

**Memorandum  
of  
Association  
Gujarat Council of  
Elementary Education**

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## **Gujarat Council of Elementary Education Memorandum of Association**

1. The name of the Society shall be Gujarat Council of Elementary Education (hereinafter referred to as the Council).
2. The registered office of the Council shall be located at Gandhinagar.
3. **OBJECTIVES OF THE COUNCIL**

The objectives for which the Council has been established are :

- (a) To act as an autonomous and independent body for implementation of the Gujarat Primary Education Projects viz. District Primary Education Programme (DPEP) and Sarva Siksha Abhiyan (SSA) and any other centrally aided education related projects as outline in the project documents published by Government of Gujarat and the revised versions that may be prepared on the basis of joint review from time to time.

- (b) To extend the activities of the Council in the selected districts from the State of Gujarat in respect of selected and sponsored projects.
- (c) To function as a social mission for bringing about a fundamental change in the elementary education system, and through it, in the overall sociocultural situation,.
- (d) To pursue the following specific objects of the Gujarat Elementary Education Projects viz.
  - (i) Universalisation of Elementary Education of (a) access to primary education for all children upto 14 years of age (b) universal participation till they complete the elementary stage through formal or non-formal education programmes; and (c) Universal achievement atleast of Minimum Levels of Learning.
  - (ii) Modification in the educational system to serve the objects of women's equality and their empowerment.
  - (iii) Making necessary intervention to provide equal educational opportunity to adults and children belonging to the Scheduled Castes, Scheduled Tribes and the deprived sections of Society.
  - (iv) Imparting education relating to the working and living conditions of the people, improving thereby their ability to cope with problems of livelihood, environment, and mother and child survival.
  - (v) Laying special emphasis in all educational activities on culture and communication, science and environment and inculcation of a sense of social justice.

#### **4. THE GOVERNING BODY :**

- (a) Subject to the rules of the Council the Management supervision and control of the affairs of the society shall vest in the Governing Body.
- (b) The names, addresses and occupation of the first member of the Governing Body are as under.

Sr. No. 1	Name 2	Designation 3
1.	Shri S. K. Shelat	Chief Secretary to Government of Gujarat
2.	Shri S. D. Sharma	Secretary to Government Education Department Government of Gujarat
3.	Shri V. R. S. Cowalgi	Additional Chief Secretary to Government, General Administration Department, Government of Gujarat
4.	Dr. V. V. Ramasubbarao	Additional Chief Secretary to Government, Finance Department, Govt. of Gujarat
5.	Shri A. W. P. David	Additioanl Chief Secretary to Government, Agriculture and Rural Development Deptt. Government of Gujarat
6.	Shri P. J. Dholakia	Secretary to Government Legal Department, Government of Gujarat
7.	Dr. A. Patel	Director of Primary Education Gujarat State, Gandhinagar.



Sr. No. 1	Name 2	Designation 3
8.	Shri R. K. Chaudhari	Director, State Council of Educational Research & Training, Gujarat State, Ahmedabad.
9.	Shri C. K. Desai	Deputy Secretary to Government Education Department Government of Gujarat.
10.	Dr. A. Patel	State Project Director D.P.E.P., Gandhinagar.

5. We the serveral persons whose names and addresses are given hereinafter having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our serveral and respective hands here unto and form ourselves into a Society under Societies Registration Act (XXI of 1860) and hold ourselves responsible to manage the affairs of Society as per the Rules, a copy of which duly certified to be the true copy by three members of the Governing Body is filled herewith alongwith this Memorandum of Association.

<b>Sr. No. 1</b>	<b>Name 2</b>	<b>Designation 3</b>
1.	Shri S. K. Shelat	Chief Secretary to Government of Gujarat
2.	Shri S. D. Sharma	Secretary to Government Education Department, Government of Gujarat
3.	Shri V.R.S. Cowalgi	Additional Chief Secretary to Government, General Administration Department, Government of Gujarat
4.	Dr. V. V. Ramasubbarao	Additional Chief Secretary to Government, Finance Department Government of Gujarat
5.	Shri A.W.P. David	Additional Chief Secretary to Government, Agriculture and Rural Development Department, Government of Gujarat
6.	Shri P. J. Dholakia	Secretary to Government Legal Department, Government of Gujarat
7.	Dr. R. V. Vaidyanathan Ayyar	Jt. Secretary (DPEP) Ministry of Human Resource Development, (Department of Education), Government of India, New Delhi
8.	Kum. Gita Shah	State Programme Director, Mahila Samakhya, Government Polytechnics, Ahmedabad
9.	Dr. A. Patel	Director of Primary Education, Gujarat State, Gandhinagar
10.	Shri R. K. Chaudhari	Director, State Council of Educational Research & Training, Gujarat State, Ahmedabad
11.	Dr. I. M. Patel	Director of Adult Education, Gujarat State, Gandhinagar
12.	Shri C. K. Desai	Deputy Secretary to Government, Education Department, Government of Gujarat
13.	Dr. A Patel	State Project Director, D.P.E.P, Gandhinagar.

