

M SUKUMARAPILLAI FOUNDATION

66/6388 TD Road, Near Ernakulam Public Library, Kochi – 682035

BYE – LAW

- 1. Name :** The name of the Foundation will be ‘M. Sukumara Pillai Foundation’. In subsequent references in the bye-law it will be stated as “The Foundation”.
- 2. Area of Operation :** The state of Kerala.
- 3. Head Office :** M. Sukumara Pillai Smarakom, 66/6388, TD Road, Near Ernakulam Public Library, Kochi – 682035.
- 4. Aims and Objectives :**
 - (a) This is a non – profit organisation. Membership fee, donations and income from other activities will be utilised for achieving the aims and objectives of the Foundation.
 - (b) The Foundation will be working under “The Thiru-kochi Literary, Scientific and Charitable Societies Act 1955” (Act XII/1955).
 - (c) To conduct discussions, seminars, studies, etc..with a view to encourage and promote common causes of the society especially in the areas of social, labour welfare, education and culture.
 - (d) To familiarise the different cultures and languages of India and to assimilate the large migrant population into our own culture and promote the feeling that we are all Indians and are inseparable brothers and sisters.

- (e) To help those individuals who have shown their mettle in the fields of art, culture and education but were constrained by financial resources.
- (f) To find out and encourage people who lead clean public life.
- (g) To give medical facilities at reasonable cost to those suffering from chronic diseases , extend financial assistance as far as possible and also help them obtain government sponsored fund.
- (h) To receive assistance and donations from Government, Quasi Government, Private and Public Sector institutions, nongovernmental organisations and individuals.
- (i) To achieve the above said aims and objectives, construct offices, libraries and other facilities.
- (j) To take necessary and suitable actions from time to time to achieve the objectives of the Foundation.
- (k) Conduct Seminar, discussions and litigation and launch publications pertaining to power sector in larger public interest.

5. Financial Year

The financial year of the Foundation will be from 1st of April to 31st of March every year.

6. Membership

All individuals active in social activities, Trade Unions, Education, Art and Culture, Employees and Ex-employees of Private and Public Institutions who are above 18 years of age and willing to abide by the By-law of the Foundation are eligible for membership.

7. Membership of the Foundation will be under 3 categories

(a) Honorary Membership

Outstanding personalities working in the fields of social, educational, art, culture, trade unions, etc. will be eligible for honorary membership subject to the approval of the Executive Committee. They will not have to pay membership fees but will not be eligible to vote and contest in any elections of the Foundation. The Foundation reserves the right to admit them as patrons. The number of patrons should not exceed FIVE.

(b) Institutional Membership

Trade Unions, Co-operative Societies and such other institutions as approved by the Executive Committee of the Foundation will be eligible for membership under the category of “Institution”. Their membership fee will be Rs. 10,000/-. The number of institutional members should not exceed 15.

(c) Life Membership

All other members except Honorary and Institutional members will be life members. This membership is neither transferable nor hereditary. There will be 3 categories of Life Membership.

- (i) **Platinum** : To those who pay a membership fee or Rs. 10,000/- or more.

- (ii) **Gold** : To those who pay a membership fee of Rs. 5,000/-
- (iii) **Silver** : To those who pay a membership fee of Rs. 2,000/-
- (iv) **Bronze** : To those who pay a membership fee of Rs. 1,000/-

The Executive committee is the body to take a decision on the admissibility of members in any category. The committee has the power to refuse / reject any applications without assigning any reason.

8. Application for Membership

Applications have to be presented before the Executive Committee and the decision of the Committee shall be intimated to the applicant within 15 days from the date of that decision of the committee. If accepted, applicant should pay the Membership fee within 10 days on receipt of such intimation.

