



# CONSTITUTION OF THE SHREE KUTCH LEVA PATEL COMMUNITY (UK)

Version 87 -  
Draft

8<sup>th</sup> April 20<sup>th</sup> -  
Feb 2018

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Note: Changes contained within this constitution were recommended by the working party on 4th Feb 2018 and adjusted with feedback received on email after the 4<sup>th</sup> Feb 2018 version 8 contains feedback received from the 24 gaam consultation meeting held on the 10<sup>th</sup> March 2018

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## Constitution of the Shree Kutch Leva Patel Community (UK)

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### 1. NAME

The name of this Organisation shall be the SHREE KUTCH LEVA PATEL COMMUNITY (UK) or SKLPC(UK) (as referred to hereinafter as “The Samaj”).

### 2. OFFICE

The registered office of the Samaj shall be India Gardens, West End Road, Northolt, Middlesex UB5 6RE or at such address and place as the Executive Committee may from time to time decide. A decision to change the registered office of the Samaj to a different address shall not take effect until such time as a resolution is passed by the Executive Committee of the Samaj by a simple majority of those present at the meeting.

~~majority of those present at the meeting.~~

### 3. OBJECTS

The objects of the Samaj (hereinafter referred to as the Objects) shall be:

- 3.1 (a) The advancement of Hindu religion, tradition and culture in particular among the Hindu community in the United Kingdom usually referred to as the Shree Kutch Leva Patel Community which originates from the Kutch Gujarat State in India;
- (b) The relief of poverty, sickness, and distress among the Shree Kutch Leva Patel Community;
- (c) The advancement of education among children and adults of the Shree Kutch Leva Patel Community; and
- (d) The provision or assistance in providing facilities for the recreation and other leisure time occupation and in particular of the Shree Kutch Leva Patel Community who have a need for such facilities by reason of their youth, age, infirmity or disablement, poverty and economic circumstances in the interests of social welfare and with the object of improving their conditions of life.

3.2 In furtherance of the above Objects but not otherwise the Samaj shall have the following powers:

- (a) To render help and facilitate the performance of religious rites on the occasion

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of the birth, marriage or death within the Samaj Community;

- (b) (i) To raise funds and to invite and receive contributions from any person or persons whatsoever by way of subscriptions ~~or~~ donation and otherwise provided that the Samaj shall not undertake any substantial permanent trading activities in raising funds for its charitable objects and shall conform to any relevant requirements of the law;
- (ii) To purchase, take on lease, hire, or otherwise acquire any property necessary for the promotion of the Objects and construct, maintain and alter any buildings or erections necessary for the work of the Samaj;
- (c) To invest the monies of the Samaj not immediately required for the Objects in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may from time to time be imposed or required by Law;
- (d) Subject to any consents required by law to borrow money and to charge all or any part of the property of the Samaj with repayment of the money so borrowed
- (e) To co-operate with other organisations, charities, voluntary bodies and statutory authorities operating in furtherance of the Objects or of similar charitable purposes and to exchange information and advice with them
- (f) To establish or support any organisation, Charitable Trusts, association or institutions formed for all or any of the Objects
- (g) To do all such other lawful things as will further the attainment of the Objects.

**4. MEMBERSHIPS AND ENROLMENT**

**Life Membership**

- (a) A life member is a person who becomes a member of this organization for the rest of their natural life. Upon the death of a life member, membership is transferable to the surviving spouse upon request as a “Spouse Member”. For all other conditions, membership is not transferable
- (b) Membership of the Samaj shall be open to all persons over the age of 18 years who are interested in the furtherance of the Objects of the Samaj and whose family roots originate from Kutch and from the Shree Kutch Leva Patel (Kanbi) Community. The Executive Committee shall retain the power to decline to admit any person to become a member. The decision of the Executive Committee shall be final and binding.
- (c) The General Secretary shall compile and keep up to date a register of the members of the Samaj (“the Register”) which shall contain, in relation to each and every member of the Samaj ~~from time to time~~, (i) their name (ii) their correspondence address (iii) their date of admission and (iv) payment of subscription. Subject to the power of the Executive Committee to direct that it be rectified, the Register shall be conclusive evidence of the composition of the membership of the Samaj.
- (d) A person who is entitled and wishes to become a member of the Samaj must apply to do so by informing either the General Secretary or such other person or persons as the Executive Committee may appoint for the purpose that (i) they wish to become a member, (ii) providing their correspondence address and (iii) paying to the Samaj the membership subscription. Upon acceptance and approval of their membership application and subscription by the General Secretary and the Office Bearers the General Secretary shall enter their name in

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the Register, at which point they become a member.