In the Presence of

(1) Shri \_\_\_\_\_  
(Designation & Address)

(2) Shri \_\_\_\_\_  
(Designation & Address)

In addition to these 10 members of Governing body, the members of the executive committee shall be ex-officio members of the Governing body.

## Rules and Regulation of Gujarat Council of Elementary Education

### 1. RULES OF THE GUJARAT COUNCIL OF ELEMENTARY EDUCATION

- (i) **Short Titles** : These Rules may be called “Rules of the Gujarat Council of Elementary Education”.
- (ii) **Scope and application** : These Rules shall extend to all the units and activities of the council.
- (ii) These Rules shall come into force from the date on which the Gujarat Council of Elementary Education is registered under the societies Registration Act, 1860, as applicable to the State of Gujarat.

### 2. **Definitions** : In these Rules, unless the context otherwise requires.

- (i) ‘Act’ shall mean the Societies Registration Act, 1860.
- (ii) Elementary Education shall mean the following activities undertaken in the context of the programme.
  - (a) Early childhood care and education.
  - (b) Elementary Education of children upto the age of 14 years, whether through the formal school system or the non-formal education programmes.
  - (c) Educational and other programmes aimed at women’s equality and empowerment.
- (iii) ‘Central Government’ shall mean Government of India (Ministry of Human Resouce Development, Department of Education)
- (iv) The ‘Chairman’ shall mean the Chairman of the Executive Committee of the Council.
- (v) The ‘Executive Committee’ shall mean the body which is constituted as such under “Rule 24” as the Executive Committee of the Council.
- (vi) “Governing Body” shall means Governing Body of the Council.
- (vii) ‘Interested Agencies’ shall mean (i) The Central Government; (ii) State Government; (iii) Teachers’ Organisation; (iv) Voluntary Agencies.
- (viii) ‘Non-formal Education’ shall mean part-time education provided to children generally below 15 years of age corresponding to primary or upper primary stage.
- (ix) ‘Officers and staff’ shall mean every full-time employee of the Council appointed by the Executive Committee or any authority or officer delegated with the powers to do so, and would include consultants, fellows and research staff, but would not include State Project Director.
- (x) The ‘Council’ shall mean the Gujarat Council of Elementary Education.
- (xi) ‘Projects’ mean the Gujarat Primary Education Projects viz. District Primary Education Programme (DPEP) and Sarva Shiksha Abhiyan (SSA) and any other centrally aided education related projects formulated as modified and elaborated from time to time and basis of join reviews.
- (xii) The ‘President’ Shall mean the President of the Council.

- (xiii) 'Elementary Education' shall mean education corresponding to the "Class I to VIII"
- (xiv) The 'State Project Director' shall mean the Project Director of the Council appointed by the Government of Gujarat under rule 22.
- (xv) The 'State Government' shall mean the Government of Gujarat (Department of Education).
- (xvi) 'Technical Resource' shall mean (i) development of curriculum and teaching/learning materials; (ii) instructional methods; (iii) training of teachers; (iv) development of educational technology; (v) learner evaluation.
- (xvii) 'The Vice President' shall mean the Vice President of the Council.
- (xviii) 'Voluntary Agencies' shall mean non-Government organisations assigned responsibility for execution of any activity under the project by an authority empowered to do so and would include registered societies, public trusts and non-profit making companies.
- (xix) (a) word imparting the singular number also include the plural number and Viceversa.  
(b) words imparting the masculine gender also include feminine gender.

