

KARNATAKA STATE
INTEGRATED CHILD PROTECTION SOCIETY

MEMORANDUM OF ASSOCIATION

**MEMORANDUM OF ASSOCIATION
OF
KARNATAKA STATE INTEGRATED CHILD PROTECTION SOCIETY**

- 1 Name of the Society** The name of the society shall be **KARNATAKA STATE INTEGRATED CHILD PROTECTION SOCIETY**, hereinafter referred to as the ‘Society’
- 2 Address of the Society** The registered office of the Society shall be located at the Directorate of Women and Child Development, M.S. Building, Bangalore 560001
- 3 Area of operation** The area of operation of the society shall extend over the whole state of Karnataka and it will function through District Child Protection Societies (DCPS) at the district level

4. Objectives of the Society: The society shall facilitate and operate in an additional managerial and technical capacity to the Department of Women and Child Development, Government of Karnataka for the implementation of the ICPS in the state.

- a. Set up SARA at the state level
- b. Set up DCPU in all the districts
- c. Establish and strengthen a continuum of services for emergency outreach, institutional care, family and community based care, counseling and support services.
- d. To act as a nodal agency for evolving policies, programmes and strategies for the protection of children in Karnataka through coordinated efforts of various government departments and non-government organizations.
- e. To synergize the efforts of various government departments / organizations, NGOs, civil societies and development agencies for effective implementation of the programmes and services which are aimed at protection of children in general and girl child in particular.
- f. To act as nodal agency for effective enforcement of child related legislations for protection of children such as JJ Act, Commission for Protection of Child Rights Act 2005, Prohibition of Child Marriage Act etc.

- g. To review the existing policies, programmes and services at various levels, evolve suitable strategies to bridge the implementation gaps and extend support for effective implementation.
- h. To consolidate and upscale the achievements and best practices of the departments and organizations in relation to protection of children
- i. To be a center for capacity building; collection, collation and dissemination of information on all aspects of protection of children and act as a forum of advocacy for the formulation and implementation of child protection policies, plans and programs
- j. To commission evaluations, studies/research status papers on issues related to children.
- k. To co-ordinate with various departments, NGO's, research & training organizations, universities/educational institutions, media and advocacy groups, professional associations, corporate sector, other civil organizations, public representations, youth groups etc as partners in protection of children. .
- l. To establish, promote, co-operate with, become a member of, act as, or appoint trustees, agents or delegate to control, manage, assist any associations and institutions and other bodies engaged in any of the fields for which this Society is established.

To achieve the aforesaid objectives, the Society shall perform the following key tasks:

- i. Formulate the State Child Protection Policy and State Plan of Action in consultation with State Project Support Unit (SPSU), other Departments, Academic Institutions / Universities, Civil Society Institutions and NGOs.
- ii. Initiate and ensure compulsory registration of all voluntary / charitable organisations housing children / juveniles in the State under the Juvenile Justice Act 2000 and its Amendment Act 2006.
- iii. Receive, manage and account for the funds received from the Ministry of Women & Child Development, Government of India.
- iv. Strengthen the technical / management function of the State Directorate the District Child Protection Units (DCPU) and other structures under the ICPS programme.

- v. Set up, support and monitor performance of District Child Protection Societies and ensure proper flow and utilization of funds to the districts through ICPS and other grant-in-aid schemes;
- vi. Ensure effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 and Amendment Act 2006
- vii. Ensure effective implementation of other legislations and policies for child protection in the State viz. Hindu Adoption and Maintenance Act (HAMA) 1956; Guardians and Wards Act (GAWA) 1890; Child Labour (Prohibition and Regulation) Act 1986; Prohibition of Child Marriage Act, 2006 and Immoral Traffic (Prevention) Act, 1986, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 etc. and any other Act that comes into force for protecting child rights;
- viii. Network and coordinate with all government departments to build inter-sectoral linkages on child protection issues, including Departments of Health, Education, Social Welfare, Urban Basic Services, Backward Classes & Minorities, Youth Services, Police, Judiciary, Labour, State AIDS Control Society, among others;
- ix. Network and coordinate with voluntary and civil organizations working in the field of child rights and protection;
- x. Carry out need-based research and documentation activities at state-level for assessing the number of children in difficult circumstances and creating State-specific databases to monitor trends and patterns;
- xi. Training and capacity building of all personnel (Government and Non-government) working under child protection system;
- xii. Submit Quarterly Progress report to the Ministry of Women and Child Development, Government of India on programme implementation and fund utilization;
- xiii. Liaison with the Ministry of Women and Child Development , Govt. of India and State Child Protection Societies of other States.
- xiv. Provide secretarial support to the State Child Protection Committee (SCPC).
- xv. Maintain a state level database of all children in institutional care and family based non-institutional care and update it on a quarterly basis.
- xvi. Mobilize financial / non-financial resources for complementing / supplementing the SCPS activities in the State.