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Secretary and the Office Bearers the General Secretary shall enter their name in the Register, at which point they become a member.

- (e) The subscription fees for life memberships are such an amount as set ~~from time to time~~ at the Annual General Meetings.

**Spouse Membership**

- (f) ~~The subscription fees for spouse membership are such an amount as set from time to time at the Annual General Meetings. A Spouse member is a person who is the spouse of a life member of this organisation for the rest of their natural life. The spouse membership is not transferable under any conditions including separation, death and divorce.~~

- (g) A person who is entitled and wishes to become a spouse member of the Samaj must apply to do so by the life member informing either the Secretary or such other person or persons as the Executive Committee may appoint for the purpose that (i) they wish to become a spouse member, (ii) providing their correspondence full name and correspondence address and (iii) paying to the Samaj the spouse membership subscription. Upon acceptance of their subscription by the Executive Committee the Secretary shall enter the name of the spouse in the Register and associate it with the life member, at which point they become a spouse member.

~~A Spouse Membership of the Samaj shall be open to all persons who are of Hindu and of Indian origin and are over the age of 18 years who are interested in the furtherance of the Objects of the Samaj, and are married to a life member subject to the power of the Executive Committee to decline to admit any person to spouse membership. The decision of the Executive Committee shall be final and binding.~~

- (h) A Spouse Membership of the Samaj shall be open to all persons who are of Hindu and of Indian origin and are over the age of 18 years who are interested in the furtherance of the Objects of the Samaj, and are married to a life member subject to the power of the Executive Committee to decline to admit any person to spouse membership. The decision of the Executive Committee shall be final and binding.

~~The General Secretary shall compile and keep up to date a register of the spouse members of the Samaj ("the Register") which shall contain, in relation to each and every paid member of the Samaj from time to time, (i) their name (ii) their correspondence address (iii) their date of admission (iv) payment of subscription and (v) the associated spouse. Subject to the power of the Executive Committee to direct that it be rectified, the Register shall be conclusive evidence of the composition of the spouse membership of the Samaj.~~

- (i) A Spouse member is a person who is the spouse of a life member of this organisation for the rest of their natural life. The spouse membership is not

~~transferable under any conditions including separation, death and divorce.~~

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A person who is entitled and wishes to become a spouse member of the Samaj must apply to do so by the life member informing either the Secretary or such other person or persons as the Executive Committee may appoint for the purpose that (i) they wish to become a spouse member, (ii) providing their correspondence full name and correspondence address and (iii) paying to the Samaj the spouse membership subscription. Upon acceptance of their subscription by the Executive Committee the Secretary shall enter the name of the spouse in the Register and associate it with the life member, at which point they become a spouse member.

- (j) The General Secretary shall compile and keep up to date a register of the spouse members of the Samaj ("the Register") which shall contain, in relation to each and every paid member of the Samaj from time to time, (i) their name (ii) their correspondence address (iii) their date of admission (iv) payment of subscription and (v) the associated spouse. Subject to the power of the Executive Committee to direct that it be rectified, the Register shall be conclusive evidence of the composition of the spouse membership of the Samaj. The subscription fees for spouse membership are such an amount as set from time to time at the Annual General Meetings.

