MEMORANDUM OF ASSOCIATION

&

BYE-LAWS

OF

Gujarat State Child Protection Society

(G S C P S)

Block No. 16, Ground Floor, Jivraj Mehta Bhavan, Gandhinagar

MEMORANDUM OF ASSOCIATION

OF

GUJARAT STATE CHILD PROTECTION SOCIETY

1. NAME:

The name of the SOCIETY shall be "**Gujarat State Child Protection Society**" hereinafter referred to, as "GSCPS" unless it is repugnant in its context otherwise requires.

2. REGISTERED OFFICE:

The Registered Office of GSCPS shall be situated in the State of Gujarat, at Gandhinagar or at any place, as may be decided by the State Government from time to time.

3. DEFINITIONS:

In this memorandum and bye-laws made there under, unless the context otherwise requires;

3.1 **"Audit Committee"** means the Audit Committee constituted by the Governing Body and constituting of Members who are empowered to review the audit reports and accounts of GSCPS and perform such other functions as delegated by the Governing Body from time to time;

3.2 **"Administrative Fund"** shall mean and include, income received by way of interest, dividend, accretion, premium, bonus, profit or gain received out of Core Fund and shall also include the grant that may be given by the Government or any other organization specifically for meeting administrative expenses of GSCPS;

3.3 "**Central Government**" means and include the Ministry of Women and Child Development, the Government of India;

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3.4 **"Chairperson"** means Chairperson of the Governing Body;

3.5 "**Deputy Secretary**" means the Secretary to the Government shall and include any officer occupying the position of Deputy Secretary, Joint Secretary or Additional Secretary or such officer in the rank or pay scale of Deputy Secretary.

3.6 "**District Child Protection Society(DCPS)/ District Child Protection Unit (DCPU)**" means a unit constituted in each District as an arm of GSCPS for Implementation of the scheme at the district level;

3.7 **"Executive Committee"** means the Executive Committee constituted by the Governing Body and consisting of Members who are empowered to take operational and management decisions within the financial limits as may be prescribed by the Governing Body from time to time;

3.8 "**Fund**" shall mean and include, the Core Fund, Administrative Fund and Capital Fund.

3.8.1 **"Core Fund"** shall mean and include, principal amount received by way of grant, loans, donation, contribution, bequeaths, fees, sale proceeds of land, building, infrastructures including other properties owned by GSCPS or any other Indian/foreign funds received from time to time;

3.8.2 **"Capital Fund"** shall mean and include core fund and shall also include the grant that may be given by the Government or any other body corporate specifically for meeting capital expenses;

3.9 **"Governing Body"** means the Governing Body of GSCPS constituted as provided in the Memorandum of Association;

3.10 **"Government"** shall mean and include Central Government and/or State Government as the context requires or permits;

3.11 "**Integrated Child Protection Scheme**" or ICPS means the scheme being implemented through Ministry of Women and Child Development, Government of India;

3.12 "**Member**" shall mean and include the a Member of the Governing Body;

3.13 "**Non-Official Member**" shall mean and include, a person who is not an officer of State Government and appointed as a Member of the Governing Body;

3.14 "**Member Secretary and/or Chief Executive Officer**" means the Member of the Governing Body as may be nominated by the Governing Body among its Members from time to time;

3.15 "**Official Member**" shall mean and include, the officer of the State Government/Central Government appointed as the Member of the Governing Body;

3.16 **"Personnel Committee"** means the Personnel Committee constituted by the Governing Body as provided in the Memorandum of Association and bye-laws, consists of persons selected by the Governing Body of GSCPS for the purpose, headed by the Chairperson of the Executive Committee of GSCPS or any other Member of the Governing Body as may be decided;

3.17 **"Prescribed"** shall mean prescribed by rules made by the Governing Body under this Memorandum of Association and bye-laws.

3.18 **"Regulation"** means a regulation made by the Governing Body under this Memorandum of Association and bye-laws;

3.19 **"State"** means the state of Gujarat;

3.20 "**State Government**" means the Government of Gujarat;

3.21 "**Secretary to the Government**" means any officer occupying the position of Secretary, Principal Secretary, Additional Chief Secretary,

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Commissioner or such other officer who shall be of the rank of Secretary and above as may be decided by the State Government;

3.22 **"State Adoption Resource Agency"** or SARA means an arm of GSCPS at the state level for promoting adoption

3.23 **"Financial Year"** means a Financial Year Commencing from 1st April in each calendar year.

EXPLANATION:

a. The word importing masculine gender shall also include the feminine gender and vice-versa;

b. The world importing singular number shall also include plural number and vice-versa;

4. ESTABLISHMENT OF GSCPS:

4.1 GSCPS shall function as an independent and autonomous body facilitating child welfare and child protection through participatory planning, information dissemination, capacity building of different stakeholders and monitoring and evaluation works;

4.2 GSCPS shall be having perpetual succession and a common seal. GSCPS is a legal person/entity separate from the Members of GSCPS.

5. AREA OF OPERATION:

The area of operation of the Society shall be whole of the State of Gujarat and it will function through District Child Protection Society (DCPS) and/or District Child Protection Unit (DCPU) at the District Level.

6. OBJECTS:

The Society shall facilitate and operate as an additional managerial and technical unit to the Department of Social Justice & Empowerment, Government of Gujarat or to an administrative Department under whom it will function for the Implementation of project/scheme in the State. GSCPS shall have the following aims and objectives:

6.1 To set up State Adoption Recourse Agency (SARA), an arm of GSCPS at the State Level and to set up District Child Protection Society (DCPS) and/or District Child Protection Unit (DCPU) at the District Level .

6.2 To Establish and Strengthen the services for outreach, institutional care, family and community based care, counseling and support services;

6.3 To put in place, activate and strengthen necessary structure and mechanism for effective implementation of the Schemes for Child Protection at state and district level;

6.4 To define and set standard of all services including functioning of Statutory Bodies;

6.5 To build capacities of all functionaries including administrators and service providers, at all levels working under the ICPS by establishing partnership with relevant State and National Agencies;

6.6 To ensure that Members of allied system including local bodies, police, judiciary and other concerned department of State Government are sensitized and trained to undertake responsibilities under the ICPS;

6.7 To prepare Child Protection Plans at District and State level; the plan would be gradually extended to Block and Community level;

6.8 To strengthen service delivery mechanisms and programmes including preventive, statutory, care and rehabilitation services;

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6.9 To promote and strengthen non-institutional family based care options for children deprived of parental care, including sponsorship to vulnerable families, kinship care, in-country adoption, foster care and inter-country adoption in order of preference;

6.10 To create mechanism for child protection data management system including Management Information System (MIS) Resource Directory and Child Tracking at district and state level for effective implementation and monitoring of child protection services in the State;

6.11 To undertake research and documentation in the area of Child Protection;

6.12 To build capacities of families and community at all levels for effective implementation and monitoring of Child Protection Service in the State;

6.13 To create and promote preventive measures to protect Children from situation of vulnerability, risk and abuse;

6.14 To identify vulnerable children and undertake resource mapping for proper implementation of ICPS;

6.15 To coordinate and network with all allied systems i.e. Government Department and Non-Government agencies providing support and services for Children and effective convergence required for proper implementation of the scheme;

6.16 To educate public on child rights and protection;

6.17 To raise public awareness at all levels on the situation and vulnerabilities of children and families;

6.18 To facilitate, ensure access and utilization by all stake holders and public at large of available child protection services, schemes and structures at all the levels;

6.19 To examine the problems, formulate plans , take effective steps and provide assistance for implementation of various schemes and programs for the care and rehabilitation of the children in the state of Gujarat;

6.20 To raise grants, loans, advances or money on deposits or otherwise from central/state Government including National level financial corporations, or from national or international institutions, bilateral or multilateral aid-cum-development agencies, financial institutions, banks or co-operatives, financial donors, local bodies, statutory organizations and such other institutions and agencies on such terms as may be considered appropriate and subject to guidelines or directions issued by the state Government from time to time;

6.21 To provide finance to such organizations as GSCPS may deem fit on such terms and conditions as may be prescribed by the state Government;

