

# **Memorandum of Association**

**of**

# **National Skill Development Agency**

**Registration No. S/ND/361/2013  
Under Societies Registration Act**



**CERTIFICATE OF REGISTRATION  
UNDER SOCIETIES REGISTRATION ACT XXI OF 1860**

**Registration No. S/ND/ 351 /2013**


I hereby certify that "NATIONAL SKILL DEVELOPMENT AGENCY" Located at 9<sup>th</sup> Floor, NDCC-II, Jai Singh Marg, New Delhi-110001 has been registered\* under SOCIETIES REGISTRATION ACT, 1860.

Given under my hand at Delhi on this 24th day of December Two Thousand Thirteen.

**Fee of Rs. 50/- Paid**



**Registrar of Societies  
New Delhi District**

  
**(PRADEEP KUMAR)  
REGISTRAR OF SOCIETIES  
GOVT. OF NCT OF DELHI  
DELHI**

\* This document certifies registration under the Society Registration Act, 1860. However, any Govt. department or any other association/person may kindly make necessary verification (on their own) of the assets and liabilities of the society before entering into any contract/assignment with them.

**NATIONAL SKILL DEVELOPMENT AGENCY  
MEMORANDUM OF ASSOCIATION AND RULES AND REGULATIONS**

**MEMORANDUM OF ASSOCIATION**

**1. Name**

The Name of the Society shall be "**National Skill Development Agency**" or "**NSDA**".

**2. Registered Office of the Society**

The Registered Office of the Society shall be situated in the National Capital Region of Delhi and at present it is at the following address: 9<sup>th</sup> Floor, NDCC-II, Jai Singh Marg, New Delhi -110001

**Working Area of the Society:** The whole of India

**3. Definitions:**

In this Memorandum and the Rules made hereunder, unless the context otherwise requires:

- (a) '**Agency**' or '**NSDA**' or '**Society**' shall refer to the National Skill Development Agency.
- (b) '**General Body**' means the General Body of the Agency
- (c) '**Governing Body**' means the Governing Body of the Agency.
- (d) '**Central Government**' or '**Government of India**' shall mean Department of Economic Affairs, Ministry of Finance.
- (e) '**Chairman**' means the Chairperson of the Governing Body of the Agency.
- (f) '**Director General**' or '**DG**' means the Director General of the Agency
- (g) '**LMIS**' means Labour Market Information System
- (h) '**NSQF**' means the National Skills Qualifications Framework
- (i) '**President**' means the President of the General Body.

**4. Aims and Objects of the Society:**

- a) Take all possible steps to meet skilling targets as envisaged in the 12th Five Year Plan and beyond;
- b) Coordinate and harmonize the approach to skill development among various Central Ministries/Departments, State Governments, National Skill Development Corporation, the non-Government organisations, and the private sector;
- c) Anchor and operationalize the National Skills Qualification Framework (NSQF) to ensure that quality and standards meet sector specific requirements;
- d) Be the nodal agency for State Skill Development Missions;
- e) Raise extra-budgetary resources for skill development from various sources such as international agencies, including multi-lateral agencies, and the private sector;
- f) Evaluate existing skill development schemes with a view to assessing their efficacy and suggest corrective actions to make them more effective;

- g) Create and maintain a national data base related to skill development including development of a dynamic Labour Market Information System (LMIS);
- h) Take affirmative action for advocacy;
- i) Ensure that the skilling needs of the disadvantaged and the marginalized groups like SCs, STs, OBCs, Minorities, Women and differently abled persons are taken care of; and
- j) Discharge any other function as may be assigned to it by the Government of India
- k) Do all things necessary to achieve the aforesaid objects of the Agency, subject only to the conditions that
  - i. all the income, earning, moveable, immovable properties of the Agency shall be solely utilized and applied towards the promotion of its aim and Objects only set forth in this Memorandum of Association and no profit thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, profit or in any manner whatsoever to the present and past member(s) of the Agency or to any person claiming through any or more of the present or past member(s); and
  - ii. No member of Society shall have any personal claim on any moveable or immovable properties of the Agency or make any profit, whatsoever by virtue of his membership.

