



Bylaws of Project Management Institute Mumbai Chapter

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PREAMBLE

1. Unless otherwise separately provided in these rules & regulations, the following words and terms shall have the meaning assigned to them herein:

- 1.1. 'PMI' means 'Project Management Institute, Inc.';
- 1.2. 'PMI MC' means "Project Management Institute, Mumbai Chapter".
- 1.3. 'Act' means the Societies Registration Act, 1860.
- 1.4. 'Board' or 'Board of Directors' in relation to PMI MC means the board of directors of PMI MC.
- 1.5. 'Bylaws' means the registered Bylaws of PMI MC.
- 1.6. 'Charter Agreement' or 'Charter' means the Charter Agreement dated January 20, 2002, between PMI and PMI MC, as renewed and amended from time to time.
- 1.7. 'Memorandum of Association' of 'Memorandum of Association' PMI MC which is available in the Mumbai Chapter Office.
- 1.8. 'Operational Handbook' book means 'Operational Handbook of PMI MC' which is available in the Mumbai Chapter Office.
- 1.9. 'Persons' shall mean and include Individuals Firms, Societies, Clubs, Associations, Corporations, and Incorporated Bodies.
- 1.10. 'Office Bearers' shall mean and include the President and Vice Presidents of PMI MC.
- 1.11. 'Rules' means the Rules as per Societies Registration Act 1860 and all the Provisions of the Societies Registration Act, 1860 as amended by the Maharashtra State.
- 1.12. Words importing the "masculine" gender and "singular" number shall respectively include the "feminine" gender and "plural" number and vice-versa.

2. Area of Operations: The areas of operation of PMI MC are in the state of Maharashtra as specified in the PMI Charter Agreement / Chapter System.

PMI MC covers divisions of Maharashtra: Mumbai, Konkan & Nashik (excluding Ahmednagar district) .

Article I – Name, Principal Office; Other Offices.

Section 1. Name/Non-Profit Incorporation.

This organization shall be called the Project Management Institute, **PMI Mumbai Chapter** (hereinafter “the “PMI MC.” This organization is a chapter chartered by the Project Management Institute, Inc. (hereinafter “PMI®”) and separately incorporated as a non-profit, tax-exempt corporation (or equivalent) organized under the laws of Societies Registration Act 1860, State of Maharashtra, India.

Section 2. Legal Requirements

The **PMI Mumbai Chapter** shall meet all legal requirements in the jurisdiction(s) in which the **PMI Mumbai Chapter** conducts business or is incorporated/registered.

Section 3. Principal Office; Other Offices

The principal office of the **PMI Mumbai Chapter** shall be located in Mumbai in the State of Maharashtra, India may have other offices such as Branch offices as designated by the **PMI Mumbai Chapter** Board of Directors.

Article II – Relationship to PMI.

Section 1. The **PMI Mumbai Chapter** is responsible for the duly elected PMI® Board of Directors and is subject to all PMI® policies, procedures, rules, and directives lawfully adopted.

Section 2. The bylaws of the **PMI Mumbai Chapter** may not conflict with the current PMI's Bylaws and all policies, procedures, rules or directives established or authorized by PMI as well as with the "PMI MC" Charter with PMI.

Section 3. The terms of the Charter executed between the **PMI Mumbai Chapter** and PMI®, including all restrictions and prohibitions, shall take precedence over these Bylaws and other authority granted hereunder and in the event of a conflict between the terms of the Charter and the terms of these Bylaws, the **PMI Mumbai Chapter** shall be governed by and adhere to the terms of the Charter.

Article III – Purpose and Limitations of the PMI Mumbai Chapter.

Section 1. Purpose of the PMI Mumbai Chapter.

