

District e-Governance Excellence centers

Saharsa District e-Governance Society for Citizen Services

(A Society registered under the Societies Registration Act - 1860)

**MEMORANDUM OF ASSOCIATION
&
RULES & REGULATIONS**

Saharsa District e-Governance Society for Citizen Services

MEMORANDUM OF ASSOCIATION

Preamble:

The primary objective of the Saharsa District e-Governance Excellence Centers/ Saharsa District e-Governance Society for Citizen Services is to establish, manage, operate, maintain and control the service centers, namely **CSC/CFC**(Common Service Centre) in the Districts for providing integrated citizen services pertaining to all departments under one roof to the public in an efficient, transparent, convenient and friendly manner using IT in all. The Society shall be run on no profit/no loss basis.

1. Name: The name of the Society shall be

Saharsa District e-Governance Society for citizen services

2. Office: The Registered office of the Society shall be at Office of the District Magistrate -cum- Collector, Saharsa.

3. Objectives and functions of the society:

- a.** To carry out integrated services/ activities on no profit/ no loss basis.
- b.** To establish, manage, operate, maintain and control the service centers, namely, the CSC/CFC throughout the District for providing citizen services in an integrated manner to the public in an efficient, transparent, convenient, friendly and cost effective manner through the use of IT or otherwise in all or any aspects of citizen services to maximize speed, accountability, objectivity, affordability, and accessibility from the perspective of the citizens.
- c.** To manage and supervise progress of SWAN and Last Mile Connectivity for CSC/CFC within the District.
- d.** To implement guidelines of State Government and Government of India for CSC/CFC, SWAN, SDC and any other e-Governance Programmes.
- e.** To identify and recommend the citizen Services which can be provided in consultation and co-ordination with the concerned departments on priority.

- f. To assist **SCA(Service Centre Agency)** in roll out of private domain services in the CSC.
- g. To workout and implement the action plan with SCA for the establishment of citizen's service centers in the district on a self sustaining revenue model in collaboration with the private sector, NGOs or other innovative methods as per the requirements of the specific areas.
- h. To ensure and maintain the Standard of Service as per the Service Level Agreements between Departments, SLA, SCA, CSC Service Centers, franchisees, Financial Institutions and the Government.
- i. To workout and recommend for approval by competent authority, the service fee or user charges that could be charged from the end customers over and above the prescribed bill amount/fee/statutory fee for providing the services through CSC Centers/Financial Institutions or Franchisees.
- j. The role of the Saharsa District e-Governance Society (headed by District Magistrate) would be to manage the entire project in the district, which include relationship with SCA, financial operations, technical and logistical support and providing infrastructure for CSC project.
- k. To collect the revenue/payments/service charge on behalf of various government departments and organizations and to issue receipts on behalf of the concerned Departments and Organizations.
- l. To chalk out detailed procedures for the collection of revenue for various G2C services provided by the CSC centres and to transfer the revenue in to the accounts of the DeGS/SPV and to the concerned departments and organizations as per the policy guidelines of **SLA(State Level Agency)**. To keep detailed account of the revenue collected and the transactions.
- m. Regular reconciliation of bank accounts between different stakeholders including the concerned departments, the financial institutions, the CSC centre and the SLA.
- n. To buy, sell, let on hire, lease, trade, import, export, repair or otherwise

deal with IT resources, services & support on turnkey basis like hardware, software, connectivity, networking, training, stationery, consumables etc. including operational & managerial manpower, hiring of professionals, consultants services by following the procedure prescribed. To ensure the other infrastructure requirements including site preparation and timely availability of the necessary resources for the various activities under the project.