- xvii. Organize training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits etc. for improving the implementation of ICPS in the State.
- xviii. Undertake such other activities for strengthening ICPS in the State as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures.
- xix. Evolve strategies and schemes for children in the form of mass media campaigns, community awareness programs, integrated education programs, help lines, information and data centers, counseling centers, community vigilance, sensitization training for various stakeholders etc., by coordinating with the various experts and agencies etc.
- xx. Prepare, print, publish issue, acquire and circulate books, reports, studies, papers, periodicals, exhibits, films, slides, video, tapes, circulars, and engage in other IEC activities connected with or having a bearing on the objectives of the Society.
- xxi. Assist, guide or collaborate with other organizations or institutions in India having objectives wholly or partly similar to those of the Society in such a manner for effective implementation of ICPS.
- xxii. Solicit the participation of various non-government bodies in the activities of the Society, on such terms and conditions as the General Body may deem fit, for attaining the objectives of the Society

For performing the above tasks, the Society shall:

1. Establish and carry out the administration and management of the Society and set up State Adoption Resource Agency (SARA) at the state level and District Child Protection Societies (DCPU), which will serve as the implementation and coordinating arm of the Society at the district level.
2. Create administrative, technical and other posts in the Society as deemed necessary.
3. Establish its own procurement procedures and employ the same for procurement of goods and services.
4. Employ, retain or dismiss personnel as specified in the ICPS Scheme.
5. Coordinate, with key functionaries both government and non government organizations such as law enforcers, judiciary, juvenile justice boards, child welfare committees and other committees and rights based

organizations to evolve and implement protocols and guidelines for victim /witness support, victim friendly protocols for speedy and effective justice delivery system.

6. Coordinate with various government and non-government organizations who are providing institutional and non-institutional protection services such as transit homes, shelters, children's homes, special homes, drop in centers, bridge schools, care and support centers and rescue homes etc., for providing appropriate support and rehabilitation services mental health interventions, quality education program, life skills, livelihood skills after care services as per prescribed minimum standards of care
7. Prepare time bound action plans with monitorable indicators for the implementation of the same through partner departments, NGOs / Private sector etc.,
8. Develop guidelines, conditions, procedures, monitoring systems, appropriate strategies including co-management / public-private management, standards of protocol etc for securing qualitative improvements in institutional and other services provided by departments concerned.
9. Constitute various committees as per the ICP Scheme and prescribe criteria/conditions and procedures etc., for selecting/screening/ nominating members to district level societies, Child Welfare Committees, Juvenile Justice Boards and other authorities as required.
10. Establish, equip and maintain any training /resource and data centre and such other facilities as are necessary for carrying out the objectives of the society;
11. Levy fees or other charges for development and/or other services/facilities provided by the society at such nominal or other rates as may be specified by the governing body; provided same shall be used for furtherance of objectives of society
12. Institute and award scholarships, prizes and medals in accordance with the Byelaws/guidelines as shall be laid down.
13. Do all such other things as may be deemed incidental or conducive to the attainment of the foregoing objects
14. The State Society shall be supported by the Program Development Monitoring & Evaluation Cell (P, M & E Cell)Co-ordinate /liaise between the Central Project Support Unit, (CPSU) Ministry of Women & Child

Development, GOI and Government of Karnataka on the implementation of the Integrated Child Protection Scheme (ICPS)

Co-ordinate and liaise with Executive Committee/Sub Committees of experts / NGOs etc., as may be constituted, by the Executive Committee on issues relating to Program planning, implementation, monitoring & evaluation.

Existing CPU which was set up in coordination with UNICE is functioning since February 2009 at the Directorate of Women and Child Development will continue to function till December 2012 and will provide financial assistance to enhance quality in the programmes

15. In addition to this the society shall also undertake the functions of SARA and DCPUs as provided in the ICP Scheme

16. The income the Society will be utilized only for the objective of the Society, it will never be distributed among members in any manner.

Declaration:

We, the following persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Karnataka Societies Registration Act, 1960 this Fourteenth Day of January 2010 at Bangalore.

**KARNATAKA STATE INTEGRATED CHILD PROTECTION SOCIETY
FOUNDER MEMBERS**

1.	Principal Secretary/Secretary to Government Department of Women and Child Development	Member
2.	Additional Secretary to Government (welfare) Finance Department	Member
3.	Principle Secretary to Government, Planning, Monitoring and Statistics department	Member
4.	Commissioner, Department of Labour	Member
5.	State Project Director, Karnataka State Aids Prevention Society, Bangalore	Member
6.	Project Director , National Rural Health Mission	Member
7.	State Project Director, Sarva Shiksha Abhiyana	Member
8.	Project Director (RCH), Health & Family Welfare	Member
9.	Commissioner , Social Welfare	
10.	Inspector General of Police (Training)	Member
11.	Joint Director,(PDM) Women and Child Development	Member
12.	Regional Director, NIPCCD	Member
13.	Director , BOSCO	
14.	Director, APSA	
15.	Director, Women and Child Development	Member Secretary

*The income the Society will be utilized only for the objective of the Society, it will never be distributed among members in any manner

**Director, Women and Child Development is authorized to correspond with Registration Department regarding registration

Date:

Witness

1. Name and Address age occupation Signature

**RULES AND REGULATIONS OF
THE KARNATAKA STATE INTEGRATED CHILD PROTECTION
SOCIETY**

1. These Rules and Regulations may be called “ The Rules and Regulations of Karnataka State Integrated Child Protection Society 2010”

