

UTTARAYANI

Societies Registration Act XXI of 1860

Registration No.30390 of 1996

17th October 1996



Amendments

in

MEMORANDUM OF ASSOCIATION

AND

RULES & REGULATIONS

AS ON 22 FEB 2025

Uni/MoA/2024-25

Sub Divisional Magistrate and Registrar of Societies
~~Sector 10, Dwarka~~
New Delhi

/HQ (SW)

Sub : Amendments to Memorandum of Association and Rules & Regulations of Uttarayani, Registered No.S-30390 of 1996 dated 17 October 1996.

Dear Sir,

UTTARAYANI" is a non-profit making charitable non-political Society registered in Delhi wef 17 Oct 1996, under Societies Registration Act 1860 vide registration No S-30390 of 1996. The primary objectives of the Society, when registered, were to promote amity, cultural and educational wellbeing and such other activities amongst the members of the society and people of hill region of Uttar Pradesh.

Since its registration in 1996, State of Uttarakhand has been carved out of Uttar Pradesh, the membership of the Society has increased manifold and the address of the Society has also changed. These and the two decades plus that have gone by since the Society's registration have necessitated changes to it's Memorandum of Association and Rules & Regulations.

The Governing Body of the Society, carried out necessary amendments to the MoA and Rules & Regulations of the Society as per laid down procedure. The following documents are forwarded herewith for your approval of the Amended MoA and the Rules & Regulations of the Society.

1. Two complete sets of amended MoA/RR duly signed by members.
2. Valid proceedings (notice duly received by all the members and the minutes signed by the quorum) of General Body in which the resolution for amendments was confirmed by 3/5th of the members present.
3. Valid proceedings (notice duly received by all the members and the minutes signed by the quorum) for governing body meeting vide which the resolution for amendments to the existing provisions was recommended.
4. Comparative statement of amendments i.e. existing and proposed.
5. Original RC MoA, RR
6. No Objection Certificate with ownership proof. (In case of change of address)
7. No dispute affidavit by the President and Secretary of the Society.

8. Up-to-date annual list of governing body (year wise) in terms of Section 4 of the Act.
9. Valid proceedings (notice duly received by all the members and the minutes signed by the quorum) for addition and deletion of members over the years and for holding elections as per the rules of the society, over the years.
10. Membership register. (Name and address of member, Occupation, Date of Joining, Date of Resignation/Death/Termination).

You are requested to accord necessary approval to the amended MoA and Rules and Regulations of the Society for its smooth functioning.

Sincerely


(Raj Kumar Barhiwal)
President, Uttarayani

UTTARAYANI
Amended
Memorandum of Association
And
Rules & Regulations

MEMORANDUM OF ASSOCIATION OF UTTARAYANI

1. NAME OF THE SOCIETY :

The name of the Society shall be – UTTARAYANI

2. REGD. OFFICE OF THE SOCIETY :

The registered office of the Society shall remain in Delhi and at present is at
302-303, Bhikaji Cama Bhawan,
Bhikaji Cama Place,
New Delhi 110 066.

3. AIMS AND OBJECTIVES :

Uttarayani shall be a non-profit making charitable non-political society with the following aims and objectives:

- (i) To Foster and create a sense of brotherhood, unity, cooperation, love and affection amongst the members of the society and the people of hill region of UTTARAKHAND and also among general public in order to achieve maximum coordinated results.
- (ii) To promote educational, literacy, social and cultural activities amongst the members of the society and the people of hill region of **UTTARAKHAND** and to open Community Halls, Cultural and Educational Centres.
- (iii) To arrange and organize social, educational and cultural functions / programmes from time to time.
- (iv) To Conduct awareness programmes to throw the light on the problems, relating to health, Sanitation Child labour, Alcoholism, Drug addiction, Social evils and other incidental subjects.
- (v) To arrange and organize seminars, conferences and meetings for the attainment of Aims and Objectives of the society.
- (vi) To publish books, charts, illustrations, magazines, souvenirs in furtherance of Aims and Objectives of the society from time to time.
- (vii) To gather and provide information about the facilities, infrastructure, intended for people of the hill region of **UTTARAKHAND**, in the members of the society and the public in general.
- (viii) To accept donations grants, presents and other offerings, movable or immovable properties from any person, firm company, institution, society, organization and Government **as well as from abroad as per rules & regulations of Government of India**, for the attainment of the Aims and Objectives of the society.

