

Amended as per the decision of the District Administration Office dated
2063/05/19 (Sep. 4, 2006)



Sd.

2063/05/19 (Sep. 4, 2006)

Asst. CDO

Association for Rural Development, Kavre Constitution, 1992) First Amendment, 2006

Preamble:

Whereas an association named "Association for Rural Development, Kavre" has been established with the objective of social service to support rural development and social upliftment to the extent possible through conducting different economic and social development programs like health, sanitation, family planning and population control, advanced agriculture technology, fruits farming, plantation and environment protection, rural literacy etc., carrying out the necessary research and development works, and operation, monitoring and supervision of such programs, this Constitution is hereby framed.

Chapter -1

Preliminary

1. Short Title and Commencement:

- The name of this Constitution shall be the Constitution of Gramin Vikas Sanstha, Kavre, 2068, in Nepali.
- The Constitution shall apply to all Members.



(c) The Constitution shall be effective from the date of registration of the Association.



2. Definition:

Unless the context and content requires otherwise, in this Constitution:

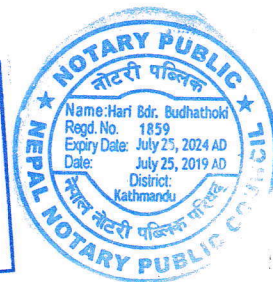
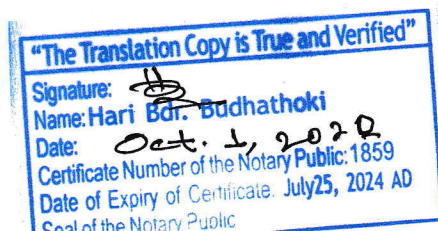
- (a) "Association" means Association for Rural Development, Kavre established under this Constitution.
- (b) "Member" means the person obtaining membership of the Association under Clause 5.
- (c) "General Meeting" means the general meeting called pursuant to Clause 8 of the Constitution.
- (d) "Committee" means the Executive Committee formed under Clause 10 of the Constitution.
- (e) "Chairperson" means the chairperson of the Committee and the term shall also include the person working as chairperson in the absence of the Chairperson.
- (f) "Official" means the official of the Committee and the term includes member of the Committee.
- (g) "Backward" means the ignored from financial and social perspective.
- (h) "Prescribed" or "as prescribed" means prescribed or as prescribed under the rule or bylaw framed under the Constitution.

Chapter -2

Establishment and Objective of the Association

3. Name, Seal and Office of the Association:

- (a) The association shall be established in the name of Gramin Vikas Sanstha, Kavre, which shall be called Association for Rural Development, Kavre.



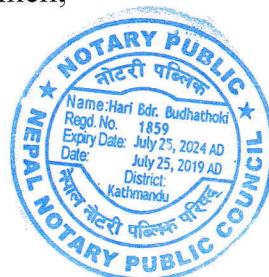
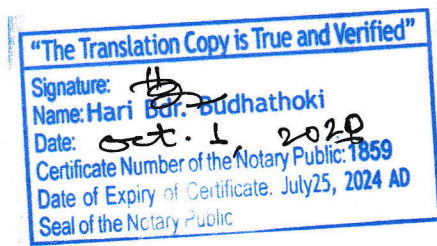


- (b) The Association shall be an autonomous corporate body with perpetual succession.
- (c) The Association may acquire, use, sell or otherwise manage the movable and immovable property like a person.
- (d) The Association may sue or may be sued in its name.
- (e) The Association shall have a separate seal to carry out its works and activities.
- (f) The main office of the Association shall be located at Dhunikharka Village Development Committee Ward No. 1.
- (g) The scope of work of the Association shall be across the country and it may open its Branch or Contact Office as per the need. Prior approval shall be taken to open the Branch Office.