2. **Definitions:**

In these rules unless the context otherwise require:

- (a) “Act” means The Karnataka Societies Registration Act, 1960.
- (b) “ICPS” means Integrated Child Protection Scheme.
- (c) “Executive Committee” means the Executive Committee of the Society to which the administration of the Society is entrusted.
- (d) “Financial year” means the year commencing on the 1st April of one calendar year and ending on the 31st of March of the next calendar year.
- (e) “General Body” means the General Body of the Society.
- (f) “Society” means the Karnataka State Integrated Child Protection Society.
- (g) “State Government” means the Government of Karnataka.
- (h) “Chairperson” means the Chairperson of the General Body of the Society.
- (i) “Vice Chairperson” means the Vice Chairperson of the General Body of the Society and Chairperson of the Governing Body of the Society and shall be the Principal Secretary/Secretary of the Women and Child Development Department.

(j) “Member Secretary” means the Member Secretary of the General Body and Executive Committee. and shall be the Director of the Women and Child Development Department

(k) “Institution” means all child care institutions including Children Homes ,Observation Homes, Special Homes, Shishu Mandir, After care Institutions, Shishugruhas, Fit Institutions and Adoption agencies under the Juvenile Justice System.

(l) “Member” means a member of the Society.

3. Authorities of the Society:

- a) The General Body
- b) The Executive Committee
- c) State Adoption Resource Agency (SARA)
- d) District Child Protection Units (DCPU)

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shall be located at the Directorate of
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Building, Bangalore 560001
- 3. Area of operation** : The area of operation of the society shall
extend over the whole state of Karnataka
and it will function through District Child
Protection Societies (DCPS) at the
district level

Authorities of the Society:

- e) The General Body
- f) The Executive Committee
- g) State Adoption Resource Agency (SARA)
- h) District Child Protection Units (DCPU)

4.Members of the Society

Nominated officers by the State Government and NGO representative have eligibility to have membership in the Society .Representatives from various Departments of the Government, representatives of statutory bodies (SCPCR SHRC,) NGOs, representatives of other organizations as may be determined by the Chairperson or the Vice Chairperson from time to time shall be the members of the Society

The names, addresses, occupations and designations of the members of the General Body of the Society to whom the rules and regulations of the Society, the management of its affairs is entrusted as required under the Karnataka Societies Registration Act, 1960 are as follows

Sl. No.	Name and Address	Status in the General Body
1.	Minister for Women and Child Development, Government of Karnataka , Bangalore	Chairperson
2.	Principal Secretary /Secretary to Government, Women and Child Development	Vice - Chairperson
3.	Secretary to Government, Home Department	Member
4.	Secretary to Government (Expenditure, Finance Department	Member
5.	Principle Secretary to Government, RDPR Department	Member
6.	Secretary to Government, Law, Justice and Human Rights	Member
7.	Secretary to Government, Department of Health & Family Welfare Services	Member
8.	Secretary to Government, Department of Social Welfare	Member
9.	Secretary to Government, Department of Backward Class and Minorities	Member
10.	Secretary to Government, Plan, Programme and Statistics Department	Member
11.	State Project Director, Sarvashiksha Abiyana	Member
12.	Secretary, Karnataka State Legal Services Authority	Member
13.	Director, National Rural Health Mission	Member
14.	Project Director, Karnataka State Aids Prevention Society, Bangalore	Member
15.	Additional Secretary (Welfare Finance Department	Member
16.	Project Director (RCH, Department of Health & Family Welfare Services	Member
17.	Director, National Rural Employment Guarantee Agency	Member

18.	Secretary to Government, Department of Labour	Member
19.	Inspector General of Police	Member
20.	Director General of Police (Training	Member
21.	Director, Employment and Training	Member
22.	Deputy Inspector General of Police, State Crime Records Bureau	Member
23.	Member, State Human Rights Commission	Member
24.	Chairman/Secretary Member, Karnataka State Commission for the Protection of Child Rights	Member
25.	President, Karnataka State Council for Child Welfare	Member
26.	Regional Director, NIPCCD	Member
27.	Joint Director (PDM WCD	
28.	Vice-Chancellor or Representative NLSIU	Member
29.	Director BOSCO	Member
30.	Director APSA	Member
31.	Director Justice and Care	Member
32.	Director, Women and Child Development	Member-Secretary

5. Acceptance or Rejection of Membership

Any new membership is considered to be accepted only after it is accepted in the Governing body meeting

Endorsement in case of rejection of the membership should be intimated with in 60 days with due reasons and an opportunity to appeal to the general body with in 60 days from date of receipt of endorsement

6. Rights of Member

Every member has all rights reserved to participate in all proceedings of the General Body once his /her membership is accepted. All categories of members have rights to participate in the General Body

Any member

7. Cessation of membership

Any member of the General Body shall cease to be member` if they resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which s/he was holding the membership

8. Roll Of Members

The Society shall keep a roll of members giving their addresses and occupations and every member shall sign the same

8a. Addresses of Members.

