

**MEMORANDUM OF ASSOCIATION
OF
SHRI JAIN SWETAMBERTERAPANTHI SABHA
(Name of Place)**

1. NAME :

The name of the Sabha shall be (remain as) “Shri Jain Swetamber Terapanthi Sabha_(Name of the Place_____“.)

2. REGISTERED OFFICE :

The Registered office of the Sabha shall (be) (remain) at _____.

3. OBJECTS :

1. To create, enhance, encourage and promote the interest of the public in spiritual, moral and secular education and develop the personality of the people according to the ideals of the Indian Culture, Jain Darshan, Gandhi Darshan, Anuvarata, Jainism and such other philosophy which may help in eradicating the sufferings of the human being without any discrimination of caste, creed, religion or society.
2. To develop a sense of respect for spiritual and moral values in every sphere of life of the human being as propagated by Jain Swetamber Terapanthi Acharyas for the upliftment of the general public and to advance and support the same.

3. To diffuse knowledge about Jain philosophy, culture, history, literature, art etc.
4. To start and support cultural and social movements and activities leading to moral and spiritual renaissance and eradicate social and racial evils.
5. To propagate the principles of non-violence, truthfulness, non-stealing, celibacy and non-profession.
6. (a) To grant scholarships, stipends and other emoluments to students, scholars and research workers in the area of researches on any subject.
- (b) To grant scholarships, stipends, awards and loans to deserving students for encouraging them to carry on their studies.
- (c) To render help in ailments of the needy persons by providing medicines, facilities for treatments and medical assistance and/or by opening dispensaries, hospitals etc. providing Ayurvedic and Homeopathic Medicines and aid to such activities for the public in general without any discrimination.
- (d) To render services to the persons of high order in propagating their views for eradication of social evils and upliftment of the moral values in life and take up their journeys for achievement of the objects of the Sabha.
7. (a) To acquire by purchase or otherwise, establish, start, aid, run, build, maintain or manage Educational Institution/s, Medical Institution/s and Aushadhalayas, Libraries, Reading Rooms, Museums, Relief Centers, Auditoriums, Community

- Centers, Sabha Bhavans and donate or dispose off the same if so thought fit.
- (b) To build, acquire and maintain Monuments and Smaraks in the memory of distinguished persons who have rendered conspicuous services to the cause of humanity.
 - (c) To acquire by purchase or otherwise utensils and such other things as may be required for the help of the deserving persons whenever the occasion may arise and to replace or dispose off the same if so thought fit.
 8. To organise examinations, debates, lectures, discussions, competitions, seminars, exhibitions, lantern-lectures, classes, theatres, public meetings, conferences and expeditions calculated directly or indirectly to help the study and propagation of Jainism and other cultures and to grant prizes, awards, rewards to deserving candidates.
 9. To help, assist, aid and donate to any Terapanthi institution, Jain institution and such other institutions which are established for the benefit of general public and other deserving persons for furtherance of the objects of the Sabha.
 10. To raise subscriptions and donations and receive gifts and aids from the public, institutions and societies and to receive monetary grants from Local Authorities and Governments.
 11. To subscribe and become affiliate member of Jain Swetamber Terapanthi Mahasabha.
 12. To send representatives and deputations in accordance with the objects of the Sabha.

13. To assist, promote, aid or subscribe to the establishment and maintenance of any Institution, Association, Fund, Trust or Charity for the benefit of general public.
14. To take over or amalgamate with itself any other Trust, Institution or Society or their properties and utilise the same in accordance with the objects of the Sabha.
15. To do all such other things and acts as are incidental or conducive to or be deemed necessary for the attainment of the objects of the Sabha.
16. The Sabha shall generally carry out the activities in and around the area, town or city where it is located.

4. APPLICATION OF PROFITS, INCOME AND PROPERTY:

The Sabha is a Society not for gains. The profits, income and the entire funds and properties of the Sabha will be applied solely for the promotion of its objects as set forth above and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit to any member or ex-member or any other person claiming through any of them, provided that nothing herein contained shall prevent in good faith the payment of remuneration to any officer or servant of the Sabha or other person in return for any services actually rendered to the Society or payment of rewards, prizes, medals, scholarships or otherwise to any of its members, servants or any other person for furtherance or fulfilment of its objects.

5. PROPERTY IN THE EVENT OF DISSOLUTION:

If upon the dissolution of the Society there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Society or any of them but shall be given or transferred to some other institution or institutions having objects similar to those of the Society to be determined by the votes of three-fifth of the members of the Society for the time being present personally at a general meeting of the Society specially called for the purpose or in default thereof as directed by the Mahasabha.

Note:-

(The proposed objects as spelt out above are directory in nature and may be suitably adopted in accordance with the local needs and requirement of the state and central enactments. However such objects should be framed within the four corners of the principles enumerated in the above proposed objects.)