- o.** To liaison with the associated IT companies for the analysis, design, development, testing and the implementation of the application software, networking, connectivity and other solution necessary for providing Citizen Services through the use of information technology.
- p.** To enter into collaborations, partnerships, agreements and contracts with SCA or Indian or foreign individuals, companies or organizations for establishment of CSC Centres in the district.
- q.** To enter into any agreement with any Government or other authorities or any corporations/companies, or persons which may seem conducive to the Society's objects or any of them and to obtain from any such Government authorities, corporations, companies, societies or persons any contracts, rights, privileges and concessions which the society may think desirable and to carry out, exercise and comply with any such contracts, rights, privileges and concessions.
- r.** To create, maintain and update common databases at the district level as per the guidelines of the Department of Information Technology & Communications in collaboration with the concerned the Departments and to monitor, administer and control the flow of the data and information between the CSC and the concerned agencies.
- s.** To recruit and deploy operational and managerial staff and other human resources, purely on a self-sustaining and contract basis, for operation, maintenance and running of the Citizen Service Centres as per the requirement/norms fixed by the Society from time to time.
- t.** To take all publicity measures ad-campaigning through media like TV,

radio, newspaper, conferences, seminars, public meetings, banners and posters etc. for creating awareness about the services of the CSC centers for the benefit of the common man, specially the rural masses.

- u.** To interact with the various agencies associated with the services to be rendered through the CSC and to facilitate inter-departmental coordination in all IT related matters.
- v.** To recommend the necessary administrative reforms or process reengineering required to accomplish the objectives of good governance through IT or otherwise. To test and recommend modifications to be made in the system or the processes involved.
- w.** To take necessary steps to endure the security, safety, backup, disaster recovery and protection of the Government electronic data both on-line and off-line, as left as physical records of various departments, agencies and organizations.
- x.** To set procedures for taking routine backups regularly, generating various Management Information System reports of the revenue, payment and operation and maintenance related information of CSC Centres with all the stake holders like Financial Institution, concerned departments, agencies and SLA.
- y.** To establish and implement a system if regular detailed review and monitoring mechanism for constantly evaluating the progress, performance, consistency and quality of the Citizen services given by various franchisee and other centers with respect to the agreed quality in the SLA.
- z.** To facilitate and assist in implementation of Citizen Charters framed by the other departments through the use of e-Governance and IT as a tool. Also assist the concerned departments in measuring the performance of Citizen Charters with respect to the agreed quality.
- aa.** To carry out any other services, activities and to create other structure, institution and/or organization as may be found necessary or conducive to the better achievement of the above-mentioned objectives.

bb.To do all such other lawful things as may be necessary , incidental or conducive to the attainment of the above objectives.

Members of the Society:

We, the several members whose Name, address, designation and Signature given below, having associated ourselves for the purpose prescribed in this Memorandum of Association, do hereby subscribe our names to this Memorandum of Association and set our several and respective hands here unto and from ourselves into a society under the Societies Registration Act 21,1860.

S.N	Member	Designation	Signature
1	District Magistrate & Collector	Chairman	
2	Superintendent or Police	Member	
3	Representative of State e-Governance Mission team merge for sharing state vision	Member	
4	T.D.M, BSNL, Saharsa	Member	
5	DDC & C.E.O, Zila Parishad, Saharsa	Member Secretary	
6	ADM , Saharsa	Member	
7	Director Accounts & Admn., DRDA	Member	
8	Civil Surgon -cum- Chief Medical Officer	Member	
9	District Informatics Officer, Saharsa	Member	
10	District Education Officer , Saharsa	Member	
11	District Planning Officer , Saharsa	Member	
12	Asst Commissioner,Sales Tax, Saharsa	Member	
13	Treasury Officer , Saharsa	Member	
14	District Provident Fund Officer,Saharsa	Member	
15	District Accounts Officer, Saharsa	Member	
16	District Supply Officer , Saharsa	Member	
17	District Welfare Officer , Saharsa	Member	
18	Dist Program Officer- ICDS, Saharsa	Member	
19	Dist Program Officer-Education, Saharsa	Member	
20	Dy. Collector I/c (Land & Revenue), Saharsa	Member	
21	District Agriculture Officer, Saharsa	Member	
22	District Panchayati Raj Officer, Saharsa	Member	