- A. General Purpose. THE **PMI Mumbai Chapter** has been founded as a non-profit, tax-exempt corporation (or equivalent) chartered by PMI®, and is dedicated to advancing the practice, science, and profession of project management in a conscious and proactive manner.
- B. Specific Purposes. Consistent with the terms of the Charter executed between the **PMI Mumbai Chapter** and PMI and these Bylaws, the purposes of the **PMI Mumbai Chapter** shall include the following: (As per the Memorandum of Association of PMI MC)
- a) To foster professionalism in the management of projects.
 - b) To contribute to the quality and scope of project management.
 - c) To stimulate appropriate global application of project management for the benefit of the public.
 - d) To provide a recognized forum for the free exchange of ideas, applications, and solutions to project management issues among its members, and others interested and involved in project management.
 - e) To identify and promote the fundamentals of project management and advance the body of knowledge for managing projects successfully.
- To Make association with similar interest of organizations and or institutions for advocacy of project management & its practices.

Section 2. Limitations of the PMI Mumbai Chapter.

- A. General Limitations. The purposes and activities of the **PMI Mumbai Chapter** shall be subject to limitations set forth in the charter agreement, these Bylaws, and conducted consistently with **PMI Mumbai Chapter** Articles of Incorporation.
- B. The membership database and listings provided by PMI to the **PMI Mumbai Chapter** may not be used for commercial purposes and may be used only for non-profit purposes directly related to the business of the **PMI Mumbai Chapter**, consistent with PMI policies and all applicable laws and regulations, including but not limited to those law and regulations pertaining to privacy and use of personal information.
- C. The officers and directors of the **PMI Mumbai Chapter** shall be solely accountable for the planning and operations of the Chapter, and shall perform their duties in accordance with the Chapter's governing documents; its Charter Agreement; PMI's Bylaws, policies, practices, procedures, and rules; and applicable law

Article IV – PMI Mumbai Chapter Membership.

Section 1. General Membership Provisions.

- A. Membership in the **PMI Mumbai Chapter** requires membership in PMI®. The **PMI Mumbai Chapter** shall not accept as members any individuals who have not been accepted as PMI® members.

Membership of this organization shall be open to any eligible person interested in furthering the purposes of the organization. Membership shall be open to all eligible persons without regard to race, creed, color, age, sex, marital status, national origin, religion, or physical or mental disability.

- B. Members shall be governed by and abide by the PMI Bylaws and by the bylaws of the **PMI Mumbai Chapter** and all policies, procedures, rules, and directives lawfully made thereunder, including but not limited to the PMI Code of Conduct.
- C. All members shall pay the required PMI and **PMI Mumbai Chapter** membership dues to PMI and if a member resigns, or their membership is revoked for just cause, membership dues shall not be refunded by PMI or the **PMI Mumbai Chapter**.
- D. Membership in the **PMI Mumbai Chapter** shall terminate upon the member's resignation, failure to pay dues or expulsion from membership for just cause.
- E. Members who fail to pay the required dues when due shall be delinquent for a period of one (1) month and their names removed from the official membership list of the **PMI Mumbai Chapter**. A delinquent member may be reinstated by payment in full of all unpaid dues for PMI and the **PMI Mumbai Chapter** to PMI within such one-month delinquent period.
- F. Upon termination of membership in the **PMI Mumbai Chapter**, the member shall forfeit any and all rights and privileges of membership.
- G. All **PMI Mumbai Chapter** members in good standing are eligible to vote on all matters presented to Chapter membership. In addition, all **PMI Mumbai Chapter** members meeting the qualifications are eligible to run for and hold a **PMI Mumbai Chapter** elected position.

Section 2. Classes and Categories of Members.

The **PMI Mumbai Chapter** shall not create its own membership categories. PMI Chapter membership categories shall be consistent with PMI membership categories.

Article V – PMI Mumbai Chapter Board of Directors:

Section 1. The **PMI Mumbai Chapter** shall be governed by a Board of Directors (Board). The Board shall be responsible for carrying out the purposes and objectives of the non-profit corporation (or equivalent).

Section 2. The Board shall consist of the officers of the **PMI Mumbai Chapter** elected by the membership and shall be members in good standing of PMI and of the **PMI Mumbai Chapter**.

