

AMENDED CONSTITUTION

1) NAME : SHREE BHATT MEWADA GNYATI HITWARDHAK MANDAL

2) ADDRESS : C-5/6, HARI OM APARTMENT, OPPOSITE SHASTRI NAGAR,
S.V. ROAD, BORIVALI (W), MUMBAI-400092

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3-A OBJECTS :

1. To bring awareness and spread Physical, academic, psychological, moral and political, professional, and general education among the people and for that purpose to establish and run educational institutions and conduct activities, to grant interest free or at minimal interest rate educational loans, to give scholarships (as may be possible) and to raise funds for that purpose. Acquire fixed or moveable assets, buy, sell, to let or to hire, and raise funds for the same. Accept gifts, donations and also donate wherever necessary.
2. To render pecuniary and/or food grains assistance by way of relief to needy people.
3. To Help people (without any discrimination of caste, creed, colour etc)

3-B ACTIVITIES

- 4 To publish or cause to be published periodicals leaflets and booklets for the spread of useful knowledge in the society; to run essay competitions for encouraging literary activities and to render pecuniary assistance to persons or institutions engaged in such publications or in running such essay competitions.
- 5 To organize various skill development & educational workshops and competition. Distribute study material and awards etc.
- 6 To organize social, sports events, entertainment and other activities.
- 7 To organize medical camps, make and implement schemes to provide medical relief, group insurance etc.
8. To make efforts to raise patriotism among people & guide them for service to nation, provide aid on humanitarian basis & be compassion for all living being.
9. To help people in Natural calamities including pandemic situation
10. To make educational institutes, guest house, arrange lodges and boarding, low rent accommodations, publish prehistoric literature, work for female education, work for women empowerment, help in Gruh Udhog, form cooperative Society, Co-operative bank, make co-operative collective schemes, and undertake other activities for the benefit of people.

4 RULES :

A Language:

The primary language of Mandal will be English. But depending on the requirement, for ease and statutory or other correspondence Gujarati, Hindi, Marathi, National & other languages can also be used as an alternative.

5 CLASSES OF MEMBERS:

- 1 Any person of the Bhatt Mewada Community or otherwise, if invited by Mandal, male or female over 18 (eighteen) years of age and desirous of serving the Society or interested in its welfare in line with this constitution, will only be entitled to apply for a membership of the Mandal.

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- 2 Members of the Mandal will be of the following classes:
 - (1) **Patrons : Subscription Rs. 1100/- one time**
 - (2) **Life Members : Subscription Rs. 300/- one time**
 - (3) **Yearly (Ordinary) Members : Subscription : Rs. 100/- one time per year**General body is free to revise it from time to time. Applicable taxes on subscription, can be charged extra.
- 3 (a) Person desiring to be a member of the Mandal shall have to fill the prescribed form in mode acceptable to Mandal, and pay the subscription. The applicant shall be considered as the Member of the Mandal after satisfactory scrutiny and after the Managing Committee has accepted his or her application. In case the managing committee rejects such application, the said application shall be placed before the next meeting of the General Body and the decision of the General body on such application shall be considered as final. (b) A member with inappropriate behaviour and not in the benefit of the Mandal, can be suspended on temporary basis by Committee Members, till the General Body (AGM or SGM or EOGM) meeting is not held and final decision is not taken. A member will not entitle to all the rights and benefits during the period of suspension.

6 RIGHTS AND DUTIES OF MEMBERS :

1. **Patron members will also be considered as life members and will have same rights as life members plus they will be eligible to be representative trustees of Mumbai Mandal at Shree Dr.J.M.Mehta Samasta Bhatt Mewada Chhatralaya Trust at Ahmedabad.** A life member of the Mandal shall be entitled to his rights and privileges of membership pertaining to his class after he gets the membership. For correspondence purpose, every member must provide & update his address (home / office / both) and contact details as required by Mandal. A valid proof for address shall have to be provided. In case of stoppage in receiving communication from Mandal it should be reported to Mandal in writing. Life Member will have all rights and privileges to avail benefits of the Mandal announced from time to time. However, Yearly (Ordinary) Members shall have no rights and privileges, cannot attend meetings, cannot contest election, cannot vote and also cannot be the office bearer of the Mandal.
2. Each member of the eligible class, shall be entitled to one vote only.
3. Life members shall be entitled to vote for the duration of their life in all general body meetings.

