

CONSTITUTION OF THE BRAHMAN MAHA MANDAL, JAMMU & KASHMIR (REGD.)

We the members of Jammu & Kashmir in a special General meeting accord approval to the amendments in the constitution of Brahman Maha Mandal, Jammu & Kashmir today the 10th of day of September, 2017. The Brahman Maha Mandal was established in the year 1915 and registered with the Registrar of Societies under Regd. No. 116 of 1969 at Ganpatyar, Srinagar.

PREAMBLE

We the members lay down this constitution with a view to protect the Sanatan Dharama and to propagate, promote and encourage our culture & language to raise, educate and unite the Brahman Maha Mandal, to safeguard their rights as also to eradicate social evils and customs of the Brahman Maha Mandal.

I Nomenclature

This constitution shall be called the constitution of Brahman Maha Mandal, Jammu & Kashmir.

II Definitions

In this constitution unless otherwise provided:

II. 1 "Constitution" means the constitution of the Brahman Maha Mandal, Jammu & Kashmir.

II.2 "Maha Mandal" means the Brahman Maha Mandal, Jammu & Kashmir and its sub office/s.

II.3 "Member" means such member of Brahman Maha Mandal who has been made a member under section V of the constitution.

II.4 "Sub-Office" means a sub-office/s of Brahman Maha Mandal, Jammu & Kashmir that are operational within and outside the state of Jammu & Kashmir.

II.5 "Fee" means such fee of any category which is recoverable from the member of Brahman Maha Mandal.

II.6 Financial Year will mean from 1st April to 31st March of the following year.

III Office/s

The Head Office of Brahman Maha Mandal, Jammu & Kashmir shall be at Jammu and the Registered Office shall be at Ganpatyar, Srinagar. The executive and financial authority, whatsoever, shall be with the Head Office at Jammu.

III.1 The Maha Mandal shall have the right to open sub-office/s in any part of India to facilitate and promote the objectives of Maha Mandal.

IV Objectives

IV.1 To construct, set up & run vocational training centers, medical/health centers and educational institutions/centers to impart education in different fields/subjects & in different modes for the benefit of Society at large.

IV. 2 To inculcate moral, ethical, spiritual and yoga values in order to promote self-confidence, self-reliance & brotherhood amongst different strata of the Maha Mandal.

IV. 3 To grant financial assistance to deserving persons of the Maha Mandal.

IV.4 To organize seminars, workshops pertaining to different fields & to organize cultural programmes for promoting rich culture and language of the State.

IV.5 To print, publish and circulate magazines, newsletter, Jantri and other publications for the benefit of community at large.

IV.6 To confer awards, honors and scholarships to the deserving individuals/ organizations / students.

IV.7 To carry out such activities as are decided and deemed fit by the Maha Mandal for the welfare of the community.

IV.8 To invest, dispose-off, transfer and otherwise deal with the subject matter of the Maha Mandal in such a manner as deemed fit so as to enable the Maha Mandal to carry on the objectives of the Maha Mandal effectively.

IV.9 To charge registration fees, membership fees from members of the Maha Mandal & to accept grants, donations etc to recoup themselves for the outlay & expenses incurred in the upkeep & maintenance of the institution (s) or to be established under the Maha Mandal.

IV.10 To invest its funds in savings or any other mode for the benefit of Maha Mandal.

V Membership

V.1 Basic Member

All persons are eligible to register with Maha Mandal after filling in the registration form against the payment of Rs. 100/-(non-refundable & non-transferable) and will thereby be treated as **Basic Member** subject to the following conditions

V.1.1 He/She is major and of sane mind.

V.1.2 He/She is citizen of India and a Brahman.

V.1.3 He/ She should possess good moral character.

The Basic Member shall be eligible to participate in all social/cultural/charitable functions organized by the Maha Mandal from time to time. The Basic Member shall not be eligible to cast his/her vote in the elections of the Maha Mandal & cannot participate in Election Process of the Maha Mandal, but shall hold the right to attend General Council meetings.

V. 2 Active Member

The Basic Member shall be **Active Member** provided:

V.2.1 He/she is registered as a Basic Member.

V.2.2 He/ She has paid Rs. 200/- as annual membership fee regularly or is a Life Member after having paid Rs. 3,000/- in lump-sum.

V.2.3 He/She has paid arrears of annual membership at least three months before the election month to earn the eligibility of Active Member.

V.2.4 Any person, fulfilling above (V.1.1 through V.2.3) conditions are enrolled even by any sub-office, shall be considered as Active Member of the Maha Mandal.

