

**CENTRE FOR e-GOVERNANCE,
UTTAR PRADESH**

MEMORANDUM OF ASSOCIATION

CENTRE FOR e-GOVERNANCE, UTTAR PRADESH

DEPARTMENT OF INFORMATION TECHNOLOGY AND ELECTRONICS GOVERNMENT OF UTTAR PRADESH LUCKNOW

MEMORANDUM OF ASSOCIATION

1. NAME OF THE SOCIETY:

The name of Society shall be CENTRE FOR e-GOVERNANCE, Uttar Pradesh (hereinafter referred to as "CENTRE")

2. REGISTERED OFFICE OF THE SOCIETY:

The registered office of the CENTRE shall be at 9, Sarojini Naidu Marg, Lucknow-226 001, Uttar Pradesh, India.

3. AREA OF OPERATION:

The area of operation of the CENTRE shall be whole of India.

4. (1) OBJECTIVES AND SCOPE:

(a) The CENTRE shall work with Government Departments, Private and Public Organisations and other to analyse key issues in e-Governance, identify solutions, help develop action plans.

(b) The CENTRE shall act as autonomous and independent body constituted by the Department of Information Technology and Electronics, Government of Uttar Pradesh to help and support Government and act as Secretariat and full time internal advisory body in undertaking e-Governance projects.

(c) The CENTRE shall do the groundwork for providing overall direction, standardization and consistency through program management of the e-Governance initiatives in the State both Central and State funded.

(d) The CENTRE shall provide support to the Government departments in all interdependencies, overlaps, conflicts, standards, overreaching architecture, security, legal aspects et-cetera, across projects as well as core and support infrastructure shared across several projects.

(e) The CENTRE shall also work as storehouse of knowledge and best practices in e-Governance both nationally and internationally. The

CENTRE may take up implementations of pilot or other projects, including technology demonstrators.

- (f) The CENTRE aims to be a world class institution to guide governance reforms through use of Information and Communication Technologies (ICTs) in Uttar Pradesh, other states of India and developing world at large by harnessing powers of ICTs, knowledge and people for good governance.
- (g) The CENTRE shall act as a think tank and help translate the Government goals, objectives and policy priorities into tangible reform action through use of ICTs.
- (h) The CENTRE shall create a bank of best practices, methodologies and tools in successful e-Governance applications.

(2) The specific scope for which the CENTRE is established shall be:

- (a) To support e-Governance initiatives of the Government by providing core concepts and policies strategic planning, program management, coordination, monitoring and evaluation support. The CENTRE shall also take up pilot and technology demonstrator projects.
- (b) To function at program level support and avoids getting down to project level support unless necessary for pilot or technology demonstrator.
- (c) To explore the nature of interaction between the citizen and various agencies of the Government and to suggest deployment of technology driver solutions.
- (d) To function as a secretariat and a permanent advisory body to the Government/SeGP, State Apex Committee in undertaking e-Governance projects.
- (e) To solve all interdependencies, overlaps and conflicts et-cetera across e-Governance projects as well as core and support infrastructure shared across several projects.
- (f) To assist individual departments of the Government in putting a dedicated team (PeMT) for conceptualizing and undertaking e-Governance projects in their departments through constitution of individual project groups.
- (g) To show case best practices in the area of e-Governance
- (h) To conduct programmes for creating awareness in e-Governance among decision makers in the Government Departments.
- (i) To demonstrate the feasibility of concepts in e-Governance to the decision makers and the other staff of departments to inculcate a sense of ownership through workshops, demonstrations, video/tele conferencing et-cetera.
- (j) To assist the Government in defining and implementing the process and policy changes in e-Governance.
- (k) To enrich the repository of best practices through continuous interaction with subject experts in India and abroad.
- (l) To draw upon leading companies, technical institutions and abroad and help initiate projects to address specific needs.

- (m) To strive to establish strong links with similar institutions worldwide to enrich the repository and knowledge base through continuous interaction and participation.

5. GOVERNING COUNCIL OF CENTRE FOR e-GOVERNANCE, UTTAR PRADESH:

A Governing Council as mentioned below shall be responsible for the management of the CENTRE. The names, addresses, occupations and designations of the first members of the Governing Council to whom, by the rules and regulations of the CENTRE, the management of its affairs is entrusted as required under section 2 of the Societies Registration Act, 1860 (Act No. XXI of 1860) are as follows:

Sl.No.	Name, Occupation and Address of Office held	Occupation	Status in the CENTRE
1.	Shri Atul K. Gupta Industrial Development Commissioner, Government of Uttar Pradesh	Government Service	<i>Chairman Ex-Officio</i>
2.	Smt. Zohra Chatterji Principal Secretary, Department of Information Technology and Electronics, Government. of Uttar Pradesh	Government Service	<i>Vice Chairperson Ex-Officio</i>
3.	Shri Shekhar Agarwal Principal Secretary, Department of Finance, Government of Uttar Pradesh	Government Service	<i>Member Ex-Officio</i>
4.	Shri V.Venkatachalam Principal Secretary, Department of Planning, Government of Uttar Pradesh	Government Service	<i>Member Ex-Officio</i>
5.	Dr. Deo Sharan Pathik Managing Director, Uttar Pradesh Development Systems Corporation Limited, 9, Sarojini Naidu Marg, Lucknow	Government Service	<i>Member Ex-Officio</i>
6.	Shri Onkar Nath Managing Director, U.P. Electronics Corporation Limited, 10, Ashok Marg, Lucknow	Government Service	<i>Member Ex-Officio</i>
7.	Shri Yogesh Shankar State Co-ordinator, Centre for e-Governance,	Government Service	<i>Member-Secretary</i>

	Department of Information Technology and Electronics, Government of Uttar Pradesh		
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A copy of the Rules of the CENTRE certified to be a true and correct copy by the three members of the Executive Committee of the CENTRE is here filled alongwith this Memorandum of Association.

We, the several persons whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association, do hereby subscribe our names to this Memorandum of Association and set out several and respective hands hereunto and form ourselves into a Society under the Societies Registration Act 1860 (Act No. xxi) of 1860 this _____ day of _____, 200_ at Lucknow.

Sl. No	Name	Designation and Address	Signature	Signature of Witness
1.	Shri Atul K. Gupta	Industrial Development Commissioner, Government of Uttar Pradesh		
2.	Smt. Zohra Chatterji	Principal Secretary, Department of Information Technology and Electronics, Government of Uttar Pradesh		
3.	Shri Shekhar Agarwal	Principal Secretary, Department of Finance, Government of Uttar Pradesh		
4.	Shri V. Venkatachalam	Principal Secretary, Department of Planning, Government of Uttar Pradesh		
5.	Dr. Deo Sharan Pathik	Managing Director, Uttar Pradesh		

		Development Systems Corporation Limited, 9, Sarojini Naidu Marg, Lucknow		
6.	Shri Onkar Nath	Managing Director, U.P. Electronics Corporation Limited, 10, Ashok Marg, Lucknow		
7.	Shri Yogesh Shankar	State Co-ordinator, Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh		

Date : _____

Place : LUCKNOW

RULES AND REGULATIONS OF CENTRE, UTTAR PRADESH

1. NAME OF THE SOCIETY:

The name of Society shall be Centre for e-Governance, Uttar Pradesh (hereinafter referred to as "CENTRE").

2. REGISTERED OFFICE OF SOCIETY:

The registered office of the CENTRE shall be at UPDESCO Building, 9, Sarojini Naidu Marg, Lucknow-226 001, Uttar Pradesh, India.

3. SCOPE AND APPLICATION:

- (a) These Rules shall extend to all the units and activities of Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh, UPDESCO Building, 9, Sarojini Naidu Marg, Lucknow-226 001, Uttar Pradesh, India.
- (b) These Rules shall come into force from the date on which the CENTRE is registered under the Societies Registration Act, 1860 as applicable to the State of Uttar Pradesh.

(c) DEFINITIONS:

In these Rules, unless the context otherwise required;

- (i) "**CENTRE**" means the Centre for e-Governance, Uttar Pradesh.
- (ii) **The "Governing Council"** means the body, constituted under Rule 6 as the Governing Council of the CENTRE.
- (iii) **The "Executive Committee"** means the body, which is constituted under Rule 7 as the Executive Committee of the CENTRE.
- (iv) **The "Chairman"** means the Chairman of the Governing Council.
- (v) **The "Chairman and Chief Executive Officer"** hereinafter refer to as **CCEO** means the Chairman of the Executive Committee of the CENTRE and Chief Executive Officer of the CENTRE.
- (vi) **The "Additional CEO"** means the Additional Chief Executive Officer - an officer of Government of Uttar Pradesh not below rank of Special Secretary appointed for the assistance of the CEO, if found necessary, by the Governing Council.
- (vii) **The "Member"** means the Member of the Governing Council and the Executive Committee.

