

## ANNEXURE – C

### Rules and Regulations/Bye-Laws

1. Name of the Society : - Nerul Gymkhana.
2. Address of the Society : - Plot No. 5 & 5A, Sector-28, Nerul (W),  
Navi Mumbai – 400 706.
3. Financial Year : - April to March.
4. Membership: -

Subject to the conditions laid down hereinafter, the membership of the Association shall be open to persons above the age of 18 yrs. who accept the Aims and Objectives of the Association and undertake to obey the Rules and Regulations / Bye-Laws of the Association. However, the Managing Committee shall have the right to reject an Application, in the interest and welfare of the Association.

- A. A person desirous of joining the society shall be proposed by a Pioneer Member or Founder Member, or Patron or Life Member or General Member or Organisation Member and seconded by another such member. He shall apply in the prescribed form & shall submit to the Hon. Gen. Secretary of the society along with the amount of deposit and such money as may be prescribed by the Managing Committee from time to time.
  - A1. The Board of Trustees will be authorised to relax membership subscription and time of payment in exceptional cases.
  - A2. The Board of Trustees will negotiate and award construction and development work of Nerul Gymkhana in lieu of payments by way of bulk Life Membership and / or bulk General Membership to developers if in its opinion it is in the interest of Nerul Gymkhana. The bulk membership will be sold to individuals as per the constitution of Nerul Gymkhana by the developers at subscriptions and period as prescribed by the Board of Trustees.
- B. Each application for membership shall be scrutinised by the Managing Committee and the Office – bearers authorised by it and the Managing Committee shall have absolute discretion in accepting or rejecting such application.
- C. Conviction by any criminal court for any criminal offence involving moral turpitude or insolvency adjudged by the Civil Court, shall be treated as disqualification for becoming a member of the society.
- D. On admission of the application to the society, an intimation in writing shall be sent by the Hon. Gen. Secretary to such applicant.
- E. An application for the Membership, if rejected shall not be considered again, until expiration of 2 years from the date of such rejection. If any application for membership is rejected twice, such application shall not be entitled to apply again, unless the Managing Committee is convinced that the cause for the rejection in the past no longer survives.

- F. On rejection of the application for Membership, the entrance fee, the amount of deposit and any advance subscription paid should be refunded back without interest. Any false declaration should entail cancellation of Membership and forfeiture of amount.
- G. Membership Register:

It should be the duty of each member of the society to furnish his / her correct address and subsequent changes, if any, which should be entered in the Membership Register.

- H. Any notice or communication sent at the registered address of the Member under certificate of posting shall be deemed to be proper service and no grievance of whatsoever nature shall be entertained.
- I. No Membership, except – Pioneer Membership, Founder Membership and Life Membership can be transferred. The transfer of Pioneer, Founder or Life Membership shall be subject to the following Rules:
1. A Pioneer, Founder or Life Member (hereinafter called as Transferor) holding continuous membership for a minimum period of 5 years shall apply in writing in the prescribed form to the Board of Trustees of Nerul Gymkhana of his intention to Transfer the Membership to another Individual (hereinafter called as Transferee) who should be a resident of Navi Mumbai.
  2. The Board of Trustees shall appoint a Scrutiny Committee comprising of the Chairman and Hon. Gen. Secretary of the Board of Trustees, Hon. General Secretary of the Managing Committee and one member nominated by the Board of Trust.
  3. The application for the Transfer shall be forwarded to this Scrutiny Committee who shall scrutinize the application and after taking into consideration the suitability, eligibility and other factors which in the opinion of the Committee furthers the Aims and Objectives of the Trust and is not detrimental to the growth of the Trust, give its no – objection to the Transfer of Membership.
  4. The Scrutiny Committee will be empowered to personally interview the proposed Transferee and his / her family so as to decide on bestowal or otherwise.
  5. In the event of a dissent by any of the Members of the Scrutiny Committee the decision of the majority shall be final.
  6. A Transfer fee of 65% of the prevailing Life membership subscription shall be charged by the Trust and this amount shall be deposited along – with the application for transfer. Board of Trustees will be empowered to reduce the transfer fee from 65% upto 25% on being satisfied that it is in the interest of Nerul Gymkhana
  7. The Transferee on Transfer shall be a Life Member, and entitled to all benefits as a Life Member of the Gymkhana.
  8. In the event of death of the main - Pioneer / Founder / Life member, the membership can be transferred to any one Child of the main member. For Transfer on death (a) The minimum period of 5 years of continuous membership shall not apply and (b) In lieu of 65% as Transfer Fee only 10% shall be levied by the Trust. (c) A affidavit duly affirmed and solemnized by the entire family shall be compulsory to process transfer of membership on death of the main member.
  9. On completion of Transfer:
    - a) In the event of the application by the main member himself his Spouse and Children shall cease to be members of the Trust. Identity cards issued shall be surrendered by the Transferor and his family.
    - b) In the event of the transfer on death to one of the child, the spouse and other 2 children of the main member shall continue to be society member.