23	District Sub Registrar	Member	
24	District Public Relation Officer, Saharsa	Member	
25	Executive Officer, Nagar Parishad , Saharsa	Member	
26	Executive Engineer – PHED, Saharsa	Member	
27	Executive Engineer–PWD-Building, Saharsa	Member	
28	Executive Engineer–PWD-Road, Saharsa	Member	
29	Executive Engineer – Electricity , Saharsa	Member	
30	District Animal Husbandry Officer, Saharsa	Member	
31	Lead Bank Manager , Saharsa	Member	
32	Three nominee of collector who have knowledge & expertise in IT field	Member	
30	Four women carding vision of women empowerment Member and rights	Member	
31	One NGO Member	Member	

Certified that I know the above persons who have made their signature in my presence.

.....
 (Signature of the attesting officer)
 Designation
 Full Name
 Address

Saharsa District e-Governance Society for Citizen Services.

RULES & REGULATIONS

- 1. Name:** The Name of the Society shall be *Saharsa District e-Governance Society for Citizen Services*.
- 2. Registered Office:** The Registered Office of the Society shall be situated at office of District Collector and its working Jurisdiction is whole Saharsa District.
- 3. Definition:** In this Memorandum and the Rules made there under unless the context otherwise requires :-
 - a) "The Act" means the State Societies Registration Act as applied to the State of Bihar or any statutory modification thereof for the time being in force.
 - b) "Board of Governor's shall mean the body which is constituted as the "Board of Governors of the society's by the Members of society.
 - c) The "Chairman" shall mean the "Chairman" of the Board of Governors.
 - d) IT shall mean: Information Technology.
 - e) Members means :
 - I. The ex-officio members as per the Constitution of the Society
or
 - II. Such Person (s) who may be accepted in future
 - III. Members of the Society on such terms and conditions as laid down by the Board of Governors.
 - IV. Such Person(s) , institutions, organizations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.
 - a. "Member Secretary" means Member Secretary of the Board of Governors of the District e-Governance Society for Citizen Services.
 - b. "The society" means the Saharsa District e-Governance Society for Citizen Services.
 - c. "State Government " shall mean the Bihar State Government.
- 4. AUTHORITIES OF THE SOCIETY :** The Authorities of the Society shall consist of the following.
 - a) The Board of Governors.
 - b) The Chairman of the Board of Governor.

- c) The Member Secretary of the Society.
- d) Apart from the Member Secretary, the officers as may be appointed from time to time shall be officers of the Society.

5. The Board of Governors:

a) Composition:

The society shall have its Board of Governors appointed by Members of the Society as the Authority and source of all powers, functions and activities.

b) Reconstitution:

- i. The Board of Governors shall be reconstituted **once in 5 years** by the members of the society in the General meeting.
- ii. The persons appointed in Governing Board by their respective post/designation shall cease to be member soon after leaving their respective post/designation.
- iii. The person to hold the respective post/designation in their place shall become member of Governing Board automatically.

6. MEMBERS OF THE SOCIETY (By post) : All persons subscribing to the Memorandum of Association will be the member of the Society. In addition any department of the government, autonomous or Semi-autonomous organization or a corporation of the Government can be a member of the society.

7. Termination of Membership:

- i. Where a person becomes a member of the Society by reason of the office or appointment he holds, his membership of the Society shall terminate when he ceases to hold that office prior to appointment.
- ii. Whenever a member other than the ex-officio member desires to resign from the membership of the 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 Board of Governors so desire.

8. General Meeting: All the member of the society shall hold General Meeting, at least once in a year.

9. All General Meetings: All General meeting will observe the following guidelines:-

- a. Six members will form the quorum of the meeting.
- b. The Chairman of the Board will preside the meeting. In his absence, the Member Secretary, shall preside over the meeting.
- c. A notice of 7/14/21 days shall be issued for holding the General Meeting.

10. Power & Duties of General Meeting of Members

- i. To Constitute – G.B.
- ii. To review and approve working of G.B.
- iii. To review and approve working of G.B.
- iv. To approve Annual Accounts.
- v. To any other matter with the permission of chair.
- vi. To alter, change, substitute, addition and change in the Memorandum of the society shall be effected by 2/3rd majority only.

