

MEMORANDUM OF ASSOCIATION

&

RULES AND REGULATIONS

OF

SUNSHINE EDUCATIONAL AND DEVELOPMENT SOCIETY

(AS AMENDED AND REINSTATED)¹

Duly registered with the Registrar of Societies, Uttar Pradesh vide
Registration Certificate Number 757 / 2005-2005 dated 28.09.2004

MEMORANDUM OF ASSOCIATION

1.	Name of the Society	: SUNSHINE EDUCATIONAL AND DEVELOPMENT SOCIETY
2.	Registered Office of the Society	: 28/1, Knowledge Park – 3, Greater Noida, GautamBudh Nagar, Uttar Pradesh - 201310
3.	Sphere of Function of Society	: All over India
4.	Aims & Objects	: a) To establish, Medical School/Colleges, Dental Schools/Colleges, Paramedical School/Colleges, Nursing Institutions, Dispensaries, Maternity Homes, Child Welfare Centers and for such other similar institutions in India for the benefit and dues of General Public. After the permission of Government. b) To establish, promote maintain and avail Hospitals, Sanatoria, Mobile Dispensaries, Camp clinics, Health campaigns and such other Institutions and activities for the benefit of general public irrespective of caste, colour, bread and sex. c) To establish, run reading rooms, Laboratories, research and other institutions of the like nature in India, for use of the students and the staff and also for the developments, advancement and diffusion of knowledge and amongst the public in general.

¹ Subject to Approval from Commissioner Income-tax (Exemptions), Lucknow

Vijay Singh
Vishal
Chamwar Singh
Biswas

Amrit
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Satyajit
Vijay Singh

Rohit
Rohit

Vijay Singh
Kishan

V. Swi
Vinita Singh
Abhan

- d) To establish, acquire, run boarding houses, udyogshalas, gymnasium stadiums physical and dissemination of knowledge among the public at large of any place in India.
- e) To establish and develop institutions for the physically handicapped and disabled or mentally retarded persons and to provide them education and other help.
- f) To promote, establish, support, maintain science and research and other institutions in India, having similar objects for the benefits of the public in general.
- g) To award students scholarships, fellowships and study loans to the deserving and needy students.
- h) To award prizes for notable work in the field of Science and technology etc.
- i) To Aid, organize and sponsor lectures, debates, discussions, meetings symposia, seminars and conferences for the advancement of Human Knowledge.
- j) To co-operate with other societies, institutions and organizations in pursuits of similar objects.
- k) To grant aid or render assistance to other public charitable trusts or institutions.
- l) To maintain, manage or take over any existing charitable trust with which the objects of the trust are wholly or substantially identical.
- m) To carry on activities of general public utility for goods and benefit of general public not involving the carrying on of any activity of profit.
- n) To aid or establish such other institutions and the activities as the members may in their discretion think proper.
- o) To do all such things and perform all such acts as may be necessary or proper for achievements of any or all of the objects of the society.
- p) To provide and afford to its member activities, amenities, privileges, advantages, comforts and conveyance as are usually provide in clubs amongst other such as sports and games culture and intellectual, recreational and entertainment refreshment and lodging.

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Rajant

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Khalil

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		<p>q) To arrange and organize various kind of social welfare program for child welfare, women, widow, handicapped, S.C., S.T. & O.B.C.'s and others.</p> <p>r) To open, fond, establish, setup, run maintain, assist, finance support or help the various communities development programs / activities and also construct and develop the clubs, community halls, night shelters, old age homes, libraries, reading rooms, playground, stadiums, mahila ashram, drama stage and other building or the institutions for the upliftment, betterment and entertainment for the general public and of the members of the society.</p> <p>s) To move the society's property on rent from the approval of the governing body for the attainment of the society's objects.</p> <p>t) To start, establish, run, take over or manage and maintain schools, with an objects to provide sound pre-primary, primary, secondary and senior secondary education to children by seeking recognition and affiliation from the educational departments / concerned government authorities.</p> <p>u) To establish and run Institutions / colleges, research centers, training centers devoted to all spheres of education, training and research in all areas of learning/ education, teaching and other vocational studies and also to get affiliation from university, state, and control of such institutions / colleges / private universities with relevant permission from competent authorities.</p>
5.	Governing Body	: <i>To be appointed in accordance with the Rules and Regulations of the Society. The names of the members (hereinafter called the first / founder members of the Society, and their addresses and their present occupation has been shown as under:</i>

We the undersigned are the founder members of the Sunshine Educational and Development Society, do hereby accept unanimously the constitution of the Society for the satisfied proceedings required for the registration of the Society as desired to be produced before the Registrar of the Society, U.P., Meerut for certification.