10. Any false information or claims shall entail the request to be summarily rejected and the applicant liable for action under the Constitution of the Trust.
  11. The Transfer fee mentioned above will not be lowered under any circumstances.
- J. No Member shall, on the premises of the society indulge in any activity, which in the opinion of the Managing Committee is of the nature of wagering or gambling.
- K. No member should hold any employment in the society.
- L. Classes of Membership:

There shall be 11 classes of Members viz.

1. Pioneer Member
2. Founder Member
3. Life Member
4. Patron Member
5. Organisation Member
6. General Member
7. Student Member
8. Temporary Member
9. Service Member
10. Society Member
11. Honorary Member

1. Pioneer Member:

- a) The first 9 committee members shall be treated as Pioneer Member and they shall pay the same subscription as decided by the Committee for the Founder Members in one instalment.
- b) The Pioneer Members shall not pay annual subscription nor for individual activities in which he / she may participate.
- c) The Pioneer members shall be the permanent trustees as & when a trust is formed.

2. Founder Member :

- a) Apart from the nine Pioneer Members, the first 2000(Two thousand) applicants who would pay the subscription as decided by the Managing Committee from time to time shall be treated as Founder Member.  
The Managing Committee at its sole discretion can also accept the payment in two instalments paid within a period of six months from the date of application and there after the Founder Membership will be treated as closed. In case of default in payment, the applicant automatically stands disqualified and payments already made shall be forfeited.
- b) **Founder Member other than Founder Member above 60 Years of age will be liable to pay annual maintenance charges every year. The maintenance charge for financial year of 2015- 2016, 2016 – 2017 & 2017 – 2018 shall be Rs. 2400/- + applicable Govt. Taxes per annum. The amount will be reviewed by the AGBM after Three (3) years, Founder members with their family transferred out of the Mumbai or Navi Mumbai or Thane due to**

**their employment, for a period of not less than a year shall be levied 50% of the maintenance on production of valid document (including employer certificate, school leaving/joining proof and new residence proof) proving his outstation status.** Founder Member shall pay for the individual activity in which he /she will participate.

- c) On application made to the Managing Committee, the dependent parents of a Founder Member can avail all the facilities of the Association subject to payment of individual activity charges as applicable.

3. Life Member :

- a) Any individual who shall pay such sum as decided by the Board of Trustees from time to time and in such installment shall be treated as Life Member of the Society.
- b) Default in payment of installments shall entail forfeiture of amounts already paid. In the event of default of payment for the reasons (a) Funds insufficient and (b) Stop payment the application shall be rejected.
- c) Life Member admitted after October 15, 2011, have to pay a monthly Subscription of ` 400/- + Service Tax (Variable as per Govt. norms), towards maintenance / property tax of Nerul Gymkhana. This shall be payable on Quarterly Basis.
- d) **Life Member other than Life Member above 60 Years of age (admitted before October 15, 2011) will be liable to pay annual maintenance charges every year. The maintenance charge for financial year of 2015- 2016, 2016 – 2017 & 2017 – 2018 shall be Rs. 2400/- + applicable Govt. Taxes per annum. The amount will be reviewed by the AGBM after Three (3) years. Life members with their family transferred out of the Mumbai or Navi Mumbai or Thane due to their employment, for a period of not less than a year shall be levied 50% of the maintenance on production of valid document (including employer certificate, school leaving/joining proof and new residence proof) proving his outstation status.**  
Life Members shall pay for the individual activity in which he /she will participate.

4. Patron Member:

- a) Any individual who shall donate a minimum of such sum as decided by the Managing Committee from time to time shall become a Patron.
- b) Patron member shall enjoy all Sports facilities without further paying any subscriptions.

5. Organisation Member:

- a) Any registered Company with the Registrar of Companies, paying a minimum of such sum per card as decided by the Board of Trustees, from time to time in terms of materials or cash shall be admitted as Organization Member.
- b) The Organization Member shall be entitled for a maximum 5 Membership nominee cards against which they can nominate bonafied employee.
- c) These nominees and their families shall be allowed the use of the facilities as a member subject to their renewal being submitted on a yearly basis and payment of fees for individual activities.
- d) These cards shall be valid till the existence of the organization.

