

# CONSTITUTION



**PRAVASI LEGAL CELL - PLC GLOBAL**

*Empowering People on Legal Front*

## **INTRODUCTION**

PLC Global is the international wing of Pravasi Legal Cell, headquartered in India. It is a group of retired Judges, lawyers, and other philanthropic and public-spirited individuals and functions with the primary objective of empowering people on the legal front.

Its parental organisation, Pravasi Legal Cell, a nationally registered society, was founded in India in the year 2009 by Mr. Jose Abraham, an Advocate-on-Record in the Supreme Court of India. Pravasi Legal Cell, within a decade of its formation, grew into a global organisation with Chapters and representatives across the world. Subsequently, PLC Global was formed to administer better the functioning of Pravasi Legal Cell globally.

This constitution is enacted on this 1<sup>st</sup> Day of April, 2019 to regulate the activities of PLC Global and its Chapters.

### **1. NAME OF THE ORGANISATION:**

The name of the Organisation shall be “PLC Global”.

### **2. VISION:**

A world order where equality and dignity of human beings, both of natives and migrants, are protected and celebrated, and human rights are defended and enhanced.

### **3. MISSION:**

To work independently or in collaboration with governmental or non-governmental, national and/or international organisations (such as those working under the United Nations) toward protecting and defending the dignity and rights of every individual.

### **4. MOTTO:**

Empowering People on the Legal Front

## **5. LOGO:**

The following shall be the official logo of PLC Global.



## **6. GLOBAL HEADQUARTERS:**

The Global Headquarters of PLC Global shall be at D-144/A, Ashram, New Delhi-110014.

## **7. AREA OF OPERATION:**

Area of operation of the organisation shall be across the Globe.

## **8. DECLARED POLICIES:**

- a. In line with the declared policy of the parental organisation, PLC Global will not accept financial aid of any nature such as donation, grant etc. from any local or international, governmental or private bodies or individuals.
- b. Benefits of the services of PLC Global shall be extended to all individuals, irrespective of nationality, race, caste, colour, creed, religion, place of birth, gender or any such factor that discriminates and violates fundamental dignity and rights of human beings.

## **9. OBJECTIVES:**

The objectives of PLC Global shall be:

- (i) To undertake such initiatives which would create awareness about and promote safe migration practices.
- (ii) To conduct research in the area of international migration and to assist various governmental and international departments or non-governmental organisations in forming and implementing best migration practices and to protect the dignity and rights of international migrants.

- (iii) To initiate legal proceedings or provide legal assistance or defend the causes of vulnerable individuals or groups, especially migrants, in various courts across the globe.
- (iv) To intervene in matters that affect migrant communities by way of submitting representations or petitions before concerned authorities within the destination country or in the Country of Origin.
- (v) To take up any matter that degrades human dignity and violates human rights before any national or international forum and fight to preserve the rights of the individuals or communities and to ensure justice for all, and to collaborate with any creditable organisation for this purpose.
- (vi) To provide legal aid and advice to civil societies, voluntary organisations and public-spirited individuals working across the globe espousing the cause of humanity.
- (vii) To assist national or international governmental departments or authorities by providing technical assistance and training on various laws and recommendations regarding the enactment and amendment of laws, especially on matters pertaining to safe migration practises.
- (viii) To prevent human trafficking of any form and to assist international bodies and governments that work to protect individuals from violence and oppression caused by human trafficking.
- (ix) To collaborate with governments, government departments, and credible national or international organisations to organise seminars and awareness programmes in different countries, especially on issues connected with the expatriate community like repatriation of mortal remains, international surrogacy, international marriages, international adoption etc.
- (x) To educate migrant communities on existing and new labour laws applicable within a country and on international directives regarding labour and to publish and publicise print or virtual content towards that end.

- (xi) To institute and give away awards to individuals and/or organisations to recognise and appreciate their efforts for promoting safe emigration practices or work towards the wellbeing of migrants within India or abroad or defending of the rights and dignity of individuals in general.
- (xii) To publish awareness material both in print and electronic forms for disseminating information regarding the activities of PLC Global, as well as on existing and new laws and directives passed within nations or internationally.

