

# **AYURVIDYA PRASARAK MANDAL**

NEAR SION RLY. STATION, SION, MUMBAI 400 022

आयुर्विद्या प्रसारक मंडळ

शीव, मुंबई-४०० ०२२.

**SCHEME FOR MANAGEMENT  
AND  
CONSTITUTION**

Public Trust Registration No. F-3557 (Bombay)

## A N E X T U R E 'A'

Scheme for the Management and administration of Ayurvediya Prasarak Mandal, Bombay. 1982 as amended from time to time.  
Public Trusts Registration No. F-3557 (Bombay).

### I. Name

The name of the Institution shall be "AYURVIDYA PRASARAK MANDAL" BOMBAY. (hereafter referred to as the Mandal).

### II. Location

The office of the Mandal will be located in the City of BOMBAY.

### III Aims and objects.

The aims and objects of the Mandal are :-

- 1) To arrange for comprehensive study of and education in Ayurveda.
- 2) To popularise Ayurvedic theory and practice and modernise it with the help and addition of recent advances in other systems of Eastern and Western Medicine.
- 3) To start, conduct or manage Institutions such as Schools, Colleges, Vidyapeeths, Hospitals, Dispensaries, Laboratories, Research Institutes, Botanical gardens etc. in order to train students in Ayurved and reorient Ayurvedic science by upto date research.
- 4) To publish literature about researches in Ayurveda and to popularise the same.
- 5) To establish, maintain and acquire laboratories for experimental educational research work in Ayurvedic Medicines, drugs and preparations.
- 6) To raise funds necessary for carrying out the objects of the Mandal by donations, deposits, loans or other means.
- 7) To purchase, take on lease or acquire lands, buildings, hereditaments, rights, privileges or any other interest whatsoever in immovable or movable properties of any tenure; and to sell, let or lease, or otherwise dispose or





grant rights (subject to the conditions of the Transfer of the Sion Trust property and funds as laid down in the Decree of the High Court) over any immovable or movable property of the Mandal as may be required for the furtherance of any of the objects of the Mandal.

- 8) To take any gift or property whether subject to any special trust or not for any one or more of the objects of the Mandal.
- 9) To adopt such other legitimate means as are incidental to or conducive to the attainment of the above objects of the Mandal.

#### IV. CONSTITUTION

- 1) The Mandal consists of Patrons, Fellows, Sympathisers, well-wishers, Promoters, Life Members and retired Life Members.
- 2) Patrons (Ashrayadata) : A Patron is one who contributes not less than Rs. 1000/- to the Funds of the Mandal and is elected as such by its Board of Trustees.
- 3) Fellows (Puraskarta) : A fellow is one who contributes not less than Rs. 500/- to the funds of the Mandal and is elected as such by its Board of Trustees.
- 4) Sympathisers (Sahayyak) : A sympathiser is one who contributes not less than Rs. 250/- to the funds of the Mandal and is elected as such by its Board of Trustees.
- 5) Well-wisher (Hitchintak) is one who contributes and is elected as such by its Board of Trustees.



Note (a) - The Board of Trustees has the power to elect a person as Patron or fellow of the Mandal provided he has worked as Honorary Professor or Lecturer or Vaidya or Doctor in any of the Institutions of the Mandal for atleast three years or done some meritorious service to the Mandal.

Note (b) - The Board of Trustees has the power to elect a person contributing help in kind to the Mandal, as member of any of the above four categories in proportion to the help given.

- 6) Promoters : Promoters are the seven Founder members of the Mandal. namely

- 1) Dr. T. R. Naravane
  - 2) Dr. A. M. Gokhale
  - 3) Vaidya G. M. Abhyankar
  - 4) Dr. D. G. Shidore
  - 5) Vaidya S.G. Kale
  - 6) Vaidya N. H. Joshi
  - 7) Vaidya J. R. Joshi
- 7) Life members : A Life-member is one who accepts the aims and objects of the Mandal and promises in writing to work in connection with the Institutions of the Mandal with or without remuneration for a specified period and who is thereupon elected as such by the Board of Trustees (Vide Bye Law) : such election being sanctioned by the Council of the Mandal.
- 8) Retired Life member : A Life member who has completed his period of service or is allowed to retire early by the Board of Trustees and has ceased to do active work as a life-member and is put on the retired list will be called a retired Life-member.
- 9) Rights and Privileges of a Member : Every Parton, Fellow, Sympathisor, Well-wisher or promoter and Life member or Retired Life-member has the right of (a) electing members to the Council and the Board of Trustees of the Mandal, (b) visiting the Institutions of the Mandal (in conformity with its rules and regulation) and (c) making any suggestions he may think proper.
- 10) Disciplinary action : If any member of the Mandal acts against the interests of the Mandal or acts in such a way as to create indiscipline or obstruction to the progress of the Mandal, either by his words or deeds, he will be liable for disciplinary action as per the rules and procedure that will be laid down by the Council in that behalf.

