



Connecting Amil Community Worldwide

The Khudabadi Amil Panchayat of Bombay

*(Registered under Societies Registration Act XXI of 1860
and under Bombay Public Trusts Act of 1950)*

ESTABLISHED IN 1952



CONSTITUTION & RULES



Address :

1-A, Sindhu House, Nanabhai Lane, Flora Fountain, Mumbai - 400 001.



Connecting Amil Community Worldwide

The Khudabadi Amil Panchayat of Bombay

MEMORANDUM OF ASSOCIATION **OF** **KHUDABADI AMIL PANCHAYAT, BOMBAY**

1. Name - That the name of the society is Khudabadi Amil Panchayat, Bombay
2. The aims and objects for which the society is established are :-
 - (a) To help by way of charity the members of the Amil community in any of the following ways :-
 - 1) To help the poor and needy members of the community in any manner, financial or otherwise and to help to rehabilitate and to resettle them.
 - 2) To educate the children of the Amil community by starting secondary, industrial and other institutions pertaining to education.
 - b) To publish a monthly magazine for promotion of Science, literature and for diffusion of useful knowledge among the members.
 - c) To start and afford free literature and reading rooms for general and common use.
 - d) To collect all charitable funds and monies lying in trust with various persons or bodies of persons and put such funds or trusts on sound legal working basis in a manner that the poor and needy members of the community derive the best advantage out of the same.
 - (e) To accept any bequest or gift or donation whatsoever whether of money or of any property for any of the purpose of panchayat.

The following are the names and addresses and occupations of the members of the Managing Committee of the abovenamed society.

Names	Addresses	Occupation
1) Shri Fatechand Assudomal (President)	22 Honey in View, Backbay Reclamation, Bombay	Advocate
2) Shri Jagatrai Issardas Shivdasani (Vice-President)	Radha Parsram Niwas, 9/B/8 Sion Sindhi Colony, Bombay	Govt. Pensioner
3) Shri Wadhumal Hukumatrai Alimchandani (Hon. Secretary)	403, Seacraft, Woodhouse Road Colaba, Bombay	Merchant
4) Shri Tahilram Assudomal Gurbuxani (Jt. Secretary)	Kurla Shantinagar Bombay	Advocate High Court, Bombay
5) Shri Hassasingh H. Advani	Nanik Niwas, Block No. 1, Warden Road, Bombay - 26	Architect & Engineer
6) Shri Gobindram B. Vaswani	Nanik Niwas, Block No. 1, Warden Road, Bombay - 26	Architect & Engineer
7) Shri Jhamrai Gidumal Advani	Sham Niwas, Block No. 9, Warden Road, Bombay - 26	Private Service
8) Shri Naraindas N. Gidwani	46, Block No. 9, Sham Niwas, Warden Road, Bombay	Architect & Engineer
9) Shri Doulat T. Punwani	C-16, Chottu Terrace, Colaba, Bombay - 5	Service Reserve Bank of India
10) Shri Tarasing H. Advani	5, Garden View, 756, Manchherji Joshi Road, Parsi Colony, Dadar, Bombay	Film Producer

RULES AND REGULATIONS

1) NAME :

The name of the Panchayat shall be THE KHUDABADI AMIL PANCHAYAT, BOMBAY, in which are incorporated the Khudabadi Amil Panchayat, Hyderabad Sind & the Hyderabad Amil Panchayat Karachi.

2) OFFICE :

The office of the Panchayat shall be at Bombay Gur Mandir, Warden Road. The Panchayat may also have sub offices at such places in India as may from time to time be found necessary or expedient.