S.NO	NAME	ADDRESS	DESIGNATION	OCCUPATION & AGE	SIGNATURE
1	Sh. Rajendra Kumar S/o	Goel Building Infront of Nagar Palika,	Chairman	Business 56 Years	Sd/-

Handwritten signatures and initials:
 V. P. Singh (with 'VS' and 'V.P. Singh' written below)
 Bhanu Singh (with 'BS' below)
 V. Singh (with 'V. Singh' below)
 P. Singh (with 'P. Singh' below)
 M. Singh (with 'M. Singh' below)
 V. Singh (with 'V. Singh' below)
 A. Singh (with 'A. Singh' below)

	Sh. Nanak Chand	Bulandshahar (U.P.)			
2	Sh. Sandeep Shah S/o Sh. Suresh Chand Shah	B-141, Phase-1, Ashok Vihar, New Delhi	Vice Chairman	Business 25 Years	Sd/-
3	Smt. Usha Goel S/p Sh. Rajendra Kumar	Goel Building Infront of Nagar Palika, Bulandshahar (U.P.)	Executive Member	Housewife 50 Years	Sd/-
4	Smt. Sushila Shah W/o Sh. Suresh Shah	B-141, Phase-1, Ashok Vihar, New Delhi	Executive Member	Housewife 50 Years	Sd/-
5	Sh. Madhusudan Agarwal S/o U.C. Agarwal	191, Krishna Nagar, Bulandshahar (U.P.)	Secretary	Business 42 Years	Sd/-
6	Sh. Girish Kr. Kansal S/o Sh. Ram Mohan Lal Gupta	780/13 Kansal Kutir Raje Babu Road, Bulandshahar (U.P.)	Treasurer	Business 36 Years	Sd/-
7	Sh. Surendra Kr. Gupta S/o Sh. Hari Gupta	4, Gayn Lok Colony, Near Income Office, Bulandshahar (U.P.)	General Secretary	Advocate 48 Years	Sd/-
8	Smt. Suman Gupta W/o Sh. Rakesh Kumar Gupta	Alam Bag, 589, Kha, New Shree Nagar, Lucknow	Executive Member	Housewife 40 Years	Sd/-
9	Sh. Mahesh Kumar Shah S/o Late Sh. Keshav Dev	B-141, Phase-1, Ashok Vihar, New Delhi	Executive Member	Business 51 Years	Sd/-

RULES AND REGULATIONS

1.	Name of the Society	:	SUNSHINE EDUCATIONAL AND DEVELOPMENT SOCIETY
2.	Registered Office of the Society	:	28/1, Knowledge Park - 3, Greater Noida, Gautam Budh Nagar, Uttar Pradesh - 201310
3.	Sphere of Function of Society	:	All over India

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Panamwal Singh
BS

VS
Rajesh
VS

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Khalid
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Vinita Soni

VS
A. D. Singh

MEMBERS&GENERAL BODY:

4.	Membership	: The membership of the Society is open to any person who has attained the age of majority and who agrees to abide by the Rules and Regulations of the Society, without discrimination of the religion, caste, colour, sex or creed but subject to the approval of the Governing Body.
5.	Types of Membership	: Membership of the Society shall be of two types: a. <u>Life Member</u> : Subject to Clause 8 below, a Life Member shall be a member of the Society during his/her lifetime. The number of Life Members of the Society shall never exceed ten (10). b. <u>Term Member</u> : Subject to Clause 8 below, a Term Member shall be a member of the Society who has been made a member of the Society for a fixed term not exceeding three (3) years. Both Life Members and Term Members shall form part of the General Body of the Society.
6.	Refusal	: The Governing Body of the Society may at its discretion refuse any person for the membership of the Society.
7.	Expulsion	: The Governing Body of the Society may expel any member from the Society if the member works against the Aims and Objects of the Society. The reasons for expulsion shall be communicated to the member being expelled and every such expelled member shall have a right to appeal before the General Body, which may or may not be accepted.
8.	Disqualification/ Cessation of Membership	: A member of the Society shall cease to be a member of the Society in any of the following circumstances: a) death of such member; or b) resignation by the member; or c) the member is found to be of unsound mind by a court of competent jurisdiction; or d) the member is found guilty of an offence which constitutes moral turpitude by a competent court; or e) the member is adjudged insolvent; or f) who is asked to resign by 2/3 rd majority of the General