- (ix) To contribute, subscribe donations to other institutions, organizations with similar Aims and Objectives as that of the society on such conditions as approved by the society.
- (x) To undertake all such other activities which may be incidental and helpful for promotion and Achievement of the Aims and Objectives of the Society.
- (xi) To work for the benefit and upliftment of handicapped and mentally retarded children.

All the income earnings, movable, immovable properties of the Societies shall be solely utilized and applied towards the promotion of the Aims and Objectives of the society set forth in the Memorandum of Association and no profit on thereof shall be paid or transferred directly or indirectly by way of dividends bonus profits or in any manner whatsoever to the present or past member of the Society or to any person claiming through any or more of the present or past members. No member of society shall have any personal claim on any movable or immovable properties of the society or make any profit, whatsoever by virtue of his membership.

The GOVERNING BODY of Uttarayani shall be constituted in accordance with its rules. The name, addresses and designations of the present members of the Governing Body to whom the management and affairs of the society are entrusted as required under section 2 of the Societies Registration Act, 1860.

RULES AND REGULATIONS

1. **NAME OF THE SOCIETY** : UTTARAYANI

2. **MEMBERSHIP** :

(i) **PRIMARY MEMBERSHIP** :

"Group A / Class I Officers with mandatory origin or natives of the hill region of the state of Uttarakhand of the Central or the State Government / Union Territory Administration and Officers of equivalent rank of Central or State Public undertakings, Armed Forces, Para Military Services, Doctors and Professors in public/government institutions and **should be serving or retired** at the time of application for enrolment of Uttarayani's membership can become members of Uttarayani.

(ii) **LIFE MEMBERSHIP** :

Membership for life could be given to such of the primary members who apply for it and deposit the requisite fee decided by the Governing Body from time to time.

(iii) **New provisions for Associate Membership**

I. Associate membership will be for **non-Govt professionals like Doctors, Lawyers, Entrepreneurs and experts/ eminent personalities etc** in Uttarayani with the following terms and conditions:

(a) **Any individual willing to join as associate member of Uttarayani should be of the origin of or natives of Hill areas of Uttarakhand.**

(b) **Applicant should be a senior management / executive level.**

(c) **Initially, 10% of total number of members will be permitted to join as Associate Members.**

(d) **Associate members will have no voting rights.**

(e) **They can be part of EC as Expert / Co-opted members.**

(f) **After five years Associate membership will be reviewed and individual can continue to be member after EC approval or membership can be terminated.**

(g) **Eminent personalities / professionals / experts who can contribute towards various aims and objectives of Uttarayani can be considered to be Associate Members.**

II. Membership fees for Associate Members will be as under:

(a) Membership fee- Rs.15,000/-

(b) Annual Subscription Rs.2,000/- per calendar year for 5 years including annual subscription.

(c) Applicant may also opt to pay ONE Time Rs.25,000/- for 5 years including annual subscription.

III. Applicant must be an income tax payee for previous 3 years and shall furnish income tax return filed with IT Deptt.

IV. EC will have full powers to accept or reject the applicant as Associate Member. Associate membership will be given to the selected persons only after approval of Executive Committee.

3. REQUIREMENT AND ADMISSION TO MEMBERSHIP

Any person who subscribes to aims and objectives of Uttarayani and who applies for the membership with the prescribed fee shall be considered for the membership by the Governing Body of Uttarayani. On approval of the Governing Body, the person may become a member on such conditions as may be specified from time to time by the Governing Body.

4. MEMBERSHIP SUBSCRIPTION :

(a) Annual Subscription – To manage day-to-day functioning of Uttarayani, it was decided to charge **Rs.1,000/-** Annual Fee for calendar year from 01 Jan. to 31 Dec every year.

