



Leuva Patidar Samaj of London



Constitution

Charity Number: 293056

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CONSTITUTION OF THE LEUVA PATIDAR SAMAJ (SNV)
LONDON

1. NAME

The name of this organisation shall be The Leuva Patidar Samaj (S.N.V) London and shall be referred to hereafter as Samaj.

2. OFFICE

The office of the Samaj shall be situated at such address and place in London as the Managing Committee may decide. Removal of the said office to a different address shall not take place unless a resolution is passed to this effect by the Managing Committee of the Samaj by a simple majority of those present and voting at the meeting.

3. OBJECTS

The objects of the Samaj shall be:

- a) The advancement of the Hindu religion and culture in particular among the Hindu community in London known as Leuva Patidar which originates from the Surat, Navsari and Valsad (formerly referred to as Bulsar) areas of Gujarat, India.
- b) The relief of poverty and sickness among the Leuva Patidar community.
- c) The advancement of education among children and adults of the Leuva patidar community.
- d) The provision of assistance in the provision of facilities for the recreation and other leisure time occupations of the Leuva Patidar community and in particular to members of the

community who have need of such facilities by reason of their youth, age, infirmity or disablement, poverty or social and economic circumstances, in the interest of social welfare and with the object of improving their condition of life. In furtherance of the above objects only, the Samaj shall have the following powers:

- i. To organise social, cultural, educational, religious, sporting and other activities.
- ii. To render help and facilities in the performance of religious rights on the occasion of birth, marriage and death within the community.
- iii.
 - a) To raise funds, to invite and receive contributions from any person or persons whatsoever by way of subscription, donation and otherwise provided that the Samaj shall not undertake any permanent trading activities in raising funds for its charitable objects.
 - b) To purchase, take on lease, hire or otherwise acquire any property necessary for the promotion of the said objects and construct, maintain and alter any necessary for work of the Samaj.
- iv. To invest the monies of the Samaj not immediately required for the said objects in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.
- v. To do all such other lawful things as will further the attainment of the above objects. vi. To seek affiliation and representation with other similar organizations in the UK and elsewhere.

4. MEMBERSHIP AND ENROLMENT

- (a) All persons who are of the Leuva Patidar Origin whether male or female over the age of eighteen (18) years shall be eligible to apply for the membership of the Association. For clarity, Leuva Patidar Origin means that the person originates from Leuva Patidar, Surat, Navsari and Bulsar district.

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- (b) The Managing Committee shall notwithstanding anything contained in this Constitution have the sole right and power to decide whether a person is a Leuva Patidar Origin. The decision of the Managing Committee in this regard shall be final and binding to the Association.

- (c) All paid-up full members and their spouses of Leuva Patidar origin shall have full and equal voting rights in the affairs of the Samaj and undertake to abide by this Constitution.

- (d) Such members shall be eligible to stand for any posts or offices of the Managing Committee of the Association.

- (e) Full members will become exempt from the payment of annual membership fees upon reaching the age of 65 years.

- (f)
 - 1. Any person wishing to apply to be a member of the Association, who is not of Leuva Patidar Origin will be classified as a Social Member, provided that:
 - a. They qualify by virtue of marriage to a current member of the Leuva Patidar Samaj; and
 - b. They pay the Annual fee; and
 - c. They genuinely respect our religious and cultural beliefs.
 - 2. They may retain the Social Membership at all times provided they remain together and married to a member of the Leuva Patidar Samaj.
 - 3. The Social Membership will be revoked immediately upon the approved written confirmation being submitted to the

Managing Committee from the Leuva Patidar Samaj member (Spouse) confirming the parties are no longer residing together.

