

# **CONSTITUTION OF THE HOLY CROSS EX-STUDENTS' ASSOCIATION**

## **SIOLIM, GOA**

### **1. NAME**

The name of the Holy Cross School Ex-Students' Association is "LUMINARIES", hereinafter referred to as 'The Association'.

### **2. REGISTERED OFFICE**

The registered office of the Association shall be situated in State of Goa, at present it is Holy Cross High School, Gaunsawaddo, Siolim, Bardez Goa – 403 517.

### **3. OBJECTS**

The objects of the Association are:

- a) To assist in the promotion of a sense of community which can be supported through a vibrant network of past pupils.
- b) To conduct such work as for the betterment of the Association and the students.
- c) To organize discussion and seminars to promote knowledge and understanding among the students.
- d) To uplift and help the deserving and eligible students in order to promote educational standards among the students.
- e) To initiate, promote, manage and administer such welfare schemes and activities as necessary for the betterment of the students and the Association as whole.
- f) To assist in upgrading the facilities of the School, scholastic as well as sports.

### **4. CONDITIONS**

- a) All the incomes, earnings, moveable/immovable properties of the Association shall be solely utilized and applied towards the promotion of its aims and objects as set forth in the memorandum of Association of the Association and no profit thereof shall be paid or transferred directly or indirectly or by way of dividends, bonus, profit or in any manner whatsoever to the present or past members of the Association. No members of the Association shall have any personal claims or any moveable or immovable properties of the Association or make any profits whatsoever by virtue of his/her membership.

- b) No member of the Management Committee of the Association shall be appointed to any salaried office of the Association or any office of the Association paid by fees.
- c) The Association by its constitution is required to apply the profits, if any, or other income in promoting its objects.

## 5. POWERS

- a) The Association has the powers of an individual.
- b) The Association may, for example:-
  - i. enter into contracts; and
  - ii. acquire, hold, deal with and dispose of movable property; and
  - iii. make charges for services and facilities it supplies; and
  - iv. do other things necessary or convenient to be done in carrying out its affairs.

## 6. CLASS OF MEMBERS

The membership of the Association shall consist of Lifetime members, Annual members and Special members defined as follows:

- i. **Life Members:** All members who have acquired the Lifetime membership of the Association by applying in the manner prescribed in the rules and by paying the requisite fees. The duration of such membership will be for the lifetime of the member.
- ii. **Annual Members:** All members who have acquired the Annual membership of the Association by applying in the manner prescribed in the rules and by paying the requisite fees. The duration of such membership will be for a period of one year from the grant of membership. To retain the membership after the end of one year, the member has to apply again for the membership (Lifetime or Annual) before or after the expiry of the said period of one year.
- iii. **Special Members:** Special Life members are those life members who have contributed in an outstanding way to the Association. They may choose to pay Life membership of Rs. 1,000/- or Annual membership of Rs. 100/- for 10 consecutive years.

## **7. MEMBERSHIP**

An applicant can become a member of the Association on submission of the application form and on deposition of the requisite fee as stated in Section 8. Anyone who has studied in Holy Cross School, Siolim for a minimum duration of 1 year, is eligible to apply for the membership by registration.

## **8. MEMBERSHIP FEES**

Applicants will be entitled for membership of either Lifetime or Annual, subject to deposition of the required fee.

**For Lifetime membership**, payment of Rs. 1,000/- (non-refundable and non-transferable), with duly filled form, is required, after which an applicant would enjoy the benefits of a Lifetime membership, commencing from the day of registration till the lifetime of the member concerned.

**For Annual membership**, payment of Rs. 100/- with duly filled form, is required. After this, the member would be entitled for a membership of 1 year, commencing from the date and year of registration, till next year on the same date. After expiration of the period of 1 year, the membership shall automatically stand suspended, till the deposition of fee for either the next 1 year or for Lifetime, as mentioned in the above clause. During the period of non-payment of the required fee, the membership shall be deemed to be suspended, until revoked in accordance to the rules. On completion of 10 years consecutively, the membership is converted to Life Membership.

## **9. RIGHTS AND PRIVILEGES OF MEMBERS**

All and every member of the Association:

- a) Shall have one vote at every meeting.
- b) Shall be entitled to participate in the meeting and other functions and the gathering of the Association.
- c) Shall have right to inspect the books of accounts. Minutes of proceedings of the General meeting and register of member of the Association on any working day during business hours by giving reasonable notice.
- d) Shall be bound by the rules and regulations and/or the bylaws that may be framed from time to time.

