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RULES AND REGULATIONS Amended as on 23/05/11 373  
OF  
MAULANA AZAD EDUCATION FOUNDATION

Registrar of Societies

The name of the Society shall be "MAULANA AZAD EDUCATION FOUNDATION".

I. DEFINITION

1. In these presents unless there be some thing in the subject or context inconsistent therewith:

"Foundation" means the Maulana Azad Education Foundation.

"Act" means the Societies Registration Act, 1860.

"Office" means the registered office for the time being of the Foundation.

"Month" means calendar month.

"Member" means member of the Foundation and includes office bearers.

"In writing" or "Written" means and includes words printed, typed, lithographed represented or reproduced in any mode in a visible form.

"Secretary" means the Secretary of the Foundation and includes any person appointed to perform the duties of Secretary temporarily.

II. MEMBERSHIP

1. GENERAL BODY

The General Body will consist of 15 members including the following 6 ex-officio members.

- i) Union Minister, Minority Affairs, Govt. of India.
- ii) Vice-Chancellor, Aligarh Muslim University.
- iii) Vice-Chancellor, Jamia Millia Islamia.
- iv) Joint Secretary, Ministry of Minority Affairs (Incharge of Maulana Azad Education Foundation).
- v) Chairman, Education and Women Welfare Committee of the Central Wakf Council.
- vi) Secretary, Central Wakf Council.

2. ADMISSION AND QUALIFICATION OF MEMBERS

The President of the Foundation will nominate 9 members for a period of 3 years from the educationally backward minorities from different regions, including educationists, scientists, engineers, administrators, doctors, lawyers, writers, industrialists and social workers, who can devote time for promoting the cause of education, giving proper representation to women. These members will be eligible for re-nomination. Every person shall, on becoming a member of the Foundation, sign the roll of members of the Foundation to be kept in bound register.

3. CESSATION OF MEMBERSHIP

The President may, at any time in consultation with the Vice-President by notice in writing, require a member including an office bearer to withdraw from the Foundation and the person so required to withdraw shall not later than one month from such notice being given, cease to be a member.



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4. Resignation from membership shall be tendered to the President of the Foundation by registered post and it shall take effect forthwith.
5. The General Body will meet at least twice in a calendar year. It shall be necessary to give at least fifteen days notice for calling the Annual General meeting of the Foundation. The Annual General Meeting shall ordinarily be held in the month of July every year at which the Annual Report alongwith audited statement of accounts shall be adopted and appointment of auditors made for the next financial year. The second meeting of the General Body should ordinarily be held in the month of December at which the Budget of the Foundation shall be approved and election of members of the Governing Body including its office bearers, if due, shall also be held.

6. The President shall preside over the meetings. In his/her absence the Vice President will preside over the meetings and if he/she too is not available, the General Body may elect one of its members as the Chairperson for the meeting.

7. QUORUM AND NOTICE OF MEETING

The quorum for holding a meeting of the Foundation shall be 1/3rd of the total members. No quorum shall be required in the case of an adjourned meeting.

8. VOTING

Unless otherwise provided by the bye-laws, all disputed questions at a meeting shall be determined by vote. Each member of the Foundation or of the Governing Body, as the case may be, present at the meeting shall have one vote and the majority vote shall prevail. In case of equality of votes, the Chairperson shall have a casting vote.

9. Every member of the Foundation shall, in the event of the Foundation being wound up during the time that he is a member, or within one year afterwards, be liable for payment of the costs, charges and expenses of winding up the same, not exceeding Rs. 100/- (Rupees one hundred).

10. If upon the winding up or dissolution of the Foundation, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Foundation but shall be given or transferred to some other institutions having objects similar to the objects of the Foundation. No member of the Foundation shall have any personal claim on any movable or immovable properties of the Foundation nor shall make any profits by virtue of his membership.

III. AMENDMENT OF THE MEMORANDUM AND RULES AND REGULATIONS.

Any amendment in the Memorandum of Association and Rules & Regulations will be carried out in accordance with procedure laid down under section 12 and 12A of the Societies Registration Act, 1860.

IV. APPLICATION OF ACT

All provisions of the Societies Registration Act. 1860 as applicable to N.C.T. of Delhi shall apply to the Foundation.