4. All Social Members will be entitled to attend all meetings and functions held by our Samaj except voting rights, or qualify to stand for any posts or offices of Managing Committee of the Association or Trusteeship.
 5. Any person holding a Social Membership may apply for a full Leuva Patidar Samaj Membership on application to the Managing Committee whose unanimous decision shall be final (minimum time of 10 years as a social Member before an application will be entertained by the Managing Committee).
 6. Any child reaching the age of 18 male or female born to a member of the Leuva Patidar Samaj and a Social Member shall be eligible to apply for membership and be classified as a Social Member until such time as he or she marries.
 7. Any person being a Member or Life Member of the Leuva Patidar Samaj not being of Leuva Patidar Origin shall retain all the rights conferred by the Constitution prior to this Amended Constitution being effected even if they divorce, however if they are to marry a non Leuva Patidar Origin person, that person will not be entitled to be a Social Member.
- (g) Annual ordinary membership fee and the Life Membership fee for male or female over (18) eighteen years shall be determined from time to time by the Managing Committee.
- (h) The subscription year shall be from the 1st of January to the 31st of December.

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(i) No membership fee is refundable.

(j)

1. Any member of the Association who have held post as Honorary member, Life Member or Patron of the Association and provided that they have rendered valuable services on the Managing Committee or who have rendered services to the Association, and have contributed a minimum of £100.00 (One hundred pounds) at any one time as a general donation to the Association and undertakes to abide by the Constitution of the Association, shall be entitled to be elected as a Trustee.
2. In order to qualify for the election and the post of a Trustee the person must fulfill the following criteria:
 - I. The person is at least of a matured age (unless otherwise approved by the General Body).
 - II. The person is a permanent resident of the London, United Kingdom.

5. THE RIGHTS OF MEMBERS All members:

- a) Shall have the right to speak at any General Meeting of the Samaj on all matters on the agenda with the permission of the Chairman.
- b) Shall be eligible for election as office bearers and member's of the Managing Committee or any Committee of the Samaj.
- c) Shall have the right to vote subject to clause 6, except of a social member.
- d) All Social Members will be entitled to attend all meetings and functions held by the Samaj but will not have voting

rights nor can they stand for any posts or office of the Managing Committee and therefore Trusteeship.

6. VOTING DISQUALIFICATION

If any member has any outstanding arrears totaling 2 or more year's subscription monies then they shall not be entitled to vote at any meeting of the Samaj.

7. DISQUALIFICATION FROM MEMBERSHIP

Any member whose subscription remains unpaid for 2 years shall be requested in writing by the Membership Secretary to pay the same within 30 days of receipt of such request. Failure to pay upon receipt of such request within the specified time limit will lead to a forfeiture of such member's rights unless otherwise directed by the Management Committee.

8. DISMISSAL OF MEMBERS

- i. Any member who is found:
 - a) Intentionally behaving contrary to the rules of the Samaj; and
 - b) Performing or causing to be performed, directly or indirectly acts harmful to the interest and ideals of the samaj shall be liable to dismissal from the Samaj, but such a member shall be dismissed only by a majority of three quarters of the members present, and voting at the Managing Committee's meeting, convened for the purpose, and at which the offending member shall be given a reasonable opportunity of defending and justifying himself. No refund of the unexpired period of his subscription shall be made to such dismissed members.
- ii. The Managing Committee has the discretion before exercising the right of dismissal to give a proper warning to such offending member to abstain from such harmful acts. Additionally, it may pardon him or her after such member apologises for his or her conduct and behaviour and satisfies the Managing Committee about the non recurrence of such acts and behaviour on his or her part in future.

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9. RESIGNATION OF MEMBERS

Any member resigning from the Samaj shall submit his or her resignation in writing to the Secretary but shall be liable to any subscription in arrears or any other claims that the member is obliged to make during the period of membership. Any fees paid in advance will not be refundable.