6.22 To assist the state level organizations, private undertakings, co-operative societies and non-Government organizations dealing with child welfare and protection by providing financial assistance or equity contribution and in obtaining commercial funding for refinancing;

6.23 To extend help, support and assist in furthering the Government policies and programs for child welfare and protection;

6.24 To undertake finance and commercial obligations, transactions and operations of all kinds connected with the attainment of such pre-requisites including mortgage, charge of the property, giving guarantee, promissory note and to execute necessary contract, agreement and relevant documents as per the Government policy;

6.25 To establish branches, offices or agencies of GSCPS at any place in Gujarat and to discontinue the same with the prior approval of the Governing Body of the society;

6.26 To undertake any activity essential for the human, social, educational and economic development including other such welfare measures for the children in the state of Gujarat;

6.27 To draw, accept, make, endorse, discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;

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6.28 To invest the fund or the money entrusted in such security or in any other such manner as may from time to time be determined by GSCPS and to sell or transfer such investments;

6.29 To purchase, take on lease, accept as gift, construct or otherwise acquire any land or property, furniture and fixture, electrical, electronics etc. wherever suitable, which may be necessary or useful for GSCPS;

6.30 To make rules, regulations and bye-laws for the conduct of the affairs of GSCPS and add, amend, vary or rescind them from time to time;

6.31 To take all such measures as deemed fit to ensure that the Government schemes for child welfare and protection are implemented effectively and to make efforts to design new schemes and projects in this regard and ensure their implementation;

6.32 To do all other acts and things conducive for the attainment of the above objectives in most efficient manner possible and such other activities which are relevant to fulfill the objectives of GSCPS.

7. **FUNCTIONS:**

To achieve the above objectives, the Society shall deploy and direct its resources for performance of the following key tasks:

7.1 To formulate the State Child Protection policy and State Plan of Action in consultation with State Project Support Unit, other departments, Academic Institutions/Universities, Civil Society Institution, International Agencies and NGOs;

7.2 To initiate and ensure compulsory licensing of all voluntary/Charitable organisation housing children/juveniles in the state under the Juvenile Justice Act 2000 and its amendment Act, 2006;

7.3 To receive, manage (including disbursement to implementation agencies e.g. Directorate, District Child Protection Society/Unit, NGOs etc.) and

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account for the funds received from the Ministry of Woman & Child Development, Government of India.;

7.4 Strengthen the technical /management functions of State Directorate as well as of the District Child Protection Society/Unit by various means including through recruitment of individuals and institutional experts from the open market;

7.5 Set up, support and monitor performance of District Child Protection Society/Unit and ensure proper flow and utilization of funds of districts through ICPS and other grant-in-aid scheme;

7.6 Ensure effective implementation of Juvenile Justice (Care and protection of the Children) Act, 2000 and its amendment Act, 2006;

7.7 Ensure effective implementation of other legislations and policies for Child Protection in the State;

7.8 To network and coordinate with all Government Department to build inter sectoral linkages on Child protection issues, including Department of Health, Education, Social Welfare, Urban Basic Services, Backward Classes and minorities, Youth Services, Police, judiciary, Labor, State Aids Control Society among others;

7.9 Network and coordinate with voluntary and civil organisations working in the field of Child Rights and Protection;

7.10 Carry out the need based research and documentation activities for assessing the number of Children in difficult circumstances and creating State Specific database to monitor trend and patterns;

7.11 Training and capacity building of all personnel working under the Child Protection System;

7.12 Submit Quarterly Progress report to Ministry of Woman and Child Development, Government of India on programme implementation and fund utilization;

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7.13 Liasoning with Ministry of Woman and Child Development, Government of India and State Child Protection Society of other States;

7.14 Provide Secretarial Support to State Child Protection Committee, Project Sanctioning Committee and Sponsorship and foster care approval Committee or State Child Protection Unit, District Child Protection Unit etc.;

7.15 Maintain a state level database of all children in institutional care and family based non-institutional care and update it on quarterly basis;

7.16 Mobilize financial/non financial resources for complementing/ supplementing GSCPS activities in the State;

7.17 Organize training, meeting, conferences, policy review studies/surveys, workshop and inter-state exchange for deriving inputs for improving the implementation of State Project Support Unit in the State.

7.18 Undertake such other activities for Strengthening GSCPS or State Child Protection Committee in the state as may be identified from time to time including mechanism for intra and inter sectoral convergence of inputs and structures.

8. FUNDS:

8.1 "GSCPS" shall function with an initial Fund of Rs.1501/-

8.2 The funds of the Society shall consist of the following:

- Grant or assistance from the Government of India;
- Grants-in-Aid from the State Government;
- Grants and donations from trade, industry, institutions and individuals;
- Receipts from disposal of assets;
- Tender fees, Membership fees and other charges received by GSCPS;
- All moneys received by GSCPS from its partners as per provisions of the Memorandum of Understanding;

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- Interest and Other Income etc.

8.3 GSCPS" shall be entitled to receive grant, donations, contribution, subscription, bequeaths, loan or contingency in cash or kind, either in Indian or foreign currency;

8.4 The Funds received from Central Government, State Government & others by "GSCPS" should be kept in a scheduled bank account. The interest accrued on funds can be treated as part of the "GSCPS" Corpus & it may utilize the interest accrued on funds for the purpose of additional activities, however not exceeding the financial limit kept under the programme and for providing additional hardware infrastructure;

8.5 The Member Secretary or any other Member of "GSCPS" shall hold and possess the said amount of Rs.1501/- (Rupees One Thousand Five Hundred only) hereinafter called the "GSCPS fund" which expression shall include further additions, the conversions thereof and/or the investments for the time being of the same and/or the investments or conversions of such accumulations, additions and accretions thereof and the dividends, interest and or any other income of the said "GSCPS" fund and subject to powers and provisions declared and contained hereinafter;

8.6 Land, building and equipments may be transferred to GSCPS at the value, terms and conditions as may be decided by the State Government;

8.7 The investment of "GSCPS" fund or the interest and income thereof or any part thereof shall always be kept in the name of the "Gujarat State Child Protection Society" in scheduled banks or with agency as may be decided by the Governing Body from time to time.

9. GOVERNING BODY:

The Governing body at any time shall consist of not less than seven Members but not more than sixteen Members, including non-officials:

The **First Members** of the Governing Body shall be as follows:

01.	Chief Secretary Government of Gujarat	Chairperson
02.	Additional Chief Secretary/Principal Secretary/Secretary, Social Justice & Empowerment Department, Government of Gujarat	Vice Chairperson
03.	Additional Chief Secretary/Principal Secretary/Secretary, Home Department , Government of Gujarat	Member
04.	Additional Chief Secretary/Principal Secretary/Secretary, Labour & Employment Department, Government of Gujarat	Member
05.	Additional Chief Secretary/Principal Secretary/Secretary, Finance Department , Government of Gujarat	Member
06.	Additional Chief Secretary/Principal Secretary/Secretary, Women and Child Development Department, Government of Gujarat	Member
07.	Director, Social Defense, Government of Gujarat	Member

The **Governing Body** shall consist of the following Members:

01.	Chief Secretary Government of Gujarat	Chairperson
02.	Additional Chief Secretary/Principal Secretary/Secretary, Social Justice & Empowerment Department, Government of Gujarat	Vice Chairperson
03.	Additional Chief Secretary/Principal Secretary/Secretary, Home Department, Government of Gujarat	Member
04.	Additional Chief Secretary/Principal Secretary/Secretary, Finance Department, Government of Gujarat	Member
05.	Additional Chief Secretary/Principal Secretary/Secretary, Health Department, Government of Gujarat	Member
06.	Additional Chief Secretary/Principal Secretary/Secretary, Labour and Employment Department, Government of Gujarat	Member
07.	Additional Chief Secretary/Principal Secretary/Secretary, Education Department, Government of Gujarat	Member
08.	Additional Chief Secretary/Principal Secretary/Secretary, Women and Child Development Department, Government of Gujarat	Member
09.	Additional Chief Secretary/Principal Secretary/Secretary, Panchayat Department, Government of Gujarat	Member

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10.	One Representative from the Government of India , to be nominated by the Governing Body	Member
11.	Director, Social Defense, Government of Gujarat	Member

Remaining Members may be appointed by the State Government out of distinguished persons, local bodies, PRIs including reputed community based organizations and representatives of leading Non-Government Organizations with experience and exposure in social sector management.

