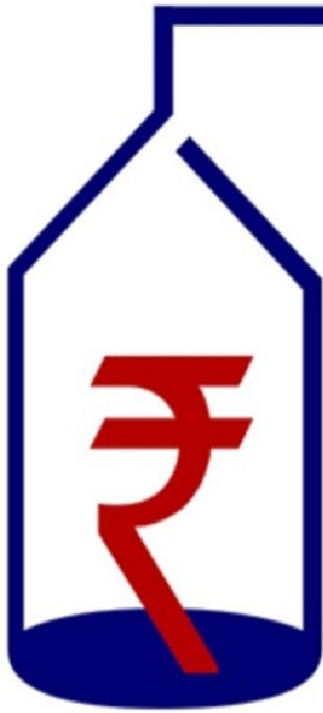


# Constitution of CGSI

Established in 1966



CONSUMER GUIDANCE SOCIETY OF INDIA



ग्राहक

सेवा

सुरक्षा

संतोष

The Societies Registration Act XXI of 1860: Ref. No. BOM 33/1966 GBBSD 04/04/1966 &  
The Bombay Public Trusts Act XXIX of 1950: Reg. No. F – 1381 (BOM) 20/05/1966

## Consumer Guidance Society Of India (CGSI)

Block J, Azad Maidan, Mahapalika Marg, Opp Cama Hospital, Mumbai 400001.

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## MEMORANDUM OF ASSOCIATION OF CONSUMER GUIDANCE SOCIETY OF INDIA

The name of the Society is Consumer Guidance Society of India, hereinafter referred to as "CGSI".

- I. The registered office of the Society is situated at Block 'J', Azad Maidan, Opp. Cama Hospital, Mahapalika Marg, Mumbai 400001.
- II. The objects for which the Society is established are:
  1. To inform, educate and organize consumers in order to secure, protect and preserve their interest and assert their rights as consumers of goods and services.
  2. To assure that interests of consumers of goods (including agricultural products and produce), and services are promoted and protected and that they receive due consideration at appropriate Forums, Authorities, Tribunals, etc.
  3. To mobilize public opinion in regard to Consumer goods (including agricultural products and produce) and services.
  4. To protect consumers against marketing of goods (including agricultural products and product) which are hazardous to life and property.
  5. To inform, protect and secure consumers about the quality, quantity, potency, purity, standard and price of goods so as to protect consumers against unfair trade practices.
  6. To assure that consumers of goods (including agricultural products and produce) and services has access to a variety of goods at competitive prices.
  7. To secure adequate representation of consumers' interests in fixation or determination of prices of consumer goods (including agricultural products and produce) and services by Government, public sector Undertakings, local bodies and other organizations.
  8. To send representatives of CGSI on Councils, Forums and any other body established by Government or any Semi Government bodies or Consumer Association or Societies both in India and abroad.
  9. To take such measures as may be necessary generally for the purpose of improving the quality of life.
  10. To secure representation of consumer interest in the formation of economic plans or in the management of nationalized or State controlled industries or agricultural undertaking.
  11. To provide, to undertake, aid and promote the study and evaluation of consumer goods, products and services and with that object to provide for and undertake testing, investigation and research of consumer goods, products and services.
  12. To undertake consumer research to determine the needs of consumers and to circulate amongst the concerned persons information about the evaluation of consumer goods, products and needs.
  13. To promote, aid and popularize the use of goods produced according to national and recognized standards and of quality controlled and certified consumer products both in India and abroad.
  14. To co-operate with and assist various organizations and public authorities both in India and abroad in the formation and adoption of quality standards for consumer products and services, as well as of such standards as are necessary form the safety and health aspect in the interest of consumers.
  15. To act in general as the Voice of Consumer and to do all such things as would inform, educate, guide, protect, promote and secure consumer interest.
  16. To protect consumer against environmental hazards caused by industry, trade and Government;
  17. To endeavor to eradicate pollution, including pollution of air water and noise.
  18. To do all such acts and deeds as are required to be done and to exercise all such rights as are given to consumer organizations under the Consumer Protection Act, 1986 and all other enactments, including amendments, passed from time to time.
  19. For the purpose aforesaid and in furtherance and implementation of the above objects to do and perform all such acts and deeds as may be expedient and conducive to the attainment thereof and to take all such steps as are incidental thereto and connected therewith and to adopt civil or criminal proceedings under the Constitution of India as the circumstances of the case may require.
- III. For and in connection with the furtherance of its objects or any of them, the Society shall have power;
  1. To foster the growth of local consumers' associations and help them in seeking a common bond of interest and work with the CGSI and to affiliate them with the CGSI.
  2. To co-operate with and assist various organizations and public authorities both in India and abroad whose objects and fields of activity are similar to those of the CGSI and in particular to secure affiliation with international organizations.
  3. To open branches of the CGSI in India and to render them assistance in their work.
  4. To affiliate consumer organizations having similar aims and objects.
  5. To become a member of, support, co-operate with or accept affiliations from any other association, institution, society or company in India or abroad, whose objects are broadly similar to those of the Society.

