

# RULES AND REGULATIONS OF XAVIERS RANCHI

**PRELIMINARY:** In these presents, unless repugnant or inconsistent with the context, words, terms, or expressions defined in the Societies Registration Act XXI of 1860 or in any statutory modification in force at the date of which these Rules and Regulations become binding on the Society, shall have the meanings so defined, and words importing the singular shall include the plural and vice versa, and words importing persons shall include bodies corporate, and words, terms, or expressions having a religious or ecclesiastical bearing shall have the meanings attributed to them in the Canon Law of the Catholic Church and in the Constitutions of the Society of Jesus, particularly, the following words or terms shall bear the meanings set opposite to them in the second column thereof:

## 1. DEFINITION OF WORDS OR TERMS:

- a. **THESE PRESENTS:** The Articles of the 'Memorandum of Association' and the 'Rules and Regulations' of the Society originally framed and/or altered from time to time by the General Body of the Society.
- b. **THE SOCIETY:** The Society means 'XAVIERS RANCHI', formed to carry out the objectives of Ranchi Jesuits.
- c. **GOVERNING BODY:** The Governing Body of 'XAVIERS RANCHI'.
- d. **FINANCIAL YEAR:** Financial year means, the year commencing on and from **1st April** of every calendar year to **31st March** of the successive calendar year.
- e. **GENERAL BODY:** The General Body shall mean the General Body consisted under rule of 3 of the Society.
- f. **OFFICE BEARERS:** A member of the Society of Jesus, who is duly appointed President, or Vice President or Secretary or Treasurer of the Society.
- g. **THE ACT:** The Societies Registration Act, 1860 (21 of 1860) and Bihar Societies' Registration Rules, 1965 (adapted by the State of Jharkhand and as amended by the Notification No: 726 dated 18-11-2005).
- h. **Saint Xavier's College or St. Xavier's College:** That abstract entity known as Saint Xavier's College including the organization and properties, movable and

  
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immovable, of the said college situated in the city, and the District of Ranchi, P.S. Lower Bazar, State of Jharkhand and Saint Xavier's College, Simdega, Jharkhand.

- i. **Rector:** That member of the Society of Jesus who is the duly appointed Local Superior or Head of the Saint Xavier's College and the said term shall be deemed to include the duly appointed Acting Head of the said Saint Xavier's during the Rector's serious illness or prolonged absence from the institution/ institutions.
- j. **Order:** A religious body of the Catholic Church united by common rule.
- k. **Religious:** Of or belonging to an Order (Society of Jesus) or Congregation of the Catholic Church (a denomination of Christianity).
- l. **Province:** A territory as established by the Holy See over which the Provincial exercises ordinary religious jurisdiction.
- m. **Provincial:** That member of the Society of Jesus, who, for the time being, is the duly appointed Head of a religious province of the said Society of Jesus and the term "Provincial" shall be deemed to include any member of the Society of Jesus who has been duly appointed Acting Head of such religious Province or territory during the serious illness or prolonged absence of the Provincial from such territory.
- n. **Society of Jesus:** The religious Order known as the "Society of Jesus" as established by the Holy See.
- o. **Constitutions:** The laws and regulations of the Society of Jesus pertaining to persons, bodies, or institutions of that Church which regards the Pope of Rome (the Supreme Pontiff, the Head of the Roman Catholic church) as its Spiritual Head, or a member of such bodies or institutions.
- p. **Canon Law:** Canon Law means, the Law of the Catholic Church.

## 2. MEMBERSHIP:

- a. The number of the General Body members of the Society, including the members of Governing Body taken together, shall not be less than seven or more than thirty at any given point of time. Such other persons, who are members of the Society of Jesus are residing and working in India shall be admitted to the membership of Society by the Governing Body. Admission of membership to the General Body shall be at the absolute discretion of the Governing Body of the said Society. The signature of the members along with the counter-initials of the President in the 'Membership Roll of

  
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the Society' 'ipso facto' is deemed conclusive proof of such member's appointment and admission into the Society.

- b. Neither entrance fees nor subscription is to be collected from members.

