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"CERTIFICATE OF REGISTRATION"

[See Rule 5]

(The Societies Registration Act. 1860)

(Central Act 21 of 1860)

REGISTERED NO. 10/2008

It is Certified that the "**DAMAN & DIU E-GOVERNANCE SOCIETY " (DDEGS)**, Department of Information Technology, Union Territory Administration of Daman & Diu has this day been registered under the Societies Registration Act, 1860 (Central Act, 21 of 1860).

Given under my hand this 9th day of July, 2008.

Place:- Daman.

Dated:- 09/07/2008



Collector, District Registrar
-Cum-
Head of Notary Services,
Daman.

CERTIFIED TRUE COPY

**SUB REGISTRAR
DAMAN**



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Daman & Diu e-Governance Society

(DDEGS)

**Memorandum of Association,
Rules/Regulations**

&

Bye-laws

**Department of Information Technology
Union Territory Administration of Daman & Diu**

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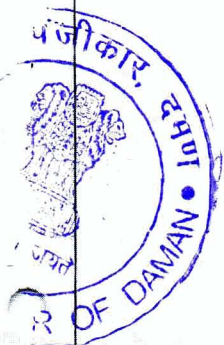
Memorandum of Association for the Daman & Diu e-Governance Society

(DDEGS)

1. Name of the Society	The Name of the Society shall be "Daman & Diu e-Governance Society" or DDEGS.
2. Area of Operation	The area of operation of the Society shall be whole of UT of Daman & Diu
3. Location	The Society shall have its office at the office of Director (IT), Moti Daman, Daman.
4. Objectives	The primary objective of the Daman & Diu e-Governance Society is to administer the implementation of E-Governance projects for the overall benefit of the citizens and public by setting up the necessary administrative, financial, legal and technical framework, implementation mechanism and resources in the Union Territory of Daman & Diu.
5. Scope of functions	<p>To achieve the above objectives, the Society shall direct its resources towards performance of the following key tasks:</p> <ol style="list-style-type: none"> To take all necessary steps to promote efficiency, reduce delays, enhance accountability, transparency and objectivity in the functioning of the government. To assist the Department of IT in formulating and implementing policies, procedures and guidelines for the adoption of Information Technology and e-governance for improvement of citizens services through various government departments & agencies and ancillary activities & services. To promote and disseminate Information Technology culture in the State so that the common man could avail the benefit of information technology and e-governance. To administer the implementation of E-Governance projects for ensuring use of Information Technology for masses. To lay down the necessary administrative, financial legal and technical framework and resources for the IT enabled Citizen Services. List and prioritize the areas for Citizen Services in consultation with the concerned Departments and take all steps for improving Citizen Services to the use of IT. To facilitate implementation of Citizens

Charters framed by the other departments through the use of E-governance and IT as a tool.

- e. To workout revenue models and modalities for providing Citizen Services through use of IT on a public-private partnership model for its self sustainability and to encourage private sector initiative in IT related infrastructure and services. This would include working out all commercial modalities and revenue model including Franchise Model in citizen services.
- f. To collect revenue and to issue receipts on behalf of the various Departments and Organizations. Such receipts shall have same legal validity as if it were an actual receipt issued by the concerned department of organization. Transfer the revenue collected to the concerned departments and organizations. Or to authorize a suitable authority, committee, sub-committee or society for these purposes on behalf of the E-Governance Society.
- g. To establish and make available connectivity and access to Information through Internet, Intranet, LAN, MAN, WAN, E-MAIL, WEB SERVERS and Web sites, VSAT & other modes of Communication or any other form of connectivity and regulate their use in the UT.
- h. To buy, sell, let on hire, repair, import, export, lease, trade and otherwise deal and provide all IT resources and support, required by any Department for IT and e-governance applications including hiring of professionals, consultancy services, procurement of hardware and software, development of special purpose software projects involving application of Information Technology on turnkey basis.
- i. To enter into collaborations, MoUs, partnerships, agreements and contracts with Indian and/or foreign individuals, companies or other organizations for transfer, sale, purchase of equipment and for



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technical, financial or any other assistance for carrying out all or any of the objects of the Society.

- j. To enter into any agreement with any Government or authorities (Municipal local or otherwise) or any corporations, companies, or persons which may seem conducive to the Society's objects or any of them and to obtain from any such Government authorities, corporations, companies, societies or persons any contracts, rights, privileges and concessions which the society may think desirable and to carry out, exercise and comply with any such contracts rights, privileges and concessions.
- k. To hire professionals, consultants and other specialized agencies as found necessary for efficient handling and conduct of the business of the society.
- l. To provide / or arrange to provide all technical assistance & help to create, organize, and maintain centralized data-warehouse, departmental databases, information repository and software-library to be shared by all Departments, Institutions, Agencies and wherever possible, the general public. To facilitate inter-departmental coordination in all IT related matters and to devise modalities for information sharing so as to avoid duplication of data entry and development of software. To enable, simplify and modernize the storage, retrieval, transmission, distribution and exchange of information in electronic format. To work out procedures for data entry and its verification, validation, security, storage and up-dation on regular basis.
- m. To handle intellectual property rights in Information Technology and other new technology areas. All the software created in any government Department would be jointly held by the Department of IT through the society.
- n. To workout and notify the Standard of Service and Service level Agreements in e-Governance and IT for citizen services.

