

AUM

# ***SHREE PRETORIA HINDU SEVA SAMAJ***

(Established in 1932)

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PBO Ref. No.: 930004205

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## **MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE SHREE PRETORIA HINDU SEVA SAMAJ**

Held at: The Boardroom, Shree Pretoria Hindu Seva Samaj  
Date : 21 September 2010  
Time : 7:30 pm

1.

### **WELCOME AND PRAYER**

The meeting commenced at 7:30 with a prayer and welcome to all present.

### **2. ATTENDANCE & APOLOGIES**

- 2.1 Apology** – None; **Absent** – Sanjaybhai Govind; Himalbhai Ramjee & Tershiabhen Calien.
- 2.2 In Attendance:** Prakashbhai Hira, Rameshbhai Chhagan, Jagdishbhai Makan, Kishorbhai Naran, Pranaybhai Devchand, Pravinbhai Daya, Jyotibhen Joshi and Rakeshbhai Ravjee.
- 2.3** The meeting was declared duly constituted by the Secretary-General as the requisite quorum as required by clause 12 of the constitution had been met by the members present.

3.

### **APPROVAL OF MINUTES**

The minutes of the meeting of the Executive Committee of 30 August and 6 September 2010, was adopted, on the motion of Kishorbhai Naran & seconded by Jagdishbhai Makan.

### **3.1 Amendment**

The name of Nipunbhai Jeeva must be added on to the list of education committee members who had resigned.

4.

### **MATTERS ARISING**

#### **4.1 Establishment of Family Bursary Fund**

It was agreed that Pranaybhai would confirm with the potential donor any terms and conditions he may have with respect to the Family Bursary Fund he wishes to have the Samaj manage. Within these requirements, approval was granted that this fund be managed in the same manner as the current study loan fund.

#### **4.2 Preparations for 80<sup>th</sup> Anniversary Celebrations**

It was agreed that as Sanjaybhai was absent, this matter should be put in abeyance for the time being.

#### **4.3 Renovation of Samaj Premises**

Kishorbhai presented an architect's report on the renovation of the school section. He also presented quotes from various service providers for the proposed renovation as per the architect's proposals. It was agreed that he should incorporate the suggested plans for individual classrooms sent to him by Pranaybhai and present a total figure to the committee. Approval could be obtained on a round-robin basis without waiting for the next Exco meeting.

#### **4.4 Community Social Support Policy**

Jyotibhen requested that her team be given until mid-October to submit their comments to the proposed policy document. This policy will be tabled at end-October for approval.

#### **4.5 Academic Financial Support Programme (AFSP)**

It was agreed that Pranaybhai must obtain inputs from his team members by mid-October and that this policy must be tabled for acceptance by end October.

#### **4.6 Development of a Family Tree**

Rameshbhai was asked to send out an email requesting volunteers to run this project and Pranaybhai to approach Maganbhai Dheda.

#### **4.7 Samaj Website**

Rameshbhai reported that the first draft website will be available for comment and approval next week.

#### **4.8 New Samaj/Navyug Directory**

Rakeshbhai reported that he and his team are currently finalising their plans for the updating of the directory. They are currently getting quotes for publication. Information gathering will start in October.

#### **4.9 Obtain PBO Registration with SARS**

This matter is in process

#### **4.10 Air Conditioner & Vacuum Cleaner for Mandir**

Both have been purchased and the air conditioner has been installed in the mandir.

