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"CERTIFICATE OF REGISTRATION"
(See Rule 5)

COURT BOOK
EMPOWERING LEGAL CLARITY

(The Societies Registration Act, 1860)
(Central Act 21 of 1860)

REGISTERED NO. 4/98

It is certified that STATE AIDS CONTROL
SOCIETY, UT OF DAMAN AND DIU, DAMAN, has
this day been duly registered under the
Societies Registration Act, 1860 (CENTRAL
ACT 21 of 1860).

Giver under my hand this 17th day of
July, 1998.



K. R. KISHORE
(K. R. KISHORE)
I/c. Collector, District Registrar
-cum-
Head of Notary Services, Damam.

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MEMORANDUM OF ASSOCIATION OF STATE AIDS CONTROL SOCIETY, UT
OF DAMAN AND DIU, DAMAN.



1. (a) Name of the Society :

State AIDS Control Society, UT of Daman & Diu,
Daman.

(b) Registered Office :

The Registered Office of the Society shall be
situated at Directorate of Medical & Health Services,
Primary Health Centre, Moti Daman, Daman 396 220.

(c) Objectives :

- i. To prevent HIV transmission and to control its spread.
- ii. To reduce morbidity and mortality associated with HIV infection.
- iii. To reduce the adverse Social and Economic impact resulting from HIV infection.
- iv. To coordinate and strengthen STD/HIV/AIDS surveillance.
- v. To provide technical support in HIV/AIDS prevention and control to Government and Non-Governmental organisations.
- vi. To enhance the community awareness, specifically Knowledge, Attitude and Practice of high risk groups.
- vii. To develop Health Education materials for distribution and adoption by agencies working in AIDS prevention.
- viii. To channelise and integrate the activities of Non Governmental Organisations in AIDS Control and prevention.

- ix. To promote Safety of Blood and Blood products and encourage Voluntary Blood donation movements. ¹⁵⁸
- x. To provide facilities and to strengthen Sexually Transmitted Diseases services in Government and Private Medical Institutions and Practitioners.
- xi. To develop Counselling services for HIV/AIDS and RTI/STI.
- xii. To organise Social support for management of HIV infected and AIDS patients.

II. Programmes and Activities :

- a) To strengthen and modernise the blood bank so that every unit of blood is screened for Human Immuno Deficiency Virus before transfusion.
- b) To strengthen Sexually Transmitted Disease clinics and to coordinate Sexually Transmitted Disease Surveillance.
- c) To launch an intensive campaign about the preventive aspects of STD/HIV infection.
- d) Other activities related to the objectives state above.

III (a) The Apex body of the Society is the Governing Body. The Governing Body shall consist of not more than fifteen persons from various bodies, Government, Medical and Public Health, Non Government Organisation, Voluntary Health Services and UNICEF or any Central Govt. Organisation representative etc.,

(b) The Governing Body of the Society will consist of the following members :



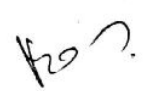


- | | | |
|--|--------------------|------------------------------|
| 1) Secretary (Health) /Finance Secretary
UT of Daman and Diu | - President | Signature <i>[Signature]</i> |
| 2) Collector, Daman | - Vice President | <i>[Signature]</i> |
| 3) Collector, Diu | - Member | |
| 4) Member of Parliament, Daman & Diu | - Member | |
| 5) President, District Panchayat | - Member | |
| 6) President, DMC, Daman | - Member | <i>[Signature]</i> |
| 7) President, DMC, Diu | - Member | <i>[Signature]</i> |
| 8) President, Mahila Mandal, Daman | - Member | <i>[Signature]</i> |
| 9) Child Development Project Officer, Daman | - Member | <i>[Signature]</i> |
| 10) President, LIONS Club | - Member | <i>[Signature]</i> |
| 11) President, IMA, Daman | - Member | <i>[Signature]</i> |
| 12) Dy. Director, Medical & Health Services | - Member | <i>[Signature]</i> |
| 13) Health Officer, Diu | - Member | |
| 14) Director of Accounts | - Member | <i>[Signature]</i> |
| 15) State Project Officer (AIDS)/
Director, Medical & Health Services | - Member Secretary | <i>[Signature]</i> |

c) The tenure of the Governing Body shall be five years. The control of administration and management of the affairs of the Society shall vest with the Governing Body in accordance with the rules and regulations of the Society.

