

CONSTITUTION  
of  
**SHREE GEETA BHAWAN**

**BIRMINGHAM**

**B19 1HL**

Charity No: 258195

**Tel: 0121 554 4120 / 0121 523 7797**



**(FIRST HINDU TEMPLE IN THE MIDLANDS)**

*Established 1967*

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**CONSTITUTION OF SHREE GEETA BHAWAN BIRMINGHAM**  
(Charity Number: 258195)

**AMENDMENTS 9<sup>TH</sup> MARCH 2014**

The following amendments to the Constitution of Shree Geeta Bhawan were unanimously approved at the Extra-ordinary General Meeting held on Sunday, 9<sup>th</sup> March 2014 at 3.00 pm and are immediately effective.

**Trustees**

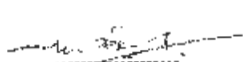
Delete clause 6 (b) (i) and replace by "The Trustees (both Holding and Managing) shall hold office until the next period of election. At the end of such period the retiring trustees, subject to being properly nominated, together with other nominated members, may offer themselves to be re-elected.

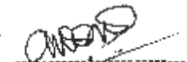
**Managing Trustees**


Delete clause 6 (c) (iii) and replace by "Up to four co-opted members may be nominated by the Holding and Managing Trustees during the term of their office. The Managing Trustees shall appoint annually such honorary officers as listed below.

**General Meetings**

7 (c) add after "A notice convening any General Meeting shall with the Annual Report and Accounts" (unless Accounts have been posted on the Shree Geeta Bhawan's website and displayed within the Bhawan's Notice Board)

  
Patron  
R K Sethi

  
President  
Dr A N Verma

  
Secretary  
Raman Thakur

1. **Name**  
The name of the society shall be Shree Geeta Bhawan.
2. **Objects**  
The objects of the **Bhawan** are the advancement of the Hindu religion and for this purpose the **Bhawan** may:
  - (a) Offer facilities for religious functions and the performing of all religious rites connected with births, marriages and deaths.
  - (b) Arrange lectures and discussions on Hindu Religion.
  - (c) Provide a library of books and periodicals about religious and cultures.
  - (d) Provide a central place of worship with facilities necessary for performing religious ceremonies and to conduct public worship and prayer.
  - (e) Provide a Hindu religious philosophical and cultural centre in the United Kingdom.
  - (f) Provide a meeting place for Hindus of all shades and opinions and for others interested in Hinduism.
  - (g) Provide means for the understanding and discussion of the basic concepts of the various schools of Hindu philosophy and the basic values of the Hindu way of life.
  - (h) Encourage social educational and community service to the Hindu society.
  - (i) Generally do all such acts as shall further the active and corporate life of the **Bhawan** and may lawfully be done by a body established only for purposes recognise by the law of England as charitable.
3. **Membership**  
Members shall be classified as follows:
  - (a) **Ordinary Members:-** People of Hindu faith.
  - (b) **Associate Members:-** People of non-Hindu denomination but interested in the Hindu Religion.
  - (c) **Honorary Members:-** Distinguished people in any part of the world known for their interest in the Hindu Religion and culture.
  - (d) **Life Members:-** All persons of Hindu faith who donate a sum of at least £101 to the **Bhawan** or such other sum as may from time be decided upon by the Managing Trustees.
  - (e) **Patrons:-** They may be appointed at the discretion of the Board of Holding Trustees and Managing Trustees. They shall be the persons who have rendered distinguished services to the **Bhawan**.
4. **Members**  
Every candidate for membership must be proposed by a member of the **Bhawan** and seconded by another.
  - (a) An application for membership must be signed by the applicant. The election of members of the **Bhawan** shall be subject to the approval of the Board of Holding Trustees and Managing Trustees. The Board of Holding Trustees and Managing Trustees is under no obligation to give any reason for the non-approval of the applicant.
  - (b) When a person has been elected and has paid an annual subscription or a life subscription he shall be a member of the **Bhawan** and shall be deemed to have agreed to abide by the rules and regulations of the **Bhawan** (these rules are printed at the back of the membership application form).
  - (c) (i) Board of Holding Trustees and Managing Trustees may by resolution communicate to the member in writing and stating concisely the grounds for which it proposes to act call upon any individual to resign from the **Bhawan** and if the member does not so resign within forty-eight days after being so called upon the Board of Holding Trustees and Managing Trustees may by resolution terminate his/her membership.

