



By - Laws

K O Z H E N C H E R R Y A S S O C I A T I O N

*

KUWAIT



Kozhencherry Association, Kuwait

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- 1 NAME** : Kozhencherry Association,
Kuwait (KAK)
- 2 ADDRESS** : P.O Box 24210,
Safat 13103,
Kuwait.
- 3 AREA OF OPERATION:** Kuwait, Kozhencherry &
Surroundings, India

4 OBJECTIVES:

- 4.1 To Provide a meeting point for people from Kozhencherry & its surrounding areas, to open up new possibilities for their mutual growth and better understanding, by exploring their inherited rich culture and values.
- 4.2 To facilitate a dynamic link between the Malayalee experience, expertise, and entrepreneurship, in Kuwait for the invigoration of the Kozhencherry Community.
- 4.3 To point out and recognize member's talents, skills, and intelligence so that they may be mobilized for the enhancement of professional development, career development.
- 4.4 To organize a network of Kozhencherry residents of different age groups to constantly communicate, share, and update their knowledge base.
- 4.5 To create a cultural awakening in Kozhencheiri residents, living in different parts of Kuwait, and to install in them the openness, for pulling out the cream of all cultures paving the way for a peaceful coexistence as a community.
- 4.6 To assist the most deserving of the poor, the sick, the helpless, the neglected and the truly under-privileged in and around Kozhencherry with financial aid for medical, educational, matrimonial, housing and other emergency needs.
- 4.7 To Raise and receive funds for the association by accepting financial contributions from members, well-wishers and sympathizers who subscribe to the principle of compassion and charity.
- 4.8 To Support for the works, for the development of Kozhencherry and it's surrounding areas.
- 4.9 To function as a facilitation agency, for improved coordination of registered members, with Indian Embassy & other Governmental Institutions in Kuwait / India.



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5 MEMBERSHIP:

- 5.1 The expatriate residents from in & around Kozhencherry are eligible to become members of the association.
- 5.2 Requisitions for the membership shall only be accepted through the application form, available with the association secretary.
- 5.3 Each member shall pay an amount of KD 2.000 to register as a member of the association. This membership fee shall be applicable for one person and his/her family regardless of the number of members within that family.
- 5.4 When a member pays KD 2.00 to join as a registered member of the association, ONLY he/she alone shall have the 'voting rights' within the association's functioning. However, a family can register multiple members by paying K.D 2.00 for each of such members. All registered members shall have 'voting rights'.
- 5.5 The General Body (GNB) is a meeting of the eligible voting members of the association & shall meet annually to choose the Office Bearers as well as the committee members to from each area / locality in Kuwait.
- 5.6 The area committee members shall be responsible for all the coordination needs of the member from his area / locality.
- 5.7 Cessation of membership shall be at the discretion of the GB.

6 OFFICE BEARERS:

- 6.1 The Governing Body (GB) shall consist of the office bearers and the committee members representing each area / locality.
- 6.2 The office bearers of the association are President, Vice President, Secretary, Joint Secretary & Treasurer. The office bearers shall be the natural members of the GB.
- 6.3 The GB shall identify & assign different working committees, as needed, to address and manage the day-to-day affairs as well as key objectives of the association. Such working committees shall cease to function towards the end of the period as defined by the GB.
- 6.4 **Patron**
 - 6.4.1 The Patron shall support, protect or champion the interests of the association & shall be the sponsor or benefactor of the activities of the association.
 - 6.4.2 The patron shall visit the association meetings as practical as possible. And shall be positioned as, 'the manager for the association'.
 - 6.4.3 The patron shall be a noble person, who shall be capable of granting favors and protection to the association as needed.



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6.4.4 The patron shall ideally be a renounced personality from Kozhencherry or its surroundings, who is well recognized among the Indian community in Kuwait for social services as well as community support needs.

6.4.5 The Vice-Patron shall be the designee of the Patron, during his/her absence for endorsing association's decisions.

6.5 The President:

6.5.1 The President is the chief executive of the association and shall preside over the meetings of the GB & GNB Meetings.

6.5.2 The President shall call special meeting of the GB and/or GNB, at any time or at the request of the Secretary.

6.5.3 The President shall be a compulsory signatory to all documents pertaining to the association. He shall be aware of all monetary transactions of the association & shall represent the association on any delegations or meetings.

6.5.4 The President shall have the power to sign on all agreements & documents of the association and to counter sign on all cheques and vouchers. .

6.5.5 Vice-President shall be the designee of the President during his/her absence and shall automatically take over all the responsibilities.

6.6 The Secretary:

6.6.1 The Secretary shall act as the Legal Representative & Spokesman of the association. Secretary prepares the agenda and notes, for each meetings.

6.6.2 The secretary Prepares and maintains accurate records and minutes of each of the meetings of the association (GNB, GB etc).

6.6.3 The secretary is Responsible for general administration, press releases and any other communication or correspondence needs pertaining to the association.

6.6.4 The secretary is Responsible for correspondence and liaison with donors of funds, recipients of financial aids and with any Govt. agencies & to represent the association to various meetings or delegations along with the President.