The State Government may reconsider and reconstitute the total strength or Membership of the Governing Body at any time, if so required.

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We, the several persons whose names and addresses are hereunder subscribed are desirous of being formed into a 'Gujarat State Child Protection Society'. "GSCP Society' under the Societies Registration Act, 1860 and under the provision of Bombay Public Charitable Trust Act, 1950, in pursuance of this deed of Memorandum of Association and Bye Laws:

Sr No	Name, address and Designation	Status in society	Signature with Rubber Stamp
1	Shri Achal Kumar Joti, IAS Chief Secretary, Government of Gujarat **Address:** Block No. 1, New Sachivalaya, Gandhinagar	Chairman	A. K. JOTI Chief Secretary Government of Gujarat
2	Shri Prem Kumar Taneja, IAS Principal Secretary, Social Justice & Empowerment Department, Government of Gujarat, **Address:** Block No. 5, 8th Floor, New Sachivalaya, Gandhinagar	Vice Chairman	(P. K. Taneja) I.A.S. Principal Secretary Social Justice & Empowerment Deptt. Government of Gujarat
3	Shri Balwant Singh, IAS Additional Chief Secretary, Home Department, Government of Gujarat **Address:** Block No. 2, New Sachivalaya, Gandhinagar	Member	Additional Chief Secretary Home Department Government of Gujarat
4	Shri Varesh Sinha, IAS Additional Chief Secretary Labour and Employment Department Government of Gujarat **Address:** Block No. 5, 6th Floor, New Sachivalaya, Gandhinagar	Member	Additional Chief Secretary Labour & Employment Department Government of Gujarat

5	Shri M. M. Shrivastava, IAS Additional Chief Secretary Finance Department, Government of Gujarat **Address:** Block No. 4, New Sachivalaya, Gandhinagar	Member	Add. Chief Secretary Govt. of Gujarat Finance Department Sachivalaya, Gandhinagar.
6.	Smt. Sunaina Taumar, IAS Secretary, Women & Child Development Government of Gujarat **Address:** Block No. 9, 6th Floor, New Sachivalaya	Member	Secretary Women & Child Development Dept Sachivalaya, Gandhinagar
7.	Shri V.C. Verma IAS Director, Social Defense, Government of Gujarat **Address:** Block No. 16, Ground Floor, Dr. Jivraj Mehta Bhavan, Gandhinagar	Member	નિયામક સમાજ સુરક્ષા ખાતુ, ગુજરાત રાજ્ય, ગાંધીનગર

The above signatories have signed before me and I have personally verified the same:

( )

Member

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BYE-LAWS

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1. NAME:

The name of the SOCIETY shall be "**Gujarat State Child Protection Society**" hereinafter shall be referred to, as "GSCPS" unless it is repugnant in its context otherwise requires.

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3. DEFINITIONS:

In this bye-laws made there under, unless the context otherwise requires;

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Commissioner or such other officer who shall be of the rank of Secretary and above as may be decided by the State Government;

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3.23 **"Financial Year"** means a Financial Year Commencing from 1st April in each calendar year.

EXPLANATION:

a. The word importing masculine gender shall also include the feminine gender and vice-versa;

b. The world importing singular number shall also include plural number and vice-versa;

4 **ESTABLISHMENT OF GSCPS:**

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4.2 "GSCPS" shall be having perpetual succession and a common seal. GSCPS is a legal person/entity separate from the Members of GSCPS.

5 **OBJECTS:**

The objects of GSCPS shall be as per the Memorandum of Association.

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6. FUNCTIONS OF GSCPS:

To achieve the above objectives, GSCPS shall deploy and direct its resources for performance of the following key tasks:

6.1 To formulate the State Child Protection policy and state Plan of Action in consultation with State Project Support Unit, other departments, Academic Institutions/Universities, Civil Society Institution, International Agencies and NGOs;

6.2 To initiate and ensure compulsory licensing of all voluntary/Charitable organisation housing children/juveniles in the state under the Juvenile Justice Act 2000 and its amendment Act, 2006;

6.3 To receive, manage (including disbursement to implementation agencies e.g. Directorate, District Child Protection Society/Unit, NGOs etc.) and account for the funds received from the Ministry of Woman & Child Development, Government of India.;

6.4 Strengthen the technical /management functions of State Directorate as well as of the District Child Protection Society/Unit by various means including through recruitment of individuals and institutional experts from the open market;

6.5 Set up, support and monitor performance of District Child Protection Society/Unit and ensure proper flow and utilization of funds of districts through ICPS and other grant-in-aid scheme;

6.6 Ensure effective implementation of Juvenile Justice (Care and protection of the Children) Act, 2000 and its amendment Act, 2006;

6.7 Ensure effective implementation of other legislations and policies for Child Protection in the State;

6.8 To network and coordinate with all Government Department to build inter sectoral linkages on Child protection issues, including Department of Health, Education, Social, Welfare, Urban Basic Services, Backward Classes and

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6.11 Training and capacity building of all personnel working under the Child Protection System;

6.12 Submit Quarterly Progress report to Ministry of Woman and Child Development, Government of India on programme implementation and fund utilization;

6.13 Liasoning with Ministry of Woman and Child Development, Government of India and State Child Protection Society of other States;

6.14 Provide Secretarial Support to State Child Protection Committee, Project Sanctioning Committee and Sponsorship and foster care approval Committee or State Child Protection Unit, District Child Protection Unit etc.;

6.15 Maintain a state level database of all children in institutional care and family based non-institutional care and update it on quarterly basis;

6.16 Mobilize financial/non financial resources for complementing/ supplementing GSCPS activities in the State;

6.17 Organise training, meeting, conferences, policy review studies/surveys, workshop and inter-state exchange for deriving inputs for improving the implementation of State Project Support Unit in the State;

6.18 Undertake such other activities for Strengthening GSCPS or State Child Protection Committee in the state as may be identified from time to time

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including mechanism for intra and inter sectoral convergence of inputs and structures.

7. FUNDS:

7.1 The "GSCPS" shall function with an initial Fund of Rs.1501/-

7.2 The funds of the Society shall consist of the following:

- Grant or assistance received from the Government of India.
- Grants-in-Aid from the State Government.
- Grants and donations from trade, industry, institutions and individuals.
- Receipts from disposal of assets.
- Tender fees, Membership fees and other charges received by GSCPS;
- All moneys received by GSCPS from its partners as per provisions of the Memorandum of Understanding;
- Interest and Other Income etc.

7.3 The "GSCPS" shall be entitled to receive grant, donations, contribution, subscription, bequests, loan or contingency in cash or kind, either in Indian or foreign currency;

7.4 The funds (Central / State & other) of "GSCPS" should be kept in a scheduled bank account. The interest accrued on funds shall be treated as part of the "GSCPS" resources & it may utilize the interest accrued on funds for the purpose of additional activities, however not exceeding the financial limit kept under the programme and for providing additional hardware infrastructure;

7.5 The Member Secretary or any other Member so nominated by the Governing Body of the "GSCPS" shall hold and possess the said amount of Rs.1501/- (Rupees One Thousand Five Hundred only) hereinafter called the "GSCPS fund" which expression shall include further additions, the conversions thereof and/or the investments for the time being of the same and/or the investments or conversions of such accumulations, additions and accretions thereof and the

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dividends, interest and or any other income of the said "GSCPS" fund and subject to powers and provisions declared and contained hereinafter;

7.6 Land, building and equipments may be transferred to GSCPS at the value, terms and conditions as may be decided by the State Government;

7.7 The investment of the "GSCPS" fund or the interest and income thereof or any part thereof shall always be kept in the name of the "Gujarat State Child Protection Society" in scheduled banks or with agency as may be decided by the Governing Body from time to time.