## 5. General Body

The General Body of the Agency shall have 19 members. The names, addresses, occupations and designations of the members of the General Body are as follows:

S No.	Name	Designation	Address
1	Sh. S Ramadorai	Chairman, National Skill Development Agency	Flat No. 1, Wyoming, Little Gibbs Road, Malabar Hill, Mumbai - 400006
2	Dr. Arvind Mayaram	Secretary, Department of Economic Affairs, Ministry of Finance, Government of India	Type- VII, Quarter No. 77, Lodhi Estate, New Delhi.
3	Smt Gauri Kumar	Secretary, Ministry of Labour & Employment, Government of India	80, New Moti Bagh, New Delhi-110021
4	Sh. Ashok Thakur	Secretary Higher Education, Ministry of HRD, Government of India	C/123, Pandara Road, New Delhi
5	Sh. R Bhattacharya	Secretary, Dept of School Education and Literacy, Govt of India	C II/127, Moti Bagh, New Delhi

6	Sh. S Vijay Kumar	Secretary, Ministry of Rural Development, Govt of India	C- II /109, Moti Bagh, New Delhi - 110021
7	Smt Sindhushree Khullar	Secretary Planning Commission, Govt of India	E1/4, Staya Sadan, Satya Marg, Chanakyapuri, New Delhi
8	Sh. Madhav Lal	Secretary, Ministry of MSME, Government of India	95, New Moti Bagh, New Delhi -110021
9	Sh. H Pradeep Rao	JS & FA, Department of Economic Affairs, Ministry of Finance, Government of India	D-I/5, Bharti Nagar, New Delhi-110003.
10	Two representatives of NGOs engaged in skill development (to be nominated by the Government of India by rotation, each for a period of three years)		
11	Three experts engaged in the field of skill development, one each from among academicians, economists and social demographers (to be nominated by the Government of India by rotation, each for a period of three years)		
12	Nominees of State Governments from two States (to be nominated by the Government. of India by rotation, each for a period of three years).		
13	Chairpersons of two Sector Skills Councils, one each from the manufacturing and services sector (to be nominated by the Government of India, by rotation, each for a period of three years)		
14	Sh. Jai Prakash Rai	Director General, National Skill Development Agency	D-6, Tower 5, New Moti Bagh, New Delhi - 110021

## 6. Functions of the General Body

The General Body shall have the following functions and powers:

- a) Lay down broad policy to carry out the purposes of the Agency;
- b) Enumerate Strategies to develop appropriate operational guidelines and instructions for meeting the larger objectives of skill development needs of the country.
- c) Make appropriate and practical solutions and strategies to address the following concerns, to be adopted by both the Union and State Governments as well as the National Skill Development Corporation – and also develop system of institutionalizing measures to this end :
  - i. Regional Imbalances in skill development infrastructure.
  - ii. Strategy to address the socio-economic (SC/ST/OBC, Minorities and BPL etc.), rural-urban, gender divides.

- iii. Strategize the action to address the chronic dearth of quality teachers, to ensure that investment in terms of money and infrastructure are fully utilised.
  - iv. Integration of the existing regulatory institutions such as AICTE, NCVT, other qualification regulating and certification bodies etc. into the new format of skill development under NSQF.
  - v. Incentivising and/or making it obligatory for private sector to develop skills over and above the requirements for captive wage employment.
  - vi. Apprentice training/ on-the-job training as a route to skill development and as a reliable source of skilled personnel for addressing both unemployment and unemployability problems.
  - vii. Ensure that each sectoral and temporal Action Plans should build-in long term measures with a self-corrective mechanism.
- d) Encourage the state governments to put their activities in such structures that may be modeled along similar lines or in any other way as deemed suitable by the State Governments
  - e) Approve rules and bye-laws for the conduct of the affairs of the Agency and to add, amend, vary or rescind them from time to time;
  - f) Deal with any immoveable property belonging to or vested in the Agency in such manner as the Society may deem fit for advancing its objectives;
  - g) In consultation with the Department of Expenditure, Ministry of Finance, Government of India, to establish and/or procure maintenance of pension, provident and other funds for benefit of the employees or for the purpose of the activities of the Agency;
  - h) Adopt the annual budget of the Agency approved by the Governing Body;
  - i) Receive the annual report of the Agency;
  - j) To approve Committees proposed by the General Body, necessary for the discharge of the Agency's functions, including
    - a. A National Steering Committee for LMIS
    - b. A National Skills Qualification Committee for NSQC
    - c. A National Steering Committee for Skills Competition and Awards
  - k) Arranges for the audit of its accounts through the Comptroller and Auditor General of India, and to receive the audited accounts and the auditor's report.