### Affiliated membership (With no voting rights)

- (k) Only the main gaam organisation itself from the Shree Kutch Leva Patel community may apply to become an affiliated member by paying the agreed affiliation membership fee as set from time to time at the Annual General Meetings (Adherence to the objects are required as defined in clause 3.1)

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~~Meetings (As defined in clause 3.1) Affiliated membership privileges are as stated in the SKLPC(UK) Operations manual~~

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### 5. THE RIGHTS OF LIFE MEMBERS

All members who have paid their subscription :

- (a) Shall have the right to speak at any General Meeting of the Samaj on all matters on the agenda subject to obtaining prior permission from the Chairperson;
- (b) Shall be eligible for election as a member of the Executive Committee or any other Committee or sub-Committee of the Samaj;
- (c) Shall have the right to one vote at General Meetings of the Samaj

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### 6. THE RIGHTS OF SPOUSE MEMBERS

All spouse members on the Samaj Register who are associated with life members

- (a) Shall have the right to speak at any General Meeting of the Samaj on all matters on the agenda subject to obtaining prior permission from the Chairperson;
- (b) Shall NOT be eligible for election as a member of the Executive Committee or any other Committee or sub-Committee of the Samaj unless they become a Samaj life member in their own right;
- (c) Shall have the right to one vote at General Meetings of the Samaj

### 7. TERMINATION OF MEMBERSHIP

- (a) The Executive Committee shall subject to Clause 4(d~~e~~) terminate the membership of any individual if that member:-

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- i) Intentionally or recklessly behaves contrary to the Objects of the Samaj; or
  - ii) Performs or causes to be performed directly or indirectly by their conduct or behaviour any act or omission which is or is intended to be harmful to the interests and ideals of the Samaj or its Objects.
  - iii) No refund of the individual's subscription shall be made upon termination.
- (b) The Executive Committee may at its discretion prior to exercising this right of termination either give written warning to such member to abstain from such harmful acts or omissions or pardon such member after the member apologises for their conduct or behaviour and satisfies the Executive Committee that they will not repeat the offence.
- (c) Before exercising its powers to terminate the membership of any member under Clause 7, the individual concerned shall have the right (i) to be heard in person (and with or without representation by a person of his choice) by the Executive Committee and (ii) in the event of an adverse decision by the Executive Committee, to appeal to the Arbitrators appointed in Clause 26. Subject to any such appeal, the Executive Committee's decision and, on any such appeal, that of the Arbitrators with regard to any exercise of these powers is final.

### **8. RESIGNATION OF MEMBERS**

Any member of the Samaj may resign their membership by giving notice in writing to the Secretary but shall continue to be liable for any other claim or action.

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### 9. THE EXECUTIVE COMMITTEE

- (a) ~~The affairs of the Samaj shall be managed by an Executive Committee~~  
The affairs of the Samaj shall be managed by an Executive Committee consisting of trustees, office bearers and advisors as follows:
- i) President
  - ii) Vice President
  - iii) General Secretary
  - iv) Secretary
  - v) Assistant Secretary
  - vi) Second Assistant Secretary
  - vii) Treasurer
  - viii) Assistant Treasurer
  - ix) Second Assistant Treasurer  
Third Assistant Treasurer
  - x) Internal Auditor
  - xi) Board of Trustees
  - xii) Advisors
- (b) The Executive Committee shall be the governing body of the Samaj and shall exercise the powers of the Samaj provided always:
- i) That the Executive Committee shall not incur capital expenditure in excess of the limit set from time to time at the Annual General Meeting without the prior approval of the life Members by a simple majority in a General Meeting; and
  - (ii) That the Executive Committee shall neither sell nor mortgage or otherwise dispose of any land or immovable property belonging to the Samaj or lend money belonging to the Samaj without the prior approval by simple majority of the life Members in a General Meeting.
- (c) The Executive Committee shall have power to frame byelaws for carrying out its work regularly and efficiently. Such byelaws shall be in accordance with this Constitution and shall be binding upon all members.

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(d)

The Executive Committee shall have the power to appoint a sub-committee or special committee headed by a convener appointed by the Executive Committee, for the purpose of undertaking any specified work or investigation

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in furtherance of the Objects of the Samaj. Such an appointed convener of the committee shall regularly report its proceedings to the Executive Committee.

- (e) The Executive Committee shall have the power to co-opt any person who may assist and co-operate with the Executive Committee as it considers fit from time to time. Such persons shall not have any voting rights at the AGM
- (f) Shall not assume any other position within the Executive Committee

### 10. THE OFFICE BEARERS

The Executive Committee members referred to in Clauses 9(a) (i) to 9(a) (x) inclusive shall be called Office Bearers.