- e) The nominees of the company shall be nominated by Directors or any other Authorized signatories of the Company.
  - f) This company will be given priority and concession in the use of the Stadium complex for their own sports or Annual Social Gathering.
6. General Member:
- a) Persons paying entrance fee for such sum as decided by the Board of Trustees from time to time in lump sum or in instalments and the annual subscription of such sum as decided by the Managing Committee shall be admitted as General Member. The General member shall not be entitled to vote or hold an office of the Gymkhana.
  - b) The General Members shall pay such annual subscription as decided by the Managing Committee every year on due date and also pay for the individual activities such sum as decided by the Managing Committee for which he / she may participate.
  - c) A General Member shall cease to be a member if he / she fails to pay his / her annual subscription. He / she shall however, be entitled to be readmitted without paying an entrance fee, on his / her clearance of all the dues within one month of his / her date of cessation.
7. Student Member:
- a) Student upto the age of 25 years shall be eligible to be admitted as Student Members.
  - b) Student Members have to pay the entrance fee and annual subscription of such sum as decided by the Managing Committee from time to time. While taking part in any activities he / she shall pay individual activities subscription as decided from time to time by Managing Committee.
  - c) Student members shall have no voting rights. However, such members after completing the age of 21 years may get himself / herself converted as General Member or Life Member on payment of 50% of the then prevailing entrance fees of such membership, provided he / she shall be a student member continuously for a period of 5 years, at time of applying for the General / Life Membership.
  - d) Student Member shall cease to be Student Member on completion of the age of 25 years or from the time he / she ceases to be a student whichever is earlier.
  - e) Student Member shall apply for conversion of his / her membership within a period of 3 months from the date he / she ceases to be a Student Member, failing which he / she loses the right of conversion of the membership.
8. Temporary Member:
- a) Any member sponsored by Founder Member or Patron or Life Member or General Member or an Organisation Member may be admitted as a Temporary Member for a period not exceeding 30 days continuously on payment of fees and subscription as may be decided by the Managing Committee from time to time.
  - b) The Temporary Member will have no voting rights nor to hold any office.

9. Service Membership:

**(A) Following individuals shall be eligible for Service Membership. Only a refundable deposit will be collected alongwith non-refundable yearly Maintenance Charges. The Maintenance Charges will be the same as applicable to the General Members.**

**(a) All Serving IAS, IPS, IRS, IFS officers.**

**(b) Municipal Commissioner of Navi Mumbai Municipal Corporation.**

**(c) State and Central Government Class I Officer posted to Navi Mumbai.**

**(d) Police Officer of rank of Senior PI, ACP, and DCP & above of Navi Mumbai Commissioner rate.**

**(e) Any Official of any State or Central Government, Quasi Government or PSU who in the opinion of the Chairman of the Board of Trust should be given membership.**

**(f) The Chairman and Secretary of the Board of Trust will be empowered to waive membership fees in exceptional cases.**

B) If any applicant belonging to the above category would certify his eligibility, no proposer or seconded would be needed. Service Member shall not be entitled to vote or hold an office of the Society.

10. Society Member:

- a) The Spouse of all main member except Student and Temporary members and his / her children (maximum three) shall be treated as Society member.
- b) The male child continues to be Society Member till he attains 21 years & female child till she gets married. The spouse continues to be the Society Member till his / her lifetime.
- c) Children of Pioneer, Founder, Life & General members, if they so desire can apply on completing the age of 18 years but not later then 3 months after cessation of Society Membership, both male & female can be converted as life member or General Member on payment of 50% of the then prevailing entrance fees at the time of application of such membership.
- d) All other Society members if they so desired may get himself / herself converted as Life Member or General Member on payment of 50% of the then prevailing entrance fees of such Membership within 3 months after attaining 21 years in the case of male child and within 3 months of the date of marriage in the case of female child.
- e) Society member shall not be entitled to vote or hold an office of the association.

11. Honorary Member:

Any person who has an International repute shall be bestowed with Honorary Membership by the Managing Committee provided it is satisfied that he will be helpful in the furtherance of the Aims and Objectives of the Association.

Honorary Members will not pay annual subscription nor for individual activities in which he / she may participate. Hon. Member shall have no voting rights.

M. Expulsion of the Member:

Any member of the Association who pursues a conduct which is in contravention of the Rules and Regulations or is detrimental to the interest, and welfare of the Association shall be expelled by the Managing Committee with or without giving any reasons. The Member shall be given an opportunity to give his / her explanation either in writing or orally which shall be considered judiciously before taking any action. If the Member fails to tender such an explanation the Managing Committee would decide the case ex – parte.

5. Withdrawal of Membership from the Society:

- a) A Member may withdraw his / her membership from the Society by a written intimation to the Hon. Gen. Secretary, provided he / she has paid all the dues.
- b) Termination of Membership: If a member is convicted of a criminal offence involving moral turpitude or is adjudged insolvent by any competent Court, the Managing Committee shall terminate forthwith, after ascertaining the facts, his / her membership. Liability of such member to pay all the arrears and dues shall continue even though he / she ceases to be a member. The deposit paid by such member shall be forfeited to the Society.

6. General Body Meeting and Quorum:

- (a) General Body Meeting shall be held every year by giving at least two weeks notice to the members.
- (b) General Body of the Association shall be supreme and shall exercise all the powers conferred by the Bombay Public Trust Act 1950, Societies Registration Act XXI of 1860 and all other relevant Acts and Rules thereunder along with the powers conferred by the constitution.  
The affairs of the Association shall be conducted according to the Rules and Regulations / Bye - Laws of the Association.
- (c) For the quorum of the General Body Meeting at least 1/5 of total members or 50 persons whichever is less shall be necessary. However, in the absence of a quorum as required, the meeting shall be reconvened at the same place after being adjourned for ½ an Hour. However, no notice of quorum is necessary for adjourned meetings. Notices of meeting shall be issued to the members by hand delivery or by RPAD or by Courier or by Certificate of Posting.