Terms of office for the Officers shall be 2(Two) Years, limited to 2(Two) Years consecutive terms in the same position, and no more than 4 (Four) consecutive terms on the Board in general. These positions are staggered so that at least 2 (Two) are elected each year.

Section 3. The **President** shall be the chief executive officer for the PMI MC and shall be the President for the **PMI Mumbai Chapter** and of the Board and shall perform such duties as are customary for presiding officers, including making all required appointments with the approval of the Board. The President shall also serve as a member ex-officio with the right to participate and vote on all committees except the Nominating Committee.

Section 4. The **Secretary** shall keep the records of all business meetings of the **PMI Mumbai Chapter** and meetings of the Board.

Section 5. The **Vice President** shall provide support to the President in his/her duties of managing the PMI MC and assume the role of the PMI MC President if the President is unable to perform duties for any reason in accordance with PMI MC Bylaws.

Section 6. The **Vice President- Finance** shall oversee the management of funds for duly authorized purposes of the **PMI Mumbai Chapter**.

Section 7. **Other Vice Presidents** - The Board shall consist of other elected and nominated Vice Presidents having role and responsibilities as mentioned in the Operational Handbook of PMI MC. The board may also include officers appointed by the Board to fill in for the unexpired portion of the term of a vacant board position.

Section 8. **Board Structure** - The Board shall consist of elected President, Vice President, Secretary and Finance (Or Treasurer). The board may also include elected or nominated Vice Presidents Or officers to fill in the vacant board positions.

The board will meet after the election results are declared by the Election Nomination Committee to decide the board composition for the next year. The board will also nominate members for the positions which lie vacant even after elections. The board will decide all the board positions and nominate BOD members to various position like

President, Vice President, Secretary and other vice presidents for a period of 1 (One year) subject to the provisions of Section 2 of Article V.

The PMI Board of Directors shall be comprised of 07(seven) to 11 (eleven), at large, voting PMI MC Board Directors. Three (3) of these voting PMI MC Board Directors shall be elected and serve as Officers of the PMI MC consistent with the requirements of Article VII, below.

Section 9. The Board shall exercise all powers of the **PMI Mumbai Chapter**, except as specifically prohibited by these bylaws, the PMI Bylaws and policies, its charter with PMI, and the laws of the jurisdiction in which the organization is incorporated/registered. The Board shall be authorized to adopt and publish such policies, procedures and rules as may be necessary and consistent with these bylaws and PMI Bylaws and policies, and to exercise authority over all **PMI Mumbai Chapter** business and funds.

Resolutions of the Board shall be passed by majority of their number, provided that in lieu of their resolution passed at a meeting of the Board any matter may be decided by circular resolution or written resolution signed by all Board members. A message sent by a Board member shall be deemed to be a document signed by him and any legal channel, preferably e-mail, facsimile message or any other means of communication as approved by the Board.

Section 10. The Board shall meet at the call of the President, or at the written request of three (3) members of the Board to perform the leadership function of the PMI MC, or at the written request of three (3) members of the Board.

A quorum shall consist of no less than one-half of the membership of the Board at any given time. Each member shall be entitled to one (1) vote and may take part and vote in person only. At its discretion, the Board may conduct its business by teleconference, facsimile or other legally acceptable means. Meetings shall be conducted in accordance with parliamentary procedures determined by the Board.

Section 11. The Board of Directors may declare an officer or Director at Large position to be vacant where an officer or Director at Large ceases to be a member in good standing of PMI or of the **PMI Mumbai Chapter** by reason of non-payment of dues, or where the officer or Director at Large fails to attend two (2) consecutive Board meetings. An officer or Director at Large may resign by submitting written notice to the President or the officer responsible for keeping official records. Unless another time is specified in the notice or determined by the Board, the resignation shall be effective upon receipt by the Board of the written notice.