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	<ul style="list-style-type: none">o. To take all means for the safety and security of data and to lay policies procedures guidelines and rules for achieving the objectives of security and authentication. This would include use of digital signatures and public key infrastructure.p. To take all the steps necessary to fulfill the objectives of the Department of IT, good governance any governance for the overall benefit of the citizens and public in the Union Territory of Daman & Diu. To do all such other lawful things as may be necessary, incidental or conducive to the attainment of the above objects.q. To obtain licenses, certificates and privileges for all purposes from all persons, local authorities and the central Government, to renew the same and transfer the same in favour of any person or authorities.r. To borrow and raise money with or without security or to receive money and deposit on interest or otherwise in such manner as the Society may deem fit.s. To draw, issue, accept and to endorse discount and negotiate promissory notes, hundies, bills of exchange, delivery orders, warrants, warehouse, keeping, certificates and other negotiable or commercial or mercantile instruments connected with the business of the Society.t. To establish and maintain any agencies and franchises in the state for the conduct of the business of the Society.u. To apply for tender, purchase or otherwise require any contracts and concessions for or in relation to the construction, execution, carrying out, equipment, improvement, management, administration or control of improvement, management, administration or control of works and conveniences and to undertake, execute, carryout, dispose of or otherwise turn to account the same.v. To improve, manage, work, develop, alter,
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exchange, lease, mortgage, turn to account, abandon or otherwise deal with all or any part to the property rights and concessions of the Society.

- w. To let out on hire all or any of the properties of the Society including every description of apparatus appliances of the Society.
- x. To open account or accounts with any individual firm or company or with any bank or banks and to pay into and to withdraw moneys from such account or accounts.
- y. To invest apply for and acquire, or otherwise employ moneys belonging to or entrusted to or at the disposal of the Society upon securities and shares or without securities upon such terms as may be thought proper and from time to time and vary such transactions in such manner as the Society may think fit.
- z. To guarantee the payment of money to guarantee become sureties for the performance of any contracts or obligations.
- aa. To create any depreciation fund, reserve fund, sinking fund, insurance fund or any special or other fund whether for depreciation or for repairing, improving, extending or maintaining any of the properties of the Society and to transfer any such fund or part thereof to any of the other funds herein mentioned.

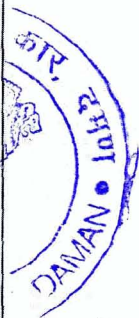
6. First members of the Governing Body

The names, addresses, occupations and designations of the First Members of the Governing Body of the Society to whom by the rules and regulations of the Society, the management of the affairs of the Society is entrusted as required under section 2 of the societies Registration Act, 1860 (No. XXI of 1860) are as follows:-

Sr. No	Name/Designation	Status in the Governing Body
1	Hon'ble Administrator	Chairman
2	Secretary (Information Technology)	Vice- Chairman
3	Development commissioner	Member
4	Finance Secretary	Member

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	5	Collector, Daman	Member
	6	Director(IT)	Member Secretary
	7	SIO, NIC, Daman	Member
	8	Joint Secretary (Finance)	Treasurer
	9	Deputy Secretary (Urban Development)	Member
	10	Deputy Commissioner(VAT)	Member
	11	Executive Engineer (Electricity Department)	Member
	12	CO (Daman Municipal Council, Daman	Member
	13	CEO (District Panchayat, Daman)	Member
		Nominated Member	
	14	Nominee of NASSCOM	Member
	15	One eminent citizen to be nominated by the Chairman	Member
		Co-opted member	
	16	Any other member which Board of Governors decided to co-opt.	Co-opted member
	A copy of the rules of the Society certified to be a correct copy by three members of the Governing Body is filed along with this Memorandum of Association.		
7. Declaration	We, the several persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Societies Registration Act, 1860 (Act, No.XXI of 1860): this... ..day of 2008 at Daman.		

Sr No	Name	Occupation and address	Signature	Attested by
1	Shri. Satya Gopal, IAS	Hon'ble Administrator Secretariat Daman		
2	Shri. P. K. Gupta	Secretary (IT)/ Development Commissioner, Secretariat Daman		
3	Shri. P.K. Gupta	Finance Secretary, Secretariat Daman		

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4	Shir. S.P. Dixit	Commissioner (VAT) Secretariat Daman		
5	Shri.J. B. Singh, IAS	Collector Daman Dholar, Moti Daman		
6	Shri. Utpal Mehta	DIO, NIC, Secretariat, Daman		
7	Shri. P. J. Bamania	D. S (Finance) Secretariat Daman		
8	Shi. Vikas Anand	Director (IT), Daman		

Dated: _____



Rules / Regulations of Daman & Diu e-Governance Society (Daman)

1. SHORT TITLE

- 1.1 These Rules and Regulations shall be called "The Rules and Regulations of the Daman & Diu e-Governance Society", 2008.
- 1.2 These Rules shall come into force with effect from the date of registration of the Society by the Registrar of Societies.

2. DEFINITIONS

- 2.1 In the interpretation of these Rules and Regulations, the following expressions shall have the following unless inconsistent with subject or context:

"Act" means Societies Registration Act, 1860 as applied to the UT of Daman & Diu or any statutory modification thereof for the time being in force.

"Central Government" means the Government of India.

"Director" means Director (IT), Daman & Diu

"Eminent citizen" shall mean well-known, distinguished, renowned or reputed persons from the general public duly recommended by the district/ state administration.

"Executive Committee" means the Executive committee as referred to in these Rules.

"Governing Body" means the Governing Body of the Society as referred to in these Rules.

"IT" means Information Technology

"IT expert" shall mean a specialist from the field of Information Technology, computers, communication or electronics with a formal graduate degree in computers / Information Technology / communication / electronics / management or other related fields with 8 to 10 years of experience and can contribute his expertise & experience to achieve the objectives of the Society.

