

**MEMORANDUM OF ASSOCIATION
OF
STATE WATER AND SANITATION MISSION, HARYANA (SWSMH)**

- 1. Name of the Society** The name of the Society will be State Water and Sanitation Mission, Haryana, (SWSMH) as a registered society;
- 2. Address** The registered office of this society will in the premises of office of the Engineer-in-Chief, Haryana, Public Health Engineering Department, Bay No. 13-18, Sector-4, Panchkula;
- 3. Objectives** The primary objectives of State Water and Sanitation Mission, Haryana (SWSMH) Haryana, as a Society will be to provide broad state specific policy and programmes implementation framework to enable the PRIs and community based organizations etc to play their role effectively in planning and implementation of National Rural Drinking Water Programme and Total Sanitation Campaign;
- 4. Functions** The main functions of SWSMH as society are as follows:
- 1) To provide policy guidance on water and sanitation and related sectors and periodic review of implementation of the MOU signed with the Department of Drinking Water Supply and Sanitation, Govt of India;
 - 2) To consider and give approval of policy and programs pertaining to water supply and sanitation programmes funded wholly or partially by the

Government of India or the external funding agencies;

3) To converge various water supply and sanitation activities including special projects;

4) To coordinate with various state govt. departments and other partners in relevant activities;

5) To monitor and evaluate physical and financial performance and management of the water supply and sanitation specific projects;

6) To arrange independent certification of the quality of construction and performance of various water supply and sanitation projects;

7) To integrate and operate communication and capacity building programmes for water supply and sanitation sector;

8) To make rules and regulations for managing the affairs of the society and any amendment thereto from time to time;

9) To accept grant-in-aid from the State Govt. / Govt. of India / any other source and donations or funds for the society;

10) To incur expenditure for managing the affairs of the society;

11) To create technical, administrative, managerial, academic posts and make recruitment in the society and to make payments

according to the rules and regulations of the society;

12 To purchase, hire, take on lease, exchange or otherwise acquire property, moveable or immovable including funds, construct and maintain-buildings in the manner deemed fit, as may be necessary for carrying out the objectives of the society;

13 To recommend levying of user charges for various rural water supply and sanitation programme related services and utilization of the same for the improvement of the services;

14 To organize trainings, meetings, conferences, policy review studies, workshop, exchange programme, visits and surveys etc;

15 To approve Annual Action Plan under water sector and state annual implementation plan under TSC before clearance from Government of India through Govt of Haryana;

16(a) To maintain the accounts for programme & support funds under water supply & sanitation programmes and carrying out the required audits for the accounts;

(b) In case of the funds received by the District Rural Development Agencies (DRDAs) / SWSMH, the Mission Director, SWSMH / Financial Commissioner & Principal Secretary to Govt. Haryana, Development and Panchayats Department shall

countersign the UC duly signed by the Chairman and the Chief Executive Officer of the DRDA / DWSM and furnish to the Government of India together with its recommendation for further release of funds;

(c) The TSC project accounts maintained by the DRDAs / DWSMs / VWSC will be audited by Chartered Accountant to be engaged by DRDAs / DWSMs and State level accounts under TSC to be audited by the CAG empanelled Chartered Accountant;

17 To undertake research and development on sustainable technological solutions for water supply and sanitation;

18 To scrutinize and approve district level proposal under TSC received from the DRDAs / DWSMs before forwarding the same to GOI;

19 Any other issues pertaining to water supply and sanitation;

**5. Members of the Society
of NRDWP, GOI**

a) Founder Member

All the members who have signed an authenticated memorandum of the society and rules & regulations of the society will be treated as founder members and will be to provide broad state specific policy and programme implementation frame work to enable the PRIs and community organizations to play their role effectively;

b) Donor Member:

Any Govt. or institute or body or person who contributes to the corpus of the society not less than Rs. 10.00 lacs at a time will be a donor member of the society. The Department of Drinking Water Supply, Ministry of Rural Development, Government of India will be the main donor for remittance of funds to society for support activities;

c) **Special Member:** Any high ranking officers from Department of Drinking Water Supply, Ministry of Rural Development, Government of India;

The SWSMH would have

(i) Apex Committee

(ii) Executive Committee.