If a member of the Society changes his/her address he/she shall notify his/her new address to the Member Secretary who shall thereupon enter his/her new address in the roll of member. But if a member fails to notify his/her new address the address in the roll of members shall be deemed to be his/her address

9. Tenure of the Governing Body

The General Body will constitute the executive committee for period of **5 years** having its members as members of executive committee

No act or proceedings of the Society or of the General Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its members.

10. POWERS AND FUNCTIONS OF THE GENERAL BODY

1. The General Body will have full control of the management of the affairs of the Society in accordance with the rules and regulations of the Society.

2. The General Body shall have all such powers and shall perform all such functions as are necessary for the achievement and furtherance of the objectives of the Society:

3. To receive grants from Government of India and other agencies, and to release directly in full to the District Child Protection Units for speedy implementation of Scheme..

4. To impose and recover fees and charges for the services rendered by the Society, to raise funds, as deemed fit and necessary for the purpose of the objectives of the Society.

5. Make, amend, or repeal any bye laws relating to administration and management of the affairs of the Society subject to the observance of the provisions contained in the Act.
6. Summon the annual meeting of the society; Keep proper accounts of the society and to open Bank account in the name of society in one or more of the nationalized banks, maintain accounts, which will be audited annually by a qualified auditor or auditors.
7. Approve 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 General Body may think fit.
8. Monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts.
9. Accept donations and endowments or give grants upon such terms as it thinks fit.

10. SELECTION OF EXECUTIVE COMMITTEE

The Executive Committee shall have authority to execute decisions taken by General Body

General Body shall nominate 15 members for The Executive Committee which shall be approved by the Government, 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 its jurisdiction by the Executive Committee.

10.1 The composition of the Executive Committee shall be as follows:

1.	Principal Secretary/Secretary to Government Department of Women and Child Development	Member
2.	Additional Secretary to Government (welfare) Finance Department	Member
3.	Principle Secretary to Government, Planning, Monitoring and Statistics department	Member
4.	Commissioner, Department of Labour	Member
5.	State Project Director, Karnataka State Aids Prevention Society, Bangalore	Member

6.	Project Director , National Rural Health Mission	Member
7.	State Project Director, Sarva Shiksha Abhiyana	Member
8.	Project Director (RCH), Health & Family Welfare	Member
9.	Commissioner , Social Welfare	
10.	Inspector General of Police (Training)	Member
11.	Joint Director,(PDM) Women and Child Development	Member
12.	Regional Director, NIPCCD	Member
13.	Director , BOSCO	
14.	Director, APSA	
15.	Director, Women and Child Development	Member Secretary

:The Executive Committee has authority to co-opt additional members and also can invite subject experts to its meetings from time to time as special invitees.

10.2 POWERS & FUNCTIONS OF THE EXECUTIVE COMMITTEE

- a. Meetings of the Executive Committee shall be convened by the Member Secretary on the direction of the Chairperson by giving clear seven days notice in writing along with the Agenda specifying the business to be transacted, the date, time and venue of the meeting.

Meetings of the Executive Committee shall be held at least once in two months or as may be necessary for normal functioning of the Society.

The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting with out fail.

- b. The Executive Committee will constitute special Advisory Board comprising of officials/NGOs experts/ as required for a specific duration / assignments /purposes
- c. The Executive Committee will set up the administrative and financial guidelines for operation of DCPUs and monitor the activities of the Society at District and at institutional level

- d. The Executive Committee shall assist the General Body in all its functions and responsibilities. This committee shall work out and execute/implement the overall action plan approved by the General Body.
 - e. The day to day business and affairs of the Society shall be carried on and managed by the Executive Committee. And the Member Secretary shall be the Project Director of the Society from the Department of Women and Child Development, Government of Karnataka, or as otherwise notified by the State Government.
 - f. Create temporary or contractual posts for the society, lay down terms and conditions of recruitment, service and review of such employees, termination thereto. The Society shall also employ on deputation basis such officers and staff as shall be deputed by the state government. The powers to create posts and appointment to posts carrying salaries higher than Rs.20,000/- per month will rest with the General Body.
 - g. On any matter pertaining to the objectives of the Society or administration and management of the Society Executive committee can form committees /sub committees and can seek cooperation from Secretaries / Head's of the Departments / experts / NGOs etc., as may be required, for specific tasks or for the disposal of any of its business or for tendering advice or such proposals etc., Various committees constituted by the General body shall submit their reports to the executive committee who shall be empowered to take decisions on their recommendations
 - h. Propose Rules amendments to existing Rules for consideration and adoption by the General Body
 - i. Approve the budget estimates of the Society and also authorize operations of the funds of the Society.
 - j. Approve the Annual Report and Annual Accounts of the Society and place before the General Body for approve
 - k. Approve the eligibility conditions, duration and the selection criteria/process for engaging experts, NGO's, private sector partners, individuals to be co-opted at Institutional level and District level Units and other bodies for achieving the objectives of the Society.
1. The Executive Committee shall approve standards of protocols for Homes/Institutions and such other standards, procedures and practices for the smooth functioning of the Society and its district branches, and monitor its implementation.
 - ii. The Committee will deal with any property belonging to or vested in the Society so as to suit its best interest;

iii. The Committee will delegate such of its powers to the Programme Managers and through them or directly to other members of staff of the Society or any Committee or sub-Committees appointed by it, as it may consider necessary or desirable; All such approvals shall have to be approved / ratified by the Governing Body.

iv. The Executive Committee can delegate any of its functions to the Member-Secretary

11. Special Financial Powers of the Executive Committee:

- a) To sanction expenditure and approval of all contracts of all categories, wherein the value of contract is less than Rs. 50,00,000 (Rs. Fifty lakhs).
- b) To sanction job consultancy services on honorarium basis of more than Rupees 30,000.