## **7. Governing Body**

The members of the Governing Body to whom the management of the Society is entrusted as required under Section 2 of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi area are as follows:

<b>S No.</b>	<b>Designation</b>	<b>Address</b>
1	Chairman, National Skill Development Agency	Flat No. 1, Wyoming, Little Gibbs Road, Malabar Hill, Mumbai - 400006

2	Director General, NSDA	Tower 5, D-6, GPRA, New Moti Bagh, New Delhi -110021
3	Additional Secretary, Department of Economic Affairs, Ministry of Finance, Government of India	C- II/145, Satya Marg, Chanakyapuri, New Delhi-21
4	Senior Advisor (LEM), Planning Commission	Block 11-A, HUDCO Place, New Delhi - 110049
5	Director General, Employment & Training, Ministry of Labour & Employment, Govt of India	D I E/3, San Martin Marg, Bapudham, Chanakyapuri, New Delhi -110001
6	Joint Secretary, Dept of Higher Education, Ministry of HRD, Government of India	C V/3, Sector 143, MS Flat, R.K.Puram, New Delhi
7	Joint Secretary, Department School Education and Literacy, Ministry of HRD, Govt of India	D II/B 37, Moti Bagh 1, New Delhi

## **8. Functions of the Governing Body**

The Governing Body shall have the following functions and powers:

- a) Coordinate the establishment of National Skills Qualification Framework and develop a mechanism to enable accreditation to the NSQF, including by developing a credible accreditation system and a guidance framework for all accrediting agencies, set up by various Ministries and/or by private players.
- b) Assessment of skill deficits sector wise and region wise and plan action so as to bridge the gaps, and move towards the establishment of a “National Skill Inventory” and another “National Database for Skill Deficiency” as part of the LMIS - a national web portal – for exchange of information between employers and employment seekers.
- c) Monitor, evaluate and analyze the outcomes of the various schemes and programmes and apprise the General Body of the same.
- d) Review and approve budget estimates;
- e) Raise extra-budgetary resources with the approval for the General Body. Issue appeals and applications for money and funds in furtherance of the said objectives and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either movable or immovable and to grant such rights and privileges to the donors, subscribers and other benefactors as the Society may consider proper;
- f) Receive grants, gifts, loans, subscriptions, donations, and other financial contribution in cash and kind, either moveable or immovable, from within the country and/or abroad including UN agencies;

- g) Prepare and maintain proper accounts of the Agency including a balance sheet in such form as may be prescribed by law;
- h) Create administrative, technical and other posts under the Agency, in accordance with extant procedures laid down by Department of Expenditure, Ministry of Finance and instructions issued from time to time;
- i) Retain and employ professional or technical consultants, experts or any other such person to further the objectives of the Agency, on payment to them of such honorarium or fee or remuneration as may be decided by the Governing Body;
- j) To delegate any of its powers to the Director General;
- k) To invest the funds of the Agency, keeping in mind the instructions on parking of funds/investment of surplus funds issued by the Ministry of Finance & Department of Public Enterprises from time to time,
- l) To borrow on terms and conditions expedient;
- m) To do all other such legal acts and things either alone or in conjunction with other organizations or persons as the Agency may consider necessary, incidental or conducive to the attainment of the above objectives of the Agency;
- n) To establish, administer, manage or take over or subsidize the management and administration of training centres, workshops or any other activity the Society considers essential or desirable for achieving its Objectives;
- o) To affiliate and accredit skill development and technical training providers in the country, either alone or in conjunction with other organizations or persons as the Agency may consider necessary;
- p) To undertake, promote or subsidize the production and distribution of literature, such as educational or promotional or other Instruction materials concerning skill development and technical training;
- q) To undertake, sponsor, co-ordinate or subsidize experimental and/or pilot programmes for the training and skill development of identified groups of beneficiaries;
- r) To bring best international benchmarks, practices and impacts, outcomes
- s) To undertake, sponsor, co-ordinate or subsidize parent or other public education programmes and awareness programmes;
- t) To offer technical assistance to individuals or organizations in developing research projects or establishing institutional or non-institutional programmes for skill development;



- u) To organize, co-ordinate or support financially or otherwise efforts for the assessment and documentation on all aspects of skill development;
- v) To organize, sponsor and finance seminars, workshops, study circles, working groups and conferences for promoting and utilization of research in skill development;
- w) To undertake, sponsor or financially assist the production writing or publication of books, pamphlets, films, slide-tapes other material bearing on skill development;
- x) To institute, offer, or grant prizes, awards, scholarships, fellowships and stipends in furtherance of the objects of the Society;
- y) To advise the Govt. of India and State Governments on such matters concerning skill development as may be referred to it; and
- z) To do such all other lawful deeds as are conducive or incidental to the attainment of the Objects of the Agency.

