

Regn - No. 364 / 05 -06

KARNTAKA STATE TAX
PRACTITIONERS ASSOCIATION
(BANGALORE)

Administrative Office:

2, 'C' Block, 3rd Floor, Revankar Complex,
Court Circle, **HUBLI** - 580029
Dist - **DHARWAD**
www.kstpa.org

Memorandum of Association
and
Rules & Regulation



ಕರ್ನಾಟಕ ಸರ್ಕಾರ



GOVERNMENT OF KARNATAKA

ಸರ್ಕಾರಿ ಸಂಖ್ಯೆ: 364/05-06
ಸಹಾಯಕ ಸಂಖ್ಯೆ: 49/12-13

ಸರ್ಕಾರಿ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ
ಸಂಪನ್ಮೂಲ, ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು
ಸಂಪನ್ಮೂಲ

ದಿನಾಂಕ: 06-11-2012

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಂಖ್ಯೆ 19608 ಮತ್ತು 13000ಗಳು ಅಧೀನದಲ್ಲಿರುವ
ಸರ್ಕಾರಿ ಸಂಸ್ಥೆಗಳಿಗೆ

ಶ್ರೀ ಪಿ.ಸಿ.ಎಸ್.ಎಸ್. ಸಿ.ಎಸ್.ಎಸ್. ಸರ್ಕಾರದ
ಸಂಪನ್ಮೂಲ, ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ಸಂಪನ್ಮೂಲ

ಸಂಪನ್ಮೂಲ, ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ಸಂಪನ್ಮೂಲ
1-04-2011 ರಿಂದ 31-03-2012 ರವರೆಗೆ
2012-13 ರ ಸರ್ಕಾರದ ಸಂಪನ್ಮೂಲ ಮತ್ತು ಸಂಪನ್ಮೂಲ

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(ಸಂಪನ್ಮೂಲ ಮತ್ತು ಸಂಪನ್ಮೂಲ)



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ಸರ್ಕಾರಿ ಸಂಸ್ಥೆಗಳಿಗೆ
ಸಂಪನ್ಮೂಲ, ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು
ಸಂಪನ್ಮೂಲ

**KARNATAKA STATE TAX PRACTITIONERS ASSOCIATION
MEMORANDUM OF ASSOCIATION.**

1. NAME : KARNATAKA STATE TAX
PRACTITIONERS ASSOCIATION
2. LOCATION : REGD.OFFICE-SAYED BUILDING,
NO 10/2. 1ST FLOOR, KEMPANNA &
BROS LAYOUT, NEAR OLD JATAKA
STAND, PALACE GUTTALLI,
BANGALORE.
- : ADMN.OFFICE- No 2, 'C' BLOCK, 3RD
FLOOR, REVANKAR COMPLEX,
COURT CIRCLE, HUBLI.
3. ADMISTRATIVE
OFFICE TIMINGS : 10.00 AM TO 4.00 PM.
4. JURISDICTION : THE STATE OF KARNATAKA.
5. AIMS & OBJECTS :
1. To provide facilities for work and maintain professional standards for the Members of the Taxation Profession.
 2. To establish and maintain libraries, rest rooms and other place for work.
 3. To safeguard and promote the interest of the taxation profession.
 4. To watch and assist in the progress of legislation at the Central and in the State of Karnataka.
 5. To make proper representation to the Central and State Governments and to the Income Tax and Commercial Tax Departments, in particular, and to the other departments.
 6. To cause legislation under Central or State Taxation Acts, particularly Tax Laws and to pursue and to get accorded due status and recognition to such Tax Professionals and cause their registration.
 7. The Income of the Association by whatever means shall be utilized for the Objects of the Association and shall not be distributed amongst the members or to any one in any manner.

KARNATAKA STATE TAX PRACTITIONERS ASSOCIATION

RULES AND REGULATIONS.

- 1. DESIGNATION** : The Association shall be designated as
KARNATAKA STATE TAX PRACTITIONERS ASSOCIATION
- 2. ADDRESS** : **REGD.OFF:** SAYED BUILDING, NO 10/2, 1ST FLOOR, KEMPANNA & BROS LAYOOT, NEAR OLD JATAKA STAND, PALACE GUTTALLI, BANGALORE.
- ADMN.OFF:** NO. 2, 3RD FLOOR, 'C' BLOCK, REVANKAR COMPLEX, COURT CIRCLE, HUBLI.

3. MEMBERSHIP :

The Membership of the Association shall be open to any person who is practicing under any of the Direct and Indirect Tax Laws and any other Laws connected to taxation as a practitioner in the State of Karnataka and he shall be the life member of the Association.