- (viii) **The "Member Secretary"** means the Member-Secretary of the CENTRE, Governing Council and the Executive Committee of the CENTRE.
 - (ix) **"Central Government"** means Government of India, Department of Information and Technology, Ministry of Communication and Information Technology.
 - (x) **"Government"** means the State Government of Uttar Pradesh, Department of Information Technology and Electronics.
 - (xi) **"Officer and Staff"** means all whole-time or part-time officers/staff of the CENTRE appointed by the Governing Council or any authority or officer delegated with the power to do so, and would include regular employees, contractual employees, consultants, auditors, legal advisors except (a) CCEO, (b) Member-Secretary (permanent) and (c) Members.
 - (xii) **"State Co-ordinator"** means the State Co-ordinator of the CENTRE.
 - (xxiii) **"Voluntary Agencies"** means non-government organizations who may be 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 organizations.
 - (xiv) **"Act"** means the Societies Registration Act, 1860 (Act No. XXI of 1860).
 - (xxv) **"Rules"** means Rules of the CENTRE.
 - (xxvi) **"Regulation"** means regulation made under the provision of Rule – 31.
- (d) **Interpretation:**
- (i) As and where applicable, words imparting the singular number also include the plural and vice-versa.
 - (ii) As and where applicable, words imparting the masculine gender also include the feminine gender.

4. **CONSTITUTION OF SOCIETY:**

(1) The Society shall consist of the followings:

- (i) all members of the Governing Council and;
- (ii) any person or persons appointed by the Government to be member of Society.

(2) The chairman of the Governing Council shall be chairman of the Society.

5. **POWERS AND FUNCTIONS OF CENTRE:**

The CENTRE shall have following powers and functions:

- (i) To undertake support and review all activities that may be necessary for the implementation of e-Governance and in particular for the achievement of the objectives of National e-Governance Plan (NeGP) and State e-Governance Plan (SeGP) and Information Technology and e-Governance Road Map of Uttar Pradesh and to give overall policy guidance and direction for efficient functioning of the CENTRE;
- (ii) To create duly empowered administrative mechanisms, through such participation, as may be deemed necessary of various departments of the Government and autonomous agencies of the Government and Central Government to undertake SeGP (State e-Governance Plan);
- (iii) To secure active involvement, participation and association of the Government, Central Government and Semi-Government Departments and Agencies, Authorities, Autonomous Bodies, Corporations and Boards for NeGP and SeGP;
- (iv) To collect mutually agreeable and acceptable service charge from the associated department for the services rendered by the CENTRE to the concerned associated department;
- (v) To bring about effective Simple, Methodical, Accountable, Responsive and Transparent system of information dissemination and other citizen interface services and to provide door-step service concept and reasonable comfort facilities to the citizen;
- (vi) To organize wide publicity through all media, conferences, symposia, workshops et-cetera on related matters;
- (vii) To create academic, technical, administrative, managerial and other posts in the CENTRE and to make payment for the same in accordance with rules and regulations made by the CENTRE;
- (viii) To make, add, amend, vary or rescind from time to time, the rules and regulation of the CENTRE with the prior written approval of the Government and/or any directive from Central Government;
- (ix) To accept or to provide any grant of money, loan securities or property of any kind and to undertake and accept the management of any endowment trust, fund or donation not inconsistent with the objectives of the CENTRE;
- (x) To incur expenditures after drawing up a budget and with due regard for economy and property;
- (xi) To consider the balance sheet and audited accounts for the previous year;
- (xii) To prepare and consider the annual report prepared by the Executive Committee and accounts of CENTRE;
- (xiii) To purchase, hire, take on lease, exchange or otherwise acquire immovable or movable property and construct, alter and maintain any building or building as may be necessary for carrying out the objectives of the CENTRE;

- (xiv) To take all such action and to enter all such actions as may appear necessary or incidental for the achievement of the objectives of the CENTRE;
- (xv) To engage Technical Partners/Agencies/Consultants/Consortium through whatever mechanism directed by Department of Information Technology and Electronics, Government of Uttar Pradesh e.g. short listed through Open Tender having experience to provide services, comprising e-Governance, I.T. Consulting Services, Hardware, Software and Connectivity for deployment, Commissioning, Customization and Successful Implementation of e-Governance Projects which relate to the overall I.T. and e-Governance Road Map of Uttar Pradesh;
- (xvi) To perform such other functions as are entrusted to it under these Rules.

6. GOVERNING COUNCIL OF THE CENTRE:

The policy formulation, direction and control of the affairs of the CENTRE and its funds, property (movable and immovable) shall be vested in the Governing Council which shall consist of the following;

1.	Industrial Development Commissioner, Government of Uttar Pradesh	Chairman Ex-Officio
2.	Principal Secretary, Department of Information Technology and Electronics, Government of Uttar Pradesh	Vice-Chairman Ex-Officio {32.2 (ii)}
3.	Principal Secretary, Department of Finance, Government of Uttar Pradesh	Member Ex-Officio
4.	Principal Secretary, Department of Planning, Government of Uttar Pradesh	Member Ex-Officio
5.	Managing Director, Uttar Pradesh Development Systems Corporation Limited, 9, Sarojini Naidu Marg, Lucknow	Member Ex-Officio
6.	Managing Director, U.P. Electronics Corporation Limited, 10, Ashok Marg, Lucknow	Member Ex-Officio
7.	State Co-ordinator, Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh	Member Secretary

