

Memorandum Of Association

1	Name of the Society :	The name of the society shall be "Social Audit Society".
2	Registered Office :	The society shall have its head office at Patna, Bihar. The registered office of the society is presently located in Premises of Bihar Rural Development Society, 2 nd Floor Red Cross Building, Gandhi Maidan, Patna, Bihar.
3	Area of operation :	The area of operation of the society will extend through out Bihar, India
4	Aims & objective :	The Society shall facilitate the periodical conduct of Social Audit of Mahatma Gandhi National Rural Employment Guarantee Scheme by Gram-Sabha to ensure enhancement of livelihoods security of the households in rural areas of Bihar. This Society will also facilitate Gram-Sabha to conduct Social Audit of other welfare schemes as per direction of State Government. The main objective of the Society shall be continuous public vigilance to ensure accountability in the implementation of the projects, laws and policies as stated below. I. To be nodal agency for conducting Social Audit for all the Panchayats in the state primarily in MGNREGA and other welfare schemes. II. To promote the empowerment of rural communities directly benefiting from welfare schemes such as MGNREGA. III. To develop a sense of ownership among the beneficiaries towards these schemes by encouraging them to participate in the program as well as in the social audit. IV. To create awareness among the rural communities about their rights and entitlements under these schemes. V. To serve as monitoring mechanism to improve the quality and outcome of the schemes. VI. To give feedback to the Department for effective utilization of the public funds. VII. To identify the officials /people responsible for the misutilisation of public fund on basis of Social Audit process at the time of public hearing. VIII. The Society will hire staff for the purpose and also engage other agencies for the purpose.

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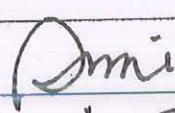
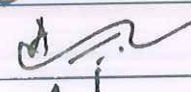
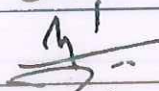
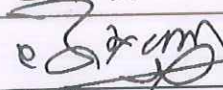
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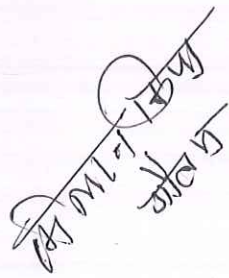
Following persons whose name & designation are given below form the managing committee to whom by the rules , the management of the affairs is entrusted and set out hereunder.

Sl. No.	Name	Designation	Designation in Society
1	Shri Shishir Sinha	Development Commissioner	Chairman
2	Shri Arvind Kumar Chaudhary	Secretary, Rural Development Department	Secretary
3	Shri Vivek Kumar Singh	Principal Secretary, Environment & Forest Department	Member
4	Shri Deepak Prasad	Principal Secretary, Planning & Development Department	Member
5	Shri Dipak Kumar Singh	Principal Secretary, Labour Resources Department	Member
6	Shri Vinay Kumar	Secretary, Rural Works Department	Member
7	Shri Balamurugan.D	CEO, BRLPS	Member

Following persons whose name & signature are given are desirous of registration under the Societies Registration Act , 1860

Sl. No.	Name	Designation in Society	Signature
1	Shri Shishir Sinha	Chairman	
2	Shri Arvind Kumar Chaudhary	Secretary	
3	Shri Vivek Kumar Singh	Member	
4	Shri Deepak Prasad	Member	
5	Shri Dipak Kumar Singh	Member	
6	Shri Vinay Kumar	Member	
7	Shri Balamurugan.D	Member	

Above persons have put their signature in my presence. I know all these persons.


13/04/17

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Signature
Address with Seal

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Bye-laws

OF

Social Audit Society

The Department of Rural Development, Government of Bihar vide Sankalp No 235388 (मा० वि० 07(स०आ०)-12/2014) dated 18.06.2015 has approved the formation of an independent organization (referred to as Social Audit Society) to facilitate conduct of Social Audit in unbiased, effective and transparent manner under MGNREGA schemes.