6. To establish and maintain libraries, museums and laboratories (testing and research).
7. To hold meetings and arrange exhibitions, lectures, seminars, discussions and conferences on the subjects of consumer interest.
8. To undertake and evaluate research or conduct study committees, forums, branches and unit of the Society for the proper and efficient conduct of the activity of the Society and to bring out publications for consumer education on a non-profit making basis.
9. To represent consumer interests on any bodies, including Government bodies or Committees, conference or other organizations.
10. To undertake and execute any trusts or any agency business which may seem conducive to the objects of the Society.
11. To incur, expenditure, borrow money, invest funds and make all necessary financial arrangements for carrying on the work of the Society.
12. To purchase, take on lease, or otherwise acquire any land or building, which may be necessary for carrying out the objects of the Society.
13. To sell, lease, exchange and otherwise transfer all or any properties of the Society.
14. To invest funds or moneys entrusted to the Society in such securities and in such manner as may, from time to time, be determined by it.
15. To employ such staff as may be considered necessary for carrying on the various activities of the Society.
16. To frame rules and regulations and to modify or rescind the same from time to time.
17. To make, alter or rescind bye-laws in such manner as may be laid down by rules and regulations.
18. To take such other action, as may be incidental, necessary or conducive to the attainment of any of the objects of the Society.
19. To promote consumer groups in different areas within the territory of India for ultimately getting the said groups affiliated to CGSI at Bombay as autonomous units called CGSI “\_\_\_\_\_”.

#### IV.

1. The income and property of the Society derived from donations, subscriptions and sale of its publication and from services rendered and from membership fees and grants and assistance from the States, Union and Foreign Associations and from Universities, Foundations and organizations having similar objectives shall be applied towards the promotion of the objects as set forth in the Memorandum of Association and no portion of the income and property of the Society shall be distributed as profit, dividend or bonus in any other way amongst its members.
2. In the event of winding up or dissolution of the Society, if there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to be distributed amongst the members of the Society, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Society.

We, the undersigned, are desirous of being formed into a Society under the Societies Regn. Act XXI of 1860.

<i><b>Name</b></i>	<i><b>Signature</b></i>	<i><b>Occupation</b></i>
1. Mrs. Kamla Mankekar 6-Sheel Marie, Worli Sea Face, Mumbai 400018.		Journalist
2. Dr. (Mrs.) Leela Thorat, C/o Lt. Gen Thorat Mount Pleasant Road, Mumbai 400006.		Social Worker
3. Mrs. Leela Jog Laxmi Nivas, Pune 411____		Social Worker
4. Mrs. Seeta Nadkarni Anita, Mount Pleasant Road, Mumbai 400006.		Social Worker
5. Mrs. Indira Muzumdar, Roxana, Marin Lines, Mumbai 400020.		Social Worker
6. Mrs. Seeta Gupta, Oceana, Marine Drive, Mumbai 400020.		Social Worker
7. Dr. Shanta Rao, Citizen's Co. Hsg. Society, Cadel Road, Mumbai 400016.		Social Worker
8. Mrs. Nalini Tulpule, Gokhale Road, Dadar, Mumbai 400028.		Social Worker
9. Mrs. Shakuntala Kadam Mumbai		Social Worker

# CONSUMER GUIDANCE SOCIETY OF INDIA (CGSI) RULES AND REGULATIONS

## 1 INTERPRETATION

In the interpretation of these Rules and Regulations unless there is anything inconsistent with the subject or context,

- 1.1 “The Society” means the Consumer Guidance Society of India.
- 1.2 Words importing the ‘masculine’ gender and ‘singular’ number shall respectively include the ‘feminine’ gender and ‘plural’ number and vice-versa.
- 1.3 “Year” means the period commencing from the 1<sup>st</sup> of April and ending with 31<sup>st</sup> of March.
- 1.4 “Office bearers” shall mean and include the Chairperson, Vice Chairperson, Honorary General Secretary, Honorary Joint Secretary, Honorary Treasurer and Honorary Joint Treasurer for the time being of the Society.

## 2 MEMBERSHIPS

Membership of the Society shall be open to all persons interested in the objects of the Society.

### 2.1 Categories of Membership

There shall be the following categories of members of the Society.