- 4.11 *Employment Contracts & Tenancy Agreements with Mukeshbhai & Premeebhen***  
Prakashbhai intends finalising this within the next two weeks.
- 4.12 *Renovation of Samaj Flats***  
Kishorbhai to produce list of requirements for approval
- 4.13 *Astroturf***  
This matter was put in abeyance
- 4.14 *Appointment of a Permanent Administrator***  
Prakashbhai reported that an interview panel made up of Pranaybhai, Pravinbhai and him interviewed applicants the previous week Saturday. They were pleased with the quality of the applicants and sought approval for two persons to be appointed, namely Mineesha Chetty and Vinay Chagan. After some discussion, it was agreed that both candidates should be appointed; that they should report directly to the President and that proper duties and responsibilities should be drawn up. Prakashbhai undertook to finalise the issue of salary, contracts and starting date.
- 4.15 *Governance & Limits of Authority***  
Prakashbhai undertook to produce a draft by the next meeting
- 4.16 *Forensic Report***  
Prakashbhai reported that he was meeting with the forensic auditors on 29 September to get clarity on the way forward
- 4.17 *Finalising Teacher Contracts***  
Prakashbhai & Pranaybhai reported that the contracts of the permanent teachers have been finalised whilst the three temporary teachers will receive letters of employment.
- 4.18 *Auditor's Management Report***  
The issues identified by the auditor's, including that of an asset register, will be addressed before the AGM with the support of the appointed administrators
- 4.19 *Safe-guarding of Samaj Documents***  
Members agreed that it was vital that all Samaj documents be kept in a central location. This matter will be added on to the duties of the administrators
- 4.20 *Appointment of Legal Advisor***  
Prakashbhai explained the necessity of the Samaj appointing a legal advisor on a needs basis. He had in the interim approached a firm namely, Rudman Attorney's, who have agreed to serve in this capacity at a greatly reduced rate. His proposal to appoint the firm concerned was agreed to.
- 4.21 *Appointment of Medical Referees***  
Prof Joshi had started a process of getting medical doctors appointed as referees for the Samaj. Bharatbhai and Kishorbhai have agreed to follow-up on this process and finalise the matter.

4.22 ***Appointment of Secretary-General as third signatory***

The trustees had raised a concern that currently there are only two signatories for Samaj accounts, instead of three as required by the constitution. It was agreed that the Secretary-General should also be made a signatory with immediate effect.

4.23 ***Remuneration policy with respect to Retirement, Resignation & Retrenchment***

The issue of what Samaj's policy with respect to remuneration of members of staff who resigned, retired or retrenched was raised. After some discussion, it was agreed that the Samaj needed to ensure that it complied with the labour relations act at all times. In this regard, it was agreed that only members of staff who are retrenched would qualify for a retrenchment package. Prakashbhai undertook to explain this policy to all members of staff.

5. **CORRESPONDENCE**

5.1 ***In***

5.1.1 Letter from community members in support of the actions of the current Samaj officials (see 8.1)

5.2 ***Out***

Nil.

6. **FINANCIAL REPORT**

A financial report covering the activities of the Samaj since December 2009 will be presented end of October.

7. **PORTFOLIO REPORTS**

7.1 ***Health, Welfare & Gender Portfolio***

Jyotibhen reported on the enormous success of the Community Diabetes & Health Day Programme that took place on 19 September. Close to a thousand people from all faiths and walks of life in Laudium attended this event. The Executive committee congratulated Jyotibhen and her committee, and expressed their thanks and gratitude to all the volunteers and health professionals who had given so generously of their time and skills in the interest of the health of the community. Jyotibhen was encouraged to produce a document that records the procedure followed and lessons learnt so that such an event could be replicated in future without a new committee having to reinvent the wheel. The Health, Welfare & Gender Committee were also asked to consider hosting this event annually as it has the potential to become a flagship project of the Samaj.

7.2 ***Facilities management portfolio***

A summary of the report is captured in clause 4.3. The contract for the painting of the school has been awarded and has commenced. As far as the flats of Mukeshbhai & Premeeben were concerned, Kishorbhai was asked to ascertain what needed to be fixed urgently and to submit an estimated cost for approval at the next meeting.

7.3 ***Youth / Navyug Mandal Portfolio***

Rakeshbhai reported that his committee is currently organising a soccer tournament to be held on 26 September at the Laudium Stadium. Major project remained the drive to update the calendar for Gujarati families in greater Tshwane area.

#### **7.4 Religion & Culture Portfolio**

Jagdishbhai reported that the Ganesh Chaturthi event, hosted on Saturday 11 September by the Samaj for the first time, went off well with 50 families participating in the ceremony of immersing clay Ganesh murthis in the Hennops river.