6 Apex Committee :- The Apex Committee consists of following members:

1	The Chief Secretary, Govt. of Haryana	Chairperson
2	The Financial Commissioner & Principal Secretary to Govt. Haryana, Development & Panchayats Department	Member
3	The Financial Commissioner & Principal Secretary to Govt. Haryana, Public Health Engineering Department	Member
4	The Financial Commissioner & Principal Secretary to Govt. Haryana, Finance Department	Member
5	The Financial Commissioner & Principal Secretary to Govt. Haryana, Planning Department	Member
6	The Financial Commissioner & Principal Secretary to Govt. Haryana, Health Department	Member
7	The Financial Commissioner & Principal Secretary to Govt. Haryana, Education Department	Member
8	The Financial Commissioner & Secretary to Govt. Haryana, Information & Public Relations Department	Member
9	The Financial Commissioner & Principal Secretary to	Member

	Govt. Haryana, Irrigation Department	
10	The Financial Commissioner & Principal Secretary to Govt. Haryana, Women & Child Development Department	Member
11	The Financial Commissioner & Principal Secretary to Govt. Haryana, Agriculture Department	Member
12	Special Secretary and Director, Development and Panchayat Department (will also act as Mission Director/ Member Secretary for sanitation sector)	Member
13	Member Secretary, Haryana State Pollution Control Board	Member
14	Regional Director, Central Ground Water Board, Chandigarh (Expert)	Member
15	Director, NIC, Haryana unit (Expert)	Member
16	Engineer In Chief, Public Health Engineering Department, Haryana (will also act as Mission Director for water supply sector)	Member Secretary

7 Functions of (Apex Committee) SWSMH

- 1) To provide policy guidance on integrated implementation of Water Supply and Sanitation programmes & all other activities under water and sanitation related sectors;
- 2) To review periodic implementation of the water supply and sanitation programmes;
- 3(a) To furnish to the Government of India, Utilization Certificates (UCs) and Audit Certificates (ACs) for the funds received by the SWSMH;
- (b) In case of the funds received by the Executive Engineers of Public Health Engineering Department and Development and Panchayat Department or DWSM, Member Secretary, SWSMH for water supply and Special Secretary and Director, D&P for sanitation will countersign the UC duly signed by the Executive

Engineers, PHED / D&P respectively or Chairman and the Chief Executive Officer of DWSM and furnish to the Government of India together with its recommendation for further release of funds.

(c) The water supply and sanitation project accounts maintained by the EEs PHED / D&P / DWSM / VWSC will be audited by chartered Accountants to be engaged from the empanelment of Government of India by EEs PHED / D&P/DWSM.

In case of the funds received by the District Rural Development Agencies (DRDAs) / DWSM, the Mission Director, SWSMH shall countersign the UC duly signed by the Chairman and the Chief Executive Officer of the DRDA/DWSM and furnish to the Government of India together with its recommendation for further release of funds.

The TSC project accounts maintained by the DRDA/DWSM/VWSC will be audited by chartered Accountant to be engaged by DRDA/DWSM;

4) To arrange periodic monitoring and review the functioning of water supply and sanitation schemes by officers, experts, NGOs, institutions, etc through suitable monitoring mechanism and system developed by the state government;

- 5) To consider the approval of all schemes pertaining to water supply and sanitation sector programmes funded fully or partially by the Govt. of India or the external funding agencies;
- 6) To converge various water supply and sanitation activities including special projects;
- 7) To open a separate saving bank account in the State Bank of India or its associated Bank in the name of Member Secretary, State Water and Sanitation Mission, Haryana, Haryana of the respective departments and maintained by SWSMH to receive funds from the central/state government;
- 8) To arrange independent certification of the quality of construction under water supply and sanitation projects as per need;
- 9) To coordinate with various state departments and other partners in relevant activities;
- 10) To give appropriate direction to the EEs PHED / D&P/ DWSMs for effective implementation of water supply and sanitation projects;
- 11) To integrate & operate communication & capacity building programs for water supply and sanitation sector;
- 12) To carry out evaluation on water supply and sanitation projects.