10. MANAGING COMMITTEE

- a) Subject to the following rules, the affairs of the Samaj shall be managed by the Committee consisting of seventeen members comprising of:
 - President ○ Vice
 - President ○ Secretary ○ Vice
 - Secretary ○ Treasurer ○ Vice
 - Treasurer ○ Membership
 - Secretary ○ Vice Membership
 - Secretary ○ Nine Committee members
- b) The Managing Committee shall be the Governing Body of the Samaj and shall exercise the powers provided by the Constitution in the furtherance of the objects of the Samaj:
- c) that the approval of the Committee has been obtained for all expenditure in excess of £1000 at any one time or any other limit imposed by the Committee for this purpose; and
- d) that the approval of the Trustees must be obtained to sell, mortgage or otherwise dispose of any movable or immovable property belonging to the Samaj. The funds belonging to the Samaj shall not be used by or lent to any one or more members of the Committee or anyone else for his or her own private use or purposes.
- e) The Managing Committee shall have the power to make Patron and Life Members.
- f) The Managing Committee shall have the power to frame bye-laws for carrying out its work regularly and efficiently. Such bye-laws, however shall be in accordance with the Constitution of the Samaj and they shall be binding upon its members.

- g) The Managing Committee shall have the power to appoint a sub-committee or special committee for the purpose of undertaking any specified activities or investigation in furtherance of the objects of Clause 3. Such appointed committee shall report back its progress and achievements to the Managing Committee.
- h) The Managing Committee shall consider applications for memberships and if thought appropriate, grant exemption from payment of subscription fees for membership.
- i) The Managing Committee shall have the power to approve and adopt the Annual Accounts prior to their presentation at the Annual General Meeting.
- j) To vet all intentions from members to stand as Trustees and to approve or reject such intentions.
- k) Resignation of a Committee Member or Office Bearer must be received in writing by the Secretary or President giving 30 days notice. This Notice does not apply if resignation is because of serious illness.

11. DUTIES AND POWERS OF OFFICE BEARERS

President:

- The President of the Samaj shall not be less than 25 years of age or unless approved by the majority of members present at the AGM or EGM.
- He/She shall preside over all the meetings of the Samaj. In case of equality of votes he or she shall have a casting vote. He or she shall have the power to summon or convene meetings.

Vice President:

- The Vice President shall help the President in his or her duties.
- In the absence of the President, the Vice President shall have the same rights and duties as the President.

Secretary:

- To act as the executive officer of the Samaj.
- To record the Minutes, in English, of each meeting of the Managing Committee or at any General Meeting of the Samaj.

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- To ensure that all the rules of the Samaj are properly adhered to.
- To convene General or Committee meetings for the dispatch of business.
- To record in English the minutes of all the meetings.
- To maintain proper records of the correspondence exchanged between the Samaj, individual members and others.
- To compile an annual report of the working of the Samaj at the end of the year for presentation at the Annual General Meeting.

The Vice Secretary

- The Vice Secretary will assist the Secretary in every respect in the performance of his/her duties.
- In the absence of the Secretary, the Vice Secretary shall have the same rights and duties as the Secretary.

Treasurer

- To collect all the subscriptions, rents or any other income belonging to and derived from the property of the Samaj.
- To issue official receipts for all the sums received.
- To maintain proper books of account in English.
- To make payments in accordance with the decisions of the Managing Committee.
- To deposit into an approved bank account all the monies held on behalf of the Samaj in excess of any limits imposed by the Committee from time to time.
- To organise the audit of the Annual Accounts by an officially appointed Auditor and to prepare such Accounts for presentation at the Annual General Meeting.
- Such a Statement of Account shall be submitted to the Managing Committee so that it is approved and adopted before being presented at the Annual General Meeting. The Treasurer shall attend and give such explanations as the Managing Committee may require.

The Vice Treasurer

- The Vice Treasurer shall assist the Treasurer in every respect in the performance of all the duties.
- In the absence of the Treasurer, the Vice Treasurer shall have the same rights and duties as the Treasurer.

The Membership Secretary

- To carry out all functions relating to membership as required by the Managing Committee including collection of subscriptions from members.
- To maintain a proper register of members and to advise the Managing Committee of any members who ought to be informed under clause 7 above.

The Vice Membership Secretary

- The Vice Membership Secretary shall assist the Membership Secretary in every respect in the performance of all the duties.
- In the absence of the Membership Secretary, the Vice Membership Secretary shall have the same rights and duties as the Membership Secretary.