(b) New membership Form with revised Fee and Rules will be prepared by Secretary Uttarayani. **Rs.5,000/- (Single)** and **Rs.8,000/- (with spouse)** will be charged.

5. CESSATION OF MEMBERSHIP:

(a) Membership shall cease by death, resignation or removal. The reasons of termination shall be communicated to the persons concerned in writing.

(b) Any member who fails to pay the subscription upto three months from due date is required (under Section 15 of the Societies Registration Act, XXJ, of 1860) shall cease to be a member. However, his membership may be continued at the sole discretion of the Government Body if his annual subscription is received on or before 30th June of the next year. After this

date, the individual shall have to submit a fresh application for membership for the consideration of the Governing Body.

- (c) If any member fails to attend 3 consecutive General Body Meetings without intimating the President / Secretary or fails to respond to 3 consecutive communications sent over a period of 90 days, he / she will cease to be a member. However, Governing Body will have the power to restore the membership of such members on getting satisfactory explanation, if the member returns within 6 months. If the member returns at a later date and applies for membership, Governing Body may consider such request as per rules enforce at the time of such application.
- (d) If any member willfully violates the rules and regulations of Uttarayani or disobeys its orders or defames by way of speaking, writing or printing or acts dishonestly in discharging the functions of Uttarayani, he / she shall be removed from the membership.

6. RIGHTS AND PRIVILEGES OR MEMBERS

Members shall enjoy such rights and privileges as are decided by the Governing Body from time to time. All members shall enjoy the right to vote in election. A member can be elected to one of the positions in the society.

7. GENERAL BODY :

- (i) All bonafide members from the General Body of Uttarayani.
- (ii) The General Body shall elect the office bearers of the Governing Body as per mode of election explained in para-11. General Body will meet as often as is considered necessary to promote and realise the aim and objectives of Uttarayani. However, there will be an annual General Body Meeting in the month of February in which the audited accounts and annual report about the activities of Uttarayani will be presented.
- (iii) One fifth of the local members of Uttarayani shall form a quorum for any meeting of the general body. If at any time, the quorum is not present, the meeting can be re-convened after half an hour. There shall be no quorum requirement for this re-convened meeting. However, the provision of quorum shall not be relaxed in any general body meeting which proposes amendment to the Memorandum of Association and Rules and Regulations of Uttarayani.

8. GOVERNING BODY:

- (i) The Governing Body shall be elected by the General Body from amongst its members as per mode indicated in para 11. It shall have a minimum 8 members and a maximum of 15 members, including office bearers. Immediate former Secretary shall be the ex-officio member of the Governing Body.

Initial Governing Body

President	One	-	Sh B N Dhoundiyal
Vice President	One	-	Sh P S Saklani
Secretary	One	-	Shri Manoj Pandey
Cultural Secretary	One	-	Shri Mitra Nand Kukreti
Treasurer	One	-	Shri J P Bahukhandi
Members	Five	-	Col K N Sati
			Shri Tara Dutt Sati
			Dr P L Arya
			Shri L S Negi
			Sh C B Nailwal

The first Governing Body may increase its strength up to the maximum number of 12 by selecting suitable persons from the General Body.

The Governing Body shall consist of following 15 members including office bearers:

President (One)

Vice President (One)

Secretary (One)

Cultural Secretary (One)

Joint Secretary (One)

Treasurer (One)

Organising Secretary – One (As per event organised)

Members - Seven &

Immediate former Secretary

The office bearers and members of the Governing body shall normally hold office for a period of two years..There shall be fresh election for the new Governing Body immediately before the expiry of the tenure of the Governing Body.

- (ii) The Out-going members shall be eligible for re-election. If for any reason the elections for the Governing Body are not held in time the existing Governing Body shall continue to hold office till the new Governing Body is elected.
- (iii) There will be at least one week prior notice for the Governing Body meeting with the list of preliminary agenda to be transacted. However, shorter notice in case of emergency will not invalidate the proceedings. Members may send proposals/resolutions for the Governing Body meeting and these shall be included in the list of the agenda by the Secretary if they merit consideration at the Governing Body level.