- (a) The President shall:
  - i) have the ~~power~~ authority to summon or convene meetings;
  - ii) chair all meetings of the Samaj and;
  - iii) conduct, supervise, and take all appropriate and necessary steps to ensure that the Samaj's affairs are conducted in accordance with this Constitution;
  - iv) in the event of equality of votes, have a casting vote;
  - v) Sign the minute book after confirmation of the minutes.
- (b) The Vice President shall:
  - i) assist the President in their duties;
  - ii) Assume the President's ~~power~~ authority in his/her absence.
- (c) The General Secretary shall:
  - i) act as an executive officer of the Samaj;
  - ii) carry out all the resolutions passed at the meetings;
  - iii) enforce the Objects and bye-laws of the Samaj;
  - iv) convene meetings;
  - v) record the minutes of all meetings ~~in a folder~~;

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- vi) maintain the register of members and proper records of the correspondence exchanged between the Samaj its members and others;
  - vii) compile an annual report of the working of the Samaj ~~immediately~~ prior to the Annual General Meeting for presentation at the meeting;
  - viii) Incur expenditure properly and reasonably but not in excess of the limit set from time to time by the Executive Committee. and
  - ix) Account for all expenditure to the Executive Committee regularly and in any event at all meetings of the Committee.
- (d) The Secretary will shall:
- i) assist the General Secretary;
  - ii) Assume the General Secretary's duties and ~~powers-authority~~ in their absence.
- (e) The Assistant Secretary will shall:
- i) Assist the Secretary.
  - ii) assume the General Secretary's ~~powers-authority~~ and duties in their absence;
  - iii)
- (f) The Second Assistant Secretary will shall:
- i) assist the secretaries
  - ii) assist the general routine administrative duties of Samaj
- (g) The Treasurer will shall:
- i) collect all subscriptions, donations, rents, and or any other income belonging to and derived from properties of the Samaj;
  - ii) issue official receipts for all sums received;
  - iii) maintain proper and timely management accounts;
  - iv) make payments in accordance with the decisions of the Executive Committee or the Paid Members at General Meetings;
  - v) deposit all monies in the bank accounts of the Samaj;
  - vi) To prepare annual financial statements and have these audited by the officially appointed external auditor and to prepare a capital Statement of Accounts for

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each year;

- vii) Such annual financial statements shall first be submitted to the Executive Committee for internal review and approval prior to the presentation to the Annual General Meeting and the Treasurer shall attend and give such explanations as the members may require; and
- viii) The Treasurer shall not hold more than £1000 in petty cash or any other sum approved by the Executive Committee from time to time and shall bank any excess as soon as possible.

(h) The Assistant Treasurer will shall:

- i) assist the Treasurer in their duties;
- ii) Assume the duties and ~~powers authority~~ of the Treasurer in their absence.

(i) The Second Assistant Treasurer will shall:

- i) assist the treasurers
- ii) assist in the general routine financial matters of the Samaj

(j) The Third Assistant Treasurer will shall:

- i) assist the treasurers
- ii) assist in the general routine financial matters of the Samaj

(k) The Internal Auditor will shall:

- i) Advise the Treasurers and the Executive Committee on all matters concerning the Accounts and those relating to the financial liabilities of the Samaj.
- ii) Report to the Board of Trustees

(l) The 28 Advisors consisting of Gaam and Independent advisors will:  
Advise the Executive committee on all matters

### 11. ELECTION OF EXECUTIVE COMMITTEE MEMBERS

- (a) The Office Bearers shall be elected and or re-elected for a continuous period of three years (a term) except the post of Second Assistant Secretary, ~~and~~ Second Assistant Treasurer and Third Assistant Treasurer, which shall be elected at the Annual General Meeting by a simple majority. Advisors are elected at the Annual General Meeting by a

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- (b) No person shall be proposed and or elected to the Executive Committee during his/her absence (unless a prior written consent from him/her has been received).
- (c) The Executive Committee shall have the power to fill any vacancy under Clause 13(b).

