

# CONSTITUTION AND BYE LAWS OF HIGHER EDUCATION INSTITUTE SOCIETY HIMACHAL PRADESH GOVERNMENT

## Higher Education Institute Society (HEIS)---Govt. College Amb, Distt.Una(HP)

(In matter of society Registration Act XXI of 1860 being an act for the registration of literary scientific and charitable societies.)

And

In the matter of Higher Education Institute Society-Govt.College Amb(herein after referred to as society) pertaining to rules and regulations of society for the strengthening of existing and introduction of new as well as management of vocational and professional courses and related areas there of at Govt. College Amb in the state of Himachal Pradesh.

## MEMORANDUM OF ASSOCIATION

### 1. PREAMBLE:

The Primary objective of the Higher Education Institute Society (Govt.College Amb) is to establish, manage, operate, maintain and control the imparting of education in vocational, professional and its related knowledge area in the college/institute with an aim to develop skilled/professional work force in the area. The entire requisite infrastructure for these courses in the college/institute would be established, managed and run by on a self-sustaining revenue model.

The Higher Education Institute Society(HEIS) is a college/institute level body that would work under the overall control of the Himachal Pradesh Govt. Higher Education Department.

It is considered expedient to provide the society a legal entity by getting it registered under the society Registration Act, 1860.

- a) Name: The name of society shall be Higher Education Institute Society Govt. College Amb.
- b) Office: The registered office of the society will be located in the Govt.College Amb, Distt.Una(HP).
- c) The '**Chairperson**' shall mean the 'Chairperson' of the Management Committee.
- d) Vocational Professional courses include course in Management Education Science and Technology (Biotechnology ICT etc.) and Law.
- e) **Member** means:
  - i) The ex-officio members as per the constitutions of the society or
  - ii) Such person(s) who may be accepted in future as member of the society on such terms and conditions as laid by the management committee.
  - iii) Such person(s), institutions, organizations, societies, corporate bodies who may be accepted in future as members of the Management committee on such terms and conditions as laid down by the Management committee.
- f) "**Member Secretary**" means member Secretary of the Management Committee of the Higher Education Institute Society G.C.Amb Una(HP) as per the recommendation of the Principal/Chairperson shall be the member Secretary.
- g) "**Chairperson**" means chairperson of the Higher Education Institute Society.
- h) "The society" means Higher Education Institute society of GC Amb, Distt.Una (HP).
- i) "**State Government**" shall mean the Government of Himachal Pradesh in department of Higher Education or in any other way it is known.



- j) “ **Subject area expert**” shall mean specialist in the field of Humanities, social science, commerce & Management, Education, science & Technology and Law etc. with qualification as prescribed by the UGC/HP Govt./NCTE/AICTE/BCI or any other such statutory body who can contribute their expertise and experience to achieve the objectives of the society.

## **2. STATUS OF SOCIETY**

The society will be an independent and autonomous body in the state of Himachal Pradesh. Whereas the existing infrastructure and staff (teaching, non-teaching, ministerial etc.) shall continue under the overall control of the government of Himachal Pradesh Department. However the employees teaching, non-teaching, teaching, adhoc, contractual etc. Appointed/ engaged/called under self sustaining revenue model of the society shall be governed by the bye laws of the society.

## **3. AIMS AND OBJECTIVES:-**

- i) To identify and recommend the new courses which can be introduced in the college/institute or changes/modifications in the existing courses strengthen the existing courses of Govt. College Amb and to introduce and run new courses under different facilities and streams with different fee structure under self sustaining unit.
- ii) To workout and implement the action plan for the implementation of Education in Information & Communication (ICT), IT enabled services (ITES), Business process outsourcing (KPO) etc, and any other knowledge segments in the college/institution.
- iii) To establish, upgrade, manage, operate, maintain and control the IT infrastructure in the college for use by students, faculty and staff.
- iv) To ensure and maintain the quality of IT education as per the defined policies and programme of the HP Govt. Higher Education Department.
- v) To chalk out detailed procedures for the collection of fee for using IT services provided by the society and to transfer the fee in to the account of the society and to HP Govt. Higher Education Department as per its policy guidelines. To keep detailed account of the fees collected from the students.
- vi) To strengthen the existing courses of the Govt. College Amb and to introduce and run new courses under different facilities and streams with different fee structures under self sustaining revenue model.
- vii) To provide for instruction and research in various branches of Languages, Humanities, pure & applied Sciences etc. as the society may think fit and to provide for the advancement of learning/dissemination of knowledge in such branches.
- viii) To arrange for practical training in industries on a cooperative education plan.
- ix) To prescribe rules and regulations for the admission of students for various courses with the approval of the state government/HPU.
- x) To institute an award(s), scholarship, Prizes, stipends and medals in further of the objects of the society in accordance with the rules and bye laws constituted/drawn for this purpose.
- xi) To fix and demands such fees and other charges as may be laid down in the bye laws made under the rules of the society.



