

# বিদ্যাসাগর স্মৃতিরক্ষা সমিতি

‘নন্দন কানন’, কৰ্মাটাঁড় বিদ্যাসাগর

VIDYASAGAR SMRITIRAKSHA SAMITY

‘NANDAN KANAN’, KARMATANR VIDYASAGAR



Memorandum of Association

&

Rules and Regulations

Lead



## Memorandum of Association

(In the matter of Act XXI of 1860 for the Registration of Literary, Scientific and Charitable Societies, and in the matter of VIDYASAGAR SMRITIRAKSHA SAMITY)

1. The name of the Samity - VIDYASAGAR SMRITIRAKSHA SAMITY
2. The Registered Office of the Samity - VIDYASAGAR SMRITIRAKSHA SAMITY  
Rammohun Roy Seminary Campus  
Dr. Bidhan Chandra Roy Path  
(Khazanchi Road)  
Patna – 800 004  
(The registered office may be changed at any time by the Samity and it will be intimated to I.G. Registration, Bihar within 15 days before such change.)
3. Branch Office of the Samity - VIDYASAGAR SMRITIRAKSHA SAMITY  
“Nandan Kanan”  
P.O. – Karmatanr Vidyasagar  
District – Jamtara  
Pin Code – 815 352
4. Area of Operation - All over India
5. The Aims and Objectives:
  - (a) To commemorate, protect and promote the philosophy, works and services of the great nineteenth century social reformer, Pandit Ishwar Chandra Vidyasagar, hereinafter referred to as Vidyasagar;
  - (b) To promote education by running various educational programmes viz. literacy mission, adult education, informal education, short term courses and various employment oriented training programs and missions for the upliftment of under privileged class of people in particular and the public in general;
  - (c) To establish/run medical organizations/institutions and hospitals or dispensaries for the treatment of diseases and dispensing medicines etc. to the poor in particular and to the public in general;
  - (d) To run various employment generating training/vocational programs for both the rural and the urban youth and to benefit them by all facilities provided by the Government of India and the Governments of States;



- (e) To encourage the youths to values and preserve the rich heritage of composite Indian culture by organising tournaments of various sports and arranging seminars, conferences and cultural programmes;
- (f) To spread the message of healthcare, love and happiness and to promote harmony and the spirit of common brotherhood among people of all classes;
- (g) To start an Old Age Home and conduct other activities for the elderly poor;
- (h) To establish and maintain a Library, Text-book Library and Book Bank to help people/ students and give assistance to poor students;
- (i) To conserve thoughts, scripts, literature etc. of Vidyasagar and stimulate the promotion of the same;
- (j) To foster and promote co-operation, cordiality and fellow feeling amongst the people of different languages who want to spread the thoughts and philosophy of Vidyasagar;
- (k) To conduct, or cause to be conducted, research, including applied research on the works of Vidyasagar;
- (l) To explore, discover, edit and publish manuscripts of Vidyasagar in Bengali and in other languages;
- (m) To arrange Literary Lectures; Seminars; Exhibitions; Book Fairs; Competitions; Debates; Conferences and other activities for the promotion of the philosophy and works of Vidyasagar independently or in collaboration with other institutions and/ or State and Central Agencies;
- (n) To print, publish or assist the publication of books/literature relating to works of Vidyasagar and provide marketing facilities for such publications by way of sale and/ or free distribution for the benefit of the people;
- (o) To establish a suitable guest house accommodation for visiting tourists, writers, scholars and research scholars working on Vidyasagar at a reasonable cost;
- (p) To establish a Museum in the memory of Vidyasagar;
- (q) To work for the upliftment of the underprivileged people of the Society;
- (r) Any other activity or activities that would enhance the image and interest of Vidyasagar Smritiraksha Samity and further Vidyasagar's ideals and works.



