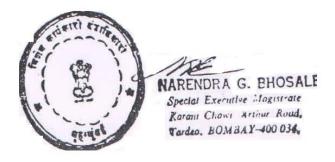
MEMORANDUM & ARTICLES OF ASSOCIATION

OF

YASH SOCIETY

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नोंदणी प्रमाणपत्र

संस्या नॉदबी अधिनियम, १८६०

(१८६० चा अधिनियम २१)

अहाराष्ट्र राज्य नोंदणी क्रमांक मुक्द ५2/७९७० इती.की.की.की.की.की.की.की.

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१९८५ रोजी माझ्या सहीनिशी दिले.

संस्थांचे सहायक निबंधक,

वंश लंकी विभाग





OFFICE OF THE DIRECTOR OF INCOME TAX (EXEMPTIONS) 6TH FLOOR, PIRAMAL CHAMBERS, LALBAUG, MUMBAI - 400 012.

No.DIT[E]/MC/12A/INS/3720 /2003-04

Date: 17/12/2003

To.

BIRLA VIDYA VIHAR HOSPITAL Industry House, 195, Churchgate Reclemation, Mumbai- 400 020.

Sub: Change in name of the trust from "BIRLA VIDYA VIHAR HOSPITAL" to "YASH SOCIETY" -reg.

- As per this office ordered u/s. 12A(a) of the I.T. Act., the trust BIRLA VIDYA VIHAR HOSPITAL which was created under Trust Deed/Memorandum of Association registered with the Bombay Publice Trust Act on 06/04/1971, was registered with effect from 19/06/1973 and was entered at Sr. No.INS/3720 in the Register of Application under section 12A(a) maintained in this office.
- 2. The applicant has informed that the ASSistant Charity Commissioners order Vide no A.C.C./G.B.R.,dated 13/12/1988 in change report no-4185/88 approved the change in the name of the Trust/Institution to "YASH SOCIETY". The change in the name is noted in the register of 12A.
- 3. This Certificate testifies the fact of registration u/s. 12A of the I.T.Act, 1961 only. It does not confer any right or entitlement regarding operation of sections 11,12 and 13 or any other provisions, of ITAC, 1961 which is to be decided by the Assessing Officer on merits.

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Copy to: 1. The Applicant,

2. The Addl.DIT(E) Mumbai Rg. I/II

3. The Assessing Officer

4. 80 G Cell.

5. Guard File, ITO(HQ), Mumbai.

(RAJENDRA)
Director of Income Tax(Exemptions)
Mumbai.

(S.N.NAIR)

ITO(HQ), FOR DIT(E), MUMBAI

YASH SOCIETY

OF

MEMORANDUM OF ASSOCIATION

- I. NAME The Name of the Society shall be "YASH SOCIETY"
- II. **OFFICE** The Office of the Society shall be situated at Industry House, 159 Churchgate Reclamation, Mumbai 400 020.
- III. **OBJECTS** The Objects of the Society are:
 - i) MEDICAL

The Objects of the Society are to relieve persons suffering from disease or ill health or requiring medical aid by establishing, constructing and maintaing or assisting Charitable Dispensaries, Hospitals, Convalescent Homes, Sanitoria and Maternity Homes etc

In carrying out or attainment of the above objects, the Board of Management of the Society shall be entitled:-

- (a) To provide, establish, endow, furnish and fit up with all necessary furniture, instruments and other equipments and maintain and manange hospitals in India for the treatement of persons suffering from diseases or accidents and in which they may remain for such period and on such terms and conditions as the Board of Management may prescribe on or in which they may advised or treated as out patients and to provide facilities for medical, surgical and maternity attendance, nursing food medicine and all things and appliances of medical, surgical dietic and sanitary character: Provided that members of any community may be admitted to all such benefits such as hospital shall maintain medical and surgical departments to which may be added as and when deemed fit by the Board of Management such other department or departments branch or branches as the occasion or circumstances may demand.
- (b) To provide for educate and train medical students and nurses and manage suitable educational institutions for the purposes.
- (c) To procure the services of Doctors, Surgeons or Medical Practitioners including Vaidyas, Hakims, Nurses and Assistance lay-workers attendants and servants either for remuneration gratuitously or in any honourary capacity.
- (d) To establish and maintain and to assist encourage or promote in India, as and when deemed proper or expedient for the purposes of medical relief, in the form of hospital or in connection therewith or attached thereto all or any of the following institutions viz:
 - (i) Nursing Hospitals, homes or wards
 - (ii) Nursing Institutions and convalescement homes
 - (iii) Medical Schools, nursing and midwifery classes for imparting medical education and training
 - (iv) Institutions for promoting medical research work