Section 12. An officer or Director at Large may be removed from office for just cause in connection with the affairs of the organization by a two-thirds (2/3) vote of the members present and in person at an official meeting of the membership, or by a two-thirds (2/3) vote of the Board.

Section 13. If any officer or Director at Large position becomes vacant, the Board may appoint a successor to fill the office for the unexpired portion of the term for the vacant position. In the event the President is unable or unwilling to complete the current term of office, the Vice President shall serve as interim chief executive officer shall assume the duties and office of the presiding officer for the remainder of the term. The Board may call for a special election by the chapter's membership to fill the vacant position.

Section 14: Compliance with Registrar Office

Once a year, a list of the office bearers and members of the Board shall be filed with the Registrar of Societies, Maharashtra, as required under Rule 4 of the Societies Registration Act of 1860.

Resolutions of the Board shall be passed by majority of their number, provided that in lieu of their resolution passed at a meeting of the Board any matter may be decided by circular resolution or written resolution signed by all Board members. A message sent by a Board member shall be deemed to be a document signed by him/her and any legal channel, preferably e-mail, facsimile message or any other means of communication as approved by the Board.

Section 15. The Directors on the Board must be physically residing in Mumbai Metropolitan Region

Article VI – PMI Mumbai Chapter Nominations and Elections:

Section 1. The nomination and election of officers and directors shall be conducted annually in accordance with the requirements contained in these Bylaws, including Article IV, Section 1 and Article V, Section 2 and this Article VI. All voting members in good standing of the **PMI Mumbai Chapter** shall have the right to vote in the election. Discrimination in election and nomination procedures on the basis of race, color, creed, gender, age, marital status, national origin, religion, physical or mental disability, or unlawful purpose is prohibited.

Section 2. Candidates who are elected shall take office on the first day of April following their election and shall hold office for the duration of their terms or until their successors have been elected, qualified or nominated.

Section 3. A Nominating Committee shall prepare a slate containing nominees for each Board position and shall determine the eligibility and willingness of each nominee to stand for election. Candidates for Board positions may also be nominated by a petition process established by the Nominating Committee or the Board.
Elections shall be conducted.

- (a) during the annual meeting of the membership; or
- (b) by mail ballot to all voting members in good standing; or
- (c) by electronic vote in compliance with the legal jurisdiction.

The candidate who receives a majority of votes cast for each office shall be elected. Ballots shall be counted by the Nominating Committee or by tellers designated by the Board.

Section 4. No current member of the Nominating Committee, including the Single Point of Contact, shall be eligible for inclusion in the slate of nominees prepared by the Committee.

Furthermore, to uphold the principle of fairness and prevent any conflicts of interest, no current member of the Nominating Committee may resign from their position on the committee with the intention to run for a Board Candidate position.

Section 5. In accordance with PMI policies, practices, procedures, rules and directives, no funds or resources of PMI or the Chapter may be used to support the election of any candidate or group of candidates for PMI, Chapter or public office.

No other type of organized electioneering, communications, fund-raising or other organized activity on behalf of a candidate shall be permitted. The Chapter Nominating Committee, or other applicable body designated by the Chapter, will be the sole distributor(s) of all election materials for Chapter elected positions.

Article VII – PMI Mumbai Chapter Committees:

Section 1. The Board may authorize the establishment of standing or temporary committees to advance the purposes of the organization. The Board shall establish a charter for each committee, which defines its purpose, authority and outcomes. Committees are responsible to the Board. Committee members shall be appointed from the membership of the organization.

The **PMI Mumbai Chapter** officers and/or Directors can serve on the **PMI Mumbai Chapter** Committees, unless it specifically is restricted by the Bylaws.

Section 2. All committee members and a chairperson for each committee shall be appointed by the President with the approval of the Board.

Article VIII - PMI Mumbai Chapter Finance:

Section 1. The fiscal year of the **PMI Mumbai Chapter** shall be from 1 January to 31 December.