### 3. FORMATION OF GENERAL BODY

From the Date of effect of this rule General Body Shall be constituted of member listed in the Sl. No. 6 of MOA. Except the President (Ex-Officio) the entry of new members or removal of existing members is made any time under four given conditions by the General Body Members:

1. Death of a member
2. Resignation of a Member
3. By self-will declaration
4. Transfer due to New Assignment

### 4. REMOVAL OF MEMBERS:

- a. The Governing Body may suspend, cause to retire, or expel from the Society any member by passing a resolution signed at least by a 2/3rd majority, as and when continuation of any member shall become detrimental to the objects of the Society and such action and the cancellation or deletion of such signatures in the membership roll substantiated by the initials of the President shall be deemed to be conclusive proof of such member's resignation, retirement, suspension, or expulsion from the Society and shall debar such persons or such members from disputing or questioning the same in any Court whatsoever. In the event of any vacancy arising among the members of the Governing Body by resignation or death or transfer or removal by the Governing Body as herein before provide 1, such vacancy shall be filled by the President from among the members of Jesuits of Ranchi Province or from another Jesuit Province as the need may be from among the members of the Society within three months from the date of the vacancy arising.

### 5. FORMATION OF GOVERNING BODY:

- a. There shall be a Governing Body of the Society consisting of nine members that is One President (an "Ex-Officio" member namely, the Provincial of Ranchi Province), the other Vice-President (an "Ex-Officio" member namely, the Rector), Secretary and Treasurer and five other members and all the Governing Body members shall be appointed by the Provincial and confirmed by the General Body and the terms of the office of the members shall not exceed six years from the date of appointment. The

  
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members of the Governing Body may be re-appointed for further period by the Provincial and confirmed by the General Body.

## 6. POWERS AND FUNCTIONS OF GOVERNING BODY:

- a) The Governing Body shall be bound by the provisions of the Memorandum of Association of the Society and the Rules and Regulations of the Society.
- b) Except as herein provided, the administration, management and all business relating to the affairs of the Society shall be carried on by the Governing Body. The Governing Body shall also carry out all other acts and deeds necessary and conducive and also incidental to the attainment of the objects of the Society.

## 7. POWERS AND FUNCTIONS OF OFFICE BEARERS OF THE GOVERNING BODY:

- a. Arrangements for the transaction of the day-to-day business of the Society the expenditure to be incurred thereof, the staff to be employed and the conditions of service of such employees will be decided by the Governing Body of the Society.
- b. **The President** shall have a general control over the affairs of the Society, and he shall preside over all the meetings of the Governing body and of the General Body.
- c. **The Vice-President** in the absence of President will officiate as the President of the Society.
- d. **The Treasurer** shall be responsible for maintaining all accounts, and for submitting audited financial statements as and when required. He shall also hold charge of the cash and other properties of the Society.
- e. **The Secretary** can also be the Treasurer.
- f. The Secretary shall be responsible for the general administration of the Society subject to the control of the President and for this purpose he shall have the following powers:
  - i. To execute documents on behalf of the Society in consultation with the President.
  - ii. To carry on all correspondence related to the Society.
  - iii. To convene all meetings in consultation with the President, to keep and maintain minutes and records of all such meetings and 'to carry out / implement the decisions taken forming resolutions' passed therein.

  
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- iv. To incur expenditure not exceeding one lakh at a time on his discretion and to incur expenditure exceeding one lakh either with the prior approval of the President or in case of emergency, he is empowered to spend but he shall later on get the approval of the President of the Society.
- v. The Secretary shall submit papers and files to the Registrar General of Jharkhand of the Society's annual activities, returns, and statements of audited accounts, which are specified in the Societies Registration Act 21 of 1860 and the Rules thereunder.

## **8. POWER & FUNCTIONS OF THE GENERAL BODY:**

- i. Overall supervision of the Society and all its activities
- ii. Receive an annual report of the Society drawn up by the Secretary and all activities of the institute undertaken during the financial year.
- iii. Election of Governing Body including office bearers of the Society.
- iv. To appoint Auditors for the audit of the accounts of the Society.
- v. To approve the Plans, Budget, Progress / Activity Report and Audited Statement of Account.
- vi. To make changes, incorporate and/or amend the Memorandum of Association & Rules and Regulations of the Society.
- vii. To take decision(s) with regard to the Dissolution of the Society on the recommendation of the Governing Body of the Society.

