

# **Maharashtra Mandal (Singapore)**

## **Constitution**

### **1.0 Name**

1.1 This Association shall be known as "Maharashtra Mandal (Singapore)", hereinafter referred to as the "Association".

### **2.0 Place of Business**

2.1 The registered address of the Association shall be at "20 Maxwell Road, #09-17, Maxwell House, Singapore 069113" or such other address as may subsequently be decided upon by the Executive Committee (Ex-Co) and approved by the Registrar of Societies. The Association shall carry out its activities only in places and premises, which have the prior written approval from the relevant authorities, where necessary.

### **3.0 Objectives**

#### **The objectives of the Association are:**

3.1 To preserve and promote the Maharashtrian culture.

3.2 To promote music, dance, arts, literature, poetry, theatre, sports and / or any other form of art amongst its members.

### **4.0 Membership**

4.1 Membership of the Association is open to any person interested in the Maharashtrian culture. Any reference to the masculine gender shall also mean to include the feminine gender in this document. All applications for membership shall be subject to approval by the Ex-Co in consultation (if felt necessary by the Ex-Co) with the Board of Advisors (BOA).

4.2 There will be 4 classes of members:

4.2.1 Ordinary Members: Ordinary members shall be natural persons. Further,

4.2.1.1 The person applying for Ordinary membership shall be a resident of Singapore (at the time of applying).

4.2.1.2 Persons who are below 18 years of age shall not be accepted as members without the written consent of their parent or guardian.

4.2.1.3 Only persons who have paid the membership fees for the current calendar year will be considered as members for all acts and purposes.

4.2.2 Life members: Life members shall be natural persons.

4.2.2.1 The person applying for Life membership shall be a resident of Singapore (at the time of applying).

4.2.2.2 Only those members who are above the age of 21 and who have been Ordinary Members of the association for more than two years shall be eligible to be admitted as Life members.

4.2.2.3 For clarification purposes, Life members shall have all the rights and privileges of an Ordinary Member.

4.2.3 Associate Members: Associate members shall be natural persons.

4.2.3.1 Persons who do not qualify to be Ordinary members will be eligible to be Associate Members of the Association.

4.2.3.2 Associate members shall not have any voting rights and shall not be eligible to attend General Meetings of the Association.

4.2.3.3 The Associate membership shall be typically open to persons who are in Singapore on a temporary work assignment or visit and wish to participate in the Association's activities.

4.2.3.4 The Associate membership is valid only for the current calendar year. The fees payable shall be of the same amount as applicable for Ordinary membership.

4.2.4 Associate Corporate Member

4.2.4.1 Persons who do not qualify to be Ordinary / Life / Associate members will be eligible to join the Association as Associate Corporate Member.

4.2.4.2 Associate Corporate members shall not have any voting rights and shall not be eligible to attend General Meetings of the Association.

4.2.4.3 The Associate Corporate membership is typically open to companies/ registered entities whose employees/members have an affinity towards the Association.

4.2.4.4 The Associate Corporate Membership is valid for a calendar year and a flat rate of SGD 50 shall be payable for the annual membership, irrespective of the date of renewal of membership in that calendar year.

4.3 Only Ordinary and Life members who are above 18 years of age shall have the right to vote and to hold office in the Association.

## **5.0 Entrance Fees, Subscriptions and other Dues**

5.1 Entrance fees and membership subscriptions (except for Life membership) shall be determined at the General Meeting on the recommendation from the Ex-Co from time to time. Fees for life membership may be revised and approved at any General Meeting through a resolution tabled by the Ex-Co and shall be applicable in and starting from the calendar year in which the resolution is approved.

5.2 Annual membership (other than Life membership) of the Association is for a period of one (1) calendar year i.e. from January to December of that year.

5.3 A person wishing to join the Association should submit his particulars to the Secretary on a prescribed form. The Ex-Co shall review and either approve or decline the application for membership.