- (v) Ambulance cops with or without classes for imparting education and training in ambulance work
- (vi) Creches and children's hospitals
- (e) To procure, make use of, provide and collect all such appliances, provisions and things as may be necessary or advisable for the proper medical treatment of patient or otherwise.
- (f) And to do all such other lawful things as are incidental or conducive to the attainment of any of the objects, either alone or in conjuction with any person or Institution.

ii) EDUCATIONAL

- (a) To establish, acquire, maintain, run or assist schools, colleges or other educational institutions under any name that the Board of Management may declare from time to time for importing or confirming education, training and qualification to either sex in such course or lines including Primary, Secondary, Higher Secondary, Acamdemic, Professional: Vocational, Industrial, Commercial, Technical, Medical, Scientific, Physical, Sociological, Journalistic, Arts, Sports, Rural Development, Agricultural, Crafts, Music, Yoga or such other courses, solely for Educational purposes of profit.
 - In carrying out or attainment of the above objects, the Board of Management of the Society shall be entitled:
- (b) To apply in every year or from time to time the income or such part thereof and / or the corpus or a portion thereof as allocated, held and separated for the different objects in such proportion and manner in all respects as the Board of Management may in their absolute discretion think fit and proper where no however, that once such a allocation is made between different objects of the society / income / corpus, shall be used only for that object for which it is so set aside or allocated.
- (c) To establish, maintain and support professorships, fellowships, lectureships, scholarships, freeships and prizes in the Institutions, Colleges or Educational Institutions conducted by the Trust.
- (d) To establish, maintain and run hostels and / or boarding house for students studying in such Schools, Colleges and Educational Institutions.
- (e) To supply books and grant assistance including School or College fees to students studying in such Schools, Colleges and Educational Institutions.
- (f) To carry out research in all branches and fields of education and training which in the opinion of the Board of Management would be beneficial or useful to the Institution in the attainment of the said objects either departnetally or by promoting an Institution and / or by associating with other institutions for the aforesaid purpose.
- (g) And to do all such other lawful things as are incidental or conduvice to the attainment of any of the objects, either alone or in conjunction with any person or Institution.

VI. MANAGEMENT:

The management and affairs of the Society is entrusted in accordance with the Rules and Regulations of the Society to the Board of Management, of which the first members are :

	NAME	ADDRESS	OCCUPATION
1.	Smt. Shardadevi Birla	Birla House,	House-hold
		Mount Pleasant Road,	1
		Bombay-6.	
2.	Smt. Gopikumari Birla	Birla House,	House-hold
		Mount Pleasant Road,	
		Bombay-6.	
3.	Smt. Amritadevi Loyalka	Ratnakar	House-hold
		Narayan Dhabolkar Road,	
		Bombay-6.	
4.	Shri Rameshwar	Saboo Bhawan,	Merchant
	Prasad Saboo	5, Ardeshir, Dady Cross La	ine,
		Bombay-2.	
5	. Dr. Jhabarmal S. Mishra	Sudhakar	Doctor
		Narayan Dhabolkar Road,	
		Bombay-6.	

We, the several persons, whose names and address are subscribed hereto are desirous of forming overselves into a Society under the Societies Registration Act, 1860, for the aforesaid objects and subjects to the Rules and Regulations a certified copy whereof is attached hereto.