Active Member shall be eligible to participate in all social/cultural/charitable functions organized by the Maha Mandal from time to time, have right to vote and attend the General Council meetings. He/She can also participate in Election Process of Maha Mandal subject to conditions laid down herein afterwards in Schedule I.

V.3 Life Member

A Basic Member who has paid Rs. 3,000/-(non-refundable & non-transferable) in lump-sum to the Maha Mandal shall be treated as Life Member of the Maha Mandal. He/She shall be eligible to participate in all social/cultural/charitable functions organized by the Maha Mandal from time to time. The Life Member shall be eligible to cast his/her vote in the elections of the Maha Mandal, and shall hold the right to attend General Council meetings. He/She can also participate in Election Process subject to conditions laid down herein afterwards in Schedule 1.

VI The Maha Mandal shall be managed by Executive Committee comprising of Nine (9) Members as follows:

President	One (01)
Vice-President (Senior)	One (01)
Vice-President (Junior)	One (01) (exclusively for Kashmir Valley)

General Secretary	One (01)
Treasurer	One (01)
Members	Four (04)

VII Offices Under the Maha Mandal there shall be the offices of:

- a) General Council
- b) Executive Committee
- c) Sub-Office/s

VIII The sub-office/s (if necessary and required) shall have the following office bearers, which shall be nominated by the President in consultation with the Executive Committee:

Joint Secretary	One (01)
Joint Social/ Cultural Secretary	One (01)

IX Elections

The elections shall be held for all the posts of executive committee of Brahman Maha Mandal as per the Schedule-I.

IX.1 The office bearers elected through democratic method shall nominate Vice-President (Junior) representing Kashmir Valley.

IX.2 The duration of Executive Committee shall be three years from the date of their assuming the office, unless and until the elected body fails to complete its fixed term for whatsoever reasons. The duration of elected body can be extended to for not more than six months under the special circumstances/ unavoidable nature with an approval of the General Council.

IX.3 The Basic Members who have paid annual membership fee regularly or the arrears at least three months prior to the election month and Life Members shall only be eligible to contest elections.

X Executive powers of President

X.1 The President in consultation with the executive committee shall nominate Joint Secretaries for each sub-office/s (as and when deemed necessary) and nomination for other positions at sub-office shall be invited from respective Joint Secretaries within one month.

X.2 The President will preside over conventions/ meetings of General Council and Executive Committee.

X.3 Any member of Executive Committee if remains absent without the permission of President continuously on three consecutive meetings then the President can declare his/ her place as vacant but if the cause of such absence has been beyond the control of the member then his/her absence will not invite disqualification.

X.4 In General Council, Executive Committee or sub-office/s all matters will be decided by majority of members present. The President or Presiding Person will have the casting vote, say in case of tie.

X.5 In case of any doubt or dispute regarding the interpretation of any clause of this constitution, the interpretation given by the President shall be final and binding on all.

X.6 The President in consultation with Executive Committee shall have the power to constitute sub-committee/s, if deemed necessary, and assign definite responsibility (ies).

X.7 The President in consultation with Executive Committee shall fill up the vacant seat in the Executive Committee/sub-office/s that has fallen vacant on account of resignation/suspension/dismissal/absence/death and such person will hold Office for remaining period of tenure of the Executive Committee.

X.8 The President in consultation with General Secretary will at appropriate time and venue call meeting of Executive Committee as he/she deems fit.

XI Executive powers of Vice-President

In absence of the President, the Vice-President (Senior) shall carry out the duties of President and shall enjoy all the powers as of President.

XII Executive powers of General Secretary

XII.1 He/She shall work in co-ordination with President and Executive Committee.

XII.2 He/She shall formulate the policies for the flourishing of the organization.

XII.3 He/She shall plan and raise the re-sources to be exploited for the successful functioning of the organization.

XII.4 He/She shall oversee the implementation of the policies and programmes of the organization.

XII.5 He/She shall maintain all Secretarial record and convene meetings of Executive Committee and General Council in consultation with the President and in his/her absence with the consent of authorised Vice President.

XII.6 He/She shall inspect and verify the financial records (cash book, daily expenditure book, vouchers, etc.) of Maha Mandal in possession of Treasurer from time to time.

XIII Executive powers of Treasurer

XIII.1 He/She shall maintain all financial records of the Maha Mandal and produce before the President / General Secretary as and when required for inspection.

XIII.2 He/She shall plan the financial matters, formulate the budget and to draft the balance sheet/ Income & Expenditure Account.

XIII.3 He/She shall provide all financial data to the Executive Committee and/or General Council for their evaluation and further action, if necessary.

XIII.4 He/She shall provide requisite record to the auditor and obtain audited financials from him/her at the end of every financial year.