12. ELECTION OF COMMITTEE MEMBERS

- The members of the Managing Committee shall be elected or re-elected at the Annual General Meeting for a period of two years. No person shall be proposed and or elected to the Managing committee in his or her absence unless a prior consent, in writing, from him or her has been received by the Secretary.
- The Managing Committee shall have the power to fill any vacancy under Clause 13(a) below.

13. VACANCIES IN THE MANAGING COMMITTEE

- a) If and when any committee member fails to attend three consecutive meetings without a valid reason, he or she shall be notified of this fact by the Secretary in writing on or before the calling of the fourth meeting and if the member, in spite of this notice and without a valid excuse, remains absent from such fourth Meeting he shall be considered to have automatically ceased to be a member of the Managing Committee. Such member shall be eligible for re-election at the discretion of the Managing Committee.

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- b) Vacancies for the post of President, Secretary, Treasurer and Membership Secretary shall be filled by the Managing Committee until the first subsequent General Meeting.
- c) Upon the simultaneous resignation of the President and the Secretary or upon the resignation of the President or Secretary and three committee members or upon the simultaneous resignation of all the committee members, an Extraordinary General Meeting shall be convened within three months of the resignation to elect a new Managing Committee which shall continue to hold office until the next Annual General Meeting. The trustees and remaining committee members should be responsible for this.

14. MANAGEMENT

- Every two years at the Annual General Meeting, elect a Management Committee who shall execute and conduct the day-to-day workings of the Association under the general policy of this Constitution.

15. FINANCE

- The financial year of the Samaj shall commence on the first of January to 31st December, or as otherwise approved by the Managing Committee.
- All the activities and transactions of the Association shall be recorded in the minute book in English.
- The accounts and its books and record shall be kept in English.
- The funds of the Samaj shall be deposited in a bank account designated by the Managing Committee from time to time.
- All the cheques and other financial documents shall be signed by any two of the four signatories approved by the Managing Committee.

- The Managing Committee should endeavour to ensure that any funds raised for a specific purpose should be used for that purpose.
- The Managing Committee can operate more than one bank account on behalf of the Samaj.
- The Managing Committee shall have a working capital of up to £7,500 or any other amount approved by the Managing Committee and Trustees from time to time.
- The Trustees shall administer and control any non specific funds in excess of working capital.
- All cheques and Financial Documents held should be signed by any three of the Trustees.

16. AUDITOR

- The Accounts of the Samaj shall be audited by an auditor appointed by the managing committee or at the AGM.
- An auditor so appointed shall have access to all the books of accounts and other relevant documents and shall certify the yearly statement of accounts.
- No person other than a qualified accountant or a person pursuing a profession of an auditor shall be eligible for appointment.

17. MEETINGS Committee

Meetings:

- The Managing Committee shall meet at least once a month to consider, Discuss and deal with all essential, matters pertaining to the Association.
- A Managing Committee meeting shall be convened by giving seven days Notice to the members but in case of urgency the meeting can be called with 48 hours notice.

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- All members of the Managing Committee shall be required to attend all the Meetings. If any Member fails to attend two consecutive meetings even with apologies the Secretary will warn the Member before the third meeting that they shall be disqualified from the Managing Committee. This rule will not apply if the absence is due to and proven to be from circumstances beyond the control of the offending Member.
- The Managing Committee shall have power to appoint any subcommittees or ad-hoc Committee in case of need to perform any functions, programmes or activities under the guidance of the Convenor.
- The Managing Committee shall have the power to open, operate and close any Bank or financial institutions account in the name of the Association.
- The President and Treasurer and/or the General Secretary or Trustee shall operate such account jointly up-to a limit of £7,500. Any sums above this value must be signed by the President and the Treasurer and any two of the trustee members.
- The Managing Committee shall have power to appoint, engage or remove, discharge or suspend any Auditors, advocates, Attorney or agents or Contractors for permanent, temporary, or special services as it may think necessary.
- The Managing Committee shall be presided over by the President and in his absence by the Vice-President. In case of absence of both, the remaining members with a quorum can elect a Chairman for that particular meeting to carry out the Agenda.
- Upon a requisition signed by a least one third of the members of the Managing Committee, the Secretary shall call a special meeting within a fortnight of receipt of such requisition, for the purpose of deciding upon the matters contained therein.