- (ii) Before coming to any decision the Board of Holding Trustees and Managing Trustees shall give the member affected proper facilities for stating his/her case to them either orally or in writing as the Trustees may determine.
- (iii) If the Board of Holding Trustees and Managing Trustees shall determine that a member's conduct has been such that it should be terminated with disgrace it may not withstanding the provisions of clause 4 (c) terminate his/her membership forthwith and such person shall at no time in the future be eligible to vote at meetings or be co-opted or elected to a post in the Bhawan.
- (d) The Board of Holding Trustees and Managing Trustees may at any time without stating any reason refuse to accept a renewal of the subscription of any member.
- (e) Only members who have fully paid the subscription fee can be elected or co-opted on to the Board of Holding Trustees and Managing Trustees.
- (f) No individual member shall take any public action or make any public announcement in the name of the Bhawan or otherwise do anything directly or indirectly to represent that any proposal action or statement of facts or opinion has the approval of the Bhawan the Board of Holding Trustees and Managing Trustees alone may make announcements and publications in the name of the Bhawan.
- (g) Every elected member to the Board of Holding Trustees and Managing Trustees shall take on the oath in the Temple with Geeta in hand that he/she will honestly work for the benefit and advancement of the Temple.

**5. Subscription Fees**

- (a) All newly-elected members shall pay annual subscription as may from time to time be decided upon by the Board of Holding Trustees and Managing Trustees.
- (b) The second annual subscription after election as a member and thereafter renewed subscription "subject to rule 4 (d)" shall become due on 1<sup>st</sup> January in each year. A new member's subscription paid after 1<sup>st</sup> October in any year shall entitle him/her to all privileges of membership without further payment until 31<sup>st</sup> December of the following year.
- (c) A member whose subscription is in arrears on the 31<sup>st</sup> day of March next after it has become due shall not be entitled to any of the rights and privileges of membership. The names of all members whose subscription remains unpaid on the 31<sup>st</sup> of March next after they have become due shall be removed from membership.

**6(a)(i) Government of the Bhawan**

The Bhawan shall be managed by the Board of Holding Trustees and Managing Trustees in the event of any difficulty or the termination of the work of the Bhawan pursuant to Rule 15 (Dissolution) the Holding Trustees on the recommendation of the Managing Trustees will take all such steps as they deem necessary to safeguard the interest of the Bhawan and its proper functioning.

**(ii) Property of the Bhawan**

All property belonging to the Bhawan shall be vested in the names of not more than five nor less than three Holding Trustees for the time being. The Bhawan may purchase or otherwise acquire and hold property of any nature and may sell/lease/mortgage or otherwise deal with the same as maybe resolved and accepted by the Board of Holding Trustees and Managing Trustees.

**(b) Trustees**

A Holding Trustee must be a life member of the Bhawan. There will not be more than five and not less than three Holding Trustees.

- (i) The Trustees (both Holding and Managing) shall hold office until the next period of election. At the end of such period the retiring trustees, subject to being properly nominated, together with other nominated members, may offer themselves to be re-elected)

**PREVIOUS AMENDMENTS**

Amendment to the clause No.10 page 7 of the constitution passed in the Extra Ordinary General Meeting on the 2<sup>nd</sup> July 1989

To read as:

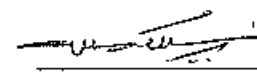
- a) One third members present shall form the quorum at an Executive Committee Meeting.
- b) The quorum as thirty-five members present at a general meeting.

**AMENDMENTS 21<sup>ST</sup> SEPTEMBER 2008**

- (b) For the purposes of clarification only it is proposed that wherever the words "Executive Committee" appear these words shall be deleted and instead the words "Managing Trustees" shall be substituted. The duties, titles of office bearers and all other references shall remain the same.
- (c) For Further clarification, the Trustees who hold in their names on behalf of the charity the property and assets of the charity shall be described as "Holding Trustees".
- (d) Paragraph 6(b)(i) be deleted and the following substituted:  
 "(i) The Trustees (both Managing and Holding) shall retire after two terms (each term is a period of two years). At the end of such period the Trustees shall not be eligible for reappointment until he or she has remained out of that office for a period of not less than two years. In any event, a Trustee who was an office bearer shall not be entitled to undertake that same office again."
- (e) Under paragraph 7 subparagraphs (f) (iii) to (vii) shall be deleted and the following substituted:  
 "Any member who is ill or out of the country at a time when he or she would otherwise have wished to register a vote at a general meeting may apply to vote by proxy provided that they apply in advance to the electoral board, and the electoral board shall comprise the Managing Trustees, and having satisfied the Board that they are (a) a member and (b) unable to vote in person for the above reasons, the electoral board may then grant permission or reject the application. The decision shall be made in writing to the member concerned and if permission is granted that member may vote by proxy. The Secretary or person appointed by the electoral board for that purpose shall record in the minutes of the meeting the decision made and the decisions given, (iv) A proxy must be a registered member of the charity and may not act as proxy for more than one member, (v) The election board shall require evidence of the authority of any member registering a proxy vote, (vi) The decision of the electoral board by majority shall be final and binding.