4. Objective of the Association:

The objective of the Association shall be as follows:

- (a) To promote or cause to promote the advanced agriculture technologies;
- (b) To make aware of the importance of fruits farming to the general public and provide necessary information to them regarding processing of fruits, its marketing etc.;
- (c) To publicize the importance of tree planting to protect the environment and make the general public aware of the importance of plants and trees as daily consuming goods and source of income;
- (d) To conduct the literacy program to those who had no opportunity to go to the school;
- (e) To promote the skill oriented cottage and small industries;
- (f) To conduct or cause to conduct different programs (like women literacy, legal right, income promotion etc.) for the intellectual and physical development of women;





- (g) To conduct or cause to conduct different programs relating to the health and sanitation;
- (h) To inform general public about impact of population growth in the society and encourage them for the family planning;
- (i) To inform about the tools and methods of family planning;
- (j) To conduct the study and research to achieve aforementioned objectives as per the need.
- (k) To unite volunteers, social workers and those segments having the spirit of the social development and involve them in the national development;
- (l) To motivate the community in the sustainable development through community mobilization;
- (m) To conduct various sports, literature, cultural and social development activities and to promote and honor the person involved therein;
- (n) To develop, use, protect, operate/manage the renewable energy and involve in the campaign of energy right;
- (o) To conduct the preventive health and medical service program under the primary health service of the community and conduct the awareness program against HIV AIDS;
- (p) To conduct programs relating to human rights, women right and gender equality, child right and development of deprived and indigenous people;
- (q) To give the effort for establishment of peace in the society by minimizing the social conflicts and establish the Rehabilitation Center for the protection of conflict affected children and women;
- (r) To conduct the drinking water and sanitation related programs;
- (s) To conduct various investigative research and studies and to prepare and publish the report;

"The Translation Copy is True and Verified"

Signature:

Name: Hari Bdr. Budhathoki

Date: Oct. 1, 2020

Certificate Number of the Notary Public: 1859

Date of Expiry of Certificate: July 25, 2024 AD

Seal of the Notary Public





- (t) To establish the Rehabilitation Centre for the protection of orphan helpless and senior citizen.
- (u) To conduct irrigation program for increase of agriculture produce.

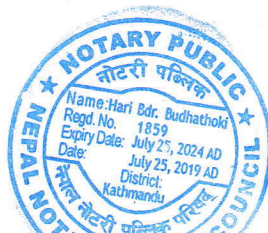
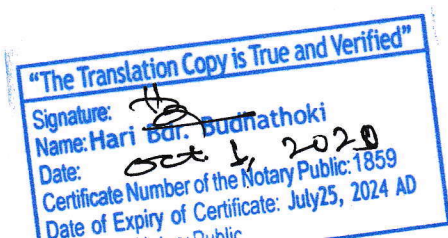
Chapter -3 Membership

5. Membership of the Association:

- (a) A Nepalese citizen, who has attained 16 years, wishing to do the works as per the objectives of the Association and provide social service being involved in the rural development and social upliftment work may be a member of the Association.
- (b) The Association shall have following Members:
- General Member
 - Life Member
 - Honorary Member

6. Membership Fee and Process of giving Membership:

- (a) If a person wishes to become a Member of the Association, s/he may get membership as General Member under Clause 5 of the Constitution by paying entry fee of Rs. 50 and renew fee of 75 per annum.
- (b) A person may become a Life Member of the Association under Clause 5 of the Constitution by depositing Rs. 1,001 in the fund of the Association.
- (c) The Committee may give Honorary Membership to the person providing special support or contribution in the functions of the Association;
- (d) Every General Member shall require to renew his/her membership within Baisakh end (Mid May) by paying the renew fee. If membership





could not be renewed within the said period and if the request is made for renew of the membership at least 15 days before the General Meeting, the membership shall be renewed by levying the late fee of Rs. 5;

- (e) If the membership is not renewed by a person within the time prescribed in sub-clause (d), such person shall be deemed stepped out from the membership and if such person wishes to get membership again, s/he shall be required to get membership by paying fee as per sub-clause (a).