7. EXECUTIVE COMMITTEE OF THE CENTRE :

The general superintendence and day to day affairs of the CENTRE shall be administered, subject to the Rules and Regulations and orders of the Governing Council, by the CCEO and the Executive Committee, which shall consist of the following:

1.	Principal Secretary, Department of Information Technology and Electronics, Government of Uttar Pradesh	CCEO Ex-Officio
2.	Principal Secretary/Secretary or his Nominee, Not below rank of Special Secretary, Department of Finance, Government of Uttar Pradesh	Member Ex-Officio
3.	Principal Secretary/Secretary or his Nominee, Not below rank of Special Secretary, Department of Planning, Government of Uttar Pradesh	Member Ex-Officio
4.	Additional CEO (if appointed) Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh	Member Ex-Officio
5.	Managing Director, Uttar Pradesh Development Systems Corporation Limited, 9, Sarojini Naidu Marg, Lucknow	Member Ex-Officio
6.	Managing Director, U.P. Electronics Corporation Limited, 10, Ashok Marg, Lucknow	Member Ex-Officio
7.	Special Secretary/Dy.Secretary Department of Information Technology and Electronics, Government of Uttar Pradesh	Member Ex-Officio
8.	State Co-ordinator, Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh	Member- Secretary

8. DELEGATION OF POWER:

The Governing Council may delegate all or any of its powers to the Executive Committee or to any Committee constituted by the Chairman.

9. ROLL OF MEMBERS:

- (a) The CENTRE shall keep a roll of members and every member of CENTRE shall sign the roll and state therein his occupation and address. No person shall be deemed to be a member unless he signed the roll as aforesaid.

- (b) If a member changes his address, he may notify his new address, the address in the roll of members shall be deemed to be his correct address.

10. MEETINGS OF THE GOVERNING COUNCIL AND EXECUTIVE COMMITTEE :

- (a) The meeting of the Governing Council shall be held at least twice a year at such a place, date and time as may be determined by the Chairman. Provided the Chairman shall call a meeting of the Governing Council upon a written requisition of not less than one-third of the members.
- (b) The Executive Committee shall meet as often as necessary but at least once in each quarter of the year.
- (c) The meeting of the CENTRE shall be held at least once in a year at such place, date and time as may be determined by the Chairman of the CENTRE.

11. NOTICE FOR MEETING:

- (a) Except as otherwise provided in these Rules, all meetings of the CENTRE, Governing Council or the Executive Committee shall be called by notice, not less than fifteen clear days under the signature of the Member-Secretary.
- (b) The Chairman may call an emergency meeting of the Governing Council at a notice of three days, and
- (c) The CCEO may call an emergency meeting of the Executive Committee at a notice of three days, and
- (d) Non-receipt of notice of the meeting by any member shall not invalidate the proceedings of the meeting.

12. PRESIDING OFFICER OF MEETING:

- (a) Every meeting of the CENTRE and Governing Council shall be presided over by the Chairman and in his absence by Vice Chairperson or a member chosen by the members present at meeting to chair for the occasion.
- (b) Every meeting of the Executive Committee shall be presided over by the CCEO and in his absence by a member chosen by the members present at meeting to chair for the occasion.

13. QUORUM:

One-third of the members of the CENTRE, Governing Council or the Executive Committee present in person shall form a quorum at every meeting of the CENTRE, Governing Council or the Executive Committee, provided that no quorum shall be necessary in respect of an adjourned meeting.

14. VOTE:

- (a) Each member of the CENTRE, Governing Council or the Executive Committee, including the Chairman or the presiding Chairman, shall have one vote and if there shall be an equality of votes on any question to be decided by Governing Council or the Executive Committee, the Chairman or presiding Chairman has a casting vote.

- (b) All dispute/questions at meetings of the Governing Council or the Executive Committee shall be determined by vote and in case of equality of votes, the person chairing the meeting shall have a casting vote.

15. OFFICERS OF THE CENTRE OR THE EXECUTIVE COMMITTEE:

The Additional CEO and the State Co-ordinator shall be appointed by the Government, which shall also prescribe their remuneration and other conditions of service. These officers would perform their duties exclusively and only for CENTRE and their tenure of service should be five years, which may be further extended in slabs by periods of five year, provided they do not resign or become of unsound mind, or insolvent or convicted of a criminal offence involving moral turpitude.

16. AUTHORITIES OF THE CENTRE OR THE EXECUTIVE COMMITTEE:

The following shall be authorities of the CENTRE or the Executive Committee:

- (i) The Chairman of the Governing Council
- (ii) The CCEO
- (iii) The Additional CEO (if appointed)
- (iv) The State Co-ordinator
- (v) Such other authorities as may be constituted by the Governing Council.

