

RACHANA

(Regd. No. 128/99-2000)

Catholic Chamber of Commerce & Industry



MEMORANDUM OF ASSOCIATION

1st Floor, Piomall, Bejai,
Mangalore – 575004



ಕರ್ನಾಟಕ ಸರ್ಕಾರ
(ಸಹಕಾರ ಇಲಾಖೆ)

ಸಹಕಾರ ಸಂಘಗಳ ಉಪ ನಿಬಂಧಕರು, ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲೆ, ಮಂಗಳೂರು ಇವರ
ಕಾರ್ಯಾಲಯದ ಜನಪ್ರಾಪ್ತಿ ಕಛೇರಿ, ಕನೀ ಮಹಡಿ, ಗಣಪತಿ ಸ್ಟ್ರೀಟ್ ರಸ್ತೆ, ಮಂಗಳೂರು.
e-mail: drcs-mangalore-ka@nic.in Phone No: 0824-2440291



ಸಂಖ್ಯೆ: 128/1999-2000

ದಿನಾಂಕ: 15.10.2018.

ವಿಷಯ: ಉಪನಿಬಂಧನೆ ತಿದ್ದುಪಡಿ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ಕಾರ್ಯದರ್ಶಿ, ರಚನಾ, ದಿಬ್ಬೆ, ಮಂಗಳೂರು ಇವರ ಪ್ರಸ್ತಾವನೆ
ದಿನಾಂಕ: 18.09.2018.

ಸಿ.ಸಿ.ಸಿ.ಸಿ.

ಪ್ರಸ್ತಾವನೆ:

ರಚನಾ, ದಿಬ್ಬೆ, ಮಂಗಳೂರು ಈ ಸಂಘವು 128/1999-2000 ರಲ್ಲಿ ಸಂಘಗಳ ಕಾಯ್ದೆಯನ್ವಯ ನೋಂದಣಿಗೊಂಡಿರುತ್ತದೆ. ಪ್ರಸ್ತುತ ಉಲ್ಲೇಖಿತ ಪತ್ರದಲ್ಲಿ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಲ್ಲಿಸಿ, ಬೈಲಾ ಸಂಖ್ಯೆ: 2, 3.2 ಎ.ಬಿ.ಸಿ, 4.1, 4.2, 4.3, 5.1, 5.2, 5.5, 6.2, 6.9ಎ, 8, 12.7, 13.1 ಎ.ಬಿ.ಸಿ.ಡಿ ಕ್ಕೆ ದಿನಾಂಕ: 29.07.2018 ರಂದು ನಡೆದಿರುವ ವಾರ್ಷಿಕ ಮಹಾಸಭೆಯಲ್ಲಿ ಅನುಮೋದನೆ ಪಡೆದುಕೊಂಡಿರುವ ತಿದ್ದುಪಡಿಯನ್ನು ನೋಂದಾಯಿಸುವಂತೆ ಕೋರಿ, ತಿದ್ದುಪಡಿ ಶುಲ್ಕ ರೂ. 250/- (ರೂಪಾಯಿ ಇನ್ನೂರ ಐವತ್ತುಗಳನ್ನು ಮಾತ್ರ) ಗಳನ್ನು ಚಲನ್ ಸಂ.ಜಿ- 026281226 ದಿನಾಂಕ: 18.09.2018 ರಂದು ಪಾವತಿಸಿರುತ್ತಾರೆ.