## **9. Alteration of Memorandum of Association**

- 9.1 Any kind of amendment in the Memorandum of the Society shall be made as per provisions of Section 12 and 12 (A) of the Societies Registration Act of 1860, as applicable to the Union Territory of Delhi.

*Provided that no such amendment shall come into effect without the approval of the Department of Economic Affairs, Ministry of Finance.*

## **10. Dissolution of Society**

- 10.1 If the Society needs to be dissolved it shall be dissolved as per provisions laid down under Section 13 and 14 of the Societies Registration Act of 1860, as applicable to the Union Territory of Delhi.

*Provided that, dissolution of the Society shall not take place without the consent of the Department of Economic Affairs, Ministry of Finance.*

- 10.2 If on the winding up or dissolution of the Society there shall remain, after the satisfaction of the all debts and liabilities any property whatsoever, the same shall not be paid, to or distributed among the members of the society or any of them and shall be dealt within the manner provided by the Registration of Societies Act, 1860.

- 10.3 All the provisions of the Societies Registration Act, 1860 will apply to this Society.

## 11. Desirous Persons

We, the undersigned, whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association, and set our several and respective hands hereunto and form ourselves into a Society, namely the National Skill Development Agency, under the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi, on this 23rd day of December, 2013:

<b>S No.</b>	<b>Name (in Capital letters)</b>	<b>Designation</b>	<b>Signature</b>
1	Sh. S Ramadorai	Chairman, National Skill Development Agency	Sd/-
2	Sh. Jai Prakash Rai	Director General, NSDA	Sd/-
3	Dr. KP Krishnan	Additional Secretary, Department of Economic Affairs, Ministry of Finance, Government of India	Sd/-
4	Dr. Vinita Kumar	Senior Advisor (LEM), Planning Commission	Sd/-
5	Sh. Shikhar Agrawal	Director General Employment & Training, Ministry of Labour & Employment, Govt of India	Sd/-
6	Sh. Anant Kumar Singh	Joint Secretary, Department of Higher Education, Ministry of HRD, Govt of India	Sd/-
7	Sh. Jan E Alam	Joint Secretary, Dept of School Education and Literacy, Ministry of HRD, Govt of India	Sd/-

Witness to the above signatures:

<b>Name</b>	<b>Occupation &amp; Address</b>	<b>Signature</b>
1. Shri Anant Prakash Pandey	PS to Chairman NSDA, 9 <sup>th</sup> Floor, NDCC-II, Jai Singh Marg, New Delhi -110001	Sd/-
2. Shri JD Barua	Consultant (Budget & Accounts), NSDA, 9 <sup>th</sup> Floor, NDCC-II, Jai Singh Marg, New Delhi -110001	Sd/-

Dated 23rd day of December, 2013

# **Rules and Regulations**

**of**

# **National Skill Development Agency**

## Rules and Regulations of the NSDA

### 1. Definitions:

1.1. In these rules unless there is anything repugnant to the subject or context:

- a. 'Agency' or 'NSDA' or 'Society' shall refer to the National Skill Development Agency.
- b. 'General Body' means the General Body of the Agency
- c. 'Governing Body' means the Governing Body of the Agency.
- d. 'Central Government' or 'Government of India' shall mean Department of Economic Affairs, Ministry of Finance.
- e. 'Chairman' means the Chairperson of the Governing Body of the Agency.
- f. 'Director General' or 'DG' means the Director General of the Agency
- g. 'LMIS' means Labour Market Information System
- h. 'NSQF' means the National Skills Qualifications Framework
- i. 'Office Bearers' means the Chairman or Director General
- j. 'President' means the President of the General Body
- k. 'Rules' means rules registered along with the Memorandum of Association and as may be amended from time to time.
- l. 'Year' means the financial year commencing on 1<sup>st</sup> April of one year and ending on the 31<sup>st</sup> March of the subsequent calendar year..