## V. MANAGEMENT

All the authority and Management of the Mandal is vested as per rules detailed below in the following bodies :

1. The Council
2. The Board of Trustees
3. The Dean (Pramukh)





## VI. THE COUNCIL

- 1) The Council shall consist of not more than twenty five members in all and shall be formed as under :
  - (a) upto fifteen from all Classes of members of the Mandal to be elected by them.

### Proviso :

If, for any reason, sufficient number of members are not elected as per Article VI(1) (a), these seats shall be treated as vacancies and any number of them as decided by the Board of Trustees will be filled as per Article VI/3.

- (b) All Trustees of the Mandal.
  - (c) The Dean (Ex-Officio)
  - (d) Two members from the Senior Staff of the college not included in (a), (b) or (c) above as proposed by the Dean.
- 2)
  - (a) The term of office of the members of Council shall be five years. The Council shall be elected at the end of every five years, but the sitting Council will continue to hold office till the new Council is formed and takes charge.
  - (b) If elections to the Council are not held for electing members to the seats to be filled in by election at the end of the five years period, it shall be lawful for the Deputy Charity Commissioner, Greater Bombay Region, Bombay to hold election as per the provisions of the Scheme and bye-laws framed thereunder.
- 3) A vacancy in the Council from category (1) (a) securing during the period of five years shall be filled as early as possible from members of the Mandal by co-option by the Council. If any such vacancy is not filled in within a period of six months from the date of its occurrence, it shall be lawful for the Deputy Charity Commissioner, Public Trusts Registration office, Greater Bombay Region, Bombay to fill such vacancy by nominating a member of the Mandal.
- 4) The Council at its first meeting shall elect a Chairman and a vice-Chairman.
- 5) The President, The General Secretary and the Treasurer of the Council will be the same as the President, the General



Secretary and Treasurer of the Board of Trustees.

- 6) It shall be the business of the Council :-
- (a) To start and affiliate institutions, amalgamate Trusts as proposed by the Board of Trustees.
  - (b) To approve the election of Life-members.
  - (c) To sanction the annual budget, the establishment schedule, the supplementary budget and any extra expenditure.
  - (d) To sanction new rules and bye-laws of the Mandal.
  - (e) To appoint Auditors for the audit of accounts.
  - (f) To generally supervise, direct and control the activities of the Mandal and advise the Board of Trustees from time to time.
  - (g) To lay down the general policy of the Mandal and its institutions.
- 7) There shall be at least one meeting - the Budget meeting of the Council in a year.
- 8) A notice of seven clear days for such a meeting will be given by the General Secretary, but the President has the power to call a special meeting of the Council without this time limit.
- 9) The quorum for the meeting of the Council shall be one fifth of the total number of members, provided however, that at least three of those present are non-office bearers.
- 10) An urgent meeting of the Council shall be called by the General Secretary with a notice of three clear days.
- 11) A requisition meeting of the Council shall be called by the General secretary within ten days of receiving the requisition provided the requisition is signed by 1/4th members of the council and the specific subject for the meeting is clearly mentioned in the requisition in the form of a resolution. The requisition will not be considered unless one half of the number of requisitionists are present at the meeting. If the General Secretary fails to call such a meeting the requisitionists may call the same.

## VII. THE BOARD OF TRUSTEES

- 1) The Board of Trustees shall consist of not less than five and not more than seven members.
- 2) It will be constituted as under :-





- (A) Two members from the family of Seth Varjivandas Madhavdas as laid down in the conditions of transfer of the sion property and funds in the decree of the High Court.

Note: A) All the conditions of transfer of the Trust property at sion (detailed in Appendix I) will be applicable both in the formation and working of the Board of Trustees.