8. PROPERTY OF GSCPS:

All property belonging to the society shall be deemed to be vested in the hands of the Governing Body and shall be referred to as "The property of GSCPS".

9. GOVERNING BODY:

The Governing body at any time shall consist of not less than seven Members but not more than sixteen Members, including non-officials:

The **First Members** of the Governing Body shall be as follows:

01.	Chief Secretary Government of Gujarat	Chairperson
02.	Additional Chief Secretary/Principal Secretary/Secretary, Social Justice & Empowerment Department, Government of Gujarat	Vice Chairperson
03.	Additional Chief Secretary/Principal Secretary/Secretary, Home Department , Government of Gujarat	Member
04.	Additional Chief Secretary/Principal Secretary/Secretary, Labour & Employment Department, Government of Gujarat	Member
05.	Additional Chief Secretary/Principal Secretary/Secretary, Finance Department , Government of Gujarat	Member
06.	Commissioner, Women and Child Development Department, Government of Gujarat	Member
07.	Director, Social Defense, Government of Gujarat	Member

The **Governing Body** shall consist of the following Members:

01.	Chief Secretary Government of Gujarat	Chairperson
02.	Additional Chief Secretary/Principal Secretary/Secretary, Social Justice & Empowerment Department, Government of Gujarat	Vice Chairperson
03.	Additional Chief Secretary/Principal Secretary/Secretary, Home Department, Government of Gujarat	Member
04.	Additional Chief Secretary/Principal Secretary/Secretary, Finance Department, Government of Gujarat	Member
05.	Additional Chief Secretary/Principal Secretary/Secretary, Health Department, Government of Gujarat	Member
06.	Additional Chief Secretary/Principal Secretary/Secretary, Labour and Employment Department, Government of Gujarat	Member
07.	Additional Chief Secretary/Principal Secretary/Secretary, Education Department, Government of Gujarat	Member
08.	Additional Chief Secretary/Principal Secretary/Secretary, Women and Child Development Department, Government of Gujarat	Member
09.	Additional Chief Secretary/Principal Secretary/Secretary, Panchayat Department, Government of Gujarat	Member
10.	One Representative from the Government of India , to be nominated by the Governing Body	Member
11.	Director, Social Defense, Government of Gujarat	Member

Remaining Members may be appointed by the State Government out of distinguished persons, Local Bodies, PRIs, reputed Community Based Organizations, leading Non-Government Organizations, and representatives of professionals' associations with experience and exposure in social sector management.

The State Government may reconsider and reconstitute the total strength or Membership of the Governing Body at any time, if so required.

A. MEETINGS OF THE GOVERNING BODY:

1. The Governing Body shall ordinarily meet two times in a calendar year provided that the Chairperson may himself on his own or on a requisition of one-third Members of Governing Body may require it to be called at any time. Not less than seven days notice shall be given for every meeting of the Governing Body provided that in case of urgency, shorter notice may be given with the prior approval of the chairperson. Agenda of the notice shall be finalized by Member Secretary in consultation with the Chairperson. All agenda papers of the Meeting must be in writing and should be circulated in advance before reasonable time. Proceedings of the meeting shall be prepared after conclusion of meeting and the same shall be placed by the Member Secretary before the Chairperson for approval;

2. The Minutes approved by the Chairperson shall be final and conclusive evidence for the decision taken at the meeting. In case of dispute regarding drafting of the minutes or decision at the meeting, the same shall be referred to the Governing body for approval. A copy of the proceedings of the meeting shall be finalized maximum within a period of thirty days after the date of meeting and shall be circulated to Members of the Governing Body. The minutes of the meeting can be recorded in a bound book after a lapse of three years. Each page of minutes shall be initialed by Member secretary or any Member of governing body and the last page of each minute shall be signed and dated by Chairperson of the Governing Body;

3. An emergency Meeting of the Governing Body may be convened by the Chairperson for the exigencies of work or to transact any urgent business;

4. One-third of the Members of the Governing Body, with at least one Official Member present in person, including the substitutes who have been nominated and present in person shall form a quorum at every meeting of the Governing Body. If the meeting is adjourned because of the insufficiency of the quorum, then the same shall be held after half an hour at the same place and the question of insufficiency of the quorum cannot be raised at that meeting, if

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minimum three Members are present. However presence of one official Member is necessary to constitute a valid quorum;

5. In case of difference of opinion amongst the Members, the opinion of the majority shall prevail;

6. Each Member shall have equal right to vote and each Member can caste one vote only at the meeting. A Member possessing proxy can also give a vote as a proxy over and above his own vote. The Chairperson shall have casting vote in the situation of equality of votes;

7. Every meeting of the Governing Body shall be presided over by the Chairperson and in his absence the Members present may elect the Chairperson;

8. Any resolution, except such as may be placed before the meeting of the Governing Body, may be adopted by circulation among all its Members present in India and any resolution shall be as effective and binding if majority Members have approved, as if such resolution had been passed at the meeting of the Governing Body;

9. The Chairperson shall have the power to invite any person or persons, not being Members of the Governing Body to attend the meeting of the Governing Body, but such invitee shall not be entitled to vote at the meeting.

B. TENURE OF OFFICE, RETIREMENT, RESIGNATION OF MEMBERS:

1. The tenure of office of the Chairperson will be till the Chairperson occupies the post of Chief Secretary to the Government of Gujarat. However, if the Chairperson is not appointed or vacancy is caused due to his resignation, retirement, death or for any reason or in his absence or otherwise, the Vice-Chairperson shall occupy the position of the Chairperson. The State Government shall have the right to remove the Chairperson, Member Secretary or any other Member irrespective of the completion of the tenure of his office without assigning any reason thereof;

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2. The tenure of non-official Members of the Governing Body shall be for a period of three years. The retiring Member shall not be eligible for re-appointment for a period of at least one year;

3. The vacancy caused by the transfer of an official shall be deemed to be filled upon an appointment of new incumbent in place of transferred official;

4. Save as otherwise provided in these bye-laws, the term of nominated and non-official Members of the Governing Body shall be for a period of three years from the date of nomination/appointment. The same Member may be re-appointed by the competent authority.

5. Any vacancy in the Membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the Chairperson;

6. A Member nominated as above shall continue for the remainder of the term of the Member in whose place he is nominated;

7. The Members may at any time resign from his office by giving notice in writing to the Chairperson or Member Secretary. His resignation shall take place upon acceptance of the same by the Governing Body;

8. In case any Member becomes bankrupt or insolvent or shall be convicted of a criminal offences involving moral turpitude or on account of any activity which is thought to be detrimental to the interest and/or object of GSCPS as thought fit by the majority of Members and in every of the such case, it shall be lawful for the other Member to give notice to such Members intimating that he is removed as Member and thereupon such Member shall cease to be the Member and such Member shall after receipt of such notice and whenever called upon to do so, do all necessary act on his part for vesting GSCPS fund and/or property forming part of the continuing Member or Member jointly with the new Member to be appointed under the provisions in that behalf hereinafter contained.

