

INDIAN CULTURAL SOCIETY
NORTHERN TERRITORY (INC)

Constitution & Rules

Darwin
April, 1983.

INDIAN CULTURAL SOCIETY, NORTHERN TERRITORY

CONSTITUTION AND RULES

1. NAME

The name of the Association shall be the "Indian Cultural Society, Northern Territory".

2. OBJECTS

The objects of the Society are:-

- 1) to establish a forum for the members of the Society;
- 2) to promote the knowledge and understanding of Indian art and culture;
- 3) to provide cultural, social, sporting and recreational activities for its members and others;
- 4) to foster and promote the study and use of Indian languages among the members of the Society as well as others in the general community;
- 5) to establish and manage a resource centre with Indian epics, books, periodicals, films and other information material;
- 6) to provide counselling and assistance to members under stressful circumstances;
- 7) to encourage any group or social activity as desired by the general membership of the Society.

3. POWERS

The Society shall mean ANNUAL GENERAL MEETINGS or SPECIAL GENERAL MEETING and shall have power:-

- a) to receive and accept donations of any asset or description whatsoever;
- b) to borrow or raise money with or without security by any means whatsoever including overdraft, as approved by 3/4 majority of the total membership of the Society and resolved at an A.G.M. or S.G.M.;
- c) to affiliate with any non-political and non-religious body whether incorporated or not and to appoint representatives to any such body;
- d) to assist in the establishment of any other Society, Club or Association having similar objects;

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- e) either alone or jointly with any other person, company, club or association to purchase, acquire, hold, develop, improve, maintain, lease (including the power to take and grant leases), and dispose of any real or personal property including shares debentures notes or deposits or other interests whatsoever in any company and to erect, demolish, purchase, hire, maintain or furnish any buildings, improvements, fittings, or appliances and to mortgage or pledge the same as may be considered expedient in the interest and welfare of the Society;
- f) to make any donation or contribution to any benevolent, educational, patriotic, charitable or other non-profit making association;
- g) to do all such acts and things including employment of salaried staff or experts as may be calculated to attain or assist in the attainment of the above objects as the Society in its discretion may from time to time decide;
- h) the income and property of the Society howsoever derived, shall be applied solely towards the promotion of the objects of the Society and no portion thereof shall be paid for or transferred directly or indirectly by way of dividend bonus or otherwise howsoever by way of profit to the members of the Society or to relatives of such members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Society or to any member of the Society in return for any services actually rendered to the Society by any of its members.

4. MEMBERSHIP

- 4.1 Eligibility for Membership - the membership of the Society shall be open to any person of Indian origin, and to any person who expresses interest and involvement in Indian art and culture.

4.2 Category of Membership -

The Society shall consist of:

1. Individual Members
2. Family Members
3. Life Members
4. Honorary Members

The qualification for membership of the Society shall be as follows:-

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(i) Individual Members

Shall be the persons who are subscribers to the Society of annual fees for individual members fixed and determined as hereinafter provided. There shall be no limit to the numbers of Individual Members.

(ii) Family Members

Shall be the persons who have paid a family member's subscription as fixed by the Annual General Meeting of the Society. The family membership shall entitle the members, spouse and dependent relatives to participate in the activities of the Society.

(iii) Life Members

Shall be persons who have made a substantial financial donation to the Society. The amount of the donation will be a minimum of two hundred dollars (\$200.00) or such amount as the Annual General Meeting determine from time to time.

(iv) Honorary Members

Shall be persons who have rendered distinguished service to the Society or otherwise deserve to be honorary members and who shall have been elected by at least a three fourths majority of the members present and voting at a duly convened General Meeting provided that:-

- a) No more than two Honorary Members are elected in any one year, and
- b) the aggregate number of such Honorary Members at the time of any such election does not exceed 10% of the total membership of the Society.

5. SUBSCRIPTIONS

5.1 The annual or other periodic subscription (if any), entitling a person to become and to continue to be a financial member of the Society shall be fixed and determined by the Annual General Meeting of the Society and shall be payable in advance in respect of each financial year or on or before the 30th day of June in each year. Until so fixed and determined, the subscription for an Individual Member and Family Member shall be \$10 and \$15 respectively. No subscription shall be paid by a Life Member or by an Honorary Member.

