
MEMORANDUM & ARTICLE OF ASSOCIATION (BYELAWS)
(Under Society Registration Act 1860)

OF

Bihar Mahadalit Vikas Mission
(Government of Bihar)
Old Secretariat, Patna

Memorandum of Association
OF
Bihar Mahadalit Vikas Mission (BMVM)

1. Name of the Society

The name of the Society shall be "Bihar Mahadalit Vikas Mission" (BMVM) (hereinafter referred to as the "State Society"). The Government of Bihar is sponsoring the society.

2. Location and Registered office of the Society

The society shall have its head office at Patna, Bihar and may establish one or more branches anywhere in the state, if required. The registered office of the society is presently located at Old Secretariat, Patna, Bihar.

3. Area of Operation

The area of operation of the State Society shall be the entire State of Bihar.

4. Vision

To fulfill the basic needs of all mahadalits and empower them socially, economically and culturally to ensure their active participation in society building.

5. Scope

The State Society will be responsible for implementing the Developmental Schemes related to Mahadalits and other groups of people as directed by State Government from time to time.

6. Objectives

1. To undertake survey of mahadalits and their habitations and to prepare a plan for their development.
2. To work for social, economic and cultural empowerment of mahadalits.
3. To implement the various state government schemes for mahadalits.
4. To ensure allotment of land for residential purpose to mahadalits
5. To provide basic amenities like residence, drinking water, toilets, etc so as to ensure that mahadalits live with dignity.
6. To provide facilities of Anganwari centres and School education and create a structure for imparting life-skills and job oriented training.
7. To prepare a plan for improving the participation of mahadalits in Government and Private employment.
8. To link mahadalit habitations with the main roads.
9. To create infrastructure like community halls in the mahadalit habitations and to promote their cultural activities so to create a cultural identity for mahadalits.
10. To provide Televisions Sets to mahadalit families and mahadalit communities and to start a community radio for them.
11. To coordinate the efforts of various departments in terms of various schemes implemented to address the problems faced by mahadalits.

12. To implement innovative scheme by engaging Non-Governmental and Community-Based Organizations.
13. To assess the resources available to implement various schemes and to arrange for finances to implement various schemes.
14. To create a team of qualified personnel in all relevant disciplines that will implement the various schemes. The mahadalits shall have a significant role in the implementation process.
15. *To create a cadre of "Vikas mitras" amongst mahadalits who shall act as a link between the community and the Government.*
16. To receive and collect any gifts, subscriptions and donations either in cash or in kind and spend the same in fulfillment of all or any of the objectives of the society.
17. To acquire by purchase, take on lease, hire or by gift or other wise and hold any movable or movables and also nay immovable property or properties or any rights or privileges that may be deemed necessary or useful for the advancement of the objects of the State society or any of them.
18. To apply the income and properties of the society for the fulfillment of its objects and to pay any portion thereof by way of profit or dividend or bonus to the State Government only.
19. To carry out any other tasks assigned by the State Government.
20. To perform such tasks as may be necessary for achievement of above objectives.

7. Management and Control.

We, undersigned, whose names occupation and address as given below, do hereby subscribe our names to this Memorandum of Association and form ourselves into a society namely the Bihar Mahadalit Vikas Mission under The Societies Registration Act, 1860. The undersigned shall be the members of the first Executive Committee, to whom by the Articles of Association of the State Society, the management and control of the State Society is entrusted as required under Section 2 of the Societies Registration Act, 1860 (No. XXI of 1860) are as follows:

| S. No. | Designation in the State Government | Status in the Executive Committee | Signature |
|---------------|---|--|------------------|
| 1 | Principal Secretary / Secretary in charge of Department of SC & ST Welfare, Government of Bihar | President | |
| 2 | Principal Secretary / Secretary in charge of Department of SC & ST Welfare, Government of Bihar | Member | |
| 3 | Principal Secretary / Secretary Public Health Engineering Department, Government of Bihar | Member | |
| 4 | Principal Secretary / Secretary Department of Revenue and Land Reform Department, Government of Bihar | Member | |
| 5 | Director, SC & ST Welfare Department | Member | |
| 6 | Secretary, State Mahadalit Development Commission | Member | |
| 7 | Project Director, Bihar Education Project | Member | |
| 8 | Managing Director, SC Finance and Development Corporation, Government of Bihar | Member | |
| 9 | Executive Director, State Health Society | Member | |
| 10 | Project Director, Mahadalit Development Mission | Member Secretary | |

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| 11 | Representative of Principal Secretary, Department of Finance, not below the rank of Deputy Secretary | Member | |
| 12 | Representative of Principal Secretary, Department of Rural Development, not below the rank of Deputy Secretary | Member | |
| 13 | Representative of Principal Secretary, Department of Health, not below the rank of Deputy Secretary | Member Secretary | |
| 14 | Representative of Principal Secretary, Department of Human Resource Development, not below the rank of Deputy Secretary | Member | |
| 15 | Representative of Principal Secretary, Department of Social Welfare, not below the rank of Deputy Secretary | Member | |

**Articles of Association
OF
Bihar Mahadalit Vikas Mission (BMVM)**

1. Title

These articles of association (bye laws) shall be called "Articles of Association of Bihar Mahadalit Vikas Mission".