### 2. Authorities of the Agency:

- 2.1. The following shall be the Authorities of the Agency:
- a) General Body.
  - b) Governing Body.

### 3. General Body

3.1. The General Body shall comprise 19 voting members as under:

S No		Designation
1	Chairman, National Skill Development Agency	President
2	Secretary, Department of Economic Affairs, Ministry of Finance, Government of India	<i>ex-officio</i> Member
3	Secretary, Ministry of Labour & Employment, Government of India	<i>ex-officio</i> Member
4	Secretary Higher Education, Ministry of HRD, Government of India	<i>ex-officio</i> Member
5	Secretary, Department of School Education and Literacy, Ministry of HRD, Government of India	<i>ex-officio</i> Member

6	Secretary, Ministry of Rural Development, Government of India	<i>ex-officio</i> Member
7	Secretary Planning Commission, Government of India	<i>ex-officio</i> Member
8	Commissioner, MSME, Ministry of MSME, Government of India	<i>ex-officio</i> Member
9	JS & FA, Department of Economic Affairs, Ministry of Finance, Government of India	<i>ex-officio</i> Member
10	Two representatives of NGOs engaged in skill development (to be nominated by the Government of India by rotation, each for a period of three years)	Members
11	Three experts engaged in the field of skill development, one each from among academicians, economists and social demographers (to be nominated by the Government of India by rotation, each for a period of three years)	Members
12	Nominees of State Governments from two States (to be nominated by the Government of India by rotation, each for a period of three years)	Members
13	Chairpersons of two Sector Skills Councils, one each from the manufacturing and services sector (to be nominated by the Government of India by rotation, each for a period of three years)	Members
14	Director General, National Skill Development Agency	Member-Secretary

3.2 The General Body will have the power to co-opt from time to time for such period as they deem fit, representative or representatives of such other organizations or institutions and individuals as they deem desirable in the interest of the Agency. The co-opted member(s) shall have the right to participate in the discussion but not to vote.

**4. Tenure of Office**

- 4.1. The tenure of office of each ex-officio member shall coincide with the period during which she/he holds the substantive office, and such ex-officio member shall automatically cease to be a member of General Body on vacating office.
- 4.2. Other Members of the General Body, except the Chairman and the Director General, shall be appointed for a term of three years or until their successors are nominated, whichever is later and they shall be eligible for re-nomination.

**5. Meeting of the General Body**

- 5.1. The General Body shall meet at least once every year at a place and on a date to be fixed by the President after giving at least 21 days written notice of the date, time, place and agenda and at such meeting it shall transact the following business:
  - a. Consideration of the Annual Report.
  - b. Consideration of the Balance sheet and the Audited Accounts for the previous year.
  - c. Adopt the annual budget for the following year approved by the Governing Body, and
  - d. Such other matter or matters as the President may direct
- 5.2 Special meetings of the General Body may be called by the President as and when necessary, by giving not less than 14 days’ notice and indicating the purpose of the meeting.
- 5.3 In case of difference of opinion among the members of the General Body at any meeting, the opinion of the majority shall prevail. Each member other than co-opted members of the General, including the President shall have one vote and if there be equality of votes on any question the President shall in addition have a casting or second vote.
- 5.4 One third of the membership of the General Body (seven voting members) shall constitute the quorum at any General Body meeting. If at any meeting of the General Body there is no quorum, the meeting shall stand adjourned to a date to be fixed by the President. If at any adjourned meeting there is no quorum the members present shall constitute the quorum.
- 5.5 Every meeting of the General Body shall be presided over by the President, and in his absence, by the First Vice-President. If both the President and First Vice-President are absent, the Second Vice-President shall preside over the meeting. In case the President and both Vice-Presidents are absent, the members present on the occasion shall choose a member to preside over the meeting.