The Rules (Article of Association- Bye- Law) of Social Audit Society are as follows:-

1. Definitions.

In these articles, unless the context otherwise requires:

- i. "Area of operation" means areas where the Society will operate to carry out its activities.
- ii. "Society" means the Social Audit Society.
- iii. "Executive Committee" means the Executive Committee framed under the rules of the "Social Audit Society".
- iv. "Implementing Agency" includes any department of the Central Government or a State Government, a Zila Parishad, Panchayat Samiti and Panchayat or any other agency designated as such by any government organization of the State or the Centre or by this Society.
- v. "Minimum wage", in relation to any area, means the minimum wage fixed by the State Government under Section 3 of the Minimum Wages Act, 1948 for agricultural labourers and applicable in that area;
- vi. "National Fund" means the National Employment Guarantee Fund established under sub-section (1) of section 20 of NREGA;
- vii. "State Fund" means state employment guarantee fund established under section 21(1) of NREGA.
- viii. "Employment Guarantee Scheme" means a Scheme notified by the State Government under sub-section (1) of section 4 of NREGA;
- ix. "State Council" means the State Employment Guarantee Council constituted under sub-section (1) of section 12 of NREGA;
- x. "unskilled manual work" means any physical work which any adult person is capable of doing without any skill or special training;
- xi. "Director Social Audit" means an officer appointed by the Society to act as Director.

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- xii. "NGO" means a registered organization or trust constructed under prescribed rules.
- xiii. "General Body Meeting" means a meeting of the member's setup under rule 7 of the society.
- xiv. "Chairperson" means the person appointed by State Government as the Chairperson of the General body of the Society person under whose Chairmanship General Body meeting of members is conducted. In general, unless otherwise stipulated by written notification, Development Commissioner, Government of Bihar shall be the Chair-person.
- xv. "Members" mean the persons appointed by the Chairperson with the approval of the State Government to be Members of the Society.
- xvi. "President" means the Principal Secretary/ Secretary of Rural Development Department Bihar under whose Chairmanship Executive Committee will meet.
- xvii. "Year" means unless otherwise specified by the General Body, shall be the financial year of Government of Bihar.

2. Duties and Responsibility of Implementation Agencies

- I. The Social Audit shall be a process independent of any process undertaken by the implementation agency of the scheme.
- II. The implementation agency shall at no time interfere with the conduct of Social Audit.
- III. The Implementation agency shall ensure that all the records for conducting Social Audit are furnished to the Social Audit Team formed by Society at least fifteen days prior to the date of commencement of Social Audit. It will be monitored by DPC (District Program Coordinator) / ADPC (Additional District Program Coordinator) of the concerned district.
- IV. The Implementation Agency shall render necessary assistance and deploy adequate manpower for the conduct of Social Audit. Security of the Social Audit Team shall be responsibility of District Administration.
- V. The Implementation Agency shall ensure that corrective action is taken on Social Audit report.

3. Membership.

- i. **Membership of the Society**
 - a. All the members of the General body
 - b. All the members of the Executive committee

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ii. **Membership and Term**

- A person shall be appointed or nominated as a member of the Social Audit Society either by virtue of office held by him/her or by virtue of his/her experience/expertise in the field of work of the Society.
- Where a person becomes a member of the Society by virtue of his/her office, membership shall terminate when he/she ceases to hold the office and vacancy so caused shall be filled by successor to that office. Nominated members shall hold office for the specified tenure of appointment, unless otherwise terminated as per Rules.
- The Government will nominate the first nominated members of the society. A nominated member shall hold office for a period of 3 years from the date of nomination.
- The Society shall function, notwithstanding that any person entitled to be member by persons of his office, is not represented on the society for the time being. The proceedings of the Society shall not be invalidated by the existence of any vacancy or any defects in the appointment of any these members.

iii. **Termination of Membership.**

Membership of the Society shall *ipso facto* terminate if a member;

- Dies or permanently leaves India; or
- Tenders his resignation in writing to the Society; or
- Is declared insane by a competent Authority; or
- Operation of the provisions of section 8 (ii) above.
- Convicted by a court under the laws applicable in the territorial jurisdiction of India or found guilty by any court of law.

iv. **Resignation of Membership**

When a member desires to resign from the membership of the Society, he/she shall forward letter of resignation to the Member Secretary who shall forthwith submit the same for the consideration of the Chairperson or the person designated by the Chairperson. The resignation shall take effect from the date of conveyance of formal acceptance of the resignation by the competent authority.

v. **Register of members**

The Society shall, at all time, maintain and keep available for inspection by the I.G. Registration, a Register of Members at its registered office, which shall be the permanent record of the Society and shall contain the names and addresses of the members, the date on which the member was admitted and the date of which member ceases to be member. Every member shall sign the Register. No

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vi. **Change of Address of the Member**

4. Authorities of Society.

i. **General Body**

ii. **Executive Committee**

iii. Chairperson

iv. **President**

v. Member Secretary

vi. **Social Audit Director**

vii. Such other persons/bodies, committees or panels as may/shall be constituted by the Society or the General body.