- B) Five members to be elected by the members of the Mandal from amongst themselves.
- C) Every trustee shall be of the age of not less than 21 years, without any conviction for an offence involving moral turpitude and free from any indebtedness towards the Mandal.
- 3) The term of office of the trustees will be of five years. The Board of Trustees shall be elected at the end of every five years but the sitting Board of Trustees will continue to hold office till the new Board of Trustees is duly elected and takes charge. If election is not held at the end of the period of five years, it shall be lawful for the Deputy Charity Commissioner, Greater Bombay Region, to hold each such elections as per the provisions of this scheme and the bye-laws framed thereunder.
- 4) The office of a Trustee shall be vacant by reason of death, resignation, removal, incapacity to act, insolvency and lunacy.
- 5) The Board of Trustees shall elect the following Office bearers from amongst themselves :- a President ; a Treasurer and a General Secretary.
- 6) The President, the General Secretary and the Treasurer of the Board of Trustees will also be the President, the General Secretary and the Treasurer of the Council.
- (a) The General Secretary, may however, with the approval of the President, appoint an assistant Secretary and delegate duties and powers to him from duties and powers vested in him.
- 7) The Board will be in charge of all movable and immovable property and all fixed, permanent and other funds of the Mandal; but no Trustee shall have or exercise any



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individual right over any of the property funds of the Mandal.

- 8) It shall be the business of the Board of Trustees,
- (a) To elect new Life-members to the Mandal.
  - (b) To appoint, promote, demote or dismiss permanent and temporary staff, servants, menials etc. and fix their pay, grades, promotions and sanction leave, resignation or retirement and other conditions of services as laid down in the bye-laws and rules of the Mandal.
  - (c) To present the budget to the Council for their approval and sanctions.
  - (d) To draft new laws and bye-laws of the Mandal for the sanctions of the council.
  - (e) To frame the necessary rules for the conduct of the various Institutions of the Mandal.
  - (f) To lay down the qualifications and grades of
    - 1. Senior Medical Staff
    - 2. Junior Medical Staff
    - 3. Nursing, clerical and menial staff
  - (g) To lay down rules for the conduct of its own business.
- 9) The Board of Trustees may appoint Standing Committee and Sub-Committees and define their scope of work and powers to look after its various Institutions to facilitate and help it in its work.
- 10) All questions relating to discipline, internal management, courses of study in colleges, class or other institutions of the Mandal will rest with the Board.
- 11) All residuary powers and powers not exercised by the Council for any reason what-so-ever and details of Management not specially provided for elsewhere are vested in the Board of Trustees and are to be carried out by them.
- 12) Board of Trustees shall meet at least once in every three months.
- 13) The quorum for a meeting of the Board will be one third of the total number of its members of which atleast two must be non-office bearers.
- 14) Notice of five clear days will be given for such a meeting but





an urgent meeting can be called by twenty four hour's notice.

#### **VIII. ADVISORY BOARD**

- 1) The Advisory Board will consist of three or more persons to be elected by the council as proposed by the Board of Trustees from amongst eminent personages whose advice the Board and the Council may seek from time to time through the President or the General secretary.
- 2) The Advisory Board will have its own President and one or more Vice-Presidents.

#### **IX. GENERAL**

- 1) At all meetings of the Council or other bodies of the Mandal the agenda will be circulated or posted along with the notice of the meeting. Non-receipt of such notice by any member shall not invalidate the proceedings of the meetings provided the Office register shows the dispatch of the notice.
- 2) A member of the Council or the Board of Trustees or any committee shall 'Ipso facto' cease to be a member of that body immediately after his resignation from that body is received in the office.
- 3) Any member remaining absent for three consecutive meetings of the Board of Trustees or Council without obtaining leave will 'Ipso facto' cease to be a member of that body.
- 4) No action of any of the bodies of the Mandal shall be deemed as invalid by reason of any of the interim vacancies remaining unfilled.
- 5) Any meeting of the Board of Council or any Committee can be adjourned for want of quorum for half an hour and then held after half an hour as a meeting adjourned for want of quorum provided if it is so notified in the notice of the meeting.

#### **X. OFFICE BEARERS OF THE BODIES OF THE MANDAL**

##### **1) PRESIDENT**

- (a) He will preside at all meetings of the Board of Trustees and may preside at the meetings of the Council and all other committees and Sub-committees of the Council even though otherwise provided for
- (b) He will have an over all supervision and authority on all



the affairs of the Mandal.