## **9. MEETINGS OF THE GENERAL BODY:**

- A. The Secretary of the Governing Body of the Society shall convene the General Body Meeting of the Society at least once a year or more as per the need of the Society and the Governing Body shall place before the General Body: -
  - a. The Annual Report of the Society.
  - b. The statement of receipts and expenditure and the balance sheet together with the report of the Auditor, duly signed by the Auditor.
  - c. Budget for next successive financial year.
  - d. The Secretary of the Governing Body of the Society shall file with the Registrar within one month after the date of such General Body Meetings:
    - I. An authenticated copy of such Income and Expenditure account, Balance Sheet and Report.

  
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- II. A statement of the name and address and occupation of the persons who at the expiry of the financial year, were members of the Society and; -
- III. A declaration to the effect that the Society has been in operation during the financial year.

**B.** On the written Submission and claim of 1/3<sup>rd</sup> members of the General Body, supported by the agenda of claim and signature of the claimants a General Body meeting shall be called by the Secretary within 30 days. In the case when no meeting is called by the Secretary within 30 days, the members who have placed submission and claim will have a right to inform all the members of the Society and call a General Body meeting to take decision about the agenda and claim.

**C. QUORUM:** The quorum of members for the meetings would be more than half of the General Body Members (50% + 1).

**D. NOTICE OF MEETINGS:**

- (i) Notice of every General Body meeting of the Society shall be given to the members at least 10 days before the appointed day for the meeting. The notice shall specify the day, hour, place and the agenda of the meeting and in case any amendment of a by-law or object of the Society as contained in the Memorandum or Rules is intended to be proposed, then the notice shall contain a copy of such amendment. The notice shall be sent with Acknowledgement Due. The notice shall also be affixed to the notice board of the Society.
- (ii) Notice of meeting shall be given by registered post or by a Service Register by obtaining the signature of the member.
- (iii) Meeting shall be presided over by the President of the Society, and in the absence of the President, any senior member of the body. More than 50% members of the General Body present at any meeting shall constitute the quorum. No meeting shall take place in the absence of the Secretary except in unavoidable circumstances when the next senior most staff member will act as substitute.
- (iv) An emergency meeting of the General Body shall be summoned in extraordinary circumstances. On such occasions, the members shall be given at least 3 days' notice. Discussions that have taken place at the emergency meeting need to be placed before the full meeting of the General Body when it meets next.
- (v) In case of a difference of opinion among the members and where there is an equal division, the President shall have a right of casting a decisive vote.

  
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## 10. MEETINGS OF THE GOVERNING BODY (EXECUTIVE COMMITTEE):

- (i) Every meeting shall be presided over by the President, and in the absence of the President, Vice-President or in the absence of above two, senior most member of the Governing Body.
- (ii) 3/5<sup>th</sup> members of the Governing Body present at any meeting shall constitute the quorum. No meeting shall take place in the absence of the Secretary except in unavoidable circumstances when the next senior most Governing Body member will act as substitute.
- (iii) Any emergency meeting of the Governing Body shall be summoned in extraordinary circumstances. On such occasions, the members shall be given at least 3 days' notice. Discussions that have taken place at the emergency meeting need to be placed before the full meeting of the Executive Committee when it meets next.
- (iv) In case of a difference of opinion among the members and where there is an equal division, the President shall have a right of casting a decisive vote.
- (v) The Governing Body shall necessarily meet at least twice in a financial year.
- (vi) Members will be informed 7 days before the meeting of the Governing Body.
- (vii) In case of emergency meeting, members should be informed 48 hours before the meeting of Governing Body.

## 11. SOURCE OF INCOME:

- a) To the extent as natural persons might or could do to acquire by purchase, lease, mortgage, loan, gift, grant, legacy, bequest, exchange, right, privilege, or otherwise from any person, company, Society, government, or institution, or body whatsoever and to hold all or part of the movable and immovable properties of all descriptions now or here-after vested in or in the possession of the **XAVIERS RANCHI**. Now or here-after vested in or in the possession of any person or body and used or devoted for or to any purpose of the Society or any charitable, educational, training, social, moral, cultural, religious, scientific or other purposes whatsoever in connection therewith.
- b) To take, or receive from any person, government, institution(s) or body whatsoever, any gifts whether money or property, movable or immovable such as real estate or donations in the form of debentures, Stocks, Bonds or Shares in any company or association, whether incorporated or not or whether by the gifts of a person living or by legacy, bequest, will or foundation, whether subject to and special trust or not, for anyone of the objects of the Society; moreover, to take such steps by way of written

  
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appeal, public meetings, or otherwise for securing of such contributions to the funds of the Society as may be deemed fit and to accept the office of and to act as trustees, managers, or administrators, whether solely or jointly with others, or another for, or in respect of, any gift or any property movable or immovable, whether vested wholly or partially in the trustees of the Society or otherwise, whether subject to any trust and not-with-standing that the carrying out of such trusts, managements or administrations would involve the exercise by the Society of the powers not specifically mentioned in these presents.