4. Every life member or eligible member shall be informed about the date, time place and agenda of meetings [in advance](#) as mentioned below [or as per the prevailing laws whichever is earlier](#).
21 days : in case of annual general body meeting
14 days : in case of Special general body meeting
7 days : in case of Extra ordinary general body meeting
[3 days : In case of Managing committee meeting](#)
5. The resolution passed with the consent of the majority at the meetings shall be considered as accepted by all and shall be enforced as such.
6. Any member can resign his/her membership by stating his reasons in a written application and getting the same resignation sanctioned by the Managing Committee. But prior to that he/she be liable to pay entire sum for which he/she is indebted to the Mandal.

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7. After he/she has resigned or after his/her dismissal from membership of the Mandal such person shall have no right whatsoever over any kind of property of the Mandal.
8. Any member of the Mandal will be dismissed from the Mandal by a resolution supported by 2/3rd (two third) majority of members present if that member (1) acts against the rules and regulations or disrespects resolutions of the Mandal (2) harms the interest of the Mandal directly or indirectly (3) hampers the activities of the Mandal by introducing in its affairs private personal or community disputes.
9. Every member shall be bound to use polite and cultured language in the general meetings of the Mandal as well as in the meetings of its Managing Committee and also to act accordingly. A member using impolite language or raising discussions harmful to the interests of the Mandal will be warned by the President to desist from doing so. If a member persists to do so, in spite of such warning, the President shall order him to leave the meeting and such order shall have to be obeyed implicitly and without arguments.
10. Every member must inform the office about the change of his address and contact details. Mandal or any of it's office bearers shall not be responsible if a member does not receive any information relating to Mandal for want of such intimation of change of address and contact details.
11. Notice of all kind of meetings, information of programmes and activities, election related details and all related circulations may be sent through ordinary post or angadia or courier, or phone or any other electronic / computer / social media (one or more medium can also be used). It can also be conveyed through Mandal's website or by any social media platforms.
12. Correspondence exchanged through prevailing and widely convenient media / mode being used by Mandal shall be treated as valid and constitutional.
13. Due to any reason or cause any member is not so informed, the proceedings of the election as well as meetings will still be considered as valid and constitutional.

7 Financial year, Constitution and other rules of Mandal :

1. The financial year of the Mandal shall be in line with the financial year followed by government or as per the prevailing applicable laws. Presently 1st April to 31st March .
2. Amendments to the constitution shall have to be moved in the meeting of the general body. Such amendments must first be forwarded to the Managing Committee. The Managing Committee shall consider the same and shall present them in the meeting of the General body. Every member shall be given a written notice of such amendments at least 15 (fifteen) days before they are presented in the meeting of the general body. Amendment shall require two third majority of the members present in the meeting in order to be effective.
3. Rulings of the President shall be final on all questions of interpretation of the constitution.

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4. The old rules and regulations of the Mandal shall be null and void from the date when this constitutions comes in force. The latest edition of constitution in force shall govern.
5. Statutory registration as required in line with government regulations shall be done as a regular procedure of the Mandal (like filing of income tax return, payment of tax, new registrations etc.). Only If necessary, meeting may be called to get member's approval for the same.
6. The main office of the Mandal is located at present at Borivali, Mumbai. The Mandal has established Shree Dr. Jayshankar Mulshankar Mehta Samasta Bhatt Mewada Chhatralay Trust at Ahmedabad. Mandal is free to open any branch or any other institute as may be required in future to fulfill the objectives of the Mandal.
7. For any reason, if the functioning of Shree Dr.Jayshankar Mulshankar Mehta Samasta Bhatt Mewada Chhatralay Trust at Ahmedabad (shortly called as JMMSBMCT) fails to be in line with their constitution, then Shree Bhatt Mewada Gnyati Hitwardhak Mandal, Mumbai shall take the charge of it's functions and governance & will become the owner of all assets of the said JMMSBMCT. (Ref. clause no. 19, sub clause 12 of constitution of JMMSBMCT)

8 Meetings and functioning:

1. A meeting of all the members of the Mandal called to transact the business of the Mandal shall be called the meeting of the general body.
2. Annual General Meeting shall be called at the earliest but maximum within six months (180 days) from the end of the financial year. In this meeting a report of the activities of the Mandal conducted in the previous year and the annual accounts / reports shall be presented. Besides, details of activities to be conducted during the new year shall be informed, and whatever activities (work) is approved during the annual general body meeting shall be done during the year. The decision shall be taken about election of committee members and/or it's procedure as well as ballet counting committee shall also be nominated during the general body (AGM, Sp.GM, EOGM) meeting.