RULES AND REGULATIONS
OF
SHRI JAIN SWETAMBER TERAPANTHI
SABHA _____

Name of Place

DEFINITION :

In the rules and regulations unless there be anything in the subject or context inconsistent therewith :-

1. The words “Acharya” of Jain Swetamber Terapanthi Sect means the Supreme religious head of the said sect and includes its founder Acharya, the late revered Acharya Bhikhanji (Acharya Bhikshu) and successor Acharyas of the sect, appointed by the predecessor Acharya and the present Acharya as appointed by his predecessor.
2. “Annual General Meeting”, “ Extra-Ordinary General Meeting” and “Requisition Meeting” means respectively the Annual General Meeting, Extra Ordinary General Meeting or Requisition Meeting of the Sabha convened and held under the rules of the Sabha.
3. “Associate” means any Shrawak and Shrawika who has attained the age of 18 years.
4. “Auditor” means a duly qualified Chartered Accountant/s entitled to practice as Auditor and appointed as such for the purpose of Audit of the accounts of the Sabha.

5. "Immediate Past President" means the person holding the post of President immediately before the President for the term for the time being.
6. "Jain Swetamber Terapanthi Sect" means the sect consisting of the four fold Sangha -- Sadhus, Sadhvis, Shrawaks and Shrawikas, following the religious order founded and propounded by revered Acharya Bhikhanji (Acharya Bhikshu) and followed, preached and propounded by all the successive Acharyas of the sect including the Acharya as at present.
7. "Member" means a member of the Sabha in accordance with the rules of the Sabha for the time being but unless otherwise stated it shall not include an Honorary member.
8. "President", "Immediate Past President" "Vice President", "Secretary", "Assistant Secretary", "Treasurer" and "Sangathan Mantri" mean those respective office bearers of the Sabha for the time being.
9. "Resolution" means Resolution of the Annual General Meeting or of the Extra Ordinary General Meeting or Working Committee or of any Sub-Committee or any other meeting of the Sabha as the case may be, duly passed and adopted in respective meetings called for in accordance with the rules of the Sabha.
10. "Sabha means "Shri Jain Swetamber Terapanthi Sabha (Name of the place)"
11. "Sanyojak" means a Convener or head of the committee or sub-committee of the Sabha.

12. "Seal" means the common seal of the Sabha.
13. "Shrawak" or "Shrawika" means a person who has implicit faith in the Acharya of the Jain Swetambar Terapanthi sect and in his religious views and in his rules of conduct and limitations and in the Sadhu who follows his order and also in the religious principles of the Jain Swetambar Terapanthi Sect.
14. Trust Board means Board of Trustees of the Sabha for the time being.
15. Trustees means a trustee of the Sabha for the time being.
16. "Working Committee" means the governing body of the Sabha for the time being constituted in accordance with the rules and regulations of the Sabha
17. "Year" means the year commencing from 1st day of April of every calendar year and ending on the 31st day of March immediately following.

1. MEMBERSHIP

Any Associate irrespective of the caste, color, race and nationality shall be eligible to be a member of the Sabha.

2. KIND OF MEMBERSHIP

i) Honorary Member :

Notwithstanding the qualification of membership, any individual who is otherwise not an Associate and whose connection with the Sabha is deemed to be beneficial and who

has rendered services of outstanding merit in the field of religion, philosophy or oriental studies or who is a distinguished citizen of India or of any other country may, with the consent of such person, be admitted as an Honorary Member of the Sabha by the Working Committee without any application for membership for such period as the Working Committee may decide, but such member shall not be eligible for election as an office bearer or member of the Working Committee nor shall have the right to vote.

(ii) Life Member:

An Associate on an application being forwarded to the Secretary in the prescribed form accompanied by payment of the prescribed subscription may be admitted as a Life member of the Sabha in accordance with the rules and regulations of the Sabha.

(iii) Ordinary Member:

An Associate on an application being forwarded to the Secretary in the prescribed form accompanied by payment of the prescribed subscription may be admitted as an ordinary member of the Sabha in accordance with the rules and regulations of the Sabha.

3. FORM OF APPLICATION

The application for membership shall be made in such form and shall contain such particulars as may be prescribed by the Working Committee from time to time.

4. ADMISSION

- (i) All applications for membership shall be placed by the Secretary in the earliest meeting of the Working Committee for consideration. The decision of the Working Committee in the matter shall be final. Such names as approved, from the date of approval or renewal as the case may be, shall be duly entered as Members in the respective Registers of Members of the Sabha.

Provided however that the right to admit an Associate as member shall be at the sole and absolute discretion of the Working Committee and the Working Committee may reject the membership application without assigning any reason. The decision of the Working Committee shall be conclusive and final and shall not be called in question in any forum or in a court of law. However such associate may make a representation to the Mahasabha and the direction if any of the Mahasabha shall be final and binding on the Sabha.

- (ii) No member shall be admitted within a period of 30 days preceding the date of the Annual General Meeting or Extra Ordinary General Meeting and within 51 days from the date of receipt of the notice for Requisition Meeting by the Secretary and until such Annual General Meeting or Extra Ordinary General Meeting is held.