### **3. FUNCTIONS OF COUNCIL**

In pursuance of the above objects, the functions of the Council to be undertaken directly by the Council office through its staff, or sponsored/supported by it through other institutions, agencies or individuals, shall be as follows :

- (a) To undertake all activities that may be necessary for the implementation of the projects and in particular, for the achievement of the objects referred to at Article 3 above.
- (b) To create duly empowered administrative mechanisms, through such participation as may be deemed necessary of various departments and autonomous agencies of the Central and State Governments, for the achievement of the objects of the Council.
- (c) To establish for the implementation of the project, District Task Force under the C.E.O. Zilla Parishad and branch offices and other appropriate mechanisms at the district, Taluka and Village levels and to delegate to them necessary powers to enable them to discharge their responsibilities.
- (d) To secure active involvement and participation of educational institutions, voluntary agencies, teachers' organisations and individuals, committee to educational improvement and to provide financial assistance to them.
- (e) To bring about effective decentralisation in Elementary education by involvement of the people through a process of training and awareness building, and creation of appropriate structures, formal or otherwise.
- (f) To secure constructive and participatory involvement of teacher for the achievement of the council's objects and for this purpose to establish, formal as well as non formal structures.

- (g) To undertake experimentation and innovation in elementary education.
- (h) To undertake and promote research and studies relating to elementary education and its' management.
- (i) To ensure technical resources support by harnessing the existing institutions or through establishment of new ones.
- (j) To advise the State Government in implementation of Elementary Education Programmes.
- (k) To organise conferences, symposia, work-shops etc. on matters related to the projects.
- (l) To undertake preparation and production of educational materials and disseminated the same.
- (m) To create academic, technical administrative managerial and other posts in the Council to make payments for the same in accordance with the Rules and Regulations of the Council.
- (n) To make rules and regulation for conduct of the affairs of the Council and add or amend vary or restructure them from time to time.
- (o) To accept grant of money, securities or property of any kind and undertake and accept the management of any endowment, trust, fund or donation not inconsistent with the objects of the Council.
- (p) To incur expenditure after drawing up a budget and with due regard for Economy and probity.
- (q) To prepare annual reports and accounts of the Council.
- (r) To purchase, hire, take on lease, exchange of otherwise acquire property, movable or immovable and construct, alter and maintain any building or buildings as may be necessary for carrying out the objects of the Council.
- (s) To consider the audited balance sheet and accounts for the previous year.
- (t) To consider the annual reports prepared by the Executive Committee.
- (u) To take all such actions including entering in to such agreements or contracts as may appear necessary or incidental for the achievement of the objects of the Council.

#### **4. PROPERTY AND ASSETS :**

The income and property of the Council however acquired shall be applied towards promotion of the objects thereof as set forth in this Memorandum of Association subject, nevertheless, in respect of the expenditure of grants made by the Government of Gujarat or Government of India to such limitation as these Government may from time to time impose. No portion of the income and property of the council shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, however by way of profit, to the persons who at any time have been members of the council or to any them or to any person claiming through them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or otherwise persons in return for any service rendered to the Council for travelling allowance holting or other similar charges.

## 5. GOVERNMENT'S POWERS :

State Government and the Central Government jointly appoint one or more persons to review the work and progress of the council, and to hold enquires into the affairs thereof and to report thereon in such manner as the Government may stipulate and upon receipt of any such report, the Government may jointly take such action and issue such directions as they may consider necessary in respect of any of the matters dealt with in the report and the Council shall be bound to comply with such directions. In addition, the Central Government or the State Government may at any time, issue directives on matters of policy to the Council and the latter shall be bound to promptly comply with such directives. Where there is divergence of view between the State Government and Central Government, the view of the Central Government would prevail.

6. **DISSOLUTION :** If on winding up or dissolution of the Council there shall remain after the satisfaction of all its debts and liabilities any assets and property whatsoever the same shall not be paid to or distributed among the members of the Council or any of them but shall be dealt with in such manner as the State Government may determine.

## 7. THE COMPOSITION OF THE GOVERNING BODY :

The Governing Body shall consist of the following members :

(i)	Chief Minister, Gujarat State	President, Ex-Officio
(ii)	Minister-in-charge of education in the state of Gujarat	Vice-President
(iii)	Dy. Minister-in-charge of Education	Member
(iv)	Chief Secretary to Government of Gujarat	Member
(v)	Secretary to Government, Education Department Government of Gujarat	Member
(vi)	Secretary to Government (Personnel) General Administration Department, Government of Gujarat	Member
(vii)	Secretary to Government Finance Department, Government of Gujarat	Member
(viii)	Secretary to Government (Rural Development) Agriculture and Rural Development Department, Government of Gujarat	Member
(ix)	Secretary to Government Women & Child Development Department Government of Gujarat	Member
(x)	State Programme Director, Mahila Samykhya	Member
(xi)	One Person drawn from non-Government agencies engaged in Education activities in the state to be nominated by the State Government	Member
(xii)	Upto three heads of relevant State level institutions, engaged in technical resource development to be	Member