13) To undertake research and development on sustainable technological solutions for water supply and sanitation;

14) To Co-opt three experts each in the field of water supply and sanitation sector as members;

15) To scrutinize and approve district level proposals under sanitation programmes received from the D&P department before forwarding the same to GOI;

The administrative approval of new rural water supply schemes and allocation of funds to ongoing/new schemes will be accorded by the Water Supply & Sewage Board, Haryana. The approvals will thereof be brought to the notice of SWSMH in its next meeting;

16) The State Level Executive Committee will aid and advise the Apex Committee;

17) The State Level Executive Committee could co-opt experts not exceeding six, in the field of water supply & sanitation, Communication and Rural Development, Community Health and Hygiene, Community Mobilization, Media and NGOs as members;

18) To scrutinize and approve district level proposal under TSC received from the DRDAs/DWSMs before forwarding the same to GOI;

19) Any other issue pertaining to water supply and Sanitation sector;

The Apex Committee shall meet at least twice in a year.

8. Declaration

We, the several persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Society do hereby subscribe our names to this Memorandum of Association and set out several and respective hands hereunto and form ourselves into a Society under the Societies registration Act, 1860 (Act No. XXI of 1860) this -----day of 2011 at Panchkula.

Sr.No	Occupation & Address	Status in Society	Signature	Attested By
1	The Chief Secretary, Govt. of Haryana	Chairperson		
2	The Financial Commissioner & Principal Secretary to Govt. Haryana, Development & Panchayats Department	Member		
3	The Financial Commissioner & Principal Secretary to Govt. Haryana, Public Health Engineer Department	Member		
4	The Financial Commissioner & Principal Secretary to Govt. Haryana, Finance Department	Member		
5	The Financial Commissioner & Principal Secretary to Govt. Haryana, Planning Department	Member		
6	The Financial Commissioner & Principal Secretary to Govt. Haryana, Health Department	Member		
7	The Financial Commissioner & Principal Secretary to Govt. Haryana, Education Department	Member		
8	The Financial Commissioner & Secretary to Govt. Haryana, Information & Public Relations Department	Member		
9	The Financial Commissioner & Principal Secretary to Govt. Haryana, Irrigation Department	Member		

10	The Financial Commissioner & Principal Secretary to Govt. Haryana, Women & Child Development Department	Member		
11	The Financial Commissioner & Principal Secretary to Govt. Haryana, Agriculture Department	Member		
12	Special Secretary and Director, Development and Panchayat Department (will also act as Mission Director/ Member Secretary for sanitation sector)	Member		
13	Member Secretary, Haryana State Pollution Control Board	Member		
14	Regional Director, Central Ground Water Board, Chandigarh (Expert)	Member		
15	Director, NIC, Haryana unit (Expert)	Member		
16	Engineer In Chief, Public Health Engineering Department, Haryana (will also act as Mission Director for water supply sector)	Member Secretary		

Special Secretary and Director,
Development & Panchayat Department
Haryana

Member Secretary cum
Engineer In Chief, PHED,

9 Executive Committee

The Executive Committee consists of following members:

1	The Financial Commissioner & Principal Secretary to Govt. Haryana, Public Health Engineering Department	Chairperson
2	The Financial Commissioner & Principal Secretary to Govt. Haryana, Development & Panchayats Department	Vice Chairperson
3	The Engineer In Chief, Public Health Engineering Department, Haryana	Member
4	The Director, Secondary Education, Haryana	Member
5	The Director, Elementary Education, Haryana	Member
6	The Director, Information and Public Relations Department, Haryana	Member
7	The Director, Development and Panchayat Department	Member
8	The Director General, Health Services, Haryana	Member
9	The Director, Women & Child Development Department , Haryana	Member
10	The Project Director, Sarv Sikha Abhiyan, Haryana	Member
11	The Chief Engineer concerned, Development & Panchayat Department, Haryana	Member
12	The State Project Coordinator & Coordinator CCDU, TSC, Development & Panchayats Department, Haryana	Member
13	Director, Water & Sanitation Support Organization (WSSO) Cum Chief Engineer, Public Health Engineering Department, Haryana	Member
14	The Chief Engineer concerned, Public Health Engineering Department, Haryana	Member Secretary/ Convener