7. Disqualification of Member:

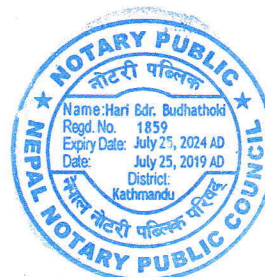
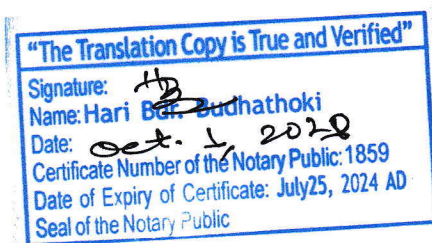
- (a) A person shall not remain Member of the Association in any of the following conditions:
1. If fee is not paid as per Clause 6;
 2. If s/he resigns from the position of Member;
 3. If General Meeting decides to cancel his/her through majority votes on the grounds of performing against the interest of the Association;
- (b) The concerned Member shall be provided an opportunity to submit the clarification with evidence before taking action as per sub-clause (a)(3).

Chapter -4

General Meeting and Executive Committee

8. General Meeting:

- (1) The assembly of all Members shall be called the General Meeting.
- (2) The General Meeting shall be held once in a year.
- (3) The Chairperson shall be required to give notice of the General Meeting to all Members along with the information regarding the date, time, venue and agenda items at least 15 before the meeting.

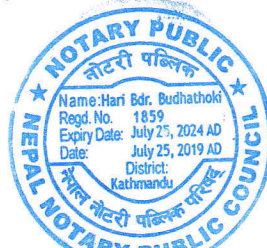
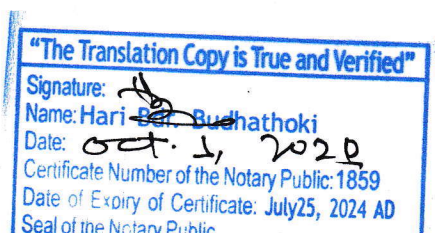




- (4) If Executive Committee deems necessary and decides to call the General Meeting, the General Meeting may be called at any time by giving seven-day notice.
- (5) If 25% Members out of the total Members request to Chairperson to call the Special General Meeting stating the reason, the Chairperson shall be required to call the Special General Meeting within a month.
- (6) With the presence of 50% members out the total members so maintained, the quorum of the General Meeting shall be deemed to have fulfilled. However, if quorum could not be fulfilled and the General Meeting is called again, the General Meeting may be held with the presence of Members in any number.
- (7) The General Meeting shall be chaired by the Chairperson and by Vice Chairperson in the absence of Chairperson, and by a Member elected by Members from among themselves in the absence of both Chairperson and Vice Chairperson.
- (8) The decision of majority Members present at the General Meeting shall be the decision of the General Meeting and if there is tie, the person chairing the General Meeting shall give the casting vote.
- (9) Minutes of meeting of the General Meeting shall be maintained in a separate book by mentioning the name of Members attending the meeting, agenda items presented and approved by the meeting and other proceedings of the meeting.
- (10) The minutes of meeting of the General Meeting shall be certified by the person chairing the General Meeting and two Members present in the General Meeting.
- (11) The minutes of meeting shall remain under the custody of Secretary.

9. Functions, Duties and Powers of the General Meeting:

The functions, duties and powers of the General Meeting shall be as follows:





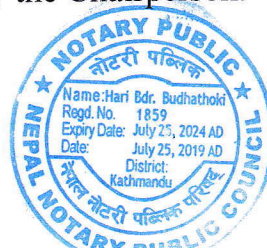
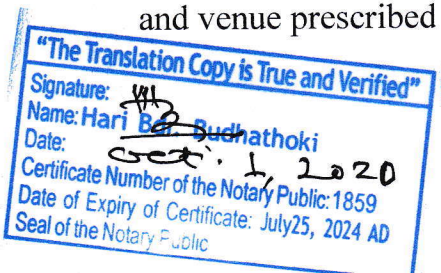
- (a) To approve the plans and programs to be conducted by the Association;
- (b) To approve the budget for coming year;
- (c) To discuss and approve the semi-annual or annual reports and audit report;
- (d) To appoint auditor;
- (e) To elect the Official and Member of the Committee;
- (f) To discuss and decide on other matters presented in the form of resolution.