General Body shall generally pursue and carry out the objects of the Society as set forth in the Memorandum of its Association and in doing so shall establish and oversee the implementation of policy, rules, bye laws and guidelines laid down by the Society.

i. **Members of General Body.**

Sl. No.	Designation	Status in the General Body
1	Development Commissioner	Chair-Person
2	Principal Secretary/Secretary, RDD	Member Secretary
3	Principal Secretary/Secretary, Planning and Development	Member
4	Principal Secretary/Secretary, Finance	Member
5	Principal Secretary/Secretary Agriculture	Member
6	Principal Secretary/Secretary Labour	Member
7	Principal Secretary/Secretary Environment and Forest	Member
8	Principal Secretary/Secretary Panchayati Raj	Member
9	Principal Secretary/Secretary Animal and Fishery	Member
10	Principal Secretary/Secretary SC/ST welfare	Member
11	Principal Secretary/Secretary Rural works	Member

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12	Principal Secretary/Secretary Building Constriction	Member
13	Principal Secretary/Secretary PHED	Member
14	Principal Secretary/Secretary Minor Irrigation	Member
15	Principal Secretary/Secretary Education	Member
16	Principal Secretary/Secretary Social Welfare	Member
17	Principal Secretary/Secretary Road Construction	Member
18	Commissioner MGNREGA	Member
19	Chief Executive Officer(CEO), BRLPS (Jeevika)	Member
20	Convener, State Level Bankers Committee (SLBC).	Member
21	Two District Program Coordinators (DPC) nominated from State Government on rotation basis.	Member
22		
23	Two Civil Society Organizations working in the field	Member
24	nominated by Government	
25	Director Social Audit Society, Bihar	Member

ii. **Functions of the General Body.**

- The General Body shall provide overall policy guidance and direction for the efficient functioning of the Society in fulfilling its objectives as laid down for the Society.
- It shall meet at least once a year, the gap between any two meetings not exceeding fifteen months.
- It shall consider the Balance Sheet and annual audited accounts of the Society presented by the Member Secretary along with the remarks thereon by the Executive Committee.
- Review and approve annual audit reports and oversee implementation of audit recommendations.
- It shall consider the Annual Report presented by the Member Secretary along with the comments thereon by the Executive Committee.
- It shall approve the Annual Action Plan or Annual calendar and budget for the ensuing year.
- It shall ensure that the Society adheres to the laid objectives of the Society from time to time and fulfills all the agreements, covenants and contracts enumerated.
- Other business/functions brought forward with the assent of the Chairman.

iii. **Powers of the General Body.**

The General Body shall have powers to;

- Undertake all activities necessary for the fulfillment of the objectives as laid down for the society.

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- b. Expand the strength of its membership provided the expanded strength is filled in the manner prescribed for enlisting the original membership
- c. Add, modify, rescind or amend the Memorandum of Articles of Association and the bye-laws provided that all such additions, modifications or amendments shall be aimed at promoting the objectives of the Society.
- d. Remove a member on the grounds listed in the bye-laws under relevant clauses
- e. Approve the Annual Report/ Annual Calendar, Balance Sheet and the Annual Audited Accounts of the Society.
- f. Approve the appointment of the auditors of the Society.
- g. Appoint Committees, Sub-Committees and boards etc. consisting of members who may or may be members of any of the bodies or committees or employees of the Society; for such purpose and on such terms as it may deem fit, and to dissolve/remove any of them.
- h. Delegate its powers, other than those of making rules, to the Chairperson or to the Executive Committee or to the Member Secretary or to other authorities of the Society as may deem fit.

iv. **Meeting of the General Body**

The Society shall hold a General Body Meeting of all its members once a year within the three months from the end of the financial year and this meeting shall be called Annual General Body Meeting, provided that for any reason if it is not practical to convene the Annual General Body Meeting within the aforesaid period the executive committee have powers to extend the date of such AGM for a further period not exceeding three months.

v. **Special Meeting of the General Body.**

In addition of the Annual General Body Meeting, a special General Body Meeting may be called at any time on the requisition of the Chairperson of the General Body and President of Executive Committee or one third of the total members of the General Body. The Special General Body Meeting shall be convened within fifteen days from the date of requisition and will be called Extra Ordinary General Body Meeting. But in case of emergency the Chairperson may reduce the above period of notice to such number of days as he deems fit in the circumstances of the case.