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5.2 A member having paid all arrears of subscription due to the Society shall be at liberty to withdraw from membership upon giving notice in writing of such withdrawal to the Society and his name shall be removed from the Register as from the date of which his resignation is received.

5.3 No member shall be entitled to attend or vote at any general meeting of the Society or to hold or be represented in any Office thereof, unless all moneys presently payable to the Society have been paid.

6. REGISTER OF MEMBERSHIP

A register of name and addresses of all members of the Society will be maintained and located at the Society Office. Any member who changes his or her address shall notify the Secretary and the change will be recorded in the register.

7. REMOVAL OF NAME FROM MEMBERSHIP ROLL

Subject to these Regulations, a person shall remain a member of the Society while such member's name remains on the membership roll of the Society. It shall be the duty of the Secretary to keep the membership roll up to date according to the information from time to time available to the Secretary.

8. CESSATION OF MEMBERSHIP

Membership shall cease:-

- 8.1 Upon death of a member.
- 8.2 Upon resignation of a member in accordance with regulation 5.2.
- 8.3 The Executive Committee may terminate the membership of any member who fails or refuses to pay the subscription fee on or before 30th June, unless he or she sufficiently justifies his or her action in writing to the President.

8.4 Any member of the Society may have his membership terminated by a 3/4 majority vote in a general meeting upon grounds of behaviour incompatible with the good name of the Society. Such a member shall forfeit all rights and claims upon the Society or its properties. In considering this issue however, the Secretary shall serve a notice to show cause on the member why his/her membership should not be terminated at a general meeting of the Society. This shall be done at least 14 days prior to calling such a general meeting. Such a notice shall state the grounds upon which it is being proposed to the general meeting to terminate his/her membership. The reply to such a notice shall be tabled at the General Meeting for consideration of the members.

9. VOTING RIGHTS

- 9.1 All financial members including life members shall be eligible to vote. In case of the family members, only husband and wife shall be entitled to vote.
- 9.2 Voting at meetings of the Society and its Executive Committee shall be by a show of hands unless the Chairman of the meeting determines otherwise or unless a majority of those present and entitled to vote determine otherwise in which case voting shall be by secret ballot.
- 9.3 At all meetings of the Society whether Annual, Special or of the Executive Committee or other sub-committees, the Chairman shall have a deliberative as well as a casting vote.
- 9.4 If any financial member is prevented for any adequate reason from attending a meeting of the Society, as accepted by Chairman of the meeting, that member may appoint a proxy who shall be a financial member entitled to vote to act at that meeting and such proxy shall upon presenting the members signed authority to act at the commencement of the meeting be entitled to vote on a special proxy form issued by the secretary.
- 9.5 No financial member shall exercise more than one proxy vote at any one time.

10. QUORUM

- 10.1 The Quorum for the Annual or Special General meeting of the Society shall be a minimum of one fourth of the financial members (qualified to vote) present in person.
- 10.2 If at the Annual General Meeting of the Society a quorum is not present within 30 minutes of the scheduled commencement time such meeting shall be postponed.
- 10.3 The Quorum for the Executive Committee of the Society shall be at least one half of the members of the committee and one of whom shall be the President, Vice President or the Secretary.
- 10.4 The Quorum for sub-committees of the Executive Committee shall be determined by the Chairman of the sub-committee.

11. STANDING ORDERS

The following Standing Orders shall govern the conduct of business at all General and Special Meetings, except as otherwise provided in the Rules, or under special privilege:-

a) TIME LIMIT - Time limits for speakers, or for the discussion, may be fixed by the Chairman of the meeting.