- 9.** Membership Fee, donation or other financial assistance received by the Foundation will not be refunded under any circumstances.
- 10.** A membership register containing the personal details, membership fee, the date of commencement of membership and / or exit from it will have to be maintained.
- 11. Membership will stand cancelled / forfeited on the following grounds.**
 - (i) Resignation
 - (ii) Death
 - (iii) Sentence by any Court under any Criminal Acts except those as part of social activities for the welfare of the public at large.
 - (iv) Decision of the General Body to remove from membership

12. Any member can be removed from membership if he /she acts against the aims and objectives of the Foundation by a majority decision of the General Body.
13. Structure and Powers of the Foundation
- (i) **General Body**
 - (ii) **Executive Committee**
 - (iii) There will be district committees in every revenue district consisting of not more than 11 members. The committee will elect a Convenor and a Joint Convener and the Convener will be a member of the Executive Committee of the Foundation, with full voting rights.
 - (iv) **Office bearers**
14. The General Body will elect an Executive Committee once in 2 years. The maximum members of the Executive Committee will be 35, out of which 24 members including 3 women will be elected by the General Body. Of the 24 members so elected, 15 persons shall be former KSEB employees. The balance 11 members will be nominated by the following bodies with the concurrence of the General Body and they will have voting rights.
- (i) Kerala Electricity Workers Federation (AITUC) – 7 members
 - (ii) Kerala Electricity Officers Federation – 2 members
 - (iii) CPI Pathanamthitta District Committee and State Council – 2 members
15. To look after the day to day work of the Foundation, the Executive Committee will elect one President, Three Vice Presidents, One secretary, Three Joint Secretaries and One Treasurer.

16. The Existing Executive Committee will function until the subsequent committee takes charge.
17. Any Executive Member abstaining himself / herself continuously for 3 meetings without any reasonable cause or without oral or written application for leave will be disqualified and the committee can substitute a new member in his / her place.
18. By a majority decision, the Executive Committee can expel any member for misconduct or / and any activities against the interest of the Foundation from the committee. The committee is entitled to appoint a new member in his / her vacancy.
19. Such decision to expel any Executive member will have to be ratified by the subsequent General Body.

20. Meetings

(a) The Secretary shall convene executive committee at least once in 2 months.

(b) The President has the right to convene the Executive Committee meeting in an urgent situation.

(c) Quorum

(i) **For General Body** : a minimum of 1/3rd of the total membership on date or 25 members whichever is less.

(ii) **Executive Committee** : More than half of the total committee members.

(d) The committee can, if necessary , appoint an administrative officer and necessary staff to implement the decisions of the committee. The administrative officer can participate in the meetings of the Executive Committee and the General Body but will not have the right to vote.

21. Powers of the Executive Committee

- (a) To consider and decide on the applications received by them for membership.
- (b) To discuss and decide day to day and urgent matters.
- (c) To examine the accounts submitted by the Treasurer and put forward suggestions, if any. To examine annual accounts submitted by the treasurer, audit the same by auditor / auditors elected by the General Body and send the same along with notice for the General Body Meeting to all members.
- (d) To present the working report and audited accounts / balance sheet for approval of the general body.
- (e) To take decisions to deposit any surplus money of Foundation in any nationalized banks or other banks as per Bye-law or by debentures.
- (f) To buy or rent or otherwise acquire any materials, building or land to fulfil the aims and objectives of the Foundation. If necessary may build temporary or permanent structures and amenities on such land.
- (g) To collect funds by way of loans and donations in the name of the Foundation and spend the same for achieving the aims and objectives of the Foundation, as per requirement.
- (h) To conduct meeting, seminars, debates, cultural festivals, study tours, lectures etc. and to release publications on behalf of the Foundation.

22. Duties and Responsibilities of Office Bearers

PRESIDENT:

The General control of the Foundation lies with the President. In addition, he may preside over the meeting of the office bearers, executive committee and General Body. To summon extra ordinary executive committee meetings if demanded by five or more members of the Committee in writing.

VICE PRESIDENTS:

To discharge the duties of the president in his absence.

SECRETARY:

To carry out the responsibilities entrusted by the committee, including accepting and submitting membership applications, maintenance of office files, membership register and other records, correspondence, maintenance of asset register, conducting all meeting on time by issuing notices, implement decision of the meetings, supervise fund collection and such other matters. He may keep an amount with him as decided by the committee, spend it for the Foundations activities and submit accounts to the treasurer. He will also inform the agenda and other details of meetings to the respective members on time.

JOINT SECRETARIES

To help and assist the secretary in conducting his duties. To take charge and responsibility of the secretary in his absence and also to perform any other duties assigned to him from time to time by the committee.