5.4 Membership of the association shall be confirmed only upon receipt of the applicable entrance fee along with the subscription fee for the calendar year. A copy of the Constitution shall be furnished to every approved member upon payment of the entrance fee.

5.5 The annual membership fee (as prescribed and approved in a General Meeting) is payable in full by all members (excluding Life members) within three (3) months of the commencement of each new calendar year.

5.6 Those Ordinary members who are eligible to become Life members can do so by paying the currently applicable one-time fee subject to the approval of their application as Life members. Life members shall not pay any annual subscription fees.

5.7 If any member falls into arrears with his subscriptions or other dues, he shall be informed immediately by the Treasurer. If the member fails to settle the arrears within three (3) months of it's becoming due, the President shall order that the Member be denied the privileges of membership until he settles his account. If a Member falls into arrears for more than *three (3)* months dues i.e. he has not settled his arrears by *31<sup>st</sup> March* of the calendar year, his membership shall automatically cease.

5.8 The Ex-Co is authorized to request voluntary contributions from its members and / or their associates to meet the expenses towards social or cultural events being organized by the Ex-Co on behalf of the Association.

5.9 Any additional funds required for special purposes may only be requested from Members and / or their associates with the consent of a General Meeting of Members.

## **6.0 Supreme Authority and General Meetings**

6.1 The supreme authority of the Association is vested in a General Meeting of the Members.

6.2 An Annual General Meeting, hereinafter called "AGM" shall be held no later than 1<sup>st</sup> March of every calendar year.

6.3 Extraordinary General Meeting

6.3.1 An EGM may be called at any time by order of the Ex-Co as per clause 6.3.5 of this constitution for such purposes as the President / Vice President / Secretary may feel necessary.

6.3.2 An Extraordinary General Meeting, hereinafter called "EGM" shall be called by the President at the request, in writing, of not less than 25% of the total voting membership or thirty (30) voting Ordinary and/or Life members, whichever is the lesser.

6.3.3 The notice in writing for calling an EGM shall be given to the Secretary setting forth the business that is to be transacted. The EGM shall be convened within twenty-one (21) days from receiving the notice to convene the EGM, unless it is withdrawn by the members giving such notice.

6.3.4 If the Ex-Co does not within twenty-one days after the date of receipt of the written request, proceed to convene the EGM, the Members who requested for the EGM shall convene the EGM by giving two weeks written notice to voting Members setting forth the business to be transacted and simultaneously mailing by post or by email or by fax the agenda to the President of the Association.

6.3.5 At least two (2) weeks' notice of an EGM shall be given to the Members. The Notice shall state the date, time and venue of the meeting as well as the agenda and shall be sent by the Secretary to all voting Members by post, or by email, or by fax.

#### 6.4 Annual General Meeting

6.4.1 At least two (2) weeks' notice shall be given of an AGM. Notice of meeting, stating the date, time and venue of the meeting as well as the agenda shall be sent by the Secretary to all voting Members, by post or by email, or by fax.

6.4.2 The following points shall be considered at an AGM

6.4.2.1 The previous financial year's accounts and annual report of the Ex-Co.

6.4.2.2 Election of Executive Committee (Ex-Co) Members and Honorary Auditors for the next term.

6.4.2.3 Any other business as deemed necessary.

6.4.3 Any voting Member who wishes to place an item on the agenda of a General Meeting may do so provided he gives notice to the Secretary at least ten (10) calendar days before the Meeting is due to be held.

6.4.4 At least 25% of the total voting membership or thirty (30) voting Members, whichever is the lesser, present at a General Meeting shall form a quorum.

6.4.5 In the event of there being no quorum at the commencement of a General Meeting, the meeting shall be adjourned for half an hour and should the number then present be insufficient to form a quorum, those present shall be considered a quorum, but they shall have no power to amend any part of the existing Constitution.