General Meetings:

- General Meetings shall be called as and when necessary.
- Upon a requisition signed by not less than 50 members of the Samaj or by two-thirds of the members of the Managing Committee, the Secretary shall convene a Special General Meeting within a month of receipt of such requisition, for the purpose of deciding upon the matters contained therein. Extraordinary General Meetings In the event of the Secretary failing to call a Special

Meeting within a month, after the receipt of a requisition, the requisite number of signatories, shall upon giving a clear fifteen days, circulate a notice amongst the members of the Samaj to convene a meeting, stating the object, place, date and time of such meeting.

Annual General Meeting

- The Annual general Meeting shall be convened by giving 14 days notice to all the members of the Association.
- The Annual General Meeting of the Association shall be held not later than The end of December each year to discuss and decide the following Agenda:
 - I. To confirm the minutes of the previous Annual General Meeting and any other General Meetings.
 - II. To receive and adopt the General Secretary's annual report.
 - III. To present and publish the Treasure's report and audited accounts.
 - IV. To discuss and dispose of any other business on the Agenda.
 - V. To elect the Managing Committee for the ensuing 2 years.

18. QUORUM

- At all General Meetings, thirty (30) members or 20% of the registered members (whichever is the lower of the two) shall form a quorum. At a Committee Meeting, five (5) or one half of the members of the Managing Committee (whichever is the lower of the two) shall form a quorum. If the Meeting commences with a quorum, any subsequent lack of quorum during the proceedings shall not nullify any resolutions adopted during such proceedings.
- If the quorum is not formed within half an hour of the appointed time for any meeting, the members present shall decide to call an adjourned meeting within three months and no quorum shall be necessary at this meeting. Any decision taken at such adjourned meeting shall be binding on all samaj members.

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19. VOTING

- All paid members shall have the right to one vote except social members.
- Voting shall be by a show of hands unless decided by the majority attending the meeting, to vote by ballot.
- Vote by proxy shall not be accepted.

20. TRUSTEES AND THEIR DUTIES

- A Board of Trustees shall be invested with the supreme authority for the preservation; protection of the ideals, aims and objects defined by this Constitution and shall be deemed to be the ultimate guardians of the affairs of the Association.
- The Board of Trustees of five (5) members shall be elected at the Annual General Meeting of the Association and shall hold the office for a period of five years from the date of election. one fifth of their numbers shall resign at each Annual General Meeting of the Samaj.
- Resignation of a Trustee must be received in writing by the Secretary giving 30 days notice. This Notice period does not apply if resignation is because of serious illness.
- The Trustees shall be eligible to stand for any other office or post in the affairs of the Association.
- Membership for Trustees shall be as under Section 4(i).
- The Trustees shall be further invested for the interest and safe management and administration of the Association and its movable and immovable Properties.
- The Trustees may attend any meeting of the Managing Committee or of any Sub-Committee or ad-hoc Committee of the Association or any other Institutions controlled by the Association only under special request.

- The Trustees shall present and report all of its activities at each and every Annual General Meeting of the Association.
- The Trustees shall keep in their possession, custody and control all important Deeds, documents and papers belonging to the Association.
- The Trustees shall have the right to access to any or all of the Association's Books and accounts and any other books and documents on written request.
- The Board of Trustees may from amongst its members elect a President and a Secretary of the Board.
- The Trustees shall keep the proper minutes of all the meetings of the Board's Activities.
- Unless otherwise provided with the resolution by the Managing Committee all simple majority decisions such as acquisitions or alienation of any immovable properties or seeks to encumber any property shall be binding on the Association.
- The quorum at all meetings of the Board shall be three (3).
- Any vacancy arising in the Board of Trustees by his death or by his Resignation, or becoming of unsound mind, or otherwise unfit to act or being declared criminal, insolvent or bankrupt, or absence from London for a continued period of one year shall be filled at the next Annual General Meeting of the Association but until such new trustee is elected the remaining Trustees shall have full power and authority to carry on and conduct all affairs Entrusted to them.