TREASURER

To maintain records, voucher/receipts of all transactions and to start an account in any bank as decided by the executive committee and deposit money in that account (he may retain an amount not exceeding Rs.2000/- for day to day expenses). To submit income and expenditure statements in the Executive Committee meeting, to prepare and get audited accounts for submission before the annual General Body meeting in consultation with Secretary. Cheques should be signed by the Treasurer and by either the Secretary or the president.

23. Annual General Body Meeting

- (a) The Annual General Body meeting shall be conducted within 2 months from the date of closure of the previous financial year by giving notice to all the members appearing in the membership register as at the end of the financial year. The audited income and expenditure statements along with the auditors certificate, signed by the President, Secretary and Treasurer will have to be submitted before the Annual General Body meeting. The budget of the coming financial year also will have to be presented.

- (b) If demanded in writing by not less than 1/3rd of the members as appearing in the membership register, to summon Extra Ordinary General Body. The Secretary will have to convene such a meeting with the permission of the President. Such extra ordinary General Body Meeting will have to be convened by the Secretary within 30 days by informing the agenda of such meeting to the members.

- (c) If by any unforeseen circumstance such an extraordinary General Body Meeting could not be conducted, the existing executive committee will continue to function till the next Annual General Body Meeting.

24.Accounts and appointment of auditors

- (a) A bank account shall be opened in the name of the Foundation in a most convenient Nationalized Bank or the District Co-operative Bank in the Foundation headquarters or in a special grade / A grade co-operative Bank. The Treasurer will have to deposit within 2 working days, all the amount available, except what is required for day to day expenses.
- (b) The treasurer is solely responsible to keep the income and expenditure accounts, cheques etc.
- (c) The treasurer may keep Rs.2000/- for day to day expenses from the income.
- (d) The power to sign the cheques remain with the President or Secretary jointly with the Treasurer.
- (e) The Treasurer will have to present income and expenditure accounts before every executive committee meeting and get it approved.
- (f) The General Body has to appoint an independent auditor to audit the accounts of the Foundation and his audited accounts will have to be presented at the Annual General Body meeting and get approved.

25.Amendment to Bye-law

The General Body Meeting has the right to make any amendments to the bye-law .Such amendments can be made only with the assent of 2/3rd of the members present.For amendments of the bye-law, separate General Body Meeting has to be convened by showing this purpose as the agenda.The quorum of meeting will be 1/3rd of the membership or 25 members whichever is less.Any suggestion to make amendments to the bye-law has to be proposed by any member at least 15 days before such General Body Meeting.

(a) Dissolution of the Foundation

If under any circumstance the Foundation has to be dissolved the assets should be handled as per The Thiru-Kochi Literary, Scientific and Charitable Societies Registration Act 1955 (Act xii/1955) under sections 24 and 26.

26.Miscellaneous

If any member wishes to present any resolution before the Annual General Body such resolution should be sent in advance so as to get it before 7 days by the secretary.

27.No confidence motion

The members have the right to introduce No Confidence Motion against the Executive Committee or any member of the Executive Committee. Such no confidence motion has to be signed by not less than 1/4th of the members and submitted to the Secretary. If by a simple majority of the members who participate in such General Body Meeting who vote in favour of the No Confidence Motion, it will be considered as passed. But the existing executive committee can continue as an ad-hoc committee, till a new executive committee takes charge.

28.The president's decision shall be final in case of any uncertainty in taking decision on any matter in the meeting.

29.The Foundation will have a seal and the Secretary will have to keep it. The seal and the signatures of the President, the Secretary and the Treasurer will have to be affixed on all important documents.

30. Legal matters

Legal matters will be handled by the President and the Secretary together.

31. Jurisdiction

The Civil Courts within the limits of the Cochin Corporation only will have the jurisdiction to handle any legal matters for / against the Foundation.

32.Any other matter which are not specifically mentioned in this bye-law will be governed by the Thiru-Kochi Literary Scientific and Charitable Societies Act 1955 (Act xii/1955). It is decided that any proviso either existing or may be added later in this bye-law will not have any legal sanction if they are against any existing civil / criminal law in force.