**6. The Governing Body.**

- 6.1. The Governing Body shall comprise of seven members as under:

S No.	Members of Governing Body	Designation
1	Chairman, National Skill Development Agency	Chairman
2	Director General, NSDA	Member-Secretary
3	Additional Secretary, Department of Economic Affairs,	<i>ex-officio</i> Member

	Ministry of Finance, Government of India	
4	Senior Advisor (LEM), Planning Commission, Govt of India	<i>ex-officio</i> Member
5	Director General, Employment & Training, Govt of India	<i>ex-officio</i> Member
6	Joint Secretary, Department of Higher Education, Ministry of HRD, Govt of India	<i>ex-officio</i> Member
7	Joint Secretary, Dept of School Education and Literacy, Ministry of HRD, Govt of India	<i>ex-officio</i> Member

6.2. The Governing Body may invite any person to attend any particular meeting or meetings as it considers desirable. Such invited member(s) shall have the right to participate in the discussion but not to vote.

**7. Tenure of Office.**

7.1. The tenure of office of each ex-officio member shall coincide with the period during which she/he holds the substantive office, and such ex-officio member shall automatically cease to be a member of Governing Body on vacating office.

7.2. If a member of the Governing Body changes her/his address, she/he may notify to the Member-Secretary her/his new address but if she/he fails to notify such address, her/his address as recorded on the roles of the members shall be deemed to be her/his address.

**8. Meeting of the Governing Body.**

8.1. The Governing Body shall meet at least once every three months.

8.2. The meeting of the Governing Body may be convened by the Chairman or any other member of the Governing Body who may be authorized by him in this behalf.

8.3. The meetings of the Governing Body shall be presided over by the Chairman of the Governing Body and in his absence by the Director General, who shall function as Chairman for that particular meeting.

8.4. In case of difference of opinion among the members of the Governing Body at any meeting, the opinion of the majority shall prevail. Each member of the Governing Body, including the Chairman shall have one vote. In case of equality of votes, the Chairman in addition to his vote, shall have second or casting vote.

Provided that in all matters pertaining to the items listed in paras 9 (d), (h), (k) and (l) of the Memorandum of Association, the opinion of at least two thirds of the members of the Governing Body present and voting shall be required to carry the motion.

8.5. One half of the membership of the Governing Body (four members) shall constitute the quorum at any Governing Body meeting. If at any meeting of the Governing Body there is no quorum, the meeting shall stand adjourned to a date to be fixed by the



Chairman. If at any adjourned meeting there is no quorum the members present shall constitute the quorum.

**9. Functions of the Governing Body.**

9.1 The Governing Body may by resolution appoint one or more Committee or Committees or sub-committees for such purposes and with such powers as may be specified by it.

9.2 The Governing Body of the Agency may, by resolution, delegate to the Director General such of its powers as it may deem fit for the conduct of business.

**10. Cessation or termination of Membership.**

10.1. A member of the General Body or Governing Body shall cease to be such a member if she/he

- a) dies, or
- b) resigns his membership, or
- c) is declared of unsound mind by a Court of Competent Authority, or
- d) is declared as insolvent by a Court of Competent Authority, or
- e) is convicted of a criminal offence involving moral turpitude by a Court of Competent Authority, or
- f) in the case of an ex-officio member, vacates the substantive office, or
- g) fails to attend three consecutive meetings, without the leave of the President of the General Body or Chairman of the Governing Body as the case may be.

10.2. A member of the General Body or Governing Body (other than ex-officio member) may resign office by a letter addressed to the President of the General Body or the Chairman of the Governing Body as the case may be, and such resignation shall take effect from the date it is accepted by the concerned President/Chairman.

**11. Casual Vacancy.**

11.1. Any causal vacancy in the General Body or Governing Body shall be filled by the appointment or nomination of a member by the appropriate authority entitled to make such appointment or nomination and the member appointed or nominated to fill such casual vacancy shall hold office for the remainder of the term, if any, of the member in whose place he has been appointed or nominated.

11.2. The General Body or the Governing Body shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members, and no act or proceedings of the General Body or Governing Body shall be called in question merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of any of its member.