- (a) Founder Member
- (b) Patron
- (c) Life Member
- (d) Annual Member
- (e) Associate Member
- (f) Institution Member
- (g) Registered Consumer Co-operative Societies

#### 2.1.1 Founder Member

- (a) Every person who has signed the first Memorandum of Association of the Society and has paid to the Society a lump sum of Rs. 50/- is a Founder member of the Society.
- (b) A Founder Member shall be a member of the Society for his life.
- (c) Any adult person who although he may not have signed the Memorandum of Association but has been accepted as such by the Founder Members and has paid at the Society a lump sum of Rs. 50/- before the expiration of 3 years from the date of registration of the Society, shall also be a Founder Member of the Society.

#### 2.1.2 Patron

The Managing Committee may invite any person of distinction or any person who has rendered outstanding service to the cause of consumer guidance as a Patron. Such member may attend a General Meeting but shall have no right to vote at any General Meeting. They will not be required to pay any subscription or fees.

#### 2.1.3 Life Member

Any adult person paying to the Society a lump sum, life-membership fee, as prescribed from time to time by the general body at its meeting, may be enrolled as a Life Member of the Society. A Life Member shall be a member of the Society for his life.

#### 2.1.4 Annual Member

Any adult person agreeing to pay a yearly subscription as prescribed from time to time by the general body at its meeting, may be enrolled as an Annual Member of the Society.

#### 2.1.5 Associate Member

Any Company, firm or other trading, commercial or manufacturing organization, body or association agreeing to pay to the Society a yearly subscription, as prescribed from time to time by the general body at its meeting, may be enrolled as an Associate Member of the Society.

#### 2.1.6 Institution Member/Registered Consumer Co-operative Societies

Any Society registered under the Societies Regulation Act or an Association registered under the Companies Act, 1956 as an association not for profit or any other similar association or institution, any Consumer Society, whether registered or not, but engaged in non-commercial or non-trading activities and agreeing to pay to the Society an yearly subscription, as prescribed from time to time by the general body at its meeting, may be enrolled as an Institution Member of the Society.

#### 2.1.7 The subscription fees for any of the above categories of membership may be altered by the Managing Committee with the approval of the General Body, as and when necessary.

#### 2.1.8 Entrance Fees

An Entrance Fee as prescribed from time to time by the general body at its meeting, shall be payable by Annual, Associate, Institution, Registered Consumer Co-operative Societies but not by Patrons and Life Members.

- 2.2 Procedure for admission to Membership
- 2.2.1 Every application for admission as a member to any class other than Founder members and Patrons shall be in writing in the prescribed form.
- 2.2.2 Every such application shall be proposed by one and seconded by another member of the Society; provided that the Managing Committee may in its absolute discretion dispense with the provision of this sub-rule in the case of any application or applications.
- 2.2.3 Every application for membership shall be accompanied by full amount of the membership fee prescribed in the case of Life Members, and one year's subscription and the entrance fee in the case of Annual, Associate, Institution Member, Registered Consumer Co-operative Societies.
- 2.2.4 The Managing Committee shall have the absolute discretion and power to accept or reject any application without giving any reasons.
- 2.2.5 On the acceptance of the application by the Managing Committee, the Honorary General Secretary shall communicate the decision to the applicant concerned and enter his name in the Register of Members of the Society. The membership will commence, on the date on which the Managing Committee approves the membership.
- 2.2.6 The subscription payable by Annual Members and Associate Members shall be payable in advance at the Society's Office and shall become due on the 1<sup>st</sup> of April every year and shall be paid before the 30<sup>th</sup> of April of that year.
- 2.2.7 Defaulter  
If any member fails to pay his subscription within one month after the same became due, he ceases to be a member as such and will not continue to remain on the Managing Committee or any sub-committee or vote at the Annual General Meeting. The Managing Committee may re-admit a defaulting member on payment of all the arrears and on such terms as it may think fit.
- 2.2.8 Power to Expel  
The Managing Committee may by a resolution passed at its meeting recommend to the General Body the expulsion of any member who in their opinion, is unworthy of continuing as a member of the Society; provided that the Managing Committee, before passing a resolution as aforesaid, shall afford the member an opportunity of offering an explanation either in person or in writing after giving such a member a Notice of not less than 7 days specifying the charge against him. If the recommendation of the Managing Committee is accepted at the General Meeting by a majority of two-thirds of the members present and voting, such member shall be expelled and his name shall be removed from the Register of Members.
- 2.3 Cessation of Membership  
A member shall cease to be member of the Society:
- (a) on resignation,
  - (b) on being expelled from the Society,
  - (c) on being convicted by Criminal Court of an offence which, in the opinion of the Managing Committee, involves moral turpitude,
  - (d) on being adjudicated insolvent or adjudged a lunatic and
  - (e) on being declared a defaulter as provided in Rule 2.2.7
  - (f) on his death.