- xii) To employ or engage teaching administrative, academic technical, ministerial and other supporting staff in accordance with the rules and bye-laws.
- xiii) To function as an advisory body to the department of industries, Transport, Power, Public works, Irrigation and public health, town and Country planning, Information and Technology, Tourism, Welfare, Rural Development, Science and Technology etc. in the improvements of their activities development, Science and technology etc. in the improvements of their activities.
- xiv) To strengthen, upgrade and modernize the existing infrastructure for making the courses more useful and purposeful.
- xv) To make the college self-sustaining, independent, autonomous and to impart quality education and to develop it as a Centre of Excellence.
- xvi) To corporate with educational or other institution in any part of the world having object wholly or in a part similar to those of the society, by exchange of teachers, scholars and generally in such manner as may be conducive to their common objects.
- xvii) To in part, undertake, organize and/or assist in the organization of training and courses in languages, Humanities, pure & applied Science etc. in the college and in other places and its extension enters in order to met the demand of the industries, business and society.
- xviii) To ensure a steady flow of skilled, professional, adequate and competent quality manpower and to raise their quality and quantity.
- xix) To work for the reduction of unemployment among the educated youth by equipping them for suitable industrial employment/ business employment and self employment.
- xx) To establish centers for (a) Study and orientation (b) training and instruction and (c) research and evaluations, and take such other steps as may be necessary to achieve the objects of the society.
- xxi) To undertake, aid promote and coordinate training/research through colleges and other agencies established by or with the aid of the Government of Himachal Pradesh or Government of India or Government of any other state.
- xxii) To establish and maintain libraries, laboratories, workshops, maintenance cells, placement cells, service centers and consultancy services.
- xxiii) To collaborate with other institution, association and societies in and outside the state/country to achieve similar objects.
- xxiv) To undertake and provide for publications of journals and research papers and books and to establish and maintain libraries and information services in furtherance of the object society.
- xxv) To meet the expenses of the society including expenses incurred in exercise of the powers and discharge of functions
- xxvi) To establish and maintain superannuating. Scheme for the benefit of the employees of the society.
- xxvii) To prepare and maintain accounts and other relevant records and prepare annual statements of accounts in such forms as may be prescribed by the State Government.
- xxviii) To create incentives for better performance.
- xxix) To reduce the financial burden of the State Government.



- xxx) To do all such activities as the society may consider necessary to its primary objective for promoting vocational & professional education and other allied activities such as community development programs and transfer of technology to industry etc.
- xxxi) To take all publicity measures and campaigning through media like TV, radio, newspaper, conferences, seminars, public meetings, banners and posters etc. for creating awareness about the programs for the benefit of the students.
- xxxii) To workout and implement in the college/institution on a self sustaining revenue model i.e collaboration with the private sector, NGOs or other innovative methods as per the requirement of the specific areas.
- xxxiii) To create any depreciation fund reserve fund, sinking fund insurance fund or any special or other fund where for depreciation of for repairing improving, extending or maintaining any of the other funds herein mentioned.
- xxxiv) To maintain healthy interface with business and industrial establishments.

Pursuant to the afforested objects, the society may use the assets created by the Government of Himachal Pradesh as may be allowed by the government. It will also create assets out of its own funds over which it will exercise full control. The society in order to fulfill the above **aims and objectives** may:-

- a) Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable which may be necessary or convenient for the purpose of society and to build, construct improve alter, demolish and acquire such buildings, works and construction as may be necessary for carrying out the objects of the society.
- b) Borrow and raise moneys with or without security or on the security of mortgage, charge or hypothecation or pledge of all or any of the movable or immovable property belonging to the society.
- c) Sell, hire, assign, mortgage, lease, exchange or immoveable of the Society for the furtherance of its objects.
- d) Accepts grants of money from the government and non-government organization as well as securities or property of any kind and undertake and accept the management of any endowment, trust, fund of donation which is not inconsistent with the objects of the society, on such terms as may be prescribed by the Society from time to time.
- e) Invest and deal with funds and moneys of the society.
- f) Impose and recover fees and charges for the training services and consultancy provided by the Society.
- g) Draw, accept, make, endorse, discount and deposit, Government and other promissory notes, bills of exchange, cheques or other negotiable instruments
- h) Create corpus fund, staff development fund, Deprecation Fund, maintenance Fund, Reserve fund, sinking fund, insurance fund or any other special fund whether for depreciation, repairs improvement, extension, maintenance of any of the properties or rights of the society and or for recouping wasting assets and for any other purpose for which the society deems it expedient or proper to create or maintenance any such fund or funds.
- i) Maintain a fund to which shall be credited



