

CONSTITUTION AND BYE-LAWS
OF
SAMARTH

MEMORANDUM

1. Name of organization : **SAMARTH**
2. Registered Office : Old no: 11, New no 13 A,
4th cross street, Indira Nagar, Adyar,
Chennai – 600 020.
3. Area of Operation : All India – Confined to Territory of India
- 4 A. Aims & Objectives
 1. Conducting research to inform policy.
 2. Building capacity in epidemiology, social sciences and biostatistics
 3. Building partnerships with government and private sectors
- 4 B. The above aims and objectives are of General Public Utility, are purely charitable in nature and are not motivated for profit.

LIST OF MEMBERS

| S.No | Name of the Members | Address of the Members | Occupation |
|------|----------------------|--|------------------------------|
| 1 | Dr. Jayaseelan | 352/A1, Janatha Road, CMC campus, Bagayam, Vellore – 632002 | Biostatiscian |
| 2 | Dr.Shuba Kumar | 35, MRC Nagar, Chennai – 600028 | Social Scientist |
| 3 | Dr. Saradha Suresh | 4A, Baycity Adithi, No.99, 4th Street, Abiramapuram, Chennai - 600 018 | Pediatrician |
| 4 | Dr. Rani Mohanraj | 18 Padmanaba Nagar, 3rd Street, Adyar, Chennai - 600 020 | Psychologist |
| 5 | Mr. Veerapandian | 14/28, 4th street, Rajarajeshwari Nagar, Kulathur, Chennai - 600 099 | Psychologist |
| 6 | Ms. C.D. Nandini | No. 6/3 SBI Officer Colony, Ist Street, Arumbakkam, Chennai - 600 106 | Child Development Specialist |
| 7 | Ms. Aarthi Kandasamy | No.23, KSV Nagar, Five Roads, Salem - 636 004 | Psychologist |
| 8 | Ms. C. Premalatha | 579/2, South Colony, ICF, Chennai - 600 038 | Administrative Assitant |

Form No. VI

(See Rule 17 of the Tamilnadu Societies Registration Rules, 1978)

**REGISTER OF MEMBERS TO BE MAINTAINED UNDER SUB-SECTION (i) OF SECTION 14 OF THE TAMIL NADU
SOCIETIES REGISTRATION REGISTER OF MEMBERS**

1. Name and Address of the Society : **SAMARTH**

Old No.11, New No.13A, 4th cross street, Indira Nagar, Adyar, Chennai – 600 020.

2. Date of Registration :

3. The registration Number and
year of Registration :

| S. No | Name of the Members | Address of the Members | Occupation | Date of Enrolment | Date of Removal | Remarks |
|------------------|----------------------------|---|-------------------|------------------------------|----------------------------|----------------|
| 1 | Dr. Jayaseelan | 352/A1, Janatha Road, CMC campus, Bagayam, Vellore – 632002 | Biostatiscian | 18.01.2007 | | |
| 2 | Dr.Shuba Kumar | 35, MRC Nagar, Chennai – 600028 | Social Scientist | “ | | |

| | | | | | | |
|---|----------------------|---|------------------------------------|---|--|--|
| 3 | Dr. Saradha Suresh | 4A, Baycity Adithi, No.99, 4th Street, Abiramapuram, Chennai - 600 018 | Pediatrician | “ | | |
| 4 | Dr. Rani Mohanraj | 18 Padmanaba Nagar, 3rd Street, Adyar, Chennai - 600 020 | Psychologist | “ | | |
| 5 | Mr. Veerapandian | 14/28, 4th street, Rajarajeshwari Nagar, Kulathur, Chennai - 600 099 | Psychologist | “ | | |
| 6 | Ms. C.D. Nandini | No. 6/3 SBI Officer Colony, Ist Street, Arumbakkam, Chennai - 600 106 | Child Development Specialist | “ | | |
| 7 | Ms. Aarthi Kandasamy | No.23, KSV Nagar, Five Roads, Salem - 636 004 | Psychologist | “ | | |
| 8 | Ms. C. Premalatha | 579/2, South Colony, ICF, Chennai - 600 038 | Administrative Assistant | “ | | |