- 2) **CHAIRMAN** : (a) The Chairman will be the Chairman of the Council and shall generally preside at all the meetings of Council.
- 3) **VICE-CHAIRMAN** : The Vice-Chairman will preside in the absence of the Chairman and shall do all such other duties as may be assigned to him by the Chairman out of his duties.
- 4) **ASSISTANT SECRETARY** : (a) The General Secretary may with the consent of the President appoint one or two assistant Secretaries from members of the Mandal to help him in the discharge of his duties and may assign to them definite duties.  
(b) The Assistant Secretary shall remain present at the meetings of the body or bodies or Committees assigned to him but shall not have the right to vote unless so provided for.
- 5) **TREASURER** : The following shall be the duties of the Treasurer which shall be carried out with the cooperation of the General Secretary.
  - (a) To Keep all accounts.
  - (b) To prepare and present the budget...
  - (c) To prepare the annual income expenditure chart and the balance sheet and get it audited from the Auditors.
  - (d) To organise the collection of funds.
  - (e) To see that the expenditure is kept within the limits of the Budget amounts.
- 6) **GENERAL SECRETARY**  
The following shall be the duties of the General Secretary-
  - (i) To keep the minutes of all the meetings of all bodies of the Mandal.
  - (ii) To convene the meetings of all bodies of the Mandal.
  - (iii) To carry on correspondence on behalf of the Mandal.
  - (iv) To keep a register of all those who contribute any money and all those who make gifts to the Mandal and its Institutions and also to keep a classified register of members of all classes of the Mandal, with their addresses.
  - (v) To represent the Mandal in all proceedings, suits, prosecutions, documents and such other legal matters in





which the Mandal is interested.

- (vi) To keep in his custody all papers, documents and correspondence of the Mandal.
- (vii) To be the Custodian of all the movable and immovable property of the Mandal.
- (viii) To have the charge of the office of the bodies of the Mandal and to appoint the clerical staff and the servants for the same.
- (ix) To do such other duties that may be assigned to him by the President of the bodies of the Mandal

#### XI THE DEAN

- 1) The Dean will be the executive head of the Mandal's Medical Institutions and as such will be in charge of the Mandal's College, Hospital and Research Institute and other branches.
- 2) The appointment of the Dean will be made by the Board of Trustees.
- 3) The terms of appointment of the Dean will be generally for a period not exceeding five years. At the expiry of the term of the office of a Dean, the Board of Trustees may reappoint the same person for a further term of office, but in case of no new appointment or reappointment for any reason what-so-ever the incumbent of the office will continue till such appointment is made and he takes charge.
- 4) The qualifications for the post of the Dean will be as under :-
  - a) He must be a graduate in Medicine (Ayurvedic or Allopathic) of a recognised University or examining Board or he must be a recognised Registered Medical Practitioner.
  - b) He must, in addition, hold a post-graduate degree or diploma in any branch of Medical Science.

or

He must have written a thesis or a book on some Medical subject and got it approved by a recognised University or Medical Board.

- c) He must have a teaching and administrative experience of not less than five years.

5) The Dean or his nominees (such as the principal, the



Superintendent) etc. can remain present at any meeting of the Board, Committee or sub-committee if invited whether so provided for or not and can take part in the deliberations but has no right to vote in that capacity.

## **XII. FUNDS & PROPERTY**

- 1) All the property and funds of the Mandal shall belong to the Mandal collectively and no individual member shall have any proprietary right over them.
- 2) The funds shall be of three kinds (a) Fixed, (b) Permanent and (c) Current
  - (a) Fixed funds shall include :

All money grants made by the public with the object of being invested at interest, and amounts or allotments by the Trust the interest on which alone can be used for current expenses, or grants for permanent payment of scholarships, prizes, etc. or deposits of any type.
  - b) Permanent funds shall include :-
    - (i) Contributions from all classes of Donors and Members.
    - (ii) Money grants for purchases of articles etc.
    - (iii) Money grants for work of permanent nature eg. Building, Laboratories, Libraries, etc.
  - c) The current funds shall include :-
    - (i) Proceeds of fees and interest on fixed and permanent funds.
    - (ii) Proceeds from productive departments
    - (iii) Money grants obtained for current expenses.
- 3) Property : Property will include Buildings, Lands and Deadstock such as Furniture, Apparatus, Books and similar other equipment.
- 4) The permanent funds shall be used for
  - (a) Buildings.
  - (b) Items of permanent nature.
  - (c) And such other purposes including current expenses as the Council may decide from time to time.
- 5) All the fixed and permanent funds of the Mandal will be invested in bonds or kept in Banks to be approved by the Board of Trustees in accordance with the provisions of the





Bombay Public Trust Act 1950 and will be in the name of the President, Treasurer and General Secretary and any other office bearer or authority as will be provided for by the resolution of the Board, to be operated upon by any two of them subject to the condition number 3 of the Schedule of the Deed of Transfer of the Sion property & funds approved by the Board of Trustees from time to time and will be in the name of the President, the Treasurer and the General Secretary and any other office bearer or authority as will be provided for by the resolution of the Board, to be operated upon by any two of them.

### **XIII CHANGE IN THE SCHEME**

Any change in this Scheme can be done only in a special meeting of the Council called for the purpose with 15 days clear notice and with a three-fourths majority of the members present and voting and subject to the approval of the Charity Commissioner under Section 50A(3) of the Bombay Public Trusts Act, 1950.