- i) All moneys which may be received as grant-in-aid or otherwise from the Central/State Government and other statutory body like UGC etc
  - ii) All fees and other charges received by the society.
  - iii) All moneys received by the society by way of gifts, donations, benefactions, bequests or transfers.
  - iv) All money received by the society in any other manner or from any other sources including consultancy charges.
4. The state Government may appoint one or more persons to review the work and progress of the society and to hold inquiries into the affairs thereof and to report thereon, in such manner as the state Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report and society, as the case may be, shall bound to comply with such directions.
  5. The state Government may issue such directions to the society as it may consider necessary for the furtherance of the objects of the society and for ensuring its proper and effective functioning.
  6. The income and the property of the society howsoever derived shall be applied towards the promotion of the objects thereof as set forth in this Memorandum of Association subject to such conditions or limitations the state Government may from time to time, impose. No part of the income of the property of the society shall be paid or transferred, directly or indirectly by way of profit, to the persons who are or at any time have been members of the society or of the Government body or to any of them or to any persons claiming through them or any of them provided that nothing herein contained shall prevent the payment, in good faith or remuneration to any member thereof or other persons in return for any services rendered to the society or for traveling allowance, halting or other similar charges.
  7. in case the society is dissolved for any reason/event all the assets of the society shall devolve and vest in the Govt. of HP. Higher Education Institute Society(HIES) Govt. College Amb Distt.Una(HP)
  1. Registered office: The registered office of the society shall be situated at Govt. College Amb, Una(HP) presently the registered office is to be located at Govt. College Amb, Una(HP).
  2. Short title and commencement: These rules may be called "Rules of the Higher Education Institute Society of Govt. College Amb, Distt.Una (HP).
  3. Definitions: In this Memorandum and the rules made there under: unless specifically provided otherwise in the rules:-
    - i) "Society" means the Higher Education Institute Society of Govt. College Amb, Distt.Una (HP).
    - ii) "Management committee" Shall mean the body which is constituted as the "Management Committee" of the society by the government.
    - iii) "Executive Committee" Shall mean the Executive Committee of the society.
    - iv) "Chairman" shall mean the chairman of the management committee.
    - v) "President" shall mean the President of the executive committee.
    - vi) "Government" shall mean the Government of HP.
    - vii) "Principal Secretary" shall mean the principal secretary to the Govt. of HP Education Department HP Secretary shimla-2
    - viii) "Director" shall mean the director of Education the Govt. of HP Education Department.
    - ix) "University Grants Commission" shall mean University Grant Commission, Bhadurshah Zafer Marg New Delhi 110002 established by the law of the Parliament.



x) "University" shall mean HP University Summer Hill Shimla 171005 HP established by the ordinance of state Legislature.

Xi) "Vice Chancellor" shall mean the vice Chancellor of HP University.

Xii) "Principal" shall mean the principal of Govt. College Amb Una H.P.

Xiii) "Member" shall mean

- a. The ex-officio member as per the constituent of the society.
- b. Such person(s) who may be accepted in future as the member(s) of the Society on such and conditions a laid down by the Management Committee.
- c. Such person(s), institution, organizations, societies corporate bodies who may be accepted in future the co-opted members of the management committee on such terms and conditions as laid down by the management committee.

Xiv) "Members Secretary" shall mean member secretary of the management committee of the higher Education Institution society Govt. College Amb Una H.P. appointed as per the recommendations of the Principal/chairperson.

Xv) "Donor" shall mean-A person out of Donor who have donated a minimum of 50000/- more

The **formation of society** shall be as follows:-

**1. Management Committee**

**2. Executive Committee**

**3. Finance Committee**

**4. Management Committee**

i) The society shall have its management committee as the Supreme Authority and source of all power, functions and activities.

ii) The general superintendence, direction and control of the affairs of the society and of its income and properly shall be vested in the Management committee of the society hereinafter referred to as "the committee" or "The management committee".

**5. Constitution of the Management committee (for Higher Education institute society Govt.College Amb, Una(HP)).**

Sr.No		Designation	Address	Remarks if any
Ex-officio Members				
1	Chairperson	Principal	Govt.College Amb,Una(HP)	
2	Member	Vice Principal/Senior Most lecturer of the college	Govt.College Amb,Una(HP)	
3	Member	Head of the Department two amobgst senior most HOD's of Arts, Science & Commerce	Govt.College Amb,Una(HP)	
4	Member	PTA Head	Govt.College Amb,Una(HP)	
5	Member	OSA Head	Govt.College Amb,Una(HP)	
6	Member Secretary	Any lecturer nominated by the	Govt.College Amb,Una(HP)	



		Chairperson/Principal		
		Nominated Member		
7	Member	Director of Higher Education Govt. of HO's nominee-One		
8	Member	One Eminent Educationist		
9	Member	One subject Area Expert		
		Co-opted Members		
10		Any other member which the Management committee decided to co-opt amongst Donors		