10 Functions of (Executive Committee) SWSMH

- 1 To implement the policies laid down by the State Water and Sanitation Mission, Haryana, Haryana;
- 2) To oversee the day to day activities under water supply and sanitation programme in the State;
- 3) To coordinate different Departments and networking with Government and Non Government Organization (NGOs) at the state Level as well as the district level for expeditious and smooth implementation of water supply and sanitation programmes;
- 4) To coordinate EEs PHED/ Additional Deputy Commissioners cum Chief Executive Officers DRDAs / other Institutions / agencies and other partners in relevant activities and to guide / supervise implementing agencies in implementation of water supply and sanitation programmes;
- 5) To prepare the State Annual Action Plan for water supply and Annual Implementation Plan (AIP) under TSC and get the same approved from SWSMH before 31st of March every year;
- 6) To operate a separate bank account at the State level under the SWSMH in order to receive the grants / funds under water supply and sanitation programmes from GOI. To release the funds to EEs PHED / ADC cum CEOs DRDAs out of the grants

received from GOI as per their eligibility and to maintain the accounts of funds;

7) To review periodically implementation of water supply and sanitation programmes;

8) To implement IEC activities at the State/District/Block and Panchayat level;

9) To implement the capacity building activities of the different stakeholders implementing water supply and sanitation programmes;

10) To undertake audits of accounts, besides the normal Government audit, through Chartered Accountants empanelled by the Comptroller & Auditor General of India/ Government of India;

11) Any other issue pertaining to water supply and sanitation sector.

11. POWERS OF THE CHAIRPERSON

The Chairperson of the Apex Committee and Executive Committee shall preside over all the meeting of the Apex Committee and Executive Committee, respectively and decide issues by Majority votes. They shall have a casting vote and shall perform other functions/responsibilities as entrusted to them by the Committee from time to time.

12. POWERS AND FUNCTIONS OF THE MEMBER SECRETARY

- A. To prepare agenda items along with their notes to be placed before the Apex Committee / Executive committee;
- B. To maintain the records and proceedings of all the meetings of the Apex Committee / Executive Committee;
- C. To undertake the planning and implementation of the project activities;
- D. To initiate and co-ordinate inter departmental activities as per the annual action plan duly approved by the Apex Committee on the recommendation of the Executive committee;
- E. To ensure actions on the decision taken in the meetings of the Apex Committee / Executive Committee and reporting back their compliance;
- F. To administer and operate the Fund of the Society in accordance with the decisions on policy guidelines approved by the Apex Committee on the recommendations of the Executive Committee. In accordance with the Bye-Laws, to make all administrative logistic and financial arrangements to ensure effective and smooth functioning of the Society in to relation all of its activities;
- G. To carry out other functions as may be delegated or entrusted to her /

him by the Apex Committee or by the Executive Committee of the society.

13. LEGAL STATUS OF THE MEMBER SECRETARY OF THE APEX COMMITTEE/ EX-OFFICEIO SECRETARY OF THE SOCIETY.

a. The Member Secretary of the Apex Committee will be the person in whose name the society may sue and be sued for the purpose of various sections of the societies Registration Act, 1860;

b. The member-secretary, being the Chief Executive of the Society shall exercise all administrative and financial powers approved by the Apex Committee on the recommendation of the Executive Committee;

c. He/She would be responsible for constant superintendence, proper managements and smooth running of the society. He/She for above purposes would perform all other acts, necessary in this regard within the framework of the rules and regulations and the policy guidelines issued to him/her by the Executive Council.