## **10. BYE-LAWS:**

### **I. Definitions & Interpretations:**

- (i) “Parent Organisation” means Pravasi Legal Cell.
- (ii) “Governing Body” of the organisation shall be the Governing Body of the parent organisation, Pravasi Legal Cell. The President of the Governing Body shall also function as its Global President.
- (iii) “Member” shall be a member of PLC Global whose application has been approved and accepted by the Governing Body. Membership shall be of two types: (i) Temporary; and (ii) Permanent. A temporary membership, valid for 3 years, issued initially, may be considered for extension for another 3 years or converted into permanent membership as per the discretion of the Governing Body.
- (iv) “Chapter” means a subdivision or unit of the organisation established in a region within a country, or in a country to coordinate and discharge its functions and services. Each Chapter will be named after the country or region where it is functioning such as PLC (name of the country/region) Chapter.
- (v) “Chapter Logo” shall be an adaptation of the logo of the parental body. A white strip below the logo depicting the name of the chapter such as: “PLC Global – (name of the country/region) Chapter” may be added. The font used for the said purpose shall be Times New Roman and the colour shall be same as the blue colour used within the logo.

- (vi) “Financial Year” shall be the Indian financial year beginning on 1<sup>st</sup> April and ending on 31<sup>st</sup> March and shall be considered as the unit of time for the purpose of evaluating the activities of a Chapter.
- (vii) “Quorum” means 2/3<sup>rd</sup> members of the Chapter Executive Committee who must be present at any of its meetings to make the proceedings of that meeting valid.

## **II. Formation of a Chapter:**

- (i) A new Chapter of PLC shall be initiated with the appointment of a Co-ordinator by the Governing Body to co-ordinate the functioning of PLC in a country or a region within a country in the absence of a Chapter in that particular region or country. The tenure of a Co-ordinator shall be fixed for a year and may be renewed as per the discretion of the Governing Body.
- (ii) A new Chapter shall be formed in a country or a region within a country as and when the need arises and as desired by the Governing Body. There could be one or more Chapters within a country, depending on the area and the number of beneficiaries.
- (iii) The Chapter President shall be duly appointed by the Governing Body and, if required, shall oversee the formation of a Chapter and the Chapter Executive Committee in consultation with the Governing Body. Procedure of appointment of a Country Head may be modified as per the discretion of the Governing Body.
- (iv) The functions of a Chapter shall be managed and administered by a “Chapter Executive Committee”, which shall be comprised of minimum 5 members and maximum 10 members, including a President, Vice-President, Secretary, Joint Secretary and Executive Members. The office bearers of the Chapter shall always represent themselves as an office bearer of the respective Chapter of PLC such as, President, PLC - (name of the country/region) Chapter.
- (v) A PLC Country Head, who is a person duly appointed by the Governing Body for a specific period, which may be extended, to oversee the functions of PLC Global within a country, may also be appointed by the Governing Body as the President of a PLC Chapter in that country. In case of there being more than a Chapter within a country, one of the Chapter Presidents may be appointed as the Country

Head. He/she shall always represent himself or herself as Country Head, PLC – (name of the country).

- (vi) All positions in PLC Global is on voluntary basis and no one shall be entitled to receive any salary or monetary benefit for their service.
- (vii) No representative of PLC Global shall prepare and use any identity card, car sticker or a name tag of PLC Global/Pravasi Legal Cell, unless specifically approved of and authorised by the Governing Body.
- (viii) The tenure of the Chapter Executive Committee shall be for a year. A new Committee may be formed in a democratic manner. Members of the outgoing Committee may be considered for the same or other positions again as per the discretion of the members.

### **III. Functions of a Chapter:**

- (i) The Chapter President shall lead the Chapter and communicate with the Governing Body regarding the functions of the Chapter.
- (ii) The Chapter Executive Committee shall be responsible for the execution of the functions of the respective Chapter. Decisions regarding the functions of the Chapter shall be taken in a democratic and transparent manner.
- (iii) The Chapter shall call for meeting of the Chapter Executive Committee at least thrice a year and such meeting shall be called on by the Chapter President with prior information to all the members through appropriate means. Minutes of the meeting shall be submitted to the Governing Body within 15days from the date of meeting.
- (iv) An annual activity report of the Chapter shall be submitted to the Governing Body within 2 months from the last date of the Financial year.
- (v) As per the declared policy of PLC Global, no Chapter shall open and operate a bank account or receive financial aid from any source.

- (vi) The events and activities of a Chapter shall be made public on the official social media platforms operated by the parent organisation. No separate social media accounts shall be created and managed by a Chapter in its name.
- (vii) A Chapter may create and use an e-mail account for its day to day correspondence. Access to the email shall be given to the Governing Body, and whenever there is a change in the password, the same shall be communicated to the Governing Body.
- (viii) A Chapter is expected to perform its functions in a transparent, accountable, inclusive, secular and democratic manner.
- (ix) The Chapter President would preside over the regular meetings of the Chapter and in the absence of the President, the Vice President may chair the meeting.
- (x) The services of all PLC Global office bearers and representatives shall be governed by the rules and regulations of PLC Global in force from time to time.