**XIV** Notwithstanding contained in the aforementioned provisions of this Scheme, the following nine persons are appointed as first Trustees and office bearers of the Board of Trustees of the Mandal and shall exercise all powers and discharge functions and duties both of Board of Trustees as well as the Council with effect from 15th November 1982 or soon thereafter as may be convenient for them to take charge, for a period of two years from the date of taking charges until the Board of Trustees and the Council are duly elected as per the provisions of this Scheme. It shall be lawful for the C. C. to add to and/or to replace any one or more of these first trustees without assigning any reason. The first trustees of the Mandal and the trustees for the time being shall be in charge of all moveable and immovable property of the Mandal for the purpose of administration and management of the activities of the Mandal in pursuance of its aims and objects mentioned in this Scheme. The Board of Trustees shall one month before the end of the said period of two years, appoint an Election Officer for carrying out the election of the Board of Trustees.



and the Council as per the Election Bye Laws and Rules incorporated in this Scheme to the extent they are applicable. If this first Board of Trustees fails to appoint such Election Officer as aforementioned or in any event on or before the 14th day of November, 1984, it shall be lawful for the Charity Commissioner, Maharashtra State, Bombay suo Motu or otherwise, to appoint such Election Officer for holding such Election of the Board of Trustees and the Council.

### First Board of Trustees under the Scheme

1. Shri Prabhakar Madhav Potdar,  
Principal, Parle College,  
Vile Parle (East), Bombay 400 057  
(Subject to permission of Management, Parle College)  
..... President
2. Dr. Sangappa Irappa Nagral,  
10, Moon Reach,  
Prabhadevi, Bombay 400 025  
.....Treasurer
3. Shri Bhagwandas Dharmdas Sethna  
14-16, Mulji Jetha's Bungalow,  
Bhulabhai Desai Rd., Bombay 400 026 .....Family Trustee
4. Shri Hemant Bhagwandas Sethna,  
14-16, Mulji Jetha's Bungalow,  
Bhulabhai Desai Rd., Bombay 400 026 .....Family Trustee
5. Shri Ganapati Dadasaheb Lad,  
47/1347, Adarsh Nagar,  
Worli, Bombay 400 018.  
.....Trustee
6. Dr. Anand Shrinivas Mujumdar,  
Datta Sadan, 79, Kapad Bazar Road,  
Mahim, Bombay 400 016  
.....Gen. Secretary
7. Dr. Suhas Dattatraya Kulkarni,  
A/10, Ambekar Nagar,  
Ambekar Marg, Bombay 400 012.  
.....Trustee.
8. Dr. Prabhakar Govind Sandu,  
Shri Sadan, 8th Road, Sandu Wadi,  
Chembur, Bombay  
..... Trustee





9. Dr. Balkrishna Ramchandra Dixit,  
232, Kangra Bhawan, Worli,  
Bombay 400 018.

.....Trustee

If in the course of the working of the Mandal at any time any dispute arises regarding the true construction and/or interpretation of any of the provisions of this Scheme, the same shall be referred to the decisions of the Charity Commissioner, Maharashtra State, Bombay, who shall after hearing the concerned parties decide the same. His decision shall be final and conclusive and binding on the parties.

(B.V. Chavan),

*Charity Commissioner,*

Maharashtra state, Bombay.

Subsequently, as per the letter No. J/18/164-82/Da/VI/26381, dt. the 11th November, 1982 of the Charity Commissioner M. S. Bombay

The following names have been substituted against Sr. No.6 & 9 in the First Board of Trustees under the Scheme.

Sr. 6 : Dr. Madhukar Purushottam Khedkar,  
F/5, "Prathamesh", Bombay Dyeing Compound,  
off. Veer/savarkar Marg, Prabhadevi,  
Bombay-400 025.

Sr. 9 : Dr. Dattatraya Mahadev Shete,  
1, Veronica Villa, Behind Vakola Church,  
Santacruz - East, Bombay - 400 055.



## BYE-LAWS OF THE MANDAL.

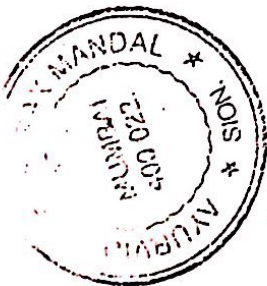
### 1. Life Members.