12. Meetings of the Executive Committee:

The executive Committee shall ordinarily meet once in two months or as and when necessary, on the direction of Chairperson by giving clear seven days notice along with agenda specifying the business to be transacted, the date, time and venue. Five members of the Committee including the Chairperson shall constitute the quorum of the meetings. The minutes of the meeting will be placed before the General Body for approval

13. POWERS & FUNCTIONS OF THE CHAIRPERSON OF THE EXECUTIVE COMMITTEE

Officer currently dealing with child welfare/development programmes in the State Government shall be Chairperson of Executive Committee of the State Child Protection Society and functioning under the overall administrative control and supervision of the Chairperson .

Chairperson shall have the powers to call for and preside over all meetings of the Executive Committee

The Chairperson may himself/herself call, or by a requisition in writing signed by him/her, may request the Member Secretary to call, a meeting of

the EC at any time and on the receipt of such requisition, the Member Secretary shall forthwith call such a meeting.

The Chairperson shall have the authority to review periodically the work and progress of the Committee and to order inquiries into the affairs of the Committee and to pass orders on the recommendations of the reviewing or inquiry Committee

He/She shall coordinate among various Executive Committee members for the development of the Society. *****

In case of votes for and against a particular issue being equal the Chairperson shall exercise by casting his/her vote.

The Chairperson shall be the sole and absolute authority to judge the validity of the votes cast by members at executive committee meetings.

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

. The Chairperson shall also enter into and make contracts and deeds on behalf of the Society with prior approval of the Executive Committee.

The Chairperson is empowered to take all administrative decisions pertaining to the implementation of the ICPS and shall have all financial power regarding purchase of articles and procurement of goods and disbursement of funds.

The Chairperson is empowered to take all administrative decisions pertaining to the implementation of the ICPS and shall have all financial power regarding purchase of articles and procurement of goods and disbursement of funds.

The chairperson shall facilitate formulation of child protection policies and programmes and State Plan of Action for Children

The chairperson shall also ensure setting up of State Commission for Protection of the Rights of the Child and Child Welfare Committees, Juvenile Justice Boards and Special Juvenile Police Units in every district.

Coordinate with the State Commission for the Protection of the Rights of the Child.

The Chairperson shall also ensure compulsory licensing of all child care institutions in the state including voluntary/charitable organizations housing children under the Juvenile Justice Act, 2000.

The Chairperson shall facilitate inter-sectoral convergence with allied departments like home, health, labour, education, Panchayat and Rural Development, Municipal Affairs, youth services, Finance, Minority Affairs, Backward Class department among others.

The Chairperson of the EC shall head the Project Sanctioning Committee to be set up by the EC for examining and clearing proposals/ projects submitted by the voluntary organizations under the different programme components of the ICPS. The recommendations of the committee will be placed before the EC for decision.

The Chairperson shall enjoy such powers as may be delegated to him by the EC

14. Powers and Functions of the Member Secretary

The **Member Secretary** shall be responsible for the day to day affairs of the Society and will report to the Chairperson of the Executive Committee regarding all matters and affairs of the Society. He/She shall also perform all such duties and carry out all such directions as may be given to him/her by the Chairperson or the Convener of the Society.

He/She shall be responsible for management, supervision and monitoring of the implementation of the ICPS. He/she shall supervise the work of the State Child Protection Society, the State Adoption Resource Agency (SARA) and all the District Child Protection Societies (DCPUs) of the State.

The **Member Secretary** shall be responsible for the management of the staff both full time and part time of the Society. He/She shall assign tasks, supervise and exercise overall control including discipline of the staff members.

The **Member Secretary** shall be authorized to appoint persons to the posts of pay of Rs. 5000/- and below on terms of reference approved by the EC.

The **Member Secretary** shall be responsible for the Annual Budget planning, fund flow, accounting systems, submission of periodic accounts; and timely release of funds and monitoring of utilization to concerned agencies/organizations implementing ICPS and other child protection programmes at state and district levels.

He/she shall place before the Executive Committee the Annual Action Plan, Budget Plan, Annual Progress Report, all other proposals of the Society for approval.

He/She shall also arrange for audit of accounts of the Society by the auditors appointed by the Executive Committee of the Society, which would be a Chartered Accountant and accountant General of Karnataka.

The Co-convener shall convene the meetings of the General Body, the Executive Committee, including the Annual General Body, the Extraordinary General Body Meeting etc.

He/She shall prepare the agenda for circulation to all members, maintain all the records and proceedings of the meetings, and place all necessary and relevant records, papers, and documents at the meeting for approval.

He/She shall be responsible for the execution of all policies and action agendas adopted in the different meetings.