V. GOVERNING BODY



1. Subject to such policy directions as the General Body may like to give from time to time, the management of the Foundation shall be vested in and rest with the Governing Body.

2. COMPOSITION

The Governing Body shall consist of the following members:-

- i) President, Maulana Azad Education Foundation
- ii) Vice President, Maulana Azad Education Foundation
- iii) Treasurer, Maulana Azad Education Foundation
- iv),v)&vi) Three members (to be elected from amongst the members of the Foundation).

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3. CASUAL VACANCIES

Any vacancy/vacancies shall be filled in the same manner as the election of the Governing Body.

4. TERM OF THE OFFICE OF MEMBERS OF THE GOVERNING BODY INCLUDING OFFICE BEARERS.

The members of the Governing Body shall hold office for 3 years and shall be eligible for re-election. Even after the expiry of their term, the members shall continue to hold office till their duly elected successors are in position.

5. ELECTION

Election shall be by secret ballot as per the election rules approved by the General Body.

6. QUORUM AND NOTICE OF MEETINGS

The Governing Body shall meet at least once in two months. The quorum of the meeting shall be 3 members. Ordinarily seven days notice shall be given for the meeting. In case of an emergency, the Secretary may, with the approval of the President, call a meeting of the Governing Body at two days notice. In case the quorum is not complete the meeting shall be adjourned and fixed for any day after the said meeting. No quorum shall be required in the case of adjourned meeting.

7. In case of urgency the Secretary may, with the approval of the President, circulate a proposal for decision by circulation which will be considered as carried, provided there is  $\frac{3}{4}$  majority in support of the proposal.

8. The Governing Body shall do all such things as they consider necessary or expedient for the purpose of carrying out the objects of the Foundation.

9. Subject to the provisions of the Memorandum of Association and these Rules and Regulations, the Governing Body shall, in addition to other powers vested in it, have the following powers:-

- (a) To grant leave of absence other than casual leave to the staff.
- (b) To entertain, adjudicate upon and, if it thinks fit, redress the grievances of the staff.
- (c) To frame such Rules and Bye-laws as it may from time to time consider to be necessary for regulating the management of any institution under the control of the Foundation.
- (d) To delegate such powers and functions to the President and/or Vice President or Secretary as are considered necessary for day to day functioning of the Foundation.

10. SUB-COMMITTEE



The Governing Body may appoint **such Sub-Committees** as it may deem necessary for effective functioning of the Foundation from amongst the members of the Foundation and also co-opt experts and specialists on such Sub-Committee.

11. All acts done at any meeting of the Governing Body or any of its Committees shall be valid notwithstanding that some disqualification or defect in the appointment of any member of the Governing Body comes to light later.
12. No act or the proceedings of the Governing Body or any of its committees shall be invalid merely by reason of the existence of vacancy/vacancies or any defect in the co-option, nomination or election of any of its members.
13. No member of the Governing Body shall be personally or individually answerable for any loss arising in the administration or application of the funds of the Foundation or any damage to or deterioration not caused by a wilful default or neglect on his part.
14. The Governing Body may enter into any agreement with Government regarding grants in aid for institution belonging to or managed by the Foundation whether the grant is a recurring grant or a capital grant.
15. The Governing Body may accept donations and gifts on such terms as may be considered suitable.

#### POWERS AND DUTIES OF OFFICE BEARERS

##### VI. PRESIDENT

The Union Minister, Minority Affairs will be the ex-officio President of the Foundation. He/she shall preside over all the meetings of the General Body and Governing Body of the Foundation. In any emergency, which, in the opinion of the President, requires that immediate action should be taken, the President shall take such actions as he/she thinks necessary and shall at the earliest opportunity there after, report his/her action to Governing Body for ratification.

##### VII. VICE PRESIDENT

The Foundation shall elect from amongst its members a Vice-President, to hold office for three years. However, the President may direct the Vice President to tender the resignation from the office of the Vice President and also from the membership of the General Body. This is in addition to the termination of any membership under Section -II(3) (i.e. cessation of membership) of Rules & Regulations of the Maulana Azad Education Foundation.