vi. **Notice of Meeting of the General Body.**

For every meeting of the General Body, a notice of not less than ten clear days specifying the place, date, time and agenda for the meeting shall be delivered personally or sent by post or by email to the members of the society. The notice shall be issued by the Member Secretary. An adjourned meeting can be called on

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the notice of at least five days. The notice must indicate the place, date and hour thereof as well as the items of the agenda.

vii. **Quorum for the Meeting of the General Body.**

The Quorum for all General Body Meeting of the Society shall be one third of the total strength of the members for the proceedings to be validly conducted. The Member's duly authorized representatives shall also be permissible to take part in the meetings and shall be counted for the quorum. In case the quorum is not met, the meeting will stand adjourned and the Member Secretary must convene an adjourned meeting. If in the adjourned meeting also, the quorum is not present, the members present shall constitute the quorum. The members present at such adjourned meeting may transact the business for which the meeting was called.

viii. **Business of the General Body.**

Every meeting of the General Body shall be presided over by the Chairperson or in his/her absence by any one of the members, elected by the members present from among themselves. Each member including the member presiding at the meeting of the General Body shall have one vote, however; in case of equality of votes the presiding member shall also have a casting vote in addition to his vote as a member. All matters shall be decided by a majority of votes:

ix. **Conduct of Business by Resolution.**

In case of expediency, any business, which it may be necessary for the General Body to perform, the Member Secretary of the Society may circulate a resolution for approval and such resolution shall be deemed to have been passed if a majority of the members approve it, provided that such resolution so passed by circulation shall be recorded in the proceedings of the next meeting of the General Body. Any such resolution so circulated and approved by a majority of the members shall be as effectual and binding as if such resolution had been passed at a meeting of the General Body.

x. **Minutes of the General Body Meeting.**

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

xi. **Resolution of the General Body**

Every resolution of the General Body shall be passed by a majority of members present and voting for the resolution to be valid. A member can move a resolution at a meeting of the General Body only with the prior permission of the Chairperson.

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6. Executive Committee.

i. Members of the Executive Committee.

The Executive Committee of the Society, to whom the management is entrusted, shall consist of the following members:

Sl. No.	Designation	Status in the General Body
1	Principal Secretary/Secretary, RDD	President
2	Principal Secretary/Secretary, Planning and Development	Member
3	Principal Secretary/Secretary, Finance	Member
4	Principal Secretary/Secretary Agriculture	Member
5	Principal Secretary/Secretary Labour	Member
6	Principal Secretary/Secretary Environment and Forest	Member
7	Principal Secretary/Secretary Panchayati Raj	Member
8	Principal Secretary/Secretary Animal and Fishery	Member
9	Principal Secretary/Secretary SC/ST welfare	Member
10	Principal Secretary/Secretary Rural works	Member
11	Principal Secretary/Secretary PHED	Member
12	Principal Secretary/Secretary Minor Irrigation	Member
13	Principal Secretary/Secretary Education	Member
14	Principal Secretary/Secretary Social Welfare	Member
15	Principal Secretary/Secretary Road Construction	Member
16	Commissioner MGNREGA	Member
17	CEO, BRLPS	Member
18	Convener, SLBC	Member
19	Director Integrated Child Development Scheme(ICDS)	Member
20	Two nominated members from CSOs	Member
21		
22	Director, Social Audit Society	Member Secretary

ii. General Meeting of the Executive Committee.

The Executive Committee shall meet as and when necessary with the permission of the President for the management of the affairs of the Society provided that the Executive Committee shall meet at least once in six months.

iii. Special Meeting of the Executive Committee.

In addition to the General Meetings, a special meeting may be called at any time with the permission of the President. The special meeting may be convened within five days from the date of requisition, provided

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iv. **Notice of Meeting of Executive Committee.**

v. **Quorum for the Meeting of the Executive Committee.**

vi. Business of the Executive Committee.

vii. **Conduct of Business by Resolution.**

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viii. **Minutes of the meeting of the Executive Committee.**

A copy of the Minutes of the proceedings of each meeting shall be furnished to the Executive Committee members as well as to all the members of the General Body as soon as possible after the completion of the meeting. The President or the member of the possible Executive Committee who chairs the meeting, as the case may be shall approve the proceedings of the meeting. Proceedings of every meeting shall be properly kept by the Social Audit Director and shall be confirmed at its next meeting.