20	NAME OF		OCCUPATION	
No.	SUBSCRIBER	ADDRESS	SIGN.	
1.	Smt. Shardadevi Birla	Birla House,	House-hold	
		Mount Pleasant Road,	Sd./- Shardadevi Birla	
		Bombay-6.)	
2.	Smt. Gopikumari Birla	Birla House,	House-hold	
		Mount Pleasant Road, Bombay-6.	Sd./ Gopikumari Birla	
3.	Smt. Amritadevi Loyalka	Ratnakar	House-hold	
	400	Narayan Dhabolkar Road, Bombay-6.	Sd./ Amrita Loyalka	
4.	Shri Rameshwar	Saboo Bhawan,	Business	
	Prasad Saboo	5, Ardeshir Dady	Sd./ Rameshwar Saboo	
		Cross Lane, Bombay-2.		
5.	Dr. Jhabarmal S. Mishra	Sudhakar	Doctor	
		Narayan Dhabolkar Road, Bombay-6.	Sd./ Jhabarmal S. Mishra	
6.	Shri. G. D. Malpani	Dhanlaxmi Building,	Business	
		T. H. Kataria Marg, Bombay-16.	Sd./ G. D. Malpani	
7.	Shri. B. M. Singhi	Lakshmi House,	Business	
		Lady Harding Road,	Sd./ B. M. Singhi	
		Bombay-16.		
8.	Shri. K. S. Nevatia	Ratnakar	Business	
		Narayan Dhabolkar Road,	Sd./ K. S. Nevatia	
		Bombay-6.	edenio a.	
9.	Dr. P. K. Jhawar	Sagar Tarang	Doctor	
		Jagmohandas Marg, Bombay-6.	Sd./ Pramod Jhawar	

I identify the above signatures

B. M. Singhi

Dated this 30th day of March 1970.

RULES AND REGULATIONS

1. INTERPRETATION

Any interpretation of these Rules and Regulations or any regulations relating to any of the matters incident or ancilliary thereto, made by the Board of Management shall be final.

"Persons" shall include any company or association or body of individuals whether incorporated or not.

2. There shall be the following catagories of members of the Society:

(a) FOUNDER MEMBERS

The following are the founder members of the Society:

- (i) Smt. Shardadevi Birla
- (ii) Smt. Gopikumari Birla
- (iii) Smt. Amritadevi Loyalka
- (iv) Shri. Rameshwar Prasad Saboo
- (v) Dr. Jhabarmal S. Mishra
- (vi) Shri. G. D. Malpani
- (vii) Shri. B. M. Singhi
- (viii) Shri. K. S. Nevatia
- (ix) Dr. P. K. Jhawar

(b) MEMBERS

The Society may admit to its membership such number of persons from amongst those who have attained eminence, in medical science, medical research and the professions and / or in the field of research, Education, Sports, Industry, Management, Social etc. and / or who are otherwise qualified or may in the opinion of the Board of Management be helpful in the conduct of or in the attainment of the various objects of the Society or who are otherwise qualified, for such period or periods as the General Body may in each case decide.

- The total number of members of the Society shall not exceed 30.
- Every member shall furnish an address to which notices may be sent within India and every notice despatched by post to such member or left or delivered at such address shall be deemed to have been duly served.
- POWERS: —With a view further to facilitate the Society's activities to carry out the above objects and for management of the affairs and properties of the Society, the Society shall have the following powers: —

^{1.} Old clause 2 (b) was substituted with new one from 16-9-85.

