Dewan Bahadur K. Ramaswamy Student's Home", No. 17, Seshadri Road, Bangalore-560 009.

Working Hours : The office of the Samithi shall normally work from 9 a.m. to 12 noon and again from 4 p.m. to 6 p.m. on all days, except on Sundays and specified Holidays.

Rules of Association

3. Membership:

3.1 There shall be four (4) classes of Membership, as under:

3.1.1 **Benefactors** who subscribe not less than Rs. 10,000/- (Rs. Ten thousand) or US \$ 500 (Five hundred) in case of non-resident Indian members.

3.1.2 **Patrons** who subscribe not less than Rs. 1,000/- (Rs. One Thousand) in the case of the Indian Resident or US Dollars 100 (One Hundred) in the case of Non-Resident Indians.

3.1.3 **Donors** who subscribe not less than Rs. 750/- (Rs. Seven Hundred Fifty) in the case of Indian Residents or US Dollars 50 (Fifty) in the case of Non-Resident Indians.

3.1.4 **Life Members** who subscribe not less than Rs. 250/- (Rs. Two Hundred Fifty) in the case of Indian Residents or US Dollars 25 (Twenty five) in the case of Non-Resident Indians.

Note 1. : Payments may be made in Cash/Cheques/Drafts.

Note 2. : Members of all classes (3.1.1) to (3.1.4) shall have the benefit of using or exercising their rights and privileges as members of the Samithi for life.

Note 3. : Persons already admitted as members to any of the classes of 3.1.1 to 3.1.4 under any previous rules paying a subscription less than the minimum

prescribed herein shall be allowed to continue as members in those classes, without being required to pay the difference, if any.

- 3.2 A member of one class can become a member of another class by making payment of difference in amount due for the class i.c. in cases falling under 3.1.1 to 3.1.4 above.

3.3 Qualification for Membership:

Any person either male or female of the Babboorkamme community by paternal lineage who has attained the age of 18 (Eighteen) years and any female person belonging to any of the trimathastha brahmin community who is married to Babboorkamme community person is eligible to become a member.

3.4 Application for Membership:

An application for membership shall be made in the prescribed form alongwith the prescribed fee and introduced by a member of the Samithi.

- 3.5 The Managing Committee shall have powers to admit or reject any application without assigning any reasons and its decision is final.

- 3.6 The membership will be effective from the date it is accepted by the Managing Committee.

4. Rights and Privileges of Members:

- 4.1 A member shall have the right to vote, nominate and stand for election to the Managing Committee.
- 4.2 Every member has the right to participate, discuss and vote on subjects and resolutions.
- 4.3 Members shall have the privilege of receiving, at actual cost or at concessional rates, publications of the Samithi, if any.

- 4.4 Members can avail the privilege of the Hostel premises, if vacant, for a period not exceeding three (3) days for celebrating any auspicious function on the terms and conditions prescribed by the Samithi.

5. Cessation of Membership:

- 5.1 The Membership of the Samithi shall cease by:

- i) Death.
- ii) Conviction by a court of law for moral turptitude.

- 5.2. Membership may be cancelled by the General Body for gross misconduct, on the recommendation of the Managing Committee who should give due notice in writing to such member in this behalf.

- 5.3 Membership also ceases on the resignation by a member. Resignation letter is to be sent to the Secretary for being placed before the Managing Committee for acceptance. Resignation becomes effective from the date of acceptance. Acceptance of resignation does not entail refund of membership fee already paid.

6. **Hostel :** The Hostels shall be maintained primarily for the Babboorkamme students. However, the Managing Committee shall have power to admit students of other sub-sects of Brahmin Community, if vacancies exist.

7. Management:

- 7.1 **Personnel :** The affairs of the Samithi shall be administered by a Committee of Management consisting of the President, the Vice-President, and twelve (12) elected members of whom one shall function as Secretary, one as Joint Secretary (if required), one as Treasurer and one as Internal Auditor and three (3) members co-opted.

