

SUCHITWA MISSION
REG NO. T 224/2000

MEMORANDUM OF ASSOCIATION AND
RULES AND REGULATIONS

G.O(MS)No.3747/99/LSGD dated 13/12/1999 &
AMENDED VIDE GO(MS) 149/2009/LSGD, DATED 31/07/2009



SUCHITWA MISSION
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT OF KERALA, THYCAUD P.O.
THIRUVANANTHAPURAM - 14
Phone : 0471 - 2327730, 2339831, Fax : 0471 - 2326334

MEMORANDUM OF ASSOCIATION AND RULES AND REGULATIONS OF SUCHITWA MISSION

1. The name of the Society shall be "Suchitwa Mission".
2. The registered office of the Society shall be situated in Thiruvananthapuram and its address shall be The Suchitwa Mission, TC 24/2054, Lekshmi Nivas, Panavila Junction, Thycaud P.O., Thiruvananthapuram - 695 014
3. The functional jurisdiction of the Society shall extend to the whole State of Kerala.
 - 3.1. The long-term objective of the Society is to improve the living standards of the people of Kerala by inculcating in them a new sense and culture on health and environmental sanitation and to achieve a self-sustained health and environmental sanitation programme, managed and replicated by local initiative.
 - 3.2. The particular objectives of the Society are:
 - 3.2.1. To generate outlines of model plans of the aforesaid programme and to motivate selected local bodies to adapt them with location specific modifications and to implement them successfully.
 - 3.2.2. To create awareness among the people on different aspects of water, sanitation and health and to inculcate in them a sense of responsibility and a sensitivity for the proper use of the facilities available.
 - 3.2.3. To instill in the people a sense of responsibility and a desire for participation in the community effort for environmental sanitation.
 - 3.2.4. To enable every household, every community and every local government to acquire adequate and appropriate facility for safe management of human excreta and solid and liquid wastes
 - 3.2.5. To develop and promote a range of cost effective, location specific and appropriate technology options for a participatory environmental sanitation programme.

- 3.2.6. To strengthen local capacities to plan, implement and manage Panchayat Environmental Sanitation and Health Programme.
 - 3.2.7. To focus gender issue, in water, sanitation and health.
 - 3.2.8. To channelise behavioural change into action for private investment in sanitation facilities.
 - 3.2.9. To make sanitation and health a people's movement.
 - 3.2.10. To develop effective and simple monitoring system; to develop rapid appraisal techniques; to build a data – bank system at the local level; and to develop objective tools to measure the impact of the programme vis-à-vis its objectives.
4. Without prejudice to the above objectives and for effectively carrying out the above objectives, the Society shall have the following powers;
- 4.1. To manage the Mission with an institutional framework having independent and autonomous authority, responsibility and flexibility for dynamic operation
 - 4.2. To receive grants, loans, donations, deposits or any other financial contributions subject to the laws in force and to deal with funds and moneys of the Society with a view to fulfilling all or any of the objectives of the Society.
 - 4.3. To enter in to contract or legal proceedings for and in connection with the declared objective(s) of the Society.
 - 4.4. To formulate guidelines, administer funds, initiate sector-related studies, approve projects, and conduct reviews and monitoring
 - 4.5. To make rules and bye laws.
5. The management and control of the Society shall be entrusted with the Mission and shall be carried on in accordance with the Rules and Bylaws. The name, address and designation of the present members of the Suchitwa Mission shall be as follows:-

Chairperson: Minister for LSG

Vice Chairperson: Principal Secretary (LSGD)

Member Secretary: Commissioner for Rural Development

Member Convener: Executive Director, Suchitwa Mission

Members :-

1. President of Grama Panchayat Association
2. Chairpersons of Mayors' Council
3. Chairperson Municipal Chairpersons' Chamber
4. Member in charge of Decentralization, State Planning Board
5. Principal Secretary (H&FW)
6. Secretary (General Education)
7. Principal Secretary (Water Resources)
8. Principal Secretary (Finance) or his Nominee
9. Secretary (Social Welfare)
10. Executive Director, Kudumbasree
11. Director of Panchayats
12. Director of Urban Affairs
13. Chairman, Kerala State Pollution Control Board
14. Three Technical Experts to be nominated by State Government
15. Three eminent women to be nominated by the State Government
16. Three representatives of Voluntary Organisations involved in public health programme to be nominated by the State Government

5.1. The Society shall have a Technical Support Group which shall consist of Directors and programme officers to be appointed by Government. The primary functions of the TSG shall be action planning, working out operational details of technical packages, action research, budgeting, financing, software development, organizing training programmes and providing technical support to the Mission.