5. SUBSCRIPTION

- (i) The admission fee and membership subscription shall be as follows or as may be prescribed by the Working Committee from time to time :-

Admission Fee (for Life Membership as well as Ordinary membership) Rs.

Life Membership Fee Rs.

Ordinary Membership (Annual Fee) Rs.

- (ii) In case of new membership the subscription shall be payable for the entire year irrespective of the date of admission as member.
- (iii) The annual subscription shall become due on the date of commencement of the year of the Sabha and shall be payable within 60 days there from.
- (iv) If any member fails to pay the arrear subscription within 30 days after having been demanded from him, the name of such member may be struck off from the register of members by the Working Committee. Such member may however be reinstated at the discretion of the Working Committee on payment of all the arrears along with current years subscription.
- (v) An ordinary member having no outstanding dues, may apply to the Secretary to convert his membership to life membership on payment of life membership fee.

6. CESSATION OF MEMBERSHIP:

A member shall cease to be a member:-

- (i) If the member resigns in writing by a letter addressed to the Secretary and such resignation is accepted by the Working Committee.

- (ii) If a member ceases to be an associate in the opinion of the Sabha on the basis of the resolution of the working committee of the Sabha passed by at least 3/4th of the members present. Such resolution is approved by the members in the Annual General Meeting next following and thereafter confirmed by the Executive Committee of the Mahasabha.
- (iii) If any member becomes a lunatic or is declared insolvent by a competent court of law or convicted of an offence involving moral turpitude of serious nature.
- (iv) If any member has automatically ceased to be a member under any of the rules and regulations of the Sabha.
- (v) If the member is removed from the Membership by a resolution passed in the Annual General Meeting or Extra Ordinary General Meeting by 3/4th of the members present and voting in favour of the resolution and such resolution is confirmed by the Executive Committee of the Mahasabha.

7. REGISTER OF MEMBERS:

- (i) The Sabha shall maintain separate register for each category of members and shall enter therein the following particulars and such other particulars as may be considered necessary:
 - (a) The name, address, age, and occupation of the member and such other particulars as may be prescribed by the Working Committee.
 - (b) The date of admission/renewal
 - (c) The date of cessation/ expulsion/suspension of membership

- (ii) Entry in the membership register shall be made within fifteen days of the date of admission/renewal or cessation/expulsion/suspension of a member.

8. RIGHTS, DUTIES AND OBLIGATIONS OF THE MEMBERS :

- (i) Every member shall have the right to attend the Annual General Meeting, Extra Ordinary General Meeting or the Requisition Meeting and open functions of the Sabha.
- (ii) Every member including the honorary member shall have the right to make suggestions and to send resolutions for consideration by the Annual General Meeting, Extra Ordinary General Meeting, the Working Committee or Sub Committees on any matter concerning the Sabha.
- (iii) Every member shall have the right to elect and to be elected in any election of the Sabha provided however that no member shall be entitled to be elected to and hold the post of President for more than two consecutive terms.
- (iv) Every member shall have the right to vote in person.
- (v) Every member shall have the right to inspect membership register proceedings of the meetings and accounts with previous appointment with the Secretary.
- (vi) Every member shall observe and abide by the rules and regulations of the Sabha and shall follow the religious views, order and principles of Jain Swetamber Terapanthi Sect.
- (vii) No member shall file any suit or take any legal action in any Court of Law with regard to any matter relating to or

concerning the Sabha or any action of the office bearers of the Sabha unless such matters are referred to the Working Committee through the President and the Working Committee, if considered fit for reference, shall refer the same to Mahasabha for their decision. The decision of the Mahasabha to be rendered within ninety days from the date of reference to them shall be binding on all the parties -----.

- (viii) No member shall indulge in any activity prejudicial or derogatory to the interest of the Sabha or of the Jain Swetamber Terapanthi Sect or its tenets.
- (ix) A member shall follow the guidelines and instructions as may be considered necessary and issued by the Working Committee of the Sabha or issued by Mahasabha.
- (x) At least 10% members of the Sabha or 20% of the member of the working committee subject to a minimum of 5 members of the Sabha under their signature may refer any matter to the President of the Mahasabha for adjudication or award on any matter in accordance with the rules and regulations of the Sabha and the advice or award of the Mahasabha to be rendered within 60 days from such reference shall be binding on the Sabha and its members.

9. PRESIDENT

The President shall be elected every two years at the Annual General Meeting from amongst the members in accordance with the rules and regulations of the Sabha.

10. WORKING COMMITTEE

- (i) The management, control and supervision of the Sabha shall be in the hands of a governing body known as “Working Committee”.
- (ii) The Working Committee shall be formed by the President every two years within 15 days of his election as President and shall consist of — members inclusive of the ex-officio members.
 - (ii) The office-bearers of the Sabha shall be of the following designation:
 - (a) President
 - (b) Immediate Past President
 - (c) Two Vice- Presidents
 - (d) Secretary
 - (e) Assistant Secretary
 - (f) Treasurer
 - (g) Sangathan Mantri
 - (iii) The President shall nominate the office bearers in Sl No. (c) to Sl No. (g) for every two years from amongst the members of the Working Committee within 15 days from the date of the election as President.
 - (iv) The President, Immediate Past President, Vice- President, Secretary, Assistant Secretary, Treasurer and the Sangathan Mantri shall be the ex-officio Members of the Working committee.