14 CREATION, ADMINISTRATION AND MANAGEMENT OF THE FUNDS OF THE SOCIETY.

There may be following sources for the creation of a fund of the Society

a) Grants and or contributions made by the Government of India;

- b)** Grants and or contributions made by the State Government;
- c)** Contributions or financial aid provided by any National or International agency;
- d)** Donations or contributions made by any other State Government or Institutions or Society within India;
- e)** Fees and charges levied by the Govt. of Haryana for any service rendered;
- f)** Miscellaneous income from investment and any other income or receipt from any other source provided it is received for implementing any of the objectives of the society.

15. SAFETY OF FUNDS.

a) The funds of the Society shall be placed in a scheduled bank of the Reserve Bank of India with the approval of the Chairperson of the Executive Committee;

b) The accounts will be operated in accordance with the provisions of the bye-laws / guidelines issued by Government of India for support Account;

c) The Member Secretary of the Society may with the approval of the Chairman of the Apex Committee, make short terms investment of Fund in any schedule bank located near the headquarters of the society.

16. ACCOUNTS OF THE SOCIETY.

The accounts of the society shall be kept open for inspection by the Accountant General, Haryana or Chartered Accountants appointed by Govt. / Donor Agency at any time for satisfaction that the funds received by the society have been utilized for the purposes for which they were received.

17. TENURE OF MEMBERS

a) The membership of the ex-office members of the Apex Committee / Executive Committee shall terminate when he/she ceases to hold the office by virtue of which she/he was a member and her/his successor shall become a member instead;

b) The special members and honorary members shall continue as members of the society for a period of two years from the date of their nomination in the council;

c) Any member of the Apex Committee or Executive Committee shall cease to be a member if withdrawn by her/his organization, or declared disqualified by a majority decision of the Governing Council.

18. RECONSTITUTION

The member-Secretary shall call a special meeting of the Apex Committee to discuss the need to reconstitute the Apex Committee and

the Executive Committee. The agreement to reconstitute the Apex Committee and the Executive Committee and Information about the new members of the Executive Committee and Apex Committee will be sent to the Registrar of Societies in accordance with the provisions of the Registration of Societies Act.

19. VACANCIES

Casual vacancies arising in the Committee on account of any reason may be filled in by co-option made by the Apex Committee through a resolution in this regard.

20. PROCEDURE OF CALLING MEETING OF THE APEX COMMITTEE /EXECUTIVE COMMITTEE

a) The meeting of the Apex Committee shall be summoned after issue of formal notice of 15 days prior to the actual date of the meeting. In emergency cases the Chairperson of the Committee may invite special meeting by giving a 7 days notice in writing;

b) 10 days notice shall be necessary for a meeting of the Executive Committee Emergency meeting would be called by giving 3 days notice in writing;

c) In exceptional circumstances, Chairman of the Apex Committee / Executive Committee will circulate an agenda / draft resolution to all the

members of council/Committee and obtain their approval in writing for which notice shall be considered necessary.

21. FREQUENCY OF THE MEETING OF THE APEX COMMITTEE/ EXECUTIVE COMMITTEE

- a) It will be incumbent on the part of the Member Secretary to arrange at least two meetings of the Apex Committee in each financial year;
- b) The Convener of the Executive Committee shall be responsible to arrange at least four meetings of the Executive committee in a financial year.

22. PROCEEDING OF THE MEETINGS OF THE APEX COMMITTEE

- a) The meeting of Apex Committee shall be held at least once in every six months and at such time and place as the Chairman shall decide. If the Chairman receives a request for calling a meeting signed by 1/3rd members of the Apex Committee, the chairman shall call such a meeting as soon as it is reasonably possible at such place, he/she may deem fit;
- b) In the annual meeting of the Apex Committee, the following business shall be conducted and disposed of:
 - 1. Income and expenditure account and balance sheet for the past year.
 - 2. Annual Report of Society.
 - 3. Budget for the next year.