17. RESOLUTION:

Agenda of the meeting of the Governing Council or the Executive Committee shall be circulated among the members at least seven days before the meeting.

Provided that a member of the Governing Council or the Executive Committee may move a resolution at a meeting of Governing Council or the Executive Committee after giving a notice of one clear week or with the permission of the Chairman or the CCEO, as the case may be, or the person presiding over the meeting.

18. RULING OF THE CHAIRMAN:

Ruling of the Chairman in regard to all question of procedure shall be final.

19. MINUTES:

The minutes of the proceedings of a meeting of the Governing Council or the Executive Committee shall be drawn up by the Member-Secretary and circulated amongst the members of the Governing Council or the Executive Committee. The minutes along with any amendments suggested shall be placed for confirmation at the next meeting of the Governing Council or the Executive Committee. After the minutes are confirmed and signed by the Chairman, they shall be recorded in the Minutes Book.

20. AUTHENTICATIONS:

All orders and decisions of the Governing Council or the Executive Committee shall be authenticated by the signature of the Member-Secretary or any other person authorised by the Governing Council/Executive Committee in this behalf.

21. COPY TO GOVERNMENT:

Apart from the matters requiring approval of the Government under these Rules, which shall be submitted to the Government separately giving full detail thereof, a copy of the proceedings of each of the meeting of the Governing Council or the Executive Committee shall be furnished to the Government.

22. TERM OF OFFICE OF NON-OFFICIAL MEMBER:

The term of office of the non-official members in the Governing Council shall be one year; provided that non-official member may be re-nominated; Provided further that, the total terms of office of the non-official members shall not exceed five years.

23. CEASATION OF MEMBERSHIP:

Member of the Governing Council or the Executive Committee shall cease to be such member if;-

- (a) they die or resign or become of unsound mind, are declared to be insolvent or are convicted of a criminal offence involving moral turpitude or if they accept a full time appointment in the CENTRE.
- (b) they do not attend three consecutive meetings of the Governing Council or the Executive Committee without proper leave of the Chairman.

24. RESIGNATION:

A non-official member of the Governing Council or the Executive Committee may tender its resignation to Chairman of the Governing Council or the Executive Committee and shall not take effect until the Chairman has accepted it on behalf of the Governing Council or the Executive Committee, as the case may be.

25. VACANCIES:

Any vacancy in the non-official membership of the Governing Council or the Executive Committee shall be filled up by Government by nomination, and the person nominated in the vacancy shall hold office only for the remainder of the term of the member in whose place he is nominated.

26. EFFECT OF VACANCY:

No Act or proceedings of the Governing Council or the Executive Committee shall be invalid merely by reason of the existence of any vacancy therein or of any irregularity in appointment or nomination of any of its members.

27. TRAVELING ALLOWANCES:

Non-official members of the Governing Council or the Executive Committee and any committee constituted by the Governing Council or the Executive Committee shall be entitled to such traveling allowance and daily allowance as may be [admissible under the rule – 20B of Financial Handbook Volume III read with the office memorandum number Sa-4-](#)

28. POWERS AND FUNCTIONS OF THE GOVERNING COUNCIL AND EXECUTIVE COMMITTEE

- (a) It shall be the responsibility of the Governing Council or the Executive Committee to endeavor to achieve the objects of CENTRE 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 all description and make appointments thereon in accordance with the Regulations made by the Governing Council.
- (b) The Governing Council shall have the powers and responsibilities in respect of the following:
- (i) To frame regulations with the prior written approval of the Government;
 - (ii) To frame policies for the CENTRE;
 - (iii) To frame by-laws for the conduct of activities of the CENTRE;
 - (iv) To sanction the budget of the CENTRE.
- (c) Subject to the approval of the Governing Council, the Executive Committee shall have under its control the management of all the affairs and funds of the CENTRE as follows;.
- (i) The Executive Committee or its nominee shall have the power to enter into contracts, agreements and arrangement with other public or private organizations or individuals for furtherance of its objectives.
 - (ii) The Executive Committee shall have powers for securing and accepting or providing endowments, grants-in-aid, donations, or gifts to or from the CENTRE on mutually agreed terms and conditions provided that conditions of such grant-in-aid, donations, gifts shall not be inconsistent or in conflict with the objective of the CENTRE or with the provisions of these Rules.
 - (iii) The Executive Committee shall have the power to take over and acquire by purchase, gifts or otherwise from the Government and other public bodies from private individuals, movable and immovable properties or other funds together with any attendant obligations and engagements not inconsistent with the objectives of the CENTRE and the provisions of the Rules.
 - (iv) The Executive Committee shall have powers to undertake or give contract for construction of the building required for use of the CENTRE and to acquire stores and services required for the discharge of the functions of the CENTRE.