6.6.5 The Treasurer shall sign on all cheques of the association jointly with the President or Secretary. Bank transactions shall be conducted jointly by any of the two from Treasurer, President or Secretary. Joint Secretary shall be the Designee of the Secretary during his/her absence and shall automatically take over all the responsibilities during his/her absence.



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6.7 The Treasurer:

- 6.7.1 The Treasurer shall be responsible for all monetary transactions (cash management), with the full knowledge and consent of the President.
- 6.7.2 The Treasurer shall be the custodian of all receipts and vouchers of any transactions. He / She shall maintain a good bookkeeping system as approved by the GB.
- 6.7.3 All such documents shall be produced for audit purposes and in case of selection of a new Treasurer at the end of his/her tenure; all such auditable documents shall be handed over to the incumbent.
- 6.7.4 The treasurer shall be responsible for the administration of the funds of the association subject to the control and approval of the President & Secretary.
- 6.7.5 The treasurer shall ensure that the funds of the association are spent only for the purpose of the association's business needs & to meet its stated aims and objectives.
- 6.7.6 The treasure shall sign the bank cheques jointly with the Secretary or President, as appropriate and shall sign off on all income / expenditure vouchers jointly with the President.

7 GOVERNING BODY (GB):

- 7.1 All the affairs of the association shall be initiated, orchestrated, administered and managed by the GB.
- 7.2 The GB comprises of the office bearers such as President, Vice President, Secretary, Joint Secretary, Treasurer & Committee Members from each area / locality, and they shall be elected during the GNB meeting.
- 7.3 GB meetings shall generally be presided over by the President. However, when President is unavailable, the Vice-president shall act as his designee.
- 7.4 The GB shall meet at least once in three months to dispatch its businesses. Nevertheless, the President may at anytime, in consultation with the secretary, convene a meeting of the GB to deal with pending / pressing matters.
- 7.5 The GB shall be responsible for establishing policies & standards, which will enable the association to smoothly manage its operations to meet the aims and objectives laid out in the vision.



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- 7.6 The GB shall define the minimum requirements for participating as a member in the association.
- 7.7 The GB will be responsible for the preparation and presentation of the annual budget and annual report for the association. It shall ratify all expenditures on behalf of the association.
- 7.8 The GB shall be competent to receive cash contributions towards the association as well as to disburse funds on behalf of the association, in meeting its objectives.
- 7.9 No portion of any funds/donations received shall be paid or transferred to any of its members through any direct or indirect means.
- 7.10 The GB shall convene GNB Meeting of the association at least once in a year. The meeting shall be conducted after completion of a financial year (APR-MAR), of the association. The GNB, at a minimum will transact on the following agenda: -
- 7.10.1 Approval of the Audited Statement & Reports on Accounts
 - 7.10.2 Budget for the year.
 - 7.10.3 Annual Report
 - 7.10.4 Elect Office Bearers & Members for the GB
 - 7.10.5 Discuss policy matters of any registered member's concern.
 - 7.10.6 Open Items
- 7.11 The modus operandi of the GB shall revolve around the basic tenets of Democracy and the various decisions taken and actions implemented by it in strict adherence to the association's stated vision (objective) shall be final and unquestionable.
- 7.12 Nominations to participate in the GB shall be proposed & seconded by at least two registered members each. This shall be forwarded to the Secretary, in the prescribed format, at least 48 hrs. prior to the scheduled start time of the GNB Meeting.
- 7.13 Withdrawals of nominations are allowed up to 24 hrs. preceding the scheduled start time of the GNB Meeting. Single nominations shall be considered as unanimously elected. In case, if no nominations are received for a position, such positions shall be filled by selection process from the meeting floor, during the GNB Meeting.
- 7.14 The term of office for the GB shall be one year (1st Apr to 31st Mar) & all members shall be eligible for re-election.
- 7.15 Whenever a GB member quits and a vacancy arises, the GB shall fill the position by appointing a registered member of the association, for the remaining period of that year.



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7.16 Each members of the GB will have deliberate vote, and in the event of a tie, the chairperson (president) will have the decisive “casting vote”.

7.17 Absence of a member, to attend three consecutive meetings of the GB, without valid reasons, shall qualify him for termination from the GB.

8 MEETINGS:

8.1 GB shall convene its meetings, as per requirement, at any time.

8.2 GNB meeting shall be held at least once in a year or as needed, as decided & scheduled by GB.

8.3 The GB shall call for an GNB Meeting, within 30 days of receiving a written request signed by at least one-fourth of the total number of registered members or 35 registered members, whichever it’s minimum.

8.4 Only registered members of the association are entitled to attend the GNB meetings & only such members shall have the ‘voting rights’, for issues put on vote within the preview of the association.

8.5 Annual reports, Audit reports, financial report & Annual Budget shall be presented during the GNB Meeting.

8.6 Election of the office bearers & GB shall also be conducted during the GNB Meeting.

8.7 One-fourth of the total number of registered members or 35 registered members, whichever minimum, shall constitute the quorum for GNB Meetings.

8.8 Notice for GNB Meeting shall be forwarded to each of the registered members. The date, time, venue & agenda of the meeting, shall be intimated through such communication.