A large number of people attended the Krishna Jayanti bhajans that took in our Mandir at 9.30pm after the school concert and ended midnight with Krishna Aarti.

Planning has also commenced for Navratri celebrations. Rakeshbhai agreed to ask the youth to man the tuck-shop over this period.

#### **7.5 Education & Academic Support Portfolio**

Pranaybhai reported that the school's Krishna Jayanti celebration was well attended and went off successfully.

Rameshbhai, Pranaybhai and Pravinbhai held meetings with Balmandir and Gujarati School teachers to elect representatives to the School Governing body. A Bal Mandir parent representative has also been elected. An election for a parent representative from the Gujarati school is still to take place.

Pranaybhai presented a revised admission form and fee structure which the executive duly approved.

The second phase of the granting of loans to applicants for student support was also receiving attention.

### **8. NEW MATTERS / GENERAL**

#### **8.1 Meeting with Community Members**

Prakashbhai reported on a meeting held on Sunday 12 September in the Seva Samaj Board Room at 10:00 called for by a group of concerned former officials. In order to ensure that all voices of the community could be heard and that any opinions expressed were representative of the broader community, he took the decision to invite independent observers as well. The following people were present: **Concerned past officials:** Jivanbhai Kalyan, Narotambhai Valjee, Gunvantbhai Soda, Diarbhai Govind, Babubhai Gokal and Nalinbhai Kala. **Independent observers:** Ramanbhai Rama Goolab, Mohanbhai P Lalla, Mansukhbhai Chibba and Bharatbhai Kooverjee. **Samaj officials:** Prakashbhai Hira (President); Pravinbhai Daya (Deputy President); Rameshbhai Chhagan (Secretary-General); Prof. Pankajbhai Joshi (Chairman of Board of Trustees). At that meeting, a letter from the past officials was read in which

they claimed that the Samaj under the current officials and trustees was dysfunctional and lacked visionary leadership. In support of their contention, the group cited the suspension of the CFO, Anielbhai Soma, the subsequent self-imposed withdrawal of services by Himalbhai Ramjee, Sanjaybhai Govind and Tershiabhen Calien as well as the resignation of members of the education committee. In addition, Narotambhai claimed that the trustees and executive committee were “too close” implying that they did not act impartially.

In their response, Prakashbhai and Pankajbhai responded as follows:

- They expressed dismay at the allegation of “closeness” between the officials and trustees and pointed out that their relationship is clearly spelled out in the constitution and has been conducted accordingly. Pankajbhai contended that it was exactly the lack of proper involvement by the previous trustees that had led to the complete breakdown of governance of the Samaj structures and consequently to the theft of more than R2 million of Samaj funds by an official.
- The suspension of Anielbhai Soma was subject to a proper independent commission of inquiry into charges of misconduct and was being done in terms of the constitution. The reasons for the suspension were not communicated to the public because it was sub judice and it would therefore be improper to do so. The fact that the past officials had been fed this information was of concern and indicative of the mischief-making that was taking place. They assured the members present that there were sufficient grounds for the charge and that everything had been done to ensure the independence of the inquiry process;
- The so-called “withdrawal of support” of some of the officials and the resignation of the education sub-committee members should be seen in the context in which it took place. They reminded everyone that the officials that had “withdrawn themselves” were party to the organising of the whiskey-drinking event in defiance of the ruling of the executive and trustees that it could not be held in the Samaj’s name. Their actions were thus the coordinated efforts of a group of disgruntled people who were hell-bent on bringing the officials and Samaj as a whole into disrepute. In support of this contention it was revealed that these same officials had manufactured four petitions at the whiskey-drinking function that called for a vote of no confidence and the removal of office of the President, Chairman of Trustees, Deputy President and Secretary-General;

- Despite the above, and in a spirit of reconciliation, the executive had requested the said officials to return to their positions and had committed to resolving any issues they might have. This offer was ignored. A delegation had also met with education committee members, some of whom were also party to organising and attending the whiskey-drinking event, to assure them that their grievances would be addressed and had apologised for any inadvertent offence caused. All of these efforts were spurned and instead a vicious disinformation campaign was embarked upon, including feeding distorted information to certain influential community members;
- Pankajbhai also expressed his dismay that not once had any of the concerned group members extended him the courtesy of calling him or sharing their concerns with him. He reiterated that as Chairperson of the Board of Trustees, that has an oversight function over the activities of the executive, he is happy to address any concerns people might have.

