

MEMORANDUM OF ASSOCIATION:

ORIGINAL

AMENDMENTS

OBJECTIVES:

The following shall be the objectives of the Society:-

a) To provide, establish, conduct, maintain, administer and manage Schools or other educational institutions.

Add: *as a means of advancing education in the spirit contemplated by the Roman Catholic Church.*

b) To formulate and adopt a general educational policy in keeping with the mind of the Church for the Institutions administered by the local Ordinary or Head of the Archdiocese through his delegates and to make, from time to time, rules and regulations for the administration of the said Schools.

c) To advise the Diocesan Authorities to control expansion, limitations and suppression of educational institutions with due regard to interests of the Church, State and the institutions concerned.

Suppression **to be substituted by closure**

d) To advise the Diocesan Authorities in the promotion and expansion of Catholic Educational Institutions in areas where a need may be felt to promote such institutions.

e) *To administer such Institutions.....to be deleted.*

e) To administer such Institutions.

Insert after: Educational Institutions
established and administered by this Society

f) To advise and assist in the proper functioning of the Educational Institutions whenever in the opinion of the Governing Council there is reason to believe that the day-to-day administration of any such institutions compromises the objectives and goals of Catholic Educational Institutions and the prestige of the Church.

Substitute the words: of Catholic Educational Institutions and the prestige of the Church with: *for which the Institutions have been established.*

g) To advise and direct the Management or Local authorities superintending the schools to effect changes in the administrative or the other personnel connected with the school when their presence may adversely affect the role of the Church in the field of education.

h) To protect and defend the interests of the Educational Institutions before all civil authorities and take all legal steps that may be deemed necessary before competent courts of law.

i) To secure from the Government facilities to impart moral instruction / religion with due regard to rules laid down for the educational institutions in general.

religion to be substituted by ***religious instruction***

j) To draw up an educational policy wherein the cultural heritage of the people is preserved and fostered without violating the educational standards established by the Government.

add after educational policy: ***in keeping with the mind of the Church***

k) To inspect the yearly accounts of the educational institutions and also to control and direct their expenditure.

Insert after educational institutions: ***established and administered by the Society***

l) To draw up a list of suitable text-books for the different subjects and branches of studies and secure from the Directorate of Education the necessary sanction for their use in the Society's institutions.

m) To frame byelaws regulating the procedure for the calling and conducting of the meeting of the General Body.

n) To recommend the medium of instruction at the Primary and Secondary level with due regard to the needs of the locality and the students.

o) To offer collaboration to the Government to foster cultural, economic and social activities through education.

p) To safeguard the interests of the Society's Institutions and to secure for them unfettered freedom to pursue their legitimate goals and ideas.

Substitute ideas **with** ***ideals***

q) To secure for the Society's Institutions all facilities and benefits enjoyed by other educational institutions.

r) To promote the study of the local language with a view also to a better participation in the liturgical functions of the church.

Functions **to be substituted by:** *services*

s) To accept and receive in whatever manner any cash or immovable or movable property either unconditionally or subject to condition which are in agreement with the objectives of the Society.

t) To acquire by gift, purchase, exchange, lease, hire, or otherwise any lands, buildings or movable and immovable property.

u) To do all such other lawful acts, deeds or things, which are conducive to the attainment of any objectives of the Society.

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CONSTITUTION OF THE DIOCESAN SOCIETY OF EDUCATION

PREAMBLE

This educational society, known as Sociedade de Instrução da Arquidiocese de Goa e Damão (Diocesan Society of Instruction) was established and registered with the ‘ Conservatoria dos Registos das Comarcas das Ilhas de Goa em 30-11-1962 sob o No. 107 a fls. 62 do livro C. de Matricula (pg.62, Book C of Registration)’.

On the Societies Registration Act of 1860 being made applicable to Goa, the Society was re-registered with the Office of the Registrar of Societies on May 13, 1974, under Serial No.466 as Sociedade de Instrução da Arquidiocese de Goa e Damão, henceforth known as **Diocesan Society of Education** in English.

