

# **CONSUMER GUIDENCE SOCIETY OF INDIA**

**(Established 1966)**

## **MEMORANDUM OF ASSOCIATIONS, RULES & REGULATIONS AND ELECTION BYLAWS**

**Registered Under The Societies Registration Act No. XXI of 1860 (Ref. No. Bom. 33/  
1966 GBBSD 4/4/66)**

**And Under The Bombay Public Trusts Act, 1950 [Reg. No. F-1381 (Bom.) 20/5/1966].**

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**Memorandum of Association**  
**of**  
**CONSUMER GUIDANCE SOCIETY OF INDIA**

The name of the Society is Consumer Guidance Society of India, hereinafter referred to as “CGSI”.

- I. The registered office of the Society is situated at Hutment ‘J’, Opp. Cama Hospital, Mahapalika Marg, Mumbai 400001.
- II. The objects for which the Society is established are:
  1. To inform, educate and organise consumers in order to secure, protect and preserve their interest and assert their rights as consumers of goods and services.
  2. To assure that interests of consumers of goods (including agricultural products and produce), and services are promoted and protected and that they receive due consideration at appropriate Forums, Authorities, Tribunals, etc;
  3. To mobilise public opinion in regard to Consumer goods (including agricultural products and produce) and services;
  4. To protect consumers against marketing of goods (including agricultural products and product) which are hazardous to life and property.
  5. To inform, protect and secure consumers about the quality, quantity, potency, purity, standard and price of goods so as to protect consumers against unfair trade practices;
  6. To assure that consumers of goods (including agricultural products and produce) and services has access to a variety of goods at competitive prices;
  7. To secure adequate representation of consumers’ interests in fixation or determination of prices of consumers goods (including agricultural products and produce) and services by Government, public sector Undertakings, local bodies and other organisations;
  8. To send representatives of CGSI on Councils, Forums and any other body established by Government or any Semi Government bodies or Consumer Association or Societies both in India and abroad;
  9. To take such measures as may be necessary generally for the purpose of improving the quality of life;
  10. To secure representation of consumer interest in the formation of economic plans or in the management of nationalised or State controlled industries or agricultural undertaking;
  11. To provide, for undertake, aid and promote the study and evaluation of consumer goods, products and services and with that object to provide for and undertake testing, investigation and research of consumer goods, products and services;
  12. To undertake consumer research to determine the needs of consumers and to circulate amongst the concerned persons information about the evaluation of consumer goods, products and needs;
  13. To promote, aid and popularise the use of goods produced according to national and recognised standards and of quality controlled and certified consumer products both in India and abroad;
  14. To co-operate with and assist various organisations and public authorities both in India and abroad in the formation and adoption of quality standards for consumer products and services, as well as of such standards as are necessary form the safety and health aspect in the interest of consumers;
  15. To act in general as the Voice of Consumer and to do all such things as would inform, educate, guide, protect, promote and secure consumer interest;

16. To protect consumer against environmental hazards caused by industry, trade and Government;
  17. To endeavour to eradicate pollution, including pollution of air water and noise;
  18. To do all such acts and deeds as are required to be done and to exercise all such rights as are given to consumer organisation under the Consumer Protection Act, 1986 and all other enactments, including amendments, passed from time to time;
  19. For the purpose aforesaid and in furtherance and implementation of the above objects to do and perform all such acts and deeds as may be expedient and conducive to the attainment thereof and to take all such steps as are incidental thereto and connected therewith and to adopt civil or criminal proceedings under the Constitution of India as the circumstances of the case may require.
- III. For and in connection with the furtherance of its objects or any of them, the Society shall have power;
- “For and in connection with the furtherance of its objects or any of them the society shall have power;
1. To foster the growth of local consumers’ associations and help them in seeking a common bond of interest and work with the CGSI and to affiliate them with the CGSI;
  2. To co-operate with and assist various organisations and public authorities both in India and abroad whose objects and fields of activity are similar to those of the CGSI and in particular to secure affiliation with international organisations;
  3. To open branches of the CGSI in India and to render them assistance in their work;
  4. To affiliate consumer organisations having similar aims and objects;
  5. To become a member of, support, co-operative with or accept affiliations from any other association, institution, society or company in India or abroad, whose objects are broadly similar to those of the Society;
  6. To establish and maintain libraries, museums and laboratories (testing and research);
  7. To hold meetings and arrange exhibitions, lectures, seminars, discussions and conferences on the subjects of consumer interest.
  8. To undertake and evaluate research or conduct study committees, forums, branches and unit of the Society for the proper and efficient conduct of the activity of the Society and to bring out publications for consumer education on a non-profit making basis;
  9. To represent consumer interests on any bodies, including Government bodies or Committees, conference or other organisations;
  10. To undertake and execute any trusts or any agency business which may seem conducive to the objects of the Society.
  11. To incur, expenditure, borrow money, invest funds and make all necessary financial arrangements for carrying on the work of the Society.
  12. To purchase, take on lease, or otherwise acquire any land or building, which may be necessary for carrying out the objects of the Society.
  13. To sell, lease, exchange and otherwise transfer all or any properties of the Society.
  14. To invest funds or moneys entrusted to the Society in such securities and in such manner as may, from time to time, be determined by it.
  15. To employ such staff as may be considered necessary for carrying on the various activities of the Society.
  16. To frame rules and regulations and to modify or rescind the same from time to time.
  17. To make, alter or rescind bye-laws in such manner as may be laid down by rules and regulations.

