

Minutes of Emergency General Meeting 2019

Date: March 01, 2019, Time: 11.00 AM

Place: Subornogram Resort.

Attendance

- 1). Emergency General Meeting (EGM) of Jhenidah Ex-Cadets Association (JEXCA) 2019 was attended by 219 members, whose names are shown in the attached list as **Annexure A** to the meeting minutes.

Introduction

- 2). The EGM was presided over by Ex-Cadet Sk Md Maruf Hasan (10/603), President, Jhenidah Ex-Cadets Association (JEXCA). Being fulfilled with the requirements of quorum, the President called the meeting to order and welcomed all members attending the EGM. Then he requested Ex-Cadet Tanim Khan (30/1643), General Secretary, JEXCA to state the Agenda of EGM.

The General Secretary informed the house that an info pack was mailed to all members 45 days prior to the EGM on 13 January 2019, documents included are:

- a) Notice and Agenda of EGM 2019
- b) Request for Proposal: that is (a) Proposal to Amend Constitution and (b) Proposal for any other Resolution/Topic/Issues to be discussed in Any Other Business agenda

After elaborating the Agenda by The General Secretary, The Chair asked Ex-Cadet S M Zillur Rahman (16/911), Vice President-1, JEXCA to present his report on the next agenda.

Consideration of Report for land purchase for proposed JEXCA Complex

Agenda 1:

- 3). **The chairman of the land purchase sub-committee, Ex-cadet S M Zillur Rahman (16/911), Vice president-1, JEXCA, with the permission of the chair and the house read out the salient points of the Report (Annexure B): It discussed background efforts to find a land, an unsuccessful application to RAJUK for allotment of a piece of land in PURBACHAL Project, Excessive pricing at reputed land/real estate companies (AFTABNAGAR BDT 40 lakh / BASUNDHARA BDT 30 lakh-1.5 crore/katha) which was beyond available fund, finding and visiting privately-owned lands near PURBACHAL , and final selection by the sub-committee of a land of approx. 37.5 decimals/+22 katha at NARAYANGANJ, RUPGANJ, near sector 2, PURBACHAL adjacent to a proposed 120 feet wide road leading to JOLSHIRI ABASHON/AHS. While the documents of the said land was checked with Lawyer and found authentic, it was known to be included in Flood-Flow Zone of the Detailed Area plan set by RAJUK. He also notified the house that the sub-committee discussed this matter with & received assurance from relevant authorities, namely the project director of DAP, RAJUK that the land was outside flood flow zone, which will be declared soon & advised the committee to buy the land. The asking rate by the owner's being BDT 5 lakh/Decimal till 15 March 2019 and it was a condition of the seller that the Deed value of the land has to be in accordance with the Mouja value set by the government and rest of the amount will be given in a separate Bank draft. He also suggested that with ever-increasing land prices in the area, he concluded the report asking for approval by the house for purchasing the land using existing funds as soon as possible. A presentation of photos, videos and maps of the said land was also shown to the house.**

The house congratulated the Land Purchase Sub-Committee for finding a piece of land and thanked them for their relentless efforts.

Points :