LIFE MEMBERSHIP :

A Tax Practitioner who makes the payment of Rs. 1500-00 as membership fees of the Association, shall be called as the Life member.

4. DISQUALIFICATION OF MEMBERSHIP :

A member shall be ceased to be a member of this association in the following circumstances : viz,

- a) Who has become an insolvent; or
- b) Who has been convicted of an offence connected with the Income Tax or Sales Tax Proceedings; or
- c) Is found guilty of mis-conduct in professional capacity.

5. FORMATION OF GENERAL BODY :

- a) The State of Karnataka is having 27 Districts for the administrative convenience. The Revenue Department of the State has divided these districts into 4 Divisions. These are Bangalore, Mysore, Gulbarga and Belgaum. Since this organization having the jurisdiction of whole of State and same four divisions are treated as each Zone is to have a Chairman who is also the Vice-President of the Association.

b) The General Body of the Association consists of all the life members. The First General Body meeting will be called by the promoter President within 18 months of the registration of this association. The General Body will elect the President, Four Vice-Presidents for Four Zones, General Secretary, Joint Secretary, and Treasurer who will be the office bearers for the period of **THREE YEARS**.

c) The subsequent General Body Meetings will be called by the General Secretary in consultation with the President every year, the notice with the agenda shall be communicated to the members at least 21 days in advance of the date of the meeting.

6. SPECIAL GENERAL BODY MEETING :

On the written requisition of at least Fifty members from not less than 1/3rd Districts of the State of the Association addressed to the President, and the President shall within 21 days of receipt thereof, convene a special general body meeting.

7. MANAGING COMMITTEE :

The Managing Committee of the Association consists of 35 members including Office Bearers.

Office Bearers :	A) President 01
	B) Vice-President 04
	C) General Secretary 01
	D) Joint Secretary 01
	E) Treasurer 01
		<hr/> 08

Managing Committee members :

one member from each District nominated	
By the respective District Tax Practitioners Association 27
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Total	35

8. POWERS AND DUTIES OF OFFICE BEARERS

A. PRESIDENT

- a) The President shall preside over all the meetings of the association.
- b) In the absence of the President, the Vice President shall take the chair.
- c) The President shall look into the smooth administration of the association.

B. VICE PRESIDENT

In the absence of the president, vice president shall conduct the meetings, will help the members of their zones in legal and other matters and see that all the members in each district shall become the members of this State Association.

C. GENERAL SECRETARY

- a) The General Secretary shall keep correct minutes and records of the proceedings of the various meetings of the Association and issue notices and convene the meetings whenever necessary in consultation with the president and exercise general supervision over the affairs of all meetings.
- b) He shall be the Chief Executive Officer of the Association and the Managing Committee and shall carry on correspondence and transact all business on behalf of the Association.
- c) He shall have power to appoint and dismiss servants, to sanction the periodical increments to their salaries and decide all other matters concerning their leave, promotion etc., subject to general control of the president and with the approval of the Managing Committee.
- d) He shall be the custodian of all the records of the Association.

D. JOINT SECRETARY

The joint Secretary shall assist the General Secretary in all his duties relating to the Association.

E. TREASURER

- a) The Treasurer shall exercise control over the funds of the Association and shall be responsible for the proper investment and safe custody of the securities and funds of the Association. He shall have the power to operate the bank accounts and deposits of the association, jointly with president or the general secretary.

- b) He shall be responsible for all the collections and fees from members and shall deposit immediately in to the bank.
- c) The proper accounts shall be maintained by the Treasurer. He shall prepare the Statement of Income & Expenditure account and the Balance Sheet and get it audited, and same is to be presented to the General body Meeting.

9. POWERS AND DUTIES OF THE MANAGING COMMITTEE.

- a) The Managing Committee shall ordinarily meet once in 4 months and same shall be convened by the General Secretary, provided always that the President may also call such meeting whenever he deems it necessary to do so provided also that in each such case 7 days previous notice for such meeting has been given.
- b) The Managing Committee shall have power to elect an office bearer in the event of any casual vacancy arising on account of demise or resignation or any other act on the part of any office bearer. In case of Managing Committee members, the vacancy will be filled in by other representative from the same District.
- c) The Managing Committee shall generally do all acts necessary for the efficient management and improvement of the Association.

10. PERIOD OF NOTICE :

Notice of the Annual General Body Meeting should be given at least 21 days before the date fixed for such meeting. A notice of a Special General Body Meeting should be given at least 21 days before such meeting.

11. QUORUM :

- a) At the General Body Meeting of the Association as called under Rule 5 of the above and a Special General Body Meeting of the association under Rule 6 of the Above, **1/6 th of the members on roll shall constitute the quorum. For any meeting of the Managing Committee, the quorum shall be 12 members.**
- b) If the necessary quorum is not present at any meeting within 15 minutes of the appointed time, the meeting shall be adjourned and no business shall be transacted thereafter, except the election of the president, if necessary and the fixing of the time and date of the adjourned meeting.