ix. **Resolution of the Executive Committee.**

Every resolution of the Executive Committee shall be passed by a majority of members present and voting for the resolution to be valid. A member can move a resolution at a meeting of the Executive Committee only with the prior permission of the president.

x. **Term of the Executive Committee.**

The term of the Executive Committee shall be term of the Society. However, the Executive Committee shall continue in office till the next Executive Committee comes into existence for the next term by way of reconstruction by the General Body.

xi. **Co-opted members of the Executive Committee.**

The Executive Committee shall have the right to co-opt eminent persons/officials in the field of activities related to the objectives of the Society. The Executive Committee may co-opt a maximum of three members. The co-opted members shall have a right to participate in the meetings of the Executive Committee but shall not have voting rights and rights and they shall not constitute the quorum. The President can also invite experienced officials and eminent persons for specific issues to the meetings of the Executive Committee.

7. Functions and Powers of Executive Committee.

Subject to the provisions of the Memorandum of Association and the Rules, the Executive Committee shall have the control and management of the business and affairs of the Society and shall have all advisory, executive and financial powers to conduct the affairs of the Society through its Social Audit Director. All the duties, powers, functions and rights, what-so-ever, consequential and incidental to the carrying on of the objectives of the Society shall only be exercised or performed by the Executive Committee.

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The Executive Committee will.

- i. Consider the Annual Budget and the Annual Action Plan or Annual Calendar, its subsequent alterations placed before it by the Social Audit Director from time to time and pass it with such modifications as the Executive Committee may think fit
- ii. Delegate its powers, other than those of making rules, to the President/Director.
- iii. Appoint Committees, sub-committees, expert panels, task-force, working or study groups and boards etc. for such purpose and on such terms as it may deem fit and to remove any of them;
- iv. Appoint auditors for auditing the accounts of the Society with the approval of the General Body.
- v. Set HR policy- creation of administrative and technical position in the society for expansion.
- vi. Monitor the financial position of the Society in order to ensure smooth functioning of the society.
- vii. Ensure that the Society considers any comments made by MoRD, GoI and Government of Bihar on the progress in the implementation of the approved annual action plan and related matters.
- viii. In general, undertake 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 Executive committee to do any act or to pass any byelaws which may be repugnant of the provisions hereof, to the powers hereby on the Executive committee and other authorities, or which may be inconsistent with the objectives of the Society.

8. President of the Executive Committee

The Principal Secretary/Secretary, Rural Development, Department, Government of Bihar shall be the President of the Executive Committee of the Society unless otherwise designated by the State Government.

9. Power and Duties of the President of the Executive Committee.

The President shall exercise all powers as may be necessary for the conduct of the business of the Society as may be vested in him by the Society. In additions, the President shall have power to:-

- i. Advise the Social Audit Director to call for meetings of the General Body and Executive Committees as per norms specified in these rules.

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- ii. Authorize acquisitions by gift, purchase, lease or otherwise, any property, movable or immovable, and to construct, operate and maintain any building for purpose of the Society as deemed appropriate by the Executive Committee.
- iii. Authorize investment of the funds of the Society in such securities and / or to sell or transfer such investments in such a manner as the Executive Committee may consider necessary, for the safety and benefit of the Society and to convert or change such investment, as required by the Executive Committee, subject to the laws applicable.
- iv. Sanction and incur expenditure per instance as may be fixed by the General Body for achieving the objectives of the Society.
- v. Tender and Award contracts and incur expenditure on civil works and consultancy to achieve the objectives of the Society up to the limit as may be fixed by the General Body/Executive Committee.
- vi. Act upon powers as may be delegated to President by the General Body and Executive Committee of the Society.
- vii. Carry out powers and functions of the Executive Committee whenever the exigency so demands and place the action taken before the next meeting of the Executive Committee for ratifications.
- viii. Appoint Committees or Commissions to enquire into and report on the affairs of the Society, and pass such orders thereon as he considers proper.
- ix. Constitute specific task groups and working committees to achieve the objectives of the Society.
- x. Appoint nominee members to the Executive Committee or the Working groups/Committees of the Society.
- xi. Authorize recruitment of officers/staff of the Society in accordance with the approved norms of the Society.
- xii. The President shall authorize and cause for approval of the General body specific policies, bye laws and procedures with respect to Human Resource Management, Financial and Accounting procedures, Audit procedures, program Management, Procurement policies and such other policies and procedures found necessary for effective functioning of the Society.
- xiii. Ensure due conduct of Annual General Meeting and Meeting of the General Body and due submission of reports and progress reports in the same.

