

Bye Laws

Professor Joseph Mundassery Foundation Thiruvananthapuram Reg.No.1165/08

1. **Name**

The name of the society shall be Prof. Joseph Mundassery Foundation hereafter referred to as the Foundation.

2. **Address**

The registered office of the Foundation shall be at TC.25/2153 Thyvila Lane Thampanoor, Trivandrum, Kerala

3. **Area of Activity**

The area of operation of the Foundation shall be the state of Kerala

4. **Aim & Objectives**

1. The Foundation is established with the following objectives.

To nurture and uphold the memory of Prof. Joseph Mundassery, literati par excellence, acclaimed critic, eminent educationalist, journalist, thinker and orator and who was also the Minister for Education in the Ministry headed by E.M.S. Nampoothiripad, member, State Planning Board, member, erstwhile Cochin and Travancore-Cochin Legislatives, Vice-Chancellor, University of Cochin, member of Central and State Sahithya Academies and President, Progressive literary Forum and Kerala Sahithya Academy.

2. To promote the cause of literature, culture and arts in general; and to uphold the ideals and values cherished by Prof. Joseph Mundassery in particular.

3. To construct a suitable building as a memorial with an auditorium to present various cultural programmes and a library to organize research, lectures, seminars and symposia.

4. To arrange seminars and lectures in memory of Prof. Joseph Mundassery with reference to his writing and to commemorate in a befitting manner his birth and death anniversaries.

5. To institute, offer and grant prizes, awards, scholarships and stipends of its own, and on behalf of other individuals and institutions with the avowed objectives entrusted with the foundation to the deserving in the name of Prof. Joseph Mundassery.

6. To compile and publish the works of Prof. Joseph Mundassery and the writings of others relevant to the former's contributions.

7. To do whatever possible for perpetuating the memory of the late doyen of literature.

8. To receive gifts, grants, subscriptions, donations and loans from Government, quasi Government concerns, individuals and organizations for the realization of the objects of the Foundation.

9. To obtain suitable landed property from the Government for the construction of the building of the Foundation.

10. To take other steps as the Foundation deems fit for the attainment of the aforesaid objects.

5. **Explanations**

In these rules unless the context otherwise requires

1. 'Government' means the Government of Kerala

2. 'Foundation' means Prof. Joseph Mundassery Foundation registered as a society under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act 1955 (Act XII of 1955)

3. 'Chairman' means the Chairman of the General Council of the Foundation.

4. 'Executive Director' means the Executive Director of the Governing Council of the Foundation.
5. 'Secretary' means the Secretary of the Foundation elected as such by the Governing Council.
6. 'Treasurer' means the Treasurer of the Foundation elected as such by Governing Council.
7. 'General Council' means the Council consisting of all members
8. 'Governing Council' means the Council elected from among the members of the General Council.
9. 'Year' means the financial year from 1st April to 31st March.

6. Membership

1. Any Indian citizen competent to contract subscribing to the aims and objectives of the Foundation shall be eligible to become a member if admitted by the Governing Council.
2. Membership cannot be claimed as a matter of right. The Governing Council has the right to refuse membership to any person without assigning any reason.
3. Membership of the Foundation (also that of the Governing Council) will stand terminated on the death, resignation, removal, solvency, lunacy or conviction for a criminal offence involving moral turpitude.

7. Funds of the Foundation

Funds of the Foundation shall consist of

1. Donation, gifts, subscriptions and other receipts
2. Grants received from the State Governments, Central Government and other organizations and institutions.
4. Loans from financial institutions and scheduled banks or from any authorized source
5. Income from investments.
6. Income from other sources.

8. General Body

General Body shall consist of the members of the Foundation. It shall be known as General Council.

1. General Council is the supreme body of the Foundation.
2. It shall meet once in six months.
3. The General Council shall elect a Chairman and three Vice - Chairmen.
4. The Chairman shall preside over the meeting of the General Council. In his absence, one of the Vice-Chairmen shall preside.
5. The term of office of the Chairman and Vice-Chairmen shall be three years. They are eligible for re-election.
6. The General Council shall elect the Governing Council.
7. It shall appoint auditors for the next financial year and fix the auditor's remuneration.
8. The General Council shall adopt income and expenditure account and balance sheet for the year.
9. It shall transact any other business in pursuance of the objects of the Foundation.
10. The General Council shall meet once in six months.
11. Ten days notice shall be given for the ordinary General Council meeting.
12. Quorum for the meeting shall be 15 members or 1/3 of the total number of members, whichever is less.
13. Extra ordinary meetings shall be held as and when required.
14. Extra ordinary meetings of the General Council shall be held on the notice of written request of minimum five members, to transact specified agenda.
15. Quorum for extra ordinary meetings shall be 1/3rd of the General Council.