"Member" means the Member of the Society as referred to in these Rules.

"Rules" means these Rules and Regulations registered along with the memorandum of Association & as may be amended by the Governing Body of the Society from time to time.

"Secretariat" means the Secretariat of the Society as referred to in these Rules.

"Society" means the Daman & Diu E-Governance Society known by the name, Style and manner of DDEGS.

"State Government" means the Daman & Diu Administration.

"Treasurer" means the treasurer of the DDEGS.

"UT" means the UT of Daman & Diu

"Year" means the financial year, namely from 1st April of a calendar year to 31st March of the next calendar year.

"Chief Finance Officer" shall mean Chief Finance Officer of the Daman & Diu e-Governance Society, Daman (DDeGS).

3. OFFICE AND JURISDICTION

3.1 Registered office of the Society shall be situated at the Office of the Director (IT), Moti Daman, Daman.

3.2 The jurisdiction of the Society shall be the whole of UT Daman & Diu.

4. MEMBERSHIP

4.1 The following shall be the members of the Society:

- First members of the Governing Body.
- Following additional ex-officio members of the Governing Body:
 1. MD, ODC, Daman
 2. Collector, Diu
 3. Director (Education), Daman & Diu
 4. Assistant Director (Tourism), Daman
 5. CEO, District Panchayat, Daman & Diu.
 6. CO, DMC, Daman
 7. Scientist 'E' & SWAN Project Coordinator, NIC, Silvassa
 8. DIO, NIC, Diu
- Following nominated members
 1. One IT expert nominated by the Department of Information Technology
 2. One eminent citizens to be nominated by the chairperson
- Co-opted Members: Individuals as may be nominated by the Governing Body from time to time.

4.2 The membership of an ex-offio member of the Society and of the Governing Body shall stand terminated when he/she ceases to hold the office by virtue of

which he/she was member and his/her successor to the office shall become such member.

4.3 Non-official members of the Society will be nominated by the Chairperson with the approval of the Governing Body. Nominated members shall hold office for a period of three years from the date of their nomination by the Chairperson. Such members will be eligible for re-nomination for another period of 3 years.

4.4 The Society shall maintain a roll of members at its registered office and every member shall sign the roll and state therein his/her rank or Occupation and address. No member shall be entitled to exercise rights and privileges of a member unless he/she has signed the roll as aforesaid.

4.5 All members of the Governing Body shall cease to be members if they resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which s/he was holding the membership.

4.6 Resignation of membership shall be tendered to the Governing Body in person to its Member Secretary and shall not take effect until the Chairperson has accepted it on behalf of the Governing Body.

4.7 If a member of the Society changes his/her address he/she shall notify his/her new address to the Member Secretary who shall thereupon enter his/her new address in the roll of member. But if a member fails to notify his/her new address the address in the roll of members shall be deemed to be his/her address.

4.8 Any vacancy in the Society or in the Governing Body shall be filled by the authority entitled to make such appointment. No act or proceedings of the society or of the Governing Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its members.

4.9 No member of the Governing Body, except the Member Secretary to be appointed as per these Rules, shall be entitled to any remuneration/fees.

5. AUTHORITIES OF THE DDEGS

5.1 The following shall be the bodies and authorities of the Society:

- Governing Body
- Executive Committee
- Sub-Committees of the Executive Committee, such as Programme Committees

5.2 GOVERNING BODY

- 5.2.1 All members of the Society as set out in Para 4.1 shall constitute the Governing Body of the Society.
- 5.2.2 The first members of the Governing Body of the Society shall be those mentioned in Clause 6 of the Memorandum of Association. They shall hold office until a new Governing Body is appointed according to these rules.
- 5.2.3 The management of the affairs of the Society shall be entrusted to Governing Body and the property of the Society shall be vested in the Governing Body.
- 5.2.4 The Society may sue or be sued in the name of the Member Secretary of the Society or of such other members as shall, in reference to the matter concerned, be appointed by the Governing Body for the occasion.

5.3 PROCEEDINGS OF THE GOVERNING BODY

- 5.3.1 The meetings of the *Governing Body* shall be held *at least twice a year* and at such time and place as the Chairperson shall decide. If the Chairperson receives a requisition for calling a meeting signed by one-third members of the Governing Body, the Chairperson shall call such a meeting as soon as may be reasonably possible and at such place as s/he may deem fit.
- 5.3.2 Following minimum business shall be brought forward and disposed off in every meeting of the Governing Body:
- Annual report of the Society relating to last financial year, including (a) income and expenditure account, (b) balance sheet and (c) audit report.
 - Physical and financial progress of the programmes / projects in the current year.
 - Work Plan (including budget) for the next financial year.
 - Other business brought forward with the assent of the Chairperson.
- 5.3.3 Every notice calling meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than seven clear days before the date appointed for the meeting. Such notice shall be issued by the Member Secretary of the Society and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice to any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business the Chairperson may call the meeting of the Governing Body at clear ten days notice.