Questions regarding the Annual accounts / reports shall be submitted in writing to the executive committee within the time specified in the notice of the meeting. The member who has raised the question, must be present in the meeting.

3. If necessary, within two months from the date of the annual general meeting the managing committee shall put before in another meeting of the general body or special general body the programme of the activities of the Mandal to be conducted in the new year and the quantum of work approved in such meeting shall be carried out by the managing committee in that particular year. Any other important programme or work can be undertaken with the consent of the General body.
4. In every meeting the business will be transacted as per agenda previously settled by the managing committee but in case a very urgent matter is brought before the meeting for immediate discussion by any member the same can be discussed if majority of the members can allow to do so.

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5. When one sixth ($1/6^{\text{th}}$) of the total number of members residing in Mumbai or Mumbai suburbs or nearby / adjoining town & suburbs (like but not limited to Thane, Palghar, Dombivli, Kalyan etc) or 11 (eleven) [whichever is less] members are present in the meeting of general body, they will form quorum for the same. When a meeting is adjourned for want of quorum a duly called meeting thereafter shall be entitled to conduct the business of the adjourned meeting without a quorum, and the business transacted during the meeting will be considered binding and valid.
6. Unless specially provided under this constitution the resolutions of the meeting of the general body will be passed by a majority vote and the same shall be treated as acceptable to all the members.
7. The female members of the Mandal can vote by proxy on the agenda previously fixed. Satisfactory verification of proxy documents to be produced.
8. In case members of the Mandal want to convene a meeting of the general body the Honorary Secretary shall call such meeting in case he receives a written application for the purpose signed by minimum 5% (five) of the members alive. If the meeting is not called within 2 months (60 days) from its receipt, the person who have signed such application shall be entitled to convene the meeting for the said purpose and the meeting so convened shall be constitutional and legal.
9. In case due to special circumstances the meeting of the general body duly convened needs to be postponed the Honorary Secretary shall, in case he receives an application for the said purpose duly signed by 50 (fifty) members place the same before the managing committee and the managing committee may postpone the said meeting if it thinks proper to do so.
10. Resolutions passed or decisions taken in the meeting of general body or managing committee shall not be changed before 6 (six) months from the date of passing the resolution or decision. However, in case those decisions are found to be not in the interest of the Mandal and if needed be, those decisions can be revised and appropriate decision shall be taken during the next general body meeting or managing committee meeting respectively.

11. In case the Managing Committee receives a motion for vote of non-confidence duly signed by at least 5% (five percent) of members alive of the Mandal against office bearers, members of the Managing Committee and Trustees of the Mandal or any of them, the Managing Committee shall act on it within 15 (fifteen) days and place the same before the General Body of the Mandal within two months from the date of receipt of such motion. Such motion can be considered as passed through voting if it receives support in general body meeting, of at least 2/3rd (two third) of the members who had signed motion for the vote of non-confidence, subject to number of such members is exceeds the number of members not supporting the motion. The person or persons against whom such motion of non-confidence is passed shall hand over the charge of his office within 7 (seven) days from the date of passage of such motion.
12. In case of inevitable situation, the President with the consent of committee members is authorised to cancel or reschedule the meeting.
13. Notice of the general body meetings shall be served as per the instructions given in clause no.6 – Rights and duties of members.