9. Management and Administration

Governing Council

1. The day to day administration of the Foundation shall vest with the Governing Council.
2. The Governing Council is elected from among the members of the General Council.
3. The term of office of the Governing Council shall be three years.
4. Normally the Governing Council shall meet at least once in a month. The quorum shall be seven.
5. The Governing Council shall plan and implement necessary programs for attaining the object of the Foundation.

6. It shall prepare and approve the Budget and the statement of accounts in time and submit the same to the Registrar of Societies.
7. It shall have power to nominate Sub/Ad hoc committees and delegate powers to them.
8. It shall accept any kind of financial assistance in the form of grant, loan, donation, subscription etc.
9. It shall create necessary posts for the management and administration, make appointments thereto and fix their service conditions.
10. The subscribers to the memorandum shall constitute the first Governing Council. The next Governing Council shall be elected in the next annual General Council meeting.
11. Vacancies if any in the Governing Council shall be filled up by nomination of any member of General Council for the remaining period of the Governing Council.
12. The Governing council has the right to enter into agreement for and on behalf of the Foundation.
13. The Chairman and three Vice-Chairmen of the General Council shall also be members of the Governing Council and also hold such positions in the Governing Council.
14. The Governing Council shall elect from among themselves one Executive Director, one Secretary and one Treasurer.
15. The Chairman or in his absence one of the Vice-Chairmen, or Executive Director shall preside over the meetings of the Governing Council.

10. **Chairman**

1. Chairman is elected by the General Council. He shall also be a member and Chairman of the Governing Council.
2. The term of office of the Chairman shall be three years. He is eligible for re-election.
3. The Chairman shall preside over the General Council and the Governing Council.
4. The Chairman shall exercise such other powers as are delegated by the General Council.

11. **Vice-Chairman**

1. There shall be three Vice-Chairmen for the General Council.
2. They are elected by the General Council.
3. Their term of office shall be three years. They are eligible for re-election.
4. They shall be both members and Vice-chairmen of the Governing Council.
2. Vice-Chairman shall discharge the duties of the Chairman in his absence.

12. **Executive Director**

1. The Executive Director is elected by the Governing Council.
2. His term of office is three years. He is eligible for re-election.
3. In the absence of the Chairman, and Vice-Chairmen the Executive Director shall preside over the meetings of the Governing Council.
4. He shall be responsible for the day to-day administration of the Foundation.
5. He shall together with the Treasurer maintain and operate the bank accounts of the Foundation.

13. **Secretary**

1. The Secretary of the Foundation is elected by the Governing Council.
2. His term of office shall be three years. He is eligible for re-election.
3. He shall convene the meetings of the General Council, 4. Governing Council and such other Sub/Ad hoc committees appointed, record their decisions and implement them.
5. He shall prepare and present budget proposals before the Governing Council.
6. He shall get the annual accounts audited and presented before the Governing Council.
7. He shall present the working report of the Foundation in every Governing Council meeting.
8. He shall present the annual report of the Foundation before the General Council.
9. He shall be the signatory in all agreements related to the purchases, lease of land, equipment etc.
10. He shall issue and accept application for membership in the Foundation and submit the same before the Governing Council.
11. He shall keep all relevant records in his safe custody including minutes books.
12. He shall accept grants, donations, gifts, fees etc against receipts and sign relevant documents related to such dealings.

13. He shall submit expenditure vouchers to the Treasurer and hence realize the expended amounts.
14. He shall keep an amount not exceeding Rs. Five thousand only for meeting day to day expenses.
15. He shall enter into agreements for and on behalf of the Foundation.
16. He shall sue and shall be sued on behalf of the Foundation.
17. He shall discharge such other duties as are assigned by the Governing Council.

14. **Treasurer**

1. The Treasurer of the Foundation is elected by the Governing Council.
2. His term of office shall be three years.
3. The bank account of the Foundation shall be operated jointly by the Treasurer and the Executive Director.
4. He shall keep and operate all the documents related to the accounts of the Foundation including account books, passbook, cheque book, vouchers etc.
5. The Treasurer is responsible for the financial transactions of the Foundation subject to the general control and the direction of the Governing Council.
6. He shall present the income and expenditure statements in every Governing Council meeting.

15. **Disposal of assets**

In the event of the Foundation ceasing to exist, its assets, after meeting liabilities, shall vest with the Kerala State Committee of the Purogamana Kala Sahithya Sangham, or organizations of similar nature.