8.9 The proceedings of each meeting shall be systematically recorded, following relevant norms.

8.10 A register shall be maintained to record the minutes of the meetings & the secretary shall maintain it meticulously.

8.11 The records of the meetings shall be the base document, which shall state the decisions taken & the plans for implementation of various programs by the association. This document shall be the relied, in the event of any dispute or any inquiry from any Governmental authorities, Indian embassy etc).

8.12 An attendance register shall be maintained for the meetings by the secretary & it shall have the signatures of all registered members attending a particular GNB /GB Meting. This shall be used as a proof for any such needs that would arise.



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9 AUDITING:

The receipts and payments of the association shall be audited by an experienced person/member, who shall be appointed by the GNB Meeting, on the recommendation of the GB. An audited statement of receipts and payments carrying businesses, during the financial year shall be filed as a document. Both President and the Treasurer shall jointly sign all cash transactions.

10 SOURCE OF INCOME & FUNDS:

The source of income for the association shall be financial contributions from members, well wishers by way of membership fees as well as donations / sponsorships. The association shall also generate income by way of conducting stage shows and other cultural events as decided by the GB.

11 UTILIZATION OF FUNDS:

All the funds raised and received shall be used to meet the aims and objectives of the association, in strict conjunction with the VISION of the association. GB shall endorse all expenses of the association.

12 BANK ACCOUNTS:

The President, Secretary & Treasurer shall jointly open a bank account to manage all the funds through bank transactions.

13 LEGAL ACTIONS:

13.1 All policy, rules, regulations and guidelines to determine the governance and functioning of the society shall be as per the various clauses in these By-Laws.

13.2 The GB shall abide by the arbitration policy as set forth in the By-Laws of the association.

13.3 The Secretary and President of the Association shall sign all legal documents on behalf of the society and the GB.



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14 REGISTER:

The association shall maintain an attendance register of members and the members shall sign off for their attendance during various meetings.

15 COMMON RUBBER STAMP (SEAL):

The association shall have a 'common rubber logo seal' and 'letter pad' on which its corporate name shall appear in legible characters. The seal shall be kept in the custody of the Secretary or of such other person as decided by the GB. The common seal shall not be used without the explicit authorization of the GB.

16 RECORDS:

The proceedings of every meeting of the GB, GNB etc shall be recorded and maintained systematically following relevant norms and the minute's book shall be recorded and maintained meticulously, since its records are the resolutions taken and the decision to be implemented. It should be noted that the minutes book is the most important document which is relied in the event of any dispute or any inquiry by authorities.

17 REPORTING & ACCOUNTABILITIES:

- 17.1 A copy of the register of members maintained by the association shall be filed with the register. The notice of any change in the membership shall also be filed along with the relevant resolution of the meeting.
- 17.2 A copy of the audited statements of receipts and payments carrying business during the financial year will be filed with the register after GNB
- 17.3 The association shall submit relevant charges towards any authorities as per prevailing rules.
- 17.4 The association can receive funds from outside of Kuwait. However, such contributions shall be managed as per By-Laws within this document.



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18 DISSOLUTION OF THE ASSOCIATION:

- 18.1 If a need arises for the dissolution of the association, the same shall be with the unanimous recommendation of the GB to the GNB. This must be approved by 75% of the members present at the GB meeting.
- 18.2 Upon dissolution of the association by the GB, all necessary steps shall be taken by the GB to manage all the remaining funds / assets of the association.

19 AMENDMENTS TO THESE BY-LAWS:

The association may amend or repeal the By-Laws in this document or may create new By-Laws additional to these by 75% vote of the GB meetings. The By-Laws bind every member of the association to the same extent as if every member had signed and sealed these and agreed to be bound by all its provisions

20 INTERPRETATION & APPLICATION OF THE BY-LAWS

The day-to-day affairs of the association shall be conducted strictly in adherence to the provisions laid down in these by-laws. However, in the absence of such guidelines in contingent situations the Governing Body shall address the issue based on sound conventions in the larger interest of the association. The GB shall ratify all such measures. In case of any ambiguity or dispute arising out of interpretation of these by-laws, the verdict of the General Body shall be final.

21 PRESENTATION:

These by-laws have been framed for and on behalf of the General Body, by the By-Law committee comprising of Mr. Christy Thomas, Mr. Prasad K. Mathew and has been ratified by the Working Committee comprising of Mr. P.M John (President), Mr. Abraham Mathew (Vice-President), Mr. Mathews Koshy (Secretary), Mr. Manoj Mathew (Joint Secretary) & Mr. K.A. Jacob (Treasurer), read and presented for the approval of the GNB Meeting.



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22 SIGNATORIES:

1. By-Law Committee:

CHRISTY THOMAS

2. Ratified by the GB on 7th October 2004:

ABRAHAM MATHEW (*Vice-President*)

MANOJ MATHEW (*Joint Secretary*)

3. Approved & Passed by the GNB Meeting:

P.M JOHN (*President*)

MATHEWS KOSHY (*Secretary*)

4. Endorsed by Patron:

*******END*******