**12. Chairman**

- 12.1 The Chairman shall be appointed by the Government of India, and will have the status and rank equivalent to a Cabinet Minister
- 12.2 The Chairman shall hold office for a period of five years, and will be eligible for re-appointment.
- 12.3. The Chairman shall preside over the meetings of the Governing Body

**13. Director General**

- 13.1 The Director General shall be appointed by the Government of India, and shall have a rank equivalent to that of an Additional Secretary to the Government of India.
- 13.2 The Director General shall hold office for a period of five years, or upto the age of 65 years, whichever is earlier, and will be eligible for re-appointment.
- 13.3 The Director General shall be the full-time principal executive officer of the Agency, and shall be in-charge of the management and administration of the Agency, including discharging all day-to-day functions needed for the smooth functioning of the Agency. Under the overall supervision of the General Body and the Governing Body, the Director General shall exercise all such powers in respect of the affairs of the Agency as are necessary for achieving the objects of the Agency. The Director General may delegate his authority to other officers of the Agency as per laid down rules. In general, the DG shall perform the following functions:
- a) Generally to conduct the business of the Agency and to implement the policy and programmes laid down by the Governing Body/General Body. For this purpose, to appoint such staff as may be necessary with the approval of the Chairman of the Governing Body
  - b) To provide secretarial services for the smooth conduct of meetings and to ensure that minutes of the meeting are drawn and circulated to the members
  - c) To supervise and control the work of the employees of the Agency
  - d) To sign on behalf of the Agency
  - e) To take emergent action whenever exigencies of the situation demand it in the interest of the Agency and to have the same ratified by the Governing Body at its next meeting.

**14. Funds for the Agency, Accounts and Audit.**

- 14.1. The funds of the Agency shall consist of the following:
- a. Grants made by or through the Government of India or any State Government.
  - b. Donations and contributions from other sources.
  - c. Other income and receipts of the Agency.

- 14.2. The funds of the Agency shall be deposited in a scheduled commercial bank in the public sector or in an FCRA account designated under FCRA (Foreign Contribution Regulation Act), 2010 and funds received shall be paid into the Agency's account maintained in such a bank and shall not be withdrawn except on cheque signed by persons designated by the Governing Body and authorized to function on their behalf.
- 14.3. The Agency shall maintain proper accounts including a balance sheet in such forms as may be prescribed under the bye-laws.
- 14.4 The Expenditure undertaken by the Agency shall be governed by the General Financial Rules, 2005, except to the extent the bye-laws of the Society provide for separate financial rules that are approved by the Government.
- 14.4. The accounts of the Agency shall be audited annually by the CAG of India.
- 14.5. Within six months after the close of every financial year, there shall be submitted to the General Body the audited statement of accounts of the previous year.

**15. Notice**

- 15.1 A written notice shall be sent to every member of the General Body or Governing Body as the case may be, either personally or by email, or through post under certificate of posting at address mentioned in the latest roll of members.
- 15.2 Any notice so sent by post shall be deemed to have been duly served and in providing such services, it shall be sufficient to show that cover containing such notice was properly addressed and duly stamped.
- 15.3 Any notice sent by email shall be deemed to have been duly served if there is no intimation of the email not having been delivered.
- 15.4 Non-receipt of the notice of any meeting of the General Body or Governing Body by any member shall not invalidate the proceeding of the meetings.
- 15.5 The minimum period of notice for meeting of the Governing Body/Governing Body shall be as follow:
- a. For the Annual General Meeting of the General Body - 21 days.
  - b. For special Meeting of the General Body - 14 days.
  - c. For meeting of the Governing Body - 7 days.

**16. Resolution by Circulation.**

- 16.1. Any business in respect of which the Chairman is satisfied that the matter is urgent and that it is not possible to hold a meeting of the Governing Body in the near future, may be carried out by circulation among all its members of the Governing Body and shall be effective and binding as if such resolution has been passed at a meeting of the

Governing Body. Voting on a resolution passed by circulation will be in such manner as in clause 8 of the Rules and Regulations.

**17. General**

- 17.1. All contracts shall be executed on behalf of the Agency by the Director General, as per rules defined in the financial bye laws to be framed by the society.
- 17.2. For the purpose of Section 6 or the Societies Registration Act as applicable to the Union Territory of Delhi the person in whose name, the Agency may sue or be sued shall be the Director General of the Agency.
- 17.3 Once in every year a list of the office bearers and members of the General Body /Governing Body shall be filed with the Registrar of Societies, Delhi as required under Section-4 of the Societies Registration Act of 1860, as applicable to the Union Territory of Delhi.

**18. Powers of the Central Government**

The Central Government shall have the powers:

- I. To give directions to the Agency as to the exercise and performance of its functions in matters involving substantial public interest and to ensure that the Agency gives effect to such directions;
- II. To call for such reports, returns and other information with respect to the activities of the Agency as may be required from time to time.”