18. To take such other action, as may be incidental, necessary or conducive to the attainment of any of the objects of the Society.
19. To promote consumer groups in different areas within the territory of India for ultimately getting the said groups affiliated to CGSI at Bombay as autonomous units called CGSI “\_\_\_\_\_”.

IV.(a) The income and property of the Society derived from donations, subscriptions and sale of its publication and from services rendered and from membership fees and grants and assistance from the States, Union and Foreign Associations and from Universities, Foundations and organisations having similar objectives shall be applied towards the promotion of the objects as set forth in the Memorandum of Association and no portion of the income and property of the Society shall be distributed as profit, dividend or bonus in any other way amongst its members.

(b) In the event of winding up or dissolution of the Society, if there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to be distributed amongst the members of the Society, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Society;

We, the undersigned, are desirous of being formed into a Society under the Societies Regn. Act XXX of 1860.

<i>Sr No.</i>	<i>Name</i>	<i>Signature</i>	<i>Occupation</i>
1.	Mrs Kamla Mankekar 6-Sheel Marie, Worli Sea Face, Mumbai 400018		Journalist
2.	Dr. (Mrs) Leela Thorat C/o Lt. Gen. Thorat, Mount Pleasant Road, Mumbai 400006		Social Worker
3.	Mrs. Leela Jog Laxmi Nivas, Pune 411___		Social Worker
4.	Mrs Seeta Nadkarni Anita, Mount Pleasant Road, Mumbai 400006		Social Worker
5.	Mrs Indira Muzumdar, Roxana, Marin Lines, Mumbai 400020.		Social Worker
6.	Mrs Seeta Gupta, Oceana, Marine Drive, Mumbai 400020.		Social Worker
7.	Dr. Shanta Rao, Citizen's Co. Hsg. Society, Cadel Road, Mumbai 400016		Social Worker
8.	Mrs Nalini Tulpule, Gokhale Road,Dadar, Mumbai 400028.		Social Worker

# CONSUMER GUIDANCE SOCIETY OF INDIA MUMBAI.

## RULES AND REGULATIONS

### Preliminary

#### *Interpretation*

1. In the interpretation of these Rules and Regulations unless there is anything inconsistent with the subject or context.

- (a) "The Society" means the Consumers' Guidance Society of India. Words importing the 'masculine' gender and 'singular' number shall respectively include the 'feminine' gender and 'plural' number and vice versa.
- (b) "Year" means the period commencing from the 1st of April and ending with 31st of March.
- (c) "Office bearers" shall mean and include the Chairman, Vice Chairman, Hon. Gen. Secretary, Joint Hon. Secretary, Hon. Treasurer and Joint Hon. Treasurer for the time being of the Society.

### Membership

2. There shall be the following categories of members of the Society.

#### *Categories of Membership*

- a) Patrons
- b) Founder Members
- c) Life Members
- d) Ordinary Members
- e) Associate Members
- f) Institution Members
- g) Honorary Members
- h) Registered Consumer Co-operative Societies
- i) Affiliated Members

Membership of the Society shall be open to all persons interested in the objects of the Society.

- 3. (a) Every adult person who has signed the Memorandum of Association of the Society and has paid to the Society a lump sum of Rs. 50/- shall be the Founder members of the Society.
- (b) A Founder Member shall be a member of the Society for his life.
- (c) Any adult person who, although he may not have signed the Memorandum of Association but has been accepted as such by the Founder Members and has paid at the Society a lump sum of Rs. 50/- before the expiration of 3 years from the date of registration of the Society, shall also be a Founder Member of the Society.