7 Extra – Ordinary General Body Meetings:

Whenever the Managing Committee or the General Secretary or the President feels that there exists a situation to take the general view of the members on very specific issue and / or there is very important matter which needs the approval of the General Members and / or there is a crisis in the society, Extraordinary General Body Meeting can be called for by giving at least a week's notice to the members.

## 8 Management and Composition:

The entire Management of the day to day affairs of the Association shall be vested with the Managing Committee consisting of –

- (a) Hon. President
- (b) Hon. Vice President
- (c) Hon. Gen. Secretary
- (d) Hon. Joint Secretary
- (e) Hon. Treasurer
- (f) Four Committee Members
- (g) Two Nominees from the Trustees
- (h) Two Nominees from CIDCO

All the Managing Committee Members shall have voting rights. In addition to the above members, the Managing Committee may co-opt up to three members in the Managing Committee, if needed. All co-opted members shall have voting rights

### 8 A (I) TRUSTEES:

(a) The Authors of the Trust i.e. the Signatories to the Constitution shall be the Pioneer Trustees. The term of each Author i.e. the Pioneer Trustee shall be for Life, unless he/she is removed or resigns.

(b) **Term of Trustees and minimum / maximum number of Trustees:-**

**i) The number of all the trustees at any given time shall be minimum 15 (Fifteen) and maximum 20 (Twenty).**

**ii) In addition to the Pioneer Trustees, there shall also be Trustees who shall be nominated from the existing Founder/Life members of the Gymkhana.**

**iii) The term of each Trustee (except Pioneer Trustee/Permanent Trustee) will be for 5 years from the date of acceptance of nomination.**

(c) **Qualification and nomination of a new trustee in case of vacancy:-**

**An existing Trustee having served in the Board of Trust for a minimum period of five years will be eligible to propose an existing Nerul Gymkhana Founder or Life Member for the responsibility of Trustee. Care should be taken to ensure that the nomination should be for a person who (a) enjoys high reputation in the society of Nerul (b). Has worked positively as a volunteer**



for Nerul Gymkhana for a considerable period (c). Is willing to spend time for the work of Gymkhana during his/her term as Trustee. (d) has paid his/her maintenance or any other dues including interest, penalty, etc. and the same is not pending prior to eleven months of the proposal. (e) is not less than 35 years of age and (f) his/her nomination should not have been rejected for the vacancy of the post of Trustee in the past five years (g) A Life member found instrumental in completing the project irrespective of the period of contribution.

- d) **Nomination to be accepted by the Board for further consideration of Trustees: -**

The nomination of the proposed Trustee with his/her written & signed willingness to the above terms and a brief introduction should be handed over to the Chairman or secretary of the Board of Trust, who should call a special Board of Trustees meeting to approve of the nomination. If the Chairman and Secretary along with one member of the Board of Trust object to the proposal in this specially called meeting of the Chairman or Secretary of the Board of Trustees, the nomination will be treated as rejected and the proposal will be filed without further circulation. The reasons for the objections will be recorded in the minute book by the Secretary

- e) **Nomination to be accepted by more than half the existing Trustees: -**

Only in the event of the nomination passing the Board of Trustees as mentioned above, the nomination will be circulated to all the Trustees by the Chairman / Secretary. In the event of written objections to the nomination being received within 15 days by the Chairman/Secretary of Board of Trust from at least half the existing trustees the nomination will be treated as rejected and filed.

- (d) A meeting of all the Trustees shall be convened by the Board of Trustees within 30 days of the Annual General Body Meeting, to review the events of the preceding year. All other meetings shall be convened as decided by the Board of Trustees. A notice of at least fifteen days shall be given for all meetings.

- (e) All sale & purchase/development, mortgage of immovable/movable properties, shall be decided by a 2/3rd majority in a meeting of all the existing Trustees.