12. DECISION BY VOTES :

Subject to the aforesaid rules, all question brought before the Association shall be decided by a majority of votes of the members present at the meeting.

13. CUSTODY AND WITHDRAWAL OF MONEY :

All moneys belonging to the Association shall be deposited in the bank. All disbursements shall as far as possible, be made by cheque drawn on the said bank. The Treasurer and the General Secretary or the Treasurer and the President shall operate the bank accounts jointly.

14. KEEPING AND AUDITING OF ACCOUNTS :

The accounting year of the Association shall be the financial year. The accounts of the association shall be closed by 31st March of every year, and a Receipts and Payments account, Income & Expenditure account and the Balance Sheet as on that date be drawn and to be presented and approved by the Annual General Body Meeting.

15. APPLICATION OF FUNDS ETC., OF THE ASSOCIATION :

The funds and the assets of the association shall be applied in and to the objects expressly approved and resolved by the association.

16. BYE-LAWS :

The Managing Committee may frame bye-laws as may be from time to time, necessary, but no such bye-laws shall come into force unless they have been approved and the sanctioned at the Annual General Body Meeting of the association.

17. CIRCUMSTANCES UNDER WHICH RULES MAY BY MODIFIED OR ALTERED :

No rules of the Association framed and embodied herein shall be altered or modified, nor shall any new rules be framed, unless they have received the assent of a majority of such members who are entitled to vote in the General Body Meeting conveyed for the purpose.

18. RIGHTS OF MEMBERS TO PROPERTY OF THE ASSOCIATION ON CEASING TO BE A MEMBER :

- a) No member of the Association shall on ceasing to be a member thereof , has any right to or claim upon any property or asset or funds of the Association.

- b) In case of change of name, rules and regulation, amalgamations and dissolution in Section 10 and 21 of the Karnataka Societies Registration Act 1960 shall be made applicable respectively and upon dissolution section 23 of the Karnataka Societies Registration Act of 1960 shall be made applicable.

19. RAISING LOANS, ADVANCES, AND DONATIONS :

- a) The Association can have immovable properties. The Association can accept donation in cash or kind from members and others. The Association can also borrow the funds required from public/ Financial Institutions/ Government.
- b) The Association can enroll with any Insurance Company for Group Insurance of their members by contributing to the Scheme. Similarly the Association can also enroll itself for medical assistance / benefit with any Institute dealing with it.

20. CLAUSES UNDER INCOME TAX ACT 1961 :

- a) The funds of the association shall be invested in the mode specified under the provision of section 13(1)(d) read with section 119(5) of the Income Tax Act 1961, as amended from time to time.
- b) All the investments shall be made in the name of the Association only and not in any personal name of any member.
- c) No amendments to the byelaws of the association shall be made which may prove to repugnant to the provisions of section 10, 11, 12, 13 and 80G of the Income Tax Act 1961 as amended from time to time. Further no amendment shall be made to the Memorandum or Rules and Regulations without the prior approval of the Commissioner of Income Tax.
- d) In the event of Dissolution or Winding up of the association, the assets remaining as on the date of the dissolution shall under no circumstances, be distributed among the members of the Managing Committee or any member, but the same shall be transferred to another Association or Charitable Trust, whose objects are similar to those of this Association and which enjoys recognition under section 80G of the Income Tax Act 1961 as amended from time to time.
- e) The benefits of the association shall be as mentioned earlier be open to all irrespective of caste, creed or religion.

- f) The funds and income of the association shall be solely utilized for the achievement of its objects and no portion of it shall be utilized for payment to the members or Managing committee members by way of profit, interest or dividends etc.,
- g) Amendments to the Rules and Regulations shall be done as per section 9 and 10 and amalgamation of the association with another will be subject to the provisions of the section 21, 22 and 23 of the Karnataka Societies Registration Act 1960 only.
- h) All decision taken in accordance with the above byelaws by the association in any matter, relating to the accociation or member shall be final and conclusively binding on the association and the members and the same shall be subject to proceedings in a court of Law.
- i) No amendments to or alterations in this byelaw or enactment shall be made without the prior approval of the General Body of the Association and coincident with the coming into force and effect of this byelaw accepted and approved by there under and as annexed hereto in so far as provided for in the byelaws.
- j) All the provisions of the Karnataka Societies Registration Act 1960 will be applicable.

Accepted and approved the above byelaws.

KARNATAKA STATE TAX PRACTITIONERS ASSOCIATION

Sd/-
President

Sd/-
Secretary