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- xiv. The president shall be the appellate authority in all disciplinary cases related to Human Resources and in case of arbitration relating to contracts.
- xv. The President may, in writing, delegate such of his powers as he may consider necessary to Social Audit Director or to any other officer of the Society.

10. Director, Social Audit Society

The Director, Social Audit Society, shall be the

- I. Director of the Executive Committee. His appointment will be normally for a term of three years, or as decided by the State Government.
- II. Shall be an Officer hired and worked in some reputed Agency working in the field, having required qualification (two years full time Post Graduate Degree in any discipline OR two years full time Post Graduate Degree in Management OR two years full time PG Diploma in Management OR two years full time MSW, OR Four years Graduate degree in Engineering, Agriculture & Allied Sciences or higher) and having more than 10 years of experience.

11. Function and Power of the Director, Social Audit Society

- I. The Director, Social Audit Society shall be responsible for the management of day-to-day affairs of the Society. He / She shall be responsible for execution of various activities and functions of the Society under the directions and guidance of the rules and bye laws of the Society, General Body and the President.
- II. The Management and control of the day-to-day administration and control of finance within sanctioned budgets of the Society shall be vested with the Director and through him with the respective functional heads. (The Director shall, in general, exercise all administrative, financial powers and other powers equivalent to that of a HOD of a department of the state government subject to such powers as may be delegated to him from time to time by the Society. In case the delegations of the Society are in conflict with that of the powers as applicable to an HOD of the state government, the delegations made by the Society shall prevail.)
- III. The Director shall sign or cause to be signed all documents and proceedings requiring authentication by the Society. The Director shall also represent or cause to be represented the Society in business and

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legal transactions. She / He shall receive on behalf of the Society and disburse all funds of the Society based on instructions from the Executive Committee. The Director through functional heads will handle necessary documents including bank cheques and other negotiable instruments on behalf of the Society, as authorized by the President/Executive Committee of the Society.

- IV. Society may sue or be sued in the name of the Director of the Society. The Director may authorize any other officer of the Society in writing to sign and verify pleadings and represent him/her in legal proceedings.
- V. Director shall appoint bankers of the Society with the approval of the Executive Committee. All funds of the Society shall be paid into the Society's account with the said bankers.
- VI. The Director shall in consultation with the President convene the meeting of the General Body / Executive Committee at stipulated intervals or otherwise and shall maintain all minutes, records and registers of the Society.
- VII. The Director shall ensure handling of all correspondences on behalf of the Society.
- VIII. The Director as the Member Secretary of the General Body shall cause implementation of all the resolutions passed in the General Body / Executive Committee of the Society.
- IX. The Director shall undertake due and timely conduct of audit as per the directions of the Executive Committee and subject to the rules framed hereunder.
- X. The Director shall cause to prepare for the Society the Annual Reports and Financial statements etc. with due audit.
- XI. The Director Shall cause to maintain the accounts, cause due verification of the monthly transactions and the monthly receipt and expenditure statement, which shall be put up to Executive Committee as required.
- XII. The Director shall verify the physical and financial usage of the funds disbursed by the Society to the implementing agencies and various participating organization and submit a quarterly report to the Executive Committee.
- XIII. The Director will liaison with the State Government, MoRD, Government of India and other agencies for any matter pertaining to the operations of the Society.
- XIV. The Director shall appoint staff for the Secretariat of the Society. However, approval of the Government shall be obtained for the creation

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of regular posts in the Society and at various implementation levels such as District and Panchayat.

- XV. The Director shall have powers to take disciplinary actions over any staff of the Society as per the deputation rules/contract rules.
- XVI. The Director shall sanction and incur expenditure as decided by the General body for day-to-day activities, or as delegated by the Executive Committee.
- XVII. The Director shall perform any of the functions of the Executive Committee with the approval of the President, during the interval between meeting of the Executive Committee whenever it is urgent to do so and place a report in respect thereof before the Executive Committee for its consideration/ratification.
- XVIII. The Director shall also perform such functions as may be delegated to him/her by the Society, President and/or Executive Committee from time to time.
- XIX. The Director may, in writing, delegate such of his/her powers as he/she may consider necessary to any officer subordinate to him/her.

