



# Constitution of Sanmat

---

## Section:

1. Our Constitution
2. Glossary

**21 September 2007**



**Sanmat**

(Sri Someswar Nath Mahadev trust)

# **CONSTITUTION**

**Address:**

**359 A, Road No-5B, Ashok  
Nagar, Ranchi-834002**

**3<sup>Rd</sup> floor, Jagdamba Tower,  
Sahdeo Mahato Marg  
Boring Road, Patna-1**

**[www.sanmat.org](http://www.sanmat.org)  
[info@ssnmtrust.org](mailto:info@ssnmtrust.org)**

# Index

<b>Clause No.</b>	<b>Title</b>
1.	Name
2.	Purposes
3.	Carrying out purposes
4.	Trustees
5.	Disqualification and removal of trustees
6.	Membership
7.	Annual General meeting
8.	Trustee meetings
9.	Written resolutions
10.	Money and Property
11.	General meeting/winding up/changes to the constitution
12.	Salary of Trustees/CEO/Board Members

## Section 3: Model constitution for small unincorporated associations

### 1. NAME

The charity's name is **Sanmat/Sri Someswar Nath Mahadev Trust**

### 2. THE PURPOSES OF THE CHARITY ARE:

1. To provide Healthcare services by running hospitals, ambulance services, mobile medical units for tribal & non tribal communities
2. To provide education for everyone by running schools, colleges, coaching, Skill training centres & other educational institutions
3. To provide environment management services like tree keeping, Plantation and Nursery Raising
4. To undertake research activities, impact studies and every kind of studies
5. Working on overall development of women, seniors, physically & mentally challenged people.
6. Policy advocacy , IEC services and Partnership for good change
7. Any holistic developmental programs

### 3. CARRYING OUT THE PURPOSES

In order to carry out the charitable purposes, the trustees have the power to:

- (1) raise funds, receive grants and donations
- (2) apply funds to carry out the work of the charity
- (3) co-operate with and support other charities with similar charitable purposes
- (4) do anything which is lawful and necessary to achieve the charity's purposes.

#### **4. TRUSTEES**

- (1) The charity shall be managed by a committee of trustees who are appointed at the Annual General Meeting (AGM) of the charity.
- (2) The charity must have the following officers:
  - A chairperson
  - A secretary
  - A treasurer.
- (3) A trustee must be a member of the charity or the nominated representative of an organisation that is a member of the charity.
- (4) A trustee may not appoint anyone to act on his or her behalf at a meeting of the trustees.
- (5) No one may be appointed a trustee if he or she would be disqualified from acting as a trustee under the provisions of clause 5.

#### **5. DISQUALIFICATION AND REMOVAL OF TRUSTEES**

A trustee must cease to hold office if he or she:

- (1) is disqualified from acting as a trustee by virtue of section 86 of the Charities Act (Northern Ireland) 2008 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the charity;
- (3) in the written opinion, given to the trustees, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a charity trustee and may remain so for more than three months;
- (4) resigns as a trustee by notice to the charity (but only if at least two trustees will remain in office when the notice of resignation is to take effect); or
- (5) is absent without the permission of the trustees from all their meetings held within a period of six consecutive months and the trustees resolve that his or her office be vacated.

## 6. MEMBERSHIP

- (1) The charity shall have a membership. People, who support the work of the charity and are aged 18 or over, can apply to the trustees to become a member. Once accepted by the trustees, membership lasts for 3 years and may be renewed. The trustees will keep an up-to-date membership list.
- (2) The membership list must detail:
  - The full name of the member
  - The full address of the member
  - A contact telephone number (if available)
  - An email address (if available)
- (3) The trustees may remove a person's membership if they believe it is in the best interests of the charity. The member has the right to be heard by the trustees before the decision is made and can be accompanied by a friend.

## 7. ANNUAL GENERAL MEETING - AGM

- (1) The AGM must be held every year, with 14 days notice given to all members telling them what is on the agenda. Minutes must be kept of the AGM.
- (2) There must be at least **5** members present at the AGM for there to be **quorum**.
- (3) Every member has one vote.
- (4) The trustees must present the annual report and accounts.
- (5) Any member may stand for election as a trustee.
- (6) Members must elect between 3 and 10 trustees to serve for the next year. The trustees must retire at the next AGM but may stand for re-election.