XIV Executive Committee

XIV.1 The Executive Committee shall have powers to run the Maha Mandal in order to achieve the laid down objectives of the Maha Mandal.

XIV.2 The Executive Committee will make norms for the annual budget of Maha Mandal (including that of the sub-office/s) and fix the date of presentation and discussion before Executive Committee and seek approval of the same from the General Council. The budget shall be presented to General Council before the end of March every year. Under unavoidable circumstances, the President in consultation with Executive Committee will be authorized to extend the date of presentation by thirty days only.

XIV.3 The Executive Committee can bestow executive powers to the sub-office/s or sub-committee/s as and when deemed necessary.

XIV.4 The sanctioned budget shall be utilized by the Executive Committee or its sub-office/s for the purposes it stands approved.

XIV.5 The accounts of Maha Mandal and its sub-office/s will be got audited by the Executive Committee from the auditor every year at the close of financial year.

XIV.6 Besides the sanctioned amount, the Executive Committee shall in a financial year utilize an amount to the maximum limit of Rs. 25,000/- for extraordinary/ unforeseen expenditures, which shall be got ratified from General Council.

XIV.7 The Executive Committee will present the audited financial statement prepared under the seal and signature of Auditor every year before the General Council.

XV General Council

The General Council shall comprise of all Life Member, Active Members and Basic Members of Maha Mandal.

The General Council besides aforesaid powers shall be competent to have supervision/ control in the following matters:

XV.1 The initiative, discussion and disposal of matters mentioned in Clause V of the constitution.

XV.2 The suspension or removal of any member/s of Maha Mandal or its sub-office/s on the grounds of creating indiscipline in Maha Mandal or immoral character or involvement in anti-social/ anti-national /anti-community/ anti-Brahman activities or for criminal breach of trust or misappropriation provided the decision is ratified by majority of members of General Council.

XV.3 Any member/s can be and shall be removed from the membership including his/her organizational position, if any, in the event of any activity purported against the objectives and functioning of Maha Mandal or its sub-office/s and/or due to a reported behavior or act bringing disrepute to Maha Mandal in any manner. The disciplinary matter against the members/s shall be referred to the Disciplinary Committee to be formed by the President in consultation with General Secretary. The time bound recommendations of the Disciplinary Committee shall be placed for ratification in the special/emergent Executive Committee. The resolution of the EC on the matter shall be placed on the floor of General Council for further action. The membership of accused member/s till then shall be kept under suspension and all organizational rights to the member/s shall be withdrawn pending the decision of General Council.

XV.4 All legal disputes shall be within the jurisdiction of the Jammu and Kashmir state.

XVII In case of no confidence/ impeachment motion against the President to remove him/her from the position shall have to be approved by the 2/3 of the total members present in General Council convened for the purpose.

XVIII General Body Meeting

XVIII.1 Once in every year within 6 months of the close of the accounting year of the Maha Mandal, an Annual General Meeting shall be called by the Executive Committee.

XVIII.2 The agenda of the Annual General Meetings shall be:-

XVIII.2.1 To receive, consider and adopt the Executive Committee Report and the audited Income and Expenditure Account and Balance Sheet as at the end of the previous year.

XVIII.2.2 To appoint auditors for the ensuing year.

XVIII.2.3 To take up / discuss any other matter with the permission of the Chair.

XVIII.3 In addition to the Annual General Council Meeting, the Executive Committee may also call and convene extraordinary or Special/Emergent General Council Meeting/s as many times as may be necessary to consider the urgent/immediate matters.

XIX In case of any emergency situation, the General Council meeting can be convened by giving notice to the President by attest 1/10th of the members eligible to vote and the President shall be bound to hold such meeting as per rules.

XX Bank Accounts

All bank accounts of the Maha Mandal shall be in the name of the Maha Mandal and shall be operated by President jointly with Treasurer or General Secretary of the Maha Mandal. The Maha Mandal may also raise loans from financial institutions for executing various projects of the Maha Mandal and for furtherance of the objectives of Maha Mandal.

XXI Quorum

The Quorum for General Council working purposes shall be one-third of the members who are eligible to vote.

The quorum for Executive Committee meetings shall be five.

In case quorum is not complete, the meeting of the Executive Committee shall be postponed and held again on a date notified by the management in accordance with rules.

Similarly, in case quorum is not complete in General Council meeting, the same shall be adjourned/postponed and held within two months from the date of postponement after giving notice in accordance with the rules.

In case quorum is not complete even in the meeting held in place of adjourned meeting, the members present and eligible to vote shall form the quorum to transact the business.