2. Status of the State Society

The State Society shall be a juristic person, shall have perpetual succession and can sue or be sued in its own name through its Member Secretary.

3. General Scope and Application

- 3.1 These bye laws shall extend to all the units and activities of State Society.
- 3.2 These bye laws shall come into force from the date on which the State Society is registered under The Societies Registration Act, 1860.
- 3.3 The State society will be under overall administrative control of the State Government.

4. Definitions

- 4.1 "Act" means The Societies Registration Act, 1860.
- 4.2 *"State Society" means the Bihar Mahadalit Vikas Mission registered under The Societies Registration Act, 1860. This will serve as the apex society.*
- 4.3 "Chairperson" means the Chairperson of the General body of the State Society.
- 4.4 "Vice-Chairperson" means the Vice-Chairperson of the General body of the State Society.
- 4.5 *"Mahadalit" means group of people as identified by state government from time to time.*
- 4.6 "Chief Executive Officer" means the *Chief Executive Officer* or CEO of the Executive Committee the State Society.
- 4.7 *"Member Secretary" means the Member Secretary of the Executive Committee, who shall be the Project Director of the mission*
- 4.8 "General Body" means the General Body of the State Society as constituted under these bye laws.
- 4.9 "Executive Committee" means the Executive Committee of the State Society constituted under these bye laws.
- 4.10 "Project or scheme" means any program, which may be assigned by the Government of Bihar to the State Society.

- 4.11 Inspector General of Registration means the Inspector General, Registration, Govt. of Bihar appointed under subsection (1) of section 3 of The Indian Registration Act, 1908 within whose jurisdiction the State Society is registered as society. The term also means and includes any officer of the State Government authorized to exercise the powers of the IG Registration.
- 4.12 “State Government” or "GOB" means Government of Bihar.
- 4.13 “Functional head” means head of various functional wings of State Project Management unit.
- 4.14 The “Annual General meeting” and “Special General Meeting” mean such General meetings of the Society as convened and held under the rules of the society.
- 4.15 The “Meeting” means all meetings other than the Annual and Special General Meetings of the society.
- 4.16 A “Resolution” means a resolution of the society duly passed and adopted.
- 4.17 The “Seal” means seal of the society

5. Membership

5.1 Membership of the State Society

The membership of the State Society consists of the following members including the members who have signed the memorandum of Association of State Society.

| S. No | Designation in the State Government | Designation in the General Body |
|-------|---|---------------------------------|
| 1 | Development Commissioner, Govt. of Bihar | Chairperson |
| 2. | Principal Secretary/Secretary, Department of Planning & Development, Government of Bihar. | Member |
| 3 | Principal Secretary/Secretary , Department of Finance, Government of Bihar | Member |
| 4 | Principal Secretary/Secretary, Department of Rural Development, Government of Bihar | Member |
| 5 | Principal Secretary/Secretary, Department of Human Resources Development, Government of Bihar | Member |
| 6 | Principal Secretary/Secretary, Department of Health, Government of Bihar | Member |
| 7 | Principal Secretary/Secretary, Department of Agriculture, Government of Bihar | Member |
| 8 | Principal Secretary/Secretary, Department of PHEd, Government of Bihar | Member |
| 9 | Principal Secretary/Secretary, Department of Rural Works, Government of Bihar | Member |
| 10 | Principal Secretary/Secretary, Department of Labour Resources, Government of Bihar | Member |
| 11 | Principal Secretary/Secretary, Department of Information and Technology, Government of Bihar | Member |

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| 12 | Principal Secretary/Secretary, Department of Information and Public Relations, Government of Bihar | Member |
| 13 | Principal Secretary/Secretary, Department of SC & ST Welfare, Government of Bihar | <i>Vice-Chairperson</i> |
| 14 | Principal Secretary/Secretary, Department of Social Welfare, Government of Bihar | Member |
| 15 | Principal Secretary/Secretary, Department of Home, Government of Bihar | Member |
| 16 | Principal Secretary/Secretary, Department of Energy, Government of Bihar | Member |
| 17 | Principal Secretary/Secretary, Department of Minor Irrigation, Government of Bihar | Member |
| 18 | Principal Secretary/Secretary, Department of Environment and Forests, Government of Bihar | Member |
| 19 | Principal Secretary/Secretary, Department of Revenue and Land reforms, Government of Bihar | Member |
| 20 | Principal Secretary/Secretary, Department of Food and Consumer protection, Government of Bihar | Member |
| 21 | Managing Director, SC Finance and Development Corporation, Government of Bihar | Member |
| 22 | Secretary, State Mahadalit Commission | Member |
| 23 | Director, SC & ST Welfare Department, Government of Bihar | Member |
| 24 | Project Director, Women Development Corporation, Government of Bihar | Member |
| 25 | Project Director, Bihar Rural Livelihood Promotion Society, Government of Bihar | Member |
| 26 | Project Director, Bihar Mahadalit Vikas Mission | Member Secretary |

As per requirement any other officer of the state government can be invited to any meeting.