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9 Managing Committee:

1. Managing Committee of the Mandal shall consist of 15 (fifteen) members, 12 (twelve) of them will be elected and the members so elected shall co-opt three more.
2. The following will be the office bearers (working committee) in the Managing Committee and they will be elected out of the members of the Managing Committee in the same order (1) President (2) Vice President (3) Two Honorary Secretaries (4) Treasurer.
3. If a member of the Managing Committee remains absent in three successive meetings of the Managing Committee he or she shall be discontinued as a member of the said Committee, at the discretion of other committee members, and new member shall be inducted in the committee as per the rules of the Mandal.
4. In case 2/3rd (two third) members of the elected / selected Managing Committee resign at a time, a new Managing Committee shall be elected / selected
5. The quorum for the meeting of the Managing Committee shall be one third (1/3) the number of members in the managing committee.
6. In case President or Vice President or Secretaries or Treasurer is required to resign or retire before completion of their tenure then in their place, such vacancies shall be filled up by any other committee member (selected through consent of the majority committee members or by an election among them) and shall be given the charge for the respective post for the remaining tenure.
7. Formation of sub-committee
Whenever necessary, the Managing Committee or general body shall be entitled to **form or dissolve or modify** ~~appoint~~ sub-committees each of 3 (three) or more members as under or as may be required, in order to facilitate the work of the Mandal.
 - 1) Function as well as publication committee
 - 2) Fund raising committee
 - 3) Fixed asset committee

- 4) Educational activities committee (scholarship, notebook etc)
- 5) Monetary and medical aid committee
- 6) Statutory advisory committee
- 7) Annapurna Yojna committee
- 8) Sports and cultural activity committee
- 9) Technical committee (website, data maintenance etc)

The sub-committee shall consist of committee members, co-workers, members with highest votes but non-elected or other members interested to work for Mandal.

8. With the prior approval of the General body, the office bearer can hold one post (position) continuously for more than 3 (three) years (one term).

10 RIGHTS & DUTIES OF THE MANAGING COMMITTEE:

1. The President shall preside over the meetings of the general body as well as those of the Managing Committee, shall maintain order in the meetings and shall prevent those using improper or impolite language from doing so and from raising discussion on irrelevant points.

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2. The president shall have a casting vote in case there is a tie in the meeting of the general body or that of the Managing Committee
3. (a) The President shall see that the office bearers of the Mandal discharge their duties properly. He shall have the right to give proper direction or guidance to the office bearers and shall have the right to call meetings of the general body or of managing committee if necessary.
(b) Vice President shall preside over meetings in absence of President and shall be entitled to use all his powers.
(c) In the absence of President or Vice President the members present in the meeting shall elect a President for the said meeting and the President so elected shall conduct the meetings and shall be entitled to use the powers of the President"
4. The Honorary Secretaries shall prepare and present the agenda of the meeting of the general body as well as that of Managing Committee, shall enforce and implement the resolutions passed in the meetings, shall recover subscriptions and other contributions; shall carry on the work of the Mandal systematically and constitutionally and shall keep full and complete records of the Mandal's work and its activities
5. The Treasurer shall maintain the accounts of the Mandal and shall manage with the consent of the Managing Committee, the property and funds of the Mandal as per rules for that purpose.
6. The Treasurer shall present in the annual General meeting through the Hon. Secretaries, the yearly statement of account of income and expenditure duly audited by auditors.
7. The treasurer as well as secretaries shall answer all questions relating to income and expenditure of the Mandal in the meeting of the General body as well as that of the Managing Committee.
8. Every year the Mandal shall organize events in line with the aims & objectives of the Mandal.

9. In case during any event lunch OR dinner is kept for masses, the expenses of such event are never to be met from the reserve funds of the Mandal. Such expenses may be met by raising donations/contribution on behalf of Mandal. Refreshment in AGM may be arranged at the expenses of the Mandal with prior consent of Managing Committee and Trustees.
10. Before taking charge of the office the members of Managing Committee/trustees/co-worker of the Mandal, they shall have to sign a declaration of oath in the following form to remain faithful to Mandal.

Declaration on oath :

I, the undersigned before accepting my office as the member of the Managing Committee / trustees / co-worker through this declaration of oath bind myself to be faithful to Mandal and to serve it with all my ability. So long as I am in office, I shall not take part in any activity against the Mandal and shall never take any steps harmful to Mandal. In addition, if I come to know during the time I am in office, any secret matter of the Mandal exposition of which may be harmful to the Mandal, I declare myself bound and not to expose or to make public the same at any time.

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11. It will be the duty of the managing committee to carry on the work of the Mandal properly, to make efforts to realise objects of the Mandal and by expanding the activities of the Mandal to make the Mandal an ideal institution.