1. Life Members : There shall be three classes of Life- Members  
: 'i' Class A, 'ii' Class B and 'iii' Class C.

- i) Class A : A person can become a Life-members of Class A of the Mandal provided:-
  - (a) He promises to work in connection with the Institutions of the Mandal as a full time worker for not less than twenty years, on suitable remuneration fixed by the Board of Trustees from time to time.
  - (b) And is duly so elected by the Board of Trustees of the Mandal and approved by the Council.
- ii) Class B : A person can become a Life member of Class B of the Mandal provided :-
  - (a) He promises to work in connection with the Institution of the Mandal for not less than ten years without any remuneration and
  - (b) He is duly so elected by the Board of Trustees of the Maharashtra Ayurveda Vidyalaya, Mugbhat, before its amalgamation in the Mandal, their period of serve in that Vidyalaya will be counted for the period of Life-membership.
- iii) Class C : A person can become a life-member of Class C of the Mandal provided :-
  - (a) He is working in the Mandal for a period of 5 or more years as part-time on a paid or Honourarium basis as a Vaidya, or Doctor or other Class one or class two post, can become a life member of 'Class C' till he holds such a post in the Mandal and
  - (b) He is duly so elected by the Board of Trustees of the Mandal and approved by the Council.

### 2. Qualifications and Conditions for Life-membership.

- (a) He must be a graduate in medicine (Ayurvedic or Allopathic) of a recognised University or Examining Board or he must be a recognised Registered Medical Practitioner.
- (b) A non-medical person can be accepted as a Life-member





of the Mandal, if the Mandal thinks that his or her services for the Mandal will be useful for the progress of the Mandal.

- (c) The age at the time of admission of a Life-member of Class A must not be above thirty-five years and that of Life-members of Class B must not be above forty five years. The Board of Trustees, however, will have the power to relax this condition in special cases.
  - (d) A Life-member of Class A, must devote all his time to the services of the Mandal and carry out the duties assigned to him. He must not accept or do any extra outside work except by the permission of the Mandal.
  - (e) Life-members of Class B must devote at least 12 hours per week for the work of the Mandal.
  - (f) A Life-member must have no direct or indirect interest that will go against the interests of the Mandal, in any institution or firm or factory that is carrying on any of the works mentioned in the aims and objects of the Mandal.
3. (a) The application of a person applying for Life-membership will be placed before the Board of Trustees of the Mandal, after initial recommendation by the Life-members, made by them in their meeting by a threefourth majority. The applicant will then become a probationer Life-member and will remain so at least for a period of one year.
- (b) After one year of probation period, or as soon as possible after it he will be confirmed by the Board of Trustees. In special cases the Board of Trustees will have the power to dispense with this probation period.
4. A Life-member will be amenable to all the disciplinary rules and regulations and roles as regards pay, transfers, leave, provident fund, gratuity etc. as will be made by the competent authority of the Mandal from time to time.
5. A Life-member must be ready to undertake any work of the Mandal that will be allotted to him by the competent authority of the Mandal.
6. A Life-member can be removed from the list of Life-



members by the Board of Trustees by majority provided it is proved to the satisfaction of the Board of Trustees, -after giving the member concerned an opportunity to explain his side of the case that he acts against the interest of the Mandal, creates indiscipline or does not discharge his duties satisfactorily.





## II. APPOINTMENTS ETC.

1. There shall be three categories of the servants of the Mandal :-

- (a) Senior Medical Staff.
- (b) Junior Medical Staff.
- (c) Nursing, Clerical and Menial Staff.

(A) Senior Medical Staff :

- i) The senior Medical Staff will include all the Life Members (both paid and honorary) and the paid and honorary, Consultants, Professors etc.

Note :- Out of these the case of Life-Members has been already dealt with above.

- ii) Applications for the posts of S.M.S. will be invited by public advertisements (which will describe all conditions of service) by the Dean, who after interviewing the applicants will make his recommendations to the Board of Trustees.

- iii) The Board of Trustees may, if they so choose, interview the candidate, and make the final selection and appointment.

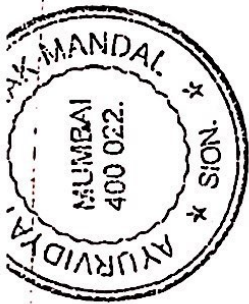
- iv) The appointment will be held to be valid from the date of the candidate's acceptance of the same.

(B) Junior Medical Staff :

- i) The Junior Medical Staff will consist of Registrars, Casualty Officers, House men and others of similar nature. These may be divided into resident and non-resident groups.

- ii) The Junior Medical Staff will be generally selected from the Students who graduate with distinction from the College of the Mandal. If a sufficient or suitable member is not available, these can be appointed after inviting applications by Public advertisements which will describe all the conditions of service.