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C. POWERS AND FUNCTIONS OF THE GOVERNING BODY:

The Governing Body will have full control of the affairs of GSCPS and will have authority to exercise and perform all the powers, acts and deeds of GSCPS consistent with the aims and objects of GSCPS, not otherwise provided for;

In particular and without prejudice to the generality of the foregoing provision and subject to the provisions of the Memorandum of Association, the Governing Body may:

1. Make, amend or repeal any bye-laws for the administration and management of the affairs of GSCPS subject to the observance of the provision contained in the Societies Registration Act, 1860;

2. Consider the annual budget and the annual action plan, its subsequent alterations placed before it by the Member Secretary from time to time and to pass it with such modifications as the Governing Body may think fit;

3. Monitor the financial position of GSCPS in order to ensure smooth income flow and to review annual audited accounts;

4. Accept donations and endowments or give grants upon such terms as it thinks fit and to have custody of the funds of the Society;

5. Delegate its powers to the Chairperson, Member Secretary, Chief Executive Officer or other authorities of GSCPS as it may deem fit;

6. Appoint committees, sub-committees and boards etc, for such purpose and on such terms as it may deem fit and to dissolve/remove any of them;

7. Develop and adopt its own rules and regulations for recruitment and appointment of experts and administrative/technical staff and set its own compensation package for such experts/staff to be recruited from the open market and/or deputation basis;

8. Develop and adopt its own procurement procedures for procurement of goods and services;

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9. Authorize the Member Secretary, Chief Executive Officer or Other Officer to execute such contracts on behalf of GSCPS as it may deem fit in the conduct of the business of GSCPS;

10. Train or to give training in India or abroad to any Member of the staff of the Society or Governing Body of the society either in employment or likely to be in employment of the Society in future, which training in the opinion of the Society is likely to benefit the Society in its day to day working knowledge, management administration including promotional activities;

11. To prescribe qualifications and experience and approve recruitment rules of employees of GSCPS;

12. To approve the appointment of such staff as may be necessary on the recommendation of the Personnel Committee;

13. To specify the manner of appointment to temporary vacancies & approve appointment of the staff;

14. To manage and regulate the finances, accounts, investment and property of the "GSCPS" and all other affairs of the "GSCPS" and to appoint such agents /advisers as may be considered fit;

[redacted]To invest from time to time, any money belonging to GSCPS including any unapplied income, in such manner asnthinks fit;

16. To create administrative, managerial and other necessary posts after taking into account the recommendations of the Personnel/Finance Committee and to specify the manner of appointment thereto and to fix their pay scale or fixed remuneration on a contract for a fixed tenure;

17. To regulate and enforce discipline amongst the employees in the accordance with the Statutes and Ordinances;

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18. To accept transfers of any immovable/movable property on behalf of GSCPS;

19. To hold any immovable property or properties comprised in GSCPS fund with powers to sale the same with power to postpone the sale thereof or part thereof for such period as it shall in its absolute discretion think fit and shall hold all other investments comprised in GSCPS fund at its absolute discretion either to retain the same in the existing state thereof for such periods as he shall in his absolute discretion think fit and shall hold all comprised of the sale or any part thereof;

20. To purchase, take on lease hire or otherwise acquire or hold any immovable and/or movable property rights or privileges from the Government, local body, from private party or to import and to improve and develop any property necessary convenient for the purpose of GSCPS;

21. To negotiate and enter into any arrangement with other bodies, Government, Municipal or local authority that may seem conducive to all or any of the objects of GSCPS;

22. To contribute, donate, and give aid to any person, association, body and/or agency having objects similar to those of GSCPS;

23. To sell, lease, mortgage or otherwise dispose off the whole property or any part thereof belonging to GSCPS for consideration as deemed fit or rights of GSCPS for any purpose which may be found to be beneficial;

24. Constitute Executive Committee, Personnel Committee and Audit Committee consisting of persons who need not be Members of GSCPS with such Advisory functions as the Governing Body may think fit;

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25. Evaluate the performance of GSCPS and/or constitute panel of experts or engaging consultants, including those outside GSCPS for periodic evaluation of GSCPS;

26. Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them, provided that nothing herein contained shall authorize the Governing Body to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objectives of the Society.

27. To appoint any person on pay scale or on contract for fixed tenure at a fixed remuneration and other perquisites towards services rendered or to be rendered to GSCPS for implementation and execution of the programmes and for various activities. The personnel may be taken on deputation also.

D. MANAGEMENT AND ADMINISTRATION:

1. General administration of GSCPS shall be carried out by the Member Secretary cum CEO of GSCPS or other officer as may be decided by the Governing Body;

2. Governing Body may by resolution vest any such of powers to Member Secretary-cum-CEO, hereby vested in the Governing Body, as it thinks fit upon such a conditions and subject to such a restrictions as may determine and they may subject to provisions of The Societies Registration Act, 1860, The Bombay Public Trust Act,1950 and these Bye-Laws confer such powers either collateral with or to the exclusion of or in substitution for all or any of the powers;

3. The Governing Body in that behalf and may from time to time revoke, withdraw, alter or vary all or any of such powers;

4. The Members of the Governing Body or any other committee appointed by the Governing Body and invited Members shall be entitled for reimbursement of or compensation for expenditure on traveling and conveyances, actually incurred by them, in attending the meeting of the Governing Body or Committees or in performing journeys for the work of GSCPS at such rate and in such manner as may be approved by the Governing Body. The Member Secretary is authorized to incur and pay all necessary expenses on behalf of GSCPS, for registration of GSCPS;

5. The Governing Body or the committee, to which powers are delegated, shall have the power to create or cancel such number of supervisory posts depending upon size and nature activities from time to time. However, such posts can be filled up either on contract basis or on deputation only keeping the scope and nature of duties. The Member Secretary and/or CEO is authorized to create and fill up the posts for the support staff.

6. GSCPS has to prepare a budget for each financial year and get it approved by the Governing Body to carry out normal functions during the financial year.

10. POWERS AND FUNCTIONS OF THE CHAIRPERSON:

10.1 The Chairperson shall have the power to call for and preside over all meetings of the Governing Body;

10.2 The Chairperson may himself/herself call, or by a requisition in writing signed by him/her, may require the Member Secretary to call , a meeting of the Governing Body at any time and on the receipt of such requisition, the Member Secretary shall forthwith call such a meeting;

10.3 The Chairperson shall enjoy such powers as may be delegated to him by the Governing Body;

10.4 The Chairperson shall have the authority to review periodically the work and progress of the Society and to order inquiries into the affairs of the Society

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and to pass order on the recommendations of the reviewing or inquiry Committee;

10.5 Nothing in these rules shall prevent the Chairperson from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objects of the Society. However, the action taken by the Chairperson on such occasions shall be reported to the Governing Body subsequently for ratification within a period of one month or earlier.

11. EXECUTIVE COMMITTEE:

There shall be an Executive Committee, for supervising and guiding the day-to-day functions, consisting of the following Members, namely:

01.	Additional Chief Secretary/Principal Secretary/Secretary, Social Justice & Empowerment Department, Government of Gujarat	Chairperson
02.	Additional Chief Secretary/Principal Secretary/Secretary, Home Department, Government of Gujarat	Member
03.	Secretary/Commissioner, Women and Child Development Department, Government of Gujarat	Member
04.	Joint Secretary/Additional Secretary/Deputy Secretary, Social Justice & Empowerment Department, Government of Gujarat	Member
05.	Commissioner, Labour and Employment Department, Government of Gujarat	Member
06.	State Project Director, Sarv Shiksha Abhiyaan	Member
07.	Financial Advisor, Social Justice & Empowerment Department, Government of Gujarat	Member
08.	Director, Social Defense, Government of Gujarat	Member

The Executive Committee may co-opt additional Members and/or invite subject experts to its meetings from time to time as special invitees. However, the Governing Body may reconstitute the executive committee at any time, if so required.

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A. POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE:

1. The Executive Committee will be responsible for acting on and doing all deeds on behalf of the Governing Body and for taking all decisions and exercising all the powers, vested in the Governing Body except those which the Governing Body may specifically indicate to be excluded from the jurisdiction of Executive Committee;

2. The Executive Committee shall have under its control the Management of all the day- to- day affairs and funds of the Society;

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

   i. To frame, amend or repeal Rules Regulations or Operational Manual, not inconsistent with the Bye-Laws, for the administration and management of the affairs of GSCPS;

   ii. To frame various policy & procedures to discharge functions of GSCPS;

4. The Executive Committee shall have the power to enter into arrangement with other public or private organizations or individuals for furtherance of its objects;

5. The Executive Committee shall have powers for securing and accepting endowments, bequeaths, grants-in-aid, donations, or gifts to the Society on mutually agreed terms and conditions provided that conditions of such grant-in-aid donations or gifts shall not be inconsistent or in conflict with the objects of the Society or with the provisions of these Rules;

6. The Executive Committee shall have the power to take over and acquire by purchase, gift or otherwise from Government and other public bodies for private individuals, movable and immovable property or other funds together with any attendant obligations and engagements not inconsistent with the objects of the Society and the provisions of these Rules up to the Financial Limits approved by Governing Body.;

7. The Executive committee shall have powers to undertake or give contract for construction of the building required for use of the Society and to acquire stores and services required for the discharge of the functions of the Society.