5.2. Staff of the Mission

Apart from the Technical Support Group, Mission shall have skeleton supporting staff to be decided by the Governing Body

5.3. Minister for LSG shall be the Chairperson of the Society

5.4. The State Government shall make the nomination of the non-official Members

5.5. If on the winding up or dissolution of the Society, there shall remain, after satisfaction of all its debts and liabilities, any asset and/or property whatsoever, the same shall not be paid to or distributed among the members of the Society or any of them but shall be given to the Government upon such terms and conditions as may be agreed upon.

5.6. We, the several persons whose signatures, occupation and addresses are given hereunder are desirous of being formed in to an association, in accordance with the Travancore Cochin Literary, Scientific and Charitable Societies Act, 1955 in pursuance of the Memorandum of Association and in testimony of this, subscribed our respective names and signatures here unto on this the Thirteenth day of January Two Thousand at Thiruvananthapuram.

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RULES AND REGULATIONS

1. Short Title:

These rules may be called "**Suchitwa Mission Rules 1999**".

2. Definition

In these rules, unless the context otherwise requires:

- 2.1. The "Act" means the Travancore Cochin Literary Scientific and Charitable Societies Registration Act 1955 (Act XII of 1955)
- 2.2. "Government" means The Government of Kerala
- 2.3. "Society" means Suchitwa Mission
- 2.4. "Mission" means Suchitwa Mission
- 2.5. "Governing Body" means Governing Body of Suchitwa Mission

3. Registered Office:

The registered office of the Society shall be situated in **Thiruvananthapuram**

4. Organisation of the Society :

The Society shall have the following components namely:-

1. Governing Body and
2. Executive Committee

5. The Governing Body of the Suchitwa Mission shall consist of the following members:

Chairperson: Minister for LSG

Vice Chairperson : Principal Secretary (LSGD)

Member Secretary: Commissioner for Rural Development

Member Convener: Executive Director, Suchitwa Mission

Members :-

1. President of Grama Panchayat Association
2. Chairpersons of Mayors' Council
3. Chairperson Municipal Chairpersons' Chamber
4. Member in charge of Decentralization, State Planning Board

5. Principal Secretary (H&FW)
6. Secretary (General Education)
7. Principal Secretary (Water Resources)
8. Principal Secretary (Finance) or his Nominee
9. Secretary (Social Welfare)
10. Executive Director, Kudumbasree
11. Director of Panchayats
12. Director of Urban Affairs
13. Chairman, Kerala State Pollution Control Board
14. Three Technical Experts to be nominated by State Government
15. Three eminent women to be nominated by the State Government
16. Three representatives of Voluntary Organizations involved in public health programme to be nominated by the State Government

Executive Chair person, Health Keralam Mission

6. Technical Support Group (TSG):-

The Society shall have a Technical Support Group that shall consist of Executive Director, Directors and Programme Officers. The TSG shall be responsible to the Mission for providing technical and managerial support. The TSG shall have the responsibility of conceptualizing, action planning, conducting creative workshops, organizing training programmes, initiating sector related studies, bringing out occasional papers, initiating action research, conducting monitoring and such other activities.

7. Nomination of Members :

The Principal Secretary (LSG) shall be the Vice Chairperson of the Mission.

The Government shall make nomination of non-official members

8. Qualification of Non-Official Members:-

Three experts who have made outstanding contributions to the field(s) of Health/Water Resource Management/Sanitation/Social Science/ Education/ Community Mobilisation/IEC; three eminent women who have made significant work in the field of

women empowerment and gender and development; and three people's organizations (NGOs) that have been carrying out community based programmes in Health/Sanitation/Drinking Water sector shall be nominated by the State Government to the Mission

9. Duration of Membership

The terms of appointment of members is ordinarily for a period of three years or till the Mission is reconstituted which ever occurs earlier. When a person becomes a member of the Mission by virtue of the appointment he/she holds, his/her membership shall terminate when he/she ceases to hold that office or appointment. Other members shall hold office for three years except where the member(s) resign(s) or the authority, which nominated him/her, terminates the membership or till the Mission is reconstituted

10. Reconstitution of the Mission

The Mission shall be reconstituted through a Government Order after three years or at any point of time the Government shall deem fit; whichever occurs earlier.