- (v) If any vacancy is caused in the post of the President, the same shall be filled up by any of the Vice-President as may be nominated by the Working Committee who shall discharge the functions of the President till the next Annual General Meeting.
- (vi) If any vacancy is caused in the post of other office bearers the same shall be filled up by the President from amongst the members of the Working Committee.
- (vii) If any other vacancy is caused in the Working Committee the same shall be filled up by the President from amongst the members.
- (viii) A member of the Working Committee shall cease to be a member of the Working Committee if such member -
 - (a) ceases to be a member of the Sabha for any reason whatsoever
 - (b) if he resigns in writing by a letter addressed to the President of the Sabha.
- (ix) The Working Committee shall meet at least four times in a year and the interval between two meetings shall not exceed four months. Such meetings shall be held at the Regd. Office of the Sabha.
- (x) A meeting of the Working Committee shall be called by the Secretary by giving not less than 5 days notice specifying the place, time and the agenda of the meeting. Such notice shall be given to every member of the Working Committee. In case of urgency, such meeting may be called by the President or with his consent by the Secretary giving a notice of not less

than 24 hours to the members present in the town or city where the Regd. Office is located.

- (xi) The quorum of meeting of the Working Committee shall be In the absence of quorum, the meeting shall stand adjourned for half an hour and the quorum of such adjourned meeting shall be
- (xii) The Working Committee shall have power to act notwithstanding any vacancy in its members.
- (xiii) If any requisition signed by at least 25% but not less than 5 members of the Working Committee is received by the Secretary to call a meeting of the Working Committee to discuss any subject which is in conformity with the objects of the Sabha, he shall within 10 days of the receipt of such requisition, issue notice calling such meeting within 20 days from the date of receipt of the notice as per the rules and regulations of the Sabha for issue of notice. If the Secretary fails to issue notice within the aforesaid period, the requisitionists may after 10 days but within 20 days from the expiry of the aforesaid period of 10 days call such meeting to be held within 50 days from the date of receipt of such notice by the Secretary at the Registered Office of the Sabha and no subject other than the subject mentioned in the requisition notice shall be discussed. The quorum of such meeting shall be 1/3rd of the total number of members of the Sabha present in person.
- (xiv) Generally the following business shall be transacted in the meeting of the Working Committee :

- (a) To read and confirm the proceedings of the last meeting
- (b) To consider any matter for which notice is given.
- (c) To discuss any other matter allowed by the President of the meeting.
- (xv) The Working Committee shall have general powers of management, supervision and control over all the affairs of the Sabha. Without prejudice to the general powers of the Working Committee it shall have the following powers, rights and duties:-
 - (a) To fix the date, place, time and agenda of the Annual General Meeting, Extra Ordinary General Meeting or the Requisition Meeting.
 - (b) To consider and approve the Annual Report as presented by the Secretary for placing the same in the Annual General Meeting.
 - (c) To draw up resolutions to be put up before the Annual General Meeting and Extra Ordinary General Meeting.
 - (d) To frame rules and guidelines in conformity with the objects and the rules and regulations of the Sabha for any committee, sub-committee and make changes in the same as may be necessary from time to time.
 - (e) To follow and give effect to the guidelines directions and decisions of the Mahasabha and to send information to the Mahasabha in respect of the financial affairs and other activities, to send the list of the members immediately after its publication before each election, the information with

regard to the election of the President and thereafter the list of the governing body immediately on its formation and the changes in such governing body, if any, thereafter.

- (f) To collect or raise and make donations and subscriptions and to receive gifts, aids and grants from the public and from Local Authorities or the State and Central Governments and Mahasabha for fulfilment of the objects of the Sabha.
- (g) To establish or set apart funds for specific purposes not inconsistent with the objects of the Sabha and to receive subscriptions and donations for such funds.
- (h) To refer, wherever an approval is required or in case of need, any matter to the Annual General Meeting to seek its approval or the advice as the case may be.
- (i) To empower the Secretary to enter into any agreement with any individual, or public body or any Association, Institution, University or Government for fulfilment of the objects of the Sabha.
- (j) To appoint committee/committees or sub committee/sub committees with such powers and duties as may be considered necessary or expedient
- (k) To cause to keep proper accounts of the Sabha and to scrutinize, discuss and pass the accounts as presented to it by the Treasurer through the Secretary before the same are put up in the Annual General Meeting for approval and adoption.
- (l) To appoint, terminate permanent or temporary employees and other staff and fix their remuneration.