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		<p>Body; or</p> <p>g) upon expiry of term of a Term Member; or</p> <p>h) themember abstains from three consecutive Annual General Meetings of the General Body without obtaining leave of absence from the General Body.</p>
9.	Appeal against Expulsion	: All the appeals against the decision of the Governing Body to expel a member from the membership of the Society shall be preferred to the General Body of the Society. The decision of the General Body shall be final and binding. The reasons for acceptance/ rejection shall be communicated to the member concerned.
10.	Rights & Privileges of Members	: Every member shall have rights to participate in the General Body meeting and shall also be entitled to inspect the record of the Society with prior approval of Governing Body. A member shall also have a right to vote in all general Body meetings of the Society. Every member shall be entitled to participate in the meetings, functions and programmes of the Society.
11.	General Body	: <ul style="list-style-type: none"> a) There shall be a General Body of the Society consisting of all the members of the Society. General Body shall consist of not less than seven members and not more than fifteen (15) members. b) The meetings of the General Body shall be held at least once every financial year ("Annual General Meeting"). The quorum for every Annual General Meeting shall be at least 2/3rd of all the members of the Society and the same shall be called by giving advance written notice of at least ten days to all the members of the Society. However, in case the Annual General Meeting could not be held on the scheduled date for want of quorum, the meeting shall be adjourned by three days. During such adjourned meeting no minimum quorum shall be required and presence of two members shall be sufficient quorum. c) An emergency meeting of the General Body may also be summoned on the written request of 4/5th members with three days prior notice for such meeting. d) The Chairman of the Governing Body shall be the Chairman of all general Body meetings. e) The following business shall be transacted in the meetings of the General Body:

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 V. S. Jangra
 P. Prasad
 K. Mahi
 V. Nita Suni
 A. B. H.

		<ul style="list-style-type: none"> i. to prepare annual programs and policies for the Society; ii. to pass annual budget of the Society; iii. to appoint a qualified auditor who will annually audit the accounts of the Society; iv. to consider any business brought forward by the Governing Body. v. to appoint members of the Governing Body; and vi. to discuss and to decide all such other matters and issues which are directly or indirectly related to the affairs of the Society.
12.	Register of Members	<p>: The Society shall maintain at its registered office a register of its members and shall enter therein within 15 days after admission of member or the cessation of his / her membership, as the case may be, following particulars:-</p> <ul style="list-style-type: none"> a) The name, date of birth, address, occupation of the member; b) The date on which the member was admitted; and c) The date on which a member ceased to be a member of the Society.
13.	Annual List of General Body	<p>: The list of the General Body of the Society shall be filed with the jurisdictional Registrar of Societies, Uttar Pradesh in accordance with the provisions of the Societies Registration Act 1860 (as applicable to the State of Uttar Pradesh and as amended/ reinstated/ substituted from time to time).</p>

GOVERNING BODY:

14.	Governing Body	<p>: a) There shall be a Governing Body of the Society to look after and to manage the day to day affairs of the Society. Governing Body shall consist of minimum five (5) members and maximum eleven (11) members including the office bearers.</p> <p>b) The superintendence, control and direction of the affairs of the Society its income, funds and properties (whether moveable or immovable and whether tangible</p>
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		<p>or intangible) shall be entrusted to the Governing Body.</p> <p>c) The term of the Governing Body shall be three years. A member whose term expires shall be eligible for re-election.</p> <p>d) There shall be a Chairman, General Secretary and Treasurer of the Governing Body. All other members of the Governing Body shall be called as Executive Members.</p> <p>e) The members of the Governing Body shall by majority vote elect amongst themselves the Chairman, General Secretary and Treasurer of the Governing Body/Society.</p> <p>f) The meetings of the Governing Body shall be held at least once every quarter. The quorum for every Governing Body meeting shall be at least 1/2 of all the members of the Governing Body and the same shall be called by giving advance written notice of at least seven days to all the members of the Governing Body. However, in case the Governing Body meeting could not be held on the scheduled date for want of quorum, the meeting shall be adjourned by three days. During such adjourned meeting no minimum quorum shall be required and presence of two Governing Body members shall be sufficient quorum.</p> <p>g) An emergency meeting of the Governing Body members may also be summoned on the written request of 3/4th members with two days prior notice for such meeting.</p>
15.	Chairman	<p>: Chairman shall:</p> <p>a) preside over all the meetings of General Body and Governing Body.</p> <p>b) in case of equality of votes in any meetings, have a casting vote.</p> <p>c) supervise the work of all other Governing Body members from time to time.</p>
16.	General Secretary	<p>: General Secretary shall:</p> <p>a) represent the Society in all public and private offices.</p> <p>b) keep and maintain all types of records of the Society</p>

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		<p>including the register of members containing therein the names, address and other brief particulars or all members of the Society.</p> <p>c) undertake all types of correspondences on behalf of the society.</p> <p>d) call the meetings of General Body and Governing Body, and shall also inform every member regarding the time, date and place of the meeting.</p> <p>e) keep accounts of all financial transaction of the Society and of all the sum of money received and spent by the Society and maintain records of receipts and expenses relating to such matters, and of assets, credits and liabilities.</p> <p>f) get the accounts audited by the auditor appointed by the General Body for every financial year.</p> <p>g) keep and maintain minutes and preserve the records of the Society / Governing Body / General Body.</p> <p>h) submit to the Governing Body the annual accounts and budgets of the Society.</p> <p>i) be overall in-charge of the administration and execution of all the programmes of the Society / including financial affairs on behalf of the Governing Body including creation of posts, fixation of salaries / remunerations / allowances, etc., appointments, engagements of staff on work charge or daily basis, purchases, etc. and to do all other such things as may be necessary in the furtherance of the objects of the Society</p>
17.	Treasurer	: Treasurer shall be responsible for all financial matters of the Society and shall also be responsible for keeping and maintenance of a true and correct accounts of the Society's funds and properties.
18.	Executive Members	: They shall assist in the day to day work of the Society as directed by the Chairman and/ or the General Secretary.
19.	Powers & Duties of Governing Body	: In furtherance of the Aims & Objects of the Society, the Governing Body shall have the following powers/ responsibilities: (a) To appoint management bodies, management groups, etc. separately to manage and run each of the school,

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institution, college, etc., of the Society.

- (b) To appoint sub-committee(s) for management of the affairs of the Society and delegate such powers, duties and functions to such Sub-Committee's), as they deem fit, subject to their retaining the ultimate control and supervision.
- (c) To enroll members and grant membership to individuals at its discretion and to charge membership fees to cover part of the administrative costs.
- (d) To manage the properties of the Society.
- (e) To acquire by purchase, gift, exchange, lease or otherwise and hold movable or immovable property(s) for the use and benefit of the Society.
- (f) To construct, alter, improve and equip buildings and structures of the Society.
- (g) To receive funds or assets in cash or in kind for the Aims & Objects of the Society and to receive contributions from corporate sector, foundations and individuals.
- (h) To take and give receipts, releases and other discharges for money payable to the Society and for the claims and demands of the Society.
- (i) To institute, defend, compound, compromise or support all legal actions proceedings on behalf of or against the Society and/or its Governing Body, officers and/or employees, and refer to arbitrations any dispute or difference, and engage counsel in this behalf.
- (j) To deal with property and dispose off any or all the properties of the Society or any part thereof by way of sale, mortgage, gift, let out on hire, licence, transfer or otherwise, to receive consideration for such transferor lease money, rent and issue valid acknowledgement receipt in respect thereof.
- (k) To invest and deal with the funds and moneys of the Society consistent with the activities and requirements of the Society and as permissible under the applicable law, such as under the Income-tax Act, 1961 or Income Tax Rules, 1962 or any other applicable legislation for the time being in force and to vary, alter or to transpose or sell/ recall such investments from time to time.

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fulfilling legal requirements to achieve and fulfill the Aims & Objects of the Society.