- iii) These will be interviewed and selected by the Dean after consulting the principal and/or head of Department of that branch. These selections will be submitted to the Board of Trustees for information at its next meeting.



- iv) The appointment will become valid after the appointment order and the acceptance of the same by the candidate.
- (C) The Nursing Clerical and Menial Staff :
- i) The Nursing, Clerical and Menial Staff will be appointed by the Dean after inviting applications by public advertisement if he feels it necessary.
- ii) the Dean is the final authority in dismissing, suspending or taking any disciplinary actions in regard to this staff.
2. Persons in the Junior Medical Staff can be suspended for other disciplinary action can be taken against them by the Dean, but their cases will have to be reported to the Board of Trustees for their approval. The Board of Trustees may confirm the action or alter it as they think it fit. The decision of the Board of Trustees, in these cases, will be final.
3. In the case of S.M.S. the Dean can take action only after obtaining the previous sanction of the Board of Trustees except when the Dean feels immediate action is necessary; in which case it will be placed before the Board of Trustees as early as possible. The Board of Trustees may confirm the action or alter it as they think it fit.
4. All the authority and Powers of the Dean in section 1,2 & 3 above are to be used, with the concurrence of the General Secretary.



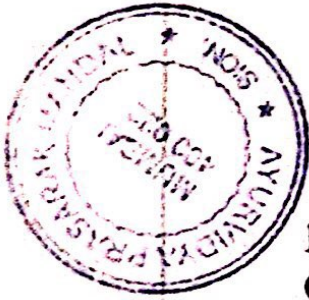


## **ELECTION BYE LAWS AND RULES**

1. At least 15 days before the end of five years on any other extended date the Council on the recommendation of the Board of Trustees will appoint an election officer to carry out all the elections as provided in the Scheme.
2. He may appoint assistant officers and assistants to help him and carry out the elections with the help of the staff of the Mandal.
3. He will certify the upto date list of members of the Mandal.
4. At the end of five years or any other extended date the term of all the members of the Council as also the Board of Trustees will come to an end but they will continue as provided in Article VI-2(a) and VII (3).
5. The Family Trustees (under Article VII 2a) will continue unless they themselves want a change.
6. After completing the elections under Article VI-a and VII(3), the election officer shall call separate meetings of the Council and Board of Trustees so elected for the purpose of electing the office bearers, confirmation of other names of the trustees and co-option of members, if any, may be as per the Scheme.
7. The Election Officer will have the full authority to give decisions with regard to the elections not in consistent with the consitution and these rules and Bye-Laws and his decision will be final.

## **APPENDIX I DECREE OF THE HIGH COURT**

In the High Court of Judicature at Bombay  
Ordinary original Civil Jurisdiction Suit No. 230 of 1949(O.S.)  
Coram : Tendolkar J. (In Chambers).



George VI, by the Grace of God of Great Britain, Ireland  
and the British Dominions beyond the Seas king ;  
Defender of the Faith

1. Manohardas Tribhuvandas of Bombay  
Hindu Inhabitant residing at Shri Niwas,  
Sandhurst Road, outside the Fort of  
Bombay.
  2. Madhavdas Dharandas of Bombay  
Hindu Inhabitant residing at Mulji Jetha  
Bungalow near Mahalaxmi Temple,  
Warden Road, outside the Fort of  
Bombay.
  3. Bhagwandas Dharmdas of Bombay  
Hindu Inhabitant residing at Mulji Jetha  
Bungalow near Mahalaxmi Temple,  
Warden Road, outside the Fort of  
Bombay.
- and
4. Dr. T.R. Naravane of Bombay Hindu  
Inhabitant residing at Godavri Bhuvan,  
Shivaji Park, Dadar, outside the fort of  
Bombay.

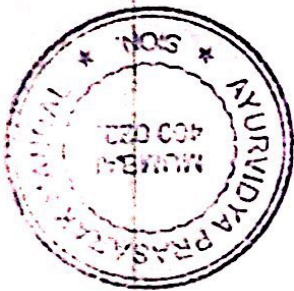
Verses

The Advocate General of Bombay  
having his office in the High Court  
premises the fort of Bombay