- (m) To transact all other necessary business of the Sabha even if not specifically mentioned in these rules and regulations but otherwise authorised to the Working Committee under the Societies Registration Act.
- (n) To authorise one or more office bearers or other persons to conduct any legal action, suit or proceedings for or against the Sabha.
- (o) To prospectively review the admission fee as well as the membership subscription for all the categories of members as may be thought fit from time to time.
- (p) To nominate representative and alternate representative for its representation as an affiliate member of the Mahasabha.
- (q) To carry out the directions of the Annual General Meeting, Extra Ordinary General Meeting and the Requisition Meetings.

11. CESSATION OF OFFICE BY OFFICE BEARERS

- (i) Any Office bearer of the Sabha shall cease to hold such post -
 - (a) If he resigns and the resignation is accepted by the Working Committee.
 - (b) If he becomes a lunatic or an insolvent declared by a competent court of law.
 - (c) If he ceases to be a member.

12. ELECTION

- i) The Working Committee shall at least 35 days before the date of election appoint an Election Committee comprising of two

members from amongst the members. It shall appoint one of the members of such committee as the Election Officer, shall designate the other as Additional Election Officer. Any vacancy arising in the Election Committee shall be immediately filled in by the Working Committee. Such Election Committee shall hold office till the election is held. None of the members of the Election Committee during their tenure shall be eligible to seek any election to any post in the Sabha.

- (ii) The Election Officer shall take all necessary steps and hold free and fair election of the post of President, Chief Trustee and other trustees.
- (iii) The Election Officer shall publish on the notice board of the Sabha, the list of the voters of the Sabha at least thirty days before the date of the Election.
- (iv) Any complaint/petition for correction, revision or amendment of the voters list shall have to be filed before the Election Officer within 10 days from the date of publication of the voters list on the notice board of Sabha. The Election Officer shall make such correction, revision or amendment in the voters' list as may be necessary and put up the addendum/corrigendum to the voters list on the notice Board of the Sabha before 10 days of the date of election.
- (v) Nomination for the election of the President, Chief Trustee and other trustees shall be sent to the office of the Sabha in the form prescribed by the Working Committee, duly signed by the candidate, the Member proposing and the member seconding the candidate. The nomination paper shall be addressed to the Election Officer and must reach the Registered

Office of the Sabha at least two days before the date of the Annual General Meeting.

- (vi) The Election Officer may reject the nomination paper of any candidate if it is found incomplete or otherwise invalid. Such rejection shall be put up on the notice board at the place of meeting at least 6 hours before the time of election.
- (vii) The Election Officer shall place all the valid nomination papers before the Annual General Meeting.
- (viii) Any candidate may withdraw his nomination paper at any time before the election.
- (ix) In case of contest, election will be held by show of hand or by secret ballot as may be decided by the Election Officer. The voting shall be by the members entitled to vote and personally present.
- (x) In case of absence of Election Officer at the time of election, the Additional Election Officer of the Election Committee shall act as the Election Officer.
- (xi) The Election Officer shall announce the results of the Election in the meeting itself and the same shall be put up on the Notice Board of the sabha and shall also be communicated to the Mahasabha.
- (xii) The election shall be held on the date and place in the Annual General Meeting. If for any reason the election cannot be held on the said date, the Election Officer shall announce another date and time of election.

(xiii) Any dispute with regard to the election matters after announcement of the election shall only be referred to the Election Committee whose decision shall be final and binding.

13. RIGHTS AND DUTIES OF THE PRESIDENT

- (i) To devise means and act for the progress of the Sabha and fulfilment of its objects.
- (ii) To nominate the Office bearers and the members of the Working Committee for a period of two years.
- (iii) To supervise the work of the Office Bearers and to consider himself as responsible for all the works of the Sabha.
- (iv) To attend and preside over the meetings of the Sabha (except trust Board) and to regulate the proceedings of such meetings.
- (v) Not to allow any illegal and wrongful activities in any of the premises of the Sabha or in its name and to ensure due effect being given to all the rules and regulations of the Sabha.
- (vi) To call a meeting of the working committee on a representation made by at least 20% subject to the minimum of 5 members of the working committee or by at least 1/3rd of the members of the Sabha to discuss the issues raised in such representation within a reasonable time.
- (vii) To allow or disallow discussion on any subject which is not on the Agenda.
- (viii) In case of a tie on voting in any meeting the president will have the right to give the casting vote.

(ix) To call meeting of the Working Committee, Annual General Meeting, Extra Ordinary General Meeting or to adjourn or cancel it in accordance with the rules and regulations as the need may arise.

- (x) To close discussion at any stage on any subject on the Agenda at his discretion.
- (xi) To institute, conduct, defend, compound or abandon any legal proceeding for or against the Sabha or its officers or office bearers or otherwise concerning the affairs of the Sabha.
- (xii) To attend and take part in the deliberation of any committee or sub committee of the Sabha.
- (xiii) To follow the directions, instructions and orders as may be communicated to him by the Mahasabha and give effect to the same.

14. RIGHTS AND DUTIES OF THE VICE-PRESIDENT

- (i) To assist the President in carrying out his duties.
- (ii) In the absence of the President, to act for him and to conduct the business of the Sabha as per the directions of the Working Committee.