10. Executive Committee:

- (1) The Association shall have an Executive Committee with the following Official and Member for the management and carrying out its works:
 - (a) Chairperson - One
 - (b) Vice Chairperson - One
 - (c) Secretary - One
 - (d) Treasurer - One
 - (e) Joint Secretary - One
 - (f) Member - Four
- (2) The Official and Members as per sub-clause (1) shall be elected from the General Meeting.
- (3) The tenure of office of the Official and Members of the Committee shall be three years and they may be re-elected.
- (4) If any position in the Committee falls vacant, the Committee may fulfill the vacancy for remaining period of tenure, which shall be ratified in the subsequent General Meeting.

11. Meeting of the Executive Committee:

- (1) The meeting of the Executive Committee shall be held in the date, time and venue prescribed by the Chairperson.





- (2) The Executive Committee shall have at least six meetings in a year and the time gap between two meetings shall not be more than three months.
- (3) The meeting of Executive Committee shall not be held without presence of at least five Officials (including Members).
- (4) The Chairperson shall be required to call the meeting of the Committee within seven days if any written request is made by at least three Members to call the meeting of the Committee.
- (5) The meeting of the Committee shall be chaired by the Chairperson, and in the absences of Chairperson, by the Vice Chairperson.
- (6) The decision of majority of Members present at the meeting of the Committee shall be the decision of the Committee and Chairperson may give the casting vote if there is tie.
- (7) The Committee may fix other procedures of its meeting.

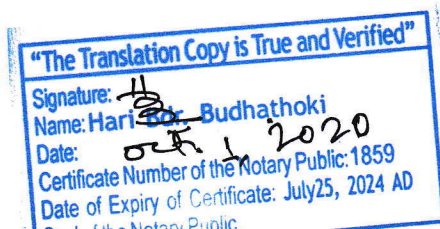
12. May not continue as an Official:

Any of the following person shall not continue to the Official or Member of the Committee:

- (a) If s/he does not remain as Member of the Association or his/her membership is terminated;
- (b) If the resignation submitted by him/her is approved;
- (c) If s/he remains absent in the meetings of the Committee continue for three meetings without giving notice with reason;
- (d) If it is decided to cancel his/her membership through passing resolution by the General Meeting.

13. Functions, Duties and Powers of the Committee:

- (1) The Committee shall manage all transactions of the Association, exercise powers and fulfill its duties under this Constitution and the decisions of the General Meeting.





- (2) It may appoint required employees and advisors for the Association.
- (3) The Committee may delegate any or all of its powers to any Official.
- (4) The Committee may contact or get support from other association, institution or body regarding the works and activities of the Association.
- (5) The Committee may form sub-committee and carry out the works as per the need.

14. Advisory Committee:

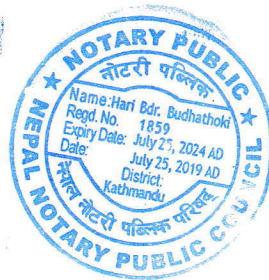
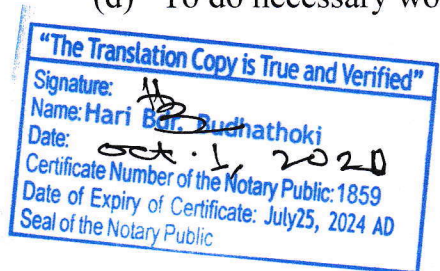
- (a) An Advisory Committee shall be formed to provide necessary advice and support to the Committee in the works of the Association.
- (b) There will be five members including a Coordinator among the persons having expertise in different sectors as nominated by the Committee in the Advisory Committee formed under sub-clause (a).
- (c) The tenure of office of the Advisory Committee shall be two years and they may be re-appointed.