4. Annual Action Plan and research work for the next year.

5. Appointments for the Executive Committee and various Committees.

6. Any other business brought forward with the permission of the Chairman;

c) Every notice of meeting of the Apex Committee shall state the date, time and venue at which such meeting will be held and shall be served upon every member of the Apex Committee not less than 15 clear days before the date of meeting. Such notice shall be signed by the Member Secretary and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice to any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business the Chairman may call the meeting of the Apex Committee at clear 7 days notice;

d) The Chairman shall chair the meeting of the Apex Committee. In his/her absence, the Apex Committee shall be chaired by the member elected among the members during the presence of Chairman;

e) 1/3rd of the members of the Apex Committee including the substitutes nominated under Rule 22 (G) present

in person, shall form a quorum at every meeting of the Apex Committee;

f) All disputed questions at the meeting of the Apex Committee shall be determined by votes. Each members of the Apex Committee shall have one vote and in case of any equality of votes the Chairman shall have a casting vote;

g) Any official member prevented for any reason whatsoever from attending a meeting of the Apex Committee, the Chairman of the Society shall be at liberty to nominate a substitute to take his place at the meeting of the Apex Committee. Such, Substitute shall have all the rights and privileges of a member of the Apex Committees for that meeting only;

h) Any member desirous of moving any resolution at a meeting of the Apex Committee shall give notice there of in writing to the Member Secretary for not less than ten clear days before the day of such meetings;

i) any business which becomes necessary for the Apex Committee to perform except such as may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members, shall be as effective and binding as if such resolution had been passed at a meeting of the Apex Committee provided that at least 1/3rd

members of the Apex Committee have recorded their consent on such resolution;

j) In the event of any urgent business, the Chairman of the society may take a decision on behalf of the Apex Committee. Such a decision shall be reported to the Apex Committee in its next meeting for ratification;

k) A copy of the minutes of the meeting of each meeting shall be furnished to each member of the Apex Committee as soon as possible after completion of the meeting.

23 LEGALITY OF THE PROCEEDINGS OF THE MEETINGS

a) Decisions taken in the meetings of the Apex Committee or the Executive Committee shall be by majority consensus. In case of any issue, resolution is considered necessary, the Chairperson may exercise his/her casting vote;

b) Specific regulations/by laws will be framed to provide guidelines in matter relating to administration and all financial transactions, preparation of monthly accounts, quarterly accounts and annual accounts within three months from the date of registration of the society;

c) During the intervening period the accounts of the society shall be maintained as per the advice given by State Govt;

d) The Apex Committee shall be competent to revise, review, substitute, delete or interpret any provision of the by-laws or regulations approved by it from time to time by the approval of at least 2/3rd of the registered members of the Apex Committee.

24

AMENDMENT IN THE RULES AND REGULATIONS

Whenever it shall appear to the Apex Committee that it is advisable to alter, amend or delete any of the objectives or purposes laid down in the Memorandum of Association and rules of the society, the Member-Secretary may submit a written proposition to the members of the "Society", and may convene a special meeting for the consideration thereof according to the regulation of the society, but no such proposition shall be given effect unless such report shall have been delivered or sent by post to every member of the society ten days prior to the special meeting convened by the Apex Committee for consideration thereof, or unless such proposition shall have been agreed to by more than 3/5th votes of the members delivered in person or by proxy, and confirmed by votes of 3/5th of the members present at a second special meeting convened by the Apex Committee at an interval of one month after the previous

meeting. In other case amendments would be made by a resolution passed by 2/3rd members present in the meeting of Apex Committee specially called for such purpose. Any changes in any of the provision of the Memorandum or rules and Regulation of society Act.

25 GENERAL PROVISION

Societies Registration Act 1860 shall apply to this society. The Registrar Firms & Societies of Haryana shall have powers of inspection and any suggestion made by him would be complied with.

26 AUDIT OF ACCOUNTS

The Executive Committee of the Society shall appoint Auditor for the annual audit of accounts of the **fund** of the Society, on the recommendation of the Convener of the Society. The Committee may create such machinery, which may provide concurrent audit of Expenditure or Inspection of Accounts of the Society. For this purpose the Committee may obtain services of a financial expert taken on deputation from State Government or from any other contract Institution/Organization or from outside.

**THE STATE WATER AND SANITATION MISSION, HARYANA (SWSMH)
Under NRDWP – Haryana**

1. Short Title
 - 1.1 These rules and regulations shall be called “The Rules and Regulations of State Water and Sanitation Mission, Haryana Society, (Haryana) 2010
 - 1.2 These rules shall come into force with effect from the date of registration of society by the Registrar of Societies.
2. Definitions
 - 2.1 In the interpretation of these rules and regulations, the following expressions shall have the following meaning unless inconsistent with subject or context.