12. Funds

The financial year of the Society will be from first day of April to the 31st day of March of the succeeding year.

(i) The sources of funds of the Society shall consist of the following:

- a) Recurring and non-recurring grants made by the Government of India/ Government of Bihar for the furtherance of the objectives of the Society;
- b) Income from investments;
- c) Grant/Loan from external funding agencies, other sources through permitted channels;
- d) Grant/Loan, donation or assistance of any kind from Foreign Government and other agencies with prior approval of the Central/State Government; and
- e) Grant/Loan, donation or assistance of any kind from Foreign Government Agency or others in India

Such amounts as are received with a specific condition from Ministry of Rural Development (MoRD) Govt. of India for the implementation of NREGS, Bihar and respective State share received from Government of Bihar;

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(ii) Operation of the Funds and Account:

The bank account of the Society shall be operated by the Director through functional head as decided by the executive committee.

13. Audit

- (i) The audit year of the society shall begin on the first day of April and end on the 31st day of March next year.
- (ii) The society shall maintain proper accounts and other relevant records as well as documents comprising the receipt and payment accounts, statements of assets and liabilities and balance sheet.
- (iii) The accounts of the society shall be audited by a Chartered Accountant, to be appointed by the Executive Committee of the society with the approval of the General Body.
- (iv) The nature of the audit to be applied and the detailed arrangement to be made in regard to the account and their maintenance and the presentation of the accounts for audit shall be as per norms specified by the General Body and subject to the provisions of statutory / Scheme Guidelines, as applicable.
- (v) The auditor shall also submit a report showing the exact state of financial affairs of the Society. The copies of the balance sheet and the auditor's report shall be certified by the auditor, and duly filed with the concerned Statutory Agencies.
- (vi) The Society shall ensure that the accounts of the District chapters duly audited and the audit report is to be placed before the Executive Committee.
- (vii) The Accounts will be open to audit by the Accountant General.

14. Annual Report

The Director Social Audit Society shall prepare an Annual Report of the proceedings of the Executive Committee and all work undertaken during the year. This report and the duly Audited Annual Accounts of the society shall be placed for approval before the Executive Committee.

The annual Report and Annual Accounts as approved by the Executive Committee shall be placed before the Annual General Body meeting of the General Body before the 31st July of the year. A copy of the Annual Report and annual Account as approved by the General Body may be forwarded to the Government within 30 days and shall be filed with the Registrar of Societies, Bihar along with;

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- (i) A list of names, address and occupation of the officer bearers of the Society duly certified by the Director; and
- (ii) A copy of the balance Sheet and auditor's Report certified by the Auditor.

15. Properties of the Society

- (i) All properties of the Society shall belong to the Society itself. The society may acquire purchase or otherwise own, take on lease or hire movable or immovable properties and sell, mortgage, transfer or otherwise dispose of any such movable or immovable properties in furtherance of the objectives of Society.
- (ii) The income and the property of the Society shall be utilized only towards the promotion of the objectives as set forth in the Memorandum of Association of the Society. It will be subject to terms and conditions as the executive Committee may impose in respect of expenditure to be incurred from grants sanctioned to the Society from time to time.
- (iii) No portion of the income or the property of the society shall be paid or transferred directly or indirectly by way of profits to persons, who may at any time be or have been members of the society.
- (iv) No member of the Society shall have any personal claim on any movable or immovable property of the Society or make any profit whatsoever by virtue of his membership.
- (v) Provided that nothing herein contained shall prevent payments in good faith or remuneration, allowances or honorarium in return for any services rendered by them to the Society.

16. Suits and Proceedings

- (i) The Society may sue or be sued in the name of the Society through its Director.
- (ii) No suit or proceeding shall abate by reason of any vacancy or change in the holder of the office of the President, the Director or any office bearers authorized in this behalf.
- (iii) Every decree or order against the Society in any suit or proceeding shall be executable against the property of the Society and not against the person or the property of the President, the Director or any office bearer.

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- (iv) Any person, including a member of the Society who damages, injures or destroys any property of the Society or otherwise acts in a manner resulting in pecuniary loss to the Society can be sued by the Society. The fact that such person may be a member of the Society shall not in any manner prevent the Society from proceeding against him in a court of law.

17. No action taken by the Society shall be rendered invalid or void only due to the reasons that:

- (i) There existed one or more vacancies in the General Body/Executive Committee on the day on which the resolution was passed; or
- (ii) There was a defect in the appointment of any of its members; or
- (iii) The resolution in pursuance of which the said act was done has subsequently been modified or revoked by the General Body/Executive Committee.