## 8. TRUSTEE MEETINGS

- (1) Trustees must hold at least 4 meetings each year. At their first meeting after the AGM they will elect a chair, treasurer and secretary. Trustees may act by majority decision.
- (2) At least 3 trustees must be present at the meeting to be able to take decisions. Minutes shall be kept for every meeting.

- (3) A meeting of the trustees may be held either in person or by suitable alternative means agreed between the trustees in which all participants may communicate simultaneously with all other participants.
- (4) If trustees have a conflict of interest they must declare it and leave the meeting while this matter is being discussed or decided.
- (5) During the year, the trustees may appoint up to 2 additional trustees. They must stand down at the next AGM but are eligible to stand for election at the AGM.
- (6) The trustees may make reasonable additional rules to help run the charity. These rules must not conflict with this constitution or the law.

## **9. WRITTEN RESOLUTIONS**

- (1) A resolution in writing signed by all the trustees on a matter will be as valid and effectual as if it had been passed at a meeting of the trustees duly convened and held and may consist of several documents in like form each signed by one or more trustees. The date of a written resolution will be the date on which the last trustee entitled to vote signs.
- (2) A resolution which is approved by email in accordance with this clause will be as valid and effectual as if it had been passed at a trustee meeting duly convened and held, provided the following conditions are complied with:
  - (a) such a resolution must be approved by email by all the trustees entitled to vote on the matter;
  - (b) approval must be received by the person nominated in advance by the trustees for that purpose (the "Recipient"); and
  - (c) approval from a trustee must be sent from an email address previously notified in writing (not using electronic means) by that trustee to the charity as intended for use by that trustee for the purpose.
- (3) Following receipt of all responses on any resolution, the Recipient shall circulate a further email to all of the trustees confirming whether the resolution has been formally approved by the trustees in accordance with this clause.
- (4) The date of a resolution shall be the date of the email from the Recipient confirming formal approval.

## 10. Salary, fund management and financial operations.

- (1) Money and property must only be used for the charity's purposes and no trustee or group of trustees are allowed to sell it to any person or entity.
- (2) Trustees must keep track of accounts. The most recent annual accounts can be seen by anybody on request.
- (3) Trustees cannot receive any money or property from the charity, except to refund reasonable out of pocket expenses, unless permitted by law and supported by bills.
- (4) All funding must be held in the charity's bank account. All cheques must be signed by 2 trustees.
- (5) Trustees involved in operations of any program of trust may get salary based upon their qualifications and experience, which will be decided by Board of the trust in AGM/Quarterly/Monthly meeting. Trustees wont be allowed to participate in this meeting.
- (6) Salary of CEO & increment will be decided by Board members (Including all trustees) every year in AGM.
- (7) 50% of trustee can only work for said trust.
- (8) Board members will only be paid for their actual expanses related to event/meeting of trust.
- (9) Executive director will get position in board along with CEO, Founder and cofounder.

## 11. GENERAL MEETINGS

If the trustees consider it is necessary to change the constitution, or wind up the charity, they must call a General Meeting so that the membership can make the decision. Trustees must also call a General Meeting if they receive a written request from the majority of members. All members must be given 14 days notice and told the reason for the meeting. All decisions require a two thirds majority. Minutes must be kept.

- (1) **Winding up** - any money or property remaining after payment of debts must be given to a charity with similar purposes to this one.
- (2) **Changes to the Constitution** - can be made at AGMs or General Meetings. No change can be made that would make the organisation no longer a charity. A copy of the amended



constitution and resolution adopting the changes must be sent to the Charity Commission for Northern Ireland.

- (3) Trustees may also call a General Meeting to consult the membership.

## **12. AOA in practice:**

This constitution was adopted on 21<sup>st</sup> September 2007 by the people whose signatures appear below. They are the first members of the charity and will be the trustees until the AGM, which must be held within one year of this date.