- e) To administer the oath of the office and loyalty the Association and/or its constitutions to the President.
- f) To elect governing body of the Association.
- g) To attend the general body meeting as and when required.
- h) To inform the society pertaining to animator of the Association.

#### **10. ADMISSION/REJECTION OF MEMBERS**

The Management Committee must consider an application for membership after it receives:-

- a) The application, and
- b) The appropriate membership fee for the application.

The Management Committee shall decide in favour of the applicant, until and unless any grave discrepancy persists. The Vice-President/Secretary of the Association as soon as practicable, inform the applicant about the same.

#### **11. WHEN MEMBERSHIP ENDS**

- a) For members of the Association: A member may resign from the Association by giving a written notice of resignation to the Vice-President/Secretary or any other elected Office Bearer.

The resignation takes effect on:

- the day and the time the notice is received; or
- if a later day is stated in the notice - the later day

The Management Committee may terminate a member's membership if the member:

- is convicted of any indictable offence; or
- does not comply with any of the provisions of these rules; or
- conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.

Before the Management Committee terminates a member's membership, the Committee must give the member a full and fair opportunity to defend himself or herself.

If, after considering all the representations made by the member, the Management Committee decides to terminate the membership, the Vice-President/ Secretary of the committee must inform the member.

- b) For Member of the Management Committee (Office bearer): The Management Committee member may resign from the committee by giving written notice of resignation to the President. The resignation takes effect on:
- The day and the time the notice is received by the President; or
  - If a later day is stated in the notice - the later day

A member may be removed from the Office at a general meeting of the Association on the grounds of misconduct, subject to condition of, two-third majority of the members present and voting favouring the removal of the member.

Before the voting of members for the removal of the member from office, the member must be given a full and fair opportunity to defend himself/herself.

A member has no right of appeal against the member's removal from office under this section.

## **12. APPEAL AGAINST TERMINATION/REJECTION OF MEMBERSHIP**

- a) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Vice-President/Secretary written notice of the person's intention to appeal against the decision.
- b) A notice of intention to appeal must be given to the Vice-President/Secretary within 1 month after the person receives notice of the decision.
- c) If the Vice-President/Secretary receives a notice of intention to appeal, the Secretary must within 3 months after the day of receipt, call a general meeting to decide the same.

- d) At the meeting both, the applicant and the Management Committee who rejected the application, must be given full and fair opportunity to defend their respective sides, and reason out their decision respectively.
- e) An appeal must be decided by a vote of the members present at the meeting.
- f) If a person whose application has been rejected does not appeal against the decision within 1 month after receiving notice of the decision, or the person appeals but the appeal is unsuccessful, the Treasurer must, as soon as practicable, refund the fee paid by the person.

### **13. FILLING OF VACANCIES**

In case of any vacancy in the Management Committee caused by the removal or disqualification under these rules or by death or by resignation of any member or Office Bearer during his term as a member or Office Bearer another Office Bearer may be appointed in his/her place from the remaining members of the Office Bearers of the Management Committee and such appointed member or Office Bearer shall hold the office only for the un-expired period of the said member's or Office Bearer term. Member of the Management Committee shall be eligible for re-election or re-nomination.

### **14. REGISTER OF MEMBERS**

- a) The Management Committee must keep a register of members.
- b) The register must include the following particulars for each member:
  - Full name and residential address of the member with Phone no., Email ID, WhatsApp No.
  - Date of admission as a member.
  - Details about the termination or reinstatement of membership.
  - Any other particulars the Management Committee or the members at a general meeting decide.
- c) The register must be open for inspection at all reasonable times.
- d) However, before the member may inspect the register, the member must apply to Secretary to inspect it with a week's notice.

**15. MEMBERS OF MANAGEMENT COMMITTEE**

- a) The Management Committee of the Association shall consist of a President, Vice-President, Secretary, Treasurer, 1-2 Nominated members (only Teachers), 3 other active members from amongst the members of the Association.
- b) The members of the Management Committee, other than the President and the nominated Teachers, must be a member of the Association.
- c) The duration of all the members, other than the President, shall be 3 years, after which the members must retire at the following annual General Meeting.
- d) The Principal of the Holy Cross School Siolim, shall be the President of the Association de-facto, decision of whom shall be deemed to be final, in respect of the appointment of the two nominated Teacher members.