- 7.2 **Elections :** The President, the Vice-President and twelve members (12) of the Committee shall be elected at the Annual General Meeting, once in five (5) years. The Managing Committee, thus constituted shall elect the Secretary, the Joint Secretary (if required), the Treasurer and an Internal Auditor, among themselves, Thereafter, the Committee shall co-opt three (3) remaining members to the Committee.
- 7.3 A valid voters' list of members who are entitled to vote at the General Body Meeting where elections are held shall be put up on the Notice Board of the Samithi 30 (Thirty) days prior to the date of holding such meeting.
- 7.3.1 A member desirous of contesting as a candidate as President, Vice-President, or member of the Managing Committee shall give notice of his/her desire in writing in the prescribed format atleast 10 clear days before the General Body Meeting to the President or Secretary of the Samithi or any member authorised by the President.
- A member may nominate / propose only one member to contest for Presidentship, only one member for Vice-Presidentship and maximum of 12 members for the Managing Committee. The nomination paper shall indicate that the consent of the candidate proposed has been obtained in writing and such writing together with the nomination paper shall be delivered to the President or Secretary of the Samithi or any other member authorised by the President before scrutiny of nomination paper.
- 7.4 A candidate can withdraw his nomination in writing to the Secretary five days (5) prior to the day of the General Body Meeting.
- 7.5 The election to the office of the President, Vice-President, and members to the Managing Committee shall be by

secret ballot and names in the ballot paper shall be printed in Kannada alphabetical order.

- 7.6 The Secretary, the Joint Secretary (if required), the Treasurer and the Internal Auditor shall be elected by the Managing Committee from among the elected members.
- 7.7 The Auditor for the Samithi shall be appointed by the General Body every year.
- 7.8 The Managing Committee may constitute as many sub-committees as may be found necessary for the efficient management of the Samithi's affairs and may delegate to or withdraw from such sub-committee any power which it may consider necessary in the interest of the Samithi. All decisions of the sub-committees shall be subject to the ratification of the Managing Committee.

8. Filling interim vacancies:

- 8.1 If, for any reason, the office of the President falls vacant during the term, the Vice-President shall function as President till the next election.
- 8.2 If, for any reason, the office of the Vice-President falls vacant during the term, the Managing Committee may elect one of the elected members as Vice-president till the next election.
- 8.3 If a vacancy were to arise among the members of the Managing Committee the Managing Committee may fill it up by co-opting a member of the Samithi.
- 8.4 If occurrence of vacancy referred to in sections 8.1, 8.2 & 8.3 above is due to resignation, the relevant resignation letter shall be addressed to the Secretary for being placed before the Managing Committee for acceptance at its discretion.

9. Duties and Powers:

- 9.1 **President :** The President shall be the administrative head of the Samithi. He shall preside at all meetings of the Managing Committee, important sub-committee meetings and all general body meetings. He shall have powers to pass orders in all administrative matters concerned with the Samithi. He shall have the casting vote in case of ties at any of the meetings and in the event of dispute arising in the interpretation of any of these rules, his decision shall be final. He shall have the power to sanction in emergent cases, an expenditure upto Rs. 25,000-00 (Rs. Twenty Five Thousand) only on any account connected with the Samithi's affairs. All such expenditures sanctioned by him shall be got ratified by the Managing Committee at its immediate next Meeting.
- 9.2 **Vice-President :** The Vice-President shall have all the powers as the President but shall exercise them only when the President is absent. He shall be ex-officio member of all sub-committees.
- 9.3 **Secretary:**
- 9.3.1 The Secretary shall carry on all activities of the Samithi under the guidance of the President and subject to the general control of the Managing committee.
- 9.3.2 He shall be ex-officio member of all sub-committees and keep a record of the proceedings of all meetings:
- 9.3.3 He shall be responsible for the proper maintenance of all registers, minute books, membership lists and all records and correspondence relating to the Samithi and also the proper maintenance of all Samithi's properties:
- 9.3.4 The Secretary shall carry on all correspondence and issue notices of meetings to the members.

- 9.3.5 It shall be the duty of the Secretary to promptly implement the decisions of the Managing Committee taken at each of its meetings.
- 9.3.6 The Secerarty shall be responsible for the day-to-day management of the Samithi.
- 9.3.7 He shall have a permanent imprest of Rs. 5,000-00 (Rs. Five Thousand) only to meet the daily expenditure.
- 9.3.8 He shall be responsible for the proper maintenance of the monthly accounts of the Samithi.
- 9.3.9 It shall be the duty of the Secretary to issue notices for collections of arrears of dues from the boarders and any other party and to bring to the notice of the President and the Managing Committee all cases of default to enable them to take needful action.
- 9.3.10 He shall represent the Samithi in legal matters.