nominated by the State Government		
(xiii)	Representatives of teacher to be nominated by the State Govt. including women representative.	Member
(a)	One person to represent primary teachers.	
(b)	One person to represent instructors and other, Functionaries engaged in adult education etc.	
(c)	Two teachers known for their commitment to primary education system, of which atleast one would be a woman.	
(d)	Two heads of Primary Schools known for their initiatives and contributions in elementary education (of which one would be a woman).	
(xiv)	Other ex-officio representatives of the Government of Gujarat	Member
(a)	Two heads of District Committees in the selected districts of the Project by rotation with two persons retiring every year on the basis of seniority.	
(b)	Two heads of Departments whose functions related to Primary Education.	
(xv)	Representative of the Central Government Three representatives of the Central Govt., to be nominated by the Ministry of Human Resource Development Department of Education, Government of India.	Member
(xvi)	Two Persons each preferably from NGO those who distinguished themselves in the area of education for Scheduled Castes, Scheduled Tribes and intergrated education for the disabled, one person in each category, to be nominated by Central and State Government.	Member
(xvii)	Four women who have distinguished themselves in the areas of Primary Education, non formal education and adult education, two being nominated by the State Government and two by the Central Government.	Member
(xviii)	Director, National Council of Educational Research and Training.	
(xix)	Director, National Institute of Educational Planning and Administration.	Member
(xx)	Two eminent educationists of which one will be nominated by the Central Government and the other by the State Government.	Member
(xxi)	All Members of the Executive Committee not included in above.	Member
(xxii)	State Project Director	Member Secretary

## 8. TENURE OF NOMINATED MEMBERS

The term of non-official membes nominated by the Central Government and the State Government shall be two years. Such members shall not be eligible for re-nomination.



## **9. CESSATION OF MEMBERSHIP**

Members of the Governing Body shall cease to be such member, if

- (a) They resign, are of unsound mind, are insolvent or are convicted in a criminal offense involving moral turpitude.
  - (b) They do not attend three consecutive meetings of the Governing Body without proper leave of the President.
- 10. Where a member of the Governing Body becomes a member by reasons of the office of appointment he holds, his membership of Governing Body shall terminate when he ceases to hold that office or appointment.**
- 11. Resignation of the membership of the Governing Body shall be tendered to the State Project Director and shall not take effect unless it has been accepted on behalf of the President.**
- 12. CASUAL VACANCIES :** Any vacancy in the membership of the council shall be filled by nomination of the authorities entitled to make nominations, and the persons appointed in the vacancy shall hold office only for the unexpired period of the term of the membership.
- 13. The Governing Body shall function notwithstanding that any persons who is entitled to be member by reason of his/her office, is not a member of the Council for the time being and notwithstanding any other vacancy in its body, whether by nonappointment or otherwise and no act of the council shall be invalidated merely by reasons of the happening of any of the members of the Governing Body.**
- 14. POWERS AND FUNCTIONS OF THE GOVERNING BODY**

The Governing Body shall have the following Powers and functions;

- (i) To review the implementation of the Projects and to give overall policy guidance and direction for efficient functioning of the Council.
- (ii) To consider the balance sheet and audited accounts for the previous year.
- (iii) To consider the annual report prepared by the Executive Committee.
- (iv) To add and to amend the Rules of the Council with the approval of the Central Government and the State Government.
- (v) To perform such other functions as are entrusted to its under these Rules.
- (vi) **Projects :** The Council shall obtain the prior consent of the State Government and the Central Government before undertaking any new project other than the Gujarat Council of Elementary Education.

## **PROCEEDINGS OF THE GOVERNING BODY**

- 15. Subject to the provision of the Act, the meetings of the Governing Body shall be held at least twice a year at the time, date and place as may be determined by the President.**



16. Except as otherwise provided in these rules, all meetings of the Governing Body shall be called by fifteen days prior notice under the signature of the State Project director and in case of special meeting also, the fifteen days prior notice shall be issued. A summary of the business to be transacted at the annual and other meetings be communicated to the members well in advance.
17. The accidental emission to give notice to or the non receipt of notice of any meeting by any member shall not invalidate the proceedings of the meeting.
18. If the President is not present in the meetings of the Council the Vice-President will Chair the meeting.
19. One third of the members of the Governing Body present in person shall form a quorum which shall not necessary in respect of any adjourned meeting.
20. All disputed questions at meetings of the Governing Body shall be determined by vote and in case of equality of votes, person chairing the meeting shall have a casting vote.

#### **OFFICERS AND AUTHORITIES OF THE GOVERNING BODY**

21. **Officers :** The officers of the council shall be the President, the Vice-President, the Chariman, the State Project Director and such other persons as may be designated as such by the Executive Committee.
22. The State Project Director of the Council shall be appointed by the State Government which shall prescribe his remuneration and other conditions of service.
23. **Authorities :** The following shall be the authorities of the council.
- (i) The President
  - (ii) The Vice President
  - (iii) Chairman
  - (iv) Executive Committee
  - (v) State Project Director
  - (vi) Such other authorities as may be constituted by the Executive Committee.

#### **EXECUTIVE COMMITTEE :**

24. The affairs of the Council shall be administered, subject to the Rules and Regulation and orders of the Council by an Executive Committee, which shall consist of the following :
- |       |  |                        |
|-------|--|------------------------|
| (i)   | Secretary to Government, Education<br>Department, Government of Gujarat                | Chairman<br>Ex-Officio |
| (ii)  | Secretary to Government, Finance<br>Department, Government of Gujarat, or his nominee. | Member                 |
| (iii) | Secretary to Government, General<br>Administration Department or his nominee.          | Member                 |

(iv)	Director, ICDS	Member
(v)	Two District Project co-ordinations from amongst selected districts by rotation.	Member
(vi)	Two Heads of Districts Committees from amongst selected districts by rotation to be nominated by the chairman.	Member
(vii)	Three representatives of the Central Government to be noninated by the Ministry of Human Resource Development (Department of Education), Government of India.	Member
(viii)	Two representative of State Level academic and technical resources support agencies.	Member
(ix)	Two person from voluntary agencies. who have distinguished themselves in SC/ST area, one each to be nominated by the Central Government and the other by the State Government.	Member
(x)	Two Educationists known for their experience and interest in Primary education, one each to be nominated by the State Government and the Central Government	Member
(xi)	Two serving teachers to represent Teachers' organisations concerned with Basic education to be nominated by the State Government.	Member
(xii)	Two women with experience and interest in women's development and education, one each to be nominated by the Central and State Government.	Member
(xiii)	Director of Primary Education	Member
(xiv)	Director of GCERT	Member
(xv)	Director, GIET.	Member
(xvi)	Director of State School Text Books Board	Member
(xvii)	State Project Director of the Council.	Member Secretary

**25. The term of non-official members nominated by the Government of India and the State Government shall be 2 years. Such members shall not be eligibel for renomination.**

**26. Members of the Executive Committee shall ceases to be such members, if**

- (a) They resign, are of unsound mind or insolvent or are convicted in a criminal offence involving moral turpitude.**
- (b) They do not attend three consecutive meeings of the Executive Committee without proper leave of the Chairman.**

**27. A resignation of membership of the Executive Committee shall be tendered to the State Project**

Director and shall not take effect until it has been accepted on behalf of council by the Charman.

28. **Causal Vacancies :** Any vacancy in the membership of the Executive Committee shall be filled up by appointment or nominations by the authority entitled to make such appointment or nominations, and the persons appointed in that vacancy shall hold office only for the expired period of term of membership.
29. The Executive Committee shall function notwithstanding that any person who is entitled to be a member by reason of his office is not a member of the Executive Committee for the time being and notwithstanding any other vacancy in the committee whether on account of non-appointment by the authority entitled to makes the appointment or otherwise and no act of proceeding of the Executive Committee shall be invalidated merely by reason of the happening of any of the above events of defects in the appointment of any of its members.
30. **PROCEEDING OF THE EXECUTIVE COMMITTEE**
- Every meeting of the Executive Committee shall be presided over the Chairman and in his absence, by a member chosen by the members present at the meeting in chair for the occasion.
31. One third of the members of the Executive Committee present in person shall constitute a quorum at any meeting of the Executive Committee provided that no quorum shall be necessary in respect of any adjourned meeting.
32. No less than fifteen clear days' notice of every meeting of the Executive Committee shall be given to each member of the Executive Committee provided that
- (a) The Chairman may call an emergency meeting at the notice of 3 days and
  - (b) Any inadvertent commission give notice of the meeting shall not invalidate the proceedings of the meetings.
33. Every notice calling a meeting of the Executive Committee shall state the date, time and place at which such meeting will be held and shall, except otherwise, provided in these rules, be under the signatures of the Member-Secretary.
34. The Executive Committee shall meet so far as necessary but atleast once in each quarter of the year.
35. Each member of the Executive Committee including the Chairman shall have one vote and if there shall be an equality of votes or any question to be decided by the Executive Committee, the Chairman shall, in addition have casting vote.

#### **FUNCTIONS AND POWERS OF THE EXECUTIVE COMMITTEE**

36. It shall be the responsibility of the Executive Committee to endeavour to achieve the objects of the Council and to discharge all its functions. The Executive Committee shall exercise all Administrative, Financial and academic authority in this behalf, including powers to create posts of the description and make appointments thereon in accordance with the Regulations.

**37. The Executive Committee shall have under its control the Management of all the affairs and funds of the Council.**

**38. The Executive Committee shall have the powers and responsibilities in respect of the following :**

- (i) The frame regulations with the approval of the State Government.
  - (ii) To frame bye-laws for the conduct of activities of the council in furthering its objects.
39. The Executive Committee shall have the power to enter into arrangement with other public or private organisations or individuals for furtherance of its objects.
40. The Executive Committee shall have powers for securing and accepting endowments, grants-in-aid, donations, or gifts to the Council on mutually agreed terms and conditions provided that conditions of such grant-in-aid donations or gifts shall not be inconsistent or in conflict with the objects of the Council or with the provisions of these Rules.
41. The Executive committee shall have the power to take over and acquire by purchase, gift or otherwise from Government and other public bodies for private individuals, movable and immovable property or other funds together with any attendant obligations and engagements not inconsistent with the objects of the council and the provisions of these Rules.
42. The Executive committee shall have powers to undertake or give contract for construction of the building required for use of the Council and to acquire stores and services required for the discharge of the functions of the Council.
43. Subject to the provisions of, Societies Registration Act, 1860 the Executive Committee shall have the power to sell lease any movable or immovable property of the Council, provided that borrows to assets of the Council created out of Government grants shall without the prior approval of Government be disposed of encumbered or utilised for purposes other than those for which the grant was sanctioned.
44. The Executive Committee shall have powers to establish and spell out the membership of standing/ adhoc committee or task forces/groups etc. for various areas of the primary education programmes and decide in regard to their membership powers and functions.
45. The Executive Committee may be Resolution appoint advisory Boards or other special committees for such purpose and with such powers as the executive committee may think fit and executive committee may also dissolve any of the committees and advisory Bodies get up by it.
46. The Executive committee may delegate, to the Chairman, State Project Director, or any of its members and/or to a committee/group or any other officer of the council such administrative financial and academic powers and impose such duties as it seems propare and also duties are to be exercised to discharge.

## **REGULATIONS :**

47. Subject to any specific directions of the Council and keeping in view the overall advice of the Central Government and the State Government, the Executive Committee shall have powers to frame and amend Regulations, not inconsistent with these rules for the administration and management of the

affairs of the council and without prejudice to the generally of this provision, such Regulations may provide for the following matters :

- (i) Service matters to officers and staff including creation of posts, qualifications, selection, procedure, service conditions, pay and emoluments, discipline and control rules;
- (ii) Important financial aspects including formulation of budget, purchase procedures, delegation of Financial powers, investment of funds, maintenance of accounts and audit, T.A. and D.A. rules etc., and
- (iii) Such other matters as may be necessary for furtherance of the objects and the proper administration of the affairs of the council. Provided that for the purpose of this rule following guidelines would be kept in view while creating the posts and formulating the service and financial Regulations.
  - (a) Scales of pay in respect of the posts to be created by the Executive Committee shall correspond either to the Central Government or State Government Scales of pay;
  - (b) Mode or recruitment in respect of the posts to be created for the Council shall be either transfer on deputation or short-term contract. For work related specific assignments persons would be deployed on fixed emoluments with provision for revision each year if considered appropriate;
  - (c) In the Management Structure, staff which may devolve permanent liability on the State Government shall not be appointed;
  - (d) Till such time, the Council formulates its own set of regulations, the decisions taken by the Executive committee in all such matter will be carried out;
  - (e) The principle of reservation as laid down by the State Government shall be followed;
  - (f) Consideration of financial propriety and prudence shall be kept in view.

#### **48. BYE LAWS**

Subject to the specific directions of the Council and provisions in these rules and Regulations to be framed thereunder, the Executive Committee shall have powers to frame and amend bye-laws for the conduct of activities of the council for achievement of its objects and these bye-laws may, inter-alia, include matters relating to :

- (a) Establishment Branch Offices.
- (b) Conduct of Buisness of General Council, Executive Committee, and other committee and sub-Committees.
- (c) Grand-in-aid to voluntaries agencies.
- (d) involvement of individuals and contractual arrangement with them.
- (e) School mapping and establishment of new schools, NFE centres and other elementary education facilities.

- (f) facilities and incentives to be provided to improve, assess and participation of children in elementary education.
- (g) All aspects of technical resource support.
- (h) Such other things as may be necessary for implementation of the project.

**49. THE CHAIRMAN :**

Secretary, Education Department, Government of Gujarat shall ex-officio Chairman of the Executive Committee. The Chairman

- (i) Shall ensure that the affairs of the council are run efficiently and in accordance with the provisions of the project, the Memorandum of Association, Rules and Regulation and bye-laws of the Council.
- (ii) Shall preside over the meetings of the Executive Committee.
- (iii) may himself call or by a requisition in writing signed by him may require the Member Secretary to all meeting of the Executive Committee at any time.
- (iv) In case of the votes for and against a particular issue are equal, may exercise his casting votes.
- (v) Shall be the sole and absolute authority to judge the validity of the vote cast by member at all the meetings of the Executive Committee.
- (vi) Shall be entitled to invite any other person to attend the meeting of the Executive Committee provided that such persons shall have no power of voting and
- (vii) may direct the Member-Secretary to call a special meeting of the executive committee at short notice in case of emergency.

**Functions and Powers of the State Project Director :**

50. The State Project Director shall be the principal Executive Officer of the Council and shall be responsible for proper administration of the affairs and funds of the council and implementation of the various activities of the project in a mission mode under the directions and guidance of the Chairman of the Executive Committee.

**For the effective discharge of his function he shall have powers to :**

- (a) Constitute Steering Group for each of the programme components and functional areas.
- (b) Constitute a Task force, comprising heads of the Steering Groups which would function as a cohesive team for achievement of the objects of the project.
- (c) Prescribe the duties of the officers and staff of the Council.
- (d) Exercise such supervision and disciplinary control as may be necessary.
- (e) Co-ordinate and exercise general supervision over the activities of the Council including its Branches and units.
- (f) Conduct meeting of the Council and its Executive committee and keep a record of proceedings



of these meetings in accordance with these rules, and

- (g) Discharge such other functions as may be assigned to him by the executive committee in furtherance of the objects of the council.

#### **District Management Structure :**

- 51. The District committee will review the progress of the project and widen involvement of participating agencies. It will be headed by the District Panchayat President and persons directly involved in the implementation of the project. Nominations on the District committee will be made by the Chief Executive Officer in consultation with interested agencies. The total membership of the district committee shall not exceeds 15.
- 52. The District Executive Committee to whom well defined powers will be delegated which shall include the powers of all heads of departments concerned with elementary education. The Chairman of the District Executive committee will be the Chief Executive Officer of the District Panchayat and its membership will include district level officials and representative of interested agencies. The total membership of the District Executive committee shall not exceed 15.
- 53. The Districts Programme co-ordinator shall be the Chief Executive Officer. He shall have the same power and responsibilities in relation to the project at the district levels as the State Programmes Director has at the State Level. He shall set up Steering Groups for each Programme component and functional areas. The Head of the Steering Groups will together constitute the (District Task Force) which shall work as an organic team for furthering the project at the district level.

#### **Funds of the Council :**

- 54. The funds of the Council shall consist of the following :
  - (i) Grants-in-aid made by the Central Government and the State Government for furtherance of the objects of the Council;
  - (ii) Contributions from other sources;
  - (iii) Income from the assets of the Council;
  - (iv) Receipts of the Council from other sources; and
  - (v) Grants, donations of assistance of kind from foreign Governments and other external agencies with prior approval of the Central Government.
- 55. The Bankers of the Council shall be decided by the Executive Committees. All funds shall be paid into the council account with the bank and shall not be withdrawn except through a cheque signed by such officers as may be duly empowered in this behalf by the Executive committee.

#### **Accounts and Audit :**

- (i) The Council shall maintain proper accounts and other relevant record and prepare annual accounts comprising the receipts and payment account, statement of liabilities in such forms as may be prescribed by the Registrar of societies of the State Government in keeping with the Rules in force under the Societies Registration Act, 1860 subject to the condition that in respect

of grants from the Central Government directions of the Central Government shall be adhered to :

- (ii) The accounts of the Council shall be audited annually by the Chartered Accountant in accordance with the provisions of the Societies Registration Act, 1860.
- (iii) The audited accounts shall be communicated to the council which shall submit a copy of Audit Report along with the observations to the Central Government and the State Government within 15 days from the receipt thereof.
- (iv) The accounts of the council shall also be subject to the provisions of the Controller and Auditor General (duties, Powers and Conditions of Service) Act, 1971 as amended from time to time.

**Annual Report :**

57. The Annual Report on the working of the Council and the work undertaken by it during the year together with Balance Sheet and audited accounts, shall be prepared by the Executive Committee for information of the Central and the State Government and the members of the Council. A draft of the Annual Report along with the audited accounts of the council and the Auditor's Report thereon shall be placed before the Governing Body in its Annual Meeting. Thereafter Annual report shall be submitted to the State Government. With comments if any, who will furnish the annual report along with audited accounts of the council and audited report to the Central Government for acceptance.

**Amendments :**

58. With the prior approval of the Central Government and the State Government, the Council may alter, extend or abridge the purpose for which it is established or amalgamate the Council either wholly or partly with any other society in accordance with the provisions of the Societies Registration Act, 1860 as applicable to the State of Gujarat.
59. As and when there is any change in Nomenclature of Ministries, Department, or institutions and designations mentioned in the Rules, such changes shall automatically stand incorporated in these rules with comments if any.
60. If such Council needs to be dissolved, it shall be dissolved as per provisions laid down under sections 11 and 14 of the Societies Registration Act, 1860 as applicable to the State of Gujarat.
61. If, on the winding up or dissolution of the council there shall remain, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the members of the council or any one of them but shall accrue to the State Government which will decide about its utilisation in accordance with provisions of the act.

**Miscellaneous :**

62. Once in every year a list of members of the Governing Body shall be filled with the Registrar of societies as required under section 4 of the Societies Registration Act, 1860.
63. If any change occurs in composition of the Governing Body or in the holder of the office of the Chairman or the Director at any time for any reason such change shall within 30 days be modified to the registrar of societies.



64. All property belonging to the council shall be deemed to be vested in the Governing Body of the Council but shall be referred to as the property of the Council.

**65. Suits by and against the Council :**

Subject to provisions of this Act, the person in whose names the Council may sue or be sued shall be definite member of the council or any member of the council authorised by the Governing Body in this behalf :

- (i) No suit or proceedings shall abate by reasons of any vacancy or change in the holder of the office of the Chairman, the Director or any member of the Council authorised in this behalf;
- (ii) Every decree or order against the Council in suit or proceedings shall be executable against the property of the Council and not against the personal property of the Chairman, Director or any other member of the Governing Body/Council.
- (iii) Nothing herein shall exempt the Chairman, the Director or any other member of the Governing Body from any original liability under the Act or entitle him to claim any contribution from the Property of the Council in respect of any fine paid by him on conviction by a criminal court.

66. Every member of the Council may be sued or prosecuted by the council or any loss or prosecuted by the Council for any loss or damages caused to the Council or its property for anything done by him detrimental to the interest of the council.

**67. Service of Notice :**

- (i) A notice may be served upon any member of the council either personally or by sending it through the post under certificate of posting in an envelop addressed to such members at the last known address.
- (ii) Any notice so served by post shall be deemed to have been duly served on the day following that on which the letter, envelop or wrapper containing the same shall be sufficient to prove that the cover containing such notice was properly addressed and put into the post office.

**Form of Certificate**

It is hereby certified that the Public Trust described below has this day been duly registered under the Bombay Public Trusts Act, 1950 (XXIX of 1950) at the Public Trusts Registration Office Ahmedabad.

Name of the Public Trust Gujarat Council of Primary Education Gandhinagar.

Number in the Registrar of Public Trusts F/421/Gandhinagar

Certificate issued to Dr. Ambalal Desai bhai Patel

Given under my hand this 8th day of November 1995



Seal.

Signature [Handwritten Signature]  
Department Charity Commissioner  
Ahmedabad Region, Ahmedabad

Designation \_\_\_\_\_



**"CERTIFICATE OF REGISTRATION"**

(THE SOCIETIES REGISTRATION ACT, 1860)

(Act XXI of 1860)

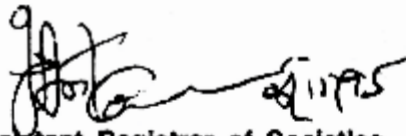
Registration No. GUJ/461/Gandhinagar

It is certified that GUJARAT COUNCIL OF PRIMARY  
EDUCATION GANDHINAGAR

\_\_\_\_\_ has this day been  
duly registered under the Societies Registration  
Act, 1860 (Act XXI of 1860)



Seal.

  
Assistant Registrar of Societies  
Ahmedabad Region, Ahmedabad  
Given under my hand this

8TH day of NOVEMBER 1995.

Registrar/Assistant/Registrar  
of Societies, \_\_\_\_\_

(Area of Sub-area).