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- 5.3.4 The Chair-person shall Chair the meetings of the Governing Body. In his/her absence, the Governing Body shall elect one from among the members present as Chairperson of the meeting.
- 5.3.5 One third of the members of the Governing Body, including the substitutes nominated under Rule 5.3.7 present in person, shall form a quorum at every meeting of the Governing Body.
- 5.3.6 All disputed questions at the meeting of the Governing Body shall be determined by votes. Each member of the Governing Body shall have one vote and in case of a tie, the Chairperson shall have a casting vote.
- 5.3.7 Should any official members be prevented for any reason whatsoever from attending a meeting of the Governing Body, the Chair-person of the Society shall be at liberty to nominate a substitute to take his place at the meeting of the Governing Body. Such, substitute shall have all the rights and privileges of a member of the Governing Body for that meeting only.
- 5.3.8 Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Member Secretary of not less than ten clear days before the day of such meetings.
- 5.3.9 Any business which it may become necessary for the Governing Body to perform, except the agenda prescribed for the full meeting as set out in Para 5.3.2 above, may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least one third members of the Governing Body have recorded their consent of such resolution.
- 5.3.10 In the event of any urgent business, the Chairperson of the Society may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.
- 5.3.11 A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body members within 2 weeks after completion of the meeting.

5.4 POWERS OF THE GOVERNING BODY

- 5.4.1 The Governing Body will have full control of the affairs of the Society and will have authority to exercise and perform all the powers, acts and deeds of the Society consistent with the aims and objects of the Society.

- 5.4.2 In particular and without prejudice to the generality of foregoing provision, the Governing Body:
- 5.4.2.1 Take decision on matters of policy relating to the administration, working and control of the Society.
- 5.4.2.2 Consider and approve programmes and plans of the Society in conformity with the scope of the objectives of the Society mentioned in the Memorandum of association and to sanction expenditure for the same.
- 5.4.2.3 Consider and approve eligibility conditions, duration, selection process etc for various types of service providers, vendors, resources including system integrators, developers, stake holders, financial collaborators, public-private partners, implementers, executors of the various e-Governance initiatives and other citizen services.
- 5.4.2.4 Frame Rules, Regulations and Bye-laws for the conduct of the affairs of the Society and to add, amend, or repeal the rules and regulation from time to time.
- 5.4.2.5 Consider, approve and authorize operation of the funds of the Society. Collect payments and user charges on behalf of other departments and agencies and transfer/ utilize it in the manner prescribed in the agreements.
- 5.4.2.6 Frame norms, guidelines and terms and conditions and service level agreements with stakeholders and franchises to establish IT and e-Governance services and to add to or amend them from time to time.
- 5.4.2.7 Appoint Committees or sub-Committees, by whatever name called, comprising member(s) of the Society and such outside experts and officers of the Society as may be nominated by it for specific tasks, for the disposal of any of its business or for tendering advice on any matter pertaining to the administration and management of the Society on such terms as it may deem fit, and to remove any of them.
- 5.4.2.8 Delegate, to such extent as it may deem necessary, any of its powers, other than those of making rules, to the Chair-person, Member Secretary or any Officer or the Committees constituted by the Board.
- 5.4.2.9 Create project based contract positions and handle the work on job-work and/or outsourcing basis for the Society, lay down terms and conditions and method of hiring such human resources.

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- 5.4.2.10 Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, improve, alter, demolish or repair buildings, space, works and constructions as may be necessary or convenient for carrying on the activities of the Society;
- 5.4.2.11 Negotiate, enter into and make contracts and deeds on behalf of the Society without any Government support. To enter into legal and corporate agreements for and on behalf of the Society and to sue and defend all legal proceedings on behalf of the Society;
- 5.4.2.12 Institute and award, prizes and medals for innovative e-Governance and citizen services applications;
- 5.4.2.13 Solicit and receive grants, gifts, donations or other contributions from the Central Government, State Government, user charges, cess, contributions, fee and funds in any other forms, provided it is approved by the Executive Committee;
- 5.4.2.14 Do all such acts and things as are incidental or conducive to the discharge of the functions and attainment of any of the objects of the Society.
- 5.4.2.15 To prepare and execute the detailed plans and programmes for working of the Society and to carry on its administration and management.
- 5.4.2.16 To procure and provide all types of IT resources & services like hardware, system software, power & printer peripherals, networking components etc. in accordance with the procedures laid down in the Operational Manual of the Society.
- 5.4.2.17 To have custody and ensure proper utilization of the funds of the Society and to manage all the resources of the Society.
- 5.4.2.18 To frame and prescribe guidelines and instructions for the implementation of e-Governance and citizen service applications in conformity with the overall policy approved in this behalf by the State Government and Governing Body.
- 5.4.2.19 To provide the required operating, administrative, technical, ministerial and other manpower under DDEGS on job work, contract or outsourcing basis from project to project basis for ensuring the efficient operation and management of the projects and the affairs of the Society and to prescribe the conditions for hiring and firing of such manpower by the other departments and organizations as and when required.

- 5.4.2.20 To co-ordinate with central and state level organizations/ institutions of national and international organizations in the pursuit of its objectives of the Society.
- 5.4.2.21 To consider and pass such Resolutions on the annual report, the annual accounts and the financial estimates of the Society as it thinks fit.
- 5.4.2.22 Do generally all such other 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 Governing Body to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objective the Society.
- 5.4.2.23 Consider the annual budget and the annual action plan, its subsequent alternations placed before it by the Member Secretary from time to time and to pass it with such modifications as the Governing Body may think fit.
- 5.4.2.24 Monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts.
- 5.4.2.25 Authorize the Member Secretary or any other member to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society.
- 5.4.2.26 Recruit administrative / technical staff for the Society secretariat as per the Operational Manual of the Society/RRs of the UT Administration.