11. Powers, Rights and Duties of the Governing Body of the Suchitwa Mission :

- a. All Properties movable and immovable of the Society shall be vested with the Governing Body of the Suchitwa Mission
- b. To overall control of the affairs of the Society shall be vested with the Governing Body of the Suchitwa Mission
- c. The Governing Body of the Suchitwa Mission shall exercise all powers; perform all function as that is necessary and proper for the achievement and furtherance of the objectives of the Society.
- d. The Governing Body of the Suchitwa Mission shall have the power:
 - i. To acquire, by gift, purchase, exchange, lease or otherwise, land, buildings or other movable or immovable properties together with all rights pertaining thereto.

- ii. To prepare and execute detailed plans and programmes for the establishment and development of the Society and for carrying on its administration, management and governance.
 - iii. To receive grants-in-aid, and accept other grant of money, gifts, donations in kind or in cash, securities, fees, negotiable instruments, loan from banks and other agencies and other forms of assistance from other sources and to enter into any agreement or arrangement with Central and State Government, Bilateral and multilateral Agencies, and NGOs for receiving such assistance and to maintain a Fund to which shall be credited all moneys received by the Society.
 - iv. To impose and recover fees and charges for the services rendered by the Society; raise money and funds as deemed fit and necessary for the purpose and objectives of the society.
 - v. To perform all such acts and to do all such things as may be necessary for the proper management of the properties and affairs of the Society
 - vi. To appoint Auditors of the Society, with the approval of the Government
 - vii. To make subsidiary rules and regulations for the management of the affairs of the Society
 - viii. To administer funds and to meet the expenses of the Society out of the fund
 - ix. To formulate guidelines lay down procedures and approve projects.
- e. The Governing Body of the Suchitwa Mission shall have the duty to prepare Annual Reports, Financial Statements of Accounts and Financial Estimates of the Society
 - f. The Governing Body of the Suchitwa Mission may delegate its rights, powers and duties and assign such functions and responsibilities as are considered necessary to the Executive Committee, Chairperson of the Executive Committee, Member Secretary and Executive Director of the Society.

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12. Meetings of the Governing Body of the Suchitwa Mission

Subject to the provision of the Act, the Governing Body of the Suchitwa Mission shall meet at least once in six months

13. Special Meetings:

The Chairpersons of the Society may convene special meetings of the Mission to consider any matter of special importance or urgency or on the written requisition of not less than ten members of the Mission specifying the purpose for which the meeting is proposed to be held.

14. Notice of the Meeting:

Every meeting of the Mission shall be convened by notice issued under the hand of the Member Secretary or any other Officer of the Society so authorized in this behalf. Every notice calling for a meeting of the Mission shall be issued to every member not less than ten days before the day fixed for the meeting except in the case of special meetings when the notice shall be issued three days before the day fixed for the meeting.

15. Quorum:

1/5th of the total members constituting the Mission shall be quorum for any meeting of the Mission, provided that, if a meeting is once adjourned for want of quorum, a subsequent meeting called on the basis of the same agenda shall not require a quorum.

16. Presiding Officer:

The Chairperson of the Society shall ordinarily preside over all meetings of the Governing Body of the Mission. In the absence of the Chairperson, the Vice Chairperson or if both are absent, the members present shall choose anyone from among themselves to preside over the meeting.

17. Voting

Every member shall have the power to vote at any meeting. In case of difference of opinion amongst the members on any matter in a meeting, the opinion of the majority present shall prevail.