- To establish and collect funds and accept donations and to utilise the same and the income there from for the purpose of the Society.
- (ii) To establish, take over and acquire by purchase, gift or otherwise from the Government and other public or private bodies or individuals any educational institution or institutions, libraries, laboratories, museums, collections, subcriptions, donations, grants, gifts, bequests of money and all kinds of property, moveable and immoveable, endowments or other funds either unconditionally or on any special terms and conditions or on trust and together with any attendant, obligations and engagements, not being inconsistant with the objects of the Society, as the Society may think fit, and to manage and / or run the same.
- (iii) To raise loans and to borrow moneys without any security or on security of any of the property or properties of the Society on such term and conditions as the Society may deem fit.
- (iv) To acquire or purchase, lease or otherwise, lands, buildings and property moveable or immoveable, to carry out all or any of the object of the Society.
- (v) To construct, maintain, repair, pull down, expand, alter or enlarge any land, buildings or any other immoveable property belonging to or held by the Society and to cause the construction and outfitting of laboratories, hostels and such appurtenances as are necessary for the operation of the Society.
- (vi) To sell, transfer, exchange, mortgage, charge, lease, gift, convert securities, dispose off or otherwise deal with any property or properties belonging to or at the disposal of the Society.
- (vii) To invest and deal with the moneys of the Society in such manner as may from time to time be determined by the Society.
- (viii) To pay out of the funds belonging to the Society or out of any part of such funds all expenses of or incidental to the function of the Society and management and administration of the institution of the Society.
- (ix) To print, publish and exhibit any books and pamphlets which may be considered desirable for the promotion or carrying out of the objects of the Society.
- (x) To fix tuition fees and other charges.
- (xi) To draw, make, accept, endorse and negotiate cheques, hundles promissory notes or other negotiable instruments for the purpose of the Society.
- (xii) To donate a part of the Corpus or accumulated Surplus fund/s to any other public charitable Trust/s or Society/ies having objects which are identical or similar to the objects of the Society.

^{1.} Rule in 5 (xii) was re-numbered as 5(xiii) and theafter new Rule 5(xii) was inserted with effect from 16-9-85.

- (xiii) And generally to do and execute all such acts, deeds, matters and things as may be conductive to or for achieving the objects of the Society or any of them.
- 6. The Board of Management may, by giving due previous notice to member/s pass resolution at its meeting by a 2/3 majority of the members thereof present and voting and may remove any member from membership after giving due opportunity for explanation to the member concerned, if the Board of Management in its discretion is satisfied that such member is guilty of any act or conduct either in contravention of the Rules of the Society or detrimental or injurious to its credit or interest or for any other good or sufficient reasons, of which the Board of Management will be the sole judge and it is considered desirable to remove such member from the membership of the Society.
- 6A. DISSOLUTION: If upon the winding-up or dissolution of the Society, there remains after satisfaction of all debts and liabilities, any money or property whatsoever, the same shall not be given or paid or distributed amongst the members of the Society, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Society, to be determined by the Members of the Society at the time of dissolution.

7. AUTHORITIES OF THE SOCIETY:

The following shall be the authorities of the Society:

- (a) General body of the Society.
- (b) Board of management
- (c) Such other authorities as may be declared by the rules and regulations to be the authorities of the Society.

GENERAL BODY

The General Body of the Society shall consist of all categories of members of the Society and the members of the Board of Management of the Society.

MEETINGS OF THE GENERAL BODY OF THE SOCIETY:

- (i) The Board of Management may call meetings of the General Body of the Society whenever it consider necessary, and shall in any event, call such meeting at least once in every calendar year at such place and time and on such day as the Board of management may determine, for approval of budget and for adopting the account.
- (ii) The Board of Management shall also call a meeting of the General Body of the Society on the written request of atleast 10 members.

NOTICE IN RESPECT OF THE MEETING OF THE GENERAL BODY.

At least 7 clear days notice of the General meeting of the General Body shall be given to the members stating the date, time and place of the meeting and the agenda of the meeting and except in the case of general meeting called by written request as aforesaid, the agenda of the general meeting of the society shall be prepared by the Board of Management.

10. QUORUM:

Quorum at the meeting of the general body shall be 5 member present in person.

11. VOTING:

In every meeting of the general body of the society, each member present in person shall have one vote. Expect when otherwise specified in these Rules, action shall be by majority of votes of members present and voting and in the event of equality of votes, the chairman shall have second or Casting vote.

12. BOARD OF MANAGEMENT:

- (a) The Board of Management shall consist of minimum of 5 members elected by the General Body meeting subject to maximum of 7 members.
- (b) The members of the Board of Management so elected by the General Body meeting shall hold office for a period of 3 years from the date on which they are elected or till a new member or a team of members is elected/constituted again by the General Body meeting to fill-in the vacancy so created or otherwise whichever is later.
- (c) At the first meeting of the newly constituted / elected Board of management the members shall elect from amongst themselves one chairman, one Hon. Secretary, and may also appoint any one of its members as Hon. Treasurer & / or Jt. Hon. Secretary.
- (d) A vacancy in the office of any member or any office bearer may be filled for the residue of the term by the remaining members of the Board of Management.