- (v) Subject to the provisions of Act and Rule 30 the Executive Committee shall have the power to sell or lease any movable or immovable property of the CENTRE.
 - (vi) Provided however, that no assets of the CENTRE created out of the Government Grants shall without the prior written approval of the Government be disposed of, encumbered or utilized for purpose other than those for which the grant was sanctioned.
 - (vii) The Executive Committee may delegate, to the CCEO, State Co-ordinator, or any its member and/or to a committee/group or any other officer of the CENTRE such administrative, financial and academic powers and impose such duties as it deems proper and also prescribe limitations within which the powers and duties are to be exercised or discharged.
- (d) The Governing Council and Executive Committee shall have powers to establish and spell out the members of Standing/Adhoc Committees or Task Force/Group et-cetera for various areas tasks of the State e-Governance Plan and decide in regard to their membership, powers and functions.
- (e) The Governing Council and Executive Committee may by Resolution, appoint Advisory Board or other Special Committees for such purpose and with such powers as the Executive Committee may think fit and the Executive Committee may also dissolve any of such Committees and Advisory Bodies, set up by it.

29. PROPERTY AND ASSETS OF THE CENTRE:

The income and property of the CENTRE howsoever derived, shall be applied towards promotion of the objects thereof as set forth in the Memorandum of Association, subject nevertheless, in respect of the expenditure of grant made by the Government to such limitations as the Government may, from time to time, impose. No portion of the income and property of the CENTRE shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to the persons who at any time have been members of the Governing Council or the Executive Committee or to any of 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 other persons in return for any service rendered to the CENTRE for traveling allowance, halting, or other similar charges in accordance with the Rules and Regulations of the CENTRE.

- 30.** No immovable property of the CENTRE shall be disposed of in any manner whatsoever without the prior written approval of the Government.

31. REGULATIONS:

Subject to any specific direction of the Governing Council and keeping in view the prior written approval of the Government, the Executive Committee shall have powers to frame and amend Regulations, not inconsistent with the Rules, for the administration and management of the affairs of the CENTRE and without prejudice to the generality of this provision. Such Regulations may provide for the following matters:

- (i) Service matters pertaining 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 formulations of budget, purchase procedure, delegations of financial powers, investment of funds, maintenance of account and audit, Traveling Allowance and Dearness Allowance et-cetera, and;
- (iii) Such other matters as may be necessary for the furtherance of the objects and proper administration of the affairs of the CENTRE.

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 to the current Government Scales of Pay for employees taken on transfer of service or deputation et-cetera, as revised from time to time by the Government.
- (b) Remuneration for experts taken by CENTRE from Private Sector through appropriate process as decided by the Government like tendering et-cetera, shall be fixed on the basis of terms as decided by the Governing Council or any other competent authority.
- (c) Mode of recruitment in respect of the posts to be created for the CENTRE shall be filled by transfer of service or deputation or short-term contract. For work related specific assignment under NeGP and SeGP persons would be deployed on emoluments with provision for revision each year if considered appropriate as decided through the process of tendering for provision of experts at different levels and different disciplines.
- (d) In the management structure, staff, which may develop permanent liability on the Government, shall not be appointed.
- (e) Till such time, the CENTRE formulates its own set of regulations; the decision taken by the Executive Committee in all such matters will be carried out.
- (f) Consideration of financial propriety and prudence shall be kept in view.

32. BY-LAWS:

Subject to the specific direction of the Governing Council and the provisions in these Rules and Regulations to be framed there-under, the Executive Committee shall have powers to frame and amend by-laws for the conduct of activities of the CENTRE for achievement of its objects and these by-laws may (inter alia) include matters relating to;

- (a) Conduct of business of the CENTRE, Governing Council, Executive Committee, and other Committees and Sub-committee.
- (b) Grant-in-aid to Voluntary Agencies.

- (c) Involvement of individuals Technical Partners/Agencies/Consortiums and contractual arrangements with them with payments for services rendered.
- (d) Selection of Consultants Technical Partners/Agencies/Consortiums.
- (e) Charging fees for monitoring et-cetera of e-Governance Projects.
- (f) All aspects of technical support.
- (g) Such other things as may be necessary for implementation of State e-Governance Plan and the CENTRE.

33. POWERS AND FUNCTIONS:

33.1 POWERS AND FUNCTIONS OF THE CHAIRMAN:

The Chairman;

- (i) shall ensure that the affairs of the CENTRE are run efficiently and in accordance with the provisions of the Memorandum of Association, Rules and Regulations and by-laws of the CENTRE;
- (ii) shall preside over the meetings of the Governing Council;
- (iii) may himself call, or by a requisition in writing signed by him may require the Member-Secretary to call a meeting of the Governing Council;
- (iv) in case the vote for and against a particular issue is equal, may exercise his casting vote;
- (v) shall be sole and absolute authority to judge the validity of the vote cast by members at all the meetings of the Governing Council;
- (vi) shall be entitled to invite any other person to attend the meeting of the Governing Council provided that such persons shall have no right of voting;
- (vii) may direct the Member-Secretary to call a special meeting of the Governing Council at a short notice, in case of emergency;
- (viii) in emergent cases, may exercise the powers of the Governing Council and thereafter inform the Governing Council in its subsequent meeting about the action taken by him for its approval;
- (ix) may also constitute a sub-committee to assist the Governing Council/Executive Committee in the management of the CENTRE.