## II. BOARD OF TRUSTEES:

- (a) The Board of Trustees will comprise of Honorary Chairman, Honorary Secretary, Honorary Treasurer and two members elected from the existing Trustees. In addition, the Board can co-opt two Members to the Board of Trustees from amongst the members of the Institution, if required. All members to the Board shall have voting rights.
- (b) The Board of Trustees will ordinarily consist of not less than three and not more than seven members.
- (c) The term of the Board of Trustees shall be for three years. In case the term of a Trustee expires then he shall automatically cease to be on the Board of Trustees. The Member of the Board of Trustees is eligible to be elected / co-opted to the Board of Trustees again. The Member if he so desires, may resign from the Board of Trustees, even before the expiry of the term by giving his intention in writing to the Chairman / Secretary.
- (d) **A trustee may be nominated to the Board of Trustees for a maximum of 5 (Five) successive / continuous terms**
- (e) The Members co-opted to the Board of Trustees shall hold office only till the existing term of the Board of Trustees. The Co-opted Member is eligible to be co-opted to the Board of Trustees again. The Co-opted Member if he so desires, may resign from the Board of Trustees, even before the expiry of the term.
- (f) The President of the Managing Committee shall be nominated by the Board of Trustees from amongst themselves or from amongst the existing Trustees and in addition two Committee members to the Managing Committee shall be nominated by the Board of Trustees from amongst themselves or from the Members of the Institution.
- (g) Cessation of Trusteeship:
  - i. Death – on his / her death.
  - ii. Resignation- By a letter addressed to the Chairman of the Board of Trustees of his / her voluntarily resigning of his / her Trusteeship.
  - iii. On completion of his / her term.
  - iv. On expulsion.
- (h) “Expulsion” –
  - i. After giving show cause and calling for an explanation in writing by the Board of Trustees, if a Trustee is found guilty by at least 2/3<sup>rd</sup> of the other existing Trustees of gross negligence or misappropriation of

funds of the Institution shall be expelled from the Trusteeship. If the Trustee fails to tender his explanation, the existing Trustees shall decide the case ex- parte.

ii. If convicted by a Court of Law for a criminal offence or an offence involving moral turpitude.

(i) Meeting of the Board of Trustees:

(a) **The Board of Trustees shall meet at least once in a month or as often as necessary with seven days notice in advance. All the trustees will be informed of the meeting of the Board of Trustees and invited to attend the same, so as to extend an opportunity to each trustee to attend and ensure that their responsibilities are discharged as per Societies Act 1860, Bombay Public Trust Act 1950 etc. The proceedings shall be recorded regularly in the Minutes Book, by the Secretary, to be retained for the purpose. In any resolution to be passed touching the administration of the Trust, the opinion of the majority of the Trustees present in the Board of Trustees meeting shall prevail. It shall be competent however for the Board of Trustees to decide matters by circulation to all the existing Trustees. In the event of circulation of any proposal, the rejection of the proposal with reasons should reach the Chairman or Secretary within 15 days failing which the proposal will be taken to have been accepted by the Trustee who does not submit his written objection. In case there being equality of votes, the Chairman shall have the casting vote for the purpose of deciding the issue.**

(b) In the absence of the Chairman at any meeting, the Trustees present may elect one amongst themselves to preside over the Meeting.

(c) The Honorary Secretary shall convene the meeting of The Board of Trustees and shall maintain the Minutes Book in which the proceedings of all meetings of the Trustees shall be recorded by the Trustees and the same shall be signed by the Chairman of the Meeting and one member, as correctly recorded. In the event of the failure of the Secretary convening the meeting, the Chairman or any two members of the Board of Trustees shall convene a meeting of the Board of Trustees.

(j) Powers and duties of the Board of Trustees:

(a) To give strategic direction & vision wherever necessary, to the Managing Committee so as to ensure that the aims and objectives of the Institution are followed and achieved.

(b) The Trust may receive donations of money and / or properties, which, when received shall be at the absolute disposal of the Trust. Investment of the Surplus Funds shall be made/decided & controlled by the Board of Trustees

(c) The membership subscriptions and donations received for

membership forming the Capital/Corpus of the Trust shall be at the absolute disposal of the Trust. Investment of the Surplus Funds shall be made/decided & controlled by the Board of Trustees.

- (d) The Board of Trustees shall invest the properties and moneys of the Trust in such manner as prescribed under the Income-Tax Act, 1961 and/or other statutory laws, both existing and future enactment.
- (e) The Board of Trustees shall consider the demand for funds or make fresh investments, on the basis of applications received from the Managing Committee.
- (f) The Board of Trustees shall open and operate current or deposit or other accounts with any Scheduled Bank or Banks and by resolution authorize any two or more of the Trustees jointly, to operate such accounts.
- (g) To negotiate with individuals and/or organisations, banks, financial institutions, etc. for collection of funds and raising loans for the Institution.
- (h) The Board of Trustees may by resolution extend the activities of the Trust or undertake any activity in furtherance of the main objects of the Trust.
- (i) Proper books of accounts shall be maintained of the Trust, which shall be closed on 31st March, every year and the same shall be consolidated with the accounts submitted by the Managing Committee and duly audited by a Chartered Accountant.
- (j) The Treasurer of the Board of Trustees shall be responsible for collecting all subscriptions, donations, grants and all monies pertaining to only the main Trust corpus including subscriptions/donations from Members and granting of receipts for the same. He shall place before the Board of Trustees financial statements as and when the Board meets. The Treasurer shall also take regular reports from the Managing Committee of the Gymkhana and submit it to the Board. He shall ensure the finalisation of the consolidated financial statements, presentation for adoption by the Board of Trustees for final audit. He shall also file timely returns of the Institution to the Income - Tax and all other relevant authorities.
- (k) The Managing Committee of the Gymkhana shall make available all the records pertaining to Accounts and Transaction of the Institution to the Board of Trustees or any person authorized by the Board as and when required.
- (l) The Honorary Secretary of the Board of Trustees shall convene a meeting of all the Trustees within 30 days of the Annual General Body Meeting. The Board of Trustees shall present to the Trustees a report of all the activities of the Institute and also The Board of Trustees during the immediately preceding Financial Year.
- (m) To do such other lawful things as are incidental in carrying out the administration and management of the Trust.
- (n) The Trustees may frame rules and regulations as to the duties and responsibilities of each Trustee, to appoint sub-committees, mode of conducting any other matters connected with the administration of Trust and its management.