This Society is founded by the Roman Catholic Church of Goa, under the powers conferred by the Constitution of India, Art.30 (1) and the Canon Law of the Church to promote, safeguard and organise systematically the education of youth, both Christian and non-Christian at all levels, conducive to make them enlightened, loyal and useful citizens to our Motherland. (ref. Can.795 and Decree on Christian Education, Vat. Council II) as well as to procure for its catholic students formation and education based on the principles of Catholic doctrine under the control of the competent ecclesiastical authority (ref. Can. 803, # 1 & # 2) through the means of religious instruction, liturgical activities, etc.

CONSTITUTION OR RULES AND REGULATIONS OF:
“SOCIEDADE DE INSTRUCAO DA ARQUIDIOCESE DE GOA E DAMAO”
KNOWN AS
DIOCESAN SOCIETY OF EDUCATION
(IN ENGLISH)

ORIGINAL

AMENDMENT

I - DEFINITION.

In this Constitution:-

- a) Archdiocese means the Roman Catholic Archdiocese of Goa and Daman .
- b) Ordinary of the place means one who is in charge of the Archdiocese in the canonical language of the Catholic Church.
- c) Ex-Officio Chairman is the Ordinary of the place. President is the Office-bearer who carries this designation.
- d) General Body is the assembly of all the members of the Society.
- e) Governing Council is the Executive Committee of 11 members which bears this name and to which the management of the affairs of the Society is entrusted.
- f) Society means Diocesan Society of Education, i.e. “ Sociedade de Instrucao da Arquidiocese de Goa e Damao”. **(add)**

Add: d) *Vicar General: one who carries this designation and powers as described in the Code of canon Law (Ref. C. 475.*

e) *Chancellor: one carries this designation and powers as described in the Code of Canon Law (ref. C. 482)*

f) *Procurator: is the diocesan financial administrator appointed by the Ordinary of the place (ref. C. 494.)*

g) *Secretary: is the office-bearer who carries this designation.*

add): *established under Art. 30(1) of the Constitution of India.?*

Amendment: to be added:

k) *Administrator: Local representative of the DSE in Colleges or Higher Secondary Schools as and when appointed as such.*

l) *Manager: Local representative of the DSE in Schools as and when appointed as such.*

m) *Principal: Academic Head appointed by the Society in College or Higher Secondary School.*

n) *Headmaster: Principal academic officer appointed by the Society in High Schools.*

II - MEMBERS

The membership of the Society shall consist of:

1. Ex-Officio or Ordinary Members:

a) The Ordinary of the place.

b) The Vicar General of the

Archdiocese.

c) The Chancellor of the Curia of the Archdiocese.

d) Procurator of the Archdiocese.

e) The Managers of the Society's Institutions.

f) The President and the Secretary of the Governing Council.

g) All members of the Governing Council.

h) The Directors of the Charitable and Social Institutions of the Archdiocese.

2. Extraordinary members:

Those appointed by the Ex-Officio Chairman of the Society for a specific period.

To be added: Administrators and before the word *Managers*

To amend to: *The President and Secretary of the Diocesan Society of Education.*

To amend to: *The Director of Caritas, Goa.*

To be added: i) *Principals and Headmasters/ headmistresses of the DSE Institutions.*

III - THE GENERAL BODY.

1. COMPOSITION.

The General Body of the Society shall consist of all the members of the Society.

2. POWERS:

a) To read and sign the minutes of the last General Body Meeting.

b) To adopt and pass the report of the work done and audited Statement of Accounts for the previous year.

c) To elect the members to the Governing Council. All Elections shall be proposed and seconded by any of the members present.

Amend to: *to read and approve the minutes of the last General Body Meeting*

d) To transact any other business with the permission of the Chairman.

N.B. A resolution passed either at the meetings of the General Body or the Governing Council of the Society shall not be rescinded within three months from the date of resolution except by a majority of three fourth of the members present and voting at the relevant meeting.

3. MEETING:

a) The ordinary General Body Meeting of the Society shall be held at least once in a year. Such meeting will consider and dispose of the business passed on to it by the Governing Council. It shall be presided by the Ex-Officio Chairman.

b) Notice for every meeting of the General Body shall be sent by the Secretary **of the Governing Council** to all members by circular letter so as to give them a clear notice of 10 days.