33.2 POWERS AND FUNCTIONS OF THE CCEO:

The Principal Secretary, Information Technology and Electronics, Government of Uttar Pradesh shall be the CCEO and ex-officio Chairman of the Executive Committee of the CENTRE.

The CCEO;

- (i) shall ensure that the affairs of the CENTRE are run efficiently and in accordance with the provisions of the Memorandum of Association, Rules and Regulations and by-laws of the CENTRE;

- (ii) shall be the vice chairman of the Governing Council and shall preside over the meetings of the Governing Council in the absence of the Chairman;
- (iii) shall preside over the meetings of the Executive Committee;
- (iv) may himself call, or by a requisition in writing signed by him may require the Member-Secretary to call a meeting of the Executive Committee;
- (v) in case the vote for and against a particular issue is equal, may exercise his casting vote;
- (vi) shall be sole and absolute authority to judge the validity of the vote cast by members at all the meetings of the Executive Committee;
- (vii) shall be entitled to invite any other person to attend the meeting of the Executive Committee provided that such persons shall have no right of voting;
- (viii) may direct the Member-Secretary to call a special meeting of the Executive Committee at a short notice, in case of emergency;
- (ix) in emergent cases the CCEO may exercise the powers of the Executive Committee and thereafter inform the Executive Committee in its subsequent meeting about the action taken by him for its approval;
- (x) the CCEO may also constitute a sub -committee to assist the Executive Committee in the management of the CENTRE.
- (xi) The CCEO shall be responsible for proper administration of various activities of the Project in a mission mode;
- (xii) The CCEO shall also have following powers and functions;
 - (a) shall be the Drawing and Disbursing Officer of the CENTRE;
 - (b) exercise such supervision and disciplinary control as may be necessary;
 - (c) co-ordinate and exercise general supervision over the activities of the CENTRE including its branches and units;
 - (d) important financial aspects including formulation of budget, purchase procedure, delegations of financial powers, investment of funds, maintenance of accounts and audit, Traveling Allowances and Dearness Allowance et-cetera;
 - (e) such other matters as may be necessary for the furtherance of the objects and proper administration of the affairs of the CENTRE;
 - (f) the object for which the grant/fund made is duly and promptly achieved and the money is actually utilized for the purpose for which it was granted.

34. POWERS AND FUNCTIONS OF THE STATE CO-ORDINATOR:

- (i) The State Co-ordinator shall be the Member-Secretary of and function as Principal Executive Officer of CENTRE.
- (ii) State Co-ordinator shall have following powers and functions;
 - (a) conduct meetings of the Governing Council and the Executive Committee and keep a record of proceedings of these meetings in accordance with these Rules;
 - (b) discharge such other functions as may be assigned to him by the CCEO/Executive Committee in furtherance of the objects of the CENTRE;
 - (c) constitute Steering Group for each of the projects undertaken by the Government Departments and functional areas;
 - (d) constitute a Task Force, comprising head of the Steering Group, which would function as a cohesive team for achievement of the objects of the CENTRE;
 - (e) prescribe the duties of all officers and staff of the CENTRE;
 - (f) advise on service matters pertaining to officers and staff including creation of posts, qualifications, selection procedure, service conditions, pay emoluments, discipline and control rules;
 - (g) participate in General Management of the CENTRE.

35. SERVICE RULES:

The Service Rules for all employees of the CENTRE shall be framed and enforced by the Executive Committee with prior approval of the Government. Till such time as the Service Rules enforced, resolution of the Executive Committee shall be applicable for all its employees.

36. FUNDS OF THE CENTRE:

The funds of the CENTRE shall consist of the following:

- (i) Grant-in-aid made by the Central Government and the State Government for furtherance of the objects of the CENTRE.
- (ii) Contributions from other sources.
- (iii) Income from the assets of the CENTRE.
- (iv) Receipts of the CENTRE from other sources.
- (v) Grants, donations or assistance of any kind from Foreign Governments and other external agencies.
- (vi) Fees for work done for departments/agencies/Organisations shall be invested/deposited in a Nationalised Bank only. All funds shall be paid into the CENTRE account.
- (vii) (a) For the purpose of transfer of funds the CENTRE would be made through cheque as per the guidelines of the Central/State Government.