15. RIGHTS AND DUTIES OF THE SECRETARY

- (i) To supervise, manage, look after and properly execute the affairs of the Sabha and to take steps for the welfare and progress of the Sabha according to its rules and regulations.

- (ii) To conduct correspondence on behalf of the Sabha and to sign letters, documents and papers on its behalf.
- (iii) To attend meetings of the Sabha and to keep necessary and proper record of the proceeding of such meetings and at the commencement of every meeting to read out the minutes of the previous meeting unless they are taken as read with the consent of the members present.
- (iv) To place application for membership for approval of the Working Committee and such other communications and letters as may be thought fit or required to be placed before the President or before the Working Committee for its consideration.
- (v) To prepare before the date of issue of notice of the Annual General Meeting a list of all members corrected up to date and to place it before the Working Committee.
- (vi) (a) To cause maintaining of the requisite books of accounts at the Registered Office of the Sabha and arrange to make proper entries therein of all receipts, payments, transactions, engagements and properties of the Sabha and keep the said books of accounts, receipts, papers and writings under his custody at the office of the Sabha.
- (b) To prepare within three months of the expiry of the accounting year the income and expenditure account and the balance sheet of the Sabha and place the same before the Working Committee for approval and to send the same after being approved to the Auditors of the Sabha for audit and their report thereon and if necessary the Tax Audit Report and after

- approval of the Working Committee do all necessary formalities as provided under the Income tax Act, Societies Registration Act and any statutory modification therein
- (c) To prepare the annual report and place it before the Working Committee for approval.
- (d) To publish the Annual Report and audited Income and Expenditure Account and Balance Sheet along with the report of the auditor and to circulate the same amongst the members before the date of Annual General Meeting.
- (e) To see that documents of every kind connected with the business of the Sabha are properly filed, maintained and preserved.
- (f) To exercise general supervision over the employees and affairs of the Sabha and to perform such other duties as may be directed by the Working Committee and the President.
- (g) To call the meetings in accordance with the rules and to fix the Date, Time and Agenda of such meetings.
- (h) To send to the Treasurer the surplus funds exceeding Rs. 1000/- and to requisition money from the Treasurer on signed request for day to day expenses of the Sabha.
- (i) To appoint, subject to the approval of the Working Committee paid officers and servants, on such terms and conditions as may be thought fit and to discharge or remove or suspend them or to demand proper security from them if necessary.
- (j) To preserve the records of the Sabha and to keep them under proper custody.

- (k) To sign and verify plaints, written statements, petitions etc. and to engage advocates on behalf of the Sabha for any purpose and to execute Vakalatnama on its behalf.
- (l) To sign and execute all necessary papers as the need be with the Treasurer while purchasing or selling any moveable property, shares, Government papers, stocks, debentures etc. for the Sabha as may be directed by the Working Committee and/or the Board of Trustees.
- (m) To sign, execute and cause to be registered all necessary papers or documents in case of selling or buying any immovable properties along with other specified persons as per the directions and authority of the Working Committee and/or the Board of Trustees.
- (n) To appear for and on behalf of the Sabha and transact all business in the Registration Office and to appear in the office of the Registrar of Societies or before the Income Tax Officers/ Authorities or Tribunals or any other public or private office or department or authority.
- (o) To take on lease, to let out, to grant lease or leases of any property, to execute, sign such deed along with the Treasurer as authorized by the Board of Trustees and to realize rent and to eject any tenant as per direction of the Board of Trustees.
- (p) To transact all other necessary business.

16. RIGHTS & DUTIES OF THE ASSISTANT SECRETARY

- (i) To assist the Secretary in all his works.

- (ii) In the absence of the Secretary to officiate for him.

17. DUTIES OF THE TREASURER

- (i) To take care of the funds of the Sabha and to see that the accounts are kept and maintained properly.
- (ii) To follow and carry out the directions of the Board of Trustees in respect of funds of the Sabha and its investments.
- (iii) To sign on behalf of the Sabha for which authorised to do so and particularly on any Hundi, Draft or other securities or receipts on fixed deposit or cheques and to deposit cheques and other negotiable instruments and draw dividends or interest on stock shares, debentures and other securities or to send these to the Bank for collection of dividends and interest.
- (iv) To open, operate and close the bank account or accounts of the Sabha and sign all cheques, requisition for pay orders and drafts and do all other acts and deed in respect of any bank account jointly in accordance with the Rules and Regulation.
- (v) To keep in his care and custody all deeds, shares, debentures, scripts, securities and other important and valuable documents of the Sabha.
- (vi) To deposit all surplus money whatsoever not immediately required for purpose of the current expenses with the bankers of the Sabha or invest the same as per direction of the working committee of the Sabha.