18. Executive Committee

There shall be an Executive Committee for the current administration of the Suchitwa Mission and it shall consist of

Chairperson: Principal Secretary (LSGD)

Member Convener : Executive Director, Suchitwa Mission

Members:

- (i) Principal Secretary (Finance) or his Nominee
- (ii) Commissioner for Rural Development
- (iii) Director of Panchayats
- (iv) Director of Urban affairs
- (v) Executive Director, Kudumbasree
- (vi) Director of Health Services
- (vii) Director of Public Instructions
- (viii) Director of Social Welfare
- (ix) Member Secretary, Kerala State Pollution Control Board
- (x) Mission Director, NRHM
- (xi) Managing Director, Kerala Water Authority
- (xii) Chief Engineer, Local Self Government Department
- (xiii) Two more persons to be nominated by the Chairperson from among the members of the Mission of whom at least one should be a woman for a period of one year on rotation

19. Powers, Rights and Duties of the Executive Committee

The Executive Committee shall exercise such powers and duties as are delegated to it by the Governing Body of the Mission from time to time. In particular it shall have the following powers and duties:

- ✓ a. To identify the requirements of creation of posts in the Mission and to forward specific proposals to the Government for sanction. As the Mission is a temporary organization, appointments may be made only on contract or purely temporary basis, and to the extent possible, posts may

be filled up by deputation from Government Departments on deputation basis or on work arrangement terms and conditions.

- b. To identify the requirement of posts for implementation of projects undertaken by the Mission and engage them on contract or temporary basis
- c. To purchase materials as may be necessary for the Society within the budget provision
- d. To frame recruitment rules, and terms and conditions of service of the employees, subject to such directions as may be issued by the Government in this regard
- e. To sue and be sued and to defend all legal proceedings on behalf of the Society
- f. To do all such other lawful acts as may be necessary for the achievement of any or all of the objectives of the Society including any extraordinary expenditure subject to ratification by the Governing Body of the Suchitwa Mission.
- g. To propose amendments to the Rules & Regulations

It shall be the duty of the Executive Committee

- a. To maintain proper books of accounts
- b. To arrange for the annual audit of the accounts of the Society by the Auditors appointed by the Governing Body of the Suchitwa Mission.
- c. To present the Annual Report and Audited Statement of Accounts on the working of the Society every year to the Governing Body of the Suchitwa Mission for consideration

The Executive Committee may constitute working sub committee(s) with the approval of Government for specific purposes. The Executive Committee may delegate to the Sub Committee (s) such powers as are vested with it and as it may decide by Resolution.

20. Meeting of the Executive Committee:

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The Members of the Executive Committee shall ordinarily meet once a month. 1/3 of the strength of the Executive Committee shall constitute the quorum of the meeting

21. Resignation:

Resignation of a member shall be tendered to the Chairperson and shall not take effect until the Chairperson has accepted it on behalf of the Society.

22. Member Secretary :

The Commissioner for Rural Development shall be the Member Secretary of the Society

23. Executive Director

Government shall appoint a full time Executive Director for the Mission. Technical Support Group and other employees of the Society/Mission shall function under his/her overall control and supervision.

24. Constitution of Funds

24.1. The sources of fund for the functioning of the Mission will be:

- a. Grant in Aid from Government of Kerala
- b. Grant in Aid from Government of India
- c. Grant received form bilateral agencies/donor organizations
- d. Contributions from Public Sector Undertakings, Private Sector, Undertakings, Organisations registered under Indian Companies Act, Individuals and corporate bodies, Undivided Hindu families and Individuals.
- e. Any other source, which the Mission deems fit; with the approval of State Government

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24.2. Modalities for the receipt of funds:

- a. All Government grants intended for the Mission will be placed at its disposal through the Commissioner for Rural Development/Director of Panchayats/Director of Urban Affairs
- b. All grants from Government of India may be received directly or through the Commissioner for Rural Development/Director of Panchayats/Director of Urban Affairs as the case may be and credited to the savings bank account of the Mission
- c. The Mission can accept grants from the bilateral/ Institutional agencies/ after entering in to a Memorandum of Understanding for the purpose with the approval of Government of Kerala
- d. Contributions from Public/Private Sector Undertakings and other Institutions detailed in clause 25.1 (d) will be accepted by the Mission after adopting a Resolution to that effect.

24.3. All such sums received by the Mission shall form part of the fund of the Mission and shall be expended for the purpose for which they are received.