### 12. RULES OF ELECTION

- (a) Any candidate for the post of the President, the -General Secretary, the Treasurer must have been a member of the Executive Committee for at least three consecutive years. If there are no such candidates any life member may be a candidate.
- (b) Posts for the President, Vice President, the General Secretary, Secretary, Assistant Secretary, the Treasurer and the Assistant Treasurer cannot be held for more than 2 consecutive terms.
- (c) The treasurer and Internal auditor shall hold an accounting qualification
- (d) Any candidate for the post of the Trustee needs to follow the normal Trustee application, nomination and vetting process

### 13. VACANCIES IN THE EXECUTIVE COMMITTEE

- (a) Vacancies for the post of the President, Vice President, the- General Secretary, Secretary, Assistant Secretary, the Treasurer and the Assistant Treasurer shall filled at the Annual General Meeting provided that in the event of any of the said posts becoming vacant the Executive Committee shall have the right to appoint an Executive Committee member to fill the said vacancy until the next Annual General Meeting.
- (b) In the event of the simultaneous resignation of:-
  - i) The President and the General Secretary; or
  - ii) Either the President or the General Secretary and three Office Bearers; or
  - iii) All the Office Bearers, an Extraordinary General Meeting shall be convened within one month or reasonably practical soon after the resignations to elect



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new Office Bearers to fill the vacancies. Such members shall continue to hold office until the next election.

- iv) A majority of the trustees, an Extraordinary General Meeting shall be convened within one month or reasonably practical soon after the resignations to elect new Trustees to fill the vacancies. Such life members shall continue to hold office until the next election.

### **14. DETERMINATION OF MEMBERSHIP OF THE EXECUTIVE COMMITTEE**

A member of the Executive Committee or Office Bearer shall cease to hold office if:

- (a) the member is disqualified from acting as such by virtue of the Charities Act in force at that time
- (b) the member becomes incapable by reason of mental disorder, illness or injury of managing and administering his own affairs;
- (c) the Executive Committee resolve by a majority of not less than two-thirds of those present and voting that his/her office be vacated;
- (d) the member notifies the Executive Committee a wish to resign
- (e) A resolution is passed at any General Meeting of the Samaj that the office be vacated.
- (f) If and when any Office Bearer resigns or fails to attend three consecutive meetings without a valid reason the Office Bearer will be notified of this fact by the Secretary (or General Secretary in the case of the Secretary) in writing on or before the calling of the fourth meeting and if the Office Bearer in spite of such notice and without a valid excuse remains absent from such fourth meeting then the Office Bearer shall be considered to have ceased to be an Office Bearer and member of the Executive Committee. Such member shall not be eligible for re-election at an Annual General Meeting for a period of 1 term.

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### 15. PERSONAL INTEREST

- (a) No member of the Executive Committee shall acquire any interest in property belonging to the Samaj (other than as a Trustee for the Samaj in accordance with this Constitution) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

### 16. FINANCE

- (a) The financial year of the Samaj shall commence on the first of January or as otherwise approved by the Executive Committee.
- (b) All the cheques and other financial documents shall be signed by the -Treasurer and any one of the following: the President or the -General Secretary. Online payments should be authorised in the same way
- (c) Audited copies of the annual financial statements shall be circulated to all members present at the Annual General Meeting and approved as such.
- (d) The Samaj may at the discretion of the Executive Committee have more than one bank account.

### 17. AUDITOR

- (a) The annual financial statements of the Samaj shall be audited by an external Auditor appointed at the Annual General Meeting
- (b) An external Auditor so appointed shall have access to all the books and records and other relevant documents and shall certify the yearly financial statement.
- (c) No person other than a qualified accountant or a person pursuing a profession of an Auditor or Accountant with sufficient experience in such profession shall be eligible for appointment.

### 18. MEETINGS

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(a) Office Bearers Meetings.

The Office Bearers meetings shall be called by the General Secretary to meet as and when required to discuss the affairs of the Samaj.