11 Rules for funds and fixed assets, properties (moveable and immovable) :

- 1 In order to fulfil the objects and aims of the Mandal, the Mandal shall be entitled to accept presents from any one after taking into consideration its proprietary and shall be entitled to raise funds.
- 2 Excepting ear marked funds, the Mandal shall be entitled to use the funds of the Mandal as per aims and objects of the Mandal. Merger of different funds and restructuring of funds to maintain good transparency and comply accounting laws is permitted.
- 3 The treasurer shall keep at the most Rupees 10,000/- (Ten thousand) in Cash with him. The balance shall be invested with the consent on the Managing Committee in Banks, Government Securities or sound Trust Securities on account of and at the risk of the Mandal in the name of the Mandal.
- 4 The trustees may transfer deposit or withdraw the funds referred above or sell the securities after due deliberation with the Managing Committee.
- 5 The Trustees and Managing Committee shall manage (buy, sell, maintain) the securities, funds and properties of the Mandal with due diligence and care. In spite of that if the funds and properties suffer any loss the Trustees or Members of the Managing Committee shall not be responsible for the same. But if members of the Managing Committee or Trustees misuse the funds and properties against the provision made herein, the person and / or persons misusing shall be personally liable for the same. Buy or Sell of immovable properties is permitted only with the prior approval from general body.
- 6 A receipt duly signed by Honorary Secretary and /or Treasurer shall always be given for all moneys received or paid to the Mandal.

- 7 Excepting property entrusted to Mandal on special conditions, the persons donating any gift, money or subscription shall have no right whatsoever except his right as a member of the Mandal.
- 8 For repairs and maintenance of Mandal's property as well as buying new properties, an upper limit of budget is required to be sanctioned in advance in general body meeting.

12 AUDITOR :

- 1 An auditor shall be appointed every year in the Annual General Meeting to audit the accounts of the Mandal
- 2 Members of the Mandal are debarred from being appointed as auditors. Auditor should not be from our caste.
- 3 The auditor shall be entitled to inspect the accounts and vouchers etc. on any day at proper time previously arranged and shall see that the money spent during the year are duly sanctioned under the rules, regulations of the Mandal.

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- 4 The Auditor is entitled to get proper explanations from the Honorary Secretaries and Treasurer on any point with regards the accounts and shall report to the general body any irregularities in the accounts.

13 About Election :

- 1 For smooth conduct of Mandal's activity a managing committee as well as trustees shall be appointed.
- 2 The tenure of managing committee as well as trustees shall be of 3 (three) years from the date of their appointment.
- 3 The Managing committee of the Mandal shall consist of 15 (fifteen) members. 12 Twelve) of them will be elected and the members so elected shall co-opt 3 (three) more.
- 4 The number of managing committee members and trustees can be changed depending on the statutory requirements.
- 5 The elections of Managing committee shall be conducted every 3 (three) years before the completion of the tenure of the existing office bearers.
- 6 The elections shall be declared and it's process shall be decided in an annual general body meeting or a special general body meeting or in an extraordinary general body meeting. The scrutinising committee shall be appointed during such meetings.
- 7 In case the tenure of existing committee is getting over and there is a likely delay in calling an annual general body meeting then the election should be declared by calling special general body or extraordinary general body meeting.
- 8 Elections shall be conducted by the Secretaries of the Mandal. In their absence, or if general body decides then, 3 (three) or 5 (five) election commissioners (not holding any position in the committee, sub-committees or board of trustees) shall be appointed in any of the meetings mentioned above to conduct the elections.

- 9 If required, Election commissioners may take help of the managing committee members to make the necessary arrangements for the election. For free and fair results, an election officer or a person conducting the election, and his/her family members cannot contest the election, and during election process they should also not be holding any position in the committee, sub-committee or board of trustees)
- 10 Definition of family members: Election commissioner or person conducting the election, his/her spouse, parents, son and daughter in law, unmarried daughter, grand son and his wife, unmarried granddaughter.
- 11 A **Patron** or life member is allowed to contest the election minimum 3 (three) months (90 days) after Allotment of the life membership. A member dismissed or suspended due to any harmful activities against mandal shall be debarred from contesting election and casting vote for a period of 3 (three) years from the date of dismissal or suspension.
- 12 Only 1 (one) member per family shall be allowed to contest the election and hold post of either the managing committee or be a trustee. Trustees and office bearers (working committee) cannot be from the same family.