24.4. Mission may seek registration under FERA for the receipt of funds from NRIs and bilateral and multilateral agencies

24.5. The funds of the Society shall be deposited in a joint account of the Executive Director and Director (Operations) in the Treasury/ Nationalized Bank/District Co-operative Bank and operated by the Director (Operations) or by both as the case may be. The Director (Operations) can issue cheques up to Rs.50,000/- (Rupees Fifty Thousand only) in each case for effecting payments approved by competent authority. Cheques above Rs.50,000/- (Rupees Fifty Thousand only) shall be signed by the Director (Operations) and counter signed by the Executive Director

25. Chief Executive Officer :

The Executive Director, Suchitwa Mission shall be the Chief Executive Officer of the Society Mission

26. Powers, Duties and Functions of the Chief Executive Officer:

The Chief Executive Officer or the Executive Director of the Society/Mission shall exercise such powers as may be delegated to him by the Governing Body of the Mission from time to time and as specified in these Rules. He shall

- a. Be responsible for the management of day-to-day affairs of the Society/Mission
- b. Maintain the records of the meetings and circulate the same among the members;
- c. Maintain the records of the Society; and
- d. Be the Officer who may sue and to be sued on behalf of the Suchitwa Mission
- e. Enter into agreement for an on behalf of the Society
- f. Sign and execute all documents of the Society
- ✓ g. Appoint all categories of staff required for the society as per the staff pattern as approved by the Governing Body
- ✓ h. Identify and engage temporary staff, hire short-term consultants to the projects undertaken by the Mission.
- i. Define the powers, duties and responsibilities of all categories of employees in the Mission and delegate powers as required
- j. Have powers to sanction official tours, leave of any kind and other entitlements of all the staff of the Mission as applicable subject to the rules and general Government orders in force from time to time.
- k. Be the disciplinary authority of the staff of the Mission and shall have powers to take action including termination of services of the staff recruited on contract basis.
- l. Sanction expenditure up to Rs.10 lakh at a time
- m. Procure goods, works or services up to Rs.5 lakh at a time

27. Appointment and Qualification of the Auditors

The Mission shall have its Accounts audited once a year by duly qualified Auditor and have balance sheet prepared and duly certified by him/her. Duly qualified Auditor means a Chartered Accountant within the meaning of the Chartered Accountants Act,

1949. This audit shall be subject to a second audit by Comptroller and Auditor General of India

28. Annual Meetings:

- a. Annual General meeting of the Society will be held once at least in every calendar year and not more than 15 months after the holding of the preceding meeting.
- b. The Chief Executive Officer shall prepare the budget of the Society once a year and with the approval of the Executive Committee before the Mission at its annual meeting for consideration and adoption.
- c. A Statement of Accounts audited together with the Audit Report shall be placed before the Mission at its annual meeting for consideration and adoption

29. Annual Report

Within three months after the close of every financial year, the Chief Executive Officer shall submit to the Member Secretary of the Society, a report on the working of the Society during the previous year together with the Audited Statement of Accounts showing the income and expenditure for the previous year.

30. Take-over of administration:

In case the Government is satisfied that the Society is not functioning properly, it shall have the power to take over the administration and assets of the Society

31. Procedures of dissolution

If the objectives of this Mission for which it has been formed are fulfilled or if the Government desires so, the Mission shall be dissolved. For the dissolution of the Mission, if not less than three fifths of the members of the Mission determine by Special resolution that it shall be dissolved, and there upon it shall be dissolved with the consent of Government and all necessary steps shall be taken for the disposal and settlement of the properties of the Mission, its claims and liabilities according rules and regulations.

32. Winding up or dissolution:

If on the winding up or dissolution of the Society there shall remain, after satisfaction of all its debts and liabilities, any assets and property whatsoever, the same shall not be paid to or distributed among the members of the Society or any of them but shall be given to the Government upon such terms and conditions as may be stipulated by Government.

33. Amendments:

- a. Amendments to any of the Clauses of the Memorandum of Association and Rules and Regulations may be made through a Resolution approved by simple majority of the members of the Mission present and voting in the meeting specially convened for the purpose provided that the members voting in favour of the amendment shall constitute not less than 1/3 of the total number of the members of the Mission at that time.
- b. The amendments shall take effect after the Government approves it.

34. Savings :

Notwithstanding anything contained in these Rules and Regulations, Government shall have the right to issue directions in regard to the business of the Society or to modify, amend or repeal any clause in the Rules and Regulations and the decision of Government on any question meeting to the administration of the Society shall be final.

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