‘Act’ means Societies registration Act, 1860.

‘Organization/society’ means – State Water and Sanitation Mission, Haryana, (Haryana)

‘Central Government’ means Govt. of India

‘Chairperson’ mean Chairperson of Apex Committee of society/ Organization

‘Executive Committee’ means the Executive Committee of the Society.

‘Apex Committee’ means the Apex Committee of the Society

‘Member’ means the member of society.

‘Rules’ means those rules and regulations registered along with the Memorandum of Association and as may be amended by the Apex Committee of the Society from time to time

‘State Govt.’ means the Government of Haryana

‘Year’ means the financial year of the Government of Haryana
3. OFFICE:
 - 3.1 Registered office of the Society shall be situated in the premises of Engineer-in-Chief, Public Health Engineering Department Bay No. 13-18, Panchkula, Haryana
 - 3.2 Society may set up its branch offices in the State.
- 4 **Authorities of State Water and Sanitation Mission, Haryana, Haryana.**
 - 4.1 The following shall be the authorities of the society:
 - Apex Committee
 - Executive Committee
5. Apex Committee

5.1 All members of the society as incorporated in Para 6 (MOA) shall constitute the Apex Committee of the Society/ Organization.

6 Dissolution

6.1 The Apex Committee may resolve to dissolve the society by bringing a proposal to that effect in a special meeting to be convened for the purpose.

6.2 Upon the dissolution of the society, all assets of the society, after the settlement of all its debts and liabilities shall stand returned to the Govt. of Haryana for such purpose as it may deem fit.

7. Miscellaneous

7.1 Contracts

All contracts and other instruments for and on behalf of the society shall be subject to provision of 'Act' be expressed to be made in the name of the society and shall be executed by the persons authorized by the Apex Committee.

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

7.3 Common Seal

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

Compliance of Statutory requirements

The society shall register itself with relevant Govt. agencies for the purpose of complying with the statutory requirements including regulation governing deduction of tax at source relating to the staff, consultants and experts employed by it and for consultant / contract awarded by it in the course of performance of it's tasks.

7.4 Govt. power to Review

Notwithstanding anything contrary contained in the rules, the State Govt. being the principle donor of the society, may appoint one or more persons or assign the work to any of the Govt. nominee to review the work and progress of society and hold enquiries into the affairs thereof and report thereon, get the accounts of the society audited by the internal audit

parties of the Chief controller of Accounts and issue directions as deemed appropriate, to the society.

- 7.5 The Chairperson of the Apex Committee shall have the right to nominate one or more persons to be part of review / enquiries, if any.
- 7.6 The progress review reports and/or enquiry reports shall be included in the written agenda of the ensuing meeting of the Apex Committee.

We, the undersigned being three of the members of the first Apex Committee of the society certify that the above is a correct copy of the Rules and Regulations of the said society.

Dated:.....

Signature

- 1.
- 2.
- 3.

**(Generic) Bye Laws of the State Water and Sanitation Mission, Haryana/
Society, Haryana.**

1. Procurement Policy and Procedures

Procurement of goods and services to be financed from funds received from Government of India shall be done as per the procedures recommended by the Government of India. In all other cases, following order of preference shall be applied for procurement of goods and services, including where the Government of India allows the State choice.

2. Procurement of goods

- A. rate contracts of the DGS&D, failing which
- B. Rate contracts of other State Govt. agencies, failing which.
- C. Tender procedure as recommended by the State Govt.
- D. Apex Committee's financial powers.

3. Procurement of services

Procedure as recommended by the State Govt.

- B. Procedure for release of funds and Financial Powers of the office Bearers of the Apex Committee /Executive Committee.