(b) Management Committee Meeting

- i) The Management Committee Meetings shall be called by the General Secretary at least once a month consisting of Executive Committee members and Conveners of the sub-committees, if any.
- ii) Upon a written requisition signed by at least one-third of the members of the Executive Committee, the General Secretary shall convene an Executive Committee meeting within fourteen days or as reasonably practicable on the receipt of such requisition provided that such meeting shall be limited to the purpose stated in the requisition.

(c) General Meetings

- i) General Meetings shall be called by specifying the purpose of the meeting as and when required by the Executive Committee
- ii) If any member of the Samaj requests to hold a General Meeting he may do so by obtaining the approval of at least 300 Members. Names, addresses and signatures of such members should be handed over to the General Secretary at least 60 days before such a meeting is to be called. At least two-thirds of such signatories must be present at the meeting to form a quorum.
- iii) In such an event that such a request is made by a member, the office bearers will make all efforts to resolve the matter within 30days
- iv) In the event of the General Secretary neglects to call a meeting within ninety days after the receipt of the requisition as set out in sub-clause 18 (c) the said signatories of the requisition shall themselves circulate and notify Members of the meeting at the cost of the Samaj and convene such meeting stating the agenda, location, date and time.

(d) Annual General Meeting

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An Annual General Meeting for which a notice of at least twenty-one days is to be given shall be held within six months of the end of the financial year for but not limited to, the purposes of:

- i) Receiving a report of the Executive Committee;
  - ii) Receiving and passing of the Audited annual financial statements;
  - iii) Electing the Executive Committee Members if required; and
  - iv) Appointing the External Auditor.
- (f) In the event of the absence of both the President and the Vice President at any meeting, members shall appoint a member of the Executive Committee who has served with the Executive Committee for at least three years to Chair the casting vote.

### **19. QUORUM AT GENERAL MEETINGS**

- (a) Unless otherwise stated at all General Meetings at least one hundred Members shall form a quorum.
- (b) At an Executive Committee meeting at least fifteen members of the Executive
- (c) If the meeting commences with a quorum any subsequent lack of quorum during the proceedings shall not nullify any resolutions adopted during such proceedings.
- (d) If the quorum is not formed within one hour of the appointed time for any meeting the Members present may decide to call an adjourned meeting. If the meeting is recalled at a later time or date for the same purpose no quorum shall be required.

### **20. VOTING**

- (a) All members shall have the right to one vote.

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- (b) Voting shall be by a show of hands unless so required by a simple majority of the members present to vote by ballot and unless stated to the contrary herein, resolutions shall be passed by a simple majority.
- (c) Vote by proxy will not be accepted.

**21. THE BOARD OF TRUSTEES**

- (a) ~~The role of the~~The Chairman of the board of Trustees shall:  
~~Have the power to summon or convene meetings;~~  
~~Chair all trustee meetings of the Samaj and;~~  
~~Conduct, supervise, and take all appropriate and necessary steps to ensure that the Samaj's affairs are conducted in accordance with this Constitution; to be~~  
~~The Board shall consist of nine Trustees who shall be elected at the Annual General~~ Meeting of the Samaj by a simple majority and shall hold office for six consecutive years (a term) and thereafter shall be subject to re-election.  
A Trustee can only be elected for two consecutive terms. A trustee is not re-eligible for re-election for three years after completion of two consecutive ~~terms~~ terms.
- (b) A member shall be eligible for the post of Trustee if the member:-
  - i) is a permanent resident of the United Kingdom; and
  - ii) is a person ~~of high standing and~~that has taken responsibility in the Samaj; and
  - iii) has never been an undischarged bankrupt convicted of a serious criminal offence, or of unsound mind.
- (c) All property whatsoever of the Samaj acquired from time to time or donated to the Samaj shall be vested in the Trustees.
- (d) The office of the Trustee shall be considered vacant in the following circumstances:
  - i) Death;
  - ii) Bankruptcy;

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- iii) Lunacy;
- iv) Criminal convictions;
- v) Resignation;
- vi) Continuous absence from the United Kingdom for a period of over six months; or

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- vii) Removal at a General Meeting called for the purpose by a resolution duly passed by a majority of not less than two-thirds of the Members voting at such meeting.