The plaintiffs pray for the determination of the questions  
propounded in the originating summons filed herein and the  
said Originating summons having been called on for hearing  
before the Honourable the sitting Judge in Chambers on the  
twenty eighth day of February one thousand nine hundred  
and forty nine. The plaintiffs and the defendant the Advocate  
General of Bombay having appeared respectively by Advocates  
and upon Reading the said originating summons and the plaint  
herein and upon hearing the said Advocates and this Court



having answered the first question propounded in the originating summons as hereinafter mentioned and having ordered that the rest of the originating summons should stand over and the originating summons being this day called on before the sitting Judge in Chamber the parties appearing as and upon hearing the Advocates this Court Doth order that the whole of trust property and the trust funds of Seth Ranchoddas Varjivandas Madhavdas Sanitarium and Seth Varjivandas Madhavdas Charitable Medical Dispensary referred to in the plaint be applied cy-pres for the establishment of an Ayurvedic Hospital and college instead of a Sanitarium as provided in the original deeds of Turst dated respectively the sixteenth day of July one thousand eight hundred and ninety one and the twenty eighth day of March one thousand eight hundred and ninety five on the terms and conditions mentioned in the schedule and this Court Doth Further Order that the first second and third plaintiffs be and they are hereby authorised to hand over to the said Ayurvediya Prasarak Mandal the said trust property and the said trust funds for the establishment of Ayurvedic Hospital and College with liberty to the said Mandal to carry out structural alterations in the existing buildings of the said Sanitarium as may be necessary for converting them into buildings suitable to the said Hospital and College and also to erect if so advised, such new buildings on the said trust property at the cost of the said Mandal as may be necessary for the purpose and subject to the conditions mentioned in the said Schedule and This Court Doth Further Order that the first, second and third plaintiffs be and they are hereby authorised to hand over to the said Ayurvediya Prasarak Mandal the said charitable dispensary to be run on Ayurvedic lines subject to the conditions mentioned in the said Schedule and This Court Doth Lastly Order that the costs of the plaintiffs and of the defendant of the suit when taxed as between Attorney and the client and noted in the Margin hereof do come and be paid out of the trust funds. Witness Mehommedali Currim Chagla, Esquire, Chief Justics at Bombay aforesaid





this eleventh day of April one thousand nine hundred and forty nine.

By the Court

Sd/- S. J. RAHIMTOOLA,  
Prothonotary and Senior Master.

(SEAL)

Sd/- A.R. NARAYAN AYYAR.

This 21st day of September, 1949.

Decree drawn on application of Messrs Nanu )  
Hormasjee and Co., Attorneys for the )  
Plaintiffs ..... )

APPENDIX II.

CONDITIONS OF TRANSFER OF SION TRUST PROPERTY  
TO A. V. P. MANDAL.

SCHEDULE.

CONDITIONS OF TRANSFER : subject suit no, 230 of 1949 (O. S.)  
Manohardas Tribhuvandas and Ors.

Vs

Advocate General of Bombay

1. The Immovable property and funds shall be held by the Mandal as Charitable trust property subject to the Jurisdiction of the High Court.
2. The Mandal shall not sell, mortgage, charge or otherwise alienate the immovable property or any part hereof without the previous sanction of the Chamber Judge after Notice to the Advocate General.
3. The funds proposed to be transferred shall be kept in a separate account and shall be invested in the securities under section xx of the Indian Trust Act.
4. The Trustees of the Mandal and the members of the Council of the Mandal shall be accountable for the said property and funds and shall be answerable for their own acts, receipts and defaults and the due administration of such property and funds in the same manner and the same extent as they would if they are Trustees of a public trust.





5. Out of the Trustees of the Mandal, two trustees will be the members of the family of the founder Seth Varjivandas Madhavdas provided they are otherwise qualified for such appointment under the law.
6. The Mandal will name six beds in one block after the name of the members of the family of Seth Varjivandas Madhavdas but the members of the said family shall have not right to name the occupants of such beds but they may recommend such occupants to the Mandal.
7. The Ayurvedic Hospital shall be named after Seth Ranchodas Varjivandas and the Dispensary after Varjivandas Madhavdas, and the Mandal will be at liberty to name the Departments connected with the Ayurvedic Hospital after the name of any other benefactors.
8. The Mandal shall at its own costs, carry out the repairs, if any to the Trust property and may also erect new structures for the convenience of the Mandal.
9. The Mandal will be entitled to draw only upon the interest acceruing from the Trust fund for the maintenance of the dispensary and the trust property and any other extra expenses required shall be provided for by the Mandal separately.
10. The Trustees and the Members of the Managing Committee for the time being of the Mandal shall be at liberty to apply to the Judge in Chambers for any directions after giving Notice to the Advocate General.

THE SEAL OF  
HIGH COURT AT BOMBAY



Sd/- S. J. R.  
Certified to be a true copy  
This 21st day of September 1949  
Sd/-  
For Prothonotary & Senior Master  
Sd/-  
(B. V. Chavan)  
Charity Commissioner,  
Maharashtra State, Bombay.