## 6. Member of the society

- a. The society shall consist of following :
  - i) All the ex-officio members as per the provision at Sr. No. 1 to 10 of Para 5 in the constitution of the Management Committee.
  - ii) Other individuals, institutions, organizations and corporate bodies to be accepted in future as Co-opted members as per terms and conditions of eligibility as may be laid down and approved by the Management Committee from time to time as per the provision at R. no 10 of Para 5 in the constitution of the Management Committee.
- b. The Society shall keep a register of nominated and co-opted members of the society shall sign the roll and state there in his name, occupation and address.
- c. If a nominated and co-opted member of the society changes his address, he shall inform his new address to the Member Secretary who shall there upon enter his new address in the register of such members, But if he fails to inform his new address, the address in the register of members shall be deemed to be his address.
- d. Termination of Membership:
  - i) Where a person becomes a members a member of the society by reason of the office of appointment he holds, his membership of the society shall terminate when he ceases to hold that office or appointment.
  - ii) Whenever a member other than the ex-officio member, desires to resign from the membership of society, he shall address his resignation to the member Secretary of the Society and submit the same to him. The membership of such person shall stand terminated from the date of his resignation.
  - iii) A member of the society shall cease to be a member, if Management Committee so desire.

## 7. Term of office of the Members of the society & Termination of Membership:

- a. Term of office non-official/nominated/co-opted member shall be for two year, or till the new member is nominated/co-opted after the expiry of term, whichever is later. At the expiry of the period so fixed the management committee may nominate the same person(s) or some other person in his/her place. In the case of any vacancy arising earlier than the stipulated period of two year the government may nominate any other person(s) afresh.



- b. Any nominated/co-opted member of the management Committee may resign his her membership by a letter addressed to the Principal, Govt.College Amb, Una(HP). The resignation shall take effect from the date of its acceptance by the chairperson or from the 30<sup>th</sup> day following the date of receipt of the letter by the Principal whichever is earlier.
- c. Any member of the Management Committee shall cease to be a member if becomes insolvent or of unsound mind or is convicted of criminal offence involving moral turpitude.

#### **8. Meeting of Management Committee:**

- a. The Committee shall ordinarily meet 2 times in a year but the gap between one meeting and the other shall not be more than 6 months.
- b. Every meeting of the Management Committee shall be presided over by Chairperson of the Management Committee and in his absence the Vice Principal the ex-officio member, shall preside over the meeting.
- c. The Chairperson my, whenever he thinks fit, and shall, on the written requisition of not less than four members, call a special meeting of the Committee.
- d. Management Notice and quorum for the meetings of the society:
  - i Every notice calling a meeting of the Management Committee shall state the date, time & place at which such meeting will be held and shall be served upon every member not less than 48 hours before the day & time appointed for the meeting.
  - ii Provided that the Chairperson for reasons to be recorded shall have the authority to call a special meeting on such shorter notice as he thinks fit.
  - iii If the chairperson of the Management Committee is unable to attend any meeting, then Vice-Principal, the ex-officio member shall prside over the meeting.
- e. The management committee can further constitute committee and sub-committee and delegate the necessary powers and authorizations to such committee for the specific purposes.
- f. Quorum: Five members, out of whom at least three must be official members, shall constitute the Quorum.

#### **9. Conduct of Business of the Management Committee:**

- a. The management committee may function notwithstanding any vacancy in its constitute provided however, that at no time the number of vacancies shall be such that the total number of members is less than the quorum required for a meeting of the Management committee.
- b. Acts and proceedings not to be invalidated by vacancies etc. no act or proceeding of the management committee or any authority of the society or any committee constituted under this shall be questioned on the ground merely of the appointment of a person acting as a member thereof aur any irregularity in its procedure not affecting the merits of the case.
- c. Subject to the provisions herein contained, the management committee may, with the previous approval of the HP government, frame and vary from time to time, as it thinks fit, bye laws for the conduct of its business.
- d. In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- e. Each member of the Management Committee, including the Chairperson shall have one vote & if there is an equal number of votes on any question to be



determined by the Management Committee, the Chairperson shall, in addition, have and exercise a casting vote.

- f. Any resolution, except such as may be placed before the meeting of the Management committee, may be adopted by circulation among all its members and any resolution so circulated and adopted by a majority of the members who have been passed at a meeting of the committee, provided that in every such case, at least 5 members of the committee shall have recorded their approval to the resolution.

#### **10. Powers, function, duties and responsibilities of Management Committee:**

Subject to the memorandum of association and those rules, but without prejudice to the generality of powers, the management committee shall have the full functional autonomy and shall exercise the following powers and carry out the following functions, duties and responsibilities inter-alia:

- i To exercise general control and issue such directions for the efficient management and administration of the affairs of the college as may be necessary.
- ii To dominate members of the Executive Committee.
- iii To approve the Annual Budget as presented by Executive Committee.
- iv To consider the annual report the audited Annual Accounts of the society for the immediately preceding financial year along with the audit certificate the Audit Report, and replies of the society of the observations contained in the Audit.
- v To add to, amend, vary or rescind, with the prior approval of the government of Himachal Pradesh, any of these rules.
- vi To frame bye-laws consistent with these Rules and the Memorandum of Association, for the management, administration and regulation of the business of the society for the furtherance of its objects.
- vii Perform such other function as are entrusted to it under the rules.