9. POWERS AND DUTIES OF GOVERNING BODY:

- (i) The day to day affairs of Uttarayani shall be managed by the Governing Body. The Governing Body shall formulate policies and programmes of Uttarayani. It shall plan and implement various projects, schemes and programmes to achieve the aims and objectives of the Society.

The Governing Body can appoint as many salaried persons, full time or part time, as it may deem necessary for carrying out its objectives and define their duties, allowances, salary and other benefits and punish, suspend or dismiss them or dispense with their services as the occasion may require.

The Governing Body can take any other decision and action as it may deem fit to achieve the aims and objects of Uttarayani.

The Governing Body shall have full control of funds of Uttarayani and is entitled to use them for any purpose which in the opinion of the Governing Body is in conformity with the aims and objectives of Uttarayani. It shall have the powers to appropriate all receipts and expenditure and to frame rules for proper maintenance of the accounts of Uttarayani.

The Governing Body may meet as often as necessary to transact its business. All the meetings of the Governing Body shall be convened by the Secretary with the approval of the President who will be Chairman of the Governing Body.

The quorum for the meeting of the Governing Body shall be more than half of its strength ie. 51 percent"

The Governing Body shall take all the decisions by consensus. However, only in very exceptional cases where consensus is not reached, the decision of the President shall be final.

- (ii) If in the opinion of the Governing Body, any member of Uttarayani has acted against its aims and objectives or in a manner detrimental to its interest, it may remove such member from the primary membership of Uttarayani.
- (iii) If any member of the Governing body falls to perform his or her responsibilities or is continually absent from 3 consecutive Governing Body meetings without intimation, then the President by majority decision of the Governing Body, can remove such member from Governing body and fill up the vacancy so caused, by nominating other willing and committed member."

- (iv) In the event of a vacancy occurring in any of the offices or membership of the Governing Body during its tenure, it shall be competent for the Governing Body to fill up such vacancy with a member of Uttarayani. The Governing Body may also invite other members/persons to its meetings to seek their views as the occasion may require.
- (v) All actions taken by the Governing Body (including any expenditure incurred by it) shall be reported to the Governing Body in its very next meeting.

10. POWER AND DUTIES OF THE OFFICE BEARERS:

(a) President:

The President shall be the Head and Chief Executive of Uttarayani. He shall chair all the meetings of the Governing Body and the general body of Uttarayani. He shall also be the administrative head of Uttarayani. In the case of any doubt as to the interpretation of any of the provisions of the rules and regulations, the interpretation given by the President shall be final. He shall be responsible jointly with the Secretary for implementation of the decisions taken in the meetings.

(b) Vice President:

In the absence of President, the Vice-President shall discharge all the functions of the President except that all the decisions will be taken by consensus only. In the event of absence of both the President and Vice-President, the Governing Body may authorize by consensus one of its members to carry out the functions of President and Vice-President during their absence except that all the decisions at such meetings of the Governing Body shall be taken by consensus. The Vice-President shall also exercise such other powers as may be delegated to him by the President of the Governing Body.

(c) Secretary:

The Secretary shall be the chief officer of Uttarayani and shall be responsible for the general conduct of the office and other business barring finances. All the meetings of the Governing Body and the general body shall be convened by the Secretary with the approval of the President. The Secretary shall be responsible for circulating the agenda for the meetings and for drawing up of the minutes. He shall assist the President in implementing the decisions taken in the meetings.

(d) Treasurer:

Treasurer shall work under the general guidance of the Governing Body and shall be responsible to it for the finances of Uttarayani. He shall be the trustee of movable or immovable properties including funds of the Uttarayani and shall keep the correct accounts of all receipts and payments to the satisfaction of the Governing Body. He shall be responsible for realization of arrears of subscription from the members and shall report the financial position of Uttarayani for consideration and directions. In the absence from headquarter of the Secretary or Treasurer the President shall designate one of the members of the Governing Body to continue his function during his absence.