3. Classification of items of expenditure & financial powers of the bodies and office bearers of the society

(For ensuring smooth flow of funds for the approved plans and activities, it is necessary that proper delegation of administrative and financial powers is made at each level. A model delegation is suggested below, which each State may consider keeping in view their existing systems and procedure and suitably modify/add for meeting State Govt. requirements and all relevant aspects.

Sr no	Type of Expenditure	Authority	Extent of Power
1	Release of funds for the project	Apex Committee	Full Power
2	Implementation of plans	Apex Committee	---do---
3	Expenditure proposed not covered in 1 & 2	---do---	---do---
4	Repair and minor Civil works	---do---	---do---
5	Procurement of services for specific tasks including	Executive Committee	Full Powers

	outsourcing of support services		
6	Hiring of Contractual staff	---do--	Full Powers provided that the contract shall be for a period not exceeding 11 months at a time
7	Miscellaneous items not mentioned above such as hiring of auditors, payment relating to documentation and other day to day services, meeting and workshops, training, purchase of training material / books & magazines, payment of TA / DA and honoraria to resource persons & guest speakers invited to meeting / workshop & payment of all allowance for contractual staff and / or non official invitees to Apex Committee / Executive Committee meeting and / or Government / Society staff deputed to meeting outside the state	---do---	Upto Rs 2.00 lac at a time subject to maximum of Rs 25.00 lacs per Annum. However it may be increased with the prior approval of Apex Committee

8. Procedure for release of funds

The Society funds shall be drawn through cheques and/or bank drafts and/or through e-banking instrument.

All cheques shall be signed by two authorized signatories of the society on the basis of a written authorization from Executive Committee of the society in this behalf.

Wherever releases are decided to be made through bank drafts and/or through e-banking, the authorization letter to the bank shall be signed by the concerned authorized signatories.

Wherever, under e-banking procedures, releases are to be made through electronic authorization to the bank to issue cheque/draft/

Account transfer on behalf of the society, the electronic authorization will be executed by the same two authorized functionaries of the society who have been authorized to sign cheques on the basis of a written authorization in this behalf.

9. Review /revision of financial powers

The Executive Committee may review and revise the financial powers of the office because of the bodies of the society on an annual basis and revise the same, if considered necessary.

10. Human Resources Policy and Procedures.

Recruitment and Appointment

Recruitment would be through any of the following three routes:

- Appointment through open market: all such appointments will be on an contractual basis through out sourcing policy of the State for a fixed tenure.
- Appointment on deputation basis: all such appointments will be regulated in terms of the State Government rules relating to the deputations of its officers/staff.
- Individuals recruited and paid for by an outside agency, e.g. Government of India and / or Development Partners but posted to work within the society: all such persons shall be governed by the terms of employment of the organization agency concerned. However, they shall be required to report to the Chairperson of the Executive Committee.

- All appointments would be temporary and would be made, for the contract/deputation period as determined by the Executive Committee.

11. Leave rules

Holidays, casual leave, medical leave: The society staff and the full time consultants shall be governed by the State Government rules-in so far as observance of holidays and grant of casual/medical leave is concerned.

Leave without pay: The society staff (including full time consultants) shall be entitled to take leave without pay, in exceptional circumstances. This leave would be sanctioned by the Chairperson of Executive Committee after recording the reasons.

12. Training and Capability development.

Full time consultants and staff of the society (including staff on deputation) would be encouraged to take up skill development courses and even regular courses for their employment prospects, enhance, their skills and build up society capabilities.

AFFIDAVIT

I, Ashok Kumar Kheterpal, S/o Late Sh. Madan Pal, Engineer-in-Chief, Haryana, Public Health Engineering Department, Panchkula (Haryana) do hereby solemnly affirm and declare as under:-

1. That I am the Member Secretary of State Water and Sanitation Mission, Haryana as a Registered Society, Haryana, Panchkula.
2. That no member of the Society shall derive any financial benefit out of the income/funds of the society whatsoever in any manner.
3. That there is no society under similar name and style in the area.
4. That there is no dispute among the management of the society.
5. That the society can not sell its property/properties whatsoever in any manner and under any circumstances.

Palce:- Panchkula

Dated

Deponent.

Verification:- Verified that the all contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Dated:-

Deponent