He/She shall sign all deeds and documents on behalf of the society according to the directions of the General Body or Executive Committee.

He/She shall be responsible for execution of all functions on behalf of the Society as stipulated in the Act including submission of reports, financial statements, list of members of the Executive Body as stipulated under Section 13 of the Act.

He shall sue or be sued and defend the Society in all legal proceedings with the concurrence of the Executive Committee.

The **Member Secretary** shall also be responsible for an utmost transparent financial and program implementation system, ensuring accountability at all levels, including information and data on web-site detailing budgets, receipts of funds, donations in cash/kind/services, activity reports, list of services – both government and non-government etc.

15. Special Financial powers of the Member Secretary:

- a. Toward contracts/incur expenditure in individual case upto Rs.5.00 lakhs (Rupees twenty lakhs only)
- b. To sanction expenditure upto Rupees One lakh at a time on all schemes or items which have not been included in the approved project.
- c. To sanction job consultancy service on remuneration basis upto Rupees 0.5 lakh
- d. Any proposal for expenditure beyond the limits prescribed above shall be placed before the Executive Committee for its approval. The above items shall be reported to the Executive Committee.
- e. The Member Secretary can incur any extra-ordinary expenditure subject to the ratification by the Executive Committee for the General Body within 3 (three) months of such expenditure.
- f. To do such other acts as may be necessary and executed for the achievement of any or all the objectives of the Society.

The Member Secretary can delegate any of the functions with the previous approval of the Executive Committee to any officers of the Society.

15. Special General Body Meeting (Memorandum, Byelaws, Amendment Rules)

As per the sections 9,10,21,22 and 23 of the Karnataka State Societies Registration Act 1960, amendment can be made to Objectives and Byelaws of the Society.

Every notice calling for the meeting of the Special General Body shall be issued 21 days before the date of meeting specifying the time, place, day and hour of the meeting.

The Chairperson of the General Body or the Vice-chairperson of the Society may convene Special Meetings of the General Body to consider any matter of special importance or urgency or on the written requisition of not less than one third members of the General Body specifying the purpose for which the meeting is proposed to be called.

As per the provisions of Karnataka State Societies Registration Act 1960 and its Rules , Proceedings of the Special General Body meeting Should be Submitted to office of the Registrar with in 30 days . Any amendment shall be implemented only after approval from the Registrar of societies.

16 General Body

- a. The General body of the Society shall consist of not more than 32 persons including the Chairperson and representatives from various Departments of the Government, representatives of statutory bodies (SCPCR , SHRC, State AIDS Control Society, SCRB) , NGOs, representatives of other organizations as may be determined by the Chairperson or the Vice Chairperson from time to time..
- b. Non - official members of the Society will be nominated by the State Government/ Chairperson and shall hold office for a period of three years from the date of nomination. Such members will be eligible for re-nomination for another period of three years from the date of nomination or till such time his nomination is terminated whichever is earlier.
- c. Resignation of membership shall be tendered to the Governing Body in person to its Member Secretary and shall not take effect until it has been accepted by the Chairperson on recommendation of Governing Body.
- d. If a member of the Society changes his/her address he/she shall notify his/her new address to the Member Secretary who shall thereupon enter his/her new address in the roll of member. But if a member fails to notify his/her new address the address in the roll of members shall be deemed to be his/her address.
- e. Any vacancy in the Society or in the General Body shall be filled by the authority entitled to make such appointment as per 5(1)of the Rules and Regulations.

- f. Delegate specific powers and duties and assign such functions and responsibilities as necessary to the Chairperson, Vice - Chairperson, Member Secretary or other authorities of the Society as it may deem fit.
- g. Appoint committees for such purpose and on such terms as it may deem fit, and to dissolve / remove any of them.
- h. 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.
- i. Approve the recommendations of the Executive Committee regarding terms and conditions of service, qualifications and experience, method of appointments and termination thereto of employees under the scheme on deputation/contract
- j. Develop and adopt its own procurement procedures for procurement of materials and supplies as per existing rules.
- k. Authorise the Member Secretary to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society.
- l. . 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 General 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 General Body and other authorities, or which may be inconsistent with the objectives of the Society.
- m. to acquire by way of lease, sublease, gift, purchase, exchange, hire or in any other manner, any movable or immovable properties and any rights or privileges necessary or convenient for the purposes of the Society and to construct, erect, alter, improve and maintain any building and to construct, improve, alter, demolish or repair buildings and to manage, develop, sell, let, dispose off, mortgage, or otherwise deal with all or any part of the assets and rights of the Society with a view to achieve the objectives of the Society in accordance with law;
- n. to accept grants of money, equipment, land, buildings, donations, gifts, subscriptions and other assistance from the State/ Central Government or from any other source and to conform to the conditions on which such grants, other payments and assistance may be received, provided that no benefaction shall be accepted by the

Society, which in its opinion involves conditions or obligations
Contrary to the objectives of the Society;

17. Meetings of General Body:

The Society shall hold an ordinary general meeting as and when necessary. At least 21 days notice specifying the time, place, day and hour shall be given to every member of the society provided that accidental lapse on the part of the Society to give such notice within 21 days to any member shall not invalidate any resolution passed at such meeting.