### **3 RIGHTS, PRIVILEGES AND DISABILITIES OF MEMBERS**

- 3.1 Rights, privileges and disabilities, of Founder Members, Life Members, and Annual Members.  
A Founder Member, Life Member, and Annual Member shall:
- 3.1.1 have a right to vote at the General Meeting of the Society, and
  - 3.1.2 be eligible to be appointed or elected as an office bearer or member of the Managing Committee or any Sub-Committee.
- 3.2 Rights of Institution Members  
An Institution Member shall have a right to vote at the General Meeting and in order to exercise that right, the Institution Member shall appoint and authorize in writing any person as its nominee to represent and vote for it. Neither the Institution Member nor its nominee will be eligible to be an Office-bearer or member of the Managing Committee.
- 3.3 Rights of Associate Members and Registered Consumer Cooperative (Stores) Societies  
An Associate Member and Registered Consumer Cooperative (Stores) Society shall have no right to vote and shall not be eligible to be an office bearer or a member of the Managing Committee or any other committee.

### **4 OFFICIAL YEAR**

The Official Year of the Society will commence on 1<sup>st</sup> April & close on the following 31<sup>st</sup> of March.

## 5

### GENERAL MEETINGS

A General meeting of the Society may be

(a) Annual General Body Meeting / Annual General Meeting, or

(b) Special General Body Meeting / Special General Meeting.

5.1 Annual General Meeting

The Annual General Meeting will be held once in every year within six months from the close of the official year at such time and place and hour as the Managing Committee shall determine.

5.2 Special General Meetings

A Special General Meeting may be convened by the Managing Committee of its own motion or upon a requisition made in writing by not less than 50 members of the Society. Such requisition shall specify the object of the meeting proposed to be called and must be signed by all the requisitionists and shall be delivered at the office of the Society.

5.3 Procedure for convening a Special General Meeting

5.3.1 The requisition for the Special General Meeting shall be placed within 15 days of its receipt, before the Meeting of the Managing Committee by the Honorary General Secretary of the Society, for fixing the date, time and place for the Special General Meeting. The meeting shall be held within a month from the date of this Managing Committee Meeting.

5.3.2 If the Managing Committee fails to convene a Special General Meeting, the President or the Requisitioners themselves may convene such meeting within two months from the date of delivery of such Requisition by giving fifteen days clear notice specifying the object of such proposed meeting and specifying place, date and time to all members as specified in Rule 5.4.

5.4 Notice of General Meetings

Fifteen clear days' notice of any General Meeting, whether Annual or Special, specifying the place, date, hour and nature of the business shall be given to the members by post or hand delivery or email or any other electronic means to their respective addresses/email ids registered with the Society or will be published on the CGSI website, but the accidental omission to give or non-receipt of such a notice by any member shall not invalidate the proceedings at any General Meeting.

5.5 Quorum

Twenty members present in person and entitled to vote, shall form a quorum at any General Meeting. No business shall be transacted at such meeting unless the prescribed quorum is present. If, at a Special General Meeting requisitioned by members of the Society, there is no quorum within 30 minutes from the hour fixed, the meeting shall be dissolved. If, at Annual General meeting and at the Special General Meeting convened by the Managing Committee if there is no quorum within 30 minutes from the hour fixed, the meeting shall stand adjourned for half an hour on the same day at the same place. At such adjourned meeting if no quorum is present, the members present shall form the quorum, but no business other than that specified in the notice shall be transacted at such meeting.

5.6 Business at the Annual General Meeting

The business of the Annual General Meeting shall be;

(a) to receive and to adopt the audited Statement of Accounts and the Annual Report of the Society;

(b) to elect the requisite number of members to the Managing Committee;

(c) to appoint an Auditor or Auditors for the ensuing year and to decide on their remuneration;

(d) to appoint Election Officers for the following year;

(e) to transact such other business (as may be brought before the meeting by the Managing Committee) on any subject or suggestion made by any member with prior intimation.

5.7 Voting at General Meetings

No member who has been a member for a period less than 30 days immediately before the date of the meeting shall be eligible to vote. Voting shall ordinarily be by show of hands. If 10% of the members present and qualified to vote demand a poll, the voting so demanded shall take place by ballot. There shall be no voting by proxy or proxies.

5.8 Decisions at the General Meetings

Except as provided by these rules, all questions before the General meetings shall be decided by a majority of votes and in the case of an equality of votes, the Chairperson of the meeting shall have a casting vote. (Subject to any statutory provisions in that behalf.)