IV) List of Executive Committee Members :

- | | | |
|---|--------------------|--------------------|
| | | Signature |
| 1) Secretary (Health) /Finance Secretary
UT of Daman and Diu | - President | |
| 2) Collector, Daman | - Vice President | <i>[Signature]</i> |
| 3) Collector, Diu | - Member | |
| 4) Dy. Director, Medical & Health Services | - Member | <i>[Signature]</i> |
| 5) State Project Officer (AIDS)/
Director, Medical & Health Services | - Member Secretary | <i>[Signature]</i> |
| 6) Director of Accounts | - Treasurer | <i>[Signature]</i> |

7) We, the undersigned, are desirous of forming a Society namely State AIDS Control Society, UT of Daman & Diu, Daman under Society Registration Act, 1860.

Name of the member	Address	Designation	Signature
Shri Ramesh Negi, IAS	Finance Secretary, UT of Daman & Diu and Dadra & Nagar Haveli, Secretariat, Daman - 396 220.	President	
Shri Raj K. Saxena, IAS	Collector, Daman District, Daman.	Vice-President	
Shri O.P. Mishra	Collector, Diu District, Diu.	Member	
Dr. B. Hansraj	Dy. Director, Medical & Health Services, Primary Health Centre, Daman and Diu, Daman.	Member	
Dr. S.S. Vaishya	Director, Medical & Health Services/ State AIDS Programme Officer Daman and Diu, Daman	Member Secretary	
Shri D.M. Joshi	Director of Accounts, Daman and Diu, Daman	Trasurer	

BYE-LAWS OF THE SOCIETY

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1. Name of the Society : State AIDS Control Society, UT of Daman & Diu, Daman.
 2. Address : Directorate of Medical & Health Services, Primary Health Centre, Moti Daman, Daman 396 220.
 3. Date of Starting : Actual date of registration
 4. Area of the Society : Whole area of UT of Daman & Diu
 5. (Office) Working hour : 9.30 AM to 5.30 PM

1. Short Title :

These rules may be called the Rules of State AIDS Control Society, UT of Daman & Diu, Daman.

Date of commencement of the Society : From the date of Registration.

2. Definition :

In these rules and Memorandum of Association unless the subject or context otherwise requires :-

- 2.1 Act means "Societies Registration ACT"
- 2.2 Governing Body means "the Governing Body of the Society"
- 2.3 Executive Committee means "the Executive Committee of the Society"
- 2.4 Government means "UT Administration of Daman and Diu".
- 2.5 Society means "State AIDS Control Society, UT of Daman & Diu, Daman".

3. Authorities of the Society :

- The authorities of the Society shall be
- a) The Governing Body
 - b) The Executive Committee
 - c) Such other authorities as may be constituted by the Governing Body.

4. Rights, Powers and Duties of the Governing Body :

- 4.1 All property, movable, immovable or of any kind shall vest in the Governing Body.
- 4.2 The business and affairs of the Society shall be carried on and managed by the Governing Body.
- 4.3 The Governing Body shall have all such powers and shall perform all such functions as are necessary or proper for the achievement of and furtherance of the objectives of the Society.
- 4.4 Without prejudice to the generality of the foregoing provisions, the Governing Body shall have following powers and rights :-
 - 4.4.1 To acquire by gifts, purchase, exchange, lease or otherwise land, buildings or other immovable properties together with all rights pertaining thereto.
 - 4.4.2 To prepare and execute detailed plans and proposals for the establishment and development of the Society and for carrying on its administration and managements.
 - 4.4.3 To receive grants in aid accept other grant of money, gifts, donations and contributions in kind or cash, securities, fees, negotiable instruments, other forms of assistance from other sources such as World Bank, UNICEF, WHO, Central and State Governments, National

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AIDS Control Organisation other national and international agencies and other local bodies and enter in to any agreement or arrangements for receiving such assistance.

4.4.4 To improve and recover fees and charges for the services rendered by the Society, to raise funds, as deemed fit and necessary for the purpose and objectives of the society. *As per the guidelines of NAFW, not the society may*

4.4.5 To approve and adopt and prepare annual reports, financial statements of accounts, financial estimate of the body. Budget allotment and financial requirements of the Society.