**NOTES:**

The current valid constitution of Shree Geeta Bhawan w.e.f. 21<sup>st</sup> September 2008 adopted after being approved by the general members in the Special/Extraordinary General meeting held on the same day.



Chairman  
R.K. Sethi



President  
M.L. Sudera



Secretary  
A.V. Chandan

Respected member,

This constitution has been updated on 21<sup>st</sup> September 2008.

Please note that should there be any additions or amendments, that are passed at any future Annual General Meeting, these will be printed and given to all members to insert and/or replace into this existing constitution.

11. **Alterations to Rules**  
The Rules of the Bhawan may be altered at a Special General Meeting and at least twenty one days notice of any meeting to consider a proposed alteration shall be given to all members. The notice shall state the proposed change or changes. In order to effect an alteration of a rule at least two thirds of the members actually present and voting at the meeting shall vote in favour of the proposed change. No amendment to any proposed alteration shall be allowed. No amendment variation or addition to these rules shall be valid if it would make objects of the Bhawan as set out in clause 2 above cease to be exclusively charitable or enable the Bhawan surplus funds property and assets to be disposed of under clause 15 hereof for purposes which are not exclusively charitable.

12. **Affiliation**  
The Board of Holding Trustees and Managing Trustees may at any time affiliate to or accept affiliations on such terms as it thinks fit from other Hindu organisations or (without stating any reason) disaffiliate from or disaffiliate any such other organisation.

13. **By-Rules**  
The Board of Holding Trustees and Managing Trustees is authorised to make by-rules for the conduct of the Bhawan which are not inconsistent with these rules.

14. **Notices**  
The accidental omission to give notice of a meeting to or the non-receipt of notice of a meeting by any member shall not invalidate any proceedings or resolutions at any meeting of the Bhawan or any committee thereof.

15. **Dissolution**  
A motion to dissolve the Bhawan may only be made at a Special General Meeting and to affect dissolution at least three-quarters of the members actually present and voting at the meeting shall vote in favour of the dissolution. If a motion to dissolve the Bhawan is carried by the said majority the Bhawan surplus funds, property and assets (if any) shall be disposed of for charitable purposes in connection with the advancement of the Hindu Religion and particularly for such charitable purposes in connection with religion as the members may at the said General Meeting decide or failing any such decision to a charity connected with religion to be nominated by the Board of Holding Trustees and Managing Trustees for the time being to the intent that no member of the Bhawan shall receive any of the said funds, property and assets by virtue of his/her memberships.

16. **Amendments**  
Amendments to the constitution if required can only be made by two-thirds majority of the Board of Holding Trustees and Managing Trustees and then the same approved by the general members at the annual general meeting with twenty eight days notice or at special general meeting called at twenty one days notice for the same purpose when no other business will be discussed except the proposed amendments of constitution and with at least two thirds majority of the members actually present in person and voting at the meeting in favour of the proposed change in the constitution.

No amendment, variation or addition to constitution shall be valid if it would make the objects of the Bhawan as set out in clause 2 above cease to be exclusively charitable or enable the Bhawan surplus funds, property and assets to be disposed of under clause 15 hereof for the purpose which are not exclusively charitable.