(o) In case The Board of Trustees are of the opinion that the Managing Committee is failing in its duties & not working towards the aims and objectives of the Institute, it shall recommend to the Trustees for the Dissolution of the Managing Committee. A meeting of all the Trustees shall be convened and if a decision to this effect is taken by a majority of 3/4<sup>th</sup> majority of all the existing Trustees, the Managing Committee shall stand dissolved and the day to day affairs of the Institute shall be run by an Ad-Hoc Committee appointed by the Board of Trustees. The Ad-Hoc committee shall hold office till the election of a new Managing Committee. Fresh elections for the Managing Committee shall be held within three months from the day of dissolution.

(k) Custody of Documents:

The Honorary Secretary or his nominee or any other Trustee if so authorized by the Board of Trustees shall have the custody of all the documents, deeds of title relating to the Trust properties and investment, and the books of account and other records relating to the Trust and shall be responsible for the preservation of the same. All Documents, Deeds, Books of Accounts and other manuscripts pertaining to the Institution shall be maintained and retained at the registered office or the premises of the Institution, as may be decided by the Board of Trustees.

(l) Advisory Body:

The Board of Trustees may maintain a set of advisors for the purpose of utilizing their services, for the purpose of furtherance of the aims and objectives of the Institution.

**9** Election of the Office Bearers and Managing Committee Members:

The first Office Bearers and Managing Committee Members shall be for 5 (five) year's. Fresh elections shall be held for every 5 (five) year's, till 2012. Thereafter the office bearers and Managing Committee Members will be elected every 3 (Three) years. All Office Bearers of the Managing Committee and four Managing Committee Members except the President shall be elected by all the eligible members. However, if on account of any unavoidable circumstances the election of the Office Bearers and four Managing Committee Members could not be held in a particular year, the Managing Committee including Office-Bearers and four Managing Committee Members then functioning at the relevant time, should continue to hold office with the same powers till the time the new Elections are held, new Managing Committee is formed and it assumes the charge. However, this will be with concurrence by the General Body. All such Office bearers and Managing Committee Members shall be eligible for re-election. The President shall be nominated for 3(Three) years by the Board of Trustees. While nominating the President, it should be seen that the person enjoys high reputation in public life for his / her outstanding

contribution in the field of Sports, social and cultural activities and need not be a resident of Navi Mumbai.

- a) Founder Members, Life Members, Patrons Members and Pioneer Members having at least 3 years membership continuously and resident at Navi Mumbai should be eligible for seeking nomination for the post of Office Bearers and Members of the Managing Committee.

#### **10 Duties and Responsibilities of the Managing Committee:**

The Managing Committee should be fully responsible for: -

- a) Smooth running of the Society.
- b) Collecting and raising funds for the day to day activities of the Society.
- c) Entire day-to-day administration of the society.
- d) Getting aids from the Govt. and other institutions.
- e) Organising annual sports, social and cultural activities.
- f) Organising training camps.
- g) Co-ordinating with other sports, social & cultural programme.
  
- h) Celebrating the annual day.
- i) Day to day maintenance of the properties
- j) Proper utilisation of the funds & maintaining proper accounts of funds & assets of the society.
- k) Printing, publishing & advertising in order to promote the aim and objects of the society.
- l) Holding Annual General Meeting.
- m) Preparation of accounts, submission to the Board of Trustees for consideration and placing audited accounts and Balance sheet before the Annual General Body Meeting.
- n) To prepare and present the current financial reports and budget for the forthcoming years to the Board of Trustees.

#### **11 Managing Committee Meetings and Requisitioned Managing Committee Meetings:**

##### **(a) Managing Committee Meetings:**

There should be one regular meeting of the Managing Committee on or before the 15<sup>th</sup> of every month in addition to the normal business transacted. The Hon. Treasurer should submit a monthly statement of accunts and then all Hon. Secretaries of Sub – Committee should submit their monthly minutes of the meetings. General Secretary should submit the regular reports and any other matters with the permission of the chair. All minutes of the meeting should be recorded in record book.

- (b) For requisitioning any Managing Committee Meetings, at least half of the members of Managing Committee should jointly write to the President and / or the General Secretary giving there in the specific issue to be discussed & the reasons there of the requisitioned meeting should have to be convened within seven days of receipt of the requisition.