- b) PROPERTY OF MEETING - Any motion or amendment having been duly proposed and seconded becomes the property of the meeting and cannot be withdrawn unless withdrawn by the mover.
- c) SECONDING MOTION WITHOUT SPEAKING - Any member who seconds a motion without speaking to it may, at a later period, take part in the debate provided he/she reserves the right to speak later.
- d) REPLY OF MOVER - In all cases the right of reply of mover of the original motion closes the debate.
- e) CHAIRMAN'S RULING - If the Chairman at any time gives a ruling on any matter before the chair, he may be asked to give his reasons. If the reasons given are not deemed satisfactory, any member may, if six other members support him by rising in their places, move that the "Chairman's ruling be disagreed with". If the motion is carried, the Chairman shall forthwith vacate the chair until the matter in dispute is settled, provided that only the reasons given by the Chairman for his ruling can be discussed, and not the subject matter of the original motion or question.
- f) QUESTION BE NOW PUT - a motion moved and seconded "that the question be now put" shall take precedence over all business, and without any discussion must immediately be put by the Chairman. If the motion is carried, the original motion must be put without further debate. Provided that the above motion cannot be moved while a member is speaking.
- g) MOTION IS WITHDRAWN - A motion or amendment may, at any time, by leave of the meeting, be withdrawn.
- h) MOTIONS AND AMENDMENTS - All motions must be moved and seconded. An amendment to the original motion may be moved at any stage of the discussion, provided a speaker is not interrupted. Notice of a further amendment may be given, and the amendment indicated and discussed but if cannot be moved until the first amendment has been disposed of.
- i) AMENDING NOTICE OR MOTION - Any member desiring to amend his Notice of Motion before moving same must ask leave of the meeting, and read the amendment.
- j) AMENDMENTS - An amendment may be made to a motion by:-
- i) Striking out certain words;
 - ii) Striking out certain words and inserting other words;
 - iii) Adding or inserting other words.

- k) AMENDMENTS NOT IN ORDER - Any amendment which supersedes a motion is not in order.
- 1) THE CONDUCT OF MEETINGS of the Society shall be in the English language.

12. ANNUAL GENERAL MEETING

12.1 The Annual General Meeting of the Society shall be held during September of each year, where the office bearers for the ensuing year shall be elected. Following the President's Report and the acceptance of the Financial Statements showing receipts and expenditure and a balance sheet, the President shall declare all positions vacant. He will request the meeting to appoint a Chairman pending the election of office bearers for the ensuing year.

12.2 The Annual Meeting of the Association shall take place for the following purposes:-

- (i) To receive apologies
- (ii) To confirm the Minutes of the previous annual general meeting.
- (iii) To receive the President's Report.
- (iv) To receive, discuss, and accept the Honorary Treasurer's Statement, duly audited.
- (v) To elect members for the Executive Committee for the ensuing year.
- (vi) To fix the Annual Membership Fee for the current financial year.
- (vii) To appoint an auditor and public officer, if necessary.
- (viii) To transact any business of which at least fourteen (14) days' notice has been given to the Secretary.
- (ix) To obtain the views of the members of the Society regarding the functions and activities of the Society for the next year.
- (x) To receive any correspondence.

12.3 The Annual General Meeting of the Society may appoint one person to carry out the functions of auditors of the Society. Such person may be member of the Society but shall not be a member of the Executive Committee. If such appointment is not made at the General Meeting of the Society, the Executive Committee shall make such appointment as soon as possible after the Annual General Meeting.

12.4 Nominations for the offices must be lodged with the Secretary on a prescribed form signed by two financial members qualified to vote and assented to in writing by the nominee seven (7) days before the Annual General Meeting. The proposer and seconder must be present at the Annual General Meeting.

12.5 Fourteen days notice of the Annual General Meeting shall be given by the Secretary to each Member stating the business and informing the members as to the nominations for the positions on the Executive Committee.

13. SPECIAL MEETINGS

13.1 The President may call Special General or Committee Meetings whenever he shall think fit, and must call a Special General Meeting within seven (7) days of receiving a requisition signed by ten (10) full members or a Committee Meeting on a requisition signed by five members of the Committee, each requisition to state the object for which the meeting is to be called. Fourteen (14) days' notice of such Special Meeting must be given to members.

13.2 Should a quorum as required by regulation 10.1 is not present within 30 minutes of the scheduled commencement time, the Special General Meeting shall be adjourned for seven (7) days. If at the adjourned Special General Meeting a quorum is not present, the meeting shall lapse.

14. NOTICE OF MEETINGS

At least seven (7) clear days notice of any other meeting not provided herein before of members shall be given to all members, stating in general terms the business to be transacted. The accidental omission to give notice of any meeting of the Society or the Executive Committee to or the non-receipt of notice of a meeting by any member, shall not invalidate the proceedings of such meeting.

15. MINUTES OF PROCEEDINGS

The proceedings of the Annual General Meeting, Special General Meeting and Meetings of the Executive Committee, shall be recorded in a minute book which shall be available on application to the Committee for inspection by any member. Such minutes shall be submitted for confirmation at the next meeting of members or of the Committee (as the case may be) and when confirmed, they shall be prima facie evidence of such meeting.