9.4 Joint Secretary (if requiried)

If a Joint Secretary is elected by the Managing Committee, the Managing Committee is authorised to allocate the duties between the Secretary and the Joint Secretary.

9.5 Treasurer:

The Treasurer shall be the custodian of the funds of the Samithi. He shall maitain separate accounts relating to Samithi's consolidated funds under separate heads. He shall receive all the sums payable to the Samithi and arrange to issue official receipts and ensure they are taken to the books of accounts and deposited in the bank.

He shall ensure all surplus funds are properly invested in time and renewal of fixed deposits in time as per the norms laid down by the Managing Committee and report to the Managing Committee.

He shall arrange to keep all fixed deposits receipts/ certificates in safe custody.

He shall submit the monthly accounts to the Managing Committee.

The Treasurer and the Secretary shall be jointly responsible for proper maintenance of Samithi's accounts and they shall render at each monthly meeting of the Managing Committee, the accounts relating to the previous month's duly audited by the Internal Auditor.

The Treasurer is responsible to prepare the Annual Budget in consultation with the President and the Secretary and place it before the Managing Committee for approval.

Apart from these duties, he shall perform any other duties relating to finance and accounts of the Samithi assigned to him by the Managing Committee from time to time.

- 9.6 **Internal Auditor** : He shall audit the accounts and the registers of the Samithi and bring to the attention of the Managing Committee errors and discrepancies.
10. **Managing Committee** : The Managing Committee shall have the following powers:
- 10.1 To deal with all applications for the membership of the Samithi and the applications for admission to the hostel. Its decision shall be final.
- 10.2 To fix, from time to time, the monthly charges to be paid by the boarders in the hostels and also to fix the number of students of the community to be taken as free boarders and the monthly minimum over-head charges to be paid by them.
- 10.3 To collect donations, subscriptions etc., to the Building Fund, to the Hostel Fund and for Scholarship Fund. etc.,

- 10.4 To manage the finances of the Samithi.
- 10.5 To constitute sub-committees to perform the various functions of the Managing Committee and to delegate to them all or any portion of its duties and to withdraw such powers, as may be necessary.
- 10.6 To prescribe the forms, registers and the accounts books etc., to be maintained by the Samithi and the hostel.
- 10.7 To prescribe rules relating to the admission of students to the hostels and for enforcing discipline.
- 10.8 To co-opt members when any vacancy arises in the Managing Committee as specified under rule 8 above, to authorise the members of the Community in other places, on behalf of the Samithi, to assist the Managing Committee in its work of collection of funds, selection of applicants from those regions for admission to the hostel and for similar other purposes connected with the Samithi's activities.
- 10.9 To consider the acceptance of resignation of any of the office bearers (including President & Vice-President) and committee members, and to take action to fill up the consequent vacancies.
- 10.10 The Managing Committee may delegate any of its powers to the sub-committee, office bearer or a member of the Samithi in consistent with the rules of the Samithi.
- 10.11 To perform any other function connected with the administration of the Samithi that are not mentioned herein and which are not in-consistent with the rules and the Karnataka Societies Act of 1960.

11. Meetings:

11.1 General Meetings:

There shall be an annual general meeting of the General Body of the Samithi held each year, within 9 (nine) months after the expiry of each financial year, at which the report of the management of the Samithi for the previous year together with the audited copy of Balance Sheet, Income & Expenditure Account and the Auditor's Report shall be submitted for approval. Elections to the Managing Committee shall be held once in five (5) years at the annual general meeting.

11.2 Special General Meeting:

Special General Meeting may be convened at any time on the requisition of the President of the Samithi or on the requisition of not less than one third of the total number of members of the Samithi entitled to vote who shall state in writing the business for which they wish the meeting to be convened and the Managing Committee shall, within ten days from the date of the receipt of the requisition, proceed duly to call a meeting for the consideration of the business, on a day not later than forty (40) days from the date of receipt of requisition.

11.3 Managing Committee Meetings:

The Managing Committee shall meet once in every month or more frequently, if found necessary, to consider and decide all administrative matters including monthly statement of accounts relating to the Samithi which shall be specified in the agenda for the meeting. Notice of the monthly meeting shall be sent to each member of the Managing Committee 5 (five) days in advance of the date fixed for the meeting. Any member who absents himself

for three (3) consecutive meetings without sufficient reasons and without intimating the President of his inability to attend the meeting shall be deemed to have vacated the seat in the Managing Committee and his vacancy may be filled up in the manner prescribed under rule 8 above. An emergency meeting may be called giving 24 hours notice.