In the event of any very urgent business, emergency meeting may be called on 24 hours' notice. If the Chairperson or the Executive Chairperson receives a requisition for calling a meeting signed by one-third members of the Governing Body, the Chairperson or the Executive Chairperson shall call such a m

The General Body shall meet at least once in a year and not more than 15 months shall elapse between two successive Annual General Body meetings. At the Annual General Meeting of the General Body the following business shall be brought forward and disposed of:

- Annual Report of the Society.
Income and expenditure account and the balance sheet for the past year.
- Budget for the next year.
- Appointment of Auditors
- Annual Action Plan and research work for the next year.
- Appointments for the Executive Committee and the various Committees.
- Other issues with the permission of the Chairperson.

Principal Secretary / Secretary may depute his/her nominated representative not below rank of joint. Secretary to attend General Body Meeting, in the event that she or he cannot attend due to more urgent preoccupation
Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Member Secretary of not less than ten clear days before the day of such meetings.

Any business which it may become necessary for the Governing Body to perform except such as may be placed before its Annual Meeting may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least one third members of the Governing Body have recorded their consent of such resolution

In the event of any urgent business, the Chairperson or the Executive Chairperson of the Society may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.

A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body members as soon as possible after completion of the meeting.

18. Notice of the Meetings:

- (a) Every meeting of the General Body shall be convened by notice issued by the Secretary or any other officer of the Society so authorised in this behalf to every member of the Society.
- (b) Every notice calling for the meeting of the General Body shall be issued 21 days before the date of meeting specifying the time, place, day and hour of the meeting.

19. Quorum:

One third of the membership including the Chairman present in person shall constitute the quorum for any meeting of the General Body provided that if a meeting is one adjourned for want of a quorum, a subsequent meeting called on the basis of the same agenda shall not be required for a quorum.

The Chairperson of the Society shall ordinarily preside over all the meetings of the General Body. In the absence of the Chairperson, the Vice Chairperson, shall preside over the meeting of the General Body and in the absence of both Chairperson and Vice Chairperson, the members present shall

choose one from amongst themselves as Chairperson to preside over the meeting.

20. Voting:

Each member of the General body shall have a vote and if there be an equality of votes on any question to be determined by the General Body, then the Chairperson shall have a casting vote to decide the issue. In case of difference of opinion amongst the Members on any matter under discussion in a meeting the opinion of the majority present shall prevail.

21. POWERS AND FUNCTIONS OF THE CHAIRPERSON OF THE GENERAL BODY

The Chairperson shall have the powers to call for and preside over all meetings of the General Body.

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.

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

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 and to pass orders on the recommendations of the reviewing or inquiry Committee.

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.

22. POWERS AND FUNCTIONS OF THE VICE CHAIRPERSON OF THE GENERAL BODY

The State Child Protection Society shall be functioning under the overall administrative control and supervision of the Vice Chairperson. He/she shall spearhead the effective implementation of ICPS in the State and would ensure inter-sectoral convergence with allied departments in the State.

The Vice Chairperson is empowered to take all administrative decisions pertaining to the implementation of the ICPS.

Report to the Chairperson General Body on all matters pertaining to functioning of SCPS.

Consider and approve programs of the Society within the scope of the objectives of the Society and within the scope of budget as approved by General Body ;draw up development plans of the Society, as approved by the General Body.

Cooperate and collaborate with other State level, national and / or foreign institutions / international organizations and ensure inter departmental Coordination in the pursuit of its objectives;

The Executive Chairperson shall exercise all financial power regarding purchase of articles and procurement of goods and disbursement of funds and place all financial transactions before the EC for ratification

Negotiate, enter into and make contracts and deeds on behalf of the Society with prior approval of Executive Committee.

Solicit and receive grants, gifts, donations or other contributions from the Central / State Government or from any other source, provided that no benefaction shall be accepted by the Society which involves conditions or obligations contrary to the objectives of the Society;

Appoint Committees or sub-committees, by whatever name called, of members of the SCPS to manage such activities as s/he may deem fit and / or otherwise authorize any member of the Society to appoint such Committees;

Function as the appointing and disciplinary authority in respect of staffs appointed in SCPS, SARA and SPSU; will also function as appellate authority in respect of staffs of DCPU

The Vice Chairperson shall enjoy such powers as may be delegated to him/her by the Chairperson.

Exercise such other powers as may be assigned to her/him by these Bye-laws framed there under.

23. Funds of the Society:

1. The Society shall receive such grants, subsidies, from Government of Karnataka and Government of India, International agencies, voluntary organizations, individuals and local bodies.
2. Funds received by way of donations, contributions and gifts in kind or cash.
3. Funds received in any other manner or form from any other source.
4. Rent, interest, dividend or any other income received upon the investment of funds of the Society.
5. Receipts from the disposal of assets.

24. Bank Accounts

1. The funds of the Society, shall be deposited in a Nationalized /or any of the Scheduled banks in such manner as the Executive Committee may deem expedient from time to time in the interest of the Society.
2. The funds of the Society shall be invested in the modes specified under the provisions of section 13(1) (d) and section 11(5) of the Income Tax Act, 1961 as amended from time to time.
3. The Bank Account of the Society shall be operated upon jointly by the Chairperson and Member Secretary of the Society or any other officer as may be delegated by the Executive Committee.