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5.2 Memberships and Term

A person will be become a member of the State Society by virtue of office held by him and his membership of the State Society shall terminate when he ceases to hold the office and vacancy so caused shall be filled by his successor to that office. Any further addition or removal to / of members shall be made by the State Government.

The State Society shall function, notwithstanding that any person entitled to be member by reason of his office, is not represented on the society for the time being. The proceedings of the State Society shall not be invalidated by the existence of any vacancy or any defects in the appointment of any of these members.

5.3 Termination of Membership

Membership of the State Society shall ipso facto terminate if a member

- a) Dies, or permanently leaves India; or
- b) Is declared insane by a competent authority; or
- c) Found guilty by any court

- d) Is declared insolvent by any court
- e) Operation of the provisions of section 5.2 above

5.4 Register of Members

The State Society shall, at all time, maintain and keep available for inspection by the I.G. Registration, a Register of Members at its registered office, which shall be the permanent record of the State Society and shall contain the names and addresses of the members, the date on which the member was admitted and the date on which member ceases to be member. Every member shall sign the Register. No member shall be entitled to exercise rights and privileges of a member unless he has signed the Register as aforesaid.

5.5 Change of Address of the Member

If a member of the State Society changes his address, he shall notify his new address to the Member Secretary, who shall thereupon enter his new address in the roll of members. But if a member fails to notify his new address the address in the roll of members shall be deemed to be his address.

5.6. Rights of Members

- Each member shall have one vote at every meeting.
- All members shall have the right to inspect the books of account, book containing minutes of proceedings of general meetings and register of members of the society on any working day during business hours by giving reasonable notice.

6. General Body

6.1 Member of the General Body

The General body of the State Society shall consist of all members of the State Society, as in section 5.1.

6.2 Meeting of the General Body

The State Society shall hold a General Body Meeting of all its members at least twice a year .

6.3 Special Meeting of the General Body

In addition to the General Body Meeting, a Special General Body meeting may be called at any time on the requisition of the Executive Committee or one third of the total members of the General Body. The Special General Body Meeting shall be convened within fifteen days from the date of requisition and will be called Extra Ordinary General Meeting.

6.4 Notice of Meetings of the General Body

For every meeting of the General Body, a notice of not less than seven clear days specifying the place, date, time and agenda for the meeting shall be delivered personally or sent by post to the members of the society. An adjourned meeting can be called on the notice of at least five days.

6.5 Quorum for the Meeting of the General Body.

The quorum for all General Body meeting of the State Society shall be one third of the total strength of the members for the proceedings to be validly conducted. In case the quorum is not met, the meeting will stand adjourned and the Member Secretary must convene an 'adjourned meeting'. If in the adjourned meeting also, the quorum is not present the members present shall constitute the quorum. The members present at such 'adjourned meeting' may transact the business for which the meeting was called.

6.6 Business of the General Body

Every meeting of the General Body shall be presided over by the Chairperson and in his absence Vice-Chairman or in the absence of both, by one of the other members, elected by the members present from among themselves. Each member including the member presiding at the meeting of the General Body shall have one vote but the presiding member shall also have a casting vote in addition to his vote as member, in case of equality of votes. All the matters shall be decided by a majority of votes.

6.7 Minutes of the General Body Meeting

A copy of the minutes of the proceedings of each meeting shall be furnished to the General Body members as soon as possible after the completion of the meeting. The *Chairman* or the Member of the General Body who chairs the meeting, as the case may be shall approve the proceedings of the meeting, Proceedings of every meeting shall be kept by the Member Secretary and shall be read out at its next meeting and confirmed by the members present.

6.8 Resolution of the General Body

Every resolution of the General Body shall be passed by a majority of members present and voting for the resolution to be valid. In case of expediency, the Member Secretary of the State Society may circulate a resolution for approval and such resolution shall be deemed to have been passed if a majority of the members approve it, provided that such resolution so passed by circulation shall be recorded in the proceedings of the next meeting of the General Body. A member can move a resolution at a meeting of the General Body only with the prior permission of the President.

6.9 Functions and powers of the General Body

The general body of the members shall be the supreme authority of the society in respect of all its activities and more particularly to decide on:

1. The General Body shall provide overall policy guidance and direction for the efficient functioning of the State Society in fulfilling its vision and objectives as laid down in Art. 4 and 6 of the Memorandum of Association.
2. Approve with or without amendments the Balance Sheet, Income and Expenditure Statement, Annual report and the Audit report presented by the Member Secretary along with the remarks thereon by the Executive Committee.
3. It shall approve the Annual Action Plan and budget for the ensuing year.
4. It shall ensure that the State Society adheres to the Memorandum of Understanding entered with the government of Bihar from time to time and fulfills all the directions of the State Government.
5. Add modify or amend the Memorandum and Articles of Association and these bye-laws provided that all such additions, modifications or amendments shall be aimed at promoting the objectives of the State Society.
6. Develop and adopt procurement procedures for procurement of goods and services.
7. Set HR Policy including staff positions and salary and incentive structure of the State Society
8. Approve the appointment of the auditors of the State Society.
9. To make add or remove members of the Executive Committee.