5.5 POWERS AND FUNCTIONS OF THE CHAIR-PERSON OF THE GOVERNING BODY

- 5.5.1 The Chair-person shall have the powers to call for and preside over all meetings of the Governing Body.
- 5.5.2 The Chair-person may himself/herself call, or by a requisition in writing signed by him/her, may require the Member Secretary to call, a meeting of the Governing Body at any time and on the receipt of such requisition, the Member Secretary shall forthwith call such a meeting.
- 5.5.3 The Chair-person shall enjoy such powers as may be delegated to him by the Society and the Governing Body.
- 5.5.4 The Chair-person shall have the authority to review periodically the work and progress of the Society and to order inquiries into the affairs of the

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Society and to pass orders on the recommendations of the reviewing or inquiry Committee.

- 5.5.5 Nothing in these Rules shall prevent the Chair-person from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objects of the Society. However, the action taken by the Chairperson on such occasions shall be reported to the Governing Body subsequently for ratification.

5.6 EXECUTIVE COMMITTEE AND ITS SUB-COMMITTEES (Programme Committees)

- 5.6.1 The Governing Body shall have an Executive Committee which will be responsible for acting for and doing all deeds on behalf of the Governing Body and for taking all decisions and exercising all the powers, vested in the Governing Body except those which the Governing Body may specifically specify to be excluded from the jurisdiction of by the Executive Committee.

- 5.6.2 The composition of the Executive Committee shall be as follows:

S.N	Name / designation	Status in Executive Committee
1	Secretary(IT)	Chairperson
2	Collector, Daman	Member
3	Collector, Diu	Member
4	DIO, NIC, Daman	Member
5	CEO, District Panchayat	Member
6	DS (Finance)	Treasurer
7	Director (IT)	Member Secretary

- 5.6.3 The Executive committee will be empowered to take all administrative decisions where no permanent creation of posts is involved.
- 5.6.4. The Executive Committee will issue Administrative Approvals (AA), Financial Sanctions (FS) and Technical Sanction (TS) for all IT and e-Governance projects of value less than Rs. 2 Crore. Any project of more than Rs. 2 Crore would require the approval of the Governing Body.
- 5.6.5. The Executive Committee will be competent to handle all IT resource acquisition and disposal cases of value less than Rs. 2 crore per tender. Any acquisition of more than Rs. 2 crore per tender would require the approval of the Governing Body.
- 5.6.6. In case of urgency, the Executive Committee will take decisions and get the same ratified from the Governing Body in its next meeting.
- 5.6.7. The Executive Committee may also further delegate any of its power to Member Secretary of the Society.

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- 5.6.8. The Executive Committee shall exercise such other powers as delegated to it by the Governing Body.
- 5.6.9. The Executive Committee may co-opt additional members and/or invite subject experts to its meetings from time to time.
- 5.6.10. Meetings of the Executive Committee shall be convened by the Member Secretary by giving clear seven days notice in writing along with the Agenda specifying the business to be transacted, the date, time and venue of the meeting.
- 5.6.11. Meetings of the Executive Committee shall be held at least once every two months or more frequently as necessary.
- 5.6.12. The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting.
- 5.6.13. The Executive Committee may appoint one or more programme – committees for the purpose of day-to-day execution of the various programmes.
- 5.6.14. The programme committees will submit a monthly performance / progress report to the Executive Committee which shall incorporate these into the consolidated progress reports to be placed before the Governing Body.

6. POWERS, FUNCTIONS & RESPONSIBILITIES OF THE MEMBER SECRETARY

- 6.1. The Member-Secretary shall be the custodian of the record, the funds of the Society & such other property of the society as the Board may commit to his charge. The Member-Secretary shall have the accounts maintained and also arrange for the annual audit in accordance with the provisions in the Rules and Bye-laws of the Society.
- 6.2. The Member-Secretary shall have such other power & perform other duties as may be delegated or assigned to him by the Governing body or the Executive Committee. The Member-Secretary may delegate any of his powers to any of his subordinate with the approval of the Executive Committee.
- 6.3. The Member-Secretary of Board of Governor and Executive Committee shall be the same and also shall act as the Member-Secretary of the Society and will record the proceedings of the meetings of the Society and of the Governing Body and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.
- 6.4. The Member-Secretary shall manage the projects, properties or the money under the fund, manage accounts, execute all contracts on behalf of the society and receive funds for the society through donations, grants-in-aid, contributions and raising money whenever required.

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- 6.5 The Member-Secretary of Board of Governor shall prepare the budget relating to the administrative expenses of the Society and Committee such as expenditure on TA/DA of the members, which shall be legitimate charge on the fund.
- 6.6 The Member-Secretary will be empowered to take all day to day administrative decisions where no policy is involved where no creation of posts is involved.
- 6.7 In the event of the post of Member-Secretary remaining vacant or the Member-Secretary being absent or unable to perform his duties or any reason, it shall be open for the Board to direct any Officer or Officers in the service of the Society to excise temporarily such powers & perform such functions and duties of the Member-Secretary as the Board may deem fit.
- 6.8 The Member Secretary shall be responsible for the proper day to day administration of the Society. All other staff of the society shall be subordinate to the Member-Secretary. The Member-Secretary shall carry out the general correspondence in connection with the work assigned to him/her by the Chairman of Governing Body and the Executive Committee from time to time.
- 6.9 The Member-Secretary of Board of Governor shall hire & fire the manpower for the society and other staff in accordance with Rules, regulations and bye-laws of the Society. The Member-Secretary of Board of Governor shall represent the society in all its legal matters jointly or through any authorized representative.
- 6.10 The Member-Secretary shall be responsible for the training and execution of all IT and e-Governance projects as approved by the Governing Body and the Executive Committee.
- 6.11 To do all acts deeds and things necessary for carrying out his functions as Member-Secretary.
- 6.A " The Chief Finance Officer shall provide advice on all financial matters of Society like financial bids/ evaluation recommendation, Financial Planning, Managing the financial risks, budget and any other work assigned by Chairman (DDeGS)/ Vice-Chairman (DDeGS)