Delete: *of the Governing Council*

The Quorum for the meeting shall be one third of the members. If there is no quorum the members present shall wait for half an hour and meet without quorum to discuss and pass the agenda.

IV - THE GOVERNING COUNCIL

1. COMPOSITION:

The Governing Council, an Executive Committee of the Society, shall consist of the following 11 members:

a) The Ex-Officio Chairman of the Society.

b) The President and the Secretary appointed by the Ex-Officio Chairman.

c) Four elected representatives from among the Managers of the Society's Institutions.

d) Four elected representatives from among extraordinary members.

to be raised to 13

Add after Secretary: *of the Society*

Add: *Administrators and* before the word *Managers*

Change to: *d) Five elected representatives from among the Principals and Headmasters: 3 HMS, 1 Principal of HSS, 1 Principal of College*

e) One elected representative from among the Extra-Ordinary Members.

2. **POWERS:**

The Governing Council shall have the following powers and duties:

a) To prepare the Annual Budget of the Society and to implement it as adopted by the General Body.

b) To receive all moneys due to Society.

c) To accept grants, bequests and trusts with the prior consent or approval of the Local Ordinary and of the General Body.

d) To purchase or take on lease or on rental basis or in exchange or otherwise acquire any immovable property of the Society with the prior consent and approval of the Local Ordinary and of the General Body.

e) To sell or to give as a gift any property of the Society with the prior consent or approval of the Local Ordinary and the General Body.

f) To raise, borrow and secure the payment of money in such manner and on such conditions or terms as may be directed by the Local Ordinary and the General Body.

g) To administer the movable and immovable property of the Society.

h) To create, establish, maintain and administer Reserve and Special Funds of all kinds or nature with the approval of the Local Ordinary.

i) To invest the funds and money that the Local Ordinary may decide upon, in Government or Trust Securities or Certificates or Bonds.

j) To constitute and appoint Committee(s) and to delegate any of the powers to Committee(s) so constituted or appointed with prior approval of the Local Ordinary.

k) To appoint any individual to represent the Governing Council, when required.

l) All resolutions and decisions of the Governing Council, failing unanimity shall be carried out by a simple majority, with due concurrence of the Local Ordinary.

Local Ordinary to be substituted by: Ex-Officio Chairman

**POWERS AND FUNCTIONS OF THE
OFFICE-BEARERS OF THE
GOVERNING COUNCIL SHALL BE:**

I) The ex-officio Chairman shall preside over the meetings of the Governing Council. He may however in his absence direct the President of the Executive Committee to act for him or in the absence of the latter any other member of his choice.

II) The Powers of the President of the Executive Committee of the Governing Council shall be:

a) To act for the ex-officio Chairman in case of his inability to be present or his absence at the meeting.

b) To represent the Governing Council and act in its name.

Words underlined to be deleted

or his absence **to be deleted**

Amended as: To represent the Society and act in its name at different fora.

iii) The Powers of the Secretary-cum-Treasurer shall be:

a) To act as the Executive officer of the Society. He shall act as Convenor and Secretary of all the meetings of the Society and of the Governing Council.

b) To receive all moneys, funds and income on behalf of the Society and shall make as per rules all required disbursements for carrying out the resolutions and other directives, standing or specific of the Governing Council.

c) To deposit any amount exceeding Rs. 100/- which is not required for the immediate payment in the Bank or Banks having an account of the Society.

to be raised to Rs. 1000.00

To add:

d) To represent the Chairman or President on the Selection/ Promotion Committees and forward the appointments/promotions for the approval of the Government.

e) To issue orders of appointments/promotions to the selected candidates, orders of transfers, as also of retirement, resignation, termination and accept voluntary retirement of all the staff, both teaching and non-teaching, except of the Administrators/ Managers and Principals/Heads of Schools and to deal with all such service matters of the staff.

f) To constitute Inquiry/ Disciplinary Committees on behalf of the Governing Council/ School Managing Committees.
g) To represent the Society in Court of Law and other fora.

iv) In case of inability of the Secretary-cum-Treasurer to discharge duties the Ex-officio Chairman may nominate one of the members to act as Secretary-cum-Treasurer.