In the event of any deadlock arising in the working of the affairs of the Association the Board of Trustees shall have the full right with all power to carry on independently all the activities and affairs of the Association until such deadlock is resolved.

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- In action or suits at law by or against the Association, the Association shall be presented by the board of Trustees, or any nominees thereof and the Board shall furthermore have the power to institute, commence, prosecute, conduct, Defend, compound, compromise, settle or abandon all acts, suits, claims, Demands and any other legal proceedings by or against the Association and to Abide by and carry out any judgment of the Court in respect thereof.
- The Appointed Trustee shall be mandated to sign all cheques over £7,500.
- No person other than the one who satisfies all the following requirements shall be eligible for the post of Trustee. The requirements are to:
 - Any member who wishes to become a Trustee should submit his or her application in writing to the Management Committee prior to the Annual General Meeting. Any member can be elected, who has served the Samaj as a Committee Member for a minimum of two years and whose attendance at the committee meetings has been more than two thirds of the total number of meetings held during his or her period of service. His or her name should be published with the notice of the Annual General Meeting.
 - Be at least 30 years of age (unless otherwise approved by the members present at the General Meeting of the Samaj).
 - Be a permanent resident of the United Kingdom.
 - Be a person of high standing and responsibility in the community.
 - Have never been a bankrupt, convicted of a serious criminal offence or of unsound mind.
 - No Trustee shall hold office for a period of more than five years, where upon, he or she must resign. The outgoing Trustee may stand for re-election for a further five years.
- Trustees who have previously served office shall be considered for re-election by the Managing Committee.
- All property of the Samaj i.e. land, buildings, investments or any other property acquired or donated by a philanthropist from time to time shall be vested in the Trustees.

- The first Trustees shall be appointed at a General Meeting of the Samaj from amongst the members and to the appointment to any vacancy thereafter shall also be affected at the General Meeting. The office of the Trustee shall be considered vacant in the following circumstances:
 - Death.
 - Bankruptcy. ○ Lunacy. ○ Serious criminal convictions. ○ Resignation.
 - Continuous absence from United Kingdom for a period of over 12 months.
 - Removal by a resolution duly passed at a General Meeting called for the purpose by a majority of not less than two-thirds of the members present and voting at such a meeting.
 - that the Trustees shall not be eligible to stand for any position on the Managing Committee.

21. SPECIAL POWERS OF TRUSTEES

The Trustees shall have power to convene meetings of the Managing Committee and/or the members when the Trustees consider this to be necessary in the interest of the Samaj. The Secretary shall convene a meeting of the Managing Committee and/or members within one month of being required to do so by the Trustees.

22. DISSOLUTION

- A motion to dissolve the Samaj may only be made at an Extraordinary General Meeting called for this specific purpose. To affect dissolution, at least three-quarters of the members actually present and voting shall vote in favour of the dissolution.

In the event of the Samaj being dissolved, the members present at the said Extraordinary General Meeting shall decide to transfer the excess of assets over all proper debts and liabilities to a charitable organisation having objects similar to those of the Samaj.

23. AMENDMENT

- Any addition, alteration, deletion or amendments to the foregoing rules and regulations shall be made with the consent of two thirds of

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the members of the Samaj present at the Annual General Meeting. Any changes should not cause the Samaj to cease to be a Charity at Law and no amendment shall be made to the Objects in Clause 3 or Clause 21 or this Clause without the prior consent of the Charity Commission.

- Any proposal to alter, amend or delete this Constitution must be delivered to the General Secretary. Such amendments shall require the approval of two-thirds majority of the members present at a General meeting where 50% of the members are present.