**16. ELECTING THE MANAGEMENT COMMITTEE**

- a) Any member of the Association, of or above the age of 21 years is eligible to contest election for the office of the Management Committee.
- b) Elections shall be held after every 3 years.
- c) Other than the Office of President, all the elected members shall be subject to a fair democratic election.
- d) The Offices of elected members shall follow the rule of simple majority, of members present and voting.
- e) In case of no clear majority, the President would have the deciding vote.
- f) The offices of nominated members shall follow the rule of simple majority of the members of the Management Committee. The President, the Vice-President, the Secretary, the Treasurer and the two Teacher-representatives will have the right to vote for the election of the nominated members. For the election of the nominated members the voting of the above-mentioned members is compulsory.
- g) The members are eligible for re-election, including the nominated members and the elected members.
- h) In case of vacancy in the office of any elected member, the Association shall ensure appointment or election in the next general meeting.
- i) In case of casual vacancy on the Management Committee, the continuing members of the committee may appoint another member of the Association to fill the vacancy, for the time remaining, until the next general meeting.

- j) The continuing members of the management may act despite a casual vacancy. Any decision shall not be questioned solely on the basis of status qua.

**17. FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- a) Subject to rules and resolutions of the Association members carried at a general meeting, the Management Committee:
- Has the general control and management of the administration of the affairs, property and funds of the Association; and
  - Has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent.
  - The Management Committee may exercise the powers of the Association to raise or secure the payment of amounts in a way the Association members decide

**18. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

- a) An act performed by the Management Committee, a sub-committee or a person acting as a member of the Management Committee shall be taken to have been validly performed.
- b) Above subsection applies even when-
- There was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee; or
  - A Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

**19. GENERAL AND ANNUAL MEETING**

- a) The Management Committee shall decide the venue and decorum of the meeting.
- b) The first annual general meeting shall be held within 18 months after the day the Association is incorporated.
- c) Subsequent annual general meeting shall be held at least once each year.



- d) The Vice-President/Secretary may call a general meeting of the Association by giving at least 14 days' notice of meeting to each Association member.
- e) A notice shall be given in written, unless contrary decided by the Management Committee.

**20. FUNDS AND ACCOUNTS**

- a) The funds of the Association shall be kept in an account in the name of the Association in a financial institution decided by the Management Committee.
- b) Records and accounts shall be kept in English language showing full and accurate particulars of the financial affairs of the Association.
- c) All amounts shall be deposited in the financial institution account as soon as practicable, after receipt.
- d) For every bank transaction, signatures of the President and the Treasurer are mandatory.
- e) All expenditure must be approved or ratified at a Management Committee meeting.
- f) Any decision regarding the use of funds will be taken by majority vote of the Management Committee.
- g) The Treasurer must as soon as practicable, after the end of each financial year, ensure a statement containing following particulars:
  - The income and expenditure of the financial year just ended;
  - The Association's assets and liabilities at the close of the year;
  - The mortgages, charges and securities affecting the property of the Association at the close of the year.
  - If the Association is incorporated within 3 months before the end of the Association's financial year, the sub section (f) does not apply for that particular financial year in which incorporation happened.
  - Auditor must examine the statement prepared and present a report about the same, to the Secretary, before the next annual general meeting.
  - The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

**21. SOURCE OF INCOME**

Main sources of income are:

- a) Membership Fee
- b) Donations and special contributions

Sources shall be utilized for the promotion of the aims and objectives of the Association.

**22. ALTERATION AND MAKING OF NEW RULES**

- a) The rules, made hereby in the above provisions, may be amended repealed or added to, by two-third majority of the Management Committee.
- b) Any provision amended, repealed or added in the constitution in the above-mentioned manner by the Management Committee will be put to vote in the next general meeting. The changes made in the Constitution if not passed by two-third majority of the members present and voting in the general meeting will be deemed to be rejected.

**23. COMMON SEAL**

- a) The Management Committee shall ensure that the Association has a common seal.
- b) The common seal must be :
  - Kept securely by the Management Committee; and
  - Used only under the authority of the Management Committee.
- c) Each instrument to which seal is attached shall be signed by Secretary or someone appointed by the Management Committee for the same.

**24. DOCUMENTS**

The Management Committee shall ensure the safe custody of books, documents, instruments of titles and securities of the Association.

**25. FINANCIAL YEAR**

The financial year of the Association closes on 31st March of each year.