18. TRUST BOARD

- (a) To safeguard the funds, assets and properties of the Sabha there shall be Trust Board consisting of Trustees including the Chief Trustee.
- (b) The President, the General Secretary and the Treasurer of the Sabha shall be the ex-officio (trustees) members of the Trust Board.
- (i) The Chief Trustee or the Secretary at the direction of the Chief Trustee shall have the rights to convene the meeting of the Trust Board. Such meeting shall be called by giving not less than 24 hours notice specifying the date, time and the agenda of the meeting. The meeting of the Board of Trustees shall always be at the Registered Office of the Sabha.
- (ii) The Chief Trustee shall preside over all the meeting of the Trust Board. In the absence of The Chief Trustee at any meeting the Trustees present at the meeting shall elect one amongst themselves to preside over that meeting.
- (iii) The Chief Trustee shall take necessary steps for due execution of the work of the Trust Board.
- (iv) (a) The quorum of the meeting of the Trust Board shall be — — of which at least three should be from the elected Trustees and one should be from the ex-officio member trustees of the Trust Board. The decision of the Trust Board may be arrived at in its meeting or on the written opinion of the Trustees by circulation.
- (b) The proceedings of the meeting of the Trust Board shall be duly recorded in a Register to be maintained for the purpose by the Chief Trustee.
- (v) Any vacancy caused in the Board of Trustee on account of death, resignation, or the Trustee ceasing to be a member or if he is adjudicated a lunatic, insolvent or is convicted of any criminal offence involving moral turpitude by any Court of Law shall be filled in by co-opting a member as Trustee by a Resolution passed by the Board of Trustees.
- (vi) All assets, properties and funds of the Sabha shall vest in the Trust Board and it shall have interalia the following rights and duties:
 - (a) To preserve, maintain, develop and safeguard all the properties and funds of the Sabha.
 - (b) To open and operate and close the Bank Account or Accounts of the Sabha with the signature of anyone of the elected trustees jointly with the treasurer and if the treasurer is not available for any reason whatsoever either with the President or with the Secretary and to deposit, invest or withdraw the funds of the Sabha.
 - (c) To give loan on interest with or without security.
 - (d) To invest the funds of the Sabha in shares stocks, banks debentures, obligations or other securities of any Company, Association, Trust, Local Authority or Government and sell or dispose of the same as is not inconsistent with the provisions of the Indian Trust Act or Income tax Act 1961.

- (e) (i) After making proper arrangements for repayment during the term of their office, the trustees shall be entitled to borrow money or create liability upon such terms and conditions as may be thought fit without or on the security of any of the properties, moveable or immovable for the purpose of construction and development of the properties of the Sabha and for such purpose to execute such mortgage, charges, pledges or other securities as may be thought proper and to borrow money for other contingencies without any securities.

Provided however that the trustees may borrow any money, raise any funds or create any liability which is payable after their term of office expires after making adequate arrangements for repayment thereof and the same is approved by the working Committee in a joint meeting of the Working Committee and the Board of Trustees. The quorum of such meeting shall be of which at least shall be elected trustees.

- (f) To purchase or otherwise acquire any property moveable or immovable, take on lease, build, construct, demolish, furnish, improve, maintain and develop any building or land, appurtenant there to or transfer, give on rent or on lease any property of the Sabha.
- (g) To sell, exchange or surrender or convert or turn to account any property of the Sabha in its best interest provided in case of sale of any immovable property the Trust Board shall obtain prior consent of the Working Committee.
- (h) To direct the Treasurer to invest the funds of the Sabha on interest according to the Resolution of the Trust Board.

- (i) To withdraw the funds from one investment and reinvest the same in any other investment.
- (j) To authorise any of the trustees along with the Secretary or the treasurer, to carry out any of the above works, to sign and execute any documents and do all other things on behalf of the Trust Board.
- (k) To make arrangement for proper custody, upkeep, repair and maintenance of the properties, assets and funds of the Sabha.

19. DUTIES OF THE AUDITOR

- (i) To scrutinize and audit the accounts of the Sabha and to report the results of such examination.
- (ii) To give suggestion for proper maintenance of accounts.

20. ACCOUNTS AND RECORDS

- (i) Requisite Books of accounts, records/documents/papers etc. shall be kept at the Registered office of the Sabha.

21. ANNUAL GENERAL MEETING, EXTRA ORDINARY GENERAL MEETING OR REQUISITION MEETING

- (i) The Annual General Meeting will be held each year at the Registered Office of the Sabha on such date so that more than fifteen months should not elapse between two successive Annual General Meetings but not later than six months of the close of the accounting year.
- (ii) In the Annual General Meeting the following business shall be transacted:

- (a) To consider and pass the Annual Report and adopt the Audited Accounts.
- (b) To elect President for two years.
- (c) To elect Chief Trusteeand trustees.
- (d) To appoint Auditor for every year and fix his remuneration if any.
- (e) To consider any matter previously notified.
- (f) To consider any other matter which may be allowed by the President.
- (iii) The President or the Secretary may call the Annual General Meeting or the Extra Ordinary General Meeting. The Extra Ordinary General Meeting may be called by the President or the Secretary on the advice of the President at such time and place as may be determined by him or at the instance of the Working Committee according to its direction.
- (iv) The notice calling the Annual General Meeting or any Extra Ordinary General Meeting shall be given to all the members at least seven days before the date of the meeting by affixing the same on the notice board of the Sabha as well as by sending individual notice to each member. Any such notice sent under certificate of posting at the address of the member available with Sabha shall be deemed as valid notice.
- (v) The quorum for the Annual General Meeting shall bemembers personally present and for any Extra Ordinary General Meetingmembers so present. If the Annual General Meeting or any Extra Ordinary General Meeting is

adjourned for want of quorum, the quorum for such adjourned meeting shall be members personally present. Such adjourned meeting must be held on the same day and place after a lapse of thirty minutes. If such adjourned meeting cannot also be held for want of a quorum, the same shall stand cancelled.