10. Delegate to the Executive Committee any of the above powers.

7. Executive Committee

7.1 Members of the Executive Committee

The Executive Committee shall have a maximum of 15 permanent (excluding co-opted) members. The Executive Committee of the State Society, to whom the management is entrusted, shall consist of the following members:

| S. No. | Designation in the State Government | Status in the Executive Committee |
|--------|---|-----------------------------------|
| 1 | Principal Secretary / Secretary in charge of Department of SC & ST Welfare, Government of Bihar | Chief Executive Officer(CEO) |
| 2 | Principal Secretary / Secretary, Department of Finance | Member |
| 3 | Principal Secretary / Secretary, Department of Rural Development | Member |
| 4 | Principal Secretary / Secretary, Department of Revenue & Land Reform Department | Member |
| 5 | Principal Secretary / Secretary, Department of Health | Member |
| 6 | Principal Secretary / Secretary, Department of Human Resource Development | Member |
| 7 | Principal Secretary / Secretary, Department of Social Welfare | Member |
| 8 | Secretary, State Mahadalit Commission | Member |
| 9 | Executive Director, State Health Society | Member |
| 10 | Project Director, Bihar Education Project | Member |
| 11 | Managing Director, Bihar State SC Cooperative Development Corporation, Government of Bihar | Member |
| 12 | Director, SC & ST Welfare Department | Member |
| 13 | Project Director, Bihar Mahadalit Vikas Mission | Member Secretary |
| 14 | Director, Social Security | Member |

Any other person can be invited to the meeting of the Executive Committee with the permission of the President.

7.2 General Meeting of the Executive Committee.

The Executive Committee shall meet as and when necessary with the permission of the CEO, for the management of the affairs of the State Society, provided that the Executive Committee shall meet at least once in one month.

7.3 Special Meeting of the Executive Committee

In addition to the General meetings, a Special meeting may be called at any time with the permission of the CEO. The Special meeting may be convened within five days from the date of requisition, provided further that the CEO may, whenever deemed fit, direct the Member Secretary to call a Special Meeting.

7.4 Notice of Meeting of the Executive Committee

For every meeting of the Executive Committee, a notice of not less than seven working days specifying the place, date, time and agenda for the meeting shall be given to all members. If an Executive Committee meeting is adjourned due to want of quorum, an adjourned meeting can be called on a date fixed by the CEO. But in case of emergency the CEO may reduce the above period of notice to such number of days as he deems fit in the circumstances of the case.

7.5 Quorum for the Meeting of the Executive Committee

The quorum at all meeting of the Executive Committee shall be not less than one third of the total strength of the Members of the Executive Committee as per Section 7.1 for a proceeding to be validly conducted. In case the quorum is not met and the meeting is adjourned, the Member Secretary must reconvene the adjourned meeting.

7.6 Business of the Executive Committee

Every meeting of the Executive Committee shall be chaired by the CEO or, in his/her absence by one of the other members, elected by the members present from among themselves. Each member, including the member presiding at the meeting of the Executive Committee shall have one vote but the presiding member shall also have a casting vote in addition to his vote as member in case of equality of votes. All the matters shall be decided by a majority of votes.

7.7 Minutes of the meeting of the Executive Committee

A copy of the Minutes of the proceedings of each meeting shall be furnished to the Executive Committee members as well as to all the members of the General Body as soon as possible after the completion of the meeting. The CEO or the member of the Executive Committee who chairs the meeting, as the case may be shall approve the proceedings of the meeting. Proceedings of every meeting shall be properly kept by the Member Secretary and shall be confirmed at its next meeting.

7.8 Resolution of the Executive Committee

Every resolution of the Executive Committee shall be passed by a majority of members present and voting for the resolution to be valid. In case of expediency, the Member Secretary of the State Society may circulate a resolution for approval and such resolution shall be deemed to have been passed if a majority of the members approves it, provided that such resolution shall be valid if and only if the CEO is also one among the member approving the resolution. The resolution so passed by circulation shall be recorded in the proceedings of the next meeting of the Executive Committee

7.9 Term of the Executive Committee

The term of the Executive Committee shall be term of the State Society. However, the Executive Committee shall continue in office till the next Executive Committee comes into existence for the next term by way of reconstitution by the General Body.

7.10 Co-opted members of the Executive Committee

The Executive Committee shall have the right to co-opt eminent persons / officials in the field of activities related to the objectives of the State Society. The Executive Committee may co-opt a maximum of three members. The co-opted members shall have a right to participate in the meetings of the Executive Committee but shall not have voting rights and they shall not constitute the quorum. The

CEO can also invite experienced officials and eminent persons for specific issues to the meetings of the Executive Committee.

8. Functions and Powers of Executive Committee

Subject to the provisions of the Memorandum of Association and the Rules, the Executive Committee shall control and manage the business and affairs of the State Society and shall have all advisory, executive and financial powers to conduct the affairs of the State Society. All the duties, powers, functions and rights, whatsoever, consequential and incidental to the carrying on of the objectives of the State Society shall only be exercised or performed by the Executive Committee.