11.4 **Sub-Committee Meetings:**

The sub-committees shall meet as often as necessary and consider all matters entrusted and submit the proceedings of their meetings to the Managing Committee at its next monthly meeting.

12. **Quorum**

- 12.1 The quorum for an Annual General Meeting and for any special general meeting convened by the President shall be thirty (30) or 1/4 of the number of members of the Samithi on the roll, whichever is less.
- 12.2 The quorum for any Special General Meeting convened at the requisition of the members of the Samithi shall be 200 (Two hundred) or 1/3 of the numbers of the members on the roll whichever is less.
- 12.3 If the required number of members are not present within 30 minutes of the time fixed for the commencement of the meeting convened by the President of the samithi the meeting shall be adjourned for the same day after 30 minutes provided it is mentioned in the meeting notice. No quorum is necessary for the adjourned meeting and no other subjects shall be considered and decided at the meeting excepting those which were in the agenda in convening the meeting which was adjourned. So far as the special general body meeting summoned as per

requisition of the members is concerned, if there is no quorum as required under regulation 12.2 above, within 30 minutes from time fixed for the commencement of the meeting or if the requisitioned members are absent, the subject referred to shall remain lapsed.

12.4 The quorum for the meetings of the Managing Committee shall be seven (7) and for the sub committee meetings 3 (three). No quorum is necessary for the adjourned meetings.

13. Finance and Accounts:

13.1 The Financial year for the Samithi shall commence on 1st April in each year and end on 31st March next.

13.2 The funds of the Samithi (Society) shall be invested in the modes specified under the provisions of sect. 13 (1) (d) read with Sect. 11 (5) of Income Tax Act 1961, as amended from time to time.

13.3 Amounts donated specifically for one purpose shall not be diverted to and utilised under another purpose without the donor's consent in writing.

13.4 Subscriptions from the Samithi's membership and all other general donations received shall form the capital funds of the Samithi. Only the interest earned on the capital shall be utilised for revenue expenditure.

13.5 The Treasurer and the Secretary shall maintain the accounts upto date and shall submit the annual accounts of the Samithi to the Auditor, within two months after the expiry of the Samithi's financial year.

13.6 The accounts of the Samithi shall be got duly audited after the close of the financial year, preferably by a Chartered Accountant or a Certified Auditor appointed by the

General Body and the Statement of Accounts alongwith the report rendered by him shall be placed before the General Body as prescribed by the rules.

13.7 All bank accounts shall be operated by the Treasurer along with either the Secretary or the President or the Vice-President.

14. **Borrowing:** The Managing committee has no powers to borrow on the security of the Samithi's fixed or movable assets without the consent of the General Body.

15. **Rules of Business:**

The Managing Committee shall have the powers to frame working rules and regulations for the efficient managing of the Samithi's affairs and of the Hostels.

16. **Amendments, additions, alterations or deletions to the Memorandum of Association and / or rules and regulations thereunder:**

No amendments to the Memorandum and / Rules and Regulations of the Samithi (Society) shall be made which may prove repugnant to the provisions of Sect. 2 (15), 11, 12, 13 & 80 (G) of the Income Tax Act 1961 as amended from time to time and the provisions of the Karnataka Societies Registration Act 1960 & Rules thereunder. Further, no amendment shall be carried out without the prior approval of the Commissioner of Income Tax.

17. **Repeal and Savings:**

Consequent on any amendment to these rules, as duly approved by the Registrar, the previous rules will be repealed, provided such repeals shall not affect any thing done and any action taken in accordance with the repealed rules.

18. Dissolution:

In the event of dissolution or winding up of the Samithi (Society), the assets remaining as on the date of dissolution shall under no circumstances be distributed among the members of the Samithi, but the same shall be transferred to any other charitable Samithi (Society) whose objects are similar to those of this Samithi (Society) and which enjoys recognition under Sect. 80(G) of the Income Tax Act, 1961, as amended from time to time.

N. Sathyaprakash
Secretary

Dr. A.V. Prasanna
President