7. ASSETS AND FUNDS OF THE SOCIETY

- 7.1 The capital cost and corpus fund for the smooth functioning of the society may be contributed by Union Territory Administration, Government of India, contributions from Public sector undertakings, Co-operative institutions, other Public sector organizations and Financial Institutions.
- 7.2 **Sources of income of the Society:** The Society will implement the various e-Governance projects and also provide integrated services on behalf of various Government Departments. Therefore, any receipts of the society will consist of the following:

- 7.2.1 Cash assistance received from the Government of India or Grants-in-Aid from the UT Administration.
- 7.2.2 Payments against the bills for various services rendered by the Departments which will be transferred by the Society into the accounts of the concerned departments or agency and proper accounts would be maintained;
- 7.2.3 The fee prescribed by concerned Department of the Government for the certain categories of service would be transferred to the concerned department for depositing the same in the Government Treasury and;
- 7.2.4 Lastly the approved user charges for providing the service by the Society which will be retained by the Society.
- 7.3 The recurring expenditure of the society would be met out of the the share of service charges collected through the implementation of various E-Governance Projects or from the services charges collected in lieu of the citizens services and other income from resources and business of the society.
- 7.4 For expanding the scope and coverage of E-Governance services in the State the Society may approach Government of India, Administration of Daman & Diu or any financial institutions for funding the e-Governance project depending upon the project structuring / requirement.
- 7.5 The services of the Society may be used as an institutional mechanism for the facilitation/execution of various e- Governance projects which could be either fully or partially funded/ sponsored by Government of India, Administration of Daman & Diu or other financial institutions/resources. The execution of such projects could be facilitated through the Society and any fund allocated for such project could be utilized through the society. The Society would be paid a service charge for facilitating/executing such projects to the tune of 4% to 6% as decided by the Administration in the Department of IT from time to time.
- 7.6 The Society may accept contributions from statutory bodies created under the Acts of Parliament, the national and International organizations, NRIs, Industrial bodies. The contribution may also be accepted from Private bodies and individuals subject to the approval of its Governing Body.
- 7.7 The income and property of the Society howsoever derived shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum of Association.
- 7.8 No part of income and property of the Society shall be paid or transferred, directly or indirectly, by way of profit, to the persons/ body who are, or , at any time, have been or shall be members of the Society or Governing Body or to any of them or to any persons claiming through them or any of them.

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been or shall be members of the Society or Governing Body or to any of them or to any persons claiming through them or any of them.

7.9 Operation and management (O & M) of the Society:

7.9.1 The required operating, administrative, technical and other manpower may be deployed on job work, contract or outsourcing basis from project to project basis for ensuring the efficient operation and management of the projects.

7.9.2 Thus the hiring of manpower for the work of the Society would not be the liability of the Government and any expenditure on such account is proposed to be met out of the service charges/ other funds available with the society.

7.9.3 For the operations, the Society is likely to be financially self-sustaining after the successful implementation of the pilot projects. The Society will outsource its work on job-work basis or even totally outsource the projects depending upon the requirements of the specific project on a case to case basis. However, at no point of time the Society will have the permanent staff of its own and even the skeleton project base staff would be deployed on contract/job work basis.

7.9.4 Mostly the operating staff would be hired by the private partners and no Government Expenditure would be involved. Also expenditure on any hiring of staff by the society would be met out of its own resources like the service charges collected by the Society.

7.9.5 Vesting of the assets and funds of the Society: The Assets of the fund shall vest with the society. The society shall maintain Assets Register (AR) and accounts as per the common corporate practices relating to IT industry.

7.9.6 Objects for which the fund of the society could be used shall be as approved by the Governing body. All decisions for utilization of funds would be recorded in Executive Office Order Register (EOOR). Some of the indicative objects for which the funds could be used are as follows:

7.9.6.1. For creation, operation, management and maintenance of databases to be used for IT enabled citizen services in the State.

7.9.6.2. For developing replicable and reusable models of e-Governance in various State Government Departments, Offices, Boards and Corporations;

7.9.6.3 For creation, operation, management and maintenance of IT and other resources for e-governance applications and IT enabled citizens services.

7.9.6.4 To develop Decision Support System, MIS, Intranet and other applicable enabling technologies in State Government Departments, Offices, Boards and Corporations;

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7.9.6.7 For any other purpose, which seeks to achieve the objectives of the society.

7.9.7 Administrative expenses incurred by the Society or Committee such as salary allowances and traveling Allowances and daily Allowance of the staff can be legitimate charges on the funds of the Society in accordance with the provision of the rules of the society.

8. ACCOUNTS AND AUDIT

8.1 The Society shall cause regular accounts to be kept of all its money and properties in respect of the affairs of the Society.

8.2 The Executive Committee may cause separate Bank Accounts in respect of each scheme or separate ledgers for each scheme under one account. In such an event, the Governing Body shall prescribe written instructions relating to submission of Statement of Expenditure (SoE) for each scheme. The separate Accounts of different Programmes could be audited by different auditors, and submitted to the Executive Committee separately. However, the Executive committee will ensure one integrated audit of the Daman & Diu e-Governance Society

8.3 The accounts of the Society shall be audited annually by a Chartered Accountant firm included in the panel of Comptroller and Auditor General of India or any qualified person appointed by the Government of India/ Daman & Diu Administration and any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors. The office of the Auditor General of the State may also, at its discretion, audit the accounts of the society.