8. Subject to the provisions of, Societies Registration Act, 1860, the Executive Committee shall have the power to sell, lease any movable or immovable property, of the Society provided that no assets of the Society created out of the Government grants shall, without the prior approval of Government, be disposed of, or encumbered or utilized for purposes other than those for which the grant was sanctioned;

9. To propose regulations for considerations and adoption by the Governing Body;

10. To publish or finance the publication of studies, treaties, books, periodicals, reports and other literature, as it may deem fit, from lime to time;

11. To exercise all powers of GSCPS as may be delegated by the Governing Body;

12. To purchase furniture/fixtures, electric & electronic items and other necessary infrastructure for GSCPS;

13. To engage consultant and advisors as envisaged in these bye laws and particularly to prepare the personnel management policy and business plan and to recruit qualified staff as per that plan without resorting to any further approval from the State Government;

14. To appoint any person on pay scale or on contract for fixed tenure at a fixed remuneration and other perquisites towards services rendered or to be rendered to GSCPS for implementation and execution of the programmes and for various activities. The personnel may be taken on deputation also;

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15. To perform such other duties and take all decisions as may be delegated by the Governing Body.

B. PROCEEDINGS OF THE EXECUTIVE COMMITTEE:

Every meeting of the Executive Committee shall be presided over by the Chairperson and in his absence, by a Member chosen by the Members present at the meeting in chair for the occasion.

1. One third of the filled up strength or two Members whichever is higher of the Members Executive Committee present in person shall constitute a quorum at any meeting of the Executive Committee provided that no quorum shall be necessary in respect of any adjourned meeting if at least one official Member is present;

2. No less than five days' notice of every meeting of the Executive Committee shall be given to each Member of the Executive Committee provided that, the Chairperson may call an emergency meeting at the shorter notice;

3. Every notice calling a meeting of the Executive Committee shall state the date, time and place at which such meeting will be held and shall, except otherwise, provided in these rules, be under the signatures of the Member-Secretary or Chief Executive Officer;

4. The Executive Committee shall meet as frequently as necessary but at least once in each quarter of the year;

5. The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting;

6. The various Committees constituted by the Governing Body shall submit their reports to the Executive Committee who shall be empowered to take decisions on their recommendations.

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12. PERSONNEL COMMITTEE:

There shall be a Personnel Committee for supervising and guiding the matters relating to personnel management, consisting of the following Members:

i. The Chairperson of the Executive Committee of GSCPS shall be the Chairperson of the Personnel Committee.

ii. The Chief Executive Officer of GSCPS shall be the Vice-Chairperson of the Personnel Committee.

iii. A person from the field of Personnel Management/HRD as appointed by Governing Body.

iv. One Member nominated by the Chairperson of Governing Body

v. Head of Administration/HR of GSCPS as Member Secretary.

However, the Governing Body may reconstitute the Personnel Committee at any time, if so required.

A. POWERS AND FUNCTIONS OF PERSONNEL COMMITTEE:

1. To prepare organizational chart, personnel and HR policy and all matters pertaining to personnel and HR;

2. To act as a grievance cell so as to solve the matters/disputes related to personnel;

3. To maintain data bank relating to present staff structure of GSCPS, to receive bio-data of future candidates, interview and recommendation for appointment;

4. To look after all activities relating to personnel policy, appointment, remuneration, promotion, retirement, discipline and conduct of the employee;

5. To exercise all powers of GSCPS as may be delegated by the Governing Body;

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6. To appoint any person on pay scale or on contract for fixed tenure at a fixed remuneration and other perquisites towards services rendered or to be rendered to GSCPS for implementation and execution of the programmes and for various activities. The personnel may be taken on deputation also.

7. All other acts and things relating to personnel matters as may be required.

In absence of Constitution of or functioning of Personnel Committee, the executive committee shall function as personnel committee.

13. AUDIT COMMITTEE:

There shall be an Audit/Finance Committee for supervising and guiding the matters relating to Finance and Audit, consisting of the following Members:

i. The Chairperson of the Executive Committee of GSCPS shall be the Chairperson of the Audit Committee;

ii. The Chief Executive Officer of GSCPS shall be the Vice-Chairperson of the Audit Committee.

iii. A person from the field of finance like Chartered Accountant, Company Secretary etc. as appointed by Governing Body.

iv. Internal Auditor of GSCPS

v. One Member nominated by the Chairperson of Governing Body

vi. An officer in-charge of finance and accounts of GSCPS as Member Secretary.

A statutory auditor of GSCPS shall be called as a special invitee. However, the Governing Body may reconstitute the Audit Committee at any time, if so required.

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A. POWERS AND FUNCTIONS OF AUDIT COMMITTEE:

1. To take policy decisions relating to accounting standards, procedures and methods of accounting, audit, forms and reports to be prepared regarding financial matters and other matters relating to financial management;

2. To draft a well laid down internal audit system in consultation with external expert agencies in this field and recommend the same to Governing body for its implementation;

3. To examine the annual accounts of GSCPS and advise the Governing body thereon;

4. To review the financial position of GSCPS from time to time;

5. To make recommendations to the Governing Body on all financial matters relating to GSCPS;

6. To make recommendations to the Governing body and Executive Committee on all proposals involving raising funds, receipts and expenditure;

7. To make recommendations on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget;

8. To review audit para and finalize the reply;

9. Follow-up activities for timely audit of GSCPS accounts and income tax related matters;

10. Preparation and examination of budget estimates, the sanctioning of expenditure, making and execution of contracts and advice the Governing body thereon;

11. Any other activities as may deem fit.

In absence of Constitution of or functioning of Audit Committee, the Executive Committee shall function as Audit Committee.

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14. MEETINGS, TENURE OF OFFICE, RETIREMENT, RESIGNATION OF EXECUTIVE COMMITTEE, PERSONNEL COMMITTEE AND AUDIT COMMITTEE:

14.1 Save as otherwise provided in the Memorandum, the term of nominated Members of the Executive Committee shall be for a period of three years from the date of nomination;

14.2 The tenure of office of the Chairperson will be till the Chairperson occupies the post of Chief Secretary to the Government of Gujarat. However, if the Chairperson is not appointed or vacancy is caused due to his resignation, retirement, death or for any reason or in his absence or otherwise, the Vice-Chairperson shall occupy the position of the Chairperson. The State Government shall have the right to remove the Chairperson, Member Secretary or any other Member irrespective of the completion of the tenure of his office without assigning any reason thereof;

14.3 The Executive Committee shall remain in the office for a period of three years. The official Members will not be liable to retire by rotation. The vacancy caused by the transfer of an official shall be deemed to be filled upon an appointment of new incumbent in place of transferred official;

14.4 Any vacancy in the Membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the Chairperson;

14.5 The Executive Committee shall ordinarily meet once in three months. Thus there shall be at least four meetings in every calendar year. An emergency meeting of the Executive Committee may be convened by the Members in such manner as may be prescribed by the regulations. However, Personnel Committee and Audit Committee shall meet as required from time to time. There shall not be any regulatory limit for meetings of these committees;

14.6 The chairperson of the Executive Committee shall preside over the meetings and in his absence the Member Secretary will preside over the meeting;

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14.7 The chairperson shall have the power to invite any person not being a Member of the Executive Committee to attend a meeting but such invitees shall not be entitled to vote at such a meeting;

14.8 A Member may at any time resign from his office by giving notice in writing to the Chairperson or Member Secretary. His resignation shall take place upon acceptance of the same by the Governing Body.