## 6

### TRUSTEES AND PRESIDENT

6.1 Trustees

The Office bearers of the Society, viz. Chairperson, Vice Chairperson, Honorary General Secretary, Honorary Joint Secretaries, Honorary Treasurer and Honorary Joint Treasurer, shall act as the Trustees of the Society.

6.2 The President

- 6.2.1 The Society may at the Annual General Meeting of the Society nominate a President for such term as the Society may decide.
- 6.2.2 The President of the Society shall preside at, conduct and regulate all General Meetings of the Society and his rulings on any point of order and decision as to the results of voting shall be final and conclusive. The President shall, in addition to his rights of voting as a member, have a casting vote in case of a tie. In the absence of the President, the Chairperson of the Managing Committee and, in his absence, the Vice Chairperson of the Managing Committee shall preside over the meeting and in the absence of both, the members present shall elect a Chairperson for the meeting from among themselves and such Chairperson also shall exercise all such powers.
- 6.2.3 Subject to any subsisting interpretation given by the Managing Committee, the President / Chairperson at a General Meeting shall have the authority to interpret the Memorandum of Association and the Rules and Regulations, and Bye-laws of the Society for the purpose of conducting and regulating the meeting and deciding the questions arising at such meeting.

## **7 MANAGEMENT OF THE SOCIETY**

- 7.1 Managing Committee, its constitution and office bearers
  - 7.1.1 Management of the business and affairs of the Society and its funds and properties shall be vested in a Managing Committee.
  - 7.1.2 The Managing Committee shall consist of not less than 8 and not more than 12 elected members.
  - 7.1.3 All the Founder members as also the members co-opted by them shall be the First Members of the Managing Committee.
  - 7.1.4 The Retiring Chairperson of any year shall be a Member of the Managing Committee on his relinquishing the office of the Chairperson and shall continue to be such a Member of the Committee until another retiring Chairperson becomes eligible to become such a Member.
  - 7.1.5 The Managing Committee may co-opt not more than one-third of the number of elected members or four, whichever is less, from amongst the members of the Society eligible under Rule 3.1.2 above, to hold office. The co-opted members shall remain in office for a period of one year.
  - 7.1.6 Election of all the members of the Committee shall be held once in 5 (five) years. This rule shall come into effect from the next Annual General Body Meeting held immediately after the Special General Body Meeting that approves this amendment.
- 7.2 Meetings of the Managing Committee
  - 7.2.1 The Managing Committee shall meet at least once in every month.
  - 7.2.2 The Chairperson or any two members of the Managing Committee may requisition a Special Meeting thereof by giving two clear days' notice in writing to the Honorary General Secretary, specifying the business to be transacted and the meeting shall be held not later than three clear days of the receipt of such notice. No business other than the business specified in the notice shall be transacted at such Special Meeting.
  - 7.2.3 Five members shall form a quorum for a meeting.
  - 7.2.4 Any member of the Managing Committee absenting himself without leave for three consecutive meetings of the Managing Committee shall cease to be a member thereof. The managing Committee shall have the power to fill up all casual vacancies for the remaining term of the Managing Committee.
  - 7.2.5 The Managing Committee shall at its first meeting in every year elect a Chairperson; a Vice Chairperson, one Honorary General Secretary, two Honorary Joint Secretaries, one Honorary Treasurer and one Honorary Joint Treasurer.
  - 7.2.6 The Chairperson shall preside over all meetings of the Managing Committee and shall conduct and regulate all such meetings. The Vice Chairperson shall take the chair in absence of the Chairperson. In the absence of both, the Chairperson of the meeting shall be elected from among the members present.
  - 7.2.7 In the absence of the Chairperson, for all purposes, the Managing Committee may empower the Vice Chairperson or in the absence of the latter, any other committee member, to take over as Acting Chairperson, till such time as the Chairperson resumes office.

## **8 FUNCTIONS OF THE MANAGING COMMITTEE**

- 8.1 The Managing Committee shall exercise all the powers and perform all the duties that the Society is competent to exercise or bound to perform in the achievement of the objects contained in the Memorandum of Association of the Society, save those powers and /or duties which, by statute or the provisions of the Societies Registration Act, of 1860 (and its amendments) and these rules, are to be exclusively exercised or performed by the General Body or are reserved to be exercised or performed in any other way.