11. Meeting of Board of Governors :

- a. The Board shall ordinarily meet 4 times in a year but the gap between one meeting and the other shall not be more than 120 days.
- b. Every meeting of the Board of Governors shall be presided over by the Chairman of the Board of Governors and in his absence the Member Secretary shall preside over the meeting.
- c. The Chairman may, whenever he thinks fit and shall, on the written requisition of not less than four members call a special meeting of the Board of Governors.
- d. The Board of Governors can further constitute committees and sub- committees and delegate the necessary powers and authorizations to such committees for the specific purposes.
- e. **Quorum:** At least seven Members shall constitute the Quorum.
- f. **Notice :** A notice of 7 days shall be issued for holding the Meeting of Governing board.

12. Powers, functions, duties and responsibilities : Subject to the Memorandum of Association and these Rules but without prejudice to the generality of powers, the Board of governors shall have the full functional autonomy and shall exercise the following powers and carry out the following functions duties and responsibilities inter-alia.

A. Power of Board of Governors

1. Take decision on matters of policy relating to the administration, working and control of the Society.
2. Consider and approve programs and plans of the Society in conformity with the scope of the objectives of the society and to sanction expenditure for the execution of the plan.
3. Workout and recommend to the state government the eligibility conditions, duration, selection process etc. for various types of service providers, stake holders, financial collaborators, public-private partners, implementers and franchisees of CSC and other citizen services.
4. Consider, approve and authorize operation of the funds of the Society, collect payments and service charges for participating departments and agencies and transfer or utilize the same in the manner prescribed in the agreement.
5. 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 any of its business or

for tendering advice on any matter pertaining to the administration and management of the society.

6. Delegate to such an extent, as it may deem necessary, any of its powers to any officer or the Committees constituted by the Board.
7. Handle the work on job-work and/or outsourcing basis for the society as per the norms laid down by the Society.
8. Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable and to construct, improve, alter, demolish or convenient for carrying on the activities of the society.
9. Negotiate, enter into and make contracts and deeds on behalf of the society without any Government support. To enter into legal and corporate agreement for and on behalf of the society and to sue and defend all legal proceedings on behalf of the society.
10. Institute and award, prizes and medals for innovative e-Governance and citizen services applications.
11. Solicit and receive gifts, donations or other contributions from the Central Government, State Government, user charges, contributions, fee and funds in any other forms.
12. Do all such acts and 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 Board of Governors**

1. To prepare and execute the detailed plans and programs for establishment of the public facilitation citizen service including working of the society and to carry on its administration and management after such establishment.
2. To provide all types of IT resources & services like hardware, system, software, power & printer peripherals, networking components etc. for the establishment of CSC with the participation of private sector on BOOT(Build-own-operate-transfer) basis.
3. To prepare strategy for timely roll out of SWAN, Last Mile Connectivity, CSC Service Portfolio, and other e-governance projects.
4. To prepare the budget estimates of the Society for each year and to sanction expenditure within the limits of budget as approved by the Board of Governors.
5. To have custody and ensure proper utilization of the funds of the society and to manage all the resources of the society.
6. To provide the required operating, administrative, technical, ministerial and other manpower under the society on job work, contract or outsourcing basis from project to project basis 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.
7. To co-ordinate with the State Government and district level departments/organizations in the pursuit of objectives of the society.
8. To consider and pass such Resolutions on the annual report, the annual accounts and the financial estimates of the society as it thinks fit.