ಆದೇಶ

ಕರ್ನಾಟಕ ಸಂಘಗಳ ನೋಂದಣಿ ಕಾಯ್ದೆ 1960 ರ ಕಲಂ 10 ರ ಪ್ರಕಾರ ರಚನಾ, ದಿಬ್ಬೆ, ಮಂಗಳೂರು ಇವರ ದಿನಾಂಕ: 29.07.2018 ರಂದು ನಡೆದ ಸಂಘದ ವಾರ್ಷಿಕ ಮಹಾಸಭೆಯ ನಡವಳಿಯಂತೆ ಬೈಲಾ ಸಂಖ್ಯೆ: 2, 3.2 ಎ.ಬಿ.ಸಿ, 4.1, 4.2, 4.3, 5.1, 5.2, 5.5, 6.2, 6.9ಎ, 8, 12.7, 13.1 ಎ.ಬಿ.ಸಿ.ಡಿ ಗಳಿಗೆ ಮಾಡಿರುವ ತಿದ್ದುಪಡಿಯನ್ನು ನೋಂದಣಿ ಮಾಡಲಾಗಿದೆ.

ಈ ಆದೇಶವನ್ನು ದಿನಾಂಕ: 15.10.2018 ರಂದು ನನ್ನ ಸ್ವಸಹಿ ಮತ್ತು ಕಛೇರಿ ಮೊಹರು ನಿಶೇಯಿಸಿದಾಗಿದೆ.

ಸಹಕಾರ ಸಂಘಗಳ ಉಪನಿಬಂಧಕರು
ದ. ಕ. ಜಿಲ್ಲೆ, ಮಂಗಳೂರು.

ಬಗ್ಗೆ,

ಅಧ್ಯಕ್ಷರು / ಕಾರ್ಯದರ್ಶಿ,
ರಚನಾ, ದಿಬ್ಬೆ, ಮಂಗಳೂರು

RACHANA

Memorandum of Association

1. The name of the Association shall be **‘RACHANA’**.
2. The office of the Association shall be at **Door No. 4-3-306/43, 1st Floor, Pionall, Mangalore – 575004.**
3. **The Objectives of RACHANA are :**
 - 3.1 To form a representative organization of Christian Entrepreneurs, Professionals, Agriculturists of all categories.
 - 3.2 To promote fellowship brotherhood among members.
 - 3.3 To harmonise relationships between members and other similar associations.
 - 3.4 To liaison between the members and the government, quasi-government and other agencies in matters of common interest.
 - 3.5 To encourage and promote entrepreneurs in generating employment potential, especially for youth and to encourage and assist new entrepreneurs by promoting their activities in the field of business, trade, industry, services and professions.
 - 3.6 To develop, promote and update technical managerial, entrepreneurial and financial knowledge, information, know-how and skills of members and others.
 - 3.7 To guide and assist the members and others in their entrepreneurial problems.
 - 3.8 To acquire and disseminate information regarding laws, rules, regulations, notifications and amendments thereto having any bearing on conduct on business, trade, commerce, industry.
 - 3.9 To inform the members and others about available government facilities through various schemes, grants and subsidies and about such facilities available from any other source.

- 3.10 To publish and circulate books, periodicals, newsletters from time to time and through them to make available to its members and others information and material useful for them in promoting entrepreneurial activities.
 - 3.11 To encourage setting up of co-operatives and trusts for furthering of these objectives.
 - 3.12 To promote trusts, to establish and maintain professional colleges and institutions and to assist financially or otherwise deserving individuals to attain technical and professional education, knowledge and training.
 - 3.13 To establish or formulate ways, methods or systems, including forums, to help to resolve entrepreneurial disputes and differences between individuals and entities, whether members or not.
 - 3.14 To affiliate, co-operate, co-ordinate or federate with similar associations and organisations of entrepreneurs having similar or more or less similar objectives as **RACHANA**.
 - 3.15 To recognise and honour and thus encourage persons who have made outstanding contributions to or achievements in the field of entrepreneurship, agriculture, profession etc
 - 3.16 And finally to do all such other things as may be consistent with or expedient to the furtherance or attainment of the
4. The benefits from **RACHANA** shall be open to all irrespective of caste, creed or religion.
 5. The under mentioned members desire to register '**RACHANA**' under the Karnataka Societies Registration Act, 1960 for the purposes set out above:

Sl.No.	Name	Designation
5.1	Mr John Alex Sequeira	President
5.2	Mrs Marjorie Texeira	Vice President
5.3	Mr Walter D'Souza	Secretary
5.4	Mr Ronald Castelino	Joint Secretary
5.5	Mr John L. D'Souza	Treasurer
5.6	Mr Maritto Sequeira	Member
5.7	Mr Rudolph D'Silva	Member

A copy of the Rules & Regulation of the Association certified by the members of the Governing Body to be a correct copy of Rules & Regulations has been field with this Memorandum.