In particular and without prejudice to the generality of the foregoing provision, the Executive Committee shall:

1. Consider the annual budget and the annual action plan, its subsequent alterations placed before it by the Member Secretary from time to time and pass it with such modifications as the Executive Committee may think fit;
2. Accept donations and endowment upon such terms and conditions as it may think fit;
3. Delegate its powers, other than those of making rules, to the President;
4. Appoint committees, sub-committees, expert panels, task-force, working or study groups and Boards etc. for the purpose of achieving its objectives and on such terms as it may deem fit, and to remove any of them;
5. Appoint auditors for auditing the accounts of the State Society with the approval of the General body;
6. Ensure that the State Society complies with any comments made by funding agencies on the progress in the implementation of the projects sponsored and funded by them;
7. To monitor the functioning of the State Society and guide it to achieve its objectives;
8. To review the accounts, financial statements, consider the audit reports and monitor the financial position of the society so as to ensure smooth operations of the State Society;
9. To engage NGOs or enter into public private partnerships to achieve the objectives of the State Society;
10. Organise training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits, etc for deriving inputs for improving the implementation of the schemes entrusted to the society.
11. Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the State Society or any of them. Provided that nothing herein contained shall authorize the Executive Committee to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Executive Committee and other authorities, or which may be inconsistent with the objectives of the State Society.

9. Powers and Duties of the CEO of the Executive Committee.

The CEO shall have power to:

1. Call, or ask the Member Secretary to call, a meeting of the Executive Committee at any time and on the receipt of such requisition the Member Secretary shall forthwith call such a meeting;
2. Authorize acquisitions by gift, purchase, lease or otherwise, any property, movable or immovable, and to construct, operate and maintain any building for purpose of the State Society as deemed appropriate by the Executive Committee.
3. Authorize investment of the funds of the State Society in such securities and/or to sell or transfer such investments in such a manner as the Executive Committee may consider necessary, for the safety and benefit of the State Society and to convert or change such investments, as required by the Executive Committee, subject to the laws applicable.

4. Sanction and incur expenditure subject to limits as may be fixed by the general body / executive committee for achieving the objectives of the State Society.
5. Tender & award contracts and incur expenditure on civil works and consultancy to achieve the objectives of the State Society up to the limit as may be fixed by the general body.
6. Act upon powers as may be delegated to President by the State Society and the Executive Committee.
7. Liaison with the State Government, the Government of India, and other agencies for any matter pertaining to the operations of the State Society.
8. Carry out powers and functions of the Executive Committee whenever the exigency so demands and place the action taken before the next meeting of the Executive Committee for ratification.

10. Member Secretary

Member Secretary shall be appointed by the Executive Committee. Till he is formally appointed by the Executive Committee, Project Director, Bihar Mahadalit Vikas Mission or any other member as decided by the Executive Committee shall perform the role of Member Secretary.

11. Functions & Power of the Member Secretary cum Project Director:

1. The Project Director shall be responsible for the management of day-to-day affairs of the State Society and the State Mission Office (SMO). He shall have overall responsibility for planning and executing the work of the State Society. She/He shall be responsible for the implementation of all the policies laid down by the General Body/Executive Committee and shall attend to statutory requirements imposed on the functioning of the State Society.
2. The Management and control of the day-to-day administration and control of finance within sanctioned budgets of the State Society shall be vested with the Project Director and through him with the respective functional heads. She/He shall function as the controlling authority of all employees of the State Society.
3. The Project Director shall sign or cause to be signed all documents and proceedings requiring authentication by the State Society. The Project Director shall also represent or cause to be represented the State Society in business and legal transactions. She/He shall receive on behalf of the State Society and disburse all funds of the State Society based on instructions from the Executive Committee. The Project Director through functional heads will handle necessary documents including bank cheques and other negotiable instruments on behalf of the State Society, as authorized by the President/ Executive Committee of the State Society.
4. Project Director shall appoint bankers of the State Society with the approval of the Executive Committee. All funds of the State Society shall be paid into the State Society's account with the said bankers.
5. The Project Director, as Member Secretary, shall, in consultation with the CEO, convene the meetings of the General Body/Executive Committee at stipulated intervals or otherwise and shall maintain all minutes, records and registers of the State Society.
6. The Project Director shall also perform such functions as may be delegated to him by the State Society, CEO and/or Executive Committee from time to time.
7. The Project Director shall ensure handling of all correspondence on behalf of the State Society.
8. The Project Director as the Member Secretary shall cause implementation of all the resolutions passed in the General Body/Executive Committee of the State Society.
9. The Project Director shall also perform such functions as may be delegated to him/her by the State Society, CEO and/or Executive Committee from time to time, and
 - a. Shall cause to prepare for the State Society the Annual Reports and Financial Statements etc. with due audit.
 - b. Shall cause to maintain the accounts, cause due verification of the monthly transactions and the monthly receipt and expenditure statement, which shall be put up to Executive Committee as required.