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- 13 The candidate will have to send their applications to the office of the mandal within the prescribed due date. Applications received thereafter shall be rejected.
- 14 A copy of voting paper containing the names of all the candidates shall be accessible to all life members of the Mandal. A person conferred upon life membership till the date of declaration of election shall be allowed to cast vote in the election.
- 15 The members will vote for any 12 (twelve) or less or a number of candidates applicable as per law, from the list shown in the voting paper. No member shall give more than 1 (one) vote to each candidate else it shall stand rejected.
- 16 At a predetermined place, date and time, the polling shall be conducted by secret ballot, keeping booths. Only the members present can vote. If necessary, the polling can be arranged at multiple places for ease of members. With the changing scenario E-voting through any electronic medium or computer may also be adopted. Any one or Multiple options can be followed for polling. For every election, the method and options of polling shall be decided in general body meeting.
- 17 "The voting papers received shall be opened during the meeting, in front of the nominated scrutinizing committee and on counting the votes, 12 (twelve) candidates who secures the highest number of votes shall be all declared elected.
- If the number of votes of any 2 (two) candidates are equal, the President of the meeting will adopt the draw method. If there are no candidates or insufficient candidates, then the general body meeting on the day of election can form the committee by choosing from among the members present on the same day.
- 18 Vacancies among the 12 (twelve) committee members will be filled from the list of unselected candidates as mentioned above (toppers first). The 15 (fifteen) members managing committee shall select people who wish to work for Mandal as co-workers / assistants.

- 19 From the day election is announced till the new committee is elected, the existing committee can only carry out legislative activities related to the Mandal. No new programs will be held. But they will be allowed to complete the notebook distribution or other such charitable programs which have been planned or scheduled in advance.
- 20 By 15 (fifteen) days after the announcement of the election results, the complete charge of the Mandal has to be handed over the new managing committee.
- 21 If 2/3 (two-third) members of the Managing Committee resign together, the entire new Managing Committee shall be re-elected. For that, the existing trustees will call a special general meeting and decide the election process.
- 22 If approved by the General body meeting, instead of holding an election, the position may be filled by the appointment of 12 (twelve) committee members on a selection basis, during the special general body meeting with prior announcement.

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- 23 The number of Trustees shall be 5 (five) in number. Every 3 (three) years, the general body meeting of the Mandal shall appoint as Trustees from among the members of the Mandal, above 40 (forty-five) years of age, trustworthy and fit persons. Three out of five trustees should have 3 (three) years' experience working as a committee member or 2 (two) years' experience working as the office bearers of the Mandal.
- The 5 (five) trustees shall appoint a managing trustee from among them. The managing trustee can deal in all the matters and sign all the documents on behalf of other trustees. Vacancies during their tenure shall be filled up in the next annual general meeting as per the above conditions. The appointed trustees shall manage the funds and properties of the Mandal in accordance with Rules given under clause no.11 of this constitution.
- 24 Apart from the above appointments, two trustees (1 based in Gujarat, 1 based in Mumbai) and three committee members (based in Gujarat or based in Mumbai) should be appointed every three years from among the members of the Mumbai Mandal to represent Mumbai Mandal at JMMSBMCT. These appointments will be made jointly by the prevailing managing committee members and trustees of the Mumbai Mandal.
25. If a trustee or a committee member or co-operator (co-worker) becomes insolvent during his tenure or is found guilty of any other serious offence, after due inquiry and explanation of the circumstances, 2/3 (two third) majority of the members present at the meeting of the committee and trustees, can cancel the appointment of that person and remove him from the post.

26 IRREVOCABLE:

The Mandal shall be irrevocable Trust and that if for any reason its activities in line with its objects cannot be carried out by the members then as per the provisions of The Maharashtra Public Trusts Act, 1950 its net assets will be given to another trust having similar objects and under no circumstances, these will be distributed among the members. However the members are empowered to make suitable amendments to the provisions of the rules to suit the amendments to the law in future, subject to provisions of Maharashtra Public Trust Act, 1950.

27 BENEFICIARIES:

A beneficiary is not a particular individual but a group of individuals.

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28 FUNDS /PROPERTIES :

The funds / property of the Mandal shall be used only for the objectives of the Mandal

DATE : 05-03-2025