#### **Powers of the Management Committee:**

1. Take decision on matters policy relating to the administration, working and control of the society.
2. Consider and approve programmes and plans of the society in conformity with the scope of the objectives of the society and under the overall guidance of Govt. of HP Higher Education Deptt. and to sanction expenditure for the execution of the plan.
3. Workout and recommend to the Govt. of HP Higher Education Deptt. the eligibility conditions, duration, selection process etc. for the programmes run by the society.
4. Workout and recommend to the Govt. of HP Higher Education Deptt. Rules, Regulation and Bye-laws for the conduct of the affairs of the society and to recommend to the Govt. of HP Higher Education Deptt. to add, amend or repeal the rules and regulation from time to time.
5. Consider, approve and authorize operation of the funds of the society collect fees on behalf of Govt. of HP Higher Education Deptt. and other departments and agencies and transfer or utilize the same in the manner prescribed in the agreements.
6. Workout and recommend to the Govt. of HP Higher Education Deptt. the norms, guidelines and terms and conditions and agreements with stakeholders to establish Resources Centers and to add to or amend them from time to time.



7. Appoint Committees or Sub-Committees, by whatever name called comprising member(s) of the society and such outside experts and officers of the society as may be nominated by it for specific tasks, for the disposal of its business or for tendering advice on any matter pertaining to the administration and management of the society.
8. Handle the work on job-work and/or outstanding basis for the society as per the norms laid down by the Govt. of HP Higher Education Deptt.
9. Delegate, to such extent as it may deem necessary, any of its powers to any officer or the committees constituted by the Management Committee.
10. Acquire by gift, purchase, exchange, lease, hire or otherwise any property movable or immovable, and to construct, improve, alter, demolish or repair buildings, space, works and constructions as may be necessary or convenient for carrying on the activities of the society.
11. Negotiate, enter into and make contracts and deeds on behalf of the society without any Government support. To enter into legal and corporate agreements for and on behalf of the society and to sue and defend all legal matters of the society.
12. Institute and award, prizes and medals for innovative education practices.
13. Solicit and receive grants, gifts, donations, fees and funds in any other forms, provided it is approved by the Executive Committee.
14. Do all such acts things as are incidental or conducive to the discharge of the functions and attainment of any of the objects of the society.

#### **Functions, duties and responsibilities of the Management committee:**

1. To prepare the budget estimates of the society for each year and to sanction expenditure within the limits of budget as approved by the management committee.
2. To have custody and ensure proper utilization of the funds of the society and to manage all the resources of the society.
3. To provide the required operation, administration technical, ministerial and manpower under the society on job work, contract or outstanding basis from project to project for ensuring the efficient operation and management of the projects and the affairs of the society and to prescribe the conditions for hiring and firing of such manpower by the other departments and organizations as and when required.
4. To co-ordinate with the Govt. of HP Higher Education Department and college/institute level departments/organizations in the pursuit of its objectives of the society.
5. To consider and pass such Resolutions on the annuals report, the annual accounts and the financial estimates if the society as it thinks fit.

#### **10. Assets and Funds of society:**

- a. The capital cost and corpus fund for the smooth functioning of the society may be contributions from public sector undertakings, Co-operative institutions, other Public sector organizations and financial institutions.
- b. Sources of income of society: The society will facilitate/execute/implement education in knowledge sector on behalf of Department of Higher Education based on the availability of the funds. Therefore, any receipts of society will consist of the following:
  - i) Financial assistance from central ministries, financial institutions (FIs) or any national/international individual or institutions or industry.



- c. The recurring expenditure of the society would be met out of the funds and other income from the resources and business of the society.
- d. For expanding the scope and coverage of the programmes run by the society it may approach Government of India, Government of HP or any financial institutions for funding this program depending upon the project structuring requirement.
- e. The society may accept contributions from the statutory bodies created under the Acts of Parliament or of the state Legislature, the national and international organizations, NRIs, industry. The contribution may also be accepted from private bodies and individuals subjects to the approval of its Management Committee.
- f. The income and property of the society however derived shall be applied towards the promotion of the objects thereof as set forth in this memorandum of Association.
- g. No part of income and property of the society shall be paid or transferred directly or indirectly, by way of profit, to the persons/body who are, or, at anytime, have been or shall be members of the society or management Committee or to any of them or to any persons claiming through them or any of them.
- h. Operations and Management (O & M) of the society:
  - i. The required operation, administrative, technical and other manpower may be deployed on job work, contract or outsourcing basis from case to case basis for ensuring the efficient operation and management of the projects.
  - ii. Thus the hiring of manpower for the work of the society would not be the liability of the Government and any expenditure on such account is proposed to be met out of the funds available with the society.
  - iii. The private partners would hire mostly the operation staff and no Government Expenditure would be involved. Also expenditure on any hiring of staff by the society would be met out of the funds available with the society.
  - iv. The manpower for running the functions of the society would be taken on deputation from the Government's departments, corporations, agencies, institutions, boards, public sector Undertakings, colleges etc. or job-work basis in accordance with rules, regulations and bye laws of the society.
  - v. The manpower on job-work basis would not claim for permanent absorption in the society or in the state Government. The society has full rights to terminate the contract of manpower on job-work basis without giving any reasons.
- i. Vesting of the assets and funds of the society: The Assets and the funds shall vest with the society.
- i. Assets register and accounts: The society shall maintain Assets Register(AR) and accounts as per th common practices in higher educational societies.
- ii. The Treasurer of fund: The member secretary or any other person authorized by the BOG shall be the treasure of funds.
- iii. Operation of bank account: The bank accounts of the society shall be kept in the name of the society or any other person authorized by the management committee.
- j. If at any time the society is dissolved, the assets of the society shall vest with the Government of HP(Department of Higher Education) in the account of the local college.
- k. Objects for which the fund of the society could be used:
  - i. The objects of the fund shall be as approved by the Management committee
  - ii. All decisions for utilization of funds would be recorded in executive office order register(EOOR).