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- i. Ex-Cadet Sagir Hossain Biswas (17/973), noted that the land seems to be within Flood-Flowing Zone of DAP. Recounting his own experience, both personal & professional, he noted that purchase of land at lower-than-expected price with such ambiguous status may lead to further complexities such as the old land for Cadet College Club Limited adjacent to Hazrat Shahjalal International Airport which faced such difficulties and allotment of which was cancelled later. He also recounted previous attempts to buy land at Basundhara R/A for JEXCA which ultimately fell through because of lack of funds. He thanked the President, JEXCA for his successful fund-raising drive and also opined that the price quoted is very good and that JEXCA should go for purchasing this land without any delay if all queries about the land are verified.
- ii. Ex-cadet Muhammad Nurul Alam (13/736), noted the fact that as this land is situated between Purbachal (RAJUK) & Jolshiri (Army), this land may be at risk for being acquisitioned by any of these two projects if they expand in the future. However in reply to that the chairman of the land purchase sub-committee submitted that it was confirmed by PD, DAP, RAJUK that they got no plan for extension of Purbachal Area.
- iii. Ex-cadet A A K Mahbub Hasan (01/13) asked whether this project of JEXCA complex has been taken up with an Emotional Viewpoint, whereas JEXCA was established with a view to undertake philanthropic projects like FFC, Relief work so that we, the Ex-cadets can try to return something to the taxpayers of this country who contributed for our education. He also stated that while he is not against this proposal, he feels that a second thought can be given in this regard.
- iv. Ex-cadet Abu Yusuf Md Abdullah (13/729) thanked the sub-committee for their hard work. He agreed with the fact that more Social Welfare-gearred projects should be undertaken by JEXCA He also agreed that a land should be purchased for revenue generation purpose. Nevertheless, speaking from his own experience in real estate business he stated that Purbachal and surrounding areas' development will take 15-20 years. Furthermore, as the proposed land is outside RAJUK area, it will be required to develop this land in order to use it for building a structure which may be used to generate revenue, which will be a time-consuming process. He also opined that a land of 10-12 katha can be sufficient for revenue generation purpose and expressed his intention to assist in search of such land if needed. He also suggested that JEXCA should introduce group insurance of some sort to provide its members with financial security in times of adversity.
- v. Ex-Cadet S M Moazzem Hossain (14/795) recounted his experience about formation of JEXCA FFC/Community Hospital Dhaka and its successes before the house & acknowledged the services of JEXCA FFC Khulna and the need for developing their land allotted by the KDA. He also thanked the President, JEXCA for his fund-raising activities and reiterated that purchasing a land is absolutely essential to implement projects in future of JEXCA. He requested the EC to present a full plan regarding future long-term social welfare projects with cost-benefit analysis in order to set a goal for proper use of generated funds. He lauded this initiative of land purchase and extended his support for the proposal.
- vi. Ex-Cadet M Shahriar Kabir (20/1130) noted that this decision for land purchase is a very dynamic step in the history of JEXCA. He further stated that this land can be treated as an investment/fixed asset and asked the house to approve the purchase.

Response:

- i. The Vice President-1, Ex-cadet S M Zillur Rahman (16/911) replied that the price of the said land was low due to the fact that not many people know about the availability of land in that area. He also stated that the status of the land as per outside Flood-Flowing Zone was confirmed and purchase of the land recommended by the Project Director of DAP, RAJUK.
- ii. The Vice President-1, Ex-cadet S M Zillur Rahman (16/911) replied that the sub-committee have been informed about decision of no further extension of the said projects by high officials of the two projects.

- iii. The Vice President-1, Ex-cadet S M Zillur Rahman (16/911) replied that due to rising expenditure and falling interest rates on existing FDRs of JEXCA, further operations like expansion of FFC Dhaka, Khulna & JEXCA Dormitory Dhaka have been shelved due to lack of available funds. Due to the dire need of Generating a self-sustaining source of revenue to implement its social welfare program, JEXCA needs to purchase some land and make a complex for generating revenue.
- iv. The Vice President-1, Ex-cadet S M Zillur Rahman (16/911) stated that the suggestion for Group insurance is an excellent proposal and also thanked Ex-Cadet 13/729 for his offer of assistance for selecting alternative land.
- v. The Vice President-1, Ex-cadet S M Zillur Rahman (16/911) & The General Secretary Tanim Khan (30/1643) replied that while a definite plan is needed for further programs, no plans made can be implemented if there remains a shortage of fund. They informed the house about the need to buy a land at this moment due to ever-increasing land prices and the need to use remaining funds for developing the land (earth-filling, boundary) for subsequent construction purposes for revenue generation. They thanked 14/795 for his proposal, also thanked 20/1130 for his support and asked the house for approval to purchase the land without delay.

Decision: As there were no more points raised by the members, **the Report of the Land Purchase Sub-Committee & purchasing said land as mentioned in Agenda 1 was proposed for approval by Ex-Cadet Sagir Hossain Biswas (17/973) & Seconded by Ex-Cadet M Shahriar Kabir (20/1130) and the proposal mentioned in Agenda 1 is hereby approved.**

Consideration of Report by E-voting Feasibility Committee

Agenda 2:

- 4). Approval of E-voting in JEXCA Election.
- 5). The Chair informed the house that a sub-committee was formed by the EC in November 2017 as per decision of AGM dated 1st May 2017 to prepare & submit a report regarding feasibility of E-voting/Online Voting in JEXCA EC Elections consisting of following members:
 1. Ex-Cadet Md Nasser Shahrear Zahedee (06/315), Ex-President, JEXCA: Chairman;
 2. Ex-Cadet Sk Md Moniruzzaman (19/1100), Ex-Treasurer, JEXCA: Member Secretary;
 3. Ex-Cadet Tanim Khan (30/1643), General Secretary, JEXCA: Member