Section 2. **PMI Mumbai Chapter** annual membership dues will be agreed upon between PMI and the **PMI Mumbai Chapter's** Board of Directors and communicated in accordance with policies and procedures established by PMI.

Section 3. The **PMI Mumbai Chapter** Board shall establish policies and procedures to govern the management of its finances and shall submit required tax filings to appropriate government authorities.

Section 4. All dues billings, dues collections and dues disbursements shall be performed by PMI.

Section 5. Accounts and Audit:

The PMI MC shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditures and of the property, assets and liabilities of the PMI MC, in books to be maintained for this purpose. The Annual Accounts shall be made up to the end of the financial year. The Accounts of the PMI MC shall be audited annually by a Chartered Accountant or a firm of Chartered Accountants appointed by the PMI MC. The maintenance of accounts and conducting audits shall be performed as per prevailing statutory income tax laws (Financial Year: 1 April to 31 March)

Section 6. Legal Compliance:

All the required registers as applicable under provision of Societies Registration Act 1860 will be maintained by the PMI MC

Section 7.

The Board is empowered to acquire, sell, lease, transfer or assign the movable and immovable assets of the PMI Mumbai Chapter for the furtherance of objectives of PMI MC and also for the benefit of its members. All movable and immovable assets of the PMI MC shall be deemed to be vested, for the time being, in the Board. The Board shall be responsible for acquiring, holding and managing such properties.

Article IX – Meetings of the Membership:

Section 1. An annual meeting of the membership shall be held on a date and location to be determined by the Board. Notice of all annual meetings shall be sent by the Board to all members at least 30 days in advance of the meeting. Action at such meetings shall be limited to those agenda items contained in the notice of the meeting.

AGM shall be held to transact the following business:

- a. To adopt the Annual Report on the affairs of the PMI MC.
- b. To adopt the audited balance sheet and income & expenditure account of the PMI MC.
- c. To appoint or delegate the powers to appoint auditors to the Board of the PMI MC
- d. To consider with the permission of the Chair any other matter which may be given notice of by any member or brought forward at the meeting relating to the PMI MC except the matters which are delegated to the Board.

Section 2. Special meetings of the membership may be called by the President by a majority of the Board; or by petition of ten percent (10%) of the voting membership directed to the President. Notice of all special meetings shall be sent by the Board to membership a reasonable amount of time in advance of the meeting so as to allow membership the opportunity to participate in such special meetings. The notice should indicate the time and place of the meeting and include the proposed agenda. Action at such meetings shall be limited to those agenda items contained in the notice of the meeting.

Section 3. The Quorum at all annual and special meetings of the **PMI Mumbai Chapter** shall be those members in good standing, present and in person.

It is recommended that the quorum at all annual and special meetings should be at least three percent (3%) of the voting membership present in person. In case of a smaller number of members are present, meeting shall be held after reasonable time (15 mins) at the same location.

Section 4. All meetings shall be conducted according to parliamentary procedures determined by the Board.

Article X - Inurement and Conflict of Interest:

Section 1. No member of the **PMI Mumbai Chapter** shall receive any pecuniary gain, benefit or profit, incidental or otherwise, from the activities, financial accounts and resources of the **PMI Mumbai Chapter**, except as otherwise provided in these bylaws.

Section 2. No officer, director, appointed committee member or authorized representative of the **PMI Mumbai Chapter** shall receive any compensation, or other tangible or financial benefit for service on the Board. However, the Board may authorize payment by the **PMI Mumbai Chapter** of actual and reasonable expenses incurred by an officer, director, committee member or authorized representative regarding attendance at Board meetings and other approved activities.

Section 3. All officers, directors, appointed committee members and authorized representatives of the **PMI Mumbai Chapter** shall act in an independent manner consistent with their obligations to the **PMI Mumbai Chapter** and applicable law, regardless of any other affiliations, memberships, or positions.