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6. As a mark of respect to Vidyasagar and to preserve his memory and thoughts, the Bengalee Association, Bihar of the then undivided Bihar State raised donations/contributions and on 29<sup>th</sup> March 1974 purchased and retained the ownership of the landed property measuring 3 acres and 19 decimals along with the house named as "Nandan Kanan" where Vidyasagar had spent about last 18 years of his life AND FOR THE PURPOSE AFORESAID.
- (i) To foster and promote the interest and activities of Nandan Kanan, the Vidyasagar Smritiraksha Samity shall operate/ function under the aegis of Bengalee Association, Bihar (Regd. No. 4/1938) and Bengalee Association, Jharkhand (Reg. No. 6/2004), which was registered as a new association after Jharkhand was carved out of Bihar and became a separate State;
  - (ii) All the expenses incurred in the running & maintenance of 'Nandan Kanan' and conducting the functions/programmes related to Vidyasagar shall be shared equally by Bengalee Association, Bihar & Bengalee Association, Jharkhand;
  - (iii) To protect the interests of Vidyasagar Smritiraksha Samity, Nandan Kanan, Bengalee Association, Bihar, Bengalee Association, Jharkhand and the Jamshedpur Branch of Bengalee Association, Jharkhand shall work jointly;
  - (iv) To acquire and hold movable and immovable property in the name of Vidyasagar Smritiraksha Samity either by way of purchase, lease or by transfer, gift or donation;
  - (v) To neither sell, mortgage or otherwise dispose of any part of the property (i.e., the whole landed property of 3 acres and 19 decimals along with the house named as "Nandan Kanan" at Karmatanr Vidyasagar, where Vidyasagar lived). However, the Samity shall have the right to exchange a portion of the said land with a suitable adjoining piece of land for construction of wider approach road, gate, etc. for the benefit of "Nandan Kanan";
  - (vi) To hold movable and immovable properties of "Nandan Kanan" at Karmatanr Vidyasagar and all such properties shall be in the name of Vidyasagar Smritiraksha Samity thereat;
  - (vii) To purchase and/or take on lease or otherwise acquire movable or immovable property or right or privilege;



- (viii) To create, receive or administer funds;
- (ix) To invest the funds of the Samity upon such securities as may from time to time be determined;
- (x) To raise or borrow money against the securities as may from time to time be determined;
- (xi) To draw, accept, endorse, discount or negotiate bills of exchange and other instruments;
- (xii) To enter into negotiations with the Central or State Governments or other Registered bodies or individuals and/ or execute legal documents/ proceedings required for the Samity;
- (xiii) To create a Trust;
- (xiv) To form Committees and Sub-Committees under the aegis of Vidyasagar Smritiraksha Samity as and when deemed necessary;
- (xv) To do all such lawful things as are incidental or conducive to the attainment of the aforesaid objects;
- (xvi) No benefaction shall be accepted by the Vidyasagar Smritiraksha Samity which, in its opinion, involves conditions or obligations against the spirit and objects of the Samity;



# RULES AND REGULATIONS OF VIDYASAGAR SMRITIRAKSHA SAMITY (VSRS)

## 1. Definition:-

Unless otherwise repugnant to the context, the words and expressions used in these Rules shall have the meanings specified below:-

- (a) The Samity means: Vidyasagar Smritiraksha Samity (VSRS).
- (b) Act means: The Societies Registrations Act XXI, 1860.
- (c) Association means: BAB & BAJ
- (d) BAB means: Bengalee Association, Bihar (Regd. No. 4/ 1938)
- (e) BAJ means: Bengalee Association, Jharkhand (Regd. No. 6/2004)
- (f) Member means: Member of General Body.
- (g) General Body means: Members of the Executive Committee of BAB & BAJ.
- (h) Committee means: The Managing Committee of the Samity.
- (i) "Office-Bearer" means: Chairman, Vice-Chairman, Secretary, Joint Secretary and Treasurer and includes such other persons, who are declared Office-bearers by the Managing Committee.
- (j) Year means: 1<sup>st</sup> April of one year to 31<sup>st</sup> March of the following year.
- (k) NKKS means: Nandan Kanan Karyakarini Samity.
- (l) Term means: a period of two years or as determined by the Managing Committee.

## 2. MEMBERSHIP:-

- i) The members of the Executive Committee of Bengalee Association, Bihar (BAB) and Bengalee Association, Jharkhand (BAJ) shall form the General Body of VSRS and follow the rules and regulations of the Samity and pay annual subscription of Rs. 100/- only. In addition to this, interested individuals may join the society as honorary member, without voting rights, subject to approval of the Managing Committee and subscribing membership fees as under:
- ii) **Patron-cum-Honorary Life Member:** subscription of Rs. 15,000/- (Rs. Fifteen thousand only) or more or in a financial year.