- c. Shall verify the physical and financial usage of the funds disbursed by the State Society to the various participating organization and submit a quarterly report to the Executive Committee.
 - d. The Project Director shall appoint staff for the SMO and for the Projects implemented by the State Society with approval of the Executive Committee and as per the HR Policy. However, approval of the Government shall be obtained for the creation of regular posts in the State Society
10. The Project Director shall have powers to initiate disciplinary actions over any staff of the State Society as per the deputation rules/contract rules and conclude the enquiry and place his recommendation before the CEO, who shall give his decision on the nature and quantum of punishment, including dismissal and that shall be final.
 11. The Project Director shall sanction and incur expenditure as decided by the governing body or Executive Committee for day-to-day activities.
 12. The Project Director shall tender & award contracts and incur expenditure up to a ceiling as may be decided by the Executive Committee and ratified by the Governing body in its next meeting, for civil works and consultancies, in line with the objectives of the State Society.
 13. The Project Director shall perform any of the functions of the Executive Committee with the approval of the CEO, during the interval between meetings of the Executive Committee whenever it is urgent to do so and place a report in respect thereof, before the Executive Committee for its consideration/ratification.
 14. The Project Director may also delegate any of his powers to the functional heads and staff of SMO for efficient functioning of the State society with the approval of the Executive Committee.
 15. The Project Director will delegate administrative & Financial Powers to the District units for the smooth functioning of the project with the approval of the Executive Committee.

12. Functions of State Mission Office (SMO)

1. The day-to-day affairs of the State Society shall be conducted by the SMO under the supervision, guidance and control of the Project Director.
2. The SMO shall be headed by the Project Director, who will also be the Member Secretary of the Executive Committee.
3. The SMO shall be formed with various Specialists in disciplines like Management, Social Science, Livelihoods, Micro Finance, Communication, Procurement, Capacity Building and Training, Finance etc. with necessary supporting staff. The Specialists/staff shall be drawn from government departments on deputation and/or out -sourced from open market on contract basis.
4. Subject to approval of the Government for creation of regular posts, the Executive Committee shall authorize recruitment of employees of the State Society, required for the running of the SMO and also for the implementation of various projects implemented by the State Society. For the purpose of administrative matters and disciplinary action, the President will be the appointing authority.
5. The State Society shall subject to approval by the Executive Committee establish District and Block Mission Units which may be registered under the Societies Registration Act, 1860 or function as a branch of State Society, for implementation of the project at district level.
6. The Project Director or District Magistrates shall appoint officers and Staffs of District units with the approval of the Executive Committee for managing day to day affairs of the project under the overall supervision and guidance of the Project Director.

12. (a) District Mahadalit Mission Committee

In every District there shall be district mahadalit Mission Committee which will be constituted as follows:

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|-----------------------------|------------------|
| 1. District Magistrate | Chairperson |
| 2. DDC | Member |
| 3. District Project Officer | Member secretary |

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| 4. DSE | Member |
| 5. EE, PHED | Member |
| 6. District Agriculture Officer | Member |
| 7. Civil Surgeon | Member |
| 8. Labour Superintendent | Member |
| 9. GM, District Industries Centre | Member |
| 10. District Animal Husbandry Officer | Member |
| 11. Assistant Director, Social Security | Member |
| 12. District Programme Officer, ICDS | Member |
| 13. District welfare Officer | Member |

12. (b) Functions of District Mahadalit Mission Committee

Subject to the provisions of the Memorandum of Association and the Rules, District Mission Committee shall control and manage the business and affairs of the district relating to Mahadalits. It shall have all advisory, executive and financial powers to conduct the affairs of the District Mission office. All the duties, powers, functions and rights, whatsoever, consequential and incidental to the carrying on of the objectives of the State Society shall only be exercised or performed by the District Mission Office as per the decisions taken in the district level Mission Committee.

In particular and without prejudice to the generality of the foregoing provision, district mission Committee shall:

- 1- Preparation of annual budget and the annual action plan for the district.
- 2- Monitoring & evaluation of the schemes undertaken by the mission.
- 3- Control of establishment of the District Mission Office.
- 4- Administrative control of personnel posted in the district mission office.
- 5- Administrative Sanction for different schemes under the guidance of the state mission office.
- 6- To review the accounts, financial statements, consider the audit reports and monitor the financial position of the district mission office so as to ensure smooth operations of the district mission office.
- 7- To engage NGOs for execution of different schemes/purposes on the directives of the state Mission Office.
- 8- Organise training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits, etc for deriving inputs for improving the implementation of the schemes entrusted to the society.
- 9- Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the State Society or any of them.

12. (c) Functions of District Mahadalit Mission Office

There shall be a district level Mahadalit Mission Office headed by District Project Officer to carry out administrative, financial and executive power of the District Mahadalit Mission Committee, under the supervision guidance and control of the State Mission Office.