Section 4. All officers, directors, appointed committee members and authorized representatives shall disclose any interest or affiliation they may have with any entity or individual with which the **PMI Mumbai Chapter** has entered, or may enter, into contracts, agreements or any other business transaction, and shall refrain from voting on, or influencing the consideration of, such matters.

Article XI - Indemnification:

Section 1. In the event that any person who is or was an officer, director, committee member, or authorized representative of the **PMI Mumbai Chapter**, acting in good faith and in a manner reasonably believed to be in the best interests of the **PMI Mumbai Chapter**, has been made party, or is threatened to be made a party, to any civil, criminal, administrative, or investigative action or proceeding (other than an action or proceeding by or in the right of the corporation), such representative may be indemnified against reasonable expenses and liabilities, including attorney fees, actually and reasonably incurred, judgments, fines and amounts paid in settlement in connection with such action or proceeding to the fullest extent permitted by the jurisdiction in which the organization is incorporated. Where the representative has been successful in defending the action, indemnification is mandatory.

Section 2. Unless ordered by a court, discretionary indemnification of any representative shall be approved and granted only when consistent with the requirements of applicable law, and upon a determination that indemnification of the representative is proper in the circumstances because the representative has met the applicable standard of conduct required by law and in these bylaws.

Section 3. To the extent permitted by applicable law, the **PMI Mumbai Chapter** may purchase and maintain liability insurance on behalf of any person who is or was a director, officer, employee, trustee, agent or authorized representative of the **PMI Mumbai Chapter**, or is or was serving at the request of the **PMI Mumbai Chapter** as a director, officer, employee, trustee, agent or representative of another corporation, domestic or foreign, non-profit or for-profit, partnership, joint venture, trust or other enterprise.

Article XII- Amendments:

Section 1. These bylaws may be amended by a two-thirds (2/3) vote of the voting membership in good standing voting by electronic ballot; or by two-thirds (2/3) vote of membership present and voting at an annual or special meeting of the **PMI Mumbai Chapter** duly called and regularly held; or by a two-thirds (2/3) vote of the voting membership in good standing voting by mail ballot returned within thirty (30) days of the date by which members can reasonably be presumed to have received the ballot. Notice of proposed changes shall be sent in writing to the membership at least thirty (30) days before such meeting or vote.

Section 2. Amendments may be proposed by the Board on its own initiative, or upon petition by ten percent (10%) of the voting members in good standing addressed to the Board. All such proposed amendments shall be presented by the Board with or without recommendation.

Section 3. All amendments must be consistent with PMI's Bylaws and the policies, procedures, rules and directives established by the PMI Board of Directors, as well as with the **PMI Mumbai Chapter's** with PMI.

Article XIII – Dissolution:

Section 1. In the event that the **PMI Mumbai Chapter** or its governing officers failed to act according to these bylaws, its policies or all PMI® policies, procedures, and rules outlined in the charter agreement, PMI® has a right to revoke the **PMI Mumbai Chapter** Charter and require the chapter to seek dissolution.

Section 2. In the event the **PMI Mumbai Chapter** failed to deliver value to its members as outlined in PMI MC's business plan and without mitigated circumstance, the Chapter acknowledges that PMI® has a right to revoke the PMI MUMBAI Charter and require the chapter to seek dissolution.

Section 3. In the event the **PMI Mumbai Chapter** is considering dissolving, the PMI MC the PMI MC's 's members of the Board of Directors must notify PMI® in writing and follow the Chapter dissolution procedure as defined in PMI's policy.

Section 4. Should the **PMI Mumbai Chapter** dissolve for any reason, its assets shall be dispersed to organization designated by the voting membership after the payment of just, reasonable and supported debts, consistent with applicable legal requirements.

Since PMI Mumbai Chapter is a Charitable Organization, the PMIMC assets shall be preferably dispersed to charitable organization.

Section 5. Unless superseded by law, dissolution of the Chapter entity must be approved by a majority of the members voting on the motion to dissolve.

Document Control

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