#### *Patron*

4. Any adult person paying to the Society, a lump sum of Rs. 2,000/- may be enrolled as Patron of the Society. The patron shall be a member of the Society for life.

### ***Life Member***

5. Any adult person paying to the Society a lump sum of Rs. 1800/- may be enrolled as a Life Member of the Society. A Life Member shall be a member of the Society for his life.

### ***Ordinary***

6. Any adult person agreeing to pay an yearly subscription of Rs. 180/- may be enrolled as an Ordinary Member of the Society.

### ***Associate member***

7. Any Company, firm or other trading, commercial or manufacturing organisation, body or association agreeing to pay to the Society an yearly subscription of Rs. 6,000/- may be enrolled as an Associate Member of the Society.

### ***Institution Member/Registered Consumer Cooperative Societies***

8. Any Society registered under the Societies Regulation Act or an Association registered under the Companies Act 1956 as an association not for profit, or any other similar association or institution, any Consumer Society, whether registered or not, but engaged in non commercial or non-trading activities and agreeing to pay to the Society an yearly subscription of Rs. 375/- may be enrolled as an Institution Member of the Society. For registered consumer co-operative societies the annual subscription will be Rs. 375/-.

9. The subscription fees may be altered by the Managing Committee with the approval of the General Body, as and when necessary.

### ***Entrance Fees***

10. An Entrance Fee of Rs. 10/- shall be payable by Ordinary, Associate, Institution, Registered Consumer Co-operative Societies and Affiliate Members but not by Patron, life and Honorary Members.

### ***Honorary Member for Life***

11. The Managing Committee may enroll any person of distinction or any person who has rendered outstanding service to the cause of consumer guidance as an Honorary Member. Such member may attend a General Meeting but shall have no right to vote at any General Meeting. They will not be required to pay any subscription or fees.

### ***Procedure for admission to Membership***

12. (a) Every application for admission as a member to any class other than Founder members and Honorary Members shall be in writing in the prescribed form.
- (b) Every such application shall be proposed by one and seconded by another member of the Society; provided that the Managing Committee may in its absolute discretion dispense with the provision of this sub-rule in the case of any application or applications.
- (c) Every application for membership shall be accompanied by full amount of the membership fee prescribed in the case of Patrons and Life Members, and one year's subscription and the entrance fee in the case of Ordinary, Associate, Institution Member, Registered Consumer Cooperative Societies and Affiliate Members.
- (d) The Managing Committee shall have the absolute discretion and power to accept or reject any application without giving any reasons.
- (e) On the acceptance of the application by the Managing Committee, the Honorary Secretary shall communicate the decision to the applicant concerned and enter his name in the Register of Members of the Society.

### ***Subscription payable in advance***

13. The subscription payable by Ordinary Members, Associate Members shall be payable in advance at the Society's Office and shall become due on the 1st of April every year and shall be paid before the 15th of the month.

### ***Defaulter***

14. If any member fails to pay his subscription within (14 days) one month after the same become due, a letter may be sent to such member calling his attention to the arrears. If the member does not pay by the end of May next, the Managing Committee may declare him as a defaulter and there upon he ceases to be a member as such and will not continue to remain on the Managing Committee or any sub-committee or vote at the Annual General Meeting.

15. The Managing Committee may re-admit a defaulting member on payment of all the arrears and on such terms as it may think fit.

### ***Power to Expel***

16. The Managing Committee may by a resolution passed at its meeting recommend to the General Body the expulsion of any member who in their opinion, is unworthy of continuing as a member of the Society; provided that the Managing Committee, before passing a resolution as aforesaid, shall afford the member an opportunity of offering an explanation either in person or in writing after giving such a member a Notice of not less than 7 days specifying the charge against him. If the recommendation of the Managing Committee is accepted at the General Meeting by a majority of two-thirds of the members present and voting, such member shall be expelled and his name shall be removed from the Register of Members.

### ***Cessation of Membership***

17. A member shall to be member of the Society:

- (a) on resignation,
- (b) on being expelled from the Society,
- (c) on being convicted by Criminal Court of an offence which, in the opinion of the Managing Committee, involves moral turpitude,
- (d) on being adjudicated insolvent or adjudged a lunatic and
- (e) on being declared a defaulter as provided in Rule (11) 14.

### **Rights, Privileges and Disabilities of Members**

#### ***Rights, privileges and disabilities of Founder Members, Life Members and Ordinary Members.***

18. A Founder Member, Patron, Life Member, Ordinary Member and Affiliate Members shall;

- (a) have a right to vote at the General Meeting of the Society, and
- (b) be eligible to be appointed or elected as an office bearer or member of the Managing Committee or any Sub-Committee.

Provided that no member shall be eligible to become or be an Office-bearer or member of the Managing Committee or any Sub-Committee if in the opinion of the Managing Committee he shall be directly engaged as a Principal in the manufacturing, distribution and sale of goods or commodities or in rendering services of a commercial nature in relation thereto or shall be directly engaged as a servant or agent in promoting the sale goods or commodities or service.

### ***Rights of Institution Members***

19. An Institution Member shall have a right to vote at the General Meeting and in order to exercise that right, the Institution Member shall appoint and authorise in writing any person as its nominee to represent and vote for it. Neither the Institution Member nor its nominee will be eligible to be an Office-bearer or member of the Managing Committee.

### ***No voting or other rights to Associate Members and Consumer Co-operative (Stores) Societies and Affiliate Members***

20. An Associate Member shall have no right to vote and shall not be eligible to be an Office-bearer or member of Managing Committee. (or any sub-committee)

21. A Registered Consumer Co-operative (Stores) Society member shall have the same rights and limitations as are shown in the paragraph relating to Associate Members

22. An Affiliate member of the Society shall have a right to send its representative to attend a General Meeting of the Society and this representative shall have a right to vote.

### ***Rights of Honorary Members***

23. An Honorary Member may attend a General Meeting of the Society, but shall have no right to vote. An Honorary Member may, however, be eligible for being appointed as an Office-bearer or member of the Managing Committee or an Sub-Committee and to vote at the meetings of the Managing Committee or any Sub-Committee.

### **General Meetings**

24. A General meeting of the Society may be

- (a) Ordinary Annual General Body Meeting, or
- (b) Special General Body Meeting, or
- (c) Requisitioned General Body Meeting.

### ***Official Year***

25. The Official Year of the Society will commence on 1 April and close on the following 31 March.

### ***Annual General Meeting***

26. The Annual General Meeting will be held once in every year within six months from the close of the official year at such time and place and hour as the Managing Committee shall determine.

### ***Special General Meetings***

27. A Special General Meeting may be convened by the Managing Committee of its own motion or upon a requisition made in writing by not less than 20 members of the Society. Such requisition shall specify the object of the meeting proposed to be called and must be signed by all the requisitionist and shall be delivered at the office of the Society.

### ***Procedure for convening requisitioned Meeting***

28.(a) On receipt of the Requisition, the Managing Committee shall forthwith proceed to convene a Special General Meeting.

(b) If, within a fortnight from the date of the Requisition, the Managing Committee fails to convene a Special General Meeting, the President or the Requisitioned themselves may convene such meeting within one month from the date of delivery of such Requisition.



### ***Notice of General Meetings***

29. Fifteen clear days' notice specifying the place, date, hour and nature of the business shall be given to the members by post or hand delivery to their respective addresses registered with the Society, of any General Meeting, whether Ordinary or Special, but the accidental omission to give or non-receipt of such a notice by any member shall not invalidate the proceedings at any General Meeting.

### ***Quorum***

30. Twenty members present in person and entitled to vote, shall form a quorum at any General Meeting. No business shall be transacted at such meeting unless the prescribed quorum is present. If, at a Special General Meeting requisitioned by one-fifth of the members of the Society, there is no quorum within 30 minutes from the hour fixed, the meeting shall and dissolved. If, at Annual General meeting and at the Special General Meeting convened by the Managing Committee there is no quorum within 30 minutes from the hour fixed, the meeting shall stand adjourned for half an hour on the same day at the same place. At such adjourned meeting if no quorum is present, the members present shall form the quorum, but no business other than that specified in the notice shall be transacted at such meeting.

### ***Business at the Annual General Meeting***

31. The business of the Annual General Meeting shall be:

- a) to receive and to adopt the audited Statement of Accounts and the Annual Report of the Society;
- b) to elect the requisite number of members of the Managing Committee;
- c) to appoint an Auditor or Auditors for the ensuring year;
- d) to transact such other business (as may be brought before the meeting by the Managing Committee) on any subject or suggestion made by any member with prior intimation.

### ***Voting at General Meetings***

32. No member who has been in arrears of the membership subscription for more than 30 days immediately before the date of the meeting shall be eligible to vote. Voting shall ordinarily be by show of hands. A member qualified to vote may demand a poll - in which case the voting so demanded shall take place by ballot. There shall be no voting by proxy or proxies.

### ***All questions to be decided by majority***

33. (Subject to any statutory provisions in that behalf) Except as provided by these rules, all questions before the General meetings shall be decided by a majority of votes and in the case of an equality of votes, the chairman of the meeting shall have a casting vote.

## **TRUST, PRESIDENT AND VICE-PRESIDENTS**

### ***Trustees***

34.(a) There shall be a board of three trustees, nominated for a term of five years and eligible for reappointment at the end of the term. Nomination of trustees shall be by the Managing Committee subject to approval by the General Body at the next Annual Meeting.

### ***The President and Vice-Presidents***

(b) The Society may at the General meeting of the Society nominate one President and not more than two Vice - Presidents for such term as the Society may decide.

(c) The President of the Society shall preside at, conduct and regulate all General Meetings of the Society and his rulings on any point of order and decision as to the results of voting shall be final and conclusive. The

President shall, in addition to his rights of voting as a member, have a casting vote in case of a tie. In the absence of the president, the senior-most of the Vice-Presidents shall preside at the general meetings and exercise all such powers. In the absence of all, then the members present shall elect a Chairman for the meeting from among themselves and such Chairman also shall exercise all such powers.

(d) Subject to any subsisting interpretation given by the Managing Committee, the Chairman at a General Meeting shall have the authority to interpret the Memorandum of Association and the Rules, Regulations and By-laws of the Society for the purpose of conducting and regulating the meeting and deciding the questions arising at such meeting.

## **MANAGEMENT OF THE SOCIETY**

### *Governing Council, its Constitution and Office bearers*

35.(a) Management of the business and affairs of the Society and its funds and properties shall be vested in a Managing Committee.

(b) The Managing Committee shall consist of not less than 8 and not more 12 elected members.

(c) All the Founder members as also the members co-opted by them shall be the First Members of the Managing Committee.

(d) The Retiring Chairman of any year shall be a Member of the Managing Committee on his relinquishing the office of the Chairman and shall continue to be such a Member of the Committee until another retiring Chairman becomes eligible to become such a Member.

(e) The first election of the Managing Committee shall be held as soon as may be after expiration of the period of 3 years from the date of registration.

(f) The (first members of the) Managing Committee shall be deemed to be the first elected members and shall hold office until the first election.

(g) The Managing Committee may co-opt not more than one-third of the number of elected members or four, whichever is less, from amongst the members of the Society eligible under Rules 15 and 18 above, to hold office. The co-opted members shall remain in office for a period of one year.

(h) At the first election as aforesaid and at every Annual General Meeting thereafter one-third of the elected members shall retire by rotation. The persons to retire will be those who have been longest in office and amongst those who have been in office for the same length of time, the persons to retire will be determined by lot. Retiring members shall be eligible for re-election.

### *Meetings of the Managing Committee*

36(a) The Managing Committee shall meet at least once in every month.

(b) The Chairman or any two members of the Managing Committee may requisition a Special Meeting thereof by giving two clear days' notice in writing to the Honorary Secretary, specifying the business to be transacted and the meeting shall be held not later than three clear days of the receipt of such notice. No business other than the business specified in the notice shall be transacted at such Special Meeting.

(c) Five members shall form a quorum for a meeting.

(d) Any member of the Managing Committee absenting himself without leave for three consecutive meetings of the Managing Committee shall cease to be a member thereof. The managing Committee shall have the power to fill up all casual vacancies.

(e) The Managing Committee shall at its first meeting in every year elect a Chairman, a Vice-Chairman, one or more Honorary Secretary and one or more Honorary Treasurers.

(f) The Chairman shall preside over all meetings of the Managing Committee and shall conduct and regulate all such meetings. The Vice-Chairman shall take the chair in absence of the Chairman. In the absence of both, the Chairman of the meeting shall be elected from among the members present.

### **FUNCTIONS OF THE MANAGING COMMITTEE**

37.(a) The Managing Committee shall exercise all the powers and perform all the duties that the Society is competent to exercise or bound to perform in the achievement of the objects contained in the Memorandum of the Society, save those powers and/or duties which, by the statute or the provisions of the Societies Registration Act, of 1860 and these rules, are to be exclusively exercised or performed by the General Body or are reserved to the exercised or performed in any other way.

(b) Without in any manner derogating from the generality of the provisions contained in sub-rule (a) above, the Managing Committee shall have the following powers;

- a) To accept subscriptions, contributions and donations offered to the society.
- b) To manage and supervise the management of the affairs and properties of the Society and to expend moneys required for that purpose.
- c) To sanction payments for carrying out the objects of the society and other expenses not specifically provided for and generally to administer the funds and properties of the Society.
- d) To appoint and engage such officer, clerks, agents and servants for permanent, temporary or special service, as may be required from time to time and to determine their duties and to remove and dismiss such officers, clerks, agents and servants.
- e) To institute or compromise any suit or claim by the defend or settle any claim on the Society.
- f) To constitute sub-committees and delegate any of its powers to a sub-committees who shall, in the exercise of the functions entrusted to them, conform in all respects to the instructions given to them by the Managing Committee.
- g) To raise funds by borrowing monies with or without security against the properties and funds of the Society for the purpose of the fulfilment of its objects, if necessary.
- h) To prepare an Annual Report on the activities of the Society and to submit the same along with an audited Statement of Income and Expenditure and Balance Sheet to the General Body.
- i) To invest the funds of the Society in the authorised investments and to sell, vary or transpose such investments from time to time.
- j) To manage and deal with all matter appertaining to the Provident Fund or any other scheme for the benefit of the employees or ex-employees of the Society.
- k) To fix a schedule of programme of activities proposed to be undertaken on behalf of the Society and to take steps to carry the same out.
- l) To admit or reject members and accept resignation of members.
- m) To acquire in the name of the Society by gift, purchase, exchange, lease, on hire or otherwise however any lands, buildings, easement rights of common or privileges for the purpose of the Society.
- n) To build, construct and maintain houses and buildings and to pull down, alter, extend, improve and repair any existing building of the Society and to provide all amenities and conveniences thereto.
- o) To make and form time to time to repeal or alter bye-laws as to the managements of the Society and the affairs thereof and as to the duties of any officers, employees or servants of the Society, and as to the conduct of the business of the managing Committee or sub-committee, or as to any of the matters or things within the

powers or under the control of the Managing Committee; provided that the same shall not be inconsistent with the Memorandum of Association or these Regulations.

p) To negotiate and enter into contracts on behalf of the society and to vary and rescind such contracts.

q) To expend the funds of the Society in such manner as the Managing Committee shall consider most beneficial for the purpose of the Society.

r) The Managing Committee shall have the power to establish, open or assist in establishing branches at different places in the country as envisaged in clause III of the Memorandum. It shall also have the power to decide from time to time to extend such help as it can in the proper running of these branches.

s) To do all such acts and things as are incidental or conducive to the free exercise of all or any of the above powers and to the attainments of the above objects.

### ***Appointments discovered defective***

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

### ***Circular Resolutions***

39. A resolution unanimously passed by members of the Managing Committee present in Greater Bombay without any meeting of the Managing Committee and evidenced under the signatures of all members of the Managing Committee present in Greater Mumbai shall be as valid and effective as a resolution passed at a meeting of such Managing Committee duly called and held.

### ***Interpretation of Rules***

40. Any interpretation by the Managing Committee of the Rules, Regulations and Bye-laws of the Society for the time being shall be final and binding upon the members.

## **ELECTIONS**

41.(a) The Managing Committee shall, after obtaining prior approval of the Society in General Meeting, maintain a panel consisting of three persons who shall be eligible to act as a Returning officer in addition to the auditor of the Society.

(b) A Returning Officer may not be a member of the Society but if he is a member he shall not be an Office-bearer of the Society or offer himself as a candidate at any elections while he is on the panel.

(c) A member desirous of offering himself as a candidate for election as a Member of the Managing Committee shall file a nomination paper in the prescribed form addressed to the Returning Officer which must reach the office of the Society before seven clear days of the date fixed for the General Meeting as which the elections will be held. Each nomination paper must state the name of the candidate in full and shall be signed by the candidate by way of consent and two other members of the Society as proposer and seconder.

(d) The nomination papers shall be scrutinised by the Returning Officer of the Society and any discrepancies therein shall be reported to the Chairman of the Managing Committee. In case the Auditor is unable or unwilling to undertake those function, the president and his absence the Chairman of the Managing Committee may appoint any other person who is otherwise eligible to perform the duties of the Returning Officer in his behalf. If the requisite number of nomination papers are not deposited with the Returning Officer, Candidates whose nomination papers were duly proposed and seconded for the remaining seats only shall be called for at the General Meeting itself. If the nominations for these remaining Vacancies thus received exceed only total number of these vacancies

election for these additional seats for which the fresh nominations have thus been received, will be held by ballot at the General Meeting itself, under the supervision of the Chairman of the Meeting.

(e) In case the nomination papers exceed the requisite number, election will be held and the Returning Officer shall conduct and supervise the election.

(f) The Returning Officer shall be fully responsible for the issuance of ballot papers to the voter members and shall conduct the election as per the election bye-laws framed by the Managing Committee.

(g) Outgoing members of the Managing Committee shall be eligible for re-election. All the Founder members and Life members who are on the roll 30 days prior to the issuance of notice of election, and all the Ordinary Members whose names are on the roll at least one year prior to the issuance of the notice of election and who are not in arrears of the subscription for more than 30 days before the date of the issuance of such notice of election shall be eligible to contest the elections.

## **HONORARY SECRETARY**

### ***Honorary Secretary and his duties***

42(a) There shall be one or more Honorary Secretaries. The Honorary Secretary shall look after the affairs of the Society under the direction of the Managing Committee and shall convene, wherever necessary, meetings of the Society and of any sub-committee and any other meeting which it may be necessary to be called. When more than one Honorary Secretaries are appointed, the Managing Committee may allocate the functions of each Honorary Secretary. The Senior most Honorary Secretary will be designated as the Honorary General Secretary and each of the rest will be designated as the Joint Honorary Secretary

(b) The Honorary General Secretary shall keep or cause to be kept proper minutes of the proceedings of the General Meetings of the Society and of the Managing Committee and he will do everything necessary to give effect to the Resolutions passed by the General Meetings of the Society as also to those passed by the Managing Committee and Sub-Committees.

(c) The Honorary Secretary shall supervise the working and management of the Society and carry on all correspondence and keep or cause to be kept proper records and prepare or cause to be prepared and place before the General Meetings of the members of the Society such materials and information as may be necessary or as may be required by the Managing Committee.

(d) The Honorary Secretary shall be at liberty to expend for the purpose of the Society any sum upto Rs 100/- in a fortnight without the previous sanction of the Managing Committee.

(e) The Honorary Secretary shall keep or cause to be kept all records of the Society at a place to be determined by the Managing Committee.

## **HONORARY TREASURER**

### ***Honorary Treasurer***

43(a) There shall be one or more Honorary Treasurer. When there are more than one Honorary Treasurer the Managing Committee may allocate the function of each Honorary Treasurer. The senior most Honorary Treasurer will be called the Honorary Treasurer and each of the rest will be called HONorary Joint Treasurer.

(b) The Honorary Treasurer shall;

(a) Receive all subscription, donation, and other monies, sign receipts therefore, make disbursements under the order's of the Managing Committee and keep vouchers and accounts thereof;

(b) Maintain all Books of Accounts and registers of the Society in proper order; and.

(c) Prepare statement showing Income and Expenditure and Assets and Liabilities for each official year.

## **GENERAL**

### ***Funds and properties of the Society***

44(a) Banking accounts in any bank approved by the Managing Committee may be opened in the name of the Society and all moneys received on behalf of the Society shall be credited in such accounts. The Honorary Treasurer may retain a sum not exceeding Rs. 1000/- in his personal custody for petty expenses.

(b) Banking accounts shall be operated jointly under the joint signatures of any three of the following;

(i) The Chairman or Vice - Chairman and

(ii) Honorary General Secretary, or Joint Hon. Secretary or Hon. Treasurer or Jt. Hon. Treasurer.

(c) All contracts and assurances shall be operated jointly under the joint signatures of any three of the following;

(1) The Chairman, (2) Honorary Secretary, (3) Jt. Hon. Secretary, (4) Hon. Treasurer, (5) Jt. Hon. Treasurer. But one of these three signatories shall be the Chairman.

### ***Auditor***

45(a) The Auditor shall be appointed at the Annual General Meeting.

(b) Any vacancy in the office occurring during the year shall be filled in by the Managing Committee.

(c) The Auditor may inspect the accounts of the Society quarterly or as he may deem fit. He shall at the end of every official year, examine the Statements of accounts prepared by the Honorary Treasurer and sign the same if found true and submit a report to the Managing Committee for being placed before the General Meeting.

(d) The Auditor shall act as the Returning Officer, if so required to do by the Managing Committee.

## **NOTICE**

46(a) Every member shall register with the Society his address and any change therein from time to time.

(b) Any notice required to be served upon a member these Rules and Regulations may be served either personally or by sending it through the post in a prepaid envelop addressed to such member at his registered address.

(c) Any notice served by post shall be deemed to have been served at the time the envelop containing the same would be delivered in ordinary course of post and in providing such service, it shall be sufficient to prove that the envelope containing the notice was properly addressed, prepaid and posted.

### ***Indemnity***

47. Every Office-bearer, every member of the Managing Committee and every other officer for the time being of the Society, shall be indemnified out of any funds of the Institution against all losses and expenses incurred in the discharge of his duties except such as shall happen through his own willful neglect or dishonesty and each one shall be chargeable only for such money, funds or property as he shall himself actually receive in the discharge of his duties unless the same shall happen through his own dishonesty or willful negligence.

### ***Amendments of the Regulations***

48. Any amendments in these regulations of the Society may be effected by the resolution of the Managing Committee by 2/3 of the members present and voting in favour of such amendment . but no such amendment shall be effective unless it is approved by a meeting of the General Body by a majority of the Members present and voting within two months of the passing of such an amendment by the Managing Committee.

## **CONSUMER GUIDANCE SOCIETY OF INDIA**

### **ELECTION BYE-LAWS**

#### ***Notice of Election***

1. Notice of the General Meeting at which the elections are to be held will be given to the members at least 21 days before the date of such General Meeting.

#### ***Contents of the Notice***

2. Such notice shall set out full particulars of all the vacancies for which election will be held.

#### ***List of Votes***

3. A list of members eligible to vote shall be displayed in the Office of the Society and shall be available for inspection in the Office of the Society to the Members at least 14 days prior to the date of elections.

#### ***Filling of Nomination Papers***

4. A member desirous of contesting the election for any office shall send his/her nomination paper to the Returning Officer so as to reach the Office at least 7 days before the date of the General Meeting at which the elections will be held.

#### ***Scrutiny of Nomination Papers***

5. The Returning officer of the Society shall scrutinize the Nomination Papers received in the Office of the Society and shall report to the Chairman of the Managing Committee which nomination papers are in order and which not, at least 3 days before the date of the General Meeting at which the election will be held.

#### ***Invalid Nomination Papers***

6. The Returning Officer may declare a Nomination Paper as Invalid and reject the same if the Nomination Paper:

- (a) is not submitted in the prescribed form;
- (b) is not duly proposed and seconded by voter members of the Society;
- (c) is not signed by the candidate by way of consent;
- (d) is not received at least 7 days before the date of the election.

#### ***Discretionary powers of the Returning Officer***

7. The Returning Officer shall have the discretion to accept or reject the Nomination Paper if the name and address of the proposer, seconder or the nominee is not correctly mentioned as per the records of the Society.

#### ***Name of the eligible candidates to be displayed***

8. Candidates whose Nomination Papers are declared as valid by the Returning Officer shall only be eligible for the election. A list of eligible candidates will be prominently displayed in the Office of the Society after the scrutiny of the Nomination Papers.

#### ***Decision of Returning Officer final***

9. The decision of the Returning Officer in regard to the Nomination Paper shall be final.

### ***Withdrawal of Nomination Papers***

10. A candidates whose Nomination Paper has been received in the Office may withdraw the same within two days of the scrutiny of the Nomination Papers by the Returning Officer.

### ***Voting Papers***

11.(1) Elections will be held at the General Meeting and voting will be by ballot.

(2) Voting papers will be issued to the members present at the General Meeting at which the elections are to be held.

12. The Returning Officer shall be responsible for the issuance of the voting papers to the members. Every voting paper issued by the Returning Officer shall be signed by him.

13. Every Member will have one vote for each vacancy for whom he desire to vote and shall deposit the same in the sealed ballot box kept at the Society's Office.

### ***Invalid Ballot Papers***

14. The Ballot Paper shall be invalid if the Voter gives more than one vote to the same candidate or if the Voter shall vote for more than the number of vacancies on the Managing Committee.

### ***Counting of Votes***

15. The Chairman of the General Meeting at which the elections will be held may announce the closure of voting.

### ***Counting of Votes and announcing the result***

16. (1) The Returning Officer shall appoint two scrutineers to assist him in counting of votes from among the members present at the meeting, who shall not be candidates for election.

(2) Every candidate for the election or his authorises agent may remain present at the time and place of counting.

(3) The Returning Office shall report the results of the counting to the Chairman of the General Meeting.

(4) In case the counting shall continue even after the transaction of the remaining agenda of the meeting, the Returning Officer shall announce the results of the election in the office of the Society by displaying the same prominently and the results thus declared shall be deemed to have been declared in the General Meeting itself.

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