4. All funds shall be paid into the Society's account with the concerned bank and shall not be withdrawn except through a cheque or through electronic banking procedures signed/ electronically authorized by the Executive Committee.

5. The Society shall switch over to e-banking procedures as and when the Ministry of WCD GOI directs the Society to do so.

6. The funds and the income of the Society shall be utilised for the achievement of the aims and objectives of the Society and no portion of it shall be utilised for payment to the Members by way of profits, interest, dividends etc. and shall not be spent on any purpose other than the following:

a. payment of salaries, allowances and expenses to the staff of the society;

b. payment of expenses for the administration of the Society including meetings, travel, audit of the accounts of the funds of the Society;

c. The payment for any legal proceedings to which the Society or any member if authorised by the Society thereof is a party for such proceedings are undertaken for the purpose of securing or protecting the rights and interest of the Society and its members subject to the **section 6** of the Societies Registration Act, 1960 with the approval of Executive Committee.

d. Publication of periodicals or magazines furthering particularly the interest of the Society and its Members.

25. Book of Accounts:

The following records shall be kept in the Society

- a. Cash book
- b. Bank Passbook
- c. Property Register (movable and Immovable)
- d. Receipt book and vouchers
- e. Register of members on General Body
- f. Meeting proceedings register

26. Accounts and Audit

1. The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society
2. The Accountant General, Karnataka, shall be appointed as Auditor of the Society on mutual consent basis at its Annual General Body meeting and he/she shall audit the accounts of the Society.
3. The auditor of the Society shall have access to the books, accounts, ledgers, connected vouchers and all other documents and papers of the Society and shall be entitled to such information and explanation as he thinks necessary for the performance of his duties as auditor.
4. All accounts of the Society shall be maintained regularly by Accounts officer appointed under the ICPS and accounts shall be duly audited by a Chartered Accountant firm. The accounts shall be closed by 31st March annually.
5. The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report along with its observation to the State Government.
6. The Auditor shall also forward a copy of the report to the Chairperson and Executive chairperson of the Society.

27. Seal

The Society shall have a common seal of such make or design as approved by the General Body and shall be kept in safe custody, to be used only by authorized persons.

28. Amendments

1. No amendments, alterations, changes additions or deletions shall be made to the Memorandum of Association / Bye-laws / Rules and Regulations which is inconsistent with the provision of Sections 2(5),11,12,13 and 80G of the Income Tax Act, 1961 as amended from time to time.

2. The proposition for any alteration or extension to the objectives of the Society and or the rules must be included in the written agenda of the ensuing meeting of the General body or a Special meeting of the General body

3. The Executive Committee with the prior approval of the General Body may amend the bye laws at any time, by a resolution passed by two thirds majority of the General Body which shall be notified to the Registrar of Societies for incorporation/confirmation.

4. Further, no amendment having a bearing on the aforesaid provisions of the Income Tax Act, 1961, shall be carried out without the prior approval of the Commissioner of Income tax.

29. Dissolution

The General Body may resolve to dissolve the Society by bringing a proposal to that effect in a special meeting to be convened for the purpose.

In the event of dissolution of the Society all the assets and immovable properties of the Society, after the settlement of all its debts and liabilities shall be made over to the State Government for such purposes as it may deem fit

The Society shall not be dissolved unless 3/5th of its members express a wish for such dissolution by their votes delivered in person or by proxy at the Meeting of the Society convened for the purpose.

30. Merger

As per Section 21 of Karnataka Society Registration Act 1960 the Society may merge with any other institutions.

31. Suits and Proceedings:

1. The Society may sue or be sued in the name of the Society through its Member Secretary.
2. No suit or proceedings of the Executive Committee or any authority of the Society or any Committee constituted under the byelaws shall be questioned on the ground of any vacancy or change in the office of the

Chairperson or Member Secretary or any office bearer authorised in this behalf.

3. Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chairperson, Member Secretary or any office bearer of the Society.
4. Nothing in sub-rule 11.3 above shall exempt the Chairperson, Member Secretary or office bearer of the Society from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

32. MISCELLANEOUS

Contracts

All contracts and other instruments for and on behalf of the Society shall be subject to the provisions of the Act, be expressed to be made in the name of the Society and shall be executed by the persons authorised by the Governing Body.

No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Society with any member of the Society or his/her relative or firm in which such member or his/her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said member is a partner or director.

33. COMPLIANCE OF STATUTORY REQUIREMENTS

The Society shall register itself with relevant government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants and experts employed by it and/or consultancies/contracts awarded by it in the course of performance of its tasks.

We, the undersigned being three of the members of the first Governing Body of the Karnataka State Integrated Child Protection Society, Karnataka certify that the above is a correct copy of the Rules and Regulations of the said Society.

34. **Application of the Act**

For all the matters for which no provision or insufficient provision is made, the provisions of the Karnataka Societies Registration Act,1960 and the Rules made there under shall apply.

Sd/-
Chairperson
&
Secretary
Govt. of Karnataka.

Sd/-
Member Secretary

Sd/-
Treasurer