- (ii) The Holding Trustees shall from among themselves appoint an Honorary Secretary to the Holding Trustees.
- (iii) A copy of minutes of the Holding Trustees signed by the Holding Trustees and Secretary shall be conclusive evidence of their decision.
- (iv) Any vacancy of the Holding Trustees shall be filled by the remaining Holding Trustees on the recommendation and approval of the Board of Holding Trustees and Managing Trustees.
- (v) If legal proceedings of any kind are resorted to or defended by the Bhawan the Holding Trustees shall prosecute or defend such proceedings on behalf of the Bhawan as may be necessary with the approval of the Board of Holding Trustees and Managing Trustees.
- (vi) Any Holding Trustee may be removed from the office by a resolution passed at a special meeting of the Holding Trustees by a vote of a majority of the Holding Trustees present and voting at the meeting either personally or by proxy. At least fourteen clear days notice of a special meeting to remove a Holding Trustee shall be given to all Holding Trustees and the agenda for the meeting shall state precisely the reasons why the removal is considered necessary and the Holding Trustee concerned shall be permitted to make his/her defence orally or in writing. Holding Trustee, if not satisfied by the decision of the Holding Trustees, may put his/her case before the Special General Meeting of the members whose decision will be final.
- (vii) The Holding Trustees shall be effectually indemnified by the Managing Trustees from and against any liability costs expenses and payments whatsoever which may be properly incurred or made by them in relation to the trusts of the property and investments of the Bhawan or in relation to any legal proceedings which only relate directly to the performance of the functions of a Holding Trustee of the Bhawan.
- (viii) Except where otherwise provided the Holding Trustees may act as simple majority of those voting at a meeting of the Holding Trustees either personally or by proxy. A Holding Trustee may appoint another Holding Trustee to be his/her proxy at any meeting of the Holding Trustees in accordance with the provisions of Rule 7 (f) (i) to (vii) inclusive relating to proxies at general meetings.

(c) **Managing Trustees**  
The Managing Trustees shall be responsible for the management of the Bhawan and its finances. There shall be up to 19 members who shall consist of the following:

- i. The Holding Trustees (five in number).
- ii. The Elected Managing Trustees (ten)
- iii. Up to four co-opted members may be nominated by the Holding and Managing Trustees during the term of their office. The Managing Trustees shall appoint annually such honorary officers as listed below.
  - (1) A President (from among the 10 elected members of Managing Trustees)
  - (2) Two Vice Presidents
  - (3) A Secretary
  - (4) A Membership Secretary
  - (5) A Treasurer who shall be one of the Holding Trustees
  - (6) Assistant Treasurer who shall not be one of the Holding Trustees
- (iv) A member of the Board of Holding Trustees and Managing Trustees may appoint another member Trustee to be his/her proxy at any Committee Meeting.
- (v) Any vacancy occurring in any elective office may be filled by the Board of Holding Trustees and Managing Trustees but any Trustee so appointed to fill any vacant office shall retire from office at the conclusion of the current term but shall be eligible for re-election. No Trustee who receives any pecuniary benefit from the Bhawan or who is a paid servant of the Bhawan (whether whole or part time) shall not be eligible to be elected or co-opted to any post in the Bhawan.

- (vi) No member of the Board of Holding Trustees and Managing Trustees will receive any kind of reward or remuneration (e.g. money, goods or Dakshina) for their services to the temple.
- (d) **Finance**
- (i) All monies payable to the Bhawan shall be received by the Treasurer or such other officer of such bank as shall be appointed by the Holding Trustees to receive the same. All funds belonging to the Bhawan shall (unless invested) be deposited in a bank account in the name of the Bhawan and no sum shall be drawn from this account except by cheque signed by such person or persons as the Holding Trustees shall direct. Every cheque for £50 or more shall be signed by the Treasurer and two of the Holding Trustees. Any monies not required for immediate use may be invested by the Holding Trustees as herein authorised on approval of the Board of Holding Trustees and Managing Trustees. All cash boxes in the Temple shall be opened and counted by not less than three Trustees including one Holding Trustee.
- (ii) The Board of Holding Trustees and Managing Trustees shall ensure accounts to be kept of the receipts and payments income and expenditure assets and liabilities of the Bhawan and shall place before the members of the Bhawan at each Annual General Meeting financial statements following an independent examination by a qualified accountant subject to the requirements of the Charities Act 1993 and any other relevant legislation. The income and property of the Bhawan shall be applied solely towards the furtherance promotion and execution of the objects of the Bhawan and no portion thereof shall be paid by the way of dividend bonus or profit to any member of the Bhawan provided that nothing herein expressed or contained shall prevent the payment in good faith of remuneration or expenses or both to any officer or servant of the Bhawan or other person or persons for services actually rendered by him/her or them to the Bhawan.
7. **General Meetings**
- (a) The Annual General Meeting of members of the Bhawan shall be held once in every calendar year between August and October to transact the following business (except under unavoidable circumstance).
- (i) To receive and if approved to adopt the annual report and financial statements to the end of the preceding financial year.
- (i) To elect five Holding Trustees and ten Managing Trustees every two years.
- (ii) To appoint an independent examiner who shall be a qualified accountant.
- (iii) To deal with any special matter which the Board of Holding Trustees and Managing Trustees desires to bring before the members and to receive and consider suggestions from the members for consideration by the Board.
- (b) A special General Meeting of the Bhawan may be called at any time by the Board of Holding Trustees and Managing Trustees and shall be so called within forty-eight days of the receipt by the Honorary Secretary of a requisition in writing signed by not less than thirty-five members stating the purpose for which such meeting is desired and setting out any resolution which it is desired to propose there at. No business shall be transacted at such meeting other than that specialised in the notice and no amendment to any resolution proposed at the meeting shall be allowed. The chairman of the meeting shall be nominated by the Board of Holding Trustees and Managing Trustees.
- (c) A notice convening any General Meeting shall with the Annual Report and Accounts of the Board of Holding Trustees and Managing Trustees (in the case of the Annual General Meeting) be sent to all members not less than twenty-eight days in case of an Annual General Meeting and fourteen days in the case of an Extraordinary General Meeting before the meeting may be cast as follows:  
Each life and ordinary member whose subscription is fully paid up to the date of the meeting shall have one vote in person or by proxy qualification as noted *per amendment* and no more except the Chairman who shall have a second or casting vote in the case of an equality of votes. A notice convening any General Meeting shall be with the Annual Report and Accounts (*Unless Accounts have been posted on the Shree Geeta Bahwan's Website and displayed within the Bhawan's Notice Board*)