iii. Some of the indicative objects for which the funds could be used are as follows:

- a. To impart special training, awareness and capacity building in the field of vocational and professional studies at college/institute level.
  - b. For any other improvements in field of Higher education.
- iv. Administrative expenses incurred by the society or committee such as salary allowances and traveling allowances and daily allowances of the staff can be legitimate charges on the funds of the society in accordance with the provision of the rules of the society as approved by the Government in the department of Higher Education.

#### **11. Accounts and Audit:**

The society shall cause maintenance of regular accounts of all its money and properties in such form as the Management Committee may prescribe. The accounts shall be audited annually by an Agency nominated by the Government. Any expenditure incurred in connection with such audit shall be payable by the society to the party concerned. The results of Audit shall be communicated by the auditors(s) to the Management Committee.

- a. The chairperson shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditure and of the property, assets and liabilities of the society. The Annual Accounts shall be made up by the end of the financial year.
- b. The Accounts of the society shall be audited and certified by the chartered accountant appointed by the Management Committee or any other competent authority.

#### **12. Arbitration and Reconciliation:**

- i. Any dispute between two or more members of the society-which has an impact upon the activities of the society, shall be referred to and resolved amicably by the Chairperson or an arbitrator appointed by the Chairperson.

#### **13. Alteration of the Rules and Regulation:**

The society may alter these rules at any time by a resolution passed by a majority of the total membership of the society and a majority of the members present and voting at any meeting of the society duly convened for the purpose subject to the approval of the Govt. of HP Higher Education Department.

#### **14. Executive committee of the society:**

The routine decision making of the society and its funds shall be managed by the following executive committee (For higher Education Institute Society, Govt. College Amb, Distt.Una(HP)).



SN	Name & Designation	Remarks
1	Principal of College	Chairperson
2	President PTA	Member
3	President OSA	Member
4	HOD same as Management Committee	Member
5	Lecturer	Member Secretary
6	Special invitee	Subject Area Expert for advice not having a voting right.

- a. The Executive Committee will be empowered to take all administrative decision where no creation of posts is involved.
- b. The executive committee will issue Financial Sanctions (FS) for all acquisitions of movable & immovable assets & disposal thereof.
- c. In case of agency the Executive Committee will take decisions and get the same ratified from the Management Committee in its next meeting.
- d. The Executive committee may also further delegate any of its power to chairperson of the society.
- e. The executive committee shall exercise such other powers as delegated to it by the Management Committee.
- f. The existence of any vacancy therein or of any defect in the appointment or nomination of any member shall not invalidate the proceedings of the meeting of the executive committee.
- g. Every meeting of executive committee shall be presided over by its Chairperson and in his absence by the senior most member of the Executive committee.
- h. Three members of the Executive committee present in person shall constitute quorum. No quorum shall be required for an adjourned meeting.
- i. For every meeting of executive committee not less than 48 hour notice shall be given to each member provided that the chairman in special circumstances may call a meeting at a shorter notice.
- j. At least four meetings of Executive committee shall be held every year and intervening period between these meetings shall not be more than three months.
- k. The Chairperson of the Executive committee, including the presiding officer, shall have one vote and in the case of any, tie, he shall, in addition, have a casting vote.
- l. The chairperson of the Executive Committee may invite any person other than a member to attend a meeting of the Executive Committee. Such invitee shall not however, be entitled to vote at the meeting.
- m. Any business which it may be necessary for the Executive Committee to perform may be carried out by circulation of papers among all its members and any resolution so circulated and approved by a majority of the members signing shall be as effective and binding as if the resolution had been passed at meeting of the Executive Committee.