- 8.2 Without in any manner derogating from the generality of the provisions contained in sub-rule 8.1 above, the Managing Committee shall have the following powers:
- 8.2.1 To accept subscriptions, contributions and donations offered to the society.
  - 8.2.2 To manage and supervise the management of the affairs and properties of the Society and to expend moneys required for that purpose.
  - 8.2.3 To sanction payments for carrying out the objects of the Society and other expenses not specifically provided for and generally to administer the funds and properties, of the Society.
  - 8.2.4 To appoint and engage such officer, clerks, agents and servants for permanent, temporary or special service, as may be required from time to time and to determine their duties and to remove and dismiss such officers, clerks, agents and servants.
  - 8.2.5 To institute or compromise any suit or claim and to defend or settle any claim on the Society.
  - 8.2.6 To constitute sub-committees and delegate any of its powers to a sub-committee who shall, in the exercise of the functions entrusted to them, conform in all respects to the instructions given to them by the Managing Committee.
  - 8.2.7 To raise funds by borrowing monies with or without security against the properties and funds of the Society for the purpose of the fulfilment of its objects, if necessary.
  - 8.2.8 To prepare an Annual Report on the activities of the Society and to submit the same along with an audited Statement of Income and Expenditure and Balance Sheet to the General Body.
  - 8.2.9 To invest the funds of the Society in the authorized investments and to sell, vary or transpose such investments from time to time.
  - 8.2.10 To manage and deal with all matters appertaining to the Provident Fund or any other scheme for the benefit of the employees or ex-employees of the Society.
  - 8.2.11 To fix a schedule of program of activities proposed to be undertaken on behalf of the Society and to take steps to carry out the same.
  - 8.2.12 To admit or reject members and accept resignation of members.
  - 8.2.13 To acquire in the name of the Society by gift, purchase, exchange, lease, on hire or otherwise however any lands, buildings, easement rights of common or privileges for the purpose of the Society.
  - 8.2.14 To build, construct and maintain houses and buildings and to pull down, alter, extend, improve and repair any existing building of the Society and to provide all amenities and conveniences thereto.
  - 8.2.15 To make and from time to time to repeal or alter bye-laws as to the management of the Society and the affairs thereof and as to the duties of any officers, employees or servants of the Society, and as to the conduct of the business of the managing Committee or sub-committee, or as to any of the matters or things within the powers or under the control of the Managing Committee; provided that the same shall not be inconsistent with the Memorandum of Association or these Regulations.
  - 8.2.16 To negotiate and enter into contracts on behalf of the Society and to vary and rescind such contracts.
  - 8.2.17 To expend the funds of the Society in such manner as the Managing Committee shall consider most beneficial for the purpose of the Society.
  - 8.2.18 To establish, open or assist in establishing branches at different places in the country as envisaged in clause III of the Memorandum and to decide from time to time to extend such help as it can in the proper running of these branches
  - 8.2.19 To do all such acts and things as are incidental or conducive to the free exercise of all or any of the above powers and to the attainments of the above objects.
- 8.3 Appointments discovered defective  
All acts done by any meeting of the Managing Committee or by any Sub-Committee appointed by the Managing Committee or by any person acting as a member of any Sub-Committee shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such Sub-Committee or person acting as aforesaid or that they or any of them were or was disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of any Committee or Sub-Committee.
- 8.4 Circular Resolutions  
In an Emergency, or in extraordinary circumstances as decided by the Chairperson, a resolution unanimously passed by members of the Managing Committee present in Greater Bombay without any meeting of the Managing Committee and evidenced under the signatures of all members of the Managing Committee present in Greater Mumbai shall be as valid and effective as a resolution passed at a meeting of such Managing Committee duly called and held.
- 8.5 Interpretation of Rules



Any interpretation by the Managing Committee of the Rules, Regulations and Bye-laws of the Society for the time being shall be final and binding upon the members.

## **9 ELECTIONS**

- 9.1 The Auditor of the Society shall be the Returning Officer. The Managing Committee shall, after obtaining prior approval of the Society in General Meeting, maintain a panel consisting of three persons who shall be eligible to act as Returning Officers in case the auditor of the Society is unable or unwilling to undertake this function.
- 9.2 A Returning Officer may not be a member of the Society but if he is a member he shall not be an Office bearer of the Society or offer himself as a candidate at any elections while he is on the panel.
- 9.3 A member desirous of offering himself as a candidate for election as a Member of the Managing Committee shall file a nomination paper in the prescribed form addressed to the Returning Officer which must reach the office of the Society before seven clear days of the date fixed for the General Meeting at which the elections will be held. Each nomination paper must state the name of the candidate in full and shall be signed by the candidate by way of consent and two other members of the Society as proposer and seconder.
- 9.4 The nomination papers shall be scrutinized by the Returning Officer of the Society and any discrepancies therein shall be reported to the Chairperson of the Managing Committee. If the requisite number of nomination papers are not deposited with the Returning Officer, Candidates whose nomination papers were duly proposed and seconded shall be declared elected. For the remaining vacancies only, nominations shall be called for at the General Meeting itself. If the nominations for these remaining vacancies thus received exceed total number of these vacancies, election for these remaining seats will be held by ballot at the General Meeting itself, under the supervision of the Chairperson/ President/ Returning Officer of the Meeting.
- 9.5 In case the nomination papers exceed the requisite number, election will be held and the Returning Officer shall conduct and supervise the election.
- 9.6 The Returning Officer shall be fully responsible for the issuance of ballot papers to the voter members and shall conduct the election as per the election Bye-laws-framed by the Managing Committee.
- 9.7 All the Founder members and Life members who are on the roll 30 days prior to the issuance of notice of election, and all the Annual Members whose names are on the roll at least one year prior to the issuance of the notice of election shall be eligible to contest the elections. Outgoing members of the Managing Committee shall be eligible for re-election.