13. POWERS OF THE BOARD OF MANAGEMENT:

(a) Except as provided in these rules and subject to the superintendence, direction and control of the Society, the Board of Management shall excercise all the powers of the Society and do all such acts and things as may be exercised or done by the Society and are not hereby or by the Societies Registration Act or any statutory modifications thereof for the time being in force, expressly directed or required to be exercised or done by the General Body of the Society.

^{1.} Rule 12 and 13(b) were substituted with effect from 16-9-85

^{2. *} added with effect from 27-3-1997

- (b) Any transaction to be effected, receipts to granted or assurances or other documents or deeds required to be signed and executed by or on behalf of the Board of Management or members thereof, shall be deemed to be duly done and executed by or on their behalf, if executed either by the Chairman or by the Hon. Secretary or by the Hon. Treasurer it so appointed, in pursuance of a resolution passed or rectified at a meeting of the Board of Management unless otherwise authorised by these rules.
- (c) Without prejudice to the generality of the foregoing the Board of Management shall have the following powers:
 - (i) To make Regulations and Bye-laws for the Society as may be necessary from time to time subject to the approval of the Society.
 - (ii) To regulate the expenditure and to manage the accounts of the Society.
 - (iii) To receive subscription and donations for the purpose of the Society, provided that no subscription or donation shall be accepted if they are accompanied by conditions inconsistant or in conflict with the nature, objects and provisions of the Society.
 - (iv) To appoint officers, teaching staff and such other staff with a power to terminate their services as may be found necessary.
 - (v) To grant extension of service to staff including extension beyond the period of superannuation in accordance with the regulations.
 - (vi) To impose penalities on members of the staff in accordance with the regulations.
 - (vii) To do all such acts and things as are necessary for the management and running of the Society.

13A THE TREASURER:

- (a) The Treasurer as and when appointed by the Board of Management will act under the directions and supervision of the Board of Management.
- (b) The Treasurer shall ordinarily receive all payments made to the Society and pass all necessary receipts and shall maintain proper Books of Accounts.
- (c) The Treasurer shall deposit any amount which is not required for immediate use into the Society's bank Accounts.
- (d) The Bank Account of the Society shall be kept in the name of the Society and shall be operated upon jointly by the Honorary Treasurer/Secretary alongwith the any other Member of the Managing Committee.

Rules 13A and 13B were inserted with effect from 16-9-85.

13B THE SECRETARY:

- (a) The Secretary shall in all things act in the discharge of his duties and look after the affairs of the Society under the direction supervision and control of the Board of Management and shall convene whenever necessary meetings of the Society and of any Committee or Sub-Committee and any other meeting which may be necessary to be called.
- (b) The Secretary shall keep or cause to be kept proper Minutes of the proceedings of the General Meetings of the Society and of the Board of Management and of any Committee or Sub-Committee and will do everything necessary to give effect to the Resolution passed by the General Meeting as also to those passed by the Board of Management.
- (c) The Secretary shall supervise the working and Management of the institutions of the Society and carry on all correspondence and keep or cause to be kept proper records and prepare and place before the Board of Management and General Meetings of the Members of the Society such materials and information as may be necessary or as may be required by the Board of Management.
- (d) The Secretary shall prepare such statements relating to the working of the Society as the Board may require and shall prepare and send all returns required to be made in accordance with law.
- (e) The Secretary shall carry on the Correspondence of the Society and shall supervise the general management of the Society's properties / estate.
- (f) The Secretary shall be at liberty to expend for the pupose of the Society any sum upto Rs. 1000/- without the previous sanction of the Board of Management.
- (g) The Secretary shall have charge of all documents, other papers and the seal of the Society and shall keep all records of the Society at the registered office of the Society or at a place to be determind by the Board of Management.
- (h) The Joint Hon. Secretary as and when appointed shall in addition to Hon. Secretary excercise all the powers of the Hon. Secretary.