4.4.6 To enter into agreement for and on behalf of the Society.

4.4.7 To sue and to be sued and defend all legal proceedings on behalf of the Society.

4.4.8 To make, sign and execute all such documents and instruments as may be necessary for carrying on the management of the property or affairs of Society.

4.4.9 To perform all such acts and do all such things as may be necessary for the proper management of the properties and affairs of the Society.

4.4.10 To appoint auditors of the Society.

4.4.11 To make regulations for the managements of the affaris of the Society when required.

4.4.12 The Governing body may delegate its specific rights, powers and duties and assign such functions and responsibilities as are considered necessary to the Executive Committee and or to Secretary of the Society.

5. Meeting of the Governing Body :-

Subject to the provisions of the Act, the Governing Body shall meet atleast once in a year. ✓

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6. Special Meetings :-

^{Chairman} The President of the Society may convene special meetings of the Governing Body to consider any matter of special importance or urgency or on the written requisition of not less than five members of the Governing Body specifying the purpose for which the meeting is proposed to be called.

7 Notice of the Meetings :-

Every meeting of the Governing body shall be convened by notice issued under the hand of Secretary or any other Officer of the Society so authorised on behalf. Every notice calling for the meeting of the Governing Body shall be issued to every member not less than ten days before the days before the day fixed for the meeting except in the case of special meetings where notice shall be issued five days before the day fixed for the meeting.

8. Quorum :-

One third of the members including the President present in person shall constitute the quorum for any meeting of the Governing Body provided that if meeting is once adjourned for want of quorum a subsequent meeting call on the basis of the same agenda shall not be required for a quorum.

9. Presiding Officer :-

^{Chairman} The President of the Society shall ordinarily Preside at all the meeting of the Governing Body. In the absence of the President, the Vice-President shall preside. In the absence of the both the President and Vice-President,

the members ^{Sec.} present shall choose one from amongst themselves to preside over the meeting. c/51

10. Voting :-

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.

11. Powers, Rights and Duties of the Executive Committee :-

Subject to the provisions of these rules and regulations, the above committee shall have the following powers and functions.

11.1 The Executive Committee shall be responsible to the Governing Body for the efficient running of the affairs of the Society.

11.2 To create, within the budget allotment, any post on consolidated salary upto Rs.10,000/- (Rupees ten thousand only) per month and appoint from time to time such employees on such terms and conditions as it deemed to have for carrying out management and affairs of the Society. Creating posts and appointment to posts for salaries higher than Rs.10,000/- per month will rest with the Governing Body.

11.3 To propose Byelaws, including amendments to existing Byelaws for consideration and adoption by the Governing Body.

11.4 To approve all the Annual Report prepared by the Member Secretary and to be placed before the Governing Body for its adoption.

11.5 Special Financial Powers :

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- a. To sanction expenditure upto Rupees ^{Ten} Fifteen Lakhs only for a single work and Rupees ¹⁵ Fifteen lakhs only at a time for a number of works at the same time which shall be included in the Project. ^{by}
 - b. To sanction expenditure upto Rupees ^{Twenty five} Fifty lakhs on non-work item at a time in respect of all items or Schemes which can be included in the Project. ^{by}
 - c. To sanction expenditure upto Rupees Five Lakhs at a time on all Schemes or items which have been included in the approved project.
 - d. To sanction job consultancy services on remuneration basis of more than Rupees Two lakhs and Fifty thousand.

11.6 Decisions on financial expenditure will be taken by the Executive Committee, only if the Finance Secretary of Administration of Daman & Diu (UT) or his nominee attend the meeting and he has an opportunity to express his views on the proposal. Any proposal for financial expenditure beyond the above limit shall be placed before the Governing Body for its Annual General Meeting or Extra-ordinary General Meeting as the case may be for its approval.

11.7 The Executive Committee will have a maximum of 8 (eight) members.

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

12. Meeting of the Executive Committee :

The Executive Committee shall ordinarily meet once in ^{Six} three months or more often if necessary. Three members of

the committee including the President present shall constitute the quorum of the meetings. 2/19

Approval of the Executive Committee can be obtained by circulation of proposals to its members.

13. Tenure of the Executive Committee :-

The tenure of the Executive Committee shall be for a period of 5 (five) years.

14. Mode of Election :

The outgoing Executive Committee shall conduct the election for which a special meeting of the Governing Body be convened after due notice of ten days. In order to be eligible for election to the Executive Committee or as an office bearer, a member will have to be formally proposed by one and seconded by another member of the Society. Only those present at the specially convened meeting shall exercise franchise. The official members of the Executive Committee that is serial number 1 to 5, will be permanent members of the Executive Committee.

15. Resignation :

Resignation of the member from the Executive Committee shall be tendered to the Society and shall not take effect until it has been accepted on behalf of the Society by the President of the Governing Body.

16. Function of the Office bearers :-

The functions and the powers of the office bearers shall be as follows :

16.1 President :

16.1.1 He/She shall, whenever present, preside over the Executive Committee meetings and Governing Body meetings.

16.1.2 He/She shall coordinate the effects of various executive members for development of the Society.

16.1.3 In case the votes for and against a particular issue are equal, the President shall exercise his/her casting vote.

16.1.4 The President may direct the Member Secretary to call a special meeting at a short notice in case of emergency.

16.1.5 The President shall be the sole and absolute authority to judge the validity of the votes cast by members at all Governing Body meetings and Executive Committee meetings.

16.2 Vice President :

16.2.1 The Vice-President shall automatically exercise all the powers of the President in the absence of the President.

16.3 Member Secretary/Project Director :

16.3.1 The Member Secretary shall be responsible for the day to day management of the affairs of the Society subject to terms and conditions of the Executive Committee. He shall be the Chief Executive of the Society.

16.3.2 He shall be responsible for management of staff of the Society. He shall exercise control and discipline over the employees of the Society (Both full time and Part-time).

16.3.3 The Member Secretary shall be authorised to appoint persons to the posts of pay upto Rs. 7,500/- and below thereof. The terms and conditions of these posts shall be sanctioned by the Executive Committee. c/47

16.3.4 To purchase articles and materials including Drugs and Equipments needed for the Society and for carrying out the objectives of the Society upto the value of Rs. One lakh at a time subject to Budget Provisions.

16.3.5 He shall verify all Bills and countersign them before presenting them to Treasury for payment. He shall maintain proper books and accounts for the funds received and expended by the Society.

16.3.6 He shall arrange for the audit of the accounts of the Society by the auditors appointed by the Governing Body of the Society.

16.3.7 He shall convene the meetings of the Governing Body, the Executive Committee, the annual General Body Meeting, the Extra-ordinary General Body Meeting etc. He shall prepare the Agenda for the meetings for the circulation to the concerned members. The approved minutes of the meetings shall be circulated by him.

16.3.8 He shall sign all Deeds and Documents on behalf of the Society according to the directions of the Governing Body or the Executive Committee.

16.3.9 He shall present the report of the Executive Committee and the Governing Body meetings of the Society.

16.3.10 He shall sue or be sued and defend the Society in all legal proceedings. (117)

16.3.11 Any document or proceeding requiring authentication by the Society shall be signed and sealed by the Member Secretary. c/46

16.3.12 The Member Secretary shall be responsible for the Execution of all policies adopted in different meetings.

Special Financial Powers of the Member Secretary :

- a. To sanction expenditure upto Rupees Two Lakhs and Fifty thousand for a single work and Rupees Five Lakhs at a time for a number of works in the same time which have been included in the Project.
- b. To sanction expenditure upto Rupees Two Lakhs and Fifty thousand on non-work items at a time in respect of all items or schemes which have been included in the Project.
- c. To sanction expenditure upto Rupees Fifty Thousand at a time on all schemes or items which have not been included in the approved project.
- d. To sanction job consultancy service on remuneration basis upto Rupees Two Lakhs and Fifty thousands.

The above four items shall be reported to the Executive Committee.

e. Any proposal for expenditure beyond the limits prescribed above shall be placed before the Executive Committee for its approval.

f. The Member Secretary can incur any extra-ordinary expenditure subject to the ratification of the Executive Committee or the Governing Body within 3 (Three) months of such expenditure.

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16.3.13 To do all such other lawful acts as may be necessary and be executed for the achievement of any or all the objectives of the Society.

16.3.14 The Member Secretary can sub-delegate his functions with the previous approval of the Executive Committee to any Officers of the Society.

16.4 Treasurer :-

16.4.1 He/She shall keep overall control over the funds of the Society and manage them properly within the policies laid down by the Executive Committee.

16.4.2 He/She shall prepare the annual balance sheets and the statement of accounts, get them audited and afterwards present them at the general body meeting for approval.

17 Funds of the Society :

The funds of the Society will consist of the following:

1. Grants in aid, other grant of money, securities, fees, negotiable instruments, other forms of assistance from other sources, World Bank, UNICEF, WHO, Central and State Governments, National AIDS Control Organisation, other agencies and other local bodies.

2. Donations, Contributions and gifts in kind or cash.

18. The funds of the Society shall be spent towards the promotion of the aims and objectives of the Society and shall not spent on any purpose other than the following :

18.1 The payment of salaries, allowances and expenses to the staff of the Society.

18.2 The payment of expenses for the administration of the Society including travelling expenses, audit of the accounts of the general funds of the Society.

18.3 The payment for any legal proceedings which the Society or any member if authorised by the Society thereof is a party when such proceedings are undertaken for the purpose of securing or protecting the rights and interest of the Society and its members subject to section 6 of the Societies Registration Act, 1860. ✓

18.4 Publication of periodicals of magazines furthering particularly the interest of the Society and its members. ✓

19 Accounts of the Society :

19.1 The funds of the Society shall be deposited in one of more accounts opened with a nationalised bank. The bank account of the Society will be operated by following office bearer.

Member Secretary

19.2 The Executive Committee at its discretion may limit upto Rs. 10,000/- (Rs. ten thousand only) the cash balance which may be held by the Secretary to meet sundry expenses of the Society. ✓

20 Financial Year :

The accounting year for the Society will be from 1st April to 31st March. The annual income and expenditure accounts and balance sheet of the Society shall be presented at the annual general body meeting within 5 (five) months of the close of the accounting year, duly audited by the competent auditor nominated by the general body.

21. Keeping of Accounts :

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The Executive Committee shall arrange for the proper maintenance of accounts with respect to :

1. All sums of money received and expended by society and the matters in respect of which receipts and expenditure take place. ✓
2. All sales and purchases of goods by the Society and ✓
3. The assets and liabilities of the Society. ✓

22 Audit :

The auditors appointed by the Governing Body of the Society will will audit the accounts of the Society for the ensuing year. The auditor of the Society shall have access to the books of the accounts and vouchers of the Society and shall be entitled to require such information and explanation as he/she may think necessary for the performance of his/her duties as auditors.

23 Annual list of Executive Committee :

Once in a every year, a list of the office bearer and members of the society shall be filed with the Registrar of the Society, Daman.

24 Legal proceedings :

The Society may sue or be sued in the name of the Member Secretary as per the provision laid down under Societies Registration Act, 1860. ✓

25. Any amendment in the memorandum on rules will be carried out in accordance with procedure laid down under Societies Registration Act, 1860. ✓

26. Discussion and adjustment of affairs :

If the Society needs to be dissolved, it shall be dissolved as per provision laid down under Societies Registration Act, 1860 and net amount remaining at the end shall be donated to a Society or trust organisation with similar objects of the Society.

27. Application of the Act :

All the provisions under all the sections of the Societies Registration Act, 1860 as applicable to Ut Administration of Daman and Diu shall apply to this Society.

28. Essential Certificate :

"Certified that this is the coorrect copy of rules and regulation of the Society."

29. The income and funds of the society shall be solely utilised towards the objectives of the society and no portion of it shall be utilised for payment to the members of the Governing Body or Executive Committee by way of profits, interest, dividend etc., except remuneration if any allowed by the Government.

30. The Society shall not carry on its activity with the intention of making profit.

31. The activities of Society shall be carried out only in India.

32. The investment of funds of the society shall be in accordance with the provisions of section 13(1)d read with section 11(5) of the Income Tax Act.

33. The Society is irrevocable by the promoters.

34. The benefits of the society are open to all irrespective of caste, religions, sex etc.,