- (vi) The President or the Secretary on the valid requisition of Members shall forthwith proceed to call a Requisition Meeting. In case of such Requisition the following provisions shall apply :
 - (a) The requisitions shall state the matter or matters to be considered and must be duly signed and verified by the requisitionists and such requisition shall be sent to the Registered Office of the Sabha either by registered post or by hand delivery.
 - (b) If the President or the Secretary does not, within 10 days from the date of the receipt of a valid requisition, call such meeting for the consideration of the matter thereof to be held on a day not later than 30 days from the date of receipt of the requisition, the requisitionists may themselves after expiry of the period of twenty days but within thirty days after the receipt of the notice by the Sabha call such meeting to be held within 50 days from the date of receipts of the requisition by the Sabha.
 - (a) The Requisition Meeting under the above clause by the requisitionists shall be called in the same manner in which such meeting is called by the President or the Secretary and shall be held at the registered office of the Sabha.
 - (b) The quorum for such meeting shall bemembers present in person.

22. MINUTES

- (i) There shall be kept proper minutes of the proceedings of the Annual General Meeting, Extra Ordinary General Meetings, the meetings of the Working Committee, Board of Trustees, Sub Committees, and any other meeting of the Sabha.

23. SUITS

All legal actions, suits or proceedings by or against the Sabha shall be conducted on its behalf by the President or the Secretary or any office bearer or the persons authorised by the Working Committee and or the Trust Board.

24. ARBITRATION

All matters, questions, disputes and differences arising out of and or concerning and /or relating to any working, business, properties and other affairs of the Sabha, between the members interest or between the members and the office bearers or between the members of the Working Committees if so required by at least 20% of the members of the Working Committee or at least 10% members of the Sabha subject to a minimum of 5 members, shall be referred by the Working Committee for arbitration to Mahasabha and the award or opinion of Mahasabha shall be final and binding on the parties. If however the same is not referred by the Working Committee to the Mahasabha then such members of the Working Committee or members may directly refer the same to Mahasabha in accordance with the rules and regulations and the Mahasabha shall settle such disputes and matters and the award, opinion and direction of the Mahasabha shall be final

and binding on all the parties and shall not be called in question before any court of law or otherwise.

25. SEAL

There shall be a seal of the Sabha which shall be put on all valuable papers and documents as the need may arise. The said seal shall remain under the custody of the Secretary.

26. GENERAL RULES

In the premises of the Sabha no meeting shall be allowed in which the subject of discussion is against Jainism or against the tenets or principles of the Jain Svetamber Terapanthi Sect. No seditious lectures shall be allowed in premises of the Sabha.

27. AMENDMENT OF MEMORANDUM AND RULES & REGULATIONS

- (i) The definition of the word “SHRAWAK” “SHRAWIKA” and “ASSOCIATE “ as given in the definition clause shall always remain unaltered.
- (ii) The Memorandum of Association of the Sabha may be amended or altered only in the Extra Ordinary General Meeting and in accordance with the provisions of law. The notice of such meeting along with the proposed amendments or alterations must be given at least thirty days before the date of the meeting both by affixation on the notice board and by individual notice. The quorum of such meeting shall be members personally present. The Memorandum of Association can be changed only if three fourth of the members present agree to the same.

(iii) Subject to the provisions of rule (i) of this clause, the Extra Ordinary General Meeting shall have power to amend or alter the rules and regulations of the Sabha in accordance with the provisions of law. The notice of such meeting along with the proposed amendments or alterations must be given at least 21 days before the date of the meeting by affixation on the notice board and by individual notice. The quorum of such meeting shall be members personally present. The Rules and Regulations can be amended/alterd only if three fourth of the members present agree to the same.

The amendments and alterations in the Rules and Regulations shall take effect on and from the date of filing of the same with the Registrar of Societies.

28. APPLICABILITY OF THE SOCIETIES REGISTRATION ACT

All the provisions of the Societies Registration 1961 shall apply to the Sabha except the rules and regulations provided herein and which are not inconsistent therewith.

(Note: All Tearapanthi Sabhas have to adopt the aforesaid rules and regulations. Only the blanks left can be suitably filled in looking to the local needs. If however some changes have necessarily to be made considering the local needs or difficulties, such change can be made if specifically permitted by the Mahasabha on a written representation.)

(S. M. Surana)