## **10 HONORARY GENERAL SECRETARIES**

- 10.1 There shall be one Honorary General Secretary and two or more Honorary Joint Secretaries. The Honorary General Secretary shall look after the affairs of the Society under the direction of the Managing Committee and shall convene, wherever necessary, meetings of the Society and of any sub-committee and any other meeting which it may be necessary to be called. The Managing Committee may allocate the functions of each Honorary Joint Secretary to assist and work with the Honorary Secretary.
- 10.2 The Honorary General Secretary shall keep or cause to be kept proper minutes of the proceedings of the General Meetings of the Society and of the Managing Committee and he will do everything necessary to give effect to the Resolutions passed by the General Meetings of the Society as also to those passed by the Managing Committee and Sub-Committees.
- 10.3 The Honorary General Secretary shall supervise the working and management of the Society and carry on all correspondence and keep or cause to be kept proper records and prepare or cause to be prepared and place before the General Meetings of the members of the Society such materials and information as may be necessary or as may be required by the Managing Committee.
- 10.5 The Honorary General Secretary shall be at liberty to expend for the purpose of the Society any sum up to Rs. 10,000.00 (Rupees Ten Thousand) in a fortnight without the previous sanction of the Managing Committee.
- 10.4 The Honorary General Secretary shall keep or cause to be kept all records of the Society at a place to be determined by the Managing Committee.

## **11 HONORARY TREASURER**

- 11.1 There shall be one Honorary Treasurer and one Honorary Joint Treasurer. The Honorary Treasurer will function with the assistance of the Honorary Joint Treasurer.
- 11.2 The Honorary Treasurer shall
  - (a) Receive all subscriptions, donations, and other monies, sign receipts thereof, make disbursements under the orders of the Managing Committee and keep vouchers and accounts thereof;
  - (b) Maintain all Books of Accounts and registers of the Society in proper order; and.
  - (c) Prepare statement showing Income and Expenditure and Assets and Liabilities for each official year.

- 12 GENERAL**
- 12.1 Funds and properties of the Society
- 12.1.1 Banking accounts in any bank approved by the Managing Committee may be opened in the name of the Society and all moneys received on behalf of the Society shall be credited in such accounts. The Honorary Treasurer may retain a sum not exceeding Rs. 1000.00 (Rupees Thousand) in his personal custody for petty expenses.
- 12.1.2 Banking accounts shall be operated jointly under the joint signatures of any two of the following: 1) Chairperson 2) Vice Chairperson 3) Honorary General Secretary, 4) Honorary Treasurer.
- 12.1.3 All contracts and assurances shall be operated under the joint signatures of the of any two of the following: 1) Chairperson 2) Vice Chairperson 3) Honorary General Secretary.
- 13 AUDITOR**
- 13.1 The Auditor shall be appointed at the Annual General Meeting.
- 13.2 Any vacancy in the office occurring during the year shall be filled in by the Managing Committee.
- 13.3 The Auditor may inspect the accounts of the Society quarterly or as he may deem fit. He shall at the end of every official year: examine the Statements of accounts prepared by the Honorary Treasurer and sign the same if found true and submit a report to the Managing Committee for being placed before the General Meeting.
- 13.4 The Auditor shall act as the Returning Officer if so required to do by the Managing Committee.
- 14 NOTICE**
- 14.1 Every member shall register with the Society his postal address and email ID and intimate the Society of any change therein from time to time.
- 14.2 Any notice required to be served upon a member under these Rules and Regulations may be served either personally or by sending it through the post or by courier in a prepaid envelope addressed to such member at his registered address or by email to the registered email id.
- 14.3 Any notice served by post shall be deemed to have been served at the time the envelope containing the same would be delivered in ordinary course of post and in providing such service, it shall be sufficient to prove that the envelope containing the notice was properly addressed, prepaid and posted or dispatched by courier
- 15 INDEMNITY**
- Every Office-bearer, every member of the Managing Committee and every other officer for the time being of the Society, shall be indemnified out of any funds of the Society against all losses and expenses incurred in the discharge of his duties except such as shall happen through his own willful neglect or dishonesty and each one shall be chargeable only for such money, funds or property as he shall himself actually receive in the discharge of his duties unless the same shall happen through his own dishonesty or willful negligence.
- 16 AMENDMENTS OF THE REGULATIONS**
- Any amendment in these regulations of the Society may be effected by the resolution of the Managing Committee by two-thirds of the members present and voting in favor of such amendment but no such amendment shall be effective unless it is approved by a meeting of the General Body by a majority of the Members present and voting within two months of the passing of such an amendment by the Managing Committee.