8.4 The Chartered Accountant or any qualified person appointed by the Govt. of India/ Daman & Diu Administration in connection with the audit of the accounts of the Society shall have the same rights, privileges and authority in connection with such audit as the Auditor General of the State has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other necessary documents and papers.

8.5 The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report along with its observation to the Daman & Diu Administration.

8.6 The auditor shall also forward a copy of the report to the following:

- A designated authority of the State as may be determined by its Governing Body/ Executive Committee.
- The Secretary(IT), Daman & Diu
- Chairperson of the Governing Body or a designated authority Society.



9. BANK ACCOUNT

- 9.1 The Account of the Society shall be opened in a nationalized or scheduled commercial bank approved by the Executive Committee or in a bank as may be specified by the Ministry of IT, Government of India. All funds shall be paid into the Society's account with the appointed bank and shall not be withdrawn except through a cheque, bill note, other negotiable instruments or through electronic banking (e-banking) procedures signed/electronically authorized by such authorities of the Society Secretariat as may be determined by the Executive Committee.
- 9.2 The Society shall adopt e-banking procedures as and when the MIT, Government of India directs the Society to do so as the principal donor to the Society.

10. ANNUAL REPORT

- 10.1 A draft Annual Report and the yearly accounts of the Society shall be placed before the Governing Body at next meeting for consideration and approval. A copy of the annual report and audited statement of accounts as finally approved by the Governing Body shall be forwarded within six months of the closure of a financial year to the following:

- Secretary (IT), Daman & Diu
- Chair-person, Governing Body

11. SUITS AND PROCEEDINGS

- 11.1 The Society may sue or be sued in the name of Society through its Member Secretary.
- 11.2 No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the Chairperson or Member Secretary or any office bearer authorized in this behalf.
- 11.3 Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chairperson, Member Secretary or any office bearer of the Society.
- 11.4 Nothing in sub-rule 11.3 above shall exempt the Chairperson, Member Secretary or office bearer of the Society from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

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12. AMENDMENTS

12.1 The Society may amend these Rules provided that such changes shall not alter the nature and / or the objectives and/or the purposes for which it has been set up. The proposals for any amendments shall be carried out only through the following process:

12.1.1 Proposals for amendments have been circulated to all members of the Governing Body and have been duly included in the written agenda of the ensuring meeting of the Governing Body or a special meeting of the Governing Body;

12.1.2 The Governing Body has endorsed the proposal at least 3/5th of the members of the Governing Body; and

13. DISSOLUTION

13.1 The Governing Body may resolve to dissolve the Society by bringing a proposal to that effect in a special meeting to be convened for the purpose, provided that the proposal for dissolution has been duly approved/ endorsed through the process prescribed for amendment as set out in Para 12.1 of these Rules.

13.2 The dissolution proceedings shall be made in accordance with the provisions of the Act as amended from time to time in its application in the Daman & Diu.

13.3 Upon the dissolution of the society, all assets of the society, after the settlement of all its debts and liabilities, shall stand reverted to the Daman & Diu Administration for such purpose as it may deem fit.

14. MISCELLANEOUS

14.1 CONTRACT

14.1.1 All contracts and other instruments for and on behalf of the society shall be subject to the provisions of the act, be expressed to be made in the name of the Society and shall be executed by the Member Secretary or any other the persons authorized by the Governing Body.

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

14.2 COMMON SEAL

14.2.1. The society shall have a common seal of such make and design as the Governing Body may approve.

14.3 GOVERNMENT POWER TO REVIEW

14.3.1. Notwithstanding anything to the contained in these Rules, the Daman & Diu Administration and/or Ministry of IT may appoint one or more persons to review the work and progress of the society and hold enquiries into the affairs thereof and report thereon. The Central Government may also cause the accounts of the Society to be audited by the internal audit parties of chief controller of Accounts, Department of IT, GOI or do Management Audit through the Financial Management Group, and issue directions, as deemed appropriate, to the society.

14.3.2 The Chair-person of the Governing Body shall have the right to nominate one or more persons to be part of the review/enquiries.

14.3.3 The progress review reports and / or enquiry reports shall be included in the written agenda of the ensuring meeting of the Governing Body.

14.3.4 The Union Territory Administration may give the society such directions in regard to the grants and funds, as in this opinion, are necessary or expedient for carrying out the purposes of the funds or the Society. It shall be the duty of the Society to comply with such directions.

We, the undersigned being three of the members of the first Governing Body of the Daman & Diu e-Governance Society, certify that the above is a correct copy of the Rules and Regulations of the said Society.

Sl. No.	Name and address	Signature
1	Shri. Vikash Anand, Director (IT)	

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2	Shir. Utpal Mehta, DIO, NIC, Daman	
3	Shri. P.J. Bamanian, DS (Fin.)	

Dated: _____



Bye-laws of the Daman & Diu e-Governance Society

A Procurement Policy and Procedures

Procurement of goods and services will be organized as per the procedures recommended by the State Society. Commitment made to multilateral/bilateral

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donor agencies with regard to procurement Procedures under different projects would be honored.

B Procedure for release of funds

Withdrawal of funds from the accounts of the society shall be regulated in a manner to be determined by the Governing Body or under its authority by the Executive Committee. The Society funds shall be drawn through cheques and/or bank drafts or through e-banking mechanism as and when the same is introduced.

All cheques shall be signed by two authorized signatories as decided by the Executive Committee

All releases will be made on the basis of a written authorization from the Member- Secretary. Wherever releases are decided to be made through bank drafts and/or through e-banking, the authorization letter to the bank shall be signed by the concerned authorized signatories.

