

Constitution

SIRI GURU SINGH SABHA SOUTHALL

Charity No: - 280707

Amended 7 march 2010

Scheme for the regulation of the affairs of the **Registered Charity (No 280707)** known as **SRI GURU SINGH SABHA SOUTHALL** established by an order of the High Court of Justice dated 17th October 1993 as amended and adopted as the Constitution of Sabha by its General Body in 1996 and further amended on 7 March 2010.

1. Administration of Charity

The charity heretofore constituted by the unincorporated association known as **SRI GURU SINGH SABHA** and any separate charity constituted by a Declaration of Trust made in 1982 and the property belonging thereto specified in Appendix II thereto and all other property (if any) belonging to the said charity shall from and after October 1993 be administered and managed as a single charity in conformity with the provisions of this Scheme by the Executive Committee hereinafter referred to the members of which shall be the charity trustees within the meaning of section 97(1) of the Charities Act 1993.

2. Definitions

For the purposes of this Schedule and (where applicable) the provisions contained in the Second Schedule to the said Order the following expressions shall (unless the extent otherwise requires) bear the following meanings, that is to say:

- a) "**The Sabha**" means the charity hereby regulated
- b) "**The Gurdwaras**" mean the properties numbering 1 and 2 specified in the Appendix II hereto currently used as places for religious worship together with any other premises which are now owned or may hereafter be acquired by the Sabha for such purposes (whether in addition to or in substitution for any of the said properties)
- c) "**Amritdhari Sikh**" refers to person who believes in One God, the Holy Scriptures of the Sikh religion (Sri Guru Granth Sahib Ji) and in the Gurus and has no other religion and in addition is **BAPTISED** in accordance with the Sikh Rehat Maryada :
 - i) adopts the five symbols of a "**BAPTISED**" Sikh, that is to say refrains from cutting trimming or plucking his hair (Keshas), and

- wears the comb (Kanga), the shorts (Kachha), the sword (Kirpan) and the bracelet (Kara)
- ii) refrains from consuming, selling or deliberately touching tobacco and any intoxicant
 - iii) pledges in writing to maintain Sikh traditions and Rehat Maryada as published by the Sharomani Gurdwara Parbandhak Committee, Amritsar, India
 - iv) refrains from any illicit immoral or conduct or behavior that is illicit or immoral
- d) **"Keshadhari Sikh"** refers to person who believes in One God, the Holy Book of the Sikh religion (Sri Guru Granth Sahib Ji) and in the Ten Gurus and has no other religion and in addition:
- i) habitually adopts the five symbols of a baptised Sikh, that is to say refrains from cutting trimming or plucking his hair (Keshas), and wears or bears the comb (Kang), the shorts (Kachha), the sword (Kirpan) and 'he bracelet (Kara)
 - ii) refrains from consuming selling or deliberately touching tobacco and any intoxicant I
 - iii) pledges in writing to maintain Sikh traditions and Rehat Maryada as published by the Sharomani Gurdwara Parbandhak Committee, Amritsar, India
 - iv) refrains from any illicit immoral or illegal trade or conduct or behavior that is illicit or immoral
- e) **"The Committee"** means the Executive Committee referred to in paragraph 13 below
- f) **"Sri Guru Granth Sahib Ji"** – The Holy Sikh Scriptures treated as a living Guru"
- g) **"Detrimental"**: - Any person undermining the interest of the Sabha in any form
- h) **"Restoration"**: *Once a member's membership is terminated the restoration will apply from the day the General Body gives its approval for restoring the membership.*
- i) **"Misuse"**: Making a false declaration to obtain the membership card and/or using someone else's card to abuse or attempt to abuse ballot or attending or attempting to attend the AGM/EGM.

- j) **"SIKH"**: Any human being who faithfully believes in Ten Gurus, from Guru Nanak Dev Ji to Guru Gobind Singh Ji, Sri Guru Granth Sahib Ji *and who does not owe allegiance to any other religion*
- k) **"SINGH"**: A Sikh as defined earlier who is male must have Singh as part of his name.
- l) **"KAUR"**: A Sikh as defined earlier who is female must have Kaur as part of her name
- m) **"The Election committee (EC)"**: The EC will be responsible for enrolment of membership, compiling the membership register, scrutiny of the membership and candidate's eligibility to stand in election, ensuring compliance with the constitution on candidate's eligibility, conduct the election, and scrutinize the ballot. Hand the results of the election formally to the existing General Secretary thereby discharging their responsibility. The EC will remain responsible and accountable for all matters arising from or in respect of any law or breach associated with their responsibility to both the existing and the new committee.

3. This Schedule and the Second Schedule, unless the context otherwise requires:

The plural includes the singular and vice versa and the masculine includes the feminine

References to any of the provisions of the Charities Act 1993 and any Charity Act there after shall be treated as including references to the corresponding provisions of any enactment (whether passed before or after 13th October 1993) replacing or amending the same.

4. Name

The charity hereby regulated shall be known as **SRI GURU SINGH SABHA, SOUTHALL** or by such other name as may be adopted pursuant to a resolution passed as mentioned in paragraph 50 below.

5. Objects

The object of the Sabha shall be the advancement of the Sikh religion. In furtherance of that object but not otherwise the Sabha may:

- i) Establish one or more centre- for religious worship and associated ancillary educational and cultural activities including sports
- ii) Establish a library of books in English or Punjabi concerned with religious social or educational matters
- iii) Offer prizes, awards, scholarships and stipends in connection with Sikh religious studies
- iv) Sponsor and aid the publication of religious literature and the carrying out of religious instruction
- v) Establish nurseries and educational institutions having a connection with the Sikh religion
- vi) Establish any other project that can aid the community to promote the Sikh culture
- vii) Provide free board and lodging to persons in necessitous circumstances provided that they do not infringe the sanctity of the Gurdwaras.
- viii) Establish new and up to date facilities e.g. ICT training, to promote Sikh Religion and Punjabi language

6. Membership

There shall be two categories of Membership of the Sabha namely Life Membership and Ordinary Membership

The individuals whose names appear-on the list a copy KL3 to the affidavit sworn on 23rd June 1993 by Katy Lester and who register themselves in accordance with the provisions of paragraph 9 of the Second Schedule to the said Order shall be Life Members of the Sabha and shall remain such for the rest of their lives without paying any further subscription but subject to the provisions for termination of Membership contained in paragraph 11 below.

1. Ordinary and Life Membership of the Sabha is restricted to persons who -
 - a. have attained the age Of 18 years
 - b. are "SIKHS" and do not have faith in or follow any other religion or sect (organisations banned by Akal Takth)

- c. Have Singh or Kaur as part of their name
- d. have firm faith in the Ten Gurus and Sri Guru Granth Sahib Ji only and
- e. reside permanently wit in the London Boroughs of Ealing, Harrow, Hillingdon or Hounslow

2. The Membership subscription for Ordinary Members shall be £5 for a three year term or such greater or lesser amount as the General Body of the Sabha may from time to time approve on the recommendation of the Committee.

3. Membership shall be open for a period of 5 weeks in the year of election.

4. Any person who is over the age of 65 at the time of membership enrolment will be given free membership

5. The fee of life membership shall be £101.00

7. Membership Cards

1. Every Member shall be issues with a Membership Card.

2. Loss of a Membership Card shall be reported forthwith to the General Secretary. If he is satisfied that the Card has been lost, the General Secretary shall issue a duplicate upon payment of £1.00 or such greater or lesser sum as the Committee shall decide. The duplicate shall be returned if the original shall be found but without any refund.

3. No one may take part in the deliberations of the General Body unless at the time he is in possession of a current/duplicate and valid Membership Card.

4. Misuse of a Membership Card may be a ground for termination of Membership pursuant to paragraph 11(1) (b) below.

8. The members of the Sabha shall be subject to such rules and regulations as the Committee shall from time to time prescribe in Bye-Laws made in accordance with paragraph 32 and 33 below.

9. Membership shall confer the right (Subject to any Bye-laws) to make use, the facilities provided by the Sabha and to take part in all its activities.

10. It shall be the duty of the Committee to maintain an up-to-date Membership Register of the Sabha and records of the payment of subscriptions.

11. Termination of Membership

1. The committee may propose to the General Body that the Membership of the Sabha shall be terminated in any case where they consider:
 - a. that he never was or has ceased to be qualified under paragraph 6(3) above to be an Ordinary Member of the Sabha or
 - b. that his activities re detrimental to the interests of the Sabha.
2. Not less than 28 days before the meeting of the General Body at which the Committee's proposal to terminate a Member's Membership is to be considered the Committee shall give hi notice in writing of the grounds on which is propos s that his Membership be terminated and of his right to make representations to the General Body either in writing within such period (not being less than 14 days) as may be specified in such notice or in person at the meeting of the General Body or both. If the Menthe makes submissions in writing the Committee shall post a copy thereof at some prominent place in the Gurdwaras for not less than 7 days before the meeting of the General Body. If the Member wishes to speak at the General Meeting the President or other person chairing the meeting shall allow him-to do so.
3. A motion to terminate a Members Membership requires a: two-thirds majority. This provision shall not be applicable to clause 11(4)
4. A person shall cease to be a ember on the happening of any of the following events:
 - a. the member's activities re detrimental to the interests of the Sabha.
 - b. the member never was or eased to be qualified under paragraph 6(3) to b- an ordinary member of the Sabha.
 - c. the member has been convicted of a criminal offence including grave moral turpitude.
 - d. the above provisions are equally applicable to life members and ordinary members.
 - e. The Comitée shall have the right to expel any such member who is disqualified from membership by virtue of either a, b or c above. The decision of the Comitée shall be by the majority vote after it h s conducted on inquiry into the matter and give an opportunity to the concerned member of being heard.

5. **Any Member** whose Membership is terminated as aforesaid may after one year from such termination apply at any subsequent regular general meeting of the General Body to be reinstated as a Member of the Sabha.

12. The General Body

The General Body of the Sabha shall consist of the members of the Sabha for the time being in a duly convened general meeting attended by a quorum.

13. The Committee

The management of the Sabha shall be in the hands of the Committee which shall consist of twenty-one members of the Sabha of whom fifteen shall be Office -Bearers occupying the offices below:

1. **The President**, who shall have general supervision of the affairs of the Sabha and shall preside at all meetings of the Committee and of the General Body at which he is present.
2. **The Vice-President**, who shall assist the President his duties and in his absence shall act in his place and shall preside at all meetings of the Committee and of the General Body at which e is present and from which the President is absent.
3. **The General Secretary**, who shall far as practicable:
 - a. attend and keep minutes of all the meetings of the Committee and of the general Body
 - b. attend to the day to day administration of the Sabha
 - c. shall attend to all correspondence
 - d. issue all invitations (including sponsoring Ministers of Religion and Religious workers in co-ordination with the Welfare Secretary) on behalf of the Sabha
 - e. convene all meetings of the Committee and of the General Body
 - f. liaise with all sub-committees of the Committee and call for progress reports from other Office-Bearers and other member of the Committee
 - g. have the general supervision of the employees of the Sabha
 - h. liaise closely with Granthi Ji and all employees

- i. prepare and submit reports to the General Body at each annual general meeting thereof
 - j. ensure the control of the use of Norwood Hall and the Khalsa School premises for the benefit of the Sabha and community and any matters relating to finance at these premises.
4. **The Joint Secretary**, who shall assist the General Secretary in the performance of his duties and act in his place during his absence. The Joint Secretary will also maintain the dispatch registers for the incoming and outgoing mail, membership register, schedule of all maintenance of all the properties including, files in respect of quotations for all types of maintenance of Sabha's properties, write down or type all the minutes on the Executive Committee and AGM/EGM and circulate these after approval of the General Secretary.
 5. **The Stage Secretary**, who will be responsible for managing the affairs of the stage at both the Gurdwaras in liaison with the President and the General Secretary and preparing a schedule for the President of all duties of all Granthies, Pathies and other religious workers.
 6. **The Assistant Stage Secretary**: to assist the stage secretary to manage the affairs of the stage at both the Gurdwaras.
 7. **The Social and Cultural Secretary**, who shall be responsible for all Welfare, , Cultural and social affairs of the Sabha and sponsoring Ministers of Religion and Religious workers in co-ordination with the General Secretary.
 8. **The Education Secretary** will be responsible for organising seminars, lectures and Gurmat camps as well as supervising any other educational activities at the Sabha's premises, establishing contacts with the educational institutions, Authorities, especially SACRE and Examination Boards with a view to provide needful information about Sikhism and assisting the General Secretary in representing the Society at Interfaith meetings or conferences e.g. Religious Education Council of England and Wales, and other religious organisations.
 9. **The Sports Secretary** will be responsible for all activities relating to sport/s
 10. **The Provisions Secretary**, who shall:

- a. be responsible for arranging the langar at both the Gurdwaras including provisioning and the sale of groceries received and shall maintain a proper account of the same
 - b. maintain registers for stock and equipment held by the Sabha
11. **Two Assistant Provisions Secretaries**, who shall assist the Provisions Secretary in the running of the kitchens at both Gurdwaras.
12. **The Treasurer**, who shall deal all the financial matters of the Sabha, and in Particular shall have responsibility for:
- a. keeping the books, records and accounts of the receipt and expenditure of the Sabha
 - b. receiving donations and subscriptions and all other monies due to the Sabha for the credit of the Sabha's bank account
 - c. paying the debts of the Sabha
 - d. preparing and delivering of the General Secretary for publication to the congregation of the Sabha a monthly statement of account showing the receipts and expenditure of the Sabha during the preceding month
 - e. arranging for duly qualified chartered accountants appointed by the Committee to prepare annual of income and expenditure and a balance sheet and submitting the same for the approval of the General Body at the General Meeting of the Sabha held pursuant to paragraph 22 below in February.
13. **The Assistant Treasurer**, who shall assist the Treasurer in the performance of his duties and act in his place during his absence and maintain an inventory of the assets, oversee the register of issue and receipt of Sabha's receipt books.
14. **The Librarian**, who shall be responsible for the library of the Sabha and shall gain records of the stock of books and periodicals held by the library, and of the persons to and the dates on which books are loaned and returned.
14. Pending the elections for membership of the Committee the functions of the committee shall be undertaken by the outgoing Committee together with such assistants as they may appoint.

15. Qualifications for Membership of the Committee

1. In order to be a member of the Executive Committee a person must:
 - a. be a Keshadhari Sikh
 - b. at the date when he declares himself to be a candidate for election have been a Member of the Sabha during the preceding two years
 - c. hold no office in any other Sikh religious institution or Gurdwara in United Kingdom and shall so declare in writing at the time of his nomination
 - d. not be a Trustee of the Sabha
 - e. undertake to comply with charity act 1993 and any statutory provisions binding the charities and any legislation in force or coming into force thereafter

2. A person who ceases to be qualified shall automatically cease to be a member of the Executive Committee. The membership of any office bearer of the Executive committee who fails to properly hand over the charge within 10 days of the publication of the elections notice as per Clause 26 (1) to the holding trustees, when the committee becomes a care taker committee, shall be deemed to be terminated automatically and the member will not therefore be entitled to stand as a candidate or participate in any affairs of the Sabha until such time the trustees certify that they have received the charge (including all the paper documents e.g. minute books, invoices, bank statements, receipts books and contractual documents or arrangements, passwords, computer records or Sabha's assets if any. Restoration of the membership will be decided at the forthcoming general body meeting by application.

3. The President and the General Secretary, who have served for two consecutive terms, whether in the same or different offices, shall not be eligible to contest elections for the next one term.

16 Elections of Committee

At the regular General Meeting of the General Body of the Sabha in February and at every third regular General Meeting held in August thereafter the members of the Committee shall retire from office Retiring members of the Committee, if duly qualified, shall be eligible for reelection.

17. At the annual General meeting at which the members of the Committee retire in manner aforesaid the General Body of the Sabha shall elect the next Committee of the Sabha. Until the conclusion of valid elections to the new Committee the members of the outgoing Committee shall continue to hold office.

18. Conduct of Elections

The elections to the Executive Committee shall be conducted in accordance with the procedures are outlined in and regulated by the Second Schedule

19. Casual Vacancies

The Executive Committee shall have power at any time and from time to time to appoint any duly qualified person to fill any casual vacancy in their number. The Executive Committee may also create and appoint an existing member to an additional position by a two third majority of the Executive Committee.

20. Dispatch of Business

1. The persons to hold the offices set out in paragraph 13 above shall be appointed by among their number at their first meeting. The Committee member with the highest number of votes at the election shall preside at such meeting until a President has been selected.
2. The Committee may meet together for the dispatch of business, adjourn, and otherwise regulate their meetings as they think fit, provided that the full Committee shall meet no less frequently than 11 times a year and that the General Secretary shall give notice of the time and place of any meeting by posting the same to every Committee member by first class post to his last known address not less than 5 days before the date of the meeting (excluding Saturdays, Sundays and Bank Holidays).
3. The General Secretary shall on the requisition of any five members of the Committee forthwith summon a meeting of the Committee a giving such notice as aforesaid.
4. Ten members of the. Committee shall form a quorum.

5. Questions arising at any meeting of the committee shall be decided by a majority of votes.
6. The President or, in his absence the Vice-President, shall preside at all meetings of the Committee; in the absence of both the President and the Vice-President the Committee shall elect on one of their number to preside at that meeting. In case of equality of votes the person presiding shall have a second or casting.
7. The continuing members of the Committee may act notwithstanding any vacancy in their number.
8. The Committee may delegate an of their powers to a sub-committee consisting of such member or members of their body as they may appoint and may co-opt on to such sub-committee any person who is a Member of the Sabha but is not a member of the Committee such as they shall think fit; any sub-committee or subcommittees so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it or them by the Committee.
9. No member of the Committee shall engage himself directly or indirectly in any business dealing with the Sabha.
10. All acts done by any meeting of the Committee or of any sub-committee shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any person as a member of the Committee or that the persons purporting to act as members of the Committee or sub-committee or any of them were *disqualified from so acting (either generally or with reference o some particular business)* or that due notice of the meeting had not been given to all members, be a valid as if every such person had been duly appointed and was qualified to be a member of the Committee and to participate in the business in question and due notice of the meeting had been given.
11. A resolution in writing signed by all the members of the Committee for the time being shall be as valid and effectual as if it had been passed at a meeting of the Committee duly convened and held.

21. General Meetings of the Sabha

The Sabha shall in February and July or August (within a tolerance of 7 days) in each year hold general meeting which shall be its regular general meetings.

22. All general meetings shall be held, on a Sunday at one of the Gurdwaras.

23. All general meetings of the Sabha other than the regular general meetings shall be extraordinary general meetings.

24. The Committee may, whenever they think fit, convene an extraordinary general meeting of the Sabha, and extraordinary general meetings shall also be convened on a requisition signed by not less than one tenth of the Members of the Sabha or, in the, case of a Trustee wishing to be discharged, on a requisition signed by that Trustee. Any requisition of an extraordinary general meeting shall be addressed to the General Secretary and shall state the objects of the meeting. Upon receipt of a proper requisition it shall be the duty of the Committee to convene an extraordinary general meeting of the Sabha within 28 days thereafter.

25. Notices

1. Notices of or relating to general meetings of the Sabha shall be given by the Committee by posting the same in some prominent place at each of the Gurdwaras of the Sabha and by announcement from the Stage of each of the Gurdwaras. A notice about the general meeting should also be placed in the local and/or Punjabi newspapers as advertisements.

2. In the case of regular general meetings (other than regular general meetings at high elections are to be held for membership of the Committee) the notice shall be not less than 21 days and in the case of extraordinary general meetings not less than 14 days.

3. The notice shall specify the date time and place of the meeting and, in case of special business, the general nature of that business.

26. Election Notices

In the case of a regular general meeting at which elections are to be held for membership of the Committee:

1. not less than 42 days' notice shall be given in accordance with paragraph 25 (1) above stating:
 - i) the date of the meeting and the intention to hold elections
 - ii) the name and address of the persons who are to have supervision of the elections
 - iii) that the persons entitled to vote at the elections are the persons whose names appear on the list of Members on 1st day of the month preceding that in which the election is to be held.
2. not less than 14 days before the meeting notice shall be given in accordance with paragraph 25(1) above stating the names of the candidates for election.
27. All business transacted at any extraordinary general meeting shall be deemed to be special business. All business transacted at any regular general meeting shall be deemed to be special business other than the consideration of the accounts and the reports of the Committee.
28. No business shall be transacted at any general meeting of the Sabha unless a quorum is present at the time when the meeting proceeds to business. 150 Members or one fifth of the persons entitled to vote at the date of the meeting (whichever shall be the less) shall be a quorum. If there shall be no quorum the meeting shall stand adjourned to a date time and place to be appointed by the committee of which due notice shall be given in accordance with paragraph 25(1) above, unless it is a meeting convened on the requisition of Members of the Sabha in which case the meeting shall be dissolved.
29. *The President or in his absence the Vice-President shall preside at every general meeting of the Sabha in the absence of the President and the Vice President the members of the Committee present at the meeting shall elect one of their number to preside at the meeting. If there are no members of the Committee present the Members of the Sabha present, at the meeting shall elect one of their number to preside at the meeting.*
30. At any general meeting a resolution put to the vote of the meeting shall (except in the case of election of members of the Committee) be by a show of hands of the Members of the Sabha unless a poll (whether before or after the declaration of the result of the show of hands) is demanded by any member of the Committee or by not less than twenty members of the

Sabha. Unless a poll be so demanded a declaration in writing by the person presiding at the meeting that a resolution has been carried unanimously or by a particular majority shall be conclusive evidence of that fact. If a poll is duly demanded it shall be by the secret ballot of the Members of the Sabha present at the meeting and entitled to vote.

31. Resolutions at general meetings of the Members of the Sabha be by simple majority, except as provided in paragraphs 11(3), 37 and 50 of this Scheme.

32. **Bye-laws**

The Committee shall have power exercisable from time to time to make such Bye-Laws in connection with the management and administration of the Sabha as they shall think fit and to amend or rescind the same or any of them, provided that nothing in any such Bye laws shall be capable of amending or rescinding any of the provisions of this Scheme.

33. Any such Bye-laws shall be of no effect unless the same shall have been passed at a meeting of the Committee of which at least 14 days written notice specifying the proposal to make the Bye-laws in question has been given to each of the members of the Committee for the time being.

34. **Trustees**

Subject to paragraph 35 hereof all freehold and leasehold real property belonging to the Sabha and the proceeds of sale thereof shall be vested in not fewer than two nor more than four Trustees, save that upon its coming into effect of this Scheme the first Trustees shall be the persons whose names appear in Appendix 1 here of and no appointments of new or additional Trustees shall be made under paragraph 37 of this Scheme until the number of Trustees falls below four.

35. All decisions affecting the real property belonging to the Sabha shall be made by the Committee or by the General Body of the Sabha and it shall be the duty of the Trustees to give effect thereto, provided however that no decision to sell or dispose by way of charge or otherwise of the Gurdwaras or any of them or any part thereof or to part with possession or occupation of the Gurdwaras or any of them or, any part thereof shall be of any effect unless it is made or confirmed by the General Body of the Sabha.

36. Qualifications to be a Trustee

No person shall be a Trustee:

1. unless he is a Keshadhari Sikh
2. unless he is a member of the Sabha
3. if he is for the time being a member of the Committee
4. unless he holds no office in any other Sikh religious institution or temple in the United Kingdom and so declares in writing. Trustees may only be discharged a nd new or additional.

37. Trustees may only be appointed by a resolution of the General Body of the Sabha, while in the case of a resolution to discharge a Trustee without his consent must be passed by a two thirds majority. A Trustee who wishes to be discharged may be discharged by a simple majority. At any general meeting discharging or appointing a Trustee the presiding shall sign a memorandum thereof in the form set out in Appendix IV hereto and the memorandum shall be attested by two other members of the Committee present at the meeting in accordance with Section 83(1) of the Charities Act 1993.

38. It shall be the duty of the Committee to convene a meeting of the General Body of the Sabha with a view to proposing at such meeting the discharge of Trustee from office if that Trustee:

1. remains out of the United Kingdom for more than 12 month
2. indicates to the Committee in writing his desire to be discharged
3. refuses to act
4. becomes bankrupt or make any arrangement or composition with his creditors generally
5. becomes of unsound mind
6. accepts office in any other Sikh religious institution or temple within the United Kingdom
7. is convicted to any offence of dishonesty
8. is otherwise unfit to act or incapable of acting.

39. Minutes

The Committee shall keep a minute book in which shall be recorded the dates of their meetings, the members present, the business transacted at such meetings and the solutions passed thereat. Reasonable opportunity

shall be given to any Member of the Sabha who wishes to inspect the minute book.

40. Accounts

1. It shall be the duty of the committee to cause proper books of account or other accounting records to be kept with respect to:
 - a. all sums of money received and expended by the Sabha and the matters in respect of which the receipt and expenditure takes place
 - b. the assets and liabilities of the Sabha.
2. The Committee shall cause the accounts of the Sabha to be audited annually by a person eligible for appointment as a company auditor under section 25 of the Companies Act 1989 and to be presented annually to a regular general meeting of the Sabha for adoption by it.
3. The accounts shall be transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act 1993, except if and insofar as the Sabha is accepted by order or regulations.
4. The books of account or other accounting records shall be kept at the offices of the Sabha, or at such other place as the Committee think fit, and shall always be open to inspection by any of the members of the Committee. Reasonable opportunity shall be given to any Member of the Sabha who wishes to inspect them.

41. The Gurdwaras and all other properties

Insurance

It shall be the duty of the Committee to insure the Gurdwaras, all other properties and the furniture and effects therein and all other immovable or tangible moveable property belonging to the Sabha to the full value thereof against fire and other usual risks and also to insure suitably against risks arising out of the ownership of property and the employment of persons. A copy of the insurance certificate must be provided to the holding trustees as custodians of the Sabha's properties. It is the duty of the Executive Committee to ensure that the Trustees are fully indemnified against the Sabha's loans.

42. The Use of the Gurdwaras

1. No part of the Gurdwaras shall , be used for carrying out any business not concerned with the affairs of the Sabha.
2. The stage of each of the Gurdwaras shall not be used for any political purpose or electioneering.
3. No pamphlets, circulars or leaflets (other than those issued by the Committee) shall be distributed or circulated in the Gurdwaras without the permission of the Committee.
4. Smoking, drinking and gambling shall not be permitted in the Gurdwaras and neither tobacco nor alcoholic drink shall be brought into the Gurdwaras.

43. Receipts and Expenditure

Money and Bank Account:

1. The income of the Sabha and all 'donations for the benefit thereof and all other money (including capital monies other than capital monies vested for the being in the Trustees) belonging to the Sabha shall be paid into one or more trust counts at such bank or banks as the Committee shall think fit.
2. Capital monies (including the proceeds of sale of any freehold or leasehold property belonging to the Sabha) held by the Trustees shall subject to paragraph 35 hereof, be held in a separate account in the name of not more than four nor less than two of the Trustees at such bank or banks as the Committee shall think fit.
3. It shall be the duty of the Committee and the Trustees to provided to the auditors of the Sabha all such information, and papers as they may reasonably require.
4. It shall be the responsibility of the President, General Secretary or Treasure (or such one or more members of the Committee as ma y *be authorised by them or one of them*) to open the boxes containing the offerings of the congregation and properly to account for the contents thereof. The boxes shall be opened in the presence of not fewer than five Members of the Sabha.

44. All cheques and other orders for payments of the Sabha's monies shall be signed by any two of the following persons:

1. *the President*
2. *the General Secretary*
3. *the Treasurer*

45. No cheque or other order for payment of the Sabha's monies shall be issued without the authority of the Committee, save that in cases of urgency the President, General Secretary or Vice-President may authorise expenditure up to £2000 or such greater sum as the Committee shall think fit.

46. **Petty Cash**

Without the special sanction of the Committee, the Treasurer shall keep not more than £100 in hand or such greater sum as the Committee shall think fit.

47. **Application of Income**

1. Subject to sub-clause (2) below the income of the Sabha shall be applied as the Committee shall decide in insuring as aforesaid in repairing and maintaining the Gurdwaras and the furniture and effects therein and all other immovable or tangible moveable property belonging to the Sabha, and in paying rates, taxes, wages, salaries and other outgoings and in otherwise furthering the objects of the Sabha.
2. Until the debts listed in Appendix V to this Schedule are extinguished the Committee shall in dealing with the income of the Sabha.
 - a. treat as first priority the essential costs of administering the Gurdwaras (including, but without prejudice to the generality of the foregoing, insurance of the premises and contents, essential maintenance and repairs, paying for utilities, paying employees)
 - b. subject to sub-paragraph (3) treat as second priority the discharge of the debts listed in Appendix V.
3. If agreement on payment by installments has been reached with any creditor listed in Appendix V the Committee shall be entitled (but not bound) to treat compliance with such agreement as satisfying its obligation under sub-paragraph (2) (b) above.

48. Notices

All notices shall be deemed to be sufficiently served or given if sent by pre-paid first class post to the last known address of the person to whom the notice is addressed.

49. Lodging Order and Scheme with Charity Commissioners

The Committee shall forthwith lodge a copy of the above written Order and the Schedules and Appendices thereto with the Charity Commissioners.

50. Amendment

No amendment of this Scheme (save by the Court or the Charity Commissioners) shall be of any effect unless it shall have been duly passed by the general Body of the Sabha by a two thirds majority and shall have been notified in writing to the Charity Commissioners. Paragraph 5 and 51 of this Scheme shall not be capable of being amended save by a further scheme made by the Court of the Charity Commissioners.

51. Dissolution

Upon the dissolution of the Sabha any assets remaining shall not be distributed among the Members but shall be transferred to the Sharomani Gurdwara Parbandhak Committee, Amritsar, India.

52. Display of this Scheme and of Bye-Laws

It shall be the duty of the Committee, so far as practicable, to keep on permanent display at each of the Gurdwaras a copy of this Scheme, all amendments thereof and of all Bye-laws made hereunder, in both English and Punjabi. The Committee shall on request provide any Member of the Sabha with a copy on payment of such sum as they shall from time to time decide.

53. Appointment of Khalsa School Governors

Notice 88

It shall be the duty of the Committee to appoint six Foundation Governors for the period of four years of which two members of the committee and the rest four to be selected by merit and in compliance with the Statutory rules on formation of a Governing Body when the term of the current governors expires in 2013 or in the case of a vacancy arising. All governors appointed in this manner must be Kesadhari Sikhs as defined under clause 2.

APPENDIX-1 TO FIRST SCHEDULE

First Trustees

1. BALWANT SINGH GILL.
2. SURJEET SINGH BILGA.
3. AVTAR SINGH SEWAK.

APPENDIX II TO FIRST SCHEDULE

Schedule of Property

1. Sri Guru Singh Gurdwara, Havelock Road, Southall, Middlesex.
2. Sri Guru Singh Gurdwara, Park Avenue, Southall, Middlesex.
3. 11 Beaconsfield Road, Southall Middlesex, UB1 1BA.
4. 52 The Green, Southall, Middlesex.
5. 29 Hammond Road Southall, Middlesex.
6. 41 Hammond Road Southall, Middlesex.
7. 43 Hammond Road, Southall, Middlesex.
8. 45 Hammond Road, Southall, Middlesex.
9. 55 Hammond Road, Southall, Middlesex.
10. 63 Hammond Road, Southall, Middlesex.
11. Norwood Hall Norwood Green Road, Southall, Middlesex... UB2 4LA.
12. Leasehold land being used as Car Park at 2-8 Park Avenue. Southall.

APPENDIX III TO FIRST SCHEDULE
Declaration Pursuant to Paragraph 18(1) (b)

I [name and address of declarant] HEREBY DECLARE that:

- a. I am and have for the previous two years been a Member of the Sabha
- b. I am a Keshadhari Sikh
- c. I hold no office in any other Sikh religious institution or Gurdwara in the United Kingdom.
- d. I am not a custodian trustee of the Sabha.
- e. I have read and understand the disqualifications of a member and confirm that none of the disqualifications apply to me and that should any disqualifications apply to me before or after the elections I will automatically cease to be a member of the Executive Committee.
- f. I confirm that I will comply with charity act 1993 and any statutory provisions binding the Charities and any legislation in force or coming into force hereafter.
- g. I undertake to abide and comply with the Sikh Code of Conduct as outlined in the Sikh Rehat Maryada published by the SGPC.
- h. I have already undertaken the CRB checks and the certificate is attached herewith or I undertake to undergo the CRB or any other checks that may apply and abide any legal obligations on me as a member of the Executive Committee

Signed _____

Date _____

Membership Number _____ Type: Ordinary/Life

APPENDIX IV TO FIRST SCHEDULE

Memorandum of appointment or discharge of trustees (paragraph 37)

At an extraordinary general, meeting of Sri Guru Singh Sabha, Southall held on _____ it was resolved the Members of Sri Guru as follows:

1. The following person (s) be discharged as trustee(s) namely (names of trustee(s) be discharged
2. The following person(s) be appointed new trustee(s), namely name(s) and address(es) of person(s) appointed

Name _____

Addressee _____

Post code _____

Signed _____

Chairman

Witness 1

Witness 2

APPENDIX V TO THE FIRST SCHEDULE

List of Debts

Overdraft facility and Loan from Lloyds TSB for the development of the Khalsa Primary School and Building the Havelock Road Gurdwara.

SECOND SCHEDULE

Membership and Elections Committee

1. At the third February general body meeting an announcement about the members of the Election Committee (as outlined in this Schedule) will be made. The persons appointed will be responsible for the enrolment and scrutiny of membership as well as manage, supervise and conduct of the elections. The Election Committee will retire on the conclusion of the election except that this committee may be requested to conduct and supervise any ballot at the AGM/EGM.

2. Qualification and Formation of the Membership and Election Committee:

Qualifications:

- Must be over 18
- Able to demonstrate the understanding of the constitution and the Rehat Maryada
- Must be able to demonstrate impartiality throughout the membership to the election process
- Able to understand the compliance requirement on all aspects and to ensure that these are applied without any bias

3. The Membership and Election Committee will comprise as follows:

- One member of the trust who will be the chairman;
- Three (including one legally qualified person) nominated by the Executive Committee
- Three (including one legally qualified person) nominated by the opposition parties (fielding at least 18 candidates the previous election)
- This formation must be approved by the General Body
- The Executive Committee Sabha will have overall responsibility for any directives, but will not be able to overrule the Election Committee for application of procedures and responsibilities set out herein.

4. The Election Committee will take oath to confirm their independence and impartially in the enrolment, scrutiny and election process on a Sunday in the Diwan.

5. No member of the Election Committee will be able to stand as candidates in the election.

6. At the annual General meeting at which the members of the Committee retire in manner aforesaid the General Body of the Sabha shall elect the next Committee of the Sabha. Until the conclusion of valid elections to the new Committee the members of the outgoing Committee shall continue to hold office as a care taker committee until the handing over the charge for the care taking duration which must take place within 7 days of the ballot results.

7. In this Schedule where the context so admits:

The following expressions shall have the following meanings, that is to say:-

a. "the Election Notice" means the notice or notices to be given by the Independent Election Committee pursuant to paragraph 8 below

b. "Members" means person who are registered as Life Members of the Sabha pursuant who are registered as Life Members or Ordinary Members of the Sabha pursuant to paragraph 9 below

c. "the Scheme" means the Scheme set out in the first Schedule hereto.

8. 1. The Election Committee shall forthwith give the following notices:

a. A notice in the terms set out in the Appendix below in a local newspaper in both English and Punjabi.

b. Notices in the like terms in English and Punjabi to be displayed in some prominent place at each of the Gurdwaras.

2. If it shall come to the attention of the Election. Committee that any notice displayed at any of the Gurdwara under this paragraph shall have been removed or defaced then they shall ask the General Secretary to cause a fresh notice to be displayed in its place

3. The Election Committee may from time to time vary any of the dates, times and places referred to in any such notice as aforesaid by publishing one or more supplemental notices in accordance with the requirements of sub- paragraph (1) above.

9. 1. The membership Register shall consist of the names and addresses of the person who are registered by the Election Committee as Life Members or Ordinary Members of the Sabha.

2 Any person who is a Member of the Sabha shall be entitled on reasonable notice to the Election Committee to inspect the Membership Register.

10 Registration of persons as Life and Ordinary members of the Sabha shall take place in accordance with the following regulations:

1. A person shall only be registered as a life or Ordinary Member of the Sabha by attending personally on the Election Committee or their assistants on one of the dates and between the times mentioned in the Election Notice.

2. In order to be registered as a Life or Ordinary Member of the Sabha the applicant shall do the following:

- a. have attained the age Of 18 years;
- b. are "SIKHS" and do not have faith in or follow any other religion or sect;
- c. Have Singh or Kaur as part of their name ;
- d. Make a declaration professing his firm faith in the Ten Gurus and Sri Guru Granth Sahib Ji only;
- e. reside permanently within the London Boroughs of Ealing, Harrow, Hillingdon or Hounslow; and
- f. shall pay to the Election Committee the membership subscription of £5 for Ordinary membership and £101 for Life membership.

3. In order to be registered as a Member of the Sabha the applicant shall produce such evidence (if any) as the Election Committee shall think sufficient to establish his identity as a person named on the list referred to in paragraph 6 of the Scheme and evidence of his place of residence.

4. Every applicant for Membership of the Sabha shall forthwith be informed by the Election Committee whether or not his name has been entered on Membership Register and a person so entered shall be supplied with a membership card.

5. The election Committee shall determine whether a person satisfies the qualifications for Membership and may not refuse any applicant for Membership who does so but their decision on any application shall be final and unappealable in any manner whatsoever.

6. No person shall be registered as a Member of the Sabha otherwise than in accordance with the foregoing provisions of this paragraph.

7. Scrutiny of membership register

The election committee (EC) is responsible for ensuring that all names on the membership register are eligible and qualify to be members. To ensure that this is the case the EC will carry out a scrutiny of the membership by engaging any such agency or body.

8. Following membership scrutiny, any member who has been enrolled, but upon checking does not seem to be eligible to become a member will be invited to prove his right to membership. Those who do not respond to the EC's request or fail to satisfy the EC will lose the right to vote or attend an AGM/EGM. The scrutiny of the membership must be completed within 5 weeks of the last day of membership enrolment. A list of the membership register must be supplied to the qualifying groups no later than 4 weeks prior to the election date.

11. The election shall be held at the place and date and between the times specified in the Election Notice (that is to say in the last such notice if more than one has been published under paragraph 7(3) above) and shall be conducted in accordance with the following regulations:

1. All prospective candidates shall undergo the CRB checks to ensure that all the checks can be undertaken prior to them becoming a candidate. The prospective candidates will be responsible for any cost that may occur for carrying out these checks.

2. Candidates for election shall consist of the persons who have declared themselves as candidates in accordance with the provisions of the Election Notice (to be signed by the Chair of the EC and the General Secretary) and the eligibility clause 15 of the scheme provided that (a) no member of the Election Committee may be a candidate for election or a proposer or seconder of a candidate and (b) no one may be a candidate for election unless his name and the names of his proposer

and seconder appear in the Membership Register. One member can only nominate one candidate and may also second another candidate.

3. The list of candidates shall be displayed at some prominent place at each of the Gurdwaras not less than seven days before the day appointed in Election Notice for the elections to take place.
4. The EC will scrutinise all the candidates to ensure that none of the candidates cleared to participate in the election are disqualified as per Schedule 5. The EC may appoint one or more persons to advise and assist them in the conduct of the elections except that none of the advisors or helpers can be election candidates.
5. Selection by consensus will be preferred and it will be decided by agreement of the candidates after the final list of candidates is agreed (i.e. after the withdrawal of the candidates who do not wish to stand in the election. The consensus will be a majority of at least 80% of the candidates.
6. Each group contesting the election will be entitled to receive a list of members which will include the name, address and the postcode of the members (subject to compliance with the relevant Data Protection Act) at least 3 weeks before the election date.
7. The elections shall be by the secret ballot of the Members of the Sabha whose names appear in the Membership Register
8. The 21 candidates who receive the highest number of votes among all the candidates standing for election shall be elected to the Committee.
9. The elections shall be conducted under the supervision of persons appointed for that purpose by the Electoral Reform Society.
10. The Election Committee shall be entitled (after making such (if any) enquiries and receiving such (if any) evidence or advice as they shall think fit) to determine conclusively all matters relating to:
 - a. the persons entitled to vote
 - b. the conduct of the elections
 - c. the result of the elections
11. After the conclusion of voting the Electoral Reform Society and the Election Committee shall

- a. scrutinise each ballot paper;
- b. reject any ballot paper on which more than 21 votes have been cast or more than one vote has been cast for any one candidate or which has otherwise been spoilt;
- c. count the votes duly cast for each candidate;
- d. cause a written notice in both English and Punjabi to be displayed at some prominent place at each of the Gurdwaras declaring the result of the elections.

12. The notice of the result of the elections shall state:

- a. the number of votes cast for each candidate;
- b. the names of the candidates elected to be members of the Committee;
- c. the number of rejected ballot papers

12. The election Committee shall be indemnified out of the funds of the Sabha in respect of all costs and expenses properly and reasonably incurred by them in performing their functions under the foregoing provisions of this Schedule.

13. Subject as provided in this Schedule the affairs of the Sabha shall be regulated in accordance with the provisions of the Scheme

APPENDIX I TO SECOND SCHEDULE

Election Notice

SRI GURU SINGH SABHA, HAVELOCK' ROAD, SOUTHALL

TAKE NOTICE that we, the under-signed, are the persons appointed to be the Election Committee in connection with the holding of elections under a new scheme regulating affairs of the Sabha.

The election of a new Executive Committee will be held on _____ at [place] between the hours of ____ am and ____ pm under the supervision of the Electoral Reform Society.

We are charged with the responsibility of compiling the section of the Membership Register in which Members of the Sabha are listed. You will be unable to vote at the election unless you attend at [place] for registration as a Life Member or as an Ordinary Member between the following times on one of the following days:

Date _____

Time _____

If you wish to be registered as a Life Member you must produce such evidence (if any) as you can of your identity as a person named on the list of Life Members' mentioned in paragraph 6(2) of the Scheme and posted in the Gurdwaras at Havelock Road and Park Avenue and evidence of your place of residence.

If you wish to be registered as an Ordinary Member you must produce evidence of your identity, age and residence, you must make a declaration professing your adherence to the Sikh religion; and you must pay the Membership Subscription of £5.

If you wish to be a candidate at the election you must provide us with a written declaration of your desire to stand for election, signed by a proposer and a seconder. You must do this not later than ____ days before the date of the election. Your candidacy will only be accepted if you and your proposer and seconder are entered on the Membership Register.

(Names of Members of the Committee)

List of Amendments

1. established by an order of the High Court of Justice dated 17th October 1993
2. as amended and adopted as the Constitution of Sabha by its General Body in 1996
3. and further amended on 7 March 2010.

Sri Guru Singh Sabh Gurdwara

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