To be added:

v) The President and the Secretary along with two members of the Governing Council will serve on the School Managing Committees as envisaged under Rule 46 of the Goa, Daman and Diu School Education Rules, 1986

3. MEETINGS.

a) Meeting of the Governing Council shall be held at least once in every three months.

b) The quorum for the meeting shall be of 6 members. If there is no quorum the members present shall wait for half an hour and shall meet without quorum to discuss and pass the agenda.

b) amended as follows: *The quorum for the meeting shall be 2/3 of the members. If there is no quorum the members shall wait for half an hour and shall meet without quorum to deliberate the agenda.*

4. TENURE:

The elected members of the Governing Council shall hold post for three years.

5. FILLING UP IN VACANCY ON THE GOVERNING COUNCIL:

Any casual vacancy in the Governing Council due to illness, or death of a member of the Governing Council may be filled in by the Chairman of the Governing Council, but such appointed shall have to be confirmed at the next meeting of the General Body.

...of the Governing Council **to be deleted**

but such appointed *changed to*
appointment

Add: *b) When any member of the Governing Council ceases to be one, the vacancy created shall be filled up in the manner prescribed as in 5(a).*

V - OPERATION OF BANK ACCOUNT.

All moneys belonging to the Society shall be kept in a Scheduled Bank or Banks or Post Office, approved by the Governing Council of the Society in the name of the Society and all such accounts shall be operated by the Secretary-cum-Treasurer or Chairman or President.

Amended in 2009: to be inserted after the word "President". *The funds of the Society shall be invested in modes specified under the provisions of sec. 13(1)(D) read with sec. 11(5) of the I.T. Act 1961 amended from time to time and in such a manner as the society may think fit.*

VI - OFFICIAL YEAR.

The working of the financial year of the Society shall be from April 1st to March 31st.

V-A:UTILIZATION OF FUNDS CLAUSE (Amendment in 2010):

"The Instrument under which the institution or fund is constituted does not, or the rules governing the institution or fund do not, contain any provision for the transfer or application at any time of the whole or any part of the income or assets of the institution or fund for any purpose other than a charitable purpose."

VII - FILLING UP THE RETURNS.

1) All educational institutions of the Society have to send every year two copies of the audited statements of the previous year to be recorded in the books of the Society.

2) The same institutions have to send whatever returns are asked by the Secretary-cum-Treasurer of the executive committee.

3) The register of the Dead Stock should be taken to the Secretary by the in-charge of that Register in the Society's educational institutions. This must be done as soon as the Auditing of the accounts is over.

Amended in 2009: to be inserted

4). All Accounts of the Society shall be maintained regularly and duly audited by the Chartered Accountant. Every year the accounts shall be closed by 31st March.

VIII - AMENDMENT OF THE CONSTITUTION.

Any amendment to the Constitution will be considered by the Governing Council on the proposal of at least 3/4 of the members of the Society and will be discussed by the Governing Council of the Society for appropriate action. The final decision is to be taken by 2/3 majority of the members of the Society present at General Body meeting with due concurrence and subsequent approval of the Local Ordinary.

Amended in 2009: To be inserted after the “Local Ordinary”. *No amendments to Memorandum & Rules & Regulations shall be amended which may prove to be regularly the provision of sec. 2(15), 11 & 12A & 80G of the I.T. Act 1961 as amended from time to time. Further no amendment shall be made without the prior approval of the commissioner of income-tax.*

IX - DISSOLUTION.

If upon the dissolution of the Society, there shall remain after satisfaction of all the debts and liabilities of the Society, any property whatever owned by it, the same shall be transferred to the Archdiocese of Goa and Daman for charitable purpose.

