

C O N S T I T U T I O N

OF

BANGLADESH JATIYA ANDHA KALLYAN SAMITY, DINAJPUR.

(GAUSUL AZAM BNSB EYE HOSPITAL, DINAJPUR.)

B A N G L A D E S H.

PREAMBLE

Whereas the blind require humanitarian help, services and treatment, the philanthropic people of Dinajpur, established "**BANGLADESH JATIYA ANDHA KALLYAN SAMITY**" Dinajpur and under the same samity an Eye hospital was established known as- "**GAUSUL AZAM BNSB EYE HOSPITAL**", by the grace of the Almighty, for rendering help, services and treatment to the blind all over the district and any other place also.

Whereas the "**BANGLADESH JATIYA ANDHA KALLYAN SAMITY**" Dinajpur, requires a constitution for the smooth management for its affairs.

Now, therefore, the constitution is passed by the members concerned with the "**BANGLADESH JATIYA ANDHA KALLYAN SAMITY**" Dinajpur, for the smooth management of the affairs of the organization with an appeal to all concerned to help the wretched blind, to see the light of the day and enjoy the abundance of nature.

The amendment of the constitution shall take effect from the date of amendment of the constitution.

CHAPTER-I

DEFINATIONS :

- Article-1 :** **a) Samity :** Means "**BANGLADESH JATIYA ANDHA KALLYAN SAMITY**"
Dinajpur.
- b) Report :** Means report in writing.
- c) Corrupt or corruption :** Means misuse of powers and doing anything with the intention of causing wrongful loss to the samity, Gausul Azam BNSB Eye Hospital, Dinajpur, blind camps, Units etc. and for wrongful gain to one self or to any other persons.
- d) Article :** Denotes one of those portion of the chapter of this constitution which are distinguished by prefixed numerical figures and includes sub-articles.
- e) Detrimental to the interest of the samity :** Means doing any thing by words, either spoken or written or by sign or otherwise bringing into hatred or contempt by attempting dissatisfaction or hatred to the samity or its Constitution by person concern.
- f) Fund :** Includes properties of the samity in every description, movable or immovable, cash or kinds.
- g) Notice :** Means notice in writing.
- h) Member :** Means member of the samity.
- i) Majority :** Means simple majority.
- j) Salaried Employee :** Means an employee drawing salary or any remuneration from the samity.
- k) Secret Ballot :** Is a ballot to be prescribed by the Election Commission and cast secretly.

- l) **Committee** : Means a committee that may be formed according to the provision of the constitution.
- m) **Emergent Meeting** : Means a meeting convened to decide the affairs requiring immediate decision.
- n) **Charge** : Means and includes any heads of charges.
- o) **Offence** : Means any act or offence made punishable by or any under law for the time being in force.
- p) **Blind person or Blind** : Means person who is totally without vision or unable to perform work.

CHAPTER-II

Name and location of the office of the samity:

Article-2 : The samity will be known as "BANGLADESH JATIYA ANDHA KALLYAN SAMITY" Dinajpur.

Article-3 : The office of the samity shall be located within Dinajpur Municipal area.

Article-4 : The aim and objects of the samity shall be :

- i) Prevention and treatment of Eye diseases, blindness and for research works and rehabilitation of the blind of this District in particular and of the country in general.
- ii) The services shall be rendered by the samity to the blind or patient suffering from Ophthalmic diseases free of cost, unless otherwise decided by the management of Gausul Azam BNSB Eye Hospital, Dinajpur and opening of camps, School Sight Testing Program (SSTP) and organizing Units.

CHAPTER- III

MEMBERSHIP :

Article-5 : Any citizen of Bangladesh willing to offer his voluntary services for the welfare of the blind shall become a member of the general body referred to herein after provide:-

- (i) He has contributed a sum of Tk.100/-(One Hundred) only as yearly subscription for registration as a member. Moreover TK =500/- (Five hundred) shall be paid as enrolment fees also.
- (ii) His membership shall be approved by the Executive Committee.
- (iii) He has not been convicted for a criminal offence involving moral turpitude, sentenced to imprisonment for a term not exceeding one year and unless incase of imprisonment for a term exceeding one year has elapsed since his release.

Patron & Life Member :

Article-6 : Any person who donates Tk. 15,000/- (Fifteen thousand) or more at a time to the general fund of the samity shall be a patron. It is specially provided that Jonab Golam Mostafa, Son of late Dalilluddin Ahmed of Balubari, Dinajpur town shall remain

Life member of Executive Committee as special patron in recognition of his great contribution for the construction and establishment of Gausul Azam BNSB Eye Hospital.

- (i) Any person who donated Tk. 50,000/- (Fifty thousand) at a time to the general fund of the samity shall be life member of the samity provided further that membership under the above categories shall have to be approved by the Executive Committee.

Article-7: Any such member referred to in article 5 & 6 will become member of the general body if he is not removed from the samity for any disqualification as mentioned hereinafter.

Disqualification's of Members :

Article-8 : A person shall disqualify him-self to be a member (or to continue as such) of the samity and ceases to be a member of the samity if he is :-

1. Provided to be a man of unsound mind, or
2. Found to be indulging in anti-social or corrupt activities, or
3. Convicted by a competent court for moral turpitude, or
4. Found to be working against the interest of the samity, or
5. Proved to have misappropriated any fund of the samity, or
6. A defaulter in payment of yearly subscription of the samity as registered member,
7. The disqualification and removal of any of the general or life member shall be decided and approved by the 2/3rd members present, in the meeting of the executive committee.

Article-9 : any member may resign from the samity by writing under his hand, addressed to the chairman of the samity at any time.

CHAPTER-IV

General body :

Article-10 : There shall be general body of the samity consisting of all the members whose name have been duly registered as life member & members.

Article-11 : The name of the valid members will be duly entered into a register prescribed for the purpose and maintained by the General secretary of the samity as soon as they are declared eligible for membership by the Executive Committee.

Article-12 : Each member of the general body shall have right to vote to elect the member of the Executive Committee for execution of different work of the samity.

Function of the General Body :

Article-13 : The General body shall transact the following functions:-

- i) To receive and examine the annual report of the Executive Committee.
- ii) To receive and examine audited statement of accounts.
- iii) To pass the Budget.
- iv) To appoint an Auditor.

- v) To elect the members of the Executive Committee.
- vi) To discuss any matter relating to the welfare of the blind in a special meeting of the General body may be convened by the General Secretary in consultation with the executive committee for the purpose of chapter II or any other urgency provided that due to unavoidable circumstances the holding of Annual General Meeting is not possible.
- vii) To take any action which deems fit for the interest and welfare of the samity.

Annual Meeting of the General Body :

- Article-14 :**
- i) Annual Meeting of the General Body shall be convened by the General Secretary in consultation with the Chairman and the Executive Committee.
 - ii) The meeting shall be held in the Month of May every year.
 - iii) The notice of the meeting shall be sent to all member under certificate of posting and an advertisement shall be published in a local Daily Newspaper consecutively three days, giving clear 15 days time.
 - iv) A copy of notice of such meeting shall also be hung up in the notice board of the office in a conspicuous place for general information.
 - v) In the notice, shall be specially mentioned the date, time, place of the meeting.

Article-15 : The chairman shall preside over the Annual General Meeting.

- i) In case of absence of the Chairman due to unavoidable circumstances the Vice- Chairman shall preside over that meeting and in absence of Vice- Chairman any senior member of the executive committee present, shall preside over the meeting.
- ii) The members of the Executive Committee present plus at least twenty-five members of the general body shall form the quorum of the Annual General Meeting.
- iii) The quorum for meeting of Executive Committee shall be five.
- iv) No quorum shall be required for an adjourned meeting.

CHAPTER- V

EXECUTIVE COMMITTEE:

Article-16: The executive committee of the samity shall consists of 14 member including one Ex-officio members and there shall be election of all members from the category of general member and the election shall be directly by the member of the samity in the manner herein after provided.

Article-17: The executive committee shall consist of following members:

i)	Chairman	one
ii)	Vice- Chairman	one
iii)	General Secretary	one
iv)	Assistant General Secretary	one
v)	Organizing Secretary	one
vi)	Treasurer	one
vii)	Members	Seven
viii)	Ex-officio members	one
	{(a) Chairman Dinajpur Pourashava}	

Article-18 : The Vice chairman, General Secretary, Assistant General Secretary, Organizing Secretary, Treasurer and Seven General Members shall be directly elected by the members of the samity.

Article-19 : The Deputy Commissioner, Dinajpur shall be the Ex- officio Chairman of the Executive Committee.

Article- 20 : No salaried employee of the samity shall be eligible to become a member or contest in the election of the Executive Committee.

Article-21 : The Executive Committee shall remain in office for a period of 3 (Three) years from the date of taking over charges of office after the election of the Executive Committee.

Article-22 : The Chairman may extend the term of the Executive Committee for a period of 120 days, in case the election of the executive committee cannot be held due to unusual circumstances.

Article-23 : In case of the election of the Executive Committee could not be held within the extended time of 120 days, the Chairman shall constitute an Ad-hoc Committee, consisting of 7 (Seven) members from amongst the members of the Executive Committee for a period of 90 (Ninety) days, to run the society and the hospital, whose prime duty would be to hold the election to constitute an Executive Committee, as per article 17 of the constitution. The Ad-hoc Committee shall consists of the Chairman (Ex-Officio), One member Secretary, one Treasurer and four members. The Secretary will be responsible to take necessary steps to hold the election in due time, in consultation with the Chairman.

CHAPTER- VI

ELECTION :

Article-24 : The Election of members of the Executive Committee shall be held within 90 days preceding the date of expiry of the life of the existing Executive Committee.

Article-25 : There shall be an election commission for conducting election of the Executive Committee of the samity which shall consists of 3 members to be selected by the Chairman in consultation with the existing Executive Committee/ Ad-hoc committee.

- i) These member shall in no way be connected with the samity and may be selected from the local Administration or Educational or others Social or Cultural institution.
- ii) One of the members shall be selected as Chairman of the Election Commission.

Article-26 : The existing General Secretary shall prepare the Voter list at least 30 days preceding the date of election.

Article-27 : Registered General Members of the samity who has completed three years continued membership and who has clear up his annual subscription and who has not been declared as disqualified member of this samity, shall be voter for the election of the Executive Committee of the samity. In case of life members of the samity who has not been declared as disqualified life member of this samity shall be voter of the election of the executive committee of the samity.

Article-28 : The existing General Secretary shall cause the publication of the up to date voter list at least 30 days before the date of Poll. A copy of such voter list shall be hung up in the notice board of the samity.

Article-29 : If any members has any objection against any matters of the voter list he shall submit it to the General Secretary within 7 days from the date of publication of the voter list.

Article-30 : The objection if any, thus received by the General secretary of the samity shall be put up before the executive committee / Ad-hoc Committee for hearing and disposal of the objection petition within 7 days from the date of receipt of such objection petition.

Article-31 : The decision of the Executive Committee / Ad-hoc Committee shall be final and there shall be no appeal against it.

Article-32 : After the hearing of the objection by the General Secretary of the Executive Committee/ Ad-hoc committee the final voter list will be published and a copy of such voter list will be hung up in the notice board of the samity in a conspicuous place for the perusal of the members.

- i) Any members of the samity may obtain a copy of the final published voter list from the office of the samity on payment of Tk. 100/= (One hundred) only for each copy or part thereof.

Article-33 : The date and place of voting shall be announced by the Chairman of the Election Commission after the final publication of the voter list which shall not be in any case more than 15 days following the date of final publication of the voter list.

Article-34 : The manner of filing Nomination paper, scrutiny etc. and the contents of the Nomination paper shall be determined by the Election Commission.

Article-35 : Voting shall be in secret Ballot.

Article-36 : At the time of polling, the Chairman, Election Commission shall act as presiding officer at the polling station along with two other members who will act as polling officer for conducting the election.

Article-37 : In case of tie on any post after the actual counting of ballots the Chairman, Election Commission apply his casting vote on the spot in order to come to a decision in the matter.

- i) Votes shall be counted in presence of the candidates or their agents immediately after the polling is over and the result shall be announced on the spot.
- ii) The Chairman, Election Commission shall submit a detailed report of the election proceedings to the Chairman of the Executive Committee/ Ad-hoc committee in a sealed cover immediately after the election is over.

- iii) Canvassing in any form within the campus of polling station on the date of polling will render a candidate disqualified.
- iv) Chairman, Election commission in consultation with the two other members of the commission, may take on the spot-decision and postpone the election if he finds that free and fair election could not be conducted by him due to apprehension of breach of peace or for some unavoidable circumstances affecting smooth conduct of the election.

Article-38 : In the event of death or resignation or

- i) Removal of any member of the Executive Committee the seat shall be declared vacant by the Executive Committee, in a meeting convened for that purpose within 15 days from the date of knowledge of such occurrence.
- ii) When the seat is thus declared vacant, the existing committee shall co-opt a member in such vacancy from amongst the members of the samity, within 30 days following such vacancy.

CHAPTER-VII

The Chairman :

Article-39 : In exercise of this functions the Chairman shall Generally-

- i) Act in accordance with the advice of the Executive Committee.
- ii) The Chairman shall be kept informed of the contents of every correspondents to and from Government Officers, Foreign Country agencies or organizations and agencies or organizations within Bangladesh.
- iii) The Chairman may call an emergency meeting of the Executive Committee by 24 hours Notice.
- iv) In absence of the Chairman for any reason the Vice-Chairman shall function in his place and in absence of Vice-Chairman any senior member of the Executive Committee shall function in his place.

CHAPTER- VIII

The General Secretary:

Article-40 : There shall be a General Secretary for the Samity in the Executive Committee.

- i) The General Secretary of the association shall be elected by the vote of the existing members of the samity from amongst the members of Medical profession, whose minimum qualification is to be MBBS.
- ii) He shall be remain in office such time the Executive Committee remains in existence, unless removed earlier by the Executive Committee.

- iii) He may be removed from his office at any time if he commits any offence detrimental to the interest of the samity or renders himself disqualified.
- iv) He shall be custodian of all the records of the office of the samity.
- v) He shall execute the different programs of the samity in consultation with the Executive Committee.
- vi) He shall convene all meeting of the samity from time to time in the manners stated earlier and write proceeding of the meeting and get them duly signed by the president who preside over the meeting.
- vii) He shall prepare the Voter list and cause its publication in the manner stated herein before.
- viii) He shall prepare annual budget of the samity in consultation with the members of the executive committee and place it before the general body for approval, manner stated herein before.
- ix) He shall get the account of the samity audited in time and place the audit report before the executive committee for discussion and then submit in the general body for discussion and approval, manner stated herein before.
- x) He shall prepare annual general report of the samity, and place it before the Executive Committee for discussion and then place it in the general body for approval.
- xi) He shall keep account of the income and expenditure of the samity in the manner prescribed herein after.
- xii) He shall prepare quarterly report of the fund position of the samity and keep the Executive Committee informed about it.
- xiii) The Executive Committee may grant conveyance allowance to the General Secretary.
- xiv) The account of the samity will be jointly operated in any Bank, office, or Organization by General Secretary and the Treasurer of the Executive Committee.

- Article-41 :**
- i) In the event of absence of the General Secretary due to illness, Resignation or other unavoidable circumstances or if the General Secretary is removed from office as per provisions of this constitution, the assistant General Secretary shall discharge and continue to discharge all functions of the General Secretary till a General Secretary is elected or the general secretary resumes his duties as may be.
 - ii) The Treasurer shall be responsible for maintaining books of account of the samity under the instruction of the General Secretary and shall have to assists the General Secretary in discharging his functions regarding accounts matter.

CHAPTER- IX

Fund and its operation:

Article-42 : The Samity shall have its own fund to defray the expenses.

- i) The samity may receive and raise fund from any citizen of Bangladesh in the form of donation or subscription and may also receive donation from any Govt., semi Govt., autonomous or local council in the form of grant or aid.
- ii) All subscription, donation or grant shall form part of the general fund of the samity and the donor will have no domain over the samity by virtue of such donation or grant.
- iii) All money realized or received in the form of donation, subscription or grant shall be deposited in any schedule Bank of Bangladesh or General Post Office by opening an account in the name of samity under the joint signature of the General Secretary and Treasurer of the samity.
- iv) Any donation realized in cash or kinds from any source in the name of samity shall be entered into relevant registers forthwith:
 - in case of cash-**
In the Bank within three days from the date of receipts of such amount and
 - in case of goods-**
to the store of the samity forthwith.
- v) No money shall be collected by anybody in the name of the samity except by the person authorized by the executive committee in this regard.
- vi) Any Money realized from any body on any account shall be duly acknowledged by issue of official receipt prescribed for the purpose.
- vii) The Treasurer shall keep all such receipt books in his safe custody and a register shall be maintained to keep account of the receipt books, printed by the samity every year and he shall be responsible to get back the issued receipt books issued by him.
- viii) Every items of income and expenditure of the samity shall be shown in the Cash Book.
- ix) The page of the Cash Book should be duly numbered and a certificate obtained from the general secretary regarding the total number of pages in the cash book on the first page of the cash book before it is opened for use.
- x) Every items of the expenditure shall be duly supported by relevant voucher and expenditure approved by Executive Committee.
- xi) When any cash is required to be drawn on any account, the general secretary shall put up detail notes stating the purpose of such withdrawal or expenditure and the note shall form part of relevant file.
- xii) No cash shall be withdrawn from the account of the samity if the amount is not required for immediate disbursement.
- xiii) The General Secretary may keep in his hand Tk.2,000/- (Two Thousand) only as impress to meet up any emergent expenditure.

- xiv) There shall be an audit of the accounts of the samity annually who shall be appointed in the manner as stated herein before.
- xv) Strict control shall be maintained on the expenditure so that no sum is spent in excess of the amount shown in the annual budget.
- xvi) All purchases of the samity shall be made by inviting Tenders or Quotation as per as practicable.
- xvii) All expenditure shall have to be duly adjusted immediately after the payment is over.

CHAPTER-X

Opening of Camps :

Article-43 : For the purpose of treatment of blind the samity shall open Eye camps in the District or any other places of other Districts in the country in a manner to be decided by the executive committee.

- i) It may also organize units under supervision of its authorized agents to treat or give relief to the blind of the remote villages from time to time.
- ii) Mobile units shall be sent to those areas where local people will be ready to give voluntary services to the patient as may be required by the samity.
- iii) The decision for sending a mobile unit to any area shall vest on the direction of the executive committee.
- iv) To defray the expense of such camps there shall be provision in the annual budget.

Article-43 (a) :

- i) The executive committee shall have right to purchase, take loan, hire or otherwise acquire for or on behalf of the samity properties movable or immovable as may be deemed fit and proper.
- ii) To sell, lease, Mortgage, Exchange, dispose off or otherwise deal with any property of the samity as may be deemed fit and proper.
- iii) To appoint Official, Clerks, Agents and Employees for permanent or temporary service and to determine powers and duties and there salaries or emoluments and to suspend, remove, discharge or dismiss or dispense with service of them as and when occasion arise and to regulate and control their services.
- iv) To nominate any member of the executive committee to Bangladesh National Society for the blind.
- v) To grant conveyance allowance to any member of the executive committee for the work done in the interest of the samity.

Article-43 (b) : The management of GAUSUL AZAM BNSB EYE HOSPITAL , Dinajpur, shall be done by the Executive Committee of "**Bangladesh Jatiya Andha Kallyan Samity**", Dinajpur.

CHAPTER- XI

Amendment of the Constitution :

Article-44 : Notwithstanding anything contained in this constitution any provision or article of this constitution may be amended or replaced by the General Body.

Provided that:

- i)** No such amendment or repeal shall be passed unless it is passed by the vote of not less than $\frac{2}{3}$ of the total member of members present in the meeting convened for the purpose.
- ii)** Any amendment or repeal (referred to above and finally) accepted shall be duly incorporated in the constitution and resolution shall be passed to that effect.

:-The End:-