We, the following members of the Governing Body certify that the above is a true and correct copy of the Memorandum of Association of 'RACHANA'.

Sl. No.	Name	Designation
1	Mr John Alex Sequeira	President
2	Mrs Marjorie Texeira	Vice President
3	Mr Walter D'Souza	Secretary
4	Mr Ronald Castelino	Joint Secretary
5	Mr John L. D'Souza	Treasurer
6	Mr Maritto Sequeira	Member
7	Mr Rudolph D'Silva	Member

Witnesses :

1. Mr Marcel Monteiro
2. Dr P N Veigas

Rules & Regulations of RACHANA

1. The name of the Association shall be '**RACHANA**'.
2. The office of the Association shall be situated at Door No. 4-3-306/43, 1st Floor, Piomall, Mangalore - 575004. Its working hours shall be from 10.00 a.m to 12.30 noon and from 2.30 p.m. to 5.30 p.m. on working days

3. Definitions :

Unless the context specifically states otherwise, words occurring herein would have the following meaning :

3.1 'ASSOCIATION' or 'SOCIETY' means the body of Entrepreneurs, Professionals, Agriculturists called '**RACHANA**'.

3.2 (a) 'ENTREPRENEUR' includes any person carrying on or engaged in any trade, commerce, industry or business or any person who is engaged in rendering any service in relation to trade, commerce, industry or business.

(b) 'PROFESSIONAL' includes any person carrying on a licensed profession, any person, who is serving or had served in managerial/executive position in any corporate or other establishment/institution and any person who is or was in Government service holding a position of a gazetted officer and a professor who is teaching or had taught in a college or university holding the position of Dean or above.

(c) 'AGRICULTURIST' includes any person engaged in agriculture, horticulture or animal husbandry.

3.3 'YEAR' means a financial year commencing from 1st of April.

3.4 Masculine usage shall also mean and include feminine and vice versa and singular would include plural.

4. Membership, admission/ subscription fee etc.:

- 4.1 Membership of the association is open to all entrepreneurs, professionals & agriculturists above the age of 21 years. Entrepreneurs and professionals should hold a registration certificate issued by VAT or service tax authorities or should have paid income tax for atleast 2 years prior to the date of

application for membership. Agriculturists should be owning atleast 2.5 acres of agricultural land and should have an agriculturist card issued by the Government.

- 4.2 Members of the association shall be liable to pay such fees and in such manner as the Governing Body may fix from time to time. Membership of the association shall not be transferable.
- 4.3 Classification of members shall be as follows:
 - (a) Individuals
 - (b) Firms, Partnership or proprietary
 - (c) Bodies corporate
 - (d) Co-operative societies
 - (e) Trusts
- 4.4 Any person desirous of becoming a member shall make an application in the prescribed application form and submit the same to the Governing Body along with the necessary admission/membership/subscription fee.
- 4.5 Admission to membership shall be solely at the discretion of the Governing Body without assigning any reason.
- 4.6 Cessation of membership shall take place under the following circumstances:
 - (a) due to death or due to dissolution of the firm, Co-operative Society, Co-operative bank, Company, Registered Trust as the case may be.
 - (b) due to resignation
 - (c) on expulsion by the Governing Body, when any member acts or behaves against the interest of the Association or involved in moral turpitude, provided that the decision is by 2/3 majority. On such expulsion, the expelled member shall forfeit his Membership fee or any other fee that he has paid and other benefits.
 - (d) due to non-payment of dues of **RACHANA**
- 4.7 A 'Register of Member's shall be maintained up to date and it shall be available at the office of the Association during working hours for scrutiny by members.

5. Election of Governing Body members and Office Bearers:

- 5.1 11 members of the Governing Body shall be elected by the members of the association at the Annual General Body Meeting.
- 5.2 A member may be elected or co-opted to the Governing Body only if he has been a member of the association for not less than 2 years and he is not in arrears of subscription or other dues to the association. Further, he should have attended atleast 25% of the meetings of the society held in the preceding 2 years.
- 5.3 The Office Bearers of **RACHANA** shall be elected only by the members of the Governing Body other than the ex-officio members and Co-opted members from among themselves at the first meeting of the Governing Body.
- 5.4 The Office Bearers of **RACHANA** shall mean and include:
 - (a) President
 - (b) Vice President
 - (c) Secretary
 - (d) Joint Secretary
 - (e) Treasurer
- 5.5 A member who has served for atleast 2 years as a member of the Governing Body shall alone be entitled to be elected President or Secretary.

6. Governing Body, its constitution, powers etc.

- 6.1 The Governing Body of **RACHANA** shall consist of the following:
 - (a) Eleven (11) members to be elected from among the members.
 - (b) Two (2) ex-officio members consist of:
 - 1. Immediate Past President of **RACHANA**
 - 2. President, Catholic Sabha, Central Committee till he holds that Office.
 - (c) Two (2) members co-opted by the governing body among the members of **RACHANA**

- 6.2 The Governing Body and office bearers of Rachana shall hold office for a period of two years at a time and they are entitled for reelection. No office bearer shall hold the same post or position for more than 2 (two) consecutive terms. Any vacancy arising in the Governing Body shall be filled by the Governing Body by co-option. Any vacancy arising in the position of office bearer shall be filled by election by the elected members of the Governing Body from among themselves at the first meeting of the Governing Body after the vacancy arises.
- 6.3 (a) Member of the Governing Body shall be the trustees of all properties, movables / immovables, assets and belongings of the Association and subject to other Rules hold, administer, apply and utilise them in furtherance of the objects of the Association.
- (b) The Governing Body is empowered to acquire by purchase, lease, mortgage, gift, grant, legacy, bequest, right, privilege or otherwise from any person, entity, government, institution or anyone, any movable or immovable property of any description as deemed necessary or useful for any purpose of the Association.
- (c) The Governing Body has powers to borrow or to raise funds, with or without security, in any manner as it may think fit and to repay the same.
- (d) The Governing Body has authority to alienate by way of sale mortgage, lease, release, charge, hypothecate, pledge, gift or otherwise, with or without security the properties or funds of the Association or any portion thereof including by making or giving subscription, contribution or assistance, pecuniary or otherwise to charitable educational, benevolent/ social welfare or such other institutions/bodies/persons as from time to time may be deemed necessary or appropriate.
- (e) The Governing Body shall also have authority to invest the funds of the society in such modes as prescribed by the I.T. Act, 1961.
- 6.4 It shall be answerable in all its doings/actions for the furtherance and implementation of the objectives of the

Association to its General Body of members, government agencies/authorities and other having power to enquire into the activities of the Association.

- 6.5 The Governing Body shall be entrusted with the management and affairs of the Association and implement the policies laid down by its General Body from time to time and shall have powers to take such decisions and to do all such acts which in its reasonable and considered opinion are necessary for attainment of aims and objectives of the Association.
- 6.6 In exercising its powers and in carrying out its functions, the Governing Body may act through the officers of the Association or through any person authorised to act on its behalf.
- 6.7 To admit members and expel members if such member act against the interest of the association or involved in moral turpitude. On such expulsions expelled member shall forfeit his Membership fee or any other fee that he has paid and other benefits.
- 6.8 To employ necessary staff to dismiss, terminate staff, if such staff act is against the interest of the Association or take disciplinary action if necessary.
- 6.9 (a) The Governing Body shall meet at least once a month and shall have for its quorum 2/5th of its members.
 - (b) It shall hold its meetings at such places as it chooses and shall have its own rules of procedure to transact its business at such meetings.
 - (c) In the absence of the President/Vice President, the Governing Body shall choose its own Chairperson to Preside over its meeting among the members of the Governing Body.
 - (d) The Governing Body meetings can be regularly held on a date fixed by it beforehand or may be held on any date with a 7 days notice and when such notice is not possible to be given for any valid reason, then the meeting could be convened and held with a notice of lesser duration, provided intimation of such meeting is given to all its members at least a day prior to the date on which the meeting is to be held and where a shorter duration notice is given, the circumstances leading to it shall also be mentioned therein.

- (e) Any member of the Governing Body who is absent for 3 consecutive meetings, without leave of absence in writing, shall cease to be a member of the governing body. Further a member of the Governing Body who is absent for 5 consecutive meetings shall cease to be a member of the governing body.

7. President, his functions and powers:

- 7.1 He shall Preside over all meetings of the Association.
- 7.2 He shall supervise the general administration of the Association and working of its officers/executives.
- 7.3 He shall have authority to convene any of the special meetings, including those of its members of committees besides those scheduled by these Rules and Regulations.
- 7.4 He shall have powers to act on behalf of the Association and to sanction expenditure in emergency.

8. Vice President, his functions and Powers:

The Vice President shall have all the powers and authority of the President and shall function in his absence to further the interests of the Associations.

9. Secretary, his function and powers:

- 9.1 The secretary shall issue notice and agenda for all meetings, special or otherwise, of members, office bearers, committees of the Association as provided for under these Rules & Regulations or as directed by the President/the Vice President/the General Body.
- 9.2 He shall be responsible to record accurately the minutes of the meetings of the Association and to take out extracts of the same and attest them as such.
- 9.3 He shall be chief Executive of the Association to implement/execute the decisions taken by the Governing Body.
- 9.4 He shall received all records, papers correspondence on behalf of the Association, preserve the same and make it available when required by the Governing Body/President or any other authorised person whenever necessary.

- 9.5 He shall sign under the seal of his office all correspondence on behalf of the Association.
- 9.6 He shall be in charge and custody of all books, records, papers, furniture and other movable properties and belonging at the office of the Association.
- 9.7 All documents executed on behalf of the Association shall be in his official capacity and character.
- 9.8 He shall, under direction and guidance of the President, correspond and transact all official work with any government official/authority and other body/organization/entity/ individual.
- 9.9 He shall exercise administrative and supervisory authority and control over any employee/ staff who might be appointed by the Governing Body to further its objectives/activities.
- 9.10 He shall keep the President and other members of the Governing Body informed from time to time of all important matters pertaining to the activities of the Association.
- 9.11 He shall sue and be sued for and on behalf of the Association.

10. Joint Secretary, his functions and powers:

The Joint Secretary shall assist the Secretary to carry out his duties and functions and in the absence of the Secretary, he shall act in his place, carrying out all functions and exercise all authority/power of the Secretary.

11. Treasurer, his functions and powers :

The Treasurer shall be the custodian of all funds/valuables of the Association and of documents/records pertaining to them and shall be responsible for the up to date maintenance of the accounts of the Association.

12. Meetings:

- 12.1 Annual/Special General Body Meeting: There shall be an Annual General Body Meeting of the members of the Association held within 9 months from the close of the financial/accounting year, at which the report and audited financial statements of the previous accounting year and the

budget for the ensuing year shall be placed for its approval/ ratification, the appointments of the auditor and subject to Rules 6.1 the election of members to the Governing Body shall take place.

- 12.2 The President on his own or at the behest of the Governing Body may convene a Special General Body Meeting of the members of the Association as and when found necessary to transact business or to have approval on matters of special importance concerning the affairs of the Association.
- 12.3 The quorum for Annual/Special General Meeting shall be 25 members excluding the members of the Governing Body
- 12.4 Business at such General Body Meetings could be transacted with a simple majority of members present and voting.
- 12.5 The President, if necessary, may exercise a casting vote.
- 12.6 Notice of at least 21 days shall be given to members for holding Annual/Special General Body shall contain the agenda to be taken up during the meeting.
- 12.7 Quorum: If there is no quorum for Annual/Special General Meeting, the meeting may be adjourned and convened at a later date.
- 12.8 Governing Body Meetings: Meetings of the Governing Body shall be held in accordance with Rule 6 (6.9 (a) to (d)) above.

13. Funds, their utilisation and matters relating thereto:

- 13.1 The funds of the Association shall consist of:
 - (a) Fees and subscriptions
 - (b) Funds which may be collected or raised as decided by the general body or Governing Body from time to time for specific purpose.
 - (c) Donations or voluntary contributions from members or others.

- 13.2 (a) Books of accounts in respect of the funds of the Association and utilization thereof shall be maintained in regular course. President/Secretary to maintain such books of accounts of the Association and get them audited and place the final accounts prepared on their basis for approval by the members at their Annual General Body Meeting.
- (b) These accounts shall be duly audited by a Chartered Accountant and every year the accounts shall be closed by 31st of March.
- 13.3 (a) The funds of the Association shall be utilised or invested in the modes specified under provisions of Sec.13(1) (d) read with Sec. 11(5) of the Income Tax Act, 1961 as amended from time to time.
- (b) The funds and income of the Association shall be solely utilised for the achievement of its objects and no portion of it shall be utilised for payment to its members by way of profit, interest, dividend etc.
- 13.4 The accounts wherein the funds of the Association may lie or be invested either in banks or in any financial institutions shall be operated by the Treasurer jointly with either the President or the Secretary.

14. **Amendments:**

1. Amendments to the Memorandum of Association of **RACHANA** or to any of its Rules & Regulation, shall be made by or through resolutions of the General Body at any of its meetings with proper notice.
2. No amendments to the said Memorandum of Association or to any of the Rules & Regulations of the Association shall be made which may prove to be repugnant to the provisions of Sec. 2 (15), 11, 12 & 13 and Sec. 80G of the Income Tax Act, 1961 as amended from time to time. Such amendments shall have to be got approved by the Commission of Income Tax.

15. **Dissolution:**

In the event of dissolution or winding up of the Association, the assets remaining as at the time of dissolution shall under no circumstances be distributed among its members, but shall be transferred to any other Association, Trust or Society whose objects are similar to those of **RACHANA** and which enjoys recognition under Sec. 80G of the Income Tax, Act 1961 as amended from time to time.

We the undersigned, whose names and address are given below are desirous of being formed into a society in pursuance of the Memorandum of Association, under the Karnataka Societies Registration Act of 1960, under the name of '**RACHANA**'.

Sl.No.	Name	Address
1.	Mr John Alex Sequeira	106, Kadri Towers, Alvares Road, Mangalore-575 002
2.	Mrs Marjorie Texeira	Texas, Shivabagh Mangalore-575 002
3.	Mr Walter D'Souza	Near E.S.I. Hospital, Shivabagh Mangalore-575 002
4.	Mr Ronald Casteline	Royzden, Shaktinagar Mangalore-575 016
5.	Mr John L D'Souza	Happy House, Near Jeppu Mangalore-575 002
6.	Mr Maritto Sequeira	Dawn View, Shivabagh Estate Mangalore-575 002
7.	Mr Rudolph D'Silva	A-3, Starlet Apts., Kadri, Shivabagh, Mangalore-575 002

Witnesses :

1.	Mr Marcel Monteiro	Vijay, Vas Lane, Mangalore-575 002
2.	Dr P N Veigas	Rejoice, Marnamikatte, Mangalore-575 001

RACHANA

(Regd. No. 128/99-2000)

Catholic Chamber of Commerce & Industry



MEMORANDUM OF ASSOCIATION

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Mangalore - 575004