12. (d) Block Mission Committee

In every block there shall be a Block Mahadalit Mission Committee which will be constituted as follows :-

| | |
|---|--------------------|
| 1. Block Development Officer | - Chairperson |
| 2. Circle Officer | - Member |
| 3. CDPO | - Member |
| 4. Block Welfare Officer | - Member |
| 5. Block Education Extension Officer | - Member |
| 6. Block Agriculture Officer | - Member |
| 7. Lady Extension Officer/Extension Officer | - Member |
| 8. Block Project Officer | - Member Secretary |

12. (e) Functions of Block Mission Office

Subject to the provisions of the Memorandum of Association and the Rules, Block Mission Committee shall control and manage the business and affairs of the Block relating to Mahadalits. It shall have all advisory, executive and financial powers to conduct the affairs of the Block Mission office. All the duties, powers, functions and rights, whatsoever, consequential and incidental to the carrying on of the objectives of the State Society shall only be exercised or performed by the Block Mission Office as per the decisions taken in the Block level Mission Committee.

In particular and without prejudice to the generality of the foregoing provision, Block mission Committee shall:

- 1- Preparation of annual budget and the annual action plan for the Block.
- 2- Monitoring & evaluation of the schemes undertaken by the mission.
- 3- Control of establishment of the Block Mission Office.
- 4- Administrative control of personnel posted in the Block mission office.
- 5- To review the accounts, financial statements, consider the audit reports and monitor the financial position of the Block mission office so as to ensure smooth operations of the Block mission office.
- 6- Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the State Mission Office and District Mission Office or any of them.

12. (f) Functions of Block Mahadalit Mission Office

There shall be a Block level Mahadalit Mission Office headed by Block Project Officer to carry out administrative, financial and executive power of the Block Mahadalit Mission Committee, under the supervision guidance and control of the State Mission Office and District Mission Office.

13. Authority to Correspond

The Member Secretary of the State Society shall be the authority to correspond on behalf of the State Society.

14. Power of the State Government

Notwithstanding any contained else where in this articles, the Government of Bihar shall have the power to issue any direction as it deems fit to:-

- a) Alter, add or delete any item of the Memorandum of Association
- b) Alter, add or delete any item of Article of Association.
- c) Terminate and/or make an appointment in place of any member of the Society mentioned under item 12 of the memorandum of Association or any member of the Executive Committee mentioned under 7(i) of the Article of Association.
- d) Issue any direction for achieving the objectives of the State Society.
- e) The exercise of this power by the Government of Bihar hereunder shall be final.

15. Funds

The financial year of the State Society will be from first day of April to the 31st day of March of the succeeding year.

The sources of funds of the State Society shall consist of the following

- a) Recurring and non-recurring grants made by the Government of Bihar and /or the Government of India for the furtherance of the objectives of the State Society;
- b) Income from investments;
- c) Grant/Loan from external funding agencies, other sources through permitted channels.
- d) Grant, loan, donation or assistance of any kind from foreign Governments and other agencies with prior approval of the Central/State Government; and
- e) Grants, loans, donation or assistance of any kind from any Government agency or others in India.

There shall also be a 'Special fund', which would consist of:

- a) Such amounts as are received with a specific condition that income there of alone shall be used for the purpose of the State Society (with the Corpus being left intact);
- b) Such other amounts as the General Body may decide to divert from the regular fund to be used in the manner specified in clause (a) above.

Operation of the Funds and Account:

The bank account of the State Society shall be operated by the Project Director and one other functional head as decided by the Executive Committee.

16. Audit

1. The State Society shall follow double entry system of accounting and maintain proper books of accounts and other relevant records as well as documents. At the year end, it shall prepare a Receipts and Payments Account, Income and Expenditure Account and Statement of Affairs (Balance Sheet).
2. The accounts and financial statements of the State Society shall be audited by a Chartered Accountant, to be appointed by the Executive Committee of the State Society. The Auditor shall submit a report as required under The Companies Act, 1956 for audit of companies. The copies of the financial statements certified by the auditor to be “true and fair” along with audit report be submitted to the President and the Member Secretary shall place it before various bodies as provided in these rules.
3. Apart from the year end audit of financial statements, the society shall engage an auditor other than the auditor who audits the financial statements and who shall conduct internal audit of the society and submit his observations to the society as well as to the CEO. The internal audit shall review the internal control systems and internal checks in place and suggest improvements, review the compliance of policies and directions of the State Government, Governing Body and the Executive Committee, apart from carrying out other aspects of internal audit.
4. The Accounts will be open to audit by the Auditor General.
5. The annual financial audit and internal audit shall be completed by 31st May of every year.

17. Annual Report

The Member Secretary shall prepare an annual report of the proceedings of the Executive Committee and all work undertaken during the year.

The Annual Report, Audited Annual Accounts and Audit Report as approved by the Executive Committee shall be placed before the Annual General Body Meeting before the 30th June of the year. A copy of the Annual Report, Audited Annual Accounts and Audit Report as approved by the General Body shall be forwarded to the Government and shall be filed with the Registrar of Societies, Bihar by 30th of June every year or as required by law.