15. MANAGEMENT:

15.1 Subject to superintendent, control and directions of the Governing Body, the day-to-day management and administration of GSCPS shall be vested in the hands of CEO and/or Member Secretary of Governing Body;

15.2 The Governing Body may delegate such day to day management functions in a manner as may be deemed fit;

15.3 The Governing Body may, by resolution, delegate such powers to the Executive Committee, CEO and/or Member Secretary etc. as it thinks fit upon such conditions and subject to such restrictions as may be necessary but subject to provisions of the Societies Registration Act, 1860, the Bombay Public Trust Act, 1950 and these bye-laws;

15.4 The Governing Body in that behalf and may from time to time revoke, withdraw, alter or vary all or any of such powers;

15.5 The Members of the Governing Body, the Executive Committee or any other committee shall be entitled for reimbursement of or compensation for expenditure on travelling and conveyances actually incurred by them in attending the meeting of the Governing Body, the Executive Committee or any other committee or in performing journeys for the work of GSCPS at such rate and in such manner as may be approved by the State Government. The Chairperson, the CEO and/or Member Secretary shall be entitled for salary, remuneration or honorarium and other prerequisites.

The Member Secretary is authorized to incur and pay all necessary expenses on behalf of the society, for registration of GSCPS.

16. **BANK ACCOUNT:**

The Member Secretary shall open and maintain in the name of GSCPS a current account, savings account or in fixed deposits, in scheduled Bank. All money received by the Governing Body shall be credited in such account. The Member Secretary may retain in his hands any amount for current expenses, as he may in his absolute discretion think fit and proper. The Member as per resolution of the Governing Body may operate upon such account.

17. INVESTMENT OF FUNDS & SUBJECT MATTER OF PROVISIONS:

17.1 All moneys forming part of GSCPS funds and requiring investment shall be invested in the name of GSCPS and operated in a manner as approved by the Governing Body.

17.2 Subject to provisions of the Societies Registration Act,1860 and the Bombay Public Trust Act, 1950, and relevant laws framed or to be framed by Government, the Member shall invest GSCPS fund and the net amount released on the sale of GSCPS fund and the income and accumulation of GSCPS fund with all convenient dispatch in;

i. In any one or more of the securities as defined in Section 20 of the Indian Trust Act with liberty at his absolute discretion to sale, vary, transpose and convert the same from time to time;

and/or

ii. In any Government, Corporation, Institutions, undertaking or commercial bank/s or in other forms permissible under the Income Act 1961, in force from time to time or such terms and condition, as he may deem fit.

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18. POWERS TO RAISE MONEY:

The Governing Body is hereby authorized to apply payment for any purpose in any manner as permissible under the applicable laws, bye-laws, rules and regulations or guidelines. The Governing Body shall have power to raise money by way of financial instruments, bonds, deposits and through such other manner as prescribed under the provisions of Societies Registration Act,1860 and the Bombay Public Trust Act, 1950 .The Governing Body shall also have a power to raise the money required by sale, conversion, calling in or mortgage or otherwise with or without giving security of all or all or any part of GSCPS fund, in such manner as they shall in their discretion think fit and proper in accordance with the provisions of Societies Registration Act,1860 and the Bombay Public Trust Act,1950.

The Governing Body may in their discretion guarantee the payment of money and the performance of obligations and giving indemnities and charge deposit of otherwise encumber the whole or any part thereof the provisions of Societies Registration Act, 1860 and the Bombay Public Trust Act, 1950 fund as security for any such guarantee or indemnity.

19. ACCOUNTS AND AUDIT:

19.1 GSCPS shall cause proper accounts and other records in relation thereto be kept, including institution of proper system of internal checks and prepare an annual statement of accounts, including an income and expenditure account and balance sheet in such a manner as may be prescribed in the bye-laws;

19.2 The accounts of GSCPS shall be audited by a Statutory Auditor who shall be Chartered Accountant as defined in the Chartered Accountants Act, 1949 (XXVIII of 1949) and shall be appointed by the Governing Body;

19.3 The accounts of GSCPS certified by the Statutory Auditors so appointed or any other person authorized in his behalf, together with the audit report

thereon shall have to be placed at an Annual General Meeting and shall be filed with income tax and charity commissioner's office.

20. ANNUAL REPORT:

GSCPS shall prepare for every year, a report of its activities during the previous year and submit the report to the Governing Body on or before such date as may be prescribed and copies of the report shall be submitted to the State Government and Government of India.

21. ANNUAL GENERAL MEETING:

GSCPS shall convene and conduct the Annual General Meeting in the town where the registered office of GSCPS is situated. The class of Members shall be entitled to attend the General Meeting by himself or through proxy. The proxy need not be Member of GSCPS. Annual General Meeting must be convened within six months from the date of closure of the Financial Year.

Governing Body shall have to approve the following business as a regular business:

- To take note of appointment of the Members during the year;
- To take note of appointment of the Chairperson, Member Secretary and the Members of the Governing Body;
- To present the report obtained from the Members of the Governing Body on the previous year's working of GSCPS;
- To consider and adopt financial Statement along with Statutory Auditors report which has been obtained from the Governing Body, on the previous year's working of GSCPS;
- To consider and give suggestions regarding improvement in the activities of GSCPS;

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- To approve Budget for the next year, if possible;
- To appoint Statutory Auditor for the next year and to fix remuneration;
- To amend constitutional changes with requisite majority;

A. **PROCEDURE FOR AGM**

1. GSCPS shall, after giving at least fourteen days notice, hold an Annual General Meeting at least once in every year and not more than 15 months shall elapse between two successive Annual General Meetings. The Annual General Meetings may however, be called by giving shorter notice;

2. The Balance Sheet, Income & Expenditure Account, Auditors' Report and Annual Progress Report in respect of the financial year ending on the 31st March, proceeding shall be placed at the Annual General Meeting of GSCPS for adoption;

3. At least 2/3rd Members of GSCPS present at Annual General Meeting shall form a quorum;

4. The Chairperson, of the Governing Body shall preside over the Annual General Meeting. If the Chairperson is not present, Members present may select themselves from any person among the Members present, as the Chairperson.

22. DISPUTE:

It shall be lawful for the Member to settle accounts and to compromise compound, abandon, or refer to arbitration any action, proceeding or disputes, claims, demands or things relating to any matter in connection with these presents and do all other things proper for such purpose without being responsible for any loss occasioned thereby.

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23. SUITS AND PROCEEDINGS BY AND AGAINST GSCPS:

23.1 GSCPS may sue or may be sued in the name of the Chairperson, Member Secretary or any office bearer authorized by the Governing Body in this behalf;

23.2 No suit or proceeding shall abate by reason of any vacancy or charge in the holder of the office by the Chairperson, Member Secretary and Chief Executive Officer or any office bearer authorized in this behalf;

23.3 Every decree or order against GSCPS in any suit or proceedings shall be executable against the property of GSCPS and not against the person or of the property of the Chairperson, Member Secretary and Chief Executive Officer or any office bearer;

23.4 Nothing herein shall exempt the Chairperson, the Member Secretary or any other office bearer of GSCPS from any criminal liability under the Act or entitled him to claim any contribution from the property of GSCPS in respect of any fine paid by him on conviction by a criminal court;

23.5 Every Member, Officer or staff of GSCPS may be sued or prosecuted by GSCPS for any loss or damage caused to GSCPS or its property for anything one by him detrimental to the interests of GSCPS as a result of his willful misconduct, forgery or fraud;

i. A notice may be served upon any Member of GSCPS either personally or by sending it through the Post in an envelope addressed to such Members at the addressed to such Members at the address mentioned in the roll of Members.

ii. Any notice so served by post shall be deemed to have been duly served on the day following that on which the letter, envelope or wrapper containing the same is posted and in providing such service it shall be sufficient to prove that the cover containing

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such notice was properly stamped and addressed and put into the post office mail box.