14. MEETING OF THE BOARD OF MANAGEMENT:

(i) The Board of Management shall meet at such time and at such place as they may think proper and may pass such resolutions for furthering the objects of the Society as they deem necessary and shall report to the General Body of the Society at its next meeting on all important actions taken by them since the last meeting of the Society.

Sub Clause (b) was inserted with effect from 27-3-1997.

- (ii) Quorum at a Meeting of the Board of Management shall be onethird of its members. The Board of Management shall act on a majority of votes of the members present and voting and in the event of equality of votes the Chairman shall have a second or casting vote.
- (iii) The Chairman of the Society shall preside at, conduct and regulate all meetings of the Society, the Board of Management or Sub-Committee in which he may be a Member and his rullings on any point of order and decision as to the results of voting shall be final and conclusive. The Chairman shall in addition to his rights of voting as a Member, have a casting vote in case of a tie. In the absence of the Chairman, one of the Members of the Board of Management shall have the authority to preside over and to interpret the Rules and regulations for the purpose of conducting and regulating the meeting & deciding the question arising at such meeting.

15. BANKERS:

The Board of Management shall open an account or accounts in the name of the Society in any scheduled Bank or Banks which shall be operated upon by the person / persons authorised by the Board of Management.

16. ACCOUNTS:

The accounts of the Society shall be prepared annually within six months of the end of its accounting year and the Balance Sheet and Income and Expenditure Account together with a report of the Board of Management as to the state and condition of the Society and other recommendations, if any, shall be laid before the General Body of the Society, and after their adoption by the Society, they shall be made public.

17. AUDIT:

The accounts of the Society shall be audited by an auditor or firm of auditors to be selected by Board of Management.

18. REGISTRAR:

The Board of Management shall appoint a full time officer designated as Registrar. The Registrar shall be the Ex-Officeio Secretary to all the authorities of the Society. He shall exercise such powers and perform such duties and functions as may be prescribed by the regulation, any bye-laws or assigned to him by the Board of management and shall be directly responsible to the Board of Management for the proper discharge of his duties and functions.

^{1.} Rule 14 (iii) was inserted with effect from 16-9-85.

19. REGULATIONS:

Subject to the provisions of the Rules the Board of Management may make such regulations as they may consider necessary or expedient for the governing and administration of the hospital or other institutions to be maintained and conducted by the Society and the Management of the Society's properties and for the conduct of their business including the summoning of meetings and holding of elections to the Board of Management and appointment of members of staff, agents, servants, provided the same shall not be at varience or inconsistant with any of the provisions of these Rules and Regulations.

20. COMMITTEES:

The Board of Management may at any time appoint or make provisions for the appointment of any committee or committees for the purpose of managing the Hospitals or other institution of the Society and for carrying out the Rules and Regulations formed from time to time by the Board of Management.

21. POWER TO ALTER RULES:

It shall be competent by the General Body to temporary suspend or make alterations, additions and amendments in the Rules and Regulations of the Society, including the Name and objects of the Society as pe provisions of Section 12 of Societies Registration Act, 1860.

22. The Board of Management or any of its members shall not be liable to any person for any act or thing done by the Board of its members reasonably or bonafide for carrying out the provisions of the Memorandum and Rules and Regulations of the Society including any decision that may be taken by the Board of its members under any of the powers vested in them under any of the clause to this Memorandum for Rules and Regulations.

SHORT RESUME OF CHANGES IN NAME

- The Society was registered on 6th April, 1971 under the name and style of "Birla Vidhya Vihar Hospital".
- 2) The word "Hospital" was substituted by word "Society" as approved by the Assistant Registrar of Societies vide its Order No. ACC GBR 3926/85 dt. 11.9.1985
- The name was again changed from Birla Vidhya Vihar Society to YASH SOCIETY (present name) as approved by Asst. Registrar of Societies vide its Order No. 4185/88 dt. 13.12.1988.