3) AIMS AND OBJECTS :

The Aims and objects for which the Panchayat is established are defined in the Memorandum of Association and implementation of all such objects will be made by any of the following :

- a) To help by way of charity to the members of the Amil community in any of the following ways :-
 - 1) To help the poor and needy members of the community in any manner, financial or otherwise and to help rehabilitate and resettle them by providing a house on rent or through Housing Society formed for that purpose and to form any housing scheme out of the funds of the Panchayat.
 - 2) To educate the children of the Amil community by starting secondary, industrial and other institutions, pertaining to education.
- b) To publish a monthly magazine for promotion of science, literature and for diffusion of useful knowledge among the members.
- c) To start and afford free literature and reading rooms for general and common use.
- d) To collect all charitable funds and monies lying in trust with various person or bodies of persons and put such funds or trusts on sound legal working basis in a manner that the poor and needy members of the community derive the best advantage out of the same.
- e) To accept any bequest or gift or donation whatsoever, whether of money or of any property for any purpose of the Panchayat.

- f) To enroll Patrons, Life Members and secure donation from them.
- g) To take as depositors raise any money to finance the Housing Society if it becomes necessary to do so.

MEMBERSHIP

4) ELIGIBILITY :

- (a) Every Khudabadi Amil who is 21 years of age or over shall be eligible for membership of the Panchayat. Persons belonging to families or brotherhoods which were recognised by the Khudabadi Amil Panchayat of Hyderabad Sind or its branch organisation at Karachi as eligible for membership and are not members of any other community Panchayat and are of 21 years of age or over will also be eligible for membership.

Any other person belonging to a family or a brotherhood, provided he is a Sindhi Hindu by birth, and has relationship or affinity with any family or brotherhood recognised by the Khudabadi Amil Panchayat of Hyderabad Sind or Karachi can apply to become a member of the Panchayat to the Managing Committee and it shall be optional with the Managing Committee to accept such person as a member or to reject his application for membership without assigning any reason therefore. The decision of the Managing Committee in this behalf shall be final.

(b) CONDITIONS FOR ADMISSION OF NON KHUDABADI AMILS :

For the purposes of admitting non Khudabadi Amils to membership, the Managing Committee shall be entitled to impose such conditions as to powers of voting, holding office, period of membership etc., as they may deem fit at the time of each such respective admission. No person who is not a Sindhi Hindu and has not attained the age of 21 shall be admitted as a member at any time whatsoever.

(c) CONDITIONS FOR ADMISSION OF NON KHUDABADI AMILS :

The decision of the Managing Committee for admission of members shall be by majority vote, provided that for admitting non-khudabadis the admission shall be valid only if twenty members or three-fourths of the total number of the members of the Managing Committee whichever is less, vote in favour of such admission at a meeting at which due notice of such a matter has been given to members.

5) PATRONS AND LIFE MEMBERS :

The Managing Committee may enrol Patrons and Life Members and fix the amounts payable by them and lay down the privileges which such members shall enjoy.

6) APPLICATION FOR MEMBERSHIP :

A person eligible for membership and being desirous of joining the Panchayat shall apply on a prescribed form together with a sum equal to admission fee, if any at the time, and the subscription for the current year. Such application shall be placed before the Managing Committee for disposal.

7) ACCEPTANCE OF RULES & BYE-LAWS

- a) Admission to membership shall be taken as conclusive proof of assent to the rules and bye-laws of the Panchayat for the time being in force. All members shall be bound by the decisions and interpretations of rules by the Managing Committee till such time as same are revised by the General Body on an appeal from a member who feels aggrieved by such decision and/or interpretation.

b) SUMMONS TO ATTEND :

A member, if and when called upon to attend a meeting of the Managing Committee or any Sub committee or enquiry Committee to assist in the investigation of any complaint relating to himself or any other person shall be bound to do so. If a member fails to attend such meeting without adequate cause or wilfully avoids service of notice to attend such meeting, it shall be competent for the body before which he is required to attend to proceed in his absence, and the decisions taken in his absence shall be deemed to be valid in the manner in which they would be if he were present. Such committee shall be further competent to impose such "dharmao" or penalty or to pass such censure against the defaulting person for his wilful defiance of the committee's summons, as they may deem proper.

8) RETIREMENT FROM MEMBERSHIP :

- a) A member being desirous of retiring from the membership of the Panchayat shall give written notice of his intention to do so, and the Managing Committee shall be prepared to strike off his name from the roll on receipt of such notice, provided that the Managing Committee shall at all times be competent to call upon such retiring member to pay up the arrears of his dues if any to the Panchayat or to complete a specific function allotted to him before such retirement is effective.

b) EXPULSION OR DISQUALIFICATION :

The Managing Committee may, on their own initiative, or on an application from not less than ten members of the Panchayat, consider the question of expelling or disqualifying or taking any other action against a member of the Panchayat. The decision to expel or disqualify a member shall, however be effective only provided the member to be expelled or disqualified

has been given adequate opportunity to explain his conduct to the Managing Committee or to an investigation sub committee appointed expressly for the said purpose, by the Managing Committee. The report of the investigation / sub committee shall be put before the managing committee for consideration. A resolution of the Managing Committee expelling or imposing a disqualification on a member shall be carried by the support of 20 members or three fourths of the total number of members constituting the committee at the time, whichever is less. The member so expelled or disqualified shall be at liberty to appeal to the General Body against the decision of the Managing Committee, provided such appeal shall have been lodged with the secretary not later than thirty days after such decision of the Managing Committee has been communicated to the member concerned. In the event of such an appeal being filed, the decision of the Managing Committee shall remain in suspense and status quo maintained in respect of the privileges of the appealing member, till such time as the decision of the General Body is known. The General Body on consideration of such an appeal may confirm or reverse the decision of the Managing Committee, provided such confirmation shall be valid only if supported by two thirds of the members present at the meeting called for the purpose.

No member expelled, suspended or disqualified under this clause shall be entitled for refund of subscription or admission fee. Such member shall be eligible for admission to membership afresh on the expiry of five years after such action against him in the usual course, unless the General Body has prescribed a shorter period in this behalf.

9) FEES AND SUBSCRIPTIONS :

- a) The general body may from time to time fix admission fee payable by all members seeking admission as members, which shall in no circumstances be refunded.
- b) The annual subscription for membership or affiliation shall be such sum as the General Body may from time to time determine, payable in advance, either annually, bi-annually or quarterly as may be directed by the Managing Committee from time to time. The General Body may lay down rules for levy of graded subscriptions against members having fairly

MANAGING COMMITTEE

10) MANAGEMENT IN HANDS OF MANAGING COMMITTEE :

The Management of the Panchayat shall be under a committee elected annually by the General Body, and shall consist of a President, Vice-President, a General Secretary, a Joint Secretary, a Treasurer and eleven other members. The General Body may from time to time increase the number of ordinary members of the Managing Committee if same is found necessary for the purpose of giving representation to various affiliating or federating units of the Panchayat in different areas or for any other purpose.

11) ADDITIONAL MEMBERS :

The managing Committee may from time to time co-opt additional members to the Committee. Such additional members shall retire at the next ordinary general meeting unless they have been co-opted for a specific purpose, in which case they shall retire as soon as the said purpose has been fulfilled. Such co-opted members may or may not be the members of the Panchayat.

12) ELECTIONS TO OFFICE AND NOMINATIONS :

A member willing to serve and eligible for election whether as an office bearer or as a member of the Managing Committee or Auditor shall be duly proposed by one member and seconded by another member duly qualified to vote. The letter of proposal duly endorsed by the person proposed, expressing his acceptance of office, if elected, shall be forwarded to the Secretary at least seven clear days from the date fixed for election. No person who is in arrears of his subscriptions and other Panchayat dues for more than six months, or a person who has not been a member at least three months before such meeting at which election is held shall be eligible for being proposed for election or for exercising his vote subject to the provisions of clause 10 above.

13) CASUAL VACANCY IN MANAGING COMMITTEE :

Any casual vacancy occurring amongst the members of the Managing Committee, whether office bearers or otherwise, may be filled up by the remaining members of the Managing Committee. Any person so chosen from amongst the members of the Panchayat shall hold office only till the next general elections.

14) ABSENCE FROM MANAGING COMMITTEE :

If any member of the Managing Committee is absent from the meetings of the Managing Committee for more than three consecutive meetings, he shall, unless he has obtained previous leave of absence, be deemed to have vacated his seat and he shall be notified by the secretary accordingly. Such member shall be eligible for re-election by the Managing Committee as per clause 12 above.

15) POWERS OF MANAGING COMMITTEE :

The powers of the Managing Committee shall be :

- a) To incur expenditure for the use of and advancement of all work connected with the Panchayat and make provision for offering facilities to members on all occasions.
- b) To make rules on all matters relating to the procedures to be followed on social occasions, for levy of fees and 'lagas', exercise of sanctions and penalties, conduct of elections, delegation of power, appointment of sub-committees, affiliation of federating units and shall generally exercise all powers within the competence of the Panchayat as the chief executive functionary of the Panchayat.
- c) To exercise such other powers as may be delegated to it from time to time by the General Body.

16) MEETINGS & REGULATIONS FOR PROCEDURE AT MEETINGS :

The Managing Committee shall meet at such times as they may deem and advisable and make such regulations as they may think proper as to the summoning and holding of meetings of the committee and for the transaction of business at such meetings.

17) REQUISITION FOR A SPECIAL MEETING :

At least three members of the Managing Committee shall be required for signing a requisition for a special meeting of the Managing Committee and within 10 days of receipt of such requisition the secretary shall proceed to call a special meeting of the Managing Committee to consider the proposition contained in the requisition, failing which the requisitionists themselves may proceed to call a meeting.

18) CHAIRMAN

The president or in his absence vice-president shall be entitled to preside at all meetings of the Managing Committee and General Body. In the event of their being absent or their declining to preside, the members present may elect any one from amongst themselves to preside for the time being.

19) HONORARY SECRETARY & JT. SECRETARY TO ACT AS EXECUTIVE OFFICERS :

The Honorary Secretary, assisted by the Joint Secretary shall BE EMPOWERED to (a) keep control over the paid staff (b) to give use of Panchayat property, moveable or immoveable to members on such payments as may be fixed by the Managing Committee (c) to keep or cause to be kept a general register of all members and be in charge of the subscription register, (d) to exercise such powers as are delegated to him by the Managing Committee and (e) to act as the Executive Officer of the Managing Committee, issue notices for meetings, maintain agendas and minutes of meetings, and to do or cause to be done such other acts as are found necessary and expedient for the functioning of the Panchayat.

20) QUORUM FOR MANAGING COMMITTEE MEETINGS :

Seven members of the Managing Committee duly entitled to vote shall form the quorum for the transaction of the business of the Managing Committee.

21) VALIDITY OF ACTS :

All acts done at any meeting of the Managing Committee or by any member acting as a member of the Managing Committee and on behalf of the Managing Committee, shall notwithstanding that it shall be discovered afterwards that there was some defect in the appointment of such committee or person acting as committee member or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be the Committee member.

22) ACCOUNTS AND AUDITS

The financial year of the Panchayat shall commence on the 1st January and end on 31st December in each year. The Managing Committee, through the Treasurer shall maintain proper books of accounts and have the same audited every year by the Auditor, such audited accounts shall be placed before the General Body at its ordinary general meetings.

23) ANNUAL REPORT

The Managing Committee shall submit to the ordinary general meeting a report of the work done by the Panchayat together with the statement of account duly audited as provided in clause 22 above, showing all monies received and expended during the previous financial year, and a balance sheet containing the summary of the assets and liabilities of the Panchayat made upto the previous 31st December. A printed copy of the report, the statement of accounts and the balance sheet, signed by the secretary, the treasurer and atleast five other members of the Managing Committee shall be sent to the members not less than seven days previous to the ordinary general meeting.

POWERS OF THE PANCHAYAT

24) PANCHAYAT TO CATER FOR AND ARRANGE ACTIVITIES BENEFICIAL TO COMMUNITY :

The Panchayat shall be entitled to exercise the following powers :-

- a) To fix and levy fees from Patrons, Life members and other members and affiliating panchayats
- b) To fix and levy dues on occasion of marriage, death and such other occasions as they may deem fit.
- c) To collect donations, receive trust monies and other properties, to constitute and conduct trusts and to do all things necessary for the betterment of the Khudabadi Amils and for fulfillment of the aims and objects of the Panchayat.
- d) To purchase, acquire, own, sell, exchange, hire, mortgage, release and otherwise deal with property both moveable and immovable, belonging to the Panchayat.
- e) To make arrangements for administration of properties in their hands.
- f) To admit new members
- g) To control income and expenditure in the form of making and sanctioning budget or in any other manner.
- h) To fix sanctions, punishments and penalties, for those members of the community who transgress social laws, customs, conventions or rules of the Panchayat and to enforce the same.
- i) Generally to do or cause to be done such other things or acts as are incidental or conducive to the attainment of the objects of the Panchayat or any of them.

GENERAL BODY MEETINGS

25) GENERAL MEETINGS :

General Body Meetings shall be held once atleast every year at such time, not being more than fifteen months after the holding of the last preceding general meeting, but ordinarily in the month of March at the office of the Panchayat or at such other place as may be determined by the Managing Committee. Such general meetings shall be called "ORDINARY GENERAL MEETINGS," and all other General meetings shall be called "EXTRA ORDINARY GENERAL MEETINGS".

26) EXTRA-ORDINARY GENERAL MEETING :

The Managing Committee may, whenever they think fit and shall on a requisition made in writing by at least 20 members, call an Extra-ordinary General meeting.

27) REQUISITION :

Any requisition made by the members shall state the objects of the meeting proposed to be called, and shall be signed by the requisitionists and deposited at the office of the panchayat or with the secretary.

On receipt of such requisition, the Managing Committee shall forthwith proceed to call an Extra-ordinary General Meeting. If they do not proceed to call a meeting within 30 days from the date of the receipt of the requisition, the requisitionists may themselves call a meeting.

28) NOTICE OF MEETINGS :

At least 15 days notice for every ordinary general meeting, 10 days notice for every extra-ordinary general meeting and 3 days notice for the meetings of the Managing Committee and all subcommittees specifying the date, place, hour of the meeting, and agenda shall be given to members entitled to such notice. Non-receipt by any member of such notice shall not invalidate the proceedings at any meeting. A notice may be either given personally or by sending it by post to the recipients's last known address. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, pre-paying postage and posting a letter containing the notice and unless contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post. A notice may also be given to members or any of them by insertion of advertisement to that effect in newspapers circulating in the neighbourhood where such member or members normally reside, or where the office of the Panchayat is situated and such notice shall be deemed to have been served on the day on which such advertisements appear.

29) ORDINARY GENERAL MEETINGS :

At an ordinary general meeting of the Panchayat, the annual report and the audited statement of accounts and balance sheet submitted by the Managing Committee shall be placed before the members for consideration and necessary action. Any subject relating to the accounts and the working of the Panchayat, whether arising out of the report or otherwise may be discussed at such meeting, but no resolution upon any matter except a resolution of condolence shall be put to the meeting, unless the same is recommended by the Managing Committee or unless ten days notice in writing shall have been given by the sponsor of the said resolution to the managing committee or his intention to move a resolution, and discussion shall be confined thereto or any reasonable amendment thereof. Notice of any such resolution, shall, immediately upon receipt by the Managing Committee, be given to every member of the panchayat, but non-receipt of such notice by any member shall not prevent the resolution being put to the meeting.

The ordinary general meeting shall also elect office-bearers, members of the managing committee and the auditor who shall hold office till the next ordinary general meeting.

30) QUORUM FOR GENERAL MEETINGS :

No business shall be transacted at any general meeting unless a quorum of members is present at the meeting throughout its duration. The quorum for a general meeting shall be 30 members or one tenth of the total number of members on the roll duly entitled to vote which ever number shall be lesser of the two.

31) PROCEDURE IN ABSENCE OF QUORUM

If within 30 minutes from the time appointed for any meeting whether of Managing Committee or of the General body, a quorum of members is not present, the meeting if called on the requisition of the members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week at the same time and place; and if at such adjourned meeting a quorum of members is not present, those members who are present shall be deemed to be a quorum and may do all business which a full quorum might have done.

32) VOTE :

Every member, unless prevented by any provision in these rules, as a result thereof, shall have one vote. The Chairman shall be entitled to exercise a casting vote in the event of a tie.

33) METHOD OF VOTE

At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless otherwise decided by the meeting, or unless a poll is either before or on the declaration of the result of the show of hands demanded by atleast 3 members duly entitled to vote. Unless a poll is so demanded, a declaration by the Chairman that the resolution has on a show of hands been carried, or defeated, or carried unanimously, or by a particular majority, as the case may be and entry to that effect in the minute book of the Panchayat shall be conclusive evidence of the fact without proof of the number or proportion of the votes in favour of or against the resolution. No poll shall be permissible in cases where voting has been held by ballot.

34) POLL :

If a poll is demanded in the manner aforesaid, the same shall be taken in such manner as the Chairman directs and the result of the poll shall be deemed to be a resolution of the meeting at which the poll was demanded. A poll demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith. A poll demanded on any other question shall be taken at such time and place as the Chairman of the meeting directs.

35) AUDITOR

An auditor who shall not be a member of the Managing Committee shall be elected annually at the ordinary general meeting. Any casual vacancy in the post of the Auditor during the year shall be filled by the Managing Committee from amongst the members of the Panchayat, who are not members of the Managing Committee.

36) GENERAL BODY SUPREME AUTHORITY :

Notwithstanding anything to the contrary contained in these rules, the general body of the panchayat shall at all times remain the supreme body and exercise control over the functions and actions of the managing committee, the office bearers, the members of the Panchayat and the members of the Khudabadi Amil community.

37) AMENDMENTS :

The Managing committee may on its own initiative and shall, on the request of a member place before the general body at the earliest opportunity, any proposals for changes, additions, alterations, deletions in the Rules, Regulation of the bye-laws of the Panchayat.

SUCH PROPOSAL shall be deemed to have been passed if two thirds of the members present and qualified to vote at the meeting at which such proposals are considered, vote in favour of the same and provided further, that notice of at least thirty days shall have been given to members for a meeting at which any resolution in respect of amendment of the Rules is to be considered.

REGISTRATION OF THE PANCHAYAT

38) REGISTRATION & FIRST MANAGING COMMITTEE :

On the registration of the Panchayat, application for membership shall be invited by public notice and private efforts of the provisional committee consisting of Messers. 1) Fatehchand Asudomal 2) Khanchand Gopaldas 3) Jagatrai Issardas 4) Wadhupal Hakumatrai 5) Hassasing H. Advani 6) Jhamrai Gidumal 7) Tahilram Asudomal 8) Tarasing H. Advani 9) Doulat T. Punwaney 10) Hotchand Tarachand 11) Pessumal H. Hiranandani 12) Diwanimal H. Hiranandani, elected for the purpose at a general public meeting of Khudabadi Amils held on 24th February 1952 at 10.30 a.m. at Cama Hall at Bombay and as soon as 50 members or more are duly enrolled, a meeting of such members shall be called. This meeting shall be deemed to be the first ordinary general meeting for the purpose of electing the Managing Committee, the Auditor and other office bearers of the Panchayat. The Managing Committee and office-bearers elected at such first ordinary general meeting shall hold office till the next ordinary general meeting which shall be held not later than 31st March 1953.