18. Alterations to the Memorandum of Association of the Society

The Society may alter the Memorandum of Association or extend the purpose for which it is established, as per the provisions of the Societies Registration Act, 1860 and on fulfillment of the following conditions:

- (i) Executive Committee obtains the permission of the Government of Bihar for the proposal for such alterations or extension as aforesaid;
- (ii) Executive Committee furnished the proposal for such alteration or extension as aforesaid to the members of the Society in a written or printed form;
- (iii) Executive Committee convenes a Special General Body Meeting of the members of the Society according to these Rules for the consideration of the said proposition;
- (iv) The report is delivered or sent by post to every member of the Society delivered in person at such Special General Body Meeting as aforesaid;
- (v) The proposal is agreed to by two-third of the vote of the members of the Society present and voting at such Special General Body Meeting as aforesaid; and

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- (vi) A copy of resolution of the Special General Body Meeting adopting the alteration is filed with the Registrar within the period prescribed under law.

19. Dissolution

- I. The Society shall be dissolved according to the Rules of the Society Registration Act 21 of 1860 by 3/5 majority of the members of the society in the General Body Meeting.
- II. After the dissolution of the total movable and immovable properties of the society shall be given to Govt. after being paid all debts etc, of the society by 3/5 majority in General Body Meeting.
- III. The society will be dissolved after the permission of Bihar Govt. under section 13 of the Society the Society Registration Act 21 of 1860

20. Modification of the Bye-laws

After obtaining the permission of the Government of Bihar and subject to the provision to the Society Registration Act, 1860 the Society may amend, add to, alter or delete any of these byelaws by a resolution passed at the Special Meeting to the General Body duly convened for the purpose. The modified byelaws shall be deemed to have come into force in accordance with the provision of the said Act.

21. Contracts

- (i) All contracts and other instrument for and on behalf of the Society shall, subject to the provision of the Act, be expressed to be made in the name of the Society and shall be executed by the persons authorized by the Executive Committee.
- (ii) No contract for the sale, purchase or supply of any goods or materials shall be made for and on behalf of the Society with any member of the Society or the Executive Committee, or his/her relative, or firms in which such member is a partner/shareholder, or with any other partner or shareholder of a firm or a private company in which the member is a partner or director.

22. Common Seal

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

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23. Power of the State Government

The Government of Bihar shall have the power to issue any direction as it deems fit to :

- (i) Alter, add or delete any item of Article of Association.
- (ii) Terminate and/or make an appointment in place of any member of the Society mentioned under rule 7.(i) and 8.(i).
- (iii) The exercise of the power by the Government of Bihar hereunder shall be final.

24. Notice

A notice or any other information may be served upon a member of the Society either personally or by sending it through post in an envelope addressed to such member at his/her address as noted in the roll of members. Any notice or other communication issued through post shall be deemed to have been served on the day following the day on which the letter, envelope or wrapper containing the said notice or communication is posted. In proving such service it shall be sufficient to prove that the cover containing such material was properly addressed and put into the post box or delivered to the postal authorities for onward transmission.

25. Records of the Society

(a) The Society shall keep in its registered office proper books of accounts, in which entries should be entered accurately.

- i. All sum of money received and the source thereof, all sums of money expended by the society and the object of purpose for which such sums are expended.
- ii. The assets and liabilities of the Society.

(b) The records will be as follows:

- i. Member register,
- ii. Proceedings Register of the General Body;
- iii. Proceedings Register of the Executive Committee;
- iv. Books of Accounts as per double entry norms;
- v. Records of the Employees of the Society;
- vi. Records of the Accounts and Claims;
- vii. Stock Register;
- viii. All such other records required for proper and systematic running of the Society operations of the Society and in the interest of highest principles of transparency and accountability.

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Proposed organogram of the society would be

President BRDS (Rural Development Principal Secretary/ Secretary)

↓
Director (Social Audit Society) (1)

↓
Social Audit Advisor(1)

↓
State Resources Persons (SPR)(5)

↓
District ResourcePersons (62)

Certify that this is true copy of By-laws of Social Audit Unit signed by President and Member Secretary, SAU in Presence of me.


President
28.3.17


Member
28/3/17


Member secretary
28/3/17

REC
2000
13/04/17
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