The meeting ended with the concerned group unable to provide any evidence of wrongdoing by the executive or trustees and expressed the view that they now have a better understanding of the facts surrounding the issues concerned. In addition, the independent observers subsequently sent a signed letter, in which they expressed their confidence in the current officials, testified that the officials displayed the “highest integrity in their interactions” and are “conducting the affairs of the Samaj appropriately, exercising due care and skill as is required to manage a public organisation” They further state that in their opinion, ex-education members owe the executive and in particular Prakashbhai and Rameshbhai and apology for their “disrespectful” conduct. See Annexures 1 & 2 for copies of the letters.

### **8.2 Diwali & New Year**

Jagdishbhai stated that Diwali this year falls on Friday 5 November and New Year on Sunday 7 November 2010. These dates are as given by the South African Hindu Maha Sabha and are aligned to the celebration in India. Unfortunately, the calendar published by the Samaj is not in line with these dates. Rameshbhai was requested to send out an email informing the community of the correct dates.

### **8.3 Havan Prayers**

Kishorbhai mentioned that classroom 1 was being used by a group for conducting havan on Sundays and that we would need to make alternate arrangements for them as a result

of the renovation. It was agreed that provision for the havan to be conducted behind the classroom should be made and that he should communicate this decision to them.

#### **8.4 40<sup>th</sup> Anniversary Celebrations of Mandir**

Jagdishbhai informed members that his committee was now planning to celebrate the 40<sup>th</sup> anniversary of the erection of the mandir in Laudium. The proposed date is Sunday, 15 May 2011.

#### **8.5 New Calendar**

Jagdishbhai presented a draft calendar for 2011. This was approved after some changes were recommended.

#### **8.6 Letter of Thanks**

Pranaybhai asked Rameshbhai to write a letter of thanks to Pramodbhai Kassar for the design and printing of Raksha Bandan handbills.

#### **8.7 Clarification on Membership issue**

Jagdishbhai expressed concern that the constitution was not clear on who qualifies as a Gujarati. After some discussion, the following was agreed upon:

- any person who is married to a Gujarati and follows the Hindu faith will be deemed to be a Gujarati and will accordingly have full voting rights;
- any person who has at least one parent who is a Gujarati and follows the Hindu faith is deemed to be a Gujarati and will accordingly have full voting rights;
- It was further resolved that this decision would be moved as an amendment to the constitution for adoption next year when elections are held.

#### **8.8 Amendments to Constitution**

It was agreed that a task team made up of the President, Deputy-President and Secretary-General would be formed to investigate any possible changes to the constitution for adoption next year.

#### **8.9 Invitation by the High Commissioner**

An invitation was received from the High Commissioner to attend a meeting to discuss the involvement of Samaj in arrangements for the Pravasi Bharatiya Divas that will take place in Durban in October 2010. Members expressed concern at this late notification but agreed that Pranaybhai and Jagdishbhai would represent the Samaj.

#### **8.10 Tin Collection**

Some members felt that the current system of tin collection was too cumbersome and that a new way should be devised. After some discussion, it was decided that the Navyug Mandal would be requested to adopt this duty whilst a firm decision on whether to discontinue this practice was deferred to another meeting.



9. **NEXT MEETING**

It was agreed that the next meeting will be held on 11 October 2010.

10 **PRAYER AND CLOSURE**

The meeting ended with a prayer at 11:00pm.



**RAMESHBHAI CHHAGAN**  
**SECRETARY GENERAL: SPHSS**

***Annexure 1***

*17<sup>th</sup> August 2010.*

*The Trustees and the Executive of the SPHS Samaj.  
C/o 13<sup>th</sup> Avenue and Olivine street,  
Laudium, 0037.*

Re: Concern around current issues of the SPHSS.