### **ROLE OF A TRUSTEE**

The trustees shall:

Ensure that the Samaj objectives are implemented

Ensure that there are adequate operational resources

Ensure that the Samaj operates responsibly, lawfully and transparently

Ensure there is effective and accountable management;

Develop and agree the strategy, direction and policies of the Samaj

## **22. SPECIAL POWERS OF THE TRUSTEES**

The Trustees shall have the power to convene meetings of the Executive Committee or the members when the Trustees consider this to be necessary in the interests of the Samaj. The Secretary shall convene a meeting of the Executive Committee or members within 14 days or as reasonably practical of being required to do so by any five of the Trustees.

## **23. NOTICES**

Any notice required to be served on any member of the Samaj personally under this Constitution (including on a member of the Executive Committee in his capacity as such) shall be in writing and shall be deemed sufficiently and effectively served by either

- (a) giving it, or causing it to be given, to that member personally or
- (b) by posting it in a prepaid letter addressed to such a member at his Correspondence address; and such service shall be deemed effective notwithstanding the accidental loss or non-receipt of any letter so posted

## **24. INDEMNITY**

In the execution of the Trusts hereof, no Trustees shall be liable for any loss to

## Constitution of the Shree Kutch Leva Patel Community (UK)

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the property of the Samaj arising by reason of any improper investment made in good faith (so long as he/she shall have sought professional advice before making such investment), or for the negligence or fraud of any agent employed by him/her or by any other Trustee hereof in good faith (provided reasonable supervision shall have been exercised) or by reason of any mistake or omission made in good faith by any Trustee hereof, or by reason of any other matter or thing other than wilful and individual fraud, wrongdoing or wrongful omission on the part of the Trustee who is sought to be made liable.

### 25. **AMENDMENTS TO THE CONSTITUTION**

The rules embodied in this constitution may be amended, added to or repealed by resolution at any Annual or Extraordinary General Meeting provided that no such resolution shall be valid unless notice of the intention to propose such amendment has been given to all members at least twenty-one calendar days before the meeting and the resolutions are carried by a majority of three-quarters of the Members present at such meeting and voting thereon. Provided that no alteration shall be made to clause 3 (Objects) clause 27 (Dissolution) or this clause until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained; and no alteration shall be made which would have the effect of causing the Samaj to cease to be a Charity in law.

### 26. **ARBITRATION**

- (a) Any dispute between any two or more members of the Executive Committee arising out of or in connection with this Constitution or the affairs of the Samaj which cannot be resolved by informal means shall be submitted to arbitration in accordance with the Arbitration Act 1996 ("the 1996 Act") or any such enactment in force at such time by a tribunal selected in accordance with the following provisions of this Clause
- (b) The tribunal shall consist of three arbitrators chosen and appointed within 28



## Constitution of the Shree Kutch Leva Patel Community (UK)

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calendar days of the written request made by the office holder on behalf of the Samaj acting through the nominated person of the Executive Committee in accordance with section 16(5) of the 1996 Act by the President or the Vice President of the Federation of the Patidar Associations who must not themselves be connected (by virtue of business association, relationship by either blood or marriage) to the parties to the dispute

- (c) In the event of the Federation of the Patidar Association not appointing the arbitrators within 28 days of written request by the nominated office holder on behalf of the Samaj acting through the Executive Committee than a request shall be within 14 days thereafter be forwarded by recorded delivery post to the President of the Kadwa Patidar Samaj requesting the of a tribunal shall consist of three arbitrators chosen in accordance with section 16(5) of the 1996 Act by the President the Kadwa Patidar Samaj who must not themselves be connected (by virtue of business association, relationship by either blood or marriage) to the parties to the dispute
- (d) In the event of the Kadwa Patidar Samaj of the pursuant to clause 26 ( c ) above not appointing the three arbitrators within 28 calendar days of written request by the nominated office holder on behalf of the Samaj acting through the Executive Committee than a request shall be within 14 days thereafter be forwarded by recorded delivery post to the President of the National Congress of Gujarati Organisations requesting the of a tribunal shall consist of three arbitrators chosen in accordance with section 16(5) of the 1996 Act by the President National Congress of Gujarati Organisations the who must not themselves be connected (by virtue of business association, relationship by either blood or marriage) to the parties to the dispute
- (e) The members of the tribunal shall not be entitled to charge any fee for acting but shall be entitled to their reasonable expenses of the arbitration and such expenses will form part of the costs of the arbitration.