We the undersigned declare that we shall adhere by all the conditions mentioned the above clauses

| S.No | Name of the Members | Address of the Members | Occupation | Date of Enrolment | Date of Registration Removal | Signature |
|-------------|----------------------------|---|-------------------|--------------------------|-------------------------------------|------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
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| 8 | Ms. C. Premalatha | 579/2, South Colony, ICF, Chennai - 600 038 | Administrative Assistant | | | |

Witness 1:

Date:

Witness 2:

Date:

Constitution & Bye-Laws of SAMARTH
(Registered under the registration of Societies
Act XXII of 1995)

RULES AND REGULATIONS

BYE – LAWS OF SAMARTH SOCIETY

1. The name of the Society shall be Samarth society
2. The Address of the Registered Office is at Old no: 11, New no 13 A, 4th Cross street, Indira Nagar, Adyar Chennai – 600 020
3. The society was formed on 18-1-2007
4. The Society is within the jurisdiction of the Registration of the Register of Societies South Chennai.
5. The Business hours of the society shall be between 10 AM to 6.30 PM on all working days except Sundays and Government Holidays.

Aims & Objectives

1. Conducting research to inform policy.
2. Promoting healthy behavior through counseling and community education.
3. Building capacity in epidemiology, social sciences and biostatistics.
4. Building partnership with government and private sectors.

The above aims and objectives are of General Public Utility, are purely charitable in nature and are not motivated for profit.

6. The object of the society are those as mentioned in the Memorandum of Association and in particular the following:-
- a) Conducting research to inform policy
 - b) Promoting healthy behavior through counseling and community education.
 - c) Building capacity in epidemiology, social sciences and biostatistics.
 - d) Building partnerships with government and private sectors

7. The activities of the society shall include all kinds of activity necessary for the functioning of its objectives as stated above, and in particular of Books periodicals as may be decided by the committee from time to time to fulfill the objectives of the society.

8. The secretary shall be the person who is empowered to give directions on behalf of the society.

9. Membership:

i. Life members

Any person who holds a post-graduate degree/diploma in epidemiology and related discipline is eligible to seek life membership.

ii. Honorary Members

The Governing body may elect but only by a unanimous vote of those present at meeting thereof, any person who in its judgment is a renowned scientist or a health administrator or who has served the cause of research & training in an outstanding manner.

Honorary members will not be entitles to voting rights.

10. Year

The year of Samarth shall commence on 1st April and end on 31st March of the next year.

11. Subscription

1. Every successful applicant for life or associate membership will be enrolled as a member only after paying the membership fee of Rs.1000/- or an amount decided by the governing body from time to time.
2. The Honorary Members shall not be required to pay any membership fees.

12. Register

A register of members shall be kept in which shall be set forth the names and addresses of the members of the time being and in which all the changes from time to time taking place shall be recorded. The names and addresses will be supplied to any member on a written request to the Secretary of

13. Resignation

A member wishing to resign his membership shall inform the Hon: Secretary in writing to that effect before the close of the year receding that from which he/she desires to resign.

e) Cessation of Membership

- a. The Governing body by a 2/3rd (two-third) majority of the total voting members of the Governing Body, may remove the name of any member from the Register for gross misconduct after a proper hearing from the member concerned.
- b. Any person, who has ceased to be a member, may be re-admitted on such terms as the Governing Body may determine. Such person will be required to pay a fresh membership fee.

f) Privileges of Members

All members shall be entitled as of right to participate in all the activities of. However, honorary members shall not be eligible for voting rights.

g) Governing Body

1. a. The Governing Body of Samarth shall consist of a maximum of nine members:

1. President
2. Hon. Secretary
3. Hon: Treasurer
4. Two representatives from funding agencies
5. Two representatives from govt and private organizations dealing with health
6. Two life members

1. b. The president may invite special invitees to the meetings of the governing body who have specialized knowledge that the President considers necessary to assist the governing body. These special invitees do not have voting rights.
2. a. The president shall hold office for a period of three years.
2. b. The Hon: Secretary and the Hon. Treasurer can hold office for the period of three years.

2. c. All three (President, Secretary and Treasurer) can contest for another tenure of office, which may either immediate or later.
2. d. The representatives from funding agencies, govt and private organizations also hold office as a governing body member for three years. This could be extended by another term of three years following approval by the office bearers.

3. Qualifications for Election

To qualify for the post of president, secretary and treasurer, the intending candidate should have been a life member of Samarth.

h) Election Procedure

1. For election for the post of office bearers of Samarth, namely, President, Secretary and Treasurer, the governing body will appoint an election officer from among the life members of Samarth. The election process will be conducted by the election officer. The process is outlined below:
 - a. By 1st week of January, the election officer shall post/mail to each member, a list of vacancies for the position of Samarth. Office bearers along with blank nomination forms. A member desiring to stand for election shall send his/her nomination paper which shall set out the candidate's name and address and the office for which the candidate is nominated, be proposed by one member and seconded by another member and duly signed by them and also signed by the candidate signifying his/her willingness to stand for election and to serve as an office bearer in Samarth if selected. A member cannot contest for more than one office. There shall be a separate nomination paper for each candidate and for each post. These nominations must reach the designated the election officer not later than 1st of February.
 - b. The election officer shall inform through speed post, al the nominations received for each vacant post of the contesting candidates. If any candidate wishes to withdraw his/her nomination, he/she can do so by informing the election officer, in writing by speed post, within 15 days of the date of intimation from the election officer.
 - c. If the number of valid nominations for any category of vacant post exceeds one, the election officer shall send by speed post the ballot papers to all the life members as on 20th February of that year. The ballot papers carrying the official seal of Samarth and the authentic signature of the Election officer shall be sent by speed post/courier to all the Samarth life members.

- d. All the ballot paper duly filled in shall be returned to the Election officer so as to reach the office by the 25th March.
 - e. If the deadline for any of these procedures falls on a holiday, a Sunday or a Postal holiday, Delivery on the next working day shall be considered as the deadline.
 - f. These Ballot Papers shall be scrutinized by the Election Officer on a designated place, date and time. The results under sealed covers will be delivered to the Samarth President who would declare the results on or before 31st March.
 - g. No person shall be eligible for being proposed as an office bearer of Samarth unless he/she is a Life Member. If he/she ceased to be such a member at any time, between the date of his nomination and the date fixed for the election, his/her name shall not be submitted for election. In case of a vacancy arising out of an uncontested election, the same will be filled in at the next Governing Body Meeting by nomination.
2. The Office Bearers shall hold office from 1st April and will continue till the expiry of their respective term.
 - i) Casual Vacancies
 1. Any Office-bearer may resign his office by giving notice in writing to the President with a copy to the Samarth office and his resignation shall take effect from the date of its acceptance by the Governing Body.
 2. If a vacancy shall occur in any office, otherwise than by a flux of time, the Governing Body shall have the power to appoint any member of the network who has duration of membership of at least 3 years to fill the vacancy for the remaining term.
 - j) Meetings
 1. General body:

The President shall preside over all the meetings of the Governing Body and General Body. If the President is unable to be present he/she can nominate one of the office bearers, secretary or treasurer, to preside over the Meeting. The General body meeting will be held every once a year
 2. Governing Body Meetings
 - a. The Governing Body shall meet at such times and at such places as may be necessary for the transaction of the business of Samarth.

- b. A meeting of the Governing Body shall be convened by the Hon: Secretary with the consent of the President.
- c. The Hon: Secretary shall convene a special meeting of the Governing Body upon a requisition in writing signed by not less than five members (including office-bearer) of the Governing Body. At least three weeks previous Notice shall be given to all the members of the Governing Body for an Ordinary and / or special meeting of the Governing Body. An Urgent meeting may be called by the President at a shorter notice which should not be less than (7) days.
- d. Five member of the Governing Body shall be the quorum for any Meeting of the Governing body. If there is no quorum within fifteen minutes after the appointed time, the meeting, if convened upon the requisition of members, shall stand dissolved and in any other case shall stand adjourned for half an hour and meet at the same place and on the same day. For such and adjourned Meeting, no quorum will be necessary but at least 3 members should be present and at such adjourned meeting, the business for which the meeting was called can be transacted.
- e. If the President or the Governing Body so directs any business of the Governing Body may be transacted by circulation instead of at a meeting.

3. Annual General Meeting

- a. The Annual General Meeting of Samarth shall be held each year on a day, time and place to be fixed by the Governing Body;
- b. The Governing Body shall submit an Annual Report of the proceedings of the Governing Body, if any, and of the activities together with a Statement of the assets and liabilities of Samarth and an abstract of receipts and disbursements during the year, and the Reports of the Auditors, if any;
- c. The President may, whenever he thinks fit, and shall upon a requisition made in writing and signed by not less than 50% convene a Special General Body Meeting at such place and time not later than two months as he may decide. Any requisition made by the members shall state the objects of the Special Meeting proposed to be called and the Resolutions proposed to be passed thereat, and shall be addressed to the Hon: Secretary.
- d. The Hon: Secretary shall, upon receipt of such a Requisition, proceed to convene under the advice of the President, a Special General Body Meeting which shall be held within two months from the date of receipt of such requisition, at a place and time fixed by the President.

- e. At all General Body Meetings, only the business of which notice has been given or such questions as naturally arise thereon shall be discussed. Any Member desiring to move a Resolution at the annual General Meeting shall give Notice of the same in writing to the Hon: Secretary at least thirty days before the date fixed for the General Meeting.
- f. A minimum of 20% of the existing number of members should be present at a General Body meeting which shall be the quorum for the meeting.
- g. If within fifteen minutes from the time appointed for a General body meeting there is no quorum, the meeting if convened on the Requisition of Members shall stand dissolved, and in any other case, shall stand adjourned to half an hour and will meet on the same day and at the same place.
- h. The person presiding at the General Body Meeting may, with the consent of the Meeting, adjourn the same from time to time and from place to place; but no business shall be transacted at any adjourned Meeting other than the business left unfinished at the Meeting from which the adjournment took place.
- i. No quorum shall be necessary for any adjourned General Body Meeting.
- j. Subject to any restriction that may be imposed by the General Body, to incur all the necessary expenses for the maintenance and carrying out of the objects and intentions of these rules and Memorandum of Samarth without any discrimination and under no such circumstance any of the funds would be utilized for the benefit of any of the members of the Governing Body or any persons as defined u/s 13 (1) (c) of the Income Tax Act, 1961.
 - (ii) Subject to the approval of the General Body, no funds of Samarth shall be utilized for any religious activities / purposes or given as donation to any religious institution in any year in excess of 5% of the income of the Samarth for that relevant year.

14. Management

The management of Samarth shall vest in the Governing Body who, in addition to the powers under these Rules expressly conferred upon them, may exercise all such powers, and do all such acts things as may be exercised or done by Samarth and are not hereby or by law expressly directed or required to be exercised or done by in a General Body meeting.

- 1. a. To conduct courses for the promotion of knowledge and for that purpose, to arrange lectures, classes, examinations and give Diplomas or Certificates and for that purpose, to appoint one or more persons whether Members or not, to give lectures, tuitions etc, and also to constitute Board of Examiners, Teachers, etc., whenever necessary and to pay them reasonable salary or honorarium.

- b. To provide counseling services to women and adolescents that would empower them in decision making in areas of health, education, career and relationships.
- c. To appoint and at their discretion to remove or suspend such managers, clerks, agents and employees for permanent, temporary or 'special' services as they may from time to time think fit, and to determine their powers and duties and fix their salaries, honorarium or emoluments and to require security in such instances and of such amount as they may think fit.
- d. Without prejudice to the general powers hereby conferred, the Governing Body shall have the following powers, -
 - i. to acquire by purchase, lease or otherwise for Samarth, any property, rights, or privileges which Samarth is authorized to acquire at such price and generally on such terms and conditions as they may think fit.
 - ii. to enter in to all such negotiations and contracts and rescind and vary all such contracts and execute and do all such acts, deeds and things, in the name and on behalf of Samarth, as they may consider expedient for or in relations to any of the properties, rights and privileges or the purposes of the Samarth.
 - iii. to borrow or secure the payment of any sums of money for the purposes of Samarth, subject to such restrictions as may be imposed by Samarth in a General Body Meeting.
 - iv. institute, conduct, defend, compound or abandon any legal proceedings by or against Samarth or otherwise concerning the affairs of Samarth and to compound allow time for the payment or satisfaction of any debts due and of any claims or demands by or against Samarth.
 - v. to refer any claims or demands by or against Samarth to Arbitration and observe and perform the awards;
 - vi. to receive moneys and upon payment, to make and give receipts release and other discharges for money payable to Samarth and for Samarth and for the claims and demands of Samarth.
 - vii. to receive donations and all and any other sums of money and all and any other materials, articles and things due to or intended for Samarth. If however, any donation is conditional the same shall be accepted only with the approval of the General Body.
 - viii. To make, vary and repeal bye-laws for the regulation of the business of Samarth, its officers, managers, clerks, agents and employees.

2. a. The property movable or immovable belonging to Samarth shall vest in the Governing Body.
 - b. No sale, exchange, mortgage, lease or other transfer of immovable property belonging to Samarth shall be valid unless at least the President or the President Elect and the Hon: Secretary executes the document of transfer. All the other documents shall be executed by any two of the Office-Bearers as may be decided by the Governing Body. However, such transfer shall be intimated to the Director of Income Tax (Exemptions) 30 days before the date of Transfer.
3. a. All moneys of Samarth shall be deposited and / or invested:-
 - i. In any nationalized Bank or any other Bank or Banks approved by the Governing Body:
 - ii. In Government and other negotiable securities or in any other mode permitted under the Act or in accordance with the administrative Orders of the Government from time to time. However, such investments shall be in conformity with the provisions of Section 11 (5) of the Income Tax Act, 1961 as amended from time to time.
 - b. All the accounts and other investments in the name of Samarth shall be jointly operated by the Samarth office manager along with any one of the office bearers namely President, Hon: Secretary or Treasurer.

15. Duties of the Office Bearers:

- a. President – The President shall guide the activities of Samarth and further the aims and objectives of Samarth. The President may allocate all or any of the powers and duties under this or any other clause of these Rules to the Hon; Secretary.
- b. Hon: Secretary – Subject to the control and regulations of the Governing Body, the Hon: Secretary shall be responsible for carrying out the directions and decisions of the Governing Body. In particular, the Hon: Secretary shall:
 - i. In consultation with the President, convene meetings of the Governing Body whenever necessary or called upon to do so;
 - ii. Have administrative control over all the affairs on Samarth
 - iii. have charge of the correspondence of or in relation to Samarth

- iv. keep accurate minutes of all the meetings of Samarth and the Governing Body.
 - v. prepare the Annual Report of Samarth.
 - vi. be in charge of the furniture, library and all the documents and other assets of Samarth.
 - vii. collect all the dues of Samarth and pay in all such amounts into Banking Account of Samarth; and inform the Hon: Treasurer once in every month of the moneys so paid.
 - viii. perform such duties as are incidental to his office;
 - ix. all notices, communications, letters, memoranda and other papers whether they are act of the Governing Body or of the General Body shall be signed or authenticated by the Hon: Secretary and when so signed or authenticated shall be conclusive.
- c. Hon: Treasurer – The Hon: Treasurer shall maintain the accounts of the funds and other assets of Samarth and of funds and other assets connected with or in any way controlled by Samarth.
3. Every question submitted to a meeting of the Governing body or of the General body shall be decide according to the majority of the votes cast by the Members present and voting at such Meeting, in case of equality of votes, the person presiding shall have a second or ceasing vote in addition to his vote as a member.

16. Accounts

The accounts of Samarth shall be examined and audited and their correctness ascertained by a Chartered Accountant or a firm of Chartered Accountants appointed for the ensuring year by the General Body at every Annual General Meeting. The Auditor(s) so appointed shall hold office until the next Annual General Meeting. The Report of the Auditor or Auditors shall form part of the Annual Report submitted to the next General Meeting. The remuneration payable to the Auditor/s may be fixed by the Governing Body every year.

17. Publications

Samarth may publish a journal, books, news letters or any other publications under the general directions of the Governing Body. The Journal shall be published under the direction of an Editorial Board, consisting of an Editor, a Secretary and not more than three Members who shall hold the Office for three years and will be eligible for re-election. The Board shall work under the general control and supervision of the Governing Body and shall submit six-monthly reports to that Body. Any vacancies on the Board by resignation or otherwise shall be filled by the Governing Body till the next election.

18. The Seal

The Governing Body may adopt a Seal for being used as the Seal of Samarth and shall provide for the safe custody thereof. The Seal of Samarth shall not be affixed to any instrument except by the authority of a Resolution of the Governing Body and in the presence of any two members of the Governing Body, who will sign the same.

19. Amendment of Rules and Regulations

(a). These Rules and Regulations may from time to time, be amended, altered or cancelled at a General Body Meeting of Samarth provided that at least fourteen (14) day's clear of the proposed amendment, alteration or addition is given and the same shall have been passed by the majority of three fifth of the Members at the Meeting and voting.

(b). Any amendment to the Memorandum of Objects shall be effective only after obtaining prior approval of the Director of Income Tax (Exemptions).

20. Indemnity

Every Office – Bearer and Member of the Governing Body or employee of Samarth shall be indemnified by Samarth and it shall be the duty of the Governing Body to pay out of the funds of Samarth all the cost, losses, and expenses which any such office-bearer or member of the committee or employee may incur or become liable by reason of any Contract, Matter or thing entered into or done by him in discharge of his duty.

21. Suits

Any suit or proceeding by or against Samarth shall be in the name of Samarth represented by Secretary or any authorized Member of the Governing Body.

22. Dissolution

In the event of dissolution of Samarth, its properties and funds shall, with the approval of the governing body, be disposed of by way of transfer to any institution/s having similar objects and enjoying exemptions u/s 11 and 80 G of the Income Tax Act, 1961

We the undersigned declare that we shall adhere by all the conditions mentioned the above clauses

| S.No | Name of the Members | Address of the Members | Occupation | Date of Enrolment | Date of Registration Removal | Signature |
|-------------|----------------------------|---|-------------------|--------------------------|-------------------------------------|------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
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| 5 | Mr. Veerapandian | 14/28, 4th street, Rajarajeshwari Nagar, Kulathur, Chennai - 600 099 | Psychologist | | | |
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| 8 | Ms. C. Premalatha | 579/2, South Colony, ICF, Chennai - 600 038 | Administrative Assistant | | | |

Witness 1:

Date:

Witness 2:

Date:

Form V

(See Rule 1 of the Tamil Nadu Societies Registration Rules 1978)

NOTICE OF SITUATION / CHANGE OF SITUATION OF THE REGISTERING OFFICFE OF THE SOCIETY UNDER SUE SECTION (i) OF SECTION 13 OF THE TAMIL NADU SOCIETIES REGISTRATION ACT 1975 (Tamil Nadu Act 27 of 1975).

1. Name of the Society Association : **Samarth**
2. Date of Registration :
3. The Registration Number and year of Registration :
4. Presented by : Dr. Shuba Kumar (Secretary)

To

The Registrar of Societies,
South Chennai,
Chennai.

Sir,

Samarth hereby given you notice under section (1) of section 13 of the Tamil Nadu Societies Registration Act 1975 (Tamil Nadu Act 27 of 1975) that the Registration Office of the Society situated at Old No.11, New No.13 A, 4th cross street, Indira Nagar, Adyar, Chennai – 600 020 to -----

on the **18th day of January 2007.**

Dated the 01st day of February 2007.

Signature