## **7.0 Management - Executive Committee**

The day-to-day administration of the Association shall be entrusted to the Executive Committee (Ex-Co) consisting of not more than thirteen members. All the Ex-Co members shall carry out their duties ethically, diligently and in the best interest of the Association.

The Ex-Co shall consist of seven (7) office bearers and six (6) other Committee members. The office bearers of the Association shall be.

- A President
- A Vice-President
- A Secretary
- An Assistant Secretary
- A Treasurer
- An Assistant Treasurer
- A Public Relations Officer
- Six (6) Ordinary Committee Members

Unless prior approval in writing of the Registrar or an Assistant Registrar of Societies is obtained, majority of the Ex-Co shall be Singapore Citizens (SCs) or Singapore Permanent Residents (SPRs). In addition, the key posts in the Ex-Co should be held by SCs or SPRs. Foreign Diplomats shall not serve as Committee Members.

## **8.0 Election of the Executive Committee**

8.1 During the AGM, the following office bearers will be elected:

- President
- Vice President
- Secretary
- Treasurer
- Asst. Secretary
- Asst. Treasurer

- Public Relations Officer
- Six (6) Ordinary Committee Members (non-office bearers)

#### 8.1.1 Eligibility for contesting elections:

A Member interested (and if needed in contesting the elections) to be a member of Ex-Co should fulfil the following criteria:

- a) Shall be a member of the Association for the previous year immediately preceding the election.
- b) Should be an active volunteer of the Association.
- c) Shall be a resident of Singapore.
- d) Their nomination should be either proposed or seconded by a BOA Member or a Life Member.

Additionally, for the Office of President, he shall have the experience of being a member of the Ex-Co for at least one (1) year in the preceding three (3) years.

All members of the Ex-Co shall have good knowledge of Marathi language and Marathi culture. The Treasurer, Asst. Treasurer shall have good knowledge of Accounting and Finance.

8.1.2 All office bearers, except the Treasurer and the Assistant Treasurer may be re-elected to the same or related post for a consecutive term of office.

8.1.3 The Ex-Co shall serve a term of one year.

## **8.2 Election to the Executive Committee**

### Election Process

8.2.1 An independent Election Commission (EC) of three (3) members, consisting of two (2) Life members, who are not a part of the Ex-Co, and one BOA member, shall be appointed by Life members in a meeting to be held not later than 31<sup>st</sup> January of the calendar year in which the AGM is due to take place.

8.2.2 The Ex-Co will send the notice of AGM and Election to be held, to the Ordinary and Life members along with the names and contact details of the EC members to whom the nominations are to be submitted.

8.2.3 Candidates shall submit the completed Nomination Forms specifying the post applied for in a prescribed format along with proof of membership renewal in sealed envelopes or send a scanned copy of the nomination form along with a scanned copy of the proof of membership renewal by email or by fax to the EC. Each candidate shall apply for only one position. In case the nomination form is sent by email or by fax, the original form should be handed over to the EC before the commencement of the AGM.

8.2.4 The Nomination Forms must reach the EC at least five (5) calendar days prior to the commencement of the Annual General Meeting. The names and details of the candidates shall be kept confidential by the EC.

8.2.5 Once the deadline for receipt of nomination forms is over and the forms are found to be in good order by the EC, the EC will then announce the names of the candidates who have filed valid nomination forms the next day i.e. three days prior to AGM.

8.2.6 An election will be necessary in case there are more than one valid nomination for the positions of President, Vice President, Treasurer, Asst. Treasurer, Secretary, Asst. Secretary, Public Relations officer and more than six valid nominations for the positions of Ordinary Committee Members.

8.2.7 The EC shall then direct the Secretary of the outgoing committee to prepare ballot papers. In the event that there are no valid nominations for the positions of President, Vice President, Treasurer, Asst. Treasurer, Secretary, Asst. Secretary, Public Relations officer and less than six (6) valid nominations for the position of other Ex-Co members, the remaining positions may be co-opted from amongst the eligible and existing members present at the Annual General Meeting.