The Chair stated that after formation of the committee the members of the committee talked with experts, shared experiences of others, asked for the written opinion of JEXCAites. He further stated that though the sub-committee advised that the report will be presented before the house today 1st March 2019 by the Convener himself. But unfortunately the convener of the sub-committee was unable to attend today's EGM due to some emergency unavoidable circumstances. However As the EC did not receive any formal, written recommendations from the sub-committee on this issue, the chair asked ex-cadet Sk Md Moniruzzaman (19/1100) to appraise the house about the recommendation of the sub-Committee. In reply, Ex-Cadet 19/1100 submitted that as there has been no formal recommendation this issue can be discussed in the next AGM or discussed and decided by the house today. He also added that the committee asked the opinion of JEXCAites regarding the e-voting and it can be revealed that majority of the JEXCAites, who sent the reply, opined for implementation of e-voting.

As per his suggestion, the Chair Sk Maruf Hasan declared the floor open for all members of the house to participate in an open discussion over the following points:

1. Whether E-voting should be introduced in subsequent EC Elections?
2. If yes to 1, then who will be eligible to use E-voting?
3. How will E-voting be implemented?

Discussion:

- i. Ex-Cadet Zulfiquer Ahmed Amin (14/786) opined in support of introducing E-voting as participating in election is a universal right for all members. He suggested authentication of voter identity by E-mail address of each Ex-Cadet and through other security methods. He advocated development of software for the purpose of E-voting.
- ii. Ex-Cadet Abdullah Al Mamun (15/861) pointed out that **as we are planning to implement E-voting in Jexca Election, we should be very cautious in doing that. We should think whether the Department of Social welfare will accept such voting or not. We should think whether such changes in constitution meet the requirement of prevailing laws or not. He also advised that if such a measure is to be implemented it must be done after the constitution is amended. Accordingly to allow such a measure and the amended constitution must be approved by the Department of Social Welfare. If this is not done, if there remain any flaws, any aggrieved members of the association may file writ petition in court and will get an stay order be issued over election. In order to support his proposition, he cited an example of BIRDEM Medical Officers Association Election which was also registered under the Department of Social Welfare, like us. He continued that due to an identical issue, an aggrieved member of the said association went to Court and ended up filing a writ petition. As a result the election of the said association is stayed for past Eleven years. He further added that we should not leave any flaws with the requirement of Department of Social Welfare.**
- iii. Ex-Cadet Rashed Al Mahmud Titumir (18/1043) opined that as the present sub-committee worked on the issues, they should circulate the report together with the recommended constitutional amendments for the implementation of e-voting. Then the members can approve in the Next EGM/AGM. He also added that such power of amendment of constitution as well as implementation of e-voting cannot be delegated to EC or anyone else. **As the next AGM is scheduled shortly, the constitution can be amended during the next reunion, as the constitution permits general meeting during the reunion. He also added that consequently E-voting can be implemented in next to next Election i.e. 2021 after due approval of amended constitution by the Department of Social Welfare.**
- iv. Ex-Cadet S M Zillur Rahman (16/911) noted that there remains both favouring & disfavouring view about E-voting. That being said, while it is a welcome addition to increase member participation in JEXCA affairs, there is a possibility of confusion in voters abroad about qualifications/potential of candidates for JEXCA EC posts in Bangladesh due to non-involvement in Domestic JEXCA events. He further added that if he was given an opportunity to vote in the election of Jexca North America, would it be possible for him to identify the suitable candidates? He commented that the members of Jexca North America, who participates in their events regularly will be in a far better position to vote for the most deserving candidate. He further added that participation in JEXCA affairs should not be limited to participation in social media. Rather we should encourage our non-resident JEXCAites to participate physically in the JEXCA events. **He proposed that EC can be directed to form a committee for the implementation of e-voting and that committee is going to undertake the legal issues that needed to be addressed before implementation of the e-voting including but not limited to amendment of constitutions, approval by department of social welfare and that committee will comply with all its responsibilities by December 2019. What do you say?**