24. ALTERATION OR EXTENSION OF THE OBJECTS OF GSCPS:

GSCPS may, subject to the prior approval of the State Government alter or extend the objects for which it is established in the following way:

24.1 The Governing Body shall submit the proposition for such alteration or extension as aforesaid to the Members of GSCPS in a written or printed report;

24.2 The Governing Body shall put up such proposal at Annual General Meeting or convene an Extra Ordinary General Meeting for consideration of the said proposition;

24.3 Such proposal shall be delivered or sent by post to every Member of GSCPS along with a clear notice of fifteen days prior to convening of the Meeting as aforesaid or with shorter notice if agreed by all the Members;

24.4 Such proposition is confirmed by a resolution passed by three fifth of the Members present at such Meeting so convened;

24.5 The Bye-laws and Rules of GSCPS may be altered at any time, with prior approval of the State Government and by a resolution passed by three fifth of the Members of GSCPS present and voting in any General Meeting of GSCPS which shall have been duly convened for the purpose. The modified Rules will be deemed to have come into force in accordance with the provisions contained in the Societies Registration Act, 1860 and the Bombay Public Trust Act, 1950.

25. ACTS AND PROCEEDINGS NOT TO BE INVALIDATED BY THE VACANCIES ETC.:

No acts or proceedings of the Governing Body, the executive committee or any other authority of the Society or any committee constituted under this Memorandum of Association and Bye-laws, shall be questioned, merely on the grounds of the existence of any vacancies in or defect in constitution of, the Governing Body, the Executive Committee, the Concern Authority or such Committee.

26. IT SHALL BE LAWFUL FOR THE GOVERNING BODY:

26.1 To appoint Executive Committee or Managing Committee of Governing Body or such other committees to assist him in day to day management and administration of this GSCPS and also to assist him to do the needful to achieve the object of this GSCPS and it shall also be lawful for the Governing Body to dissolve such Committee. Acts done by such Committees shall have same effect as if the Governing Body has done the same. The Governing Body shall have absolute power to frame Rules and Regulations of such Committee;

26.2 To sell or dispose off any portion of GSCPS assets, either by public auction or any private contract on such terms and conditions relating to titles or otherwise, in all respects as he may be in his absolute discretion think fit and proper and to re-sell same without being answerable for any loss occasioned thereby and for that purpose to sign and execute all the non-conveyances, transfers and other deeds and assurance and to pass valid and effectual receipt and discharges for the money received by him;

26.3 To have an inherent power to open, maintain and operate banking accounts in the name of GSCPS with any nationalized banks as they shall from time to time decide and all money shall be paid in such account or accounts and carry on all banking transactions with any

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banks in such manner as the Member may decide in his absolute discretion;

26.4 To accept, upon such terms as they may think, fit any donations or contributions which any person may be desirous of making to GSCPS funds (whether such donation or contributions be of money, shares and securities, debentures, bonds, stocks and/or other property movable or immovable including lands and agricultural lands).

PROVIDED ALWAYS that the terms upon which such donations or contribution shall be accepted shall not in any way be inconsistent with or without repugnant to the objects of these presents and shall only be for the purpose of GSCPS created under these presents to be utilized only in furtherance of its objects.

PROVIDED ALWAYS AND IT IS HEREBY DECLARED AND AGREED that save as otherwise expressly provided by the terms of the donations or contributions aforesaid the Governing Body shall in that absolute discretion be entitled to treat such donations or contributions or any part thereof as part of the corpus of GSCPS funds to utilize such donations or contributions or any part thereof for the furtherance and fulfillment of the objects of GSCPS.

i. To raise or borrow money required for the purpose of any objects of GSCPS and/or for carrying out any repairs to any immovable property or properties for the time being belonging to GSCPS upon such terms and conditions and securities as the Governing Body or the Executive Committee may in its absolute discretion deem fit and proper from time to time and in particular upon the mortgage hypothecation or pledge of GSCPS fund or any part thereof, with or without any securities and at such rate of interest and on such terms and conditions as the Governing Body or the Executive Committee may in its absolute discretion think fit and proper if the situation so require;

ii. To delegate by power of attorney or otherwise to any Member of Officer or other person or persons whosoever except any powers implied by law or conferred by statue or vested in the Member or Officer or other person by this presents but the Member or Officer or other person shall not be held

liable or responsible for the acts or defaults of any other Member or Officer or person but only for his own respective acts and defaults;

iii. To apportion GSCPS funds and to compromise or compound all actions suits and other proceedings and all difference and demands to arbitration and to adjust, settle and approve all accounts relating to GSCPS funds and to execute release all documents necessary in the premises and to do all other things relating thereto respectively as full as if they were absolutely entitled GSCPS funds and without being answerable for the loss occasioned thereby;

27. TRUSTEES:

The Members of the Governing Body shall also the Trustees of GSCPS for the purpose of the Public Trust Act if GSCPS is registered under the Bombay Public Charitable Trust Act, 1950, at any point of time.

28. REIMBURSEMENT OF EXPENSES:

The Governing Body shall be entitled to reimburse themselves or pay and discharge out of GSCPS fund all costs charges and expenses incurred by them in or about the establishment of GSCPS.

29. POWERS OF THE GOVERNMENT:

Notwithstanding anything to the contrary contained in these Memorandum of Association and bye-laws, the Ministry of Women and Child Development, Government of India as a Principal Donor and similarly the Department of Social Justice & Empowerment, Government of Gujarat or the Department under whose administrative control GSCPS function may give the directions or instructions for just and reasonable purpose or in public interest and the same shall be binding to GSCPS.

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30. DISSOLUTION:

In case the Governing Body unanimously decides to dissolve GSCPS, then the whole GSCPS fund existing at such time including original corpus as increased by subsequent additions shall be transferred to the State Government or shall be handed over to other Society having similar objects and purposes as may be decided by the State Government.

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We, the several persons whose names and addresses are hereunder subscribed are desirous of being formed into a 'Gujarat State Child Protection Society'. "GSCP Society' under the Societies Registration Act, 1860 and under the provision of Bombay Public Charitable Trust Act, 1950, in pursuance of this deed of Memorandum of Association and Bye Laws:

Sr No	Name, address and Designation	Status in society	Signature with Rubber Stamp
1	Shri Achal Kumar Joti, IAS Chief Secretary, Government of Gujarat **Address:** Block No. 1, New Sachivalaya, Gandhinagar	Chairman	A. K. JOTI Chief Secretary Government of Gujarat
2	Shri Prem Kumar Taneja, IAS Principal Secretary, Social Justice & Empowerment Department, Government of Gujarat, **Address:** Block No. 5, 8th Floor, New Sachivalaya, Gandhinagar	Vice Chairman	(P. K. Taneja) I.A.S. Principal Secretary Social Justice & Empowerment Deptt. Government of Gujarat
3	Shri Balwant Singh, IAS Additional Chief Secretary, Home Department, Government of Gujarat **Address:** Block No. 2, New Sachivalaya, Gandhinagar	Member	Additional Chief Secretary Home Department Government of Gujarat Gandhinagar.
4	Shri Varesh Sinha, IAS Additional Chief Secretary Labour and Employment Department Government of Gujarat **Address:** Block No. 5, 8th Floor, New Sachivalaya, Gandhinagar	Member	Additional Chief Secretary Labour & Employment Department Government of Gujarat

(P. K. Taneja) I.A.S.
Principal Secretary
Social Justice & Empowerment Deptt.
Government of Gujarat

5	Shri M. M. Shrivastava, IAS Additional Chief Secretary Finance Department, Government of Gujarat **Address:** Block No. 4, New Sachivalaya, Gandhinagar	Member	Addl. Chief Secretary Govt. of Gujarat Finance Department Sachivalaya, Gandhinagar.
6.	Smt. Sunaina Taumar, IAS Secretary, Women & Child Development Government of Gujarat **Address:** Block No. 9, 6th Floor, New Sachivalaya	Member	Secretary Women & Child Development Dept' Sachivalaya, Gandhinagar
7.	Shri V.C. Verma IAS Director, Social Defense, Government of Gujarat **Address:** Block No. 16, Ground Floor, Dr. Jivraj Mehta Bhavan, Gandhinagar	Member	નિયામક સમાજ સુરક્ષા ખાતુ, ગુજરાત રાજ્ય, ગાંધીનગર

The above signatories have signed before me and I have personally verified the same:

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સમાજ સુરક્ષા ખાતુ,
ગુજરાત રાજ્ય, ગાંધીનગર

Member