13. Assets and Funds of the Society.

1. The capital cost and corpus fund by way of contribution/grant in Aid/subsidy for the smooth functioning of the society may be contributed by State Government, Govt. of India, contributions from Public sector undertakings, co-operative institutions, other public sector organization and financial institution.
2. The recurring expenditure of the society would be met out of the share of G2C service charges collected through the CSC centres from participating departments towards citizen services and income from other resources of the society.
3. The Society may also earn IT service charges from District level departments against rendered services and other IT service activities in the interest of Government and Citizens.
4. The Society may accept contributions from 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 subject to the approval of its Board of governors.
5. **Vesting of the assets and funds of the Society:** The Assets of the funds shall vest with the Society.
 - a. Assets register and accounts: The Society shall maintain Assets Register (AR) and accounts as per the common accounting practices.
 - b. The treasurer of Fund: The Board of Governors or any committee - other person authorized by the Board of Governor shall be the treasurer of the funds.
 - c. Operation of Bank Account: The bank accounts of the Society shall be kept in the name of the Society and shall be operated upon by the Member Secretary of the Society or any other person authorized by the Member secretary.
 - d. The fund of Society shall be used for the fulfillment of the objectives.

14. Accounts and Audit

- a. The Society 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 financial year.
- b. The Accounts of the society shall be audited and certified by a Chartered Accountant appointed by the Board of Governors or any other competent authority.
- c. The Member-secretary will have the authority to issue Financial Sanction (FS) and Technical Sanction for all IT and e-Governance projects of value less than Rs 02(two) lacs. Any project of more than Rs 02(two) lacs would require the approval of the Executive committee or the Board of Governors, as the case may be.
- d. In the event of the post of Member-secretary remaining vacant or the Member-secretary being absent or unable to perform his duties for any reason, it shall be open for the Board to direct any Officer or Officers in the service of the society to exercise temporarily such powers & perform such functions and duties of the Member-secretary as the Board may deem fit.

- e. The Member-secretary shall be responsible for the proper day to day Administration of the Society. All other staff of the society shall be subordinate to the Member-secretary. The Member-secretary shall carry out the general correspondence in connection with the work assigned to him/her by the Chairman of Board of Governors and the Executive Committee from time to time.
- f. The Member-secretary of board of Governor shall hire & fire the manpower for the society and other staff in accordance with Rules, regulations and bye-laws of the Society. The Member-secretary of Board of Governor shall represent the society in all its legal matters jointly or through any authorized representative.
- g. The Member-secretary shall be responsible for the execution of all IT and e-governance projects as approved by the Board of Governors and the Executive Committee.
- h. To do all acts, deeds and things necessary for carrying out his functions as Member-secretary.

15. Power of the State Government to give directions to the society:

The State Government in the District Administration either directly or through State Government may give the district e-Governance society such directions as in its opinion, are necessary or expedient for carrying out the purposes of the funds of the Society. It shall be the duty of the Society to comply with such directions.

16. Repeal and Savings

- a. Subject to the prior approval of the Board of Governors, the Society may alter, extend or abridge any purposes for which it is established by following the procedure prescribed under these rules.
- b. These Rules may be altered by the Society with the consent of the Board of Governors at any time by a resolution passed by a majority of 2/3rd or 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 Member of society subject to the approval of state government.

17. Societies Registration Act: All provision of the State Societies Registration Act of 1860 (Act No. 21 of 1860) as applied to the State of Bihar shall apply to this Society same as are appropriately and expressly amended and altered or amended by these presents and such amendments are not inconsistent with the aforesaid Act.

18. Registration under Section 1.1 of Income Tax act, 1961: The Society will apply through its Member-secretary to the Income Tax department for the registration under section 1.1 of Income tax Act, 1961. The Member-secretary shall be empowered to precede under section 12 AA of the said Act.

19. Dissolution of the Society: The Society may be dissolved subject to rules of State Societies registration Act, if any property remains after satisfaction of its debts and liabilities, it will be transferred to a Society or organization of similar objects chosen by the general body by 2/3rd members.

20. **Change of name of Society:** The name of society may be changed by the 2/3rd majority of the meeting of its members in the interest of the society.

Certification

Certified that this is the true and correct copy of Rules and Regulations of the Society.

Secretary
Saharsa District e-Governance Society for Citizen Services

-cum-
Dy. Development Commissioner
Saharsa

Chairman
Saharsa District e-Governance Society for Citizen Services

-cum-
District Magistrate
Saharsa