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- iii) **Honorary Golden Member:** subscription of Rs 10000/- (Rs. Ten thousand only) or more in a financial year.
  - iv) **Honorary Silver Member:** subscription of Rs 5000/- (Rs. Five thousand only) or more in a financial year.
  - v) **Honorary Ordinary Member:** subscription of Rs 100/- every financial year.

Provided that the General Body shall be entitled to revise the membership fee(s), which would be effective from beginning of the financial year. Any additional facility to be given to the Honorary Members shall be decided by the Managing Committee.

### 3. TERMINATION OF MEMBERSHIP:-

- i) If a member resigns or dies or becomes unsound of mind;
- ii) If a competent court sentences a member to imprisonment for any offence involving moral turpitude;
- iii) If a member is found by the Managing Committee engaged in activities which are against the interest of the Samity;
- iv) If a member does not attend three meetings continuously without any information to the committee;
- v) Any member in default to pay the prescribed subscription shall automatically be ceased to be a member;

### 4. FORMATION OF MANAGING COMMITTEE:-

- i) The Managing Committee shall consist of 15 members including office bearers who shall hold office for a period of two years or till the formation of the new Committee.
- ii) The Managing Committee shall be constituted biennially and shall be reconstituted within three months of the expiry of the term of the previous Committee.
- iii) Any casual vacancy created in the committee may be filled up by the members of the Managing Committee for the remaining period of the office so held.
- iv) The outgoing members of the committee shall be eligible for re-election.



The Office Bearers and Members of VSRS shall be as follows:

Chairman - 1 Post - to be elected by the respective general body of BAB & BAJ in turn for their term of two (2) years by rotation. In other words, if BAB elects the Chairman, he will hold the office for a period of two (2) years from the date of his taking over, whereafter the Chairman shall be elected by BAJ with same terms and conditions.

Vice-Chairman - 2 Posts - One post each to be elected by the respective General Body of BAB & BAJ.

Secretary - 1 Post - to be elected by the respective General Body of BAB & BAJ for their term.

Joint Secretary - 1 Post - Nominated by Executive Committee of BAB/BAJ in their term by rotation, i.e., when Secretary is from BAB, the Joint Secretary shall be from BAJ and vice-versa.

Provided that both the Chairman & Secretary shall be from BAB & BAJ during their respective terms, i.e., when Chairman is from BAB, the Secretary shall also be from BAB and for that term, Joint Secretary shall be from BAJ and vice versa.

Treasurer - 1 Post - Treasurer of Bengalee Association, Bihar or a person nominated by the Executive Committee of Bengalee Association, Bihar.

Members - 9 Posts as follows:

- a. Three (3) members nominated by the General Body of Bengalee Association, Bihar.
- b. Three (3) members nominated by the General Body of Bengalee Association, Jharkhand.
- c. President, Nandan Kanan Karyakarini Samity (NKKS).
- d. Secretary, Nandan Kanan Karyakarini Samity (NKKS).
- e. One distinguished person shall be nominated by the Chairman.



## 5. POWERS AND FUNCTIONS OF THE MANAGING COMMITTEE

- i) The Managing Committee shall be solely responsible for the management of all the affairs of the Samity and it shall have necessary power for executing decisions of the General Body and managing the affairs of the Samity in all respects;
- ii) To appoint, transfer and retire the personnel of the Samity;
- iii) To alienate, sell, take lease, mortgage and pledge and hypothecate the property whether movable or immovable for the benefit of the Samity including donation to the needy;
- iv) To implement programme(s) for the execution of the objectives and allied activities of the Samity and to invest funds for development work of the Samity;
- v) To raise money by way of subscription, donation, grants and loans etc.;
- vi) To consider applications for membership;
- vii) To open branch offices or sub branch offices in any place or places for the purpose of the Samity;
- viii) To make sub-committee/committees and manage all type of institutions run by the Samity. Such Committee(s) may be dissolved by the Managing Committee of VSRS;
- ix) To do all such lawful acts and things as are identical and conducive to the attainment of the objects of the Samity;
- x) For day-to-day supervision and general administration of "Nandan Kanan" a separate sub-committee shall be constituted named as "Nandan Kanan Karyakarini Samity (NKKS)", which shall function under the general direction of the VSRS. The office-bearers of Nandan Kanan Krayakarini Samity(NKKS) shall be decided by VSRS;
- xi) To permit any person/group of persons/organisations that desire to develop/create civil construction/immovable assets in the premises of 'Nandan Kanan' for the benefit of the Samity, subject to approval of Managing Committee of the Samity. Such assets shall be the sole property of Vidyasagar Smiritiraksha Samity and Samity shall reserve the right to make alterations/additions/structural changes/modification in the larger interest of the Samity. However, in case of structural changes/modification, equivalent carpet area shall be earmarked in the name/names of previous donor(s) and existing memory stone(s) shall be prominently displayed permanently in that newly constructed area;



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## **6. POWERS AND FUNCTIONS OF THE OFFICE BEARERS:-**

### **(a) CHAIRMAN:-**

- i) He/She will preside over all the meetings of the Managing Committee and the General Body of the Samity. In absence of the Chairman the members present at the meeting shall elect a President from themselves and the President shall exercise all such powers in the meeting.
- ii) He/She will have casting vote, which he/she will exercise only when there is a tie in the meeting.
- iii) He/She will guide, direct and supervise all the activities of the Samity.

### **(b) VICE CHAIRMEN:-**

The Vice-Chairmen shall perform such duties and exercise such powers as are delegated to them by the Chairman.

### **(c) SECRETARY :-**

- i) He/She will look after day to day management of the office of the Samity and shall assist Chairman/Vice Chairmen to discharge his/her/ their duties.
- ii) He/She will look after any particular work, if especially delegated to him/her by the Managing Committee and shall be responsible for completion of that work within the stipulated time frame.
- iii) He/She will convene meeting of VSRS at least thrice a year at four months interval and whenever necessary and of any committee which shall be felt necessary.
- iv) He/She will keep proper minutes of the proceedings of the meeting of the Samity and will do everything to give effect to the resolutions passed by the Managing Committee /General Body of the Samity.
- v) He/She will make all correspondence on behalf of the Samity and keep all records.
- vi) He/She will be responsible for proper supervision of the accounts of the Samity and to present them in the Managing Committee/General Body meeting.



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- vii) He/She will submit annual progress reports and audited statement of accounts of the Samity before the Managing Committee/General Body.
  - viii) He/She will be at liberty to spend for the purpose of the Samity at any time a sum up to Rs. 2,000/- (rupees two thousand) only without prior sanction of the Managing Committee. This limit may be revised by the Managing Committee for smooth conduct of the Samity's activities.

**(d) JOINT SECRETARY:-**

- i) He/She will perform such duties and exercise such powers as are delegated to him by the Secretary.
- ii) He/She will discharge the duties of Secretary in his absence for which the Chairman may issue the necessary office order.

**(e) TREASURER:-**

- i) He/She will receive/ collect all sums of money on behalf of the VSRS, viz. donations/contributions/ membership subscriptions and prepare budgets to be placed before the Managing Committee and make payments on the requisition/approval of the Chairman/Vice Chairman/Secretary.
- ii) He/She will keep accounts of Income and Expenditure and shall present all such accounts at quarterly intervals or as and when deemed necessary before the Managing Committee.
- iii) He/She will get Books of Account of the Samity duly audited on completion of each financial year.

**7. POWERS & FUNCTIONS OF THE GENERAL BODY:-**

- i) The Annual General Body meeting of the Samity shall be held biennially within six months of the close of the financial year.
- ii) To elect office bearers and members of the Managing Committee.
- iii) To pass the audited statement of accounts and to appoint the auditor for the ensuing years.
- iv) To transact such other matter(s) which may be brought before the meeting by the Managing Committee.



## 8. MEETINGS:-

- i) The Managing Committee shall meet for transacting matters whenever necessary, but not less than once in every four months.
- ii) The Emergency Meeting of the Managing Committee may be called by the Chairman or the Secretary by giving twenty four (24) hours notice in advance to the members of the Committee.
- iii) Special Meeting of the General Body/Managing Committee of the Samity may be called by the Chairman or the Secretary by giving not less fifteen (15) days notice in writing, in advance, to the members.
- iv) 2/3<sup>rd</sup> of the valid members of the Samity may requisition a meeting of the Managing Committee by submitting a written and signed requisition to the Chairman or the Secretary of the Samity specifying the subject(s) to be considered in such a requisitioned meeting and the Chairman or the Secretary shall within fifteen (15) days call the meeting of the of the Managing Committee giving at least three days (3) notice in advance to the members, failing which the requisitionists will have power to call the said meeting for taking decisions in the matter(s) for which the meeting has been requisitioned.

## 9. NOTICE:-

- i) Notice of every meeting specifying the place, date, time and agenda to be discussed at such meeting shall be circulated by E-mail/SMS/other electronic means/Post to all the members.
- ii) Fortyfive (45) clear days notice to be circulated to the members for the General Body Meeting.
- iii) Fifteen (15) clear days notice to be circulated to the members for the Managing Committee Meeting.
- iv) In case of emergency meeting of the Managing Committee the same can be convened by giving a notice of twenty four (24) hours.

## 10. SOURCE OF INCOME:-

- i) Members' Subscription.
- ii) Donations & Contributions.



iii) Letting out of open space of 'Nandan Kanan' to an individual only for marriage/personal social function/sale of agri-produces grown in the premises of Nandan Kanan..

iv) Govt. Aid.

v) Grant and Aid from any other legal sources.

#### 11. QUORUM:-

2/3<sup>rd</sup> members present and entitled to vote, shall form a quorum at any meeting. At an extraordinary meeting, if there is no quorum within half an hour, the meeting shall stand dissolved. If, however, for a General Body Meeting or Managing Committee meeting there is no quorum within half an hour for the time fixed, the meeting shall be adjourned and 1/3<sup>rd</sup> members present and entitled to vote shall form the quorum for the adjourned meeting.

#### 12. BANK OPERATION:-

A Bank Account of "VIDYASAGAR SMRITIRAKSHA SAMITY" shall be opened in the name of "VIDYASAGAR SMRITIRAKSHA SAMITY" with the State Bank of India or any other Public Sector Bank and shall be operated jointly by the Treasurer along with either Chairman/Vice-chairman or the Secretary of VSRS.

#### 13. AUDIT:-

- i) The Accounts of the Samity shall be audited by an auditor appointed by the General Body.
- ii) Inspector General of Registration, Bihar at his discretion may, at any time, get the audited accounts of the Samity audited by any recognized Chartered Accountant and fee for the same shall be borne by the Samity.

#### 14. INSPECTION OF REGISTER:-

All registers shall be kept in the Registered Office of the Samity and any member may inspect these registers with the prior permission of the Chairman or the Secretary.



15. **AMENDMENTS:-**

Any additions, alterations or omissions in the objects and rules and regulations shall be effected through resolutions by a minimum strength of 2/3<sup>rd</sup> members present in the General Body Meeting of the Samity.

16. **LEGAL PROCEEDINGS:-**

The Samity may sue or be sued in the name of its Secretary of the Samity within the jurisdiction of Patna.

17. **DISSOLUTION:-**

- i) The Vidyasagar Smritiraksha Samity (VSRS) shall not be dissolved unless 3/5<sup>th</sup> of its member shall have expressed agreement for this purpose by their views delivered *in perso* at the General Body meeting, specially convened for this purpose.
- ii) Before dissolution of the Samity, the State Government's consent shall be obtained under Section 13 of the Societies Registration Act, XXI, 1860.
- iii) Upon the dissolution of the Vidyasagar Smritiraksha Samity (VSRS), if there remains any asset after the satisfaction of its debts and liabilities in terms of money it shall be shared equally between BAB and BAJ after adjustment of the dues, if any, left against them.
- iv) The landed property, however, shall remain with the owner.

Certified that it is the true and correct copy of the Rules and Regulations of the Samity.

(Sachchida Nanda Sinha)  
Treasurer

(Purnendu Shekhar Pal)  
Secretary

(Anup Mukerji)  
Chairman

मणि भूषण प्रसाद  
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