- (d) Any resolution for consideration at any General Meeting must be received by the Honorary Secretary not less than fifteen days before the date appointed for the meeting Board of Holding Trustees and Managing Trustees may direct that any resolution which appears to them to be scandalous or vexatious or contrary to the provisions of this constitution shall not be placed upon any agenda or discussed at any General Meeting.
- (e) Any member of the Board of Holding Trustees and Managing Trustees who fails to attend three consecutive committee meetings of the Board of Holding Trustees and Managing Trustees without adequate reason acceptable to the Committee shall be deemed to have resigned his/her membership of the Board.
- (f) (i) No member shall, unless the Board of Holding Trustees and Managing Trustees otherwise determine, be entitled to vote at any General Meeting either personally or by proxy unless all monies presently payable by him to the Bhawan have been paid subject as aforesaid every member shall have one vote.
- (ii) No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is given or tendered and every vote not disallowed at such meeting shall be valid for all purposes. Any such objection made in due time shall be referred to the chairman of the meeting whose decision shall be final and conclusive.
- (iii) Any member who is ill or out of the country at a time when he or she would otherwise have wished to register a vote at a general meeting may apply to vote by proxy provided that they apply in advance to the electoral board, and the electoral board shall comprise the Managing Trustees, and having satisfied the Board that they are (a) a member and (b) unable to vote in person for the above reasons, the electoral board may then grant permission or reject the application. The decision shall be made in writing to the member concerned and if permission is granted that member may vote by proxy. The Secretary or person appointed by the electoral board for that purpose shall record in the minutes of the meeting the decision made and the decisions given.
- (iv) A proxy must be a registered member of the charity and may not act as proxy for more than one member.
- (v) The election board shall require evidence of the authority of any member registering a proxy vote.
- (v) The decision of the electoral board by majority shall be final and binding.
- (vii) A vote given by proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy or of the authority under which the instrument of proxy was executed provided that no intimation in writing of such death, insanity or revocation shall have been received by the Bhawan at the address of the Secretary before the commencement of the meeting or adjournment meeting or poll at which the vote is given.

8. **Meetings**  
The Board of Holding Trustees and Managing Trustees shall meet at regular intervals of not more than six weeks (except where the circumstances make it impracticable or impossible to do so). Extraordinary meetings of the Board of Holding Trustees and Managing Trustees may be called out at any time at seven days notice at the discretion of All Trustees. Any Holding Trustee may by seven days notice to the Trustees Secretary require a meeting of the Holding Trustees to be held within the following fourteen days.

9. **Notices of Board of Holding Trustees and Managing Trustees Meetings**  
Meeting notice shall when possible be sent at least seven days before the date of the meeting.

10. **Quorum**  
1/3 members shall form the quorum at a Board of Holding Trustees and Managing Trustees combined meeting. And three persons at a Holding Trustees meeting. The quorum at a General Meeting has thirty five members present.