## **15. Functions and powers of the Executive Committee:**

i. Subject to general control and direction of the management Committee the Executive Committee shall be responsible for the management and administration of the affairs of the society in accordance with these Rules and the Bye-Laws made there under for the furtherance of its objectives and shall have all powers, administrative and financial, which may be necessary or expedient for the purpose.

ii. Without prejudice to the generally of the foregoing sub-rule, the executive committee shall have the following powers and functions:

1. To frame bye-laws procedures or rules with regard to all staff, budget and expenditure related matters. The Executive Committee shall also have the power to further delegate these and other power's to the Chairperson and to authorize further delegation by the chairperson to the officer as deemed fit by the Chairperson.
2. To prepare and execute detailed and programmes for the furtherance of the Society.
3. To create recruit and manage technical, administrative, managerial, academic, consultancy and other posts in the Society other than those for whose appointments specific provision has been made else where, as may be required for the efficient management of the affairs of the society and regulate the terms and condition of their service, and to make payments to such personnel in accordance with the rule and regulations of the Society.
4. To receive, have custody of, and deal with the funds and moneys of the society.
5. To sell, hire, lease, exchange or otherwise transfer or dispose of all or any property, movable or immovable, of the society, provided that for the sale, lease, exchange or transfer of immovable property transferred to the society on its formation by the government. Prior approval in writing of the government shall be obtained.
6. To execute contracts, collaboration agreement, general/special instruments, service agreements, agreements containing arbitration clauses indemnity bonds, deeds in respect of or connected with sale lease/license, mortgage, hypothecation or other deeds of a legal character of whatever description: powers of attorney and to enforce any other legal proceedings on behalf of the society.
7. To sue-defend all legal proceedings on behalf of the society.
8. To appoint committee, with or without or without the power to co-opt for disposal of any business of the society or for advice in any matter pertaining to society, provided that in case of emergency, the chairman of the Executive Committee shall have the power to appoint such committee.
9. To accept the management of any endowment, trust, fund, subscription or donation, provided that it is not attended by any condition inconsistent, or in conflict, with the objectives of the society.
10. To prepare the annual budget estimates of the society and to submit the same before the management Committee for approval.
11. To incur expenditure subject to the provisions of the approved budget provided that where in the opinion of the chairperson, an immediate decision on any matter essential, he/she may, within the ambit of



operational necessary and efficiency or to meet an emergency, authorize the incurring of expenditures not covered by the provisions of the budget provided that a report would be made to the Management Committee Council at its next meeting and its ex-post-facto approval obtained, wherever necessary.

12. To lay down term and conditions governing scholarships, deputations, grants-in-aid, training and research schemes and projects.
13. To frame, approve, amend and change R & P rules(Recruitment & promotion rules) for those who are appointed/engaged/called under the society.
14. To approve annual training plan of the Society.
15. The EC may be resolution delegate to its Chairperson, to any standing committee or to any other officer of the society, such of its power for the conduct of business as it may deem fit, subject, if seemed necessary to the condition that the action taken by its own Chairperson, the standing committee, or other officers under the powers so delegated shall be subject to confirmation of the next meeting of executive Committee.
16. The Executive Committee shall have the power to appoint the chartered Accountants/firms of Chartered Accountants as Auditors to certify the annual income and expenditure statement and Balance Sheet of the society. Provided that the Government of HP shall have the overriding power to appoint auditors for getting the accounts of society audited.
17. With regards to all finance/staff related matters including creation filling-up of post, setting up terms and conditions of services, approving budgets or expenditure, change of rates charged for services etc. any decision of the Executive Committee shall be taken only with concurrence of the Finance committee.

#### **16. Contracts:**

All contract and other assurance shall be executed in the name of the Management committee and signed on their behalf by the chairperson of the Society or any other person duly authorized by the Management Committee.

#### **17. Powers, Functions & Responsibilities of the Chairperson:**

- a. The Chairperson shall be the custodian of the record, the funds of society & such other property of the society as the committee may commit to his charge. The chairperson shall have the accounts maintained and also arrange for the annual audit in accordance with the provisions in the Rules and Bye-laws of the society.
- b. The Chairperson shall have such other powers & perform other duties as may be delegated or assigned to him by the committee. The Chairperson may delegated any of his powers to any of the subordinate with the approval of the Executive committee.
- c. The chairperson of Management Committee shall act as the Chairperson of the society and will record the proceedings of the meetings of the society and of the Management Committee and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.
- d. The Chairperson of Management Committee shall manage the projects, properties or the money under the fund, manage accounts, execute all contract