8.2.8 The ballot papers shall be issued only to voting members who have paid subscription fees for the coming calendar year and a proper record thereof should be available for inspection by members.

8.2.9 The ballot papers shall be scrutinized by the EC and only valid votes for each position will be counted and results declared immediately thereafter by the EC.

8.2.10 In the event, for any position/s, where two or more candidates receive the same number of valid votes, then the EC may order the election only for that position/s by show of hands, failing which fresh balloting will be conducted only for that position/s.

### **8.3 Working of the Ex-Co**

8.3.1 The Ex-Co meeting shall be held at least once every quarter of the calendar year, after giving three (3) days' notice to the Ex-Co members. Under special circumstances, the President or Secretary may call an Ex-Co meeting at any time

by giving one day's notice. A simple majority of the Ex-Co members shall be present for its proceedings to be valid.

8.3.2 Any member of the Ex-Co absenting himself from three meetings consecutively without satisfactory explanations shall be deemed to have withdrawn from the Ex-Co and a successor who meets the eligibility criteria as stated above in clause 8.1 may be co-opted by the Ex-Co to serve until the next AGM. Any change in the Ex-Co shall be notified to the members and to the Registrar of Societies within two weeks of the change.

8.3.3 The duty of the Ex-Co is to organize and supervise the daily activities of the Association. The Ex-Co may not act contrary to the expressed wishes of the General Meeting without prior reference to it and shall always remain subordinate to the General Meetings.

8.3.4 The Ex-Co shall have the power to authorize the expenditure of a sum not exceeding **S\$20,000.00** per month from the Association's funds for the Association's purposes. However, such amount can be increased by Ex-Co in consultation with the BOA for certain special or exceptional events to be conducted by the Association.

#### **8.4 Duties of Office-Bearers and other Ex-Co members**

8.4.1 The President shall act as the Chairman at all General and Ex-Co Meetings. He shall also represent the Association in its dealings with outside persons or organizations. The tenure of the President shall not exceed more than three consecutive years.

8.4.2 The Vice-President shall assist the President and deputize for him in his absence.

8.4.3 The Secretary shall keep all records, (except financial) of the Association and shall be responsible for their correctness and keep them updated from time to time. He shall keep minutes of all General and Ex-Co Meetings. He shall maintain an up-to-date Register of Members at all times. All statutory and non-statutory filings of the Association shall be the responsibility of the Secretary.

8.4.4 The Assistant Secretary shall assist the Secretary and deputize for him in his absence.

8.4.5 The Treasurer shall keep all financial records of the Association, funds and collect and disburse all moneys on behalf of the Association and shall be responsible for their correctness. He is authorized to expend up to S\$ 1,000.00 per month for petty expenses on behalf of the Association after due authorization from the President and one other Office Bearer (other than himself) and any amount in excess of this sum of SGD1,000 shall be deposited in an account with a bank to be named by the Ex-Co.



8.4.6 The Assistant Treasurer shall assist the Treasurer and deputize for him in his absence.

8.4.7 The Public Relations Officer (PRO) shall act under the guidance of the President, shall liaise with government bodies and other associations to further the interest of the Association.

8.4.8 Other Ex-Co members shall assist in the general administration of the Association and perform duties assigned by the Office Bearers from time to time.

8.4.9 A member of the Ex-Co, who is directly or indirectly interested either financially or professionally in any item discussed at a Committee meeting, must declare such interest and, depending on the extent of that interest, shall not normally participate further in consideration of that particular item and also shall not cast his vote in respect of that particular item.

8.4.10 All decisions taken by the Ex-Co and the BOA shall be duly recorded in the Association's Minutes book.

8.4.11 The Ex-Co shall honour any past commitments made in the previous year/s by the then Ex-Co. The outgoing Ex-Co shall communicate such commitments to the incoming committee during the handover.