- c) That the Society is enrolled in the NITI Aayog Portal having Darpan ID: JH/2017/0177800.

## 12. FUND MANAGEMENT / OPERATIION OF BANK ACCOUNTS:

- (i) Funds received from all Legal Sources will be deposited in the account in the name of the Society in Mutual Funds, Nationalized Bank/Private Bank or Post Office.
- (ii) Treasurer and/or Vice President will operate the Bank Account of the Society.
- (iii) Accounts of the Society will be maintained for the financial year commencing from April 1st and ending with 31st March.
- (iv) Verification of Accounts: The treasurer will verify the accounts and in each account and register he shall endorse the following declaration in token of such verification. I declare that the particulars furnished above / true and correct to the best of my knowledge and belief.
- (v) That Society shall follow all the current and future directions issued by the Central and the State Government.

## 13. AUDIT OF ACCOUNTS:

- (i) The account of the Society shall be maintained regularly as per the general effective accounting standard in the country.
- (ii) A registered chartered accountant shall be appointed by the General Body as an auditor of the accounts of the Society. He shall have access to all the books and accounts of the Society and shall examine the receipt(s) and expenditure account and the balance and verify them with the accounts and vouchers relating thereto and shall either sign them as found by him as correct, duly vouched and in accordance with the law, or specifically report to the Society in what respect he finds them to be incorrect, un-vouched or not in accordance with the law.

  
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- (iii) The Inspector General (I.G.) Registration, Ranchi shall be free to conduct the audit of account of the Society on his discretion, any time by any Registered Chartered Accountant and for this the audit fee will be incurred by the Society.
- (iv) That Society shall upload Audit Report once in a year through online to the department Portal with the consent of General Body.

#### **14. AMENDMENTS IN RULES & REGULATIONS:**

Any amendments of the Memorandum and the Rules and Regulations will be passed by majority of the General Body with 3/5 majority. Amendments should be totally in conformity with the Societies Registration Act 21, 1860 and Jharkhand Societies Registration Rules and Regulations.

#### **15. INSPECTION OF RECORDS:**

All the records of the Society will be made available in the office of the Secretary at the registered office for inspection by any member of the 'Society or Government Officials without any fee during office working hours with the prior permission of the Secretary of the Society.

#### **16. LEGAL ACTION:**

Any Legal action against the Society will be in the name of the Secretary.

#### **17. DISSOLUTION:**

- a) The Society may be dissolved in unavoidable circumstances due to some reason by a resolution passed to that effect by 3/5 of the total General Body members of the Society specially convened for the purpose of dissolution. In case of dissolution, after the disbursement of all the liabilities the left over assets of the Society will not be transferred to any of the members but will be transferred to any Society working with same aims & objects or to the Govt, of Jharkhand.
- b) In dissolution section 13 and 14 of the Societies Registration Act, 21 of 1860 shall strictly be followed.

#### **18. ASSETS & LIABILITIES DURING THE REGISTRATION PERIOD OF BIHAR:**

This Society takes over the assets & Liabilities of the Society **XAVIERS RANCHI** registered during the undivided State of Bihar having registration No. 13 of 1958-59 dated 27.6.1958.

  
**President**  
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**Secretary**  
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**TREASURER**  
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**19. OTHERS:**

Any matter relating to the affairs of the Society is not-expressly provided for, in this bye-laws or Rules and Regulations framed thereunder shall be dealt with in accordance with the provisions of The Societies Registration Act 21 of 1860 and the rules framed there under.

Certified that this is true copy of rules and regulations of **XAVIERS RANCHI**.

  
Sd/ **President**  
XAVIERS RANCHI  
**President**

  
Sd/ **Secretary**  
XAVIERS RANCHI  
**Secretary**

  
Sd/ **TREASURER**  
XAVIERS RANCHI  
**Treasurer**

This CERTIFIED COPY is valid only with the Non-Judicial stamp of Rs.3.15