16. EXECUTIVE COMMITTEE

16.1 There shall be an Executive Committee of the Society which shall consist of:-

1. President
2. Vice President
3. General Secretary
4. Treasurer
5. Assistant Secretary
6. Assistant Treasurer
7. Three members

16.2 The Annual General Meeting shall elect the members of the Executive Committee from among the nominations for respective positions received in accordance with regulation 12.4 of these regulations.

16.3 Any member who has paid his subscription shall be eligible to serve on the Executive Committee in any capacity provided always that:-

- a) a president who has served as president for two re-election for presidency for the following term;
- b) persons who have served as Vice President, Secretary, Treasurer, Assistant Secretary or Assistant Treasurer for three consecutive terms shall not be eligible for re-election to the same position for the following term.

16.4 In the event of a vacancy in the Executive Committee:-

- a) If there is three (3) or less, the remaining members shall have the right to co-opt from the voting members except for the positions of the President and Secretary, who shall be elected at an emergency general meeting convened in accordance with regulation 14.
- b) If there are more than three vacancies, an emergency general meeting shall be called to fill these vacancies. However, the Executive Committee shall be empowered to decide the time of calling such an emergency general meeting which shall not be later than three (3) weeks from the occurrence of last vacancy.
- c) If a member of the Executive Committee fails to attend three (3) consecutive Executive Committee meetings without valid reasons, the member is deemed to have resigned and the Executive Committee may appoint a member in accordance with sub-regulation (a) of this regulation.
- d) If an office bearer of the Executive has continuously remained absent at the meeting of the Executive Committee for a period of three (3) months, he shall be deemed to have resigned and the vacancy so created shall be filled in accordance with the sub-regulation (a) of this regulation.

16.5 The duties and powers of the office bearers of the Executive Committee are as follows:-

- a) The President
 - (i) Preside as Chairman of all meetings of the Society at which he/she is present.
 - (ii) He/she shall advise the Secretary and the Treasurer as occasion may require and generally superintend the conduct of the affairs of the Society.

- (iii) He/she shall be ex-officio a member of all sub-committees and delegations.

- (iv) He/she may in emergency take any action that may be deemed necessary to conserve the interest of the Society provided that notification of any action shall be made to the Executive Committee members forthwith and ratified at the next Executive Committee meeting.

b) Vice President

In the absence of the President of the Society, the Vice President of the Society shall undertake the duties and exercise the power of the President, until such time as the President resumes his office or a new President is elected as per item 16.4 a).

c) Secretary
The Secretary of the Society shall have the following duties and powers:-

- (i) He/she shall keep a register of members showing their full names and addresses with telephone numbers. The list should also include whether the member has paid the annual subscription.

- (ii) He/she shall record the minutes of the proceedings of the Society.

- (iii) He/she shall send out notices of all meetings of the Society in accordance to the rules and regulations laid down in this constitution.

- (iv) He/she shall conduct correspondence for the Society wherever necessary or should notify the President to do the same when required.

- (v) He/she shall generally conduct the affairs of the Society and the sub-committees in accordance with the directives of the Executive Committee.

d) Assistant Secretary

- (i) The Assistant Secretary of the Society shall perform all the duties of the Secretary in his/her absence, until such time as a new Secretary resumes his office or the Secretary resumes his/her duties.

- (ii) Further to this the Assistant Secretary shall assist the Secretary in whole or part of the duties of the Secretary so as to help the Secretary in running the affairs of the Society effectively.

- (iii) Finally he/she shall be responsible for dissemination of information including circulars and monthly letters to the members.

e) Treasurer

The Treasurer of the Society shall have the following powers and duties:-

- (i) He/she shall collect the annual subscriptions of the members and all the moneys payable to the Society and pay accounts in accordance to the directions of the Executive Committee. All cheques shall be signed in accordance with the conditions laid down in the item of SEAL HOLDERS of the Society.
- (ii) He/she shall keep proper accounts of all moneys received and expended on behalf of the Society.
- (iii) He/she shall prepare a statement of receipts and expenditure for the year and submit the same duly audited by an Auditor appointed by Annual General Meeting.
- (iv) He/she shall submit a roll of members who have not paid their subscriptions to the Executive Committee for consideration by the Executive Committee every three months.
- (v) He/she shall give a brief financial report at all Executive Meetings.

f) Assistant Treasurer

- (i) The Assistant Treasurer of the Society shall perform all the duties of the Treasurer in his/her absence, until such time as a new Treasurer assumes office or the Treasurer resumes his/her duties.
- (ii) Further to this the Assistant Treasurer shall assist the Treasurer in whole or part of the duties of the Treasurer, especially in the collection of subscriptions from members.

16.6 The functions of the Executive Committee are as follows:

- (i) The Executive Committee shall be responsible for organising programmes and activities to achieve and further the objects as detailed in regulation 2.
- (ii) To manage the affairs of the Society in accordance with any direction given by the meeting of the Society.

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16.7 The powers of the Executive Committee are as follows:-

- (i) To do all things necessary or desirable in its opinion to carry out the objects of the Society as outlined in regulation 2.
- (ii) To submit any recommendation to the general meeting.
- (iii) To convene a meeting of the members to transact any business it deems necessary.
- (iv) To exercise any powers of the Society contained in regulation 3 on being duly authorised to exercise such power or powers by the general meeting of the Society provided always that in matters which affect the financial liabilities of the members, the Executive Committee before seeking power to commit the Society to any financial liability, shall make a full disclosure to the members of all matters relevant on the question of such liability.
- (v) To insure properties of the Society.
- (vi) To employ or dismiss any salaried staff.
- (vii) To authorise the President and the Treasurer to execute any contract or document conditional upon approval of the general meeting.
- (viii) To select delegates to any body, club or association.
- (ix) To co-opt any member or expert to assist in its function provided always that such co-opted person shall have no right to vote on a matter before the Executive Committee.
- (x) To appoint sub-committee or sub-committees as may be necessary to carry out the activities of the Society. The Executive Committee shall nominate a convener of such Committee. The procedures and duties of the sub-committee shall be regulated by the Executive Committee.
- (xi) To hire or lease any property to carry out any function or programme of the Society.
- (xii) To carry out all directions of the general meetings.

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17. LIABILITY OF OFFICE BEARERS

The liability of the office bearers and member's debts, obligations or any other liability of the Society shall be limited to the amount of subscription due and owing by the member.

18. ALTERATION OF CONSTITUTION

This Constitution may be altered at any General Meeting of the Society when notice of the proposed alteration is included in the notice of meeting given to members. No motion for alteration shall be deemed to be carried unless supported by two thirds of the total membership. All voting in respect of any alteration to the Constitution shall be by secret ballot.

19. COPIES OF CONSTITUTION

A copy of the Society's present Constitution and any Rules made thereunder shall be signed by the present President and Honorary Secretary and dated and given to each member, the Society's banker (for safe keeping). It shall be the responsibility of the President and the Secretary to ensure that any alterations to the Constitution of the Society is noted on all such documents lodged as aforesaid. A full copy of the Constitution will always be made readily available for any member's perusal upon a verbal application to the Honorary Secretary at any reasonable time.

20. WINDING UP

The Society may be dissolved at any time upon resolution carried at a General Meeting of the Society in the same manner as a resolution to amend the Constitution and subject to the formalities required for amendment to this Constitution. Upon such resolution being carried any property of the Society remaining after payment of all debts and legal liabilities shall be disposed off as directed by the General Meeting.

21. SEAL HOLDERS OF THE SOCIETY

The President, Treasurer and Secretary shall be the Seal Holders of the Society. Any two of the three (3) Seal Holders may operate a Bank Account, execute and affix the seal of the Society on any legal document for and on behalf of the Society. The Seal Holders on the consent of the Annual General Meeting shall be authorised to invest the surplus funds in any Government Securities or real estate as agreed to in the said meeting.

MANAGEMENT COMMITTEE 1982-83

President:	Mr C D Sharma
Vice-President:	Dr V N Misra
General Secretary:	Mr C Sri-Pathmanathan
Treasurer:	Mr D N Patel
Committee Members:	Dr Meena Kiroloskar Mrs Sarojini Raut Mr S C Sharma Dr M Patil Mr S Jayaraman

..C. S. Pathmanathan..
President
.....C. S. Pathmanathan.....
Secretary

24/4/83 Date