## **9.0 Board of Advisors**

### **9.1 Board of Advisors (BOA)**

The members of the BOA shall be natural persons and shall be Life members of the Association residing in Singapore.

### **9.2 A member of the BOA shall:**

- not be an un-discharged bankrupt or a person of unsound mind or have been convicted in any court of law in any jurisdiction at any time in the past
- increase the profile of the Association
- be expected to be persons having deep affinity for the Maharashtrian culture and language, cultural knowledge, experience in social and cultural organisational work and should be capable of providing sound advice to maintain and further the objectives of MMS

9.3 There shall be four 'Term' members and one 'Additional' member, who shall be co-opted. This co-opted member shall be the ex-President of the Association. His term as member of BOA will be till such time as the new election for the Association takes place and a new Ex-Co is elected. Then the President, who has retired, shall be co-opted as the Additional member of BOA.

9.4 The 'Term' members of BOA shall be nominated by the Life members. The General Meeting shall ratify their nominations.

9.5 The term of the BOA shall be for a period not exceeding five (5) years.

9.6 The BOA shall meet at least twice a year to discuss the affairs of the Association. BOA shall invite the President and / or other office bearers at their discretion for this meeting. BOA shall provide direction and guidance to the Ex-Co to ensure that the objectives of the Association are met by the Ex-Co on a continuing basis. The minutes of their meeting shall be recorded and a proper record thereof shall be maintained. The BOA shall present the summary of the discussions at the Life Members meeting.

9.7 The BOA shall contribute advice and guidance to the Ex-Co in cultural, social, economic, financial and organisational matters.

The BOA shall also ensure that such events are successfully carried out by the Ex-Co in the said calendar year.

9.8 Members of the BOA shall not hold any position in the Ex-Co.

9.9 The members of the BOA shall influence the Ex-Co, if any inappropriate decisions are being taken or if an issue is deemed to be threatening to the peaceful running and unity of the MMS. **The BOA shall not have any executive authority.** They do not have any rights to vote in the Ex-Co Meetings.

9.10 In case a BOA member relocates out of Singapore or is incapacitated to continue further, he shall be replaced by the Ex-Co in consultation with the remaining members of the BOA. Such appointment shall be ratified in the next General Meeting of the Association.

## **10.0 Audit and Financial Year**

10.1 Two voting Members, not being members of the Ex-Co and BOA, and at least one of whom shall be of an accounting/audit/finance background, shall be elected as Honorary Auditors at each AGM and shall hold office for a term of one (1) year only and shall not be re-elected for a consecutive term. They:

- Shall be required to audit each year's accounts and present a report to the AGM.
- May be reasonably required by the President to audit the Association's accounts for any period within their tenure of office at any date and make a report to the Ex-Co.

10.2 The Auditors shall be responsible for providing an independent report. This report in addition to their observations shall bring the following to the notice of the members at the AGM

- Financial statements accurately reflect the state of financial affairs of Association

- Any non-adherence to the Constitution
- Vouchers, bills, receipts and financial records have been maintained in an updated condition; and
- Whether in their opinion, they are satisfied that there is an effective and appropriate level of control and assurance around the processes to manage the Association's funds

10.3 If the voting members are unable to elect Honorary Auditor/s at the AGM, the Ex-Co members in consultation with the BOA may appoint one or more voting members as Honorary Auditor/s. The accounts of the Association shall be audited by a firm of Certified Public Accountants if the gross income or expenditure of the Association exceeds \$500,000 in that financial year, in accordance with Section 4 of the Societies Regulations.

10.4 The financial year of the Association shall be 1st January to 31<sup>st</sup> December of each calendar year.

## **11.0 Trustees**

11.1 If the Association at any time acquires any immovable property, such property shall be vested in Trustees subject to a declaration of trust.