- (c) The General Secretary on his own or on the advice of the President may call an emergency Managing Committee Meeting by giving notice of at least 24 hours. The quorum in the Managing Committee should need the presence of at least 1/3<sup>rd</sup> of the total committee members. Decision of the general body meeting & Managing Committee Meeting should have the approval of the majority of the members present.
- (d) The voting in the meeting should as far as possible be taken by voice vote or raising hands, each member should vote. However, the chairman has the casting vote in the case of tie. All the meetings (Managing Committee & General Body) of the society should be presided over by the President, in absence of the President the Vice President shall occupy the chair & in the absence of both, the members present can elect any person to occupy the chair. Any body occupying the chair should have the right to cast vote. All minutes of the meeting should be recorded in the record book. Accidental or inadvertent omission to give any notice to any member entitled thereto should not invalidate any proceeding of any meeting. The official year of the society means April to March.

## **12 Power of the Managing Committee:**

- a) To appoint employees (permanent or temporary) for the maintenance and protections of the properties of the society.
- b) To appoint accountants, clerks (part time or full time) for the office work of the society.
- c) To accept or reject applications of any person for membership.
- d) To take action against any acts of member which in the opinion of the managing committee goes against the aims and objects of the society and or may harm the interest of the society.
- e) To take disciplinary action against any member or employees for misconduct.
- f) To frame rules and regulations for different activities.
- g) To make purchase and sales of movable properties.
- h) To accept or reject quotations, tenders, supplies.
- i) To make sanctions to the different Sub – Committee.
- j) To make payment of the parties.
- k) To spend for the sports, social and cultural activities of the society.
- l) To appoint any sub – committee other than the sports sub – committee to promote the aims and objects of the society.
- m) To negotiate with agencies inside / outside the country to further the interest aims and objects of the society.
- n) Donate / Contribute for the development of sports in the township / state /country.
- o) To fix membership fees and annual membership subscriptions and all individual activities subscription of the society from time to time.
- p) To make payment towards rents and hires.
- q) To spend for the maintenance of the movable and immovable properties of the society and / or repairs and renovations.
- r) To fill any vacancy arising out of resignation or otherwise of the office bearers of the Managing Committee by co-option.

- s) The Managing Committee shall have the right to prevent any person from taking part in any activities if he / she is suffering from skin diseases or infections or contagious diseases which may harm other participants.

### **13 Vacancies in the Managing Committee:**

The seat of member of the Managing Committee shall be deemed to have fallen vacant if the member:

- a) Ceases to be a member of the society.
- b) Remains absent from the meetings of the Managing Committee for 3 Consecutive meetings without leave of absence or is absent in 2/3<sup>rd</sup> of total number of meetings held in a year.
- c) Gives notice in writing addressed to the President or Hon. General Secretary of the society that he / she has resigned and such resignation is accepted by the Managing Committee.
- d) Becomes of unsound mind or is physically rendered incapable of attending to his normal duties.
- e) Becomes insolvent.
  
- f) Directly or indirectly acts against or in the opinion of the Managing Committee, subversive to the interest of the society.
- g) In the case of an Office bearer, refuses to discharge or abstains from discharging his/her duties.

### **14 Duties Responsibilities and powers of the Office Bearers:**

- a) The President:

The President shall preside over the general meetings and the managing committee meetings. The President shall advise the General Secretary and guide him in all the activities of the society. Whenever the President receives any requisition for the General Meeting or the Managing Committee Meeting or whenever he feels that in the interest of the society, Managing Committee meeting or an Extra - Ordinary General body Meeting shall be called, he / she can advise the General Secretary accordingly in which case the General Secretary shall be duty bound to follow his / her advise. The President along with the General Secretary shall have the right to negotiate with various parties, agencies etc. in the interest of the society. However, final decision in any matter shall have the majority approval of the Managing Committee. The President shall intimate in writing confidentially to the Board of Trustees, if in his opinion, the Managing Committee is failing in its duties and not functioning as per the aims and objectives of the Institution.

- b) The Vice President:

The Vice President shall assist the President and shall act in the absence of the President.

- c) The General Secretary:

The General Secretary shall be responsible for the execution of the plans and



programmes of the society. He shall convene all Managing Committee and General Body Meetings. He shall carry out the decisions of the General Body and the Managing Committee Meetings. He shall be responsible for the maintenance of the accounts of the society with the help of the Hon. Treasurer, the filing of the annual returns, office administration, co-ordination with other sports, social and cultural organisations etc. He shall place the Annual Report before the General Body. He shall have the right to negotiate with various parties agencies etc. in the interest of the society along with the President. He shall have the right to convene the Managing Committee meeting or Extra - Ordinary General Body Meeting as and when he feels it necessary in the interest of the society. He shall seek the advice and guidance from the President from time to time.