- (b) Funds available in the CENTRE account shall not be withdrawn except through cheque signed jointly by the
 - 1. State Co-ordinator and
 - 2. one or more officer(s) authorised by the Executive Committee/CCEO

37. BUDGET:

- (i) The annual budget of the CENTRE shall be prepared by the Member Secretary and shall be placed before the Executive Committee in the month of February of each preceding year.
- (ii) On receipt of the budget proposals and the report from the Member-Secretary, the Executive Committee shall consider the same and accord their approval thereto, subject to such modification.

38. ACCOUNTS AND AUDIT:

For purpose of Accounts and Audit the following would be applicable:-

- (i) The CENTRE shall maintain proper accounts and other relevant records 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 Government keeping in view the rules in force under the Act.
- (ii) The accounts of the CENTRE shall be audited annually by an independent Chartered Accountant and in accordance with the provisions of the Act.
- (iii) The audited accounts shall be communicated to the CENTRE which shall submit a copy of Audit Report along with the observations to the Government within a fortnight from the date of receipts, thereof by it.
- (iv) The accounts of the CENTRE shall also be subjected to the provisions of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971 as amended from time to time.
- (v) The account of the CENTRE shall also be audited by the Examiner, Local Fund Accounts Uttar Pradesh. Any expenditure incurred in connection with such audit at such rate as may be determined by the Examiner, Local Fund Accounts, shall be payable to Examiner, Local Fund Accounts.
- (vi) Quarterly Statement of Income and Expenditure in respect of fund shall be prepared by the CENTRE from the record and placed before the Executive Committee at its meetings.

39. ANNUAL REPORT:

The Executive Committee shall prepare the Annual Report on the working of the CENTRE and the work undertaken by it during the year together with Balance Sheet and Audited Accounts. A draft of the annual report along with the audited account of the CENTRE and audit report shall be placed before the Governing Council for consideration, which after its approval shall submit to the Government. The Government may, with

comments, if any, furnish the annual report along with the audited account of the CENTRE and the audit report to the Central Government.

40. AMENDMENTS:

With the prior written permission of the Government, the Governing Council may amend, alter, extend or abridge the Rules with 3/5th majority of members present and voting in the meeting called for this purpose.

41. MISCELLANEOUS:

(a) With the prior written permission of the Government, the Governing Council may alter, extend or abridge the purpose for which it is established, or amalgamate the CENTRE either wholly or partly with any other Society in accordance with the provisions of the Act.

(b) As and when there is any change in the nomenclature of Ministries, Departments, or Institution(s) and designation(s) mentioned in the Rules, such change shall automatically stand incorporated in these Rules.

(c) If the CENTRE needs to be dissolved, it shall be dissolved as per provision laid down under Section 13 and 14 of the Act.

(d) If, on the winding up or dissolution of the CENTRE, 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 amongst the members of the Governing Council or Executive Committee or anyone of them but shall be transferred by the CENTRE to the Government, which will decide about its utilization in accordance with provisions of the Act.

42. COMMON SEAL:

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

43. SUITS:

The CENTRE shall sue and be sued in the name of the CENTRE.

44. GOVERNMENT'S POWER:

The Government and the Central Government may jointly or severally appoint one or more persons to review the work and progress of the CENTRE, and to hold enquiry 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 with or without consultation with the Central Government, as may be necessary, may, at any time, issue directives on matters of policy to the CENTRE and the latter shall be bound to promptly comply with such directives.

45. DIRECTIVE OF GOVERNOR:

The Governor of Uttar Pradesh may from time to time issue directives to the CENTRE as to the exercise and performance of its functions in matters involving the security of the State, of substantial public interest and such other directives as he may consider necessary in regard to its functions. The CENTRE shall give immediate effect to the directive(s), if any, issued as above.

- 46.** No contract for the sale, purchase or supply of any goods Services or material shall be made or financial agreement entered in to for and on behalf of the CENTRE with any member of Governing Council or the Executive Committee or his relative or a firm in which such members or his relative is a partner or share-holder or any other partner in such a firm or a private company of which the member is a member or Director.

We, the following members of the Governing Council, certify that the above is correct copy of the Rules of the Society.

SL.NO.	NAME and ADDRESS	SIGNATURE
1.	Smt. Zohra Chatterji CCEO, Centre for e-Governance and Principal Secretary, Department of Information Technology and Electronics, Government of Uttar Pradesh	
2.	Dr. Deo Sharan Pathik Managing Director, Uttar Pradesh Development Systems Corporation Limited, 9, Sarojini Naidu Marg, Lucknow	
3.	Shri Yogesh Shankar State Co-ordinator, Centre for e-Governance, Department of Information Technology and Electronics, Government of Uttar Pradesh	

Date : _____

Place : LUCKNOW