Chapter -5

Functions, Duties and Powers of the Officials

15. Functions and Duties of the Chairperson:

- (a) To call the meeting of the General Meeting and Committee, and chair these meetings;
- (b) To implement or cause to implement the decisions of the General Meeting and Committee;
- (c) May expense up to Rs. 300 at a time from the fund of the Association in the works of the Association which are not covered in the approved budget;
- (d) To do necessary works for attaining the objective of the Association.





16. Functions and Duties of the Vice Chairperson:

The functions and duties of Vice Chairperson shall be to support in the works of the Chairperson, and in the absence of Chairperson, carry out all the works, which are supposed to be carried out by the Chairperson.

17. Functions and Duties of the Secretary:

- (a) To do necessary paper works on behalf of the Association;
- (b) To operate and manage the office of the Association;
- (c) To prepare and cause to prepare programs of the Association in consultation with the Chairperson;
- (d) To maintain the record of the decisions of the General Meeting and Committee.

18. Functions and Duties of the Joint Secretary:

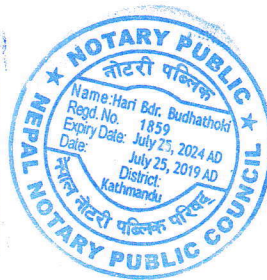
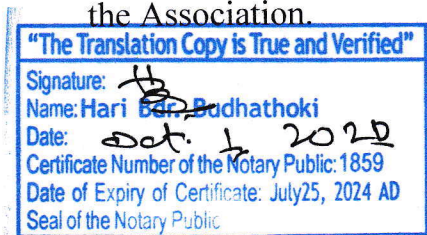
The functions and duties of Secretary shall be to support in the works of the Chairperson, and in the absence of Secretary, carry out all the works, which are supposed to be carried out by the Secretary.

19. Functions and Duties of the Treasurer:

- (a) To take the charge of the fund and assets of the Association;
- (b) To prepare and submit the annual budget of the Association to the Committee;
- (c) To levy or cause to levy the membership fee from the Members of the Association;
- (d) To cause to auditing the income and expenditure of the Association.

20. Functions and Duties of the Members:

The Members of the Committee shall have duty to support in the works of the Association.





Chapter -6

Financial Provision of the Association

21. Financial Source:

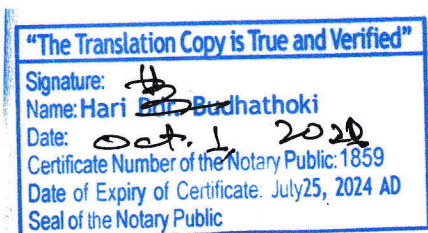
The membership fee received from the Members, support, donation or grant received from any person or institution or other cash and kind received from any other sources for the purpose of works of the Association shall be the financial source of the Association.

22. Details of Property:

All the monies received as per Clause 21 shall be the property of the Association and such property shall be maintained in an updated manner.

23. Fund of the Association:

- (1) The Association shall have its separate fund and following amount shall be accounted as income therein:
 - (a) Membership fee;
 - (b) Donation, grant or support money;
 - (c) The money received from any person or institution as grant, donation or support;
 - (d) The money received from any other sources.
- (2) All the expenditure of the Association shall be borne from the fund as per sub-clause (1). However, the money received for any particular purpose or work shall be utilized for the same purpose or work.
- (3) The monies received by the Association shall be deposited in the bank account in any commercial bank.
- (4) The bank account shall be operated through the joint signature of Chairperson or Secretary and Treasurer.





24. Accounts and Auditing of the Association:

- (1) The accounts of the income, expenditure and property of the Association shall be maintained in a way prescribed by the Committee.
- (2) The auditing of the Association shall be carried out by the accredited auditor.
- (3) The statement of income and expenditure, annual report and audit report of the Association shall be submitted to the Local Official every year.

Chapter -4

Miscellaneous

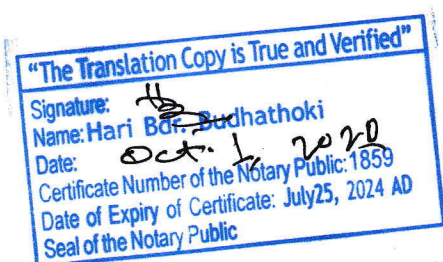
25. Provision Relating to Election:

- (1) There will be an Election Committee of three members elected by the General Meeting to carry out the election of Officials of the Committee.
- (2) The election of the Officials shall be carried out as per the process prescribed the Election Committee through the secret voting.
- (3) After completion of the election, the Election Committee shall be dissolved automatically.

26. Disqualification of Candidate:

The following person shall not be qualified to be elected as Official of the Committee:

- (1) A person who is not a member, or who is no more member, of the Association;
- (2) A person who has been removed from the position of Official through passing the motion of no-confidence;
- (3) A person who is not a member of the Election Committee.





27. Amendment in the Constitution:

If the resolution to amend the Constitution is approved by two third majority of the Members present in the General Meeting, where three fourth Members of the then maintained Members were attended, the Constitution shall be amended. Provided, such amendment shall be effective after the approval of the Local Official.

28. Motion of No-confidence:

If a motion of no-confidence is presented against any Member or Official by 20% of the total Members or 50% of the Committee Members to cancel his/her membership or remove him/her from the position and if such motion is approved by the General Meeting through the votes of 60% of the members present, the Member or Official shall be dismissed from the membership or position.

29. Power to frame Rules:

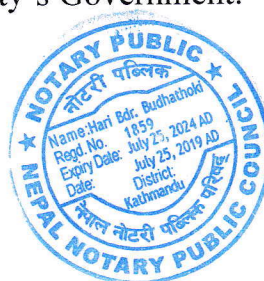
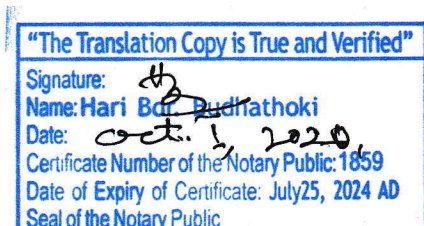
The Committee may frame necessary rules under the Constitution to carry out its works to attain the objective of the Association.

30. To be Ineffective:

If any provision of the Constitution contradicts with the provisions of the prevailing laws, such provision of the Constitution shall be ineffective to the extent of contradictions.

31. Dissolution of the Association:

If the Association is dissolved for not being able to carry out the works of the Association, the assets and property of the Association shall be transferred to the His Majesty's Government.






32. Provision regarding Ad-hoc Committee:

- (1) There shall be an Ad-hoc Committee with the Officials mentioned in the Schedule -1 to register the Association under this Constitution and carry out other preliminary works.
- (2) The Ad-hoc Committee shall exercise all the powers and fulfill duties of the Committee as per this Constitution till the Executive Committee is elected under this Constitution.

33. Other:

This Association is a complete social institution and all the monies received shall be expensed in the interest and attaining objective of the Association. Provided, no provision of the Constitution shall limit to provide reasonable remuneration to the employee to carry out the works of the Association.

Sds.

"The Translation Copy is True and Verified"
Signature: 
Name: Hari Bdr. Budhathoki
Date: Oct. 1, 2020.
Certificate Number of the Notary Public: 1859
Date of Expiry of Certificate: July 25, 2024 AD
Seal of the Notary Public