##### VIII. TREASURER

The Foundation shall elect Treasurer from amongst the members of the General Body. He/She shall hold office for three years. He/She shall be eligible for re-election. He/She shall be responsible for:-

- (a) The supervision and control of the accounts. He/She shall operate the Bank accounts of the Foundation jointly with a person or persons as may be appointed by the Governing Body.
- (b) The proper auditing of the accounts periodically by an Auditor chosen by the General Body from amongst registered Chartered Accountants.



- (c) Subject to the direction and control of the Foundation, he/she shall manage the property and investments of the Foundation and present the annual accounts and budget statement.
- (d) He/She shall arrange for the proper custody of all movable and immovable property, moneys, securities and investment of the Foundation.
- (e) Subject to the direction and control of the Foundation and the Governing Body, the Treasurer shall have the powers to buy and endorse and sell shares, securities and other instruments of a similar character on behalf of the Foundation and realize interest, dividend, bonus or profit due thereon under his/her signature jointly with the signature of Secretary.

#### IX. SECRETARY

1. There shall be a paid Secretary who shall be a full time employee.
2. The Secretary shall subject to such directions as the President may like to give in this regard, convene meetings of the Foundation and its Governing Body, circulate agenda and maintain records of the proceedings of these meetings. He/she shall see that decision of the Foundation and the Governing Body are implemented and shall make a report to this effect at the next meeting of the Foundation/or Governing Body, as the case may be.
3. The Secretary shall be responsible for the maintenance of records of the Foundation.
4. He shall exercise such other powers and perform such other duties as may be conferred upon him by the Rules and Regulations or as the Foundation may from time to time determine by resolutions.
5. He shall be responsible for coordinating the activities of the different institutions under the control and supervision of the Foundation.
6. Subject to the powers and functions of the Treasurer as defined above, he shall satisfy himself that all moneys are expended for the purpose for which they are granted, sanctioned or allotted.

#### X. OFFICE AND STAFF

The Foundation shall have its own independent office and shall have its essential staff to be decided by the Governing Body. The Foundation will move such proposals for creation / abolition of post (s) for its staff with the recommendations of its Governing Body to the Government for approval.

#### XI. LEGAL PROCEEDINGS

The Foundation may sue or be sued in the name of Secretary and/or such person/persons as shall be appointed by the Governing Body for the occasion as per provisions laid down under section 6 of the Societies Registration Act, 1860 as applicable to N.C.T. of Delhi.

#### XII. MOVABLE AND IMMOVABLE PROPERTY

All deeds of transfer, lease and other documents relating to the movable and immovable property of the Foundation shall be signed by the Secretary of the Foundation. All documents and records of the Foundation shall be maintained at the



premises of the Foundation and or at such other place for safe custody as the Foundation may determine by separate resolution.

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### XIII. FINANCE AND ACCOUNTS

#### 1. AUDIT OF ACCOUNTS

The Accounts of the Foundation shall be kept in the form and on the lines laid down by the Governing Body and shall be audited regularly/annually by a firm of Chartered Accountants appointed by the Foundation.

2. All moneys received from and on behalf of the Foundation shall be paid in the appropriate account in the Bank/Banks approved by the Governing Body.

3. Except for small bills amounting to less than Rs. 5000/- all payments would be made by cheques and proper receipts taken.

#### 4. FINANCIAL YEAR

The financial year of the Foundation shall be 1<sup>st</sup> April to 31<sup>st</sup> March.

5. The annual accounts and balance sheet of the Foundation as prepared by the Auditors, alongwith audit report, shall be submitted to the Governing Body.

#### 6. SOURCE OF FUNDS AND UTILIZATION

The Foundation shall accept grants and donations from Government and non Government organization and the public. The funds of the Foundation shall be employed solely for the purpose and objects of the Foundation.


#### 7. OPERATION OF BANK ACCOUNT

Any amount which is to be withdrawn from the Bank shall be withdrawn by means of a cheque signed by two persons duly nominated by the Governing Body, one of whom shall be the Treasurer of the Foundation.


### ESSENTIAL CERTIFICATE

We, the undersigned members of the Governing Body hereby certify that this is a true copy of the Rules and Regulations of the Foundation.

President



Secretary

  
28/4/11

Treasurer