XXI Amendments

At least 2/3th members of the General Council who are eligible to vote can make amendment / addition/ alteration to this constitution. Notification to hold General meeting for the purpose shall be issued by the General Secretary at least one month in advance.

XXII Dissolution

The Maha Mandal may be dissolved by two-third majority decision of the General Council who are eligible to vote. The properties and assets of the Maha Mandal shall not be distributed amongst the members of the Maha Mandal, but shall be transferred to another such Maha Mandal/Society/ Organisation having similar objects as resolved by the General council.

XXIII Elections

The Election rules and regulations are provided in Schedule-I.

XXIV Symbol

The symbol of BMM is given in Schedule II.

This is to certify that this being amended copy of constitution of Brahman Maha Mandal, Jammu & Kashmir (Regd.).

Sd/-
Prof. R.K. Ganjoo
President

Sd/-
Sh. S.K. Handoo
General Secretary

Date: SEPTEMBER 10, 2017

Place: JAMMU

CONSTITUTION OF BMM

THE BRAHMAN MAHA MANDAL, JAMMU & KASHMIR (REGD.)

SCHEDULE-I: ELECTIONS

1. The election shall be held for the posts all the members of the Executive Committee i.e. President, Vice-President (Senior), Secretary, Treasurer and four members. The Vice-President (Junior) shall be nominated by the elected Executive Committee. Only the Life and Active Members of Maha Mandal shall be eligible to participate and contest in the elections of Maha Mandal.
2. The term of Executive Committee shall be for a period of three years from the date of assuming office.
3. Following procedure shall be adopted for holding the elections:
 - 3.1 The outgoing Executive Committee shall nominate a responsible member of the Maha Mandal having no political affiliation and not member of Executive Committee as the Returning Officer for the fair and free conduct of the election.
 - 3.2 The Returning Officer shall lay down the schedule for the Elections through a notification.
 - 3.3 The election schedule referred to above shall be prepared keeping in view the following :
 - 3.2.1 The nominations for the elected posts as mentioned in Para 1 shall be called thirty days in advance of the election date.
 - 3.2.2 The last date for filling up nominations shall not be less than ten days from the date of issue of election notification.
 - 3.2.3 The scrutiny of nomination forms shall take place the next day after the last day of filling of nomination and scrutinized list of candidates contesting for the posts shall be put prominently on the notice board/website of Maha Mandal.
- 4 A period of three days shall be provided for withdrawal of nomination/s. The withdrawal of nomination/s shall be against written request to RO by the contestant.
- 5 Election, if necessary, shall take place through secret ballot on any date within ten days after withdrawal of the nominations.
- 6 The counting of ballots shall follow immediately after the closure of polling time in presence of the candidate(s) or his/her authorized agent/representative.
- 7 The Returning Officer shall declare the results of election immediately after the counting of vote is over and arrange to notify the same prominently on notice board/website of the Maha Mandal.

- 8 The Executive Committee of the Maha Mandal shall provide authentic copy of an updated (i.e. upto ten days before the actual date of polling) electoral roll of members to contestants against a written request. Also authentic updated copy shall also be uploaded on the website atleast ten days in advance of the actual date of polling.
- 9 The candidates contesting for various posts as mentioned in Para 1 above shall have to deposit Rs. 2,000/- (Rupees Two Thousand Only) towards non-refundable/ non-transferable security with the Returning Officer along with the nomination forms. The security fee shall be paid in the form of crossed cheque/draft drawn in favour of Brahman Maha Mandal. The security fee can also be wire-transferred to Brahman Maha Mandal bank account with intimation of transaction to Returning Officer and Treasurer of Maha Mandal.
- 10 The contesting candidates shall submit the nomination form, duly seconded by Life/Active member of Maha Mandal, in person, to the Returning Officer. The contestant/s must carry valid photo i-card (Aadhar card/Pan Card/Voter card/Passport/ official photo i-card) to establish his/her identity with RO.
- 11 For outstation members, i.e. outside Jammu Province, who are eligible to vote, the Returning Officer shall make arrangements to send postal ballot papers through electronic mode/postal mode and these after completion in all respects by the voter must reach the Returning Officer at least one day before the polling date. The postal ballots shall be opened in presence of the contesting candidate(s) or his/her authorized representative at the time of counting of votes.
- 12 Any corrections in the nomination form submitted by the contestant shall render the form as defective and will not be considered. Similarly, any correction in the ballot paper will render the vote as invalid.

Sd/-
President

Sd/-
General Secretary

THE BRAHMAN MAHA MANDAL, JAMMU & KASHMIR (REGD.)

SCHEDULE-II: SYMBOL



Sd/-
President



Sd/-
General Secretary