Note: Wherever, under e-banking procedures, releases are to be made through electronic authorization to the bank to issue cheque/draft/account transfer on behalf of the Society, the electronic authorization will be executed by the same two authorized functionaries of the Society secretariat who have been authorized to sign cheques on the basis of a written authorization from the Member Secretary.

C Financial Powers of the office Bearers of the Society

Type Of expenditure	Authority	Extent of power
A: Release of funds to implementing agencies as per Daman & Diu Administration approved norms and/ or proposals approved by Daman & Diu Administration.	Director (IT)/Member Secretary	Full powers
B: Release of funds for implementation of plans / allocations approved by Governing Body / Executive Committee, as approved by the Executive Committee.		
C-1: Procurement of goods	Chairperson, Executive Committee	More than Rs 5.00 lakh and up to Rs.10.00 lakh per case.

C-2 : Repairs and minor civil works	Member Secretary	Up to Rs. 5.00lakh per case
C-3: Procurement of services for specific tasks including outsourcing of support services for the secretariat of the Society.		
D-1: Administrative Approval Financial Sanction for IT and e-Governance of the Society.	Governing Body	Full Powers
D-2: power of Acceptance of Tender	Executive Committee	Up to Rs. 2.00 crores
	Chairperson Executive Committee	Up to 1.00 crore
	Member Secretary	Up to 20.00 Lakh
E-1: Technical Sanction	Governing Body	Full powers
	Executive Committee	Up to Rs. 2.00 Crores
	SIO, NIC Silvassa	Upto to Rs. 1 Crore
	DIO, NIC Daman	Up to 20 lakh
<u>F: Expenditure proposals not covered under either of categories mentioned above</u>		
F-1: Hiring of contractual staff, including Sanction of compensation package	Chairperson Executive Committee	Full powers, provided that the contracts shall be for a period not exceeding 11 months at a time.

	Member Secretary	Full powers in respect of Clerical / class-IV equivalent positions, subject to compensation package approved by the Governing / Executive Committee, provided that the contracts shall be for a period not exceeding 11 months at a time.
F-2 Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, payments relating to documentation and other day-to-day services, meetings and workshops, training, purchase of training material/ books and magazines, payment of TA/DA and honoraria to resource persons and guest speakers invited to meetings / workshops, and payments of TA/DA allowances for contractual staff and/or non-official invitees to Governing Body / Executive Committee meetings and/or Government / Society staff deputed to meetings outside the State.	Chairperson Executive Committee	Upto Rs. 2.00 lakh at a time subject to a maximum of Rs. 20 lakh per annum.
	Member secretary	Upto Rs. 1.00 lakh at a time, subject to a maximum of Rs.10.00 lakh per annual.

G Human Resources policy and procedures

G-1: Recruitment and Appointment

Recruitment would be through either of the following two routes:

Appointments from open market: all such appointments will be on contractual basis for fixed tenure.

Appointments on "Deputation" basis: all such appointments will be regulated in terms of Daman & Diu Administration .

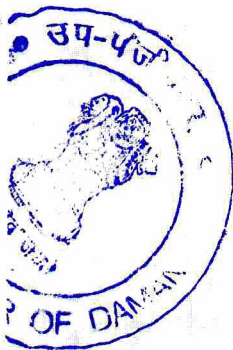
Recruitment would be made by the State Society. All appointments would be temporary and would be made for the contract / deputation period as may be determined by the Daman & Diu Administration.

G-2 Terms of appointment (applicable to Society staff and Consultants)

The terms of appointment of the staff of the Society shall be regulated in terms of the guidelines that may be provided by the Daman & Diu Administration.

G-3: Compliance of Statutory Requirements:

The Society shall register itself with relevant government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants and experts employed by it and/or consultancies /contracts awarded by it in the course of performance of its tasks.



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7. Declaration	We, the several persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Societies Registration Act, 1860 (Act, No.XXI of 1860): this... ..day of 2008 at Daman.
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S. No	Name	Occupation and address	Signature	Attested by
1	Shri Satya Gopal, IAS	Hon'ble Administrator Secretariat Daman		
2	Shri P. K. Gupta	Secretary (IT)/DC Secretariat Daman		
3	Shri P. K. Gupta	Finance Secretary Secretariat Daman		
4	Shri S. P. Dixit	Commissioner (VAT) Secretariat Daman		
5	Shri J. B. Singh	Collector Daman Dholar, Moti Daman		
6	Shri Utpal Mehta	DIO, NIC, Daman		
7	Shri P. J. Bamania	DS (Finance) Secretariat, Daman		
7	Shri Vikas Anand	Director (IT), Daman		

Dated: 09/01/2008

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- 13.3 Upon the dissolution of the Society, all assets of the Society, after the settlement of all its debts and liabilities, shall stand reverted to the Daman & Diu Administration for such purposes as it may deem fit.

14 MISCELLANEOUS

14.1 CONTRACTS

- 14.1.1 All contracts and other instruments for and on behalf of the Society shall be subject to the provisions of the Act, be expressed to be made in the name of the Society and shall be executed by the Member Secretary or any other the persons authorised by the Governing Body.

- 14.1.2 No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Society with any member of the Society or his/her relative or firm in which such member or his/her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said member is a partner or director.

14.2 COMMON SEAL

- 14.2.1 The Society shall have a common seal of such make and design as the Governing Body may approve.

14.3 GOVERNMENT POWER TO REVIEW

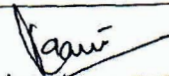


- 14.3