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- v. Ex-Cadet A A K Mahbub Hasan (1/13) **Forwarded the proposal to the house to decide whether E-voting should/should not be implemented in this session as this has been in discussion for a long time. He further submitted that the committee may prepare a formal proposal for amendments to the constitution addressing all technicalities that may arise in implanting E-voting, as quoted by Titumir, and complying all provisions of law, can be done later.**
- vi. Ex-Cadet Sk Md Maruf Hasan (10/603) proposed that in line with Mahbub Bhai, today we can approve that EGM is feasible in JEXCA Election or not and later we can form a committee for the implementation of e-voting and that committee is going to address the legal issues before implementation of the same. He emphasized that we should be respectful to the demand of a large number of JEXCAites and implementation committee should implement as quickly as possible. He asked for the opinion of the house regarding the proposal forwarded by Ex-Cadet S M Zillur Rahman.
- vii. Ex-Cadet Mohsin Uddin Ahmed (17/977) submitted that voting is a universal right of all members of the organization. He further added that when a person votes, he votes for a reason. Thus whether he resides in North America creates no bar for him in finding a reason. **He further added that if we pass e-voting today then it should be passed in a manner that it should not be effective in this election rather it should be affected in next to next election as this election is very near. He also added that E-voting should be introduced after addressing all issues. He also stated in order to allay the fears of non-fulfillment of quorum in AGMs the E-voting should be made available for expatriate members or members traveling abroad at the time of election.**
- viii. Ex-Cadet Abu Yusuf Md Abdullah (13/729) submitted that we should take necessary steps so that E-voting can be introduced as early as possible, as it has been a long-standing popular demand of the members.
- ix. Ex-Cadet S M Moazzem Hossain (14/975) agreed with the opinion of Ex-Cadet 15/861 and opined that constitution be amended and approved by relevant Government Authorities. He also said that if physical presence in AGM tends to be discouraged by undertaking of such measure, then E-voting be made for Expatriates only with provision for Members in Bangladesh who cannot participate in election due to health issues.
- x. Ex-Cadet Kazi Ahmed Pervez (15/840) noted some technical details to be addressed in the proposal, namely the Definition of E-voting, and if it is meant to indicate remote voting. He also opined that contrary to popular expectation of introducing such measure only for members residing abroad, such a measure should be made a universal one. He also expressed concerns about E-mail based voting as practiced by ORCA is a privacy concern as that contradicts with the very nature of its secrecy and also to the possibility of votes of one member being casted by another member. He concluded that if such a measure is implemented, it must include measures to ensure identification of every single vote cast by such means.

Response:

- i. In response to all discussion, **Ex Cadet S M Zillur Rahman(16/911) Vice president-1, JEXCA observed that due to strong opinion of favour of introducing E-voting in JEXCA EC Elections only for expatriates and for those who are traveling abroad, it should be considered as approved, however as pertinent selection of a trustworthy, efficient method, amendments allowing E-voting in JEXCA constitution and approving amended constitution by relevant Government authorities, Department of Social Welfare requires time which is not sufficient before next Election in 2019, The changes are to be made and considered effective from Elections in 2021. So are we for the motion?**

Decision: As there were no more points raised by the members, the proposal forwarded by Ex Cadet S M Zillur Rahman(16/911) was proposed by Ex-Cadet S M Moazzem Hossain (14/795) & seconded by Ex-Cadet M Lokman Hossain Forhad (21/1209) and the decision approved by the house.

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Proposals for new Amendments to JEXCA constitution

- 5). With the permission of the Chair and house Ex-Cadet Tanim Khan (30/1643), General Secretary, JEXCA informed the house that there has been no formal proposal submitted within stipulated time frame (29 January 2019) for amendments to the constitution.

The Chair thus moved to next point on the Agenda.

Any other business allowed by the chair:

- 6). As there were no official notice served by any member within stipulated time frame (21 February 2019), the President then opened the floor for discussion on Any Other Business that the general member would be interested to discuss.

As there were no more points raised by the members, President JEXCA moved to deliver the Vote of Thanks.

Vote of thanks

- 7). On behalf of the members present in the EGM, Ex-Cadet Sk Md Maruf Hasan (10/603) conveyed a vote of thanks to all members present for making this EGM a successful one.

There being no other point for discussion, the Chair declared the end of the session.

Minutes taken by- Ahmed Fayezi-Bin-Saad, Member, Executive Committee
1 March 2019

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