- on behalf of the society and receive funds for the society through donations grants-in-aid contributions and raising money whenever required.
- e. The chairperson of Management committee shall prepare the budget relating to the administrative expenses of the society and committee such as expenditure on TA/DA of the members, which shall be a legitimate charge on the funds.
  - f. The Chairperson will have the authority to issue Financial Sanction (FS) and Technical Sanction for all IT acquisitions of value less than Rs. 1 lac. Any project of more than Rs. 1 lac. Would require the approval of the Executive Committee or the Management Committee as the case may be.
  - g. In the event of the post of the Chairperson remaining vacant or the Chairperson being absent or unable to perform his duties for any reason, it shall be open for the committee to direct any officer or officers in the service of the society to exercise temporarily such powers & perform such functions and duties of the chairperson as the committee may deem fit.
  - h. The Chairperson shall be responsible for the proper day to day administration of the society. All other staff of the society shall be subordinate to the chairperson. The Chairperson shall carry out the general correspondence in connection with the work assigned to him/her by the Chairperson of Management Committee and the Executive committee from time to time.
  - i. The Chairperson of the Management committee shall hire & fire the manpower for the society and other staff in accordance with Rules, regulations and bye-laws of the society with the approval of Chairperson. Chairperson of Management committee shall represent the society in all its legal matters jointly or through any authorized representative.
  - j. The Chairperson shall be responsible for the execution of all IT acquisitions as approved by the Management Committee and the Executive Committee.
  - k. To do all acts deeds and things necessary for carrying out his functions as the chairperson.

#### **18. Funds of the society:**

The funds of society shall consist of the following:-

- a. Grant-in-aid received from Central or state Government.
- b. Donations and Contributions from other sources.
- c. Fees to be collected from the students and charges imposed by the society for services rendered by it.
- d. Income from investments.
- e. Income from interest.
- f. Income from consultancy services.
- g. Income and receipt from other sources.
- h. All grants received from University Grants Commission.
- i. All funds and amounts charged by the Society.
- j. Grants from individuals, institutions, gifts, charity, any assistance and amount Received out of wills of any person and all receipts.

The funds of the Society shall be kept /deposited in the scheduled bank defined under Reserve Bank of India Act 1934 (Act 2 of 1934) and it will be expended on the substances and development of the college as per the budget formed by the governing council and abetment of the finance committee as per the rule & regulations formulated for the purpose.



The Society may increase the fee determined from time to time ,can also increase the fee and search for the opportunities /alternative to increase its money . all these additional fees and funds shall be included in the funds of the society.

#### **19. Withdrawals of funds:-**

1. Withdrawals of funds from the accounts of the society shall be regulated in a manner to be determined by the management committee or under its authority by the executive committee
2. Such withdrawal shall be made by cheques on requisition (as the case may be) signed by the chairperson and member secretary of the executives committee

#### **20 Suit by and against the society:-**

The society may sue or be sued in the name of the society and the chairperson shall have all powers to defined any suit and sue in the name of the society either by himself or acting through agents/officials duly appointed by the chairperson.

- 21 Annual report of the proceedings of the society including all works undertaken and various achievements made, during the year, together with the audited annual accounts for the year, the audit certificate, the audit report and replies of the society to the observation contained in the audit report shall be placed before management committee at its next meeting through the executives committee. The management committee shall cause a copy of the audit report along with its observation thereon to be submitted to the government of H.P after annual general meeting.

- 22 A notice may be served upon any member of the society or its executive committee either personally or by post at the address mentioned in the roll of members. Any notice so served by post shall be deemed to have been served on the day following that on which it is posted.

#### **23 Alteration or extension of the purpose of the society:**

Subject to the provision of the registration of societies act 1860. The management committee may alter, extend or abridge any purpose for which the society is established.

#### **24 Amendment of the rules:**

The management committee shall be competent to amend, repeal, rescind any of the provision of memorandum of association, and rules of the society. The executives committee shall be competent to carryout amendments in the service bye-laws as it may think fit from time to time.

#### **25. Repeal and Saving:**

1. Subject to the prior approval of the Management Committee, the Society may alter, extend or abridge any purpose for which it is established by following the procedure prescribed under these rules
2. these rules may be altered by the society with the consent of the management committee at any time by a resolution passed by a majority of  $\frac{2}{3}$ <sup>rd</sup> of the total




members present at any meeting of the society which shall have been convened for the purpose after giving due notice of such resolution to the members of the society subject to the approval of govt. of H.P Higher Education Deptt.

## 26. Staff and Establishment Issue:

1. Existing staff of the college will continue to be borne on government rolls and the all staff, office and establishment related expenditure bills will continue to be drawn from treasury as per budget provision as heretofore.
2. Any fresh recruitment in the college for any purpose including replacements for vacancies in regular establishment will be done by the Society and expenditure will be met out of its own resource. Such recruitment will be based on need/justification and preferably for a limited liability/binding on the Society or the Government for regularization/appointment of such staff on the expiry of period of contract. The contract shall be on year to year basis and terms and conditions as decided by the Society.

## 27. Societies Registration ACT to Apply:

All Clauses of Societies Registration Act, 1890 (HP, Amendment Act) as applied to the states of Himachal Pradesh shall apply to this Society save as appropriately and expressly amended and altered or amended by these presents and such amendments are not inconsistent with the aforesaid Act.

  
Principal  
Govt. College Amb  
Govt. Degree College  
Amb (Una) H.P.