#### **IV. Dissolution of a Chapter:**

- a. The Governing Body shall be authorised to terminate the PLC membership of a person who is found guilty of acting in contravention to the provisions of this constitution, or is alleged to have committed any illegal, immoral or fraudulent act.
- b. Appointment of a Country Head or a Chapter President shall also be cancelled by the Governing Body if that person is found guilty of acting in contravention to the provisions of this constitution, or is alleged to have committed any illegal, immoral or fraudulent act.
- c. The Governing Body may also dissolve a Chapter if the activities of the Chapter are found to be against the provisions of this constitution or against the laws of the land where it is operating, or if the Chapter is found to have indulged in any malpractice, including financial irregularities.



- d. A Chapter may also be declared dissolved by the Governing Body on the request of the existing Chapter Executive Committee. A Chapter or an office bearer may also be dismissed on the ground of non-performance after affording an opportunity to be heard.

## **11. DISPUTE RESOLUTION**

All the disputes pertaining to the Organisation shall be resolved through the mechanism of Arbitration as per the Arbitration and Conciliation Act, 1996. The courts in Delhi shall have the sole jurisdiction to adjudicate any dispute pertaining to the functioning of PLC Global.

## **12. AMENDMENT TO THE CONSTITUTION:**

Authority to modify and/or amend any clause within this constitution shall be vested in the Governing Body.

On this 1<sup>st</sup> Day of April, 2019, this constitution is enacted, notified, and issued for its due compliances by all concerned.

President

(Jose Abraham)

Secretary

(Dr. Bins Sebastian)

Place: New Delhi

Date: 1 April, 2019



**PRAVASI LEGAL CELL - PLC GLOBAL**

*Empowering People on Legal Front*

**Membership Form**

**Application Form No. ....**

I, whose particulars are given hereunder, having fully read and understood the Bye- laws of PLC Global, its objectives and activities, and feeling from within my conscience and best judgment to become a member of PLC Global and contribute toward the achievement of its goals and objectives aimed at bring positive change in human lives, request the Governing Body to admit me as a member of PLC Global on the terms and conditions as set out in its Bye-laws. I hereby undertake to fully abide by the said terms and conditions in its true letter and spirit and to work for and contribute to the advancement of the objectives PLC Global wheneverrequired.

Thanking you.

Faithfully yours,

(signature & name)

**Details of the Applicant**

Complete Name: Mr./Ms. ....

Date of Birth:...../...../..... Educational Qualification: .....

Nationality:..... Passport Number (Enclose a copy): .....

Present Address:(House No.)..... (Street/Area) .....

(District) ..... (State)..... (ZIP/PIN Code) .....

(Country) ..... Telephone Number ..... Mobile Number.....

Email:..... Permanent Address: (House No.) ..... (Street/Area) .....

(District) ..... (State) ..... (ZIP/PIN Code) .....

(Country) .....

**Employment Details:**

Name of the Office/Organisation: ..... Designation: .....

Address: .....

Telephone No..... Website: .....

Membership of any other organization:

- 1. ....
- 2. ....
- 3. ....

Any other relevant information

- 1. ....
- 2. ....
- 3. ....

**Declaration:**

I hereby confirm that the above-mentioned information are true and correct to the best of my knowledge and belief and no material has been concealed therefrom.

Place:

Date:

(Signature of theApplicant)

-----**For official use**-----

The governing body is pleased to accept this application and hereby issues Mr./Ms ..... with permanent/temporary membership of PLC Global for a period of .....years valid from ..... to .....

Authorized signatory

Date:

Place:



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**Letter of Appointment**

Ref. No.: .....

Dated .....

To

.....  
.....  
.....  
.....

The Governing Body of Pravasi Legal Cell is pleased to appoint you as PLC - Coordinator/PLC - Country Head/ President of ..... for a period of one year with effect from ..... to .....

Secretary

President

I,....., have read and understood the terms and conditions prescribed in the Constitution of PLC Global and hereby declare that I shall abide by them in letter and spirit.

(Name and Signature)

Date : ...../...../.....

**For official use only**

Remarks: .....

Date: ..../..../.....

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(Authorized Signatory)