11.2 The Trustees of the Association shall:

- Not be more than four and not less than two Life members.
- Be elected by a General Meeting of voting members.
- Be residents of Singapore.
- Not effect any sale or mortgage of property without the prior approval of the General Meeting of voting members.

11.3 The office of the Trustee shall be vacated:

- If he dies, or becomes a lunatic, or a person of unsound mind or an undischarged bankrupt or is convicted in any court of law in any jurisdiction.
- If he is absent from the Republic of Singapore for a period of more than one (1) year.
- If he is guilty of misconduct of such a kind as to render it undesirable that he continues as a Trustee.
- If he submits a notice of resignation from his Trusteeship to the Ex-Co.

11.4 Notice of any proposal to remove a Trustee from the Trusteeship or to appoint a new Trustee to fill a vacancy must be given at least two (2) weeks before the General Meeting at which the proposal is to be discussed. The result of such General Meeting shall then be notified to the Registrar of Societies.

11.5 The addresses of immovable properties, names of Trustees and any subsequent changes must be notified to the Registrar of Societies.

## **12.0 Visitors and Guests**

12.1 Visitors and guests may be admitted into the premises of the Association but they shall not be admitted into the privileges of the Association. All visitors and guests shall abide by the Association's rules and regulations.

## **13.0 Prohibitions**

The following prohibitions shall apply to the Association:

13.1 Gambling of any kind, whether for stakes or not, is forbidden on the Association's premises. The introduction of materials for gambling or any drug taking and persons of bad characters into the premises is prohibited.

13.2 The funds of the Association shall not be used to pay the fines of Members who have been convicted in Court.

13.3 The Association shall not engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.

13.4 The Association shall not attempt to restrict or interfere with trade or make directly or indirectly any recommendation to, any arrangement with its Members which has the purpose or is likely to have the effect of fixing or controlling the price or any discount, allowance or rebate relating to any goods or services which adversely affect consumer interests.

13.5 The Association shall not engage in any political activity or allow its funds and/or premises to be used for political purposes.

13.6 The Association shall not hold any lottery whether confined to its Members or not, in the name of the Association or its office bearers, Ex-Co or Members unless with the prior approval of the relevant authorities.

13.7 The Association shall not raise funds from the public for whatever purposes without the prior approval in writing of the Assistant Director Operations, Licensing Division, Singapore Police Force and other relevant authorities.

## **14.0 Amendments to Rules**

The Association shall not amend its Constitution without prior approval in writing of the Registrar of Societies. No alteration or addition/deletion to this Constitution shall be passed except at a General Meeting and with the consent of at least two-thirds (2/3) of the voting Members present at the General Meeting.

## **15.0 Interpretation**

In the event of any question or matter pertaining to day-to-day administration of the Association which is not expressly provided in this Constitution, the Ex-Co in consultation with the BOA shall take an appropriate decision. Such decision shall be final unless it is reversed at a General Meeting of Members.

## 16.0 Disputes

In the event of any dispute arising amongst Members, they shall attempt to resolve the matter at an EGM in accordance with the Constitution. Should the Members fail to resolve the matter, they may bring it to a court of law for settlement.

## 17.0 Dissolution

17.1 The Association shall not be dissolved, except with the consent of not less than three-fifths (3/5) of the total voting membership of the Association for the time being resident in Singapore expressed, in person, at a General Meeting convened for the purpose.

17.2 In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Association shall be fully discharged, and the remaining funds shall be disposed off in such a manner as the General Meeting of Members may determine or donated to an approved charity or charities in Singapore.

17.3 A Certificate of Dissolution shall be given within seven (7) days of the dissolution to the Registrar of Societies.

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Change log		
Version	Approved by ROS on:	Remarks
One (original)	4 <sup>th</sup> Aug 1994	
Two	22 <sup>nd</sup> Mar 2012	Re-written constitution with extensive changes
Three	3 <sup>rd</sup> Aug 2017	Amended clauses no. 2, 5.7, 8.3.4 ( <i>changes in italics</i> )