Amended in 2009: to continue after “charitable purpose” *or to another charitable society whose objects are similar to those of the society and which enjoy recognition u/s 80G of the I.T. Act 1961 as amended from time to time but under no circumstances the assets remaining as on date of dissolution shall be distributed among the members of the Governing Council of the Society.*

A P P E N D I X

I

APPOINTMENT OF THE HEADS OF EDUCATIONAL INSTITUTIONS:

The appointment of Managers and Headmasters of the schools, Principals of the Colleges and Directors of the different Social Centres shall be made by the President of the Executive Committee of the Governing Council with the concurrence of the Ex-Officio Chairman.

Insert after the schools: *Administrators and. To be added after Colleges: and Higher Secondary Schools* and

The words of the different Social Centres **shall be substituted by** *such Institutions....*

The words of the Executive.....Council **to be deleted.**

To add: *Appointment of other staff, both teaching and non-teaching will be done by the Secretary as described in part IV, 2, iii,d.*

**APPOINTMENT OF OTHER
TEACHING AND NON-TEACHING
STAFF:**

Similarly appointment of the Teaching and Non-teaching staff of the different Schools and Educational Institutions shall be done by the Manager of the said educational institutions by order and in the name of the President of the Executive Committee of the Governing Council. This teaching and non-teaching staff of the different educational institutions of the Society shall be appointed for the services of the Society.

Insert after Similarly *temporary*

Insert Administrator before Manager

President of the Executive Committee of the Governing Council **these words to be substituted by: *Governing Council of the Society***

**A P P E N D I X
II**

Words underlined to be deleted

The staff of the Schools and Colleges and other educational institutions can be transferred from one institution to another with all the privileges attached to the post held before the transfer. The President of the Executive Committee of the Governing Council reserves the right to suspend, promote, transfer or terminate the services of any Member of the Staff of all educational institutions of the Society.

Words underlined to be substituted by
Chairman

The Governing Council of the Society will frame the rules of the service conditions of the Members of the Staff, for all the Schools, Colleges and educational institutions run by the Society.

add: *in accordance with the law)*

Inserted:

**A P P E N D I X
III**

**SELECTION/ PROMOTION
COMMITTEES:**

A) PRINCIPALS of COLLEGES:

The Committee will be as per the Statutes of the Goa University

**B) PRINCIPALS and HEADMASTERS/
HEADMISTRESSES:**

- i. President
- ii. Secretary
- iii. Member of the Governing Council

**C) TEACHING and NON-TEACHING
STAFF:**

- i. Secretary
- ii. Administrator/Manager
- iii. Principal/ Headmaster
- iv. Subject Expert

**APPENDIX
IV**

FEES:

All educational institutions of the Society shall pay the following inspection fee, subject to revision:

- a) High Schools (inclusive all Sections)
Rs. 50/- per year
- b) Middle Schools (inclusive all Sections)
Rs. 30/- per year
- c) Unaided Primary
Schools.....Rs. 10/- per year.

CERTIFIED TO BE TRUE COPY:

- 1. Msgr. Raul Nicolau Gonsalves,
Chairman, sd/- Raul N. Gonsalves
- 2. V. Rev. Antonio Nicolau Pereira,
President, sd/- Fr. Nicolau Pereira
- 3. Rev. Jose Santana Antimo Gomes,
Secretary-cum-Treasurer, sd/-
J.S.A.Gomes

Paco Patriarcal, Panjim, Goa.
Date: April 9th, 1974

IV

FEES

Amended as follows:

- a. Schools and other institutions having
up to 250 students..... Rs. 75.00
- b. 251 to 500 students..... Rs. 150.00
- c. 501 to 1000 students... .Rs. 200.00
- d. 1001 to 1500 students... Rs. 250.00
- e. 1501 and above..... Rs.300.00

Amended in 2009

- a. *Schools and other institutions having up to 250 students* Rs. 150.00
- b. *251 to 500 students.....* Rs. 300.00
- c. *501 to 1000 students....* Rs. 400.00
- d. *1001 to 1500 students...* Rs. 500.00
- e. *1501 and above.....* Rs. 600.00

Office of the Registrar of Societies, Goa,
Daman and Diu, Panjim,

Seal

Sd/- D.V. Coissoro
Registrar of Societies
Goa, Daman and Diu.