18. Properties of the State Society

1. All properties of the State Society shall belong to the State Society itself. The State Society may acquire purchase or otherwise own, take on lease or hire movable or immovable properties and sell, mortgage, transfer or otherwise dispose off any such movable or immovable properties in furtherance of the objectives of State Society.
2. The income and the property of the State Society shall be utilized only towards the promotion of the objectives as set forth in the Memorandum of Association of the State Society. It will be subject to terms and conditions as the Executive Committee may impose in respect of expenditure to be incurred from grants sanctioned to the State Society from time to time.
3. No portion of the income or the property of the State Society shall be paid or transferred directly or indirectly by way or profits to persons, who may at any time be or have been members of the State Society.
4. No member of the State Society shall have any personal claim on any movable or immovable property of the State Society or make any profit whatsoever by virtue of his membership.
5. Provided that nothing herein contained shall prevent payments in good faith of remuneration, allowances or honorarium in return for any service rendered by them to the State Society.

19. Suits and Proceedings

1. The State Society may sue or be sued in the name of the State Society through its Member Secretary.
2. No suit or proceeding shall abate by reason of any vacancy or change in the holder of the office of the President, the Member Secretary or any office bearers authorized in this behalf.
3. Every decree or order against the State Society in any suit or proceeding shall be executable against the property of the State Society and not against the person or the property of the President, the Member Secretary or any office bearer.
4. Any person, including a member of the State Society who intentionally damages, injures or destroys the property of the State Society or otherwise acts negligently in a manner resulting in pecuniary loss to the State Society can be sued by the State Society. The fact that such person may be a member of the State Society shall not in any manner prevent the State Society from proceeding against him in a court of law.

20. Validation of Acts.

No action taken by the State Society shall be rendered invalid or void only due to the reasons that:

1. There existed one or more vacancies in the General Body/Executive Committee on the day on which the resolution was passed, or
2. There was a defect in the appointment of any of its members; or
3. The resolution in pursuance of which the said act was done has subsequently been modified or revoked by the General Body/Executive Committee.
4. The authority entitled to make such appointment shall fill a vacancy in the General Body or in the Executive Committee of the State Society.

21. Alterations to the Memorandum of Association of the State Society.

Notwithstanding anything contained else where in this articles of association, the State Society may alter the Memorandum of Association or extend the purpose for which it is established, as per the provisions of the Societies Registration Act, 1860 and on the fulfillment of the following conditions:

- a) Executive Committee Obtains the permission of the Government of Bihar for the proposal for such alteration or extension as aforesaid
- b) Executive Committee furnished the proposal for such alteration or extension as aforesaid to the members of the State Society in a written or printed form;
- c) Executive Committee convenes a Special General Body Meeting of the members of the State Society according to these Rules for the consideration of the said proposition;
- d) The report is delivered or sent by post to every member of the State Society and delivered in person at such Special General Body Meeting as aforesaid;
- e) The proposal is agreed to by two-third of the vote of the members of the State Society present and voting at such Special General Body meeting as aforesaid; and
- f) A copy of the resolution of the Special General Body Meeting adopting the alteration is filed with the Registrar within the period prescribed under the law.

22. Modification of the Bye Laws:-

Notwithstanding anything contained else where in this articles, after obtaining the permission of the Government of Bihar and subject to the provision to the Society Registration Act, 1860, the State Society may amend, add to, alter or delete any of these Bye laws by a resolution passed at the Special Meeting of the General Body duly convened for the purpose. The modified bye laws shall be deemed to have come into force in accordance with the provision of the said Act.

23. Contracts.

All contracts and other instrument for and on behalf of the State Society shall, subject to the provisions of the Act, be expressed to be made in the name of the State Society and shall be executed by the persons authorized by the Executive Committee.

24. Common Seal

The State Society shall have a common seal of such make and design as the Executive Committee may approve.

25. Notice

Notice may be served upon the State Society either personally or by registered post at its registered office.

Notice may be served upon any member of the State Society either personally or by registered post to the address of such member at the address mentioned in the register of members.

26. Records of the State Society

1. The State Society shall keep in its registered office proper books of accounts following double entry system of accounting, in which the following should be entered accurately:
 - a. All sum of money received and the source thereof, all sums of money expended by the State Society and the object or purpose for which such sums are expended;
 - b. The assets and liabilities of the State Society.
2. The other records will be as follows:
 - a. Members register;
 - b. Proceedings Register of the General Body;
 - c. Proceedings Register of the Executive Committee;
 - d. Cash Book, Bank Book and General Ledger;
 - e. Records of the Employees of the State Society
 - f. Records of the Accounts and Claims
 - g. Stock Register and Assets Register
 - h. All such other records required for proper and systematic running of the State Society and as required by any law applicable to Societies.

27. Dissolution of the State Society

Subject to the provisions of the Act, the State Society may be dissolved by a resolution passed at a Special Meeting of the General Body of the State Society duly convened for the purpose and supported by at least two-third of the total members of the State Society. The General Body shall prescribe procedure for such dissolution by such resolution. The General Body may on such resolution decide to take action for liquidation of assets and liabilities of the State Society or can be given over to organizations with similar aims and objectives as that of the State Society, strictly in accordance with the provisions of Act, or surrendered to the State Government. In either case, approval of the State Government would be needed and the decision of the State Government shall be final.

Nothing contained in the Bye Laws and notwithstanding the provisions of the laws applicable, there would be no attempt to import express or imply, anything repugnant or contrary to the intentions of this State Society as expressed in the Memorandum of Association.

Member Secretary

CEO