11. MODE OF SELECTION:

- (a) The members of Uttarayani shall elect the Governing Body in a General Body Meeting specially called for the purpose. Before such an election, the outgoing Governing Body shall nominate one of the members of Uttarayani to act as the Returning Officer for election of the new Governing Body.
- (b) The name of the Office bearers of the Governing Body shall require to be proposed by the President elected. The outgoing President will propose the name of the incoming President, who shall be the President for the new session, subject to the condition that if not less than $1/4^{\text{th}}$ of the Members present at the meeting do not object to the name proposed by outgoing President then the person shall be declared as President elected, failing

which the President shall be elected by election. The new President elected shall propose one name each for the post of Secretary and Treasurer one after the other who shall be declared elected unless opposed by not less than $\frac{1}{4}^{\text{th}}$ of the members present.

The election of the other Office bearers of the Governing Body shall be through a process of election declared by Returning Officer. The mode of Election by show of hand or by secret ballot paper.

12. SOURCE OF INCOME OF UTTARAYANI:

Funds collected through annual subscription shall be one of the sources of income of Uttarayani. It may also accept payment of fee in return of professional services rendered to any Government or private organization. It may seek or accept grants or donations from Central or State Government, Industrial and Commercial Houses, Universities, Public or Local Authorities and other national and international bodies. Uttarayani may also secure donations from corporate bodies and individuals interested in promoting its aims and objectives.

The proceeds realized from sale of publication of Uttarayani, if any, shall also form part of its revenue.

13. FINANCIAL YEAR:

The financial year of Uttarayani shall be from 1st January to 31st December of the year and the Annual Fee shall be due to the 1st January of each year. New members shall be liable to pay annual fee for the full calendar year in which they are admitted to membership.

14. AUDIT AND ACCOUNTS:

The Governing Body shall annually appoint an Auditor for checking the account books and for certifying the receipts and expenditure.

15. OPERATION OF BANK ACCOUNT:

The bank account of Uttarayani shall be opened in any of the scheduled banks. The account shall be operated by the Treasurer jointly with President/Secretary of the Governing Body.

16. FORMATION OF SUB-COMMITTEES:

Sub-committees for looking after various functions of Uttarayani and implementing its programmes shall be formed by the Governing Body as and when necessary.

17. SUBMISSION OF ANNUAL LIST AS PER SECTION 4 OF S.R. ACT 1860:

Once in every year a list of members of the Governing Body shall be filed with the Registrar of Societies as required under Section 4 of the Societies Registration Act 1860.

18. LEGAL PROCEEDING AS PER SECTION 6 OF SR ACT 1860:

Uttarayani may sue or be sued in the name of Secretary as per provisions laid down under Section 6 of Societies Registration Act, 1860.

19. AMENDMENTS:

In case it is considered advisable to alter, expand or abridge the aims and objectives of Uttarayani to amalgamate in wholly or partially with any other society, the Governing Body may submit the proposal to members of Uttarayani in a written/printed report

and may convene a special meeting of the Governing body for the consideration of the same according to the rules & regulations of the society. Such a report shall be sent at least 10 days in advance of the special meeting. This proposal needs to be confirmed by a 3/5th majority of the members present in the meeting. The rules of the association shall not be amended except by resolution passed by 3/5th majority of the members at the meeting of the Governing Body convened for the purpose as per section 12 and 12(a) of the Societies Registration Act 1860.

20. DISSOLUTION:

If Uttarayani needs to be dissolved, it shall be dissolved as per the provisions laid down under section 14 of the Societies Registration Act 1860

21. APPLICATION OF THE ACT:

All the provisions under all the sections of the Societies Registration Act 1860 as applicable to the Union Territory of Delhi shall apply to this society.

ESSENTIAL CERTIFICATE

Certified that this is the correct copy of the Rules & Regulations of the Society.



(RAJ KUMAR BARTHWAL)
PRESIDENT



(G D GAUR)
VICE PRESIDENT



(COL R D NAUTIYAL) RETD
VICE PRESIDENT



(JAGDISH PRASAD MAITHANI)
SECRETARY