We the under mentioned past officials, elders of the Samaj request to meet with the board of Trustees, the president, vice president and the general secretary within 7 days from date of this letter. The reason for our urgent but humble request is to discuss the following issues/concerns.

1. Breakdown in communication with the internal structure of the Samaj
2. Strategic vision and direction given to the Samaj.
3. Creating an environment that precludes the efficient functioning of the Samaj
4. Lack of transparency.

Furthermore we are extremely concerned by the following recent events that has come to our attention

1. The resignation of the head of Education committee.
2. The immediate suspension of the current CFO.

3. The immediate resignation of the entire Education Committee
4. The self imposed suspension of the 3 senior executive members

Our request for a meeting is to seek an understanding and also to gain assurance That the above mentioned matters are being adequately addressed and being dealt with by the present leadership.

Our intention is purely to ensure that the spirit and good harmony prevalent within our Samaj and the community at large remains intact.

Regards

Jivan Kalyan (Convener), Gunvant Sodha, Nalin Kala, Mohan Gopal, N. Valji. A.P. Joshi, V. Rudher, Babu Gokal, Dhiroo Kalan, Champak S. Jivan, Hiralal J. Gordhan, Magan Parbhoo, Dayal Govind.

## ***Annexure 2***

12 September 2010  
Shree Pretoria Hindu Seva Samaj  
Laudium  
Pretoria

Attention: Ramesh Chhagan – Secretary General  
Copy: Prof Pankaj Joshi

Dear Sirs,

### **Report of the Independent Observers at the meeting held at 10 am on 12 September 2010 at the Seva Samaj Board Room**

On 17 August 2010 a group of past officials addressed a letter to the SPHSS for a humble but urgent meeting with Samaj Officials within seven days to address concerns they had.

Essentially their concerns were the following:

Breakdown in the Samaj Structure; Lack of Vision & Transparency; Suspension of the CFO; Resignation of the Head of the Education Portfolio and the entire Education Committee.

The Executive Committee mandated Prakash Hira (President) Pravin Daya (Vice President) and Ramesh Chhagan (Secretary General) to convene this meeting .The Chairman of the Board of Trustees was requested to attend.

This meeting was held on 12 September 2010

The delegation of past officials who attended was Jivan Kalyan (convener), Narotam Valji, Gunvant Soda, Diar Govind, Babu Gokul and Nalin Kala.

In the interest of ensuring that the meeting was open and transparent Samaj officials saw it appropriate to invite senior members respected by the community to attend the meeting as independent observers. They were Ramanbhai Rama Goolab, Mohanbhai P Lalla , Bharat Kooverjee & Mansukh Chhiba.

In summary we report as follows:

Despite the fact that the past officials did not divulge the source of their information leading to their concerns, the officials of the SPHSS addressed all the issues raised by the past officials satisfactorily. We could not find a single matter on which the officials had not acted appropriately and in terms of the Samaj Constitution and the Samaj Code of Conduct.

As independent observers we unequivocally confirm that the Samaj and the officials displayed the highest integrity in their interactions. In our opinion, they are conducting the affairs of the Samaj appropriately, exercising due care and skill as is required to manage a public organization.

Concerning the matter relating to the Ex Education Committee we are convinced , based on the evidence presented that the behavior of members was contrary to the spirit of a harmonious working relationship. What particularly disturbed us was that despite receiving an apology from the Executive Committee for not communicating earlier with them, they continued holding an aggressive stance and being disrespectful towards the President. Furthermore it is our view that the subsequent publishing of a distorted version of the events in the media brought the Samaj into disrepute and cast a bad light on the President and the Secretary-General.

We feel strongly that all Ex- Education Committee Members owe the Samaj and the officials and in particular Prakash Hira and Ramesh Chhagan an apology. It is also our view that past officials should endeavor to ensure such an apology is forthcoming.

Please table this letter at the next Executive meeting and we request that our report back herein as the Independent Observers be brought to the attention of the Community.

Namaste

Raman R Goolab

Mohanbhai P lalla

Bharat Kooverjee

Mansukh Chhiba