## **CONSUMER GUIDANCE SOCIETY OF INDIA – ELECTION BYE-LAWS**

- 1 NOTICE OF ELECTION**
- Notice of the General Meeting at which the elections are to be held will be given to the members at least 15 days before the date of such General Meeting.
- 2 CONTENTS OF THE NOTICE**
- Such notice shall set out full particulars of all the vacancies for which election will be held.
- 3 LIST OF VOTERS**
- A list of members eligible to vote shall be displayed in the Office of the Society and shall be available for inspection in the Office of the Society to the Members at least 14 days prior to the date of elections.
- 4 FILLING OF NOMINATION PAPERS**
- A member desirous of contesting the election for any office shall send his/her nomination paper to the Returning Officer so as to reach the Office at least 7 days before the date of the General Meeting at which the elections will be held.

**5 SCRUTINY OF NOMINATION PAPERS**

The Returning officer of the Society shall scrutinize the Nomination Papers received in the Office of the Society and shall report to the Chairperson of the Managing Committee which nomination papers are in order and which not, at least 3 days before the date of the General Meeting at which the election will be held.

**6 INVALID NOMINATION PAPERS**

The Returning Officer may declare a Nomination Paper as Invalid and reject the same if the Nomination Paper:  
is not submitted in the prescribed form  
is not duly proposed and seconded by voter members of the Society;  
is not signed by the candidate by way of consent;  
is not received at least 7 days before the date of the election.

**7 DISCRETIONARY POWERS OF THE RETURNING OFFICER**

The Returning Officer shall have the discretion to accept or reject the Nomination Paper if the name and address of the proposer, seconder or the nominee is not correctly mentioned as per the records of the Society.

**8 NAMES OF THE ELIGIBLE CANDIDATES TO BE DISPLAYED**

Candidates whose Nomination Papers are declared as valid by the Returning Officer shall only be eligible for the election. A list of eligible candidates will be prominently displayed in the Office of the Society after the scrutiny of the Nomination Papers.

**9 DECISION OF RETURNING OFFICER FINAL**

The decision of the Returning Officer in regard to the Nomination Paper shall be final.

**10 WITHDRAWAL OF NOMINATION PAPERS**

A candidate whose Nomination Paper has been received in the Office may withdraw the same within two days of the scrutiny of the Nomination Papers by the Returning Office.

**11 VOTING PAPERS**

- 11.1 Elections will be held at the General Meeting and voting will be by ballot.
- 11.2 Voting papers will be issued to the members present at the General Meeting at which the elections are to be held.
- 11.3 The Returning Officer shall be responsible for the issuance of the voting papers to the members. Every voting paper issued by the Returning Officer shall be signed by him.
- 11.4 Every Member will have one vote for each vacancy for whom he desire to vote and shall deposit the same in the sealed ballot box kept at the place of the Election.

**12 INVALID BALLOT PAPERS**

The Ballot Paper shall be invalid if the Voter gives more than one vote to the same candidate or if the Voter shall vote for more than the number of vacancies on the Managing Committee.

**13 COUNTING OF VOTES AND ANNOUNCING THE RESULT**

- 13.1 The Returning Officer shall appoint two scrutineers to assist him in counting of votes from among the members present at the meeting, who shall not be candidates for election.
- 13.2 Every candidate for the election or his authorized agent may remain present at the time and place of counting.
- 13.3 The Returning Office shall report the results of the counting of votes to the Chairperson of the General Meeting.
- 13.4 In case the counting shall continue even after the transaction of the remaining agenda of the meeting, the Returning Officer shall announce the results of the election in the office of the Society by displaying the same prominently and the results thus declared shall be deemed to have been declared in the General Meeting itself.

# Constitution of Consumer Guidance Society of India (CGSI)



The Societies Registration Act XXI of 1860: Ref. No. BOM 33/1966 GBBSD 04/04/1966  
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