**d) The Joint Secretary:**

The Joint Secretary shall assist the General Secretary in his work and in the absence of the General Secretary he shall along with the Vice President act as the General Secretary.

**e) The Hon. Treasurer:**

The Hon. Treasurer shall keep collections, prepare cheques, maintain accounts, make correspondence with the Bank etc. However, he shall be guided by the General Secretary in his work. He shall be responsible for issuing receipts books and its record. He shall be responsible for depositing cash / cheques to the bank for maintaining records. The Treasurer shall submit the accounts to the Board of Trustees and he shall assist the Board of Trustees in the preparation and consolidation of the accounts of the Institution.

**15 Removal of or Damage of the Society Property:**

If a member, his / her servant or any guest or any of his / her family members damage or take away anything belonging to the society, the member concerned shall be liable to pay for such damage or loss whether the damage is accidental or will-full and the quantum of such damage or loss shall be determined by the Managing Committee. In case such member fails or refuses to pay for the damage or loss, the Managing Committee shall have the right to take necessary action, as it deems fit.

**16 Source of Income of the Association:**

Apart from Membership subscription, which shall be the main source of Income, the Managing Committee will also generate funds from Donations, Organising of Cultural Activities, Sponsorships, Printing of Souvenirs and such other activities.

**17 Loan or Mortgage of the property:**

Any Loans for the Association purposes or any Mortgage of the Association Property shall be proposed by the Managing Committee to the Board of Trustees, along with the applications to the Charity Commissioner of Mumbai for his permission.

**18 Sale of Association Property:**

Sale of the Association property shall be decided by the Managing Committee and it shall be intimated to the General Body at the earliest with prior permission of the Charity Commissioner.

**19 Bank Account:**

Bank Account should be opened in scheduled and Nationalised banks in the name of Nerul Gymkhana. The bank account of the society should be operated by any two of Hon. Treasurer, Hon. General Secretary, Hon. Vice President and Hon. President.

**20 Record of Meeting:**

It shall be the duty of the Managing Committee to maintain the records of all the minutes of Meetings held, with assistance from the Hon. Gen. Secretary.

**21. To change the rules and regulations:**

Voting of committee members will be decided as per Sec.12 & 12 (A) of the Society Registration Act 1860.

**22. To change the style and name of the society:**

Voting of committee members as per Sec.12 & 12 (A) of the Society Registration Act 1860.

**23. Sub - Committees Rights Responsibilities and Duties :**

Each individual sports, cultural, social, and recreation activities shall be run by a Sub-Committee consisting of a Chairman (Managing committee nominee), Secretary, 1 Joint Secretary and members as required but not exceeding three. The members of each individual activities shall elect their respective sub - committee members once in every three years.

- a) Each sub - committee shall be fully responsible for day to day running of the individual activities.
- b) Each sub - committee shall decide upon the amount of subscription to be collected from its members with the prior approval of the Managing Committee as and when required.
- c) Any member of the Association, who has paid the subscription for the individual activities and deposits, if any, shall be eligible to participate in the activities. Any such member shall have the right to vote and also get elected in the sub - committee.

However, such elected member cannot represent more than one sub committee.

- d) Each sub - committee shall have the right to nominate members in the sub - committee for the smooth running of its activities. However, the number of such members shall not exceed two and such members shall have no right to vote.

- e) In case of vacancies arising out of resignation or otherwise, the sub - committee can fill the vacancies by co - option.
- f) For running it's own activities, each sub - committee shall convene its own meetings at least once in a month. All such meetings shall be convened only by the respective secretary and in the absence of the secretary by the Joint Secretary who shall act as the Secretary.
- g) All minutes of the meetings shall be recorded in the book.

Each sub - committee from time to time communicates to the managing committee it's decisions and ask the Managing Committee for fund allocations for the smooth running of it's activities.

**24. Complaints, Suggestions, Dress Code and Advisory Committee:**

Complaints and suggestions from members should ordinarily be entered in the complaint book maintained for the said purpose and kept with the office. All such complaints and suggestions should be promptly attended to by the managing committee.

- A) a) Members should visit the Restaurant in proper dress and for sports in sports dress.
- b) Members shall bring their Identity cards always and their cards will be checked at the gate and reception.
- B) An advisory committee shall be formed and the following persons shall be members of this Advisory Committee.
  - a) The Mayor of Navi Mumbai
  - b) MLA of the area
  - c) Municipal Commissioner of Navi Mumbai
  - d) Commissioner of Police of Navi Mumbai
  - e) A renowned sportsman

**25. Dissolution:**

- a) The society can be dissolved by passing a resolution to this effect at a special general body meeting called for the purpose in accordance with the bye laws. It will be necessary that in such a meeting at least 3/5 majority of the members present is required.
- b) Dissolution of the society will not be valid unless it has cleared all outstanding financial liabilities.
- c) In the case of dissolution, all the society will be vested in the CIDCO / Local authority as per Sec.13 &14 of the Society Registration Act 1860.