(v) To payout of the funds of the Society expenses for carrying out any of its objectives including payment of salaries and payment to persons employed.

(w) To do all other acts necessary for and consistent with the attainment of the Aims & Objects of the Society.

20. Responsibilities & Liabilities of the Governing Body Members

a) True accounts shall be kept of all sums of money received and spent by the Society and the matters in respect of which such receipts and expenditure take place, and or property, and liabilities of the Society. The accounts of the Society shall be kept posted properly and maintained regularly. As soon as possible after the end of a financial year, the accounts of the Society shall be examined and the correctness of the Balance Sheet and the Income and expenditure Account thereof ascertained by one or more properly qualified auditor(s).

b) The income and property of the Society whatsoever and wheresoever shall be applied solely towards the promotion of its Aims & Objects. That nothing herein shall be construed to restrict any lawful payment or remuneration to any of the Governing Body member for any services rendered by them in the normal course of running the affairs of the Society.

c) The Governing Body members shall be responsible for their own individual acts and defaults only and not for the acts or defaults of another of them, nor for the acts or defaults of any banker, broker, auctioneer or other persons into whose hands any property of the Society consisting of securities or money or the income thereof shall in the ordinary course of carrying of Society's activity come, nor for the depreciation of any property or securities, nor for any mistake or error of judgment committed by them in regard to the choice of the recipients of the benefit of the property of the Society or the Aims or Object thereof, in any particular case or cases or otherwise howsoever except for their wilful acts or defaults only.

d) No Governing Body member shall be liable for any loss to the Society and/ or to any third party and shall remain fully indemnified by the Society by reason of:

i. any improper investment made in good faith;

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		<ul style="list-style-type: none"> ii. the negligence or fraud of any agent employed by him/ her, or by any other Governing Body member hereof, even if the employment of such agent was not strictly necessary or expedient; iii. any mistake or omission made in good faith by such Governing Body member; iv. any acts done without the knowledge and consent of such Governing Body member; v. any other matter or thing, except in cases involving wilful and individual fraud or wrong doing on the part of such Governing Body member; vi. any loss/ harm caused to any third party pursuant to the activities of the Society. <p>e) Every Governing Body member, member of various Committees/ Sub-Committees of the Society and person employed by the Society shall be indemnified out of the funds of the Society against all liability incurred by him for reason of discharge of his duties as such Governing Body member or person employed by the Society.</p>
21.	Filling Up of Casual Vacancy in Governing Body	<p>: The casual vacancies in the Governing Body may be filled up by way of resolutions passed by the majority of vote by General Body.</p> <p>In case there is a casual vacancy in the office of the Chairman, till the time such casual vacancy is filled up, the General Secretary of the Society shall exercise and perform all the powers, duties and function of the Chairman.</p> <p>In case there is a casual vacancy in the office of the General Secretary, till the time such casual vacancy is filled up, the Treasurer of the Society shall exercise and perform all the powers, duties and functions of the General Secretary.</p>
22.	Election	<p>: The Governing Body of the Society shall be elected for a term of three years in the General Body meeting. The secret ballot system / raising of hands shall be the mode of election.</p>
23.	Disqualification/ Cessation of	<p>: A member of the Governing Body of the Society shall cease to be a member of the Governing Body in any of the</p>

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<p>Governing Body Member</p>	<p>following circumstances:</p> <ul style="list-style-type: none"> i) death of such member; or j) resignation by the member; or k) the member is found to be of unsound mind by a court of competent jurisdiction; or l) the member is found guilty of an offence which constitutes moral turpitude by a competent court; or m) the member is adjudged insolvent; or n) who is asked to resign by 2/3rd majority of the Governing Body; or o) in case of a Governing Body member being a Term Member, upon expiry of term of such Term Member; or p) the member abstains from three consecutive meetings of the Governing Body without obtaining leave of absence from the Governing Body.
<p>24. Annual List of Governing Body</p>	<p>: The list of the Governing Body of the Society shall be filed with the jurisdictional Registrar of Societies, Uttar Pradesh in accordance with the provisions of the Societies Registration Act 1860 (as applicable to the State of Uttar Pradesh and as amended/ reinstated/ substituted from time to time).</p>
<p>25. Indemnity</p>	<p>: The members of the Governing Body shall be kept fully indemnified and harmless by the Society against any action or claim, loss suffered or liability arising against them, on account of anything done by them in good faith pursuant to the powers and authority conferred on them by these presents.</p>
<p>FINANCIAL MATTERS:</p>	
<p>26. Financial Year</p>	<p>: The financial year of the Society shall be from 1st April of every calendar year to 31st March of the immediately succeeding calendar year.</p>
<p>27. Accounts & Audit</p>	<p>: The Governing Body shall appoint a practising Chartered Accountant for preparation and checking up of accounts and preparation of Income-Expenditure Account, Balance Sheet, Utilization Certification or any other financial statement as may be needed to be prepared for the Society</p>