## Constitution of the Shree Kutch Leva Patel Community (UK)

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### 27. DISSOLUTION

- (a) A resolution for the dissolution of the Samaj shall not be valid unless at least twenty-one clear days written notice shall have been given to all life members and passed by a majority of at least three-quarters of the life Members present at that particular time at an Extraordinary General Meeting.
  
- (b) If a valid resolution for the dissolution of the Samaj is passed the assets of the Samaj after satisfying all debts and liabilities shall be passed to another charitable organisation having similar objects to the Samaj or shall be applied for similar purposes as shall be resolved by the majority of life members present and voting at the meeting at which the resolution for dissolution is passed.

### 28. APPLICABLE LAW

This Constitution is governed by the law of England and Wales.

**Constitution of the Shree Kutch Leva Patel Community (UK)**

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IN WITNESS of which

**HARILAL PUNJA HIRANI** of 17 Wyndale Avenue, London NW9 9PT

**KALYAN RAVJI PATEL** of 46 Ebrington Road, Kenton, Harrow, Middlesex, HA3 0LT

**KANJI PARBAT HIRANI** of 15 Alicia Avenue, Harrow, Middlesex HA3 8HW

**LAKHMAN LALJI MURJI** of Oaklands, 50 Belmont Lane, Stanmore, Harrow, Middlesex, HA7 ???

**MAHESH VALJI PINDORIA** of 110 Northwick Avenue, Kenton, Harrow, HA3 0AT

**PREMJI HARJI VARSANI** of 22 Holland Road, London NW10 5AU

**SHIVLAL PATEL** of 34 Woodside Avenue, Wembley HA0 1UZ

**VALJI MANJI HIRANI** of 26 Montrose Avenue, Edgware, Middlesex, HA8 0DW

**VINOD HALAI** of 250 Chamberlayne Road, London NW10 3LN

On this      day of                      Two Thousand and Eighteen

**SIGNED** as a **DEED** by the said

**HARILAL PUNJA HIRANI**

In the presence of:-

Signature:

Name:

Address:

Occupation:

**SIGNED** as a **DEED** by the said

**KALYAN RAVJI PATEL**

**Constitution of the Shree Kutch Leva Patel Community (UK)**

In the presence of:-

Signature:

Name:

Address:

Occupation:

**Constitution of the Shree Kutch Leva Patel Community (UK)**

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~~SIGNED as a DEED by the said~~

~~KALYAN RAVJI PATEL~~

~~In the presence of:-~~

~~Signature:~~

~~Name:~~

~~Address:~~

~~Occupation:~~

SIGNED as a DEED by the said

**KANJI PARBAT HIRANI**

In the presence of:-

Signature:

Name:

Address:

Occupation:

SIGNED as a DEED by the said

**LAKHMAN LALJI MURJI**

In the presence of:-

Signature:

Name:

Address:

Occupation:

SIGNED as a DEED by the said

**MAHESH VALJI PINDORIA**

In the presence of:-

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~~Name:~~

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**Constitution of the Shree Kutch Leva Patel Community (UK)**

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~~Address:-~~

~~Occupation:-~~

**SIGNED** as a **DEED** by the said

**PREMJI HARJI VARSANI**

In the presence of:-

Signature:

Name:

Address:

Occupation:

**SIGNED** as a **DEED** by the said

**SHIVLAL PATEL**

In the presence of:-

Signature:

Name:

Address:

Occupation:

**SIGNED** as a **DEED** by the said

**VALJI MANJI HIRANI**

In the presence of:-

Signature:

Name:

Address:

Occupation:

**Constitution of the Shree Kutch Leva Patel Community (UK)**

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**SIGNED** as a **DEED** by the said  
**VINOD HALAI**

In the presence of:-

Signature:

Name:

Address:

Occupation: