

**MG NREGA- Constitution of Society
for administration of State Fund.**

Government of Maharashtra

Planning Department

Government Resolution No. MGNREGA 2011/ CR13/EGS14

Mantralaya, Mumbai-400 032

Dated : 19th November 2011.

Reference :-

- 1) NREGA Act, 2005.
- 2) MGNREGA Guidelines 2006 (as amended 2006)
- 3) Maharashtra EGS Act 1977
- 4) Govt. of India Rural Development Department DO
Letter No.K-11015/1/2010-MGNREGA
Dated 9.01.2011
- 5) Govt.of Maharashtra GR No.MGNREGA2011/CR13/EGS14
Dated 10.10.2011

Preamble :-

The State Government is implementing MGNREGS under Maharashtra Employment Guarantee Act 1977 (as amended 2006) since 2006.

As per directions of Government of India State Government vide GR at reference No. 5 has constituted “ MGNREGS State Fund Maharashtra as provided under section 21 of the MGNREGA Act 2005”

For administration and management of “MGNREGS State Fund Maharashtra” formation of ‘Society’ was under consideration of the Government of Maharashtra. In this regard Government of Maharashtra has taken following decision.

Govt. Resolution :-

1. For administration and management of State Fund under MG NREGA, Govt. is pleased to constitute society named as “ Mahatma Gandhi National Rural Employment Guarantee Scheme Fund Association (Maharashtra)”.

**Memorandum of Association of the Society and Rules & Regulations of
the Society will be as under.**

MEMORANDUM OF ASSOCIATION

1. NAME OF THE ASSOCIATION :

The name of the Association shall be MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME STATE FUND ASSOCIATION (MAHARASHTRA) (MGNREGSSFA(M)).

2. LOCATION AND THE REGISTERED OFFICE OF THE ASSOCIATION :

The Association shall have its registered office at Mumbai in the State of Maharashtra and will be located at the office of the Principal Secretary (EGS) Room No. 535 ,5th Floor, Mantralaya, Mumbai 400032.

3. AREA OF OPERATION :

The area of operation of the Association shall be throughout the territorial limits of the State of Maharashtra.

4. NATURE OF THE ASSOCIATION AND SCOPE OF WORK :

The Association shall act as an independent and autonomous body of the State Government. It shall administer, in the capacity of Nodal Association, the funds that may be allocated for the implementation of MGNREGS by the Government of India and Government of Maharashtra and any other entity.

5. OBJECTIVES

5.1 Objectives of the Association

The Association shall strive to achieve the following objectives :

- a) to act as Nodal Association for the State of Maharashtra and to perform all such acts as Nodal Association to administer and implement MGNREGS in the state of Maharashtra.
- b) to get the required funds from the State and Central Governments.
- c) to release the funds to District Programme Coordinator/ Zilla Parishad /Panchayat Samiti /Gram Panchayat and line departments as and when required.
- d) to release funds for administrative and other expenditure

- e) to monitor the fund flow at State, District, Taluka and Gram Panchayat levels.
- f) to consolidate and reconcile accounts and submit to the State Employment Guarantee Council(SEGC) by the end of the Second quarter of every year.

5.2 In Pursuance of the aforesaid objectives,

The Association may :

- 5.2.1 Make rules and byelaws for the conduct of the affairs of the Association and add to, amend, vary or rescind them from time to time;
- 5.2.2 Raise funds, accept donations or grants in cash or in kind including property of any kind.
- 5.2.3 Meet out the funds of the Association all expenses, which the Association may incur with respect to the formation, registration and operations of the Association;
- 5.2.4 Open the bank accounts of any type including overdraft account as determined by the State Executive Committee of the Association and operate the same in ordinary course of business;
- 5.2.5 Own, establish or maintain offices, branches and agencies and employ people on regular, deputation or contractual basis within the State for the purpose of carrying out its business;
- 5.2.6 Enter into partnership or any joint venture with any company, Association, association or person or to co-operate with or subsidize or assist in anyway such company, Association, association or any person.
- 5.2.7 Do all other such things as the Association may consider necessary, incidental or conducive to the attainment of its objectives.
- 5.2.8 The above aims and objectives shall be achieved by undertaking the tasks or activities by MGNREGSSFA(M) for cause to be undertaken by the department concerned/agencies/units/Panchayat Raj institutions.

6. MANAGEMENT OF THE ASSOCIATION

- a) the day to day Management of the Association shall be vested with the Executive Committee.
- b) Chief Functionary of the Association shall be the Commissioner, MGNREGS, EGS Department. He will be responsible to the Executive Committee and the Governing Board members

7. GOVERNING BOARD MEMBERS

The first members of the Governing Board to whom, the overall management of the affairs of the Association are entrusted', by the rules of the Association are as shown below :-

SR. No	DESIGNATION	STATUS	AGE	NATIO N-ALITY	OCCUP-ATION
1.	Shri. Ratnakar Yashwant Gaikwad The Chief Secretary, Government of Maharashtra, Mantralaya	Ex-Officio Chairman	58	Indian	Service
2.	Shri. J.S. Saharia, The Additional Chief Secretary, Relief & Rehabilitation, Government of Maharashtra, Mantralaya	Ex-Officio Member	57	Indian	Service
3.	Shri. Sudhir Kumar Goyal, The Principal Secretary, Agriculture , Government of Maharashtra, Mantralaya	Ex-Officio Member	56	Indian	Service
4.	Shri. Praveen Pardeshi, The Principal Secretary, Forests, Government of Maharashtra, Mantralaya	Ex-Officio Member	50	Indian	Service
5.	Shri. Sitaram Kunte, The Principal Secretary, Planning , Government of Maharashtra, Mantralaya	Ex-Officio Member	50	Indian	Service
6.	Shri. V. Giriraj, The Principle Secretary, EGS and Water Conservation, Government of Maharashtra, Mantralaya	Ex-Officio Vice Chairman	54	Indian	Service
7.	Dr. Ramesh Chandra. Sagar, The Principal Secretary, Tribal Development , Government of Maharashtra, Mantralaya	Ex-Officio Member	58	Indian	Service

8	Shri. Rajesh Aggrawal, The Secretary, Information Technology , Government of Maharashtra, Mantralaya	Ex-Officio Member	45	Indian	Service
9	Shri. Sudhir Thakre, The Secretary, Rural Development, Government of Maharashtra, Mantralaya	Ex-Officio Member	59	Indian	Service
10	Shri. B.V.Gopala Reddy, The Commissioner MGNREGS, EGS, Government of Maharashtra,	Ex-Officio Member Secretary	43	Indian	Service
11.	Shri. Dinesh Waghmare, The Secretary, Social Justice, Government of Maharashtra, Mantralaya	Ex-Officio Member	46	Indian	Service
12	Shri. Eknath Patil, The Secretary, Irrigation, Government of Maharashtra, Mantralaya	Ex-Officio Member		Indian	Service
13.	Shri. Dhananjay Dhawad , The Secretary, (Roads) Public Works, Government of Maharashtra, Mantralaya	Ex-Officio Member		Indian	Service
14.	Shri. B.B. Narayankar, The Deputy Secretary, EGS (MGNREGS), Government of Maharashtra, Mantralaya	Ex-Officio Member		Indian	Service

8. FOUNDING MEMBERS

We the following member signatories of the Association desire to form our Association under the Societies Registration Act, 1860 and accordingly we have formed the said Association, by Government Resolution dated.....2011 and we have signed the Memorandum for the purpose of the registration of the Association under the Societies Registration Act, 1860.

SR. NO.	NAME	DESIGNATION	SIGNATURE
1.	Shri. Sudhir Kumar Goyal	Ex-Officio Member	
2.	Shri. Sitaram Kunte	Ex-Officio Member	
3.	Shri. V. Giriraj	Ex-Officio Vice Chairman	
4.	Dr. Ramesh Chandra. Sagar	Ex-Officio Member	
5.	Shri. Rajesh Aggrawal	Ex-Officio Member	
6.	Shri. Sudhir Thakre	Ex-Officio Member	
7.	Shri. Dinesh Waghmare,	Ex-Officio Member	

RULES AND REGULATION OF THE MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME STATE FUND ASSOCIATION (MAHARASHTRA) (MGNREGSSFA(M))

1. SHORT TITLE

These Rules and Regulation shall be The rules and Regulations of “The MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME STATE FUND ASSOCIATION (MAHARASHTRA)” (MGNREGSSFA(M))

2. DEFINITIONS:

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

- 2.1 “Act” means “Societies Registration Act”.XII of 1860
- 2.2 “Executive Committee” means “The Executive Committee of the Association”.
- 2.3 “Governing Board” means “The Governing Board of the Association”.
- 2.4 Government means “State Government of Maharashtra”.
- 2.5 Association means “Mahatma Gandhi National Rural Employment Guarantee Scheme State Fund Association (Maharashtra)”.
- 2.6 “Scheme “ means “Mahatma Gandhi National Rural Employment Guarantee Scheme” duly notified by the Government of Maharashtra
- 2.7 The Central Act means “ The Mahatma Gandhi National Rural Employment Guarantee Act, 2005(known in short as NREGA)(42 of 2005)
- 2.8 The State Act means “The Maharashtra Employment Guarantee Act, 1977 and as amended from time to time

3. REGISTERED OFFICE :

The Registered Office of the Association shall be situated at :-
Office of the Principal Secretary (Employment Gurantee Scheme)
Room No.535 ,5th Floor, Mantralaya, Mumbai 400032

4. JURISDICTION:

The Association shall undertake all its activities under the Scheme within the State of Maharashtra.

5. COMPOSITION OF GOVERNING BOARD MEMBERS

SR.No.	DESIGNATION	STATUS
1.	The Chief Secretary, Government of Maharashtra, Mantralaya	Ex-Officio Chairman
2.	The Principle Secretary, EGS and Water Conservation, Government of Maharashtra, Mantralaya	Ex-Officio Vice Chairman
3.	The Commissioner MGNREGS, EGS, Government of Maharashtra,	Ex-Officio Member Secretary
4.	The Additional Chief Secretary, Relief & Rehabilitation, Government of Maharashtra, Mantralaya	Ex-Officio Member
5.	The Principal Secretary, Agriculture , Government of Maharashtra, Mantralaya	Ex-Officio Member
6.	The Principal Secretary, Forests, Government of Maharashtra, Mantralaya	Ex-Officio Member
7.	The Principal Secretary, Planning , Government of Maharashtra, Mantralaya	Ex-Officio Member
8.	The Principal Secretary, Tribal Development , Government of Maharashtra, Mantralaya	Ex-Officio Member
9	The Secretary, Information Technology , Government of Maharashtra, Mantralaya	Ex-Officio Member
10	The Secretary, Rural Development, Government of Maharashtra, Mantralaya	Ex-Officio Member
11.	The Secretary, Social Justice, Government of Maharashtra, Mantralaya	Ex-Officio Member
12	The Secretary, Irrigation, Government of Maharashtra, Mantralaya	Ex-Officio Member
13.	The Secretary, (Roads) Public Works, Government of Maharashtra, Mantralaya	Ex-Officio Member
14.	The Deputy Secretary, EGS (MGNREGS), Government of Maharashtra, Mantralaya	Ex-Officio Member

Member of Governing Board of the rank of Secretary and above may send his/her representative not below the rank of Deputy Secretary, for the meeting of Governing Board.

The Association shall have minimum of 14 members and maximum of 50 members.

The Chairman of the Governing Board may invite such eminent persons in the field of activities related to the objectives of the Association as he deems fit to attend its meeting. Such persons shall have a right to participate in the meetings of the Governing Board but shall not constitute the quorum and shall not have the right to vote.

The control of administration and management of the affairs of the Association shall vest with the Governing Board in accordance with the rules and regulations of the Association.

6. TERMINATION OF MEMBERSHIP OF EX-OFFICIO MEMBERS

Where a person becomes a member of the Governing Board of the Association by virtue of the office or appointment which he/she holds his/her Membership of the Association shall stand terminated when he/she shall ceases to hold that office or appointment.

7. TERMINATION OF MEMBERSHIP OF OTHERS

Membership of Members other than ex-officio Members shall stand terminated on the happening of any of the following events:-

- i.) on the expiry of the period of Membership for which nominated
- ii.) Death, resignation, insolvency, lunacy or conviction for a criminal offence involving moral turpitude.
- iii.) When a member does not attend three-consecutive meetings of the General Board without proper leave of absence.

8. RESIGNATION

When a Member desires to resign his/her membership of the Association, he/she shall forward his/her letter of resignation to the Chairman.

9. VALIDATION OF ACTS

The Association shall function notwithstanding any vacancy in any of its bodies and no act, direction or proceedings of the Association shall be invalid merely by reason of such vacancy or any defect in the appointment of any of its members.

10. RIGHTS, POWERS & DUTIES OF THE GOVERNING BOARD

10.1 To receive funds from the Ministry of Rural Development, Government of India and other Agencies for Implementation of the Scheme

10.2 All property , moveable, immoveable or of any kind shall vest in the Governing Board as per the guidelines issued by the Ministry of Rural Development, Government of India.

10.3 The business and affairs of the Association shall be carried on and managed by the Governing Board as per guidelines issued by the State Government and Ministry of Rural Development, Government of India

10.4 The Governing Board shall have all the powers and shall perform all such functions as are necessary or proper for all the achievement of and furtherance of the objectives of the Association. It shall vet proposals under the Scheme and submit to Ministry of Rural Development, Government of India for sanction.

10.5 To prepare and execute detailed plans and proposals for the establishment and development of the Association and for carrying on its administration and managements.

10.6 To approve and adopt and prepare annual reports, financial statements of accounts, financial estimate of the Board. Budget allotment and financial requirements of the Association.

10.7 To enter into agreement on behalf of the Association.

- 10.8 To sue and to be sued and defend all legal proceedings on behalf of the Association.
- 10.9 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 Association.
- 10.10 To make arrangements for the flow of funds under the Scheme as per guidelines issued by the Ministry of Rural Development, Government of India.
- 10.11 To frame bye-laws not inconsistent with Rules& Regulations and Business of Association.
- 10.12 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 Association.
- 10.13 Add and amend the Rules of Association as per the guidelines by the State Government and the Ministry of Rural Development, Govt. of India from time to time.
- 10.14 To appoint concurrent auditors of the Association, if necessary.
- 10.15 To appoint Internal Auditors of the Association, if necessary.
- 10.16 To appoint Statutory Auditors of the Association.
- 10.17 The Auditors may be appointed as per the guidelines issued by Comptroller and Auditor General of India and these Auditors should be either from the Services of the State Government or qualified Chartered Accountants.
- 10.18 The Governing Board may delegate its specific rights, powers and duties and assign such functions and responsibilities as listed above and as are

considered necessary to the Executive Committee and or to Secretary of the association.

10.19 To monitor the expenditure under the Scheme.

10.20 To coordinate with Government of India regarding the Scheme activities.

10.21 To appoint Persons of Eminence in various fields as Invitee Members of Executive Committee for better implementation of the Scheme

11. MEETING OF THE GOVERNING BOARD

11.1 The Association shall hold every year a general meeting of all its members called the Annual General Meeting

11.2 In addition to the annual general meeting, a special General Meeting may be called at any time with the approval of the chairman.

11.3 Notice of the meetings

For every meeting of the Governing Board, a notice of not less than 21 clear days specifying the place, date, time and agenda for the meeting shall be sent to all members. An adjourned meeting can be called on a date and time fixed by the Chairman.

11.4 Presiding Officer

The Chairman of the Association shall ordinarily preside at all the meetings of the Governing Board. In absence of the Chairman, the Vice-Chairman shall preside. In absence of both, the Chairman and the Vice-Chairman, the members present shall choose one from amongst themselves to preside over the meeting.

11.5 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.

11.6 Quorum

One third of the membership including the Chairman present in person shall constitute the quorum for any meeting of the Governing Board provided that if meeting is once adjourned for want of quorum a subsequent meeting called within 30 days period on the basis of the same agenda and at the same venue shall not require a quorum.

11.7 Minutes of the Governing Board meetings:-

A copy of the minutes of the proceedings of each meeting shall be furnished to all the Governing Board Members as soon as possible after the completion of the meeting. The Chairman or the member of the Governing Board (who chairs the meeting, as the case may be), shall approve the proceedings of the meeting. Proceedings of every meeting shall be kept by the Member Secretary and shall be read out at its next meeting and confirmed with or without amendments.

The Association can also approve the Minutes by passed the same through Circulation

12. EMERGENCY POWERS OF THE CHAIRMAN AND MEMBER SECRETARY

Nothing in these rules and regulations shall prevent the Chairman and Member Secretary from exercising all powers of the Governing Board in case of emergencies for furtherance of the objectives of the association and action taken shall be reported to the Governing Board at the next meeting of the Governing Board.

13. STAFF OF THE ASSOCIATION

The staff of the Association shall be consisting of the

1. Departmental Staff.

2. Deputation Staff
3. Contractual Staff.

The Association shall not recruit any staff of permanent nature or engage them on pay scales without prior approval of the State Government.

14. EXECUTIVE COMMITTEE

Executive Committee of the Association will consist of the following members

1. The Principal Secretary, EGS , : Chairman
2. The Commissioner, MGNREGS, EGS : Vice Chairman
3. The Deputy Secretary, EGS (MGNREGS) Secretary : Member
4. The Secretary, Rural Development : Member
5. The Principal Secretary, Agriculture : Member

The Composition of the Executive Committee may be changed at the behest of the Governing Board. The Chairman of the Executive Committee may invite such eminent persons in the field of activities related to the objectives of the Association as he deems fit to attend its meeting including persons from Zilla Parishads , Gram Panchayats. Such persons shall have a right to participate in the meetings of the Governing Board but shall not constitute the quorum and shall not have the right to vote.

15. RIGHTS, POWERS & DUTIES OF THE EXECUTIVE COMMITTEE

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

- (a) Subject to the general control and supervision of the Governing Board, the Executive Committee shall generally pursue and carry

out objectives of the Association as set forth in the Memorandum of Association.

- (b) The Executive Committee shall exercise all executive and financial powers of the Association, subject to such directions as may be issued by the Government of India, State Government and Governing Board from time to time.

- 15.1 The Executive Committee shall be responsible to the Governing Board for the efficient running of the affairs of the Association.
- 15.2 All appointments to the Association will be made by the Executive Committee in accordance with the approved Action Plan.
- 15.3 To propose Byelaws, including amendments to existing Byelaws for consideration and adoption by the Governing Board.
- 15.4 To approve all Annual Report prepared by the Member Secretary and to be placed before the Governing Board for its adoption.
- 15.5 To open and operate Bank Account of the Association as per the Resolution passed by the Governing Board.
- 15.6 The Governing Board can delegate any of its functions or powers to the Executive Committee.

16. MEETING OF THE EXECUTIVE COMMITTEE

- 16.1 The Executive Committee shall hold once in three months or as and when necessary a meeting, with the Permission of the Chairman for management of the affairs of the Association

16.2 Notice of the meetings

For every meeting of the Executive Committee, a notice of not less than 3 clear days specifying the place, date, time and agenda for the meeting shall be sent to all members. An adjourned meeting can be called on a date and time fixed by the Chairman.

16.3 Presiding Officer

The Chairman of the Executive Committee shall ordinarily preside at all the meetings of the Executive Committee. In absence of the Chairman, the Vice-Chairman shall preside. In absence of both, the Chairman and the Vice-Chairman, the members present shall choose one from amongst themselves to preside over the meeting.

16.4 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.

16.5 Quorum

The Quorum for the Executive Committee shall be 3 members for the proceeding to be validly conducted provided that if meeting is once adjourned for want of quorum a subsequent meeting called within 30 days period on the basis of the same agenda and at the same venue shall not require a quorum.

16.6 Minutes of the Executive Committee meetings:-

A copy of the minutes of the proceedings of each meeting shall be furnished to all the Executive Committee Members as soon as possible after the completion of the meeting. The Chairman or the member of the Executive Committee (who chairs the meeting, as the case may be), shall approve the proceedings of the meeting. Proceedings of every meeting shall be kept by the Member Secretary and shall be read out at its next meeting and confirmed with or without amendments.

The Executive Committee can also approve the Minutes by passed the same through Circulation

17. TERMINATION OF MEMBERSHIP OF EX-OFFICIO MEMBERS

Where a person becomes a member of the Executive Committee of the Association by virtue of the office or appointment which he/she holds his/her Membership of the association shall stand terminated when he/she shall ceases to hold that office or appointment.

18. TERMINATION OF MEMBERSHIP OF OTHERS

Membership of Members other than ex-officio Members shall stand terminated on the happening of any of the following events:-

- i.) on the expiry of the period of Membership for which nominated
- ii.) Death, resignation, insolvency, lunacy or conviction for a criminal offence involving moral turpitude.
- iii.) When a member does not attend three-consecutive meetings of the Executive Committee without proper leave of absence.

19. RESIGNATION

Resignation of a member from the Executive Committee shall be tendered to the Association and shall not take effect until it has been accepted on behalf of the Association by the Chairman of the Governing Board.

20. FUNCTIONS OF THE OFFICE BEARERS

20.1 **Chairman, Executive Committee**

20.1.1 He/she shall, whenever present, preside over the Executive Committee meetings and if necessary, on Governing Board meetings.

20.1.2 He/She shall coordinate the efforts of various executive members for development of the Association.

20.1.3 The chairman may direct the Secretary to call a special meeting at a short notice in case of emergency.

20.1.4 The Chairman shall be the sole and absolute authority to judge the validity of the votes cast by members at all Governing Board meetings and Executive Committee meetings.

20.2 The Commissioner, MGNREGS and Chief Functionary of the Association

20.2.1 The Commissioner MGNREGS, will be the Chief Functionary of the Association.

20.2.2 The Commissioner shall control the funds of the Association and manage day to day administration of the Association within the framework of the rules and regulation of the Scheme and the instructions issued by the State and Central Government from time to time.

20.2.3 The Commissioner shall attest his/her signature on all documents, proceedings, orders of the Association. He/She shall be the authorized signatory for all correspondence.

20.2.4 Powers of the Commissioner

20.2.4.1 To correspondence and liaison with the Government of India, State Government , District Administration of State Government, line departments, Zilla Panchayats, Taluka Panchayats, Gram Panchayats and other bodies and Agencies in the day to day management and administration of the Association.

20.2.4.2 To acquire by gift, hire, purchase, lease, sell or otherwise any property movable and immovable, and to construct, alter, and maintain any building or buildings for the purpose of the Association as deemed appropriate by the Executive Committee and as per powers delegated.

20.2.4.3. To enter into contracts pertaining to works and administration of the Association.

20.2.4.4. To draw, make, accept, endorse, negotiate promissory notes, bills of exchange, cheque, and other negotiable instruments”.

20.2.4.5. To perform any other functions incidental to the implementation of the Scheme and to do all such acts as is required to be done within frame work

of rules made under the Scheme by the Government from time to time; as well in accordance with the decisions of the Governing Board and the Executive Committee.

20.3. Member Secretary, Executive Committee

He shall convene the meetings of the executive Committee. He shall prepare the agenda for the meeting for the circulation of the concerned members. The approved minutes of the meetings shall be circulated by him to concerned members.

20.4 Assistant Director, Accounts MGNREGS

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

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

20.4.3. 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 expenditure incurred by the Association.

20.4.4 He shall bring to notice of the Executive Committee, suo moto, about any serious issues relating to the maintenance of accounts at any level and any falsification etc

20.4.5 He shall arrange for the audit of the accounts of the Association by the auditors appointed by the Governing Board of the Association.

21. SPECIAL FINANCIAL POWERS AND FUNCTIONS OF THE COMMISSIONER MGNREGS AND CHIEF FUNCTIONARY

21.1 For handling the emergency situations, financial powers limited to Rs. 1 lakh per year only has been delegated to the Commissioner MGNREGS and Chief Functionary of the Association, subject to the one time specific approval initially by the Governing Board. The same may be reviewed from time to time.

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

21.3 The Commissioner MGNREGS and Chief Functionary of the Association can sub-delegate his functions with the previous approval of the Executive Committee to any other member of the Association.

22. FUNDS OF THE ASSOCIATION

The funds of the Association will consist of the following

1. Grants received from Ministry of Rural Development, Government of India , New Delhi.
2. Grants received from State Government.
3. Grants from any other source for the furtherance of the objective of the Scheme
4. Bank Interest and other Miscellaneous receipts earned out of operations of the Scheme. In this connection the association has right to recover fees, levy fines for the operation of the Scheme.

The said fund will be notified as The State Employment Guarantee Fund under Sec. 21 of the Central Act.

The funds of the Association shall be spent towards the promotion of objectives of the Scheme.

23. BANK ACCOUNT OF THE ASSOCIATION

The Association will open its Bank Account, preferably Savings Bank Account in Nationalized Banks of convenience. Separate Bank Accounts for various types of Grants can be opened for State level funds.

The Bank Account(s) will be operated by the Joint Signature of either the Chairman of the Executive Committee or by the Vice Chairman of the Executive Committee along with the Assistant Director, Accounts MGNREGS Commissionerate. All the funds will be held in Bank Accounts. The Governing Board may delegate the powers to operate the Bank Account to any other Joint Signatories by passing appropriate Resolution in this regard shall be deposited in two accounts opened with a nationalized bank.

24. FINANCIAL YEAR

The accounting year for the association will be from 1st April to 31st March. The annual income and expenditure accounts and balance sheet of the Association shall be presented at the annual general Board meeting within 6 (six) months of the close of the accounting year, duly audited by the competent auditor nominated by the Governing Board.

25. AUDIT

The Association will, along with Statutory Audit, conduct any or all the following Audits.

1. Concurrent Audit.
2. Internal Audit.
3. Special Audit.

The Auditors may be appointed as per the guidelines issued by Comptroller and Auditor General of India and as per rules framed by

Government of India or State Government and these Auditors should be either from the Services of the State Government or qualified Chartered Accountants.

26. ANNUAL REPORTS.

The Annual Report on the working of the Society and the work undertaken by it during the year together with the Balance Sheet, Audited Account and Auditor's Report shall be prepared and presented to the Governing Board and to the annual general meeting of the Society each year. After approval by the Society these shall be submitted to the State Government.

27. ANNUAL LIST OF EXECUTIVE COMMITTEES

Once in every year, a list of the office bearer and members of the association shall be filled with the Registrar of the Societies, Mumbai city.

28. LEGAL PROCEEDINGS

The Association may sue or be sued in the name of the Commissioner MGNREGS and Chief Functionary of the Association as per, the provision laid down under Societies Registration Act of Maharashtra.

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

29. RULES OF THE ASSOCIATION

Except otherwise specified, the Rules of the State Government shall apply to the working of the Association. Rules as and when framed will be applicable subject to the approval of the State Government.

30. AMENDMENT TO MEMORANDUM AND RULES

Amendment to Memorandum and Rules may be made with the prior approval of State Government.

31. CHANGE IN OBJECT OR NAME

If a change is desired in the name or the object of the societies or if two or more societies are to be amalgamated, the procedures laid down in section 12 or 12A of Societies Registration Act, 1860 will be followed.

32. DELEGATION OF ADMINISTRATIVE AND FINANCIAL POWERS

- a. The powers delegated will be exercised as per the conditions/rules laid down in the byelaws.
- b. The powers delegated to a lower authority can be exercised by a higher authority .
- c. Further detailed regulations and procedures will be laid down by specific work groups/ committees as may be constituted under the provisions.

33. DISSOLUTION OF ASSOCIATION

- a) The Board of Governors shall have the powers to dissolve with the prior approval of the State Government, the Association for appropriate reasons. In such an event, the corpus and the management of the Association would vest in the State Government.
- b) If the Association is to be dissolved procedure laid down in section 13,14 of the Societies Registration Act, 1860 will be followed.

2. Society will be registered under Society Act 1860 & will be registered with Charity Commissioner Mumbai. Society will function as per the memorandum and byelaws of the Society immediately after registration.

By order & in the name of Governor of Maharashtra.

A handwritten signature in black ink, appearing to read 'B. B. Narayankar', is written over a horizontal line. The signature is cursive and somewhat stylized.

(B. B. Narayankar)
Deputy Secretary (EGS), Gov. of Maharashtra.