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		under any applicable law.
28.	Funds & Properties of the Society	<p>a) The Governing Body shall hold and stand possessed of all the moneys, funds, shares, donations, contributions, all the property or properties, moveable or immovable, which may hereinafter be paid, received, generated or transferred to the Governing Body and investment or investments for the time being representing the same and the income, profits, dividend and interest arising therefrom ("Fund"), subject to the provision hereof for the due fulfilment of the Aims & Objects of the Society.</p> <p>b) The Governing Body may at any time invite and receive or without such invitation receive any voluntary contributions or donations either from the members of the Society or from any other member of the public, including any company, firm or institution, for all or any of the objects of the Society. Such contributions or donations may be monetary or in kind, so long as the same is not for purposes inconsistent with those stated in the present Rules and Regulations.</p>
29.	Source of Income & Utilization	<p>: Subscriptions, fees, donations, grants in aid and gifts from the member and the general public shall be the source of income of the Society. All the income of the society shall be utilized towards the Aims & Objects of the Society.</p> <p>All the income, earnings, moveable and immovable properties of the Society shall be solely utilized and applied towards the promotion of its Aims & Objects only as set forth in the Memorandum of Association. No member of the Society shall have any personal claim on any moveable or immovable properties of the Society by virtue of his/her membership.</p>
30.	Bank Account	<p>: The funds of the Society shall be kept in a scheduled bank(s). The bank account(s) of the Society shall be operated in accordance with the resolutions passed by the Governing Body from time to time.</p>
31.	Investment	<p>: The surplus of the funds of the Society shall remain invested in the manner and modes specified under applicable laws (especially the provisions of the Income-tax Act, 1961).</p>

MISCELLANEOUS:

32. **Legal Proceedings** : The Society may sue or be sued in the name of its

Handwritten notes and signatures:

- ✓ V.P. Singh
- Bhanu Singh
- A. Singh
- V. Singh
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- K. Singh
- V. Singh
- A. Singh

		Chairman / General Secretary in accordance with the provisions of the Societies Registration Act 1860 (as applicable to the State of Uttar Pradesh and as amended/ reinstated/ substituted from time to time).
33.	Amendment	: Any amendment in the Memorandum of Association and/ or Rules and Regulations will be carried out in accordance with applicable laws and shall be carried out only after obtaining all permissions required under applicable laws (including the provisions of the Income-tax Act, 1961).
34.	Irrevocable / Dissolution / Amalgamation	: a) It is declared that the Society is irrevocable. However, if the Society fails for any reason, with the written consent of 3/4th of the members of the General Body, all the funds and properties of the Society (whether moveable or immovable and whether tangible or intangible) shall be transferred to any another charitable society having objects similar to those of this Society and donations to which are exempt under Section 80-G of the Income-tax Act, 1961. b) In the event of the Society or its funds and/ or properties merging with or being amalgamated with any other public charitable society, the same shall preferably have the same or similar charitable objectives as this Society and such process shall be carried out in accordance with the then applicable laws (including the provisions of the Income-tax Act, 1961). c) Any dissolution, merger, amalgamation, acquisition or any other form of cessation of the operations of the Society will be carried out in accordance with the then applicable laws (including the provisions of the Income-tax Act, 1961).
35.	Application of the Societies Registration Act, 1860	: The provisions of the Societies Registration Act 1860, as applicable to the State of Uttar Pradesh and as amended/ reinstated/ substituted from time to time shall apply to the Society.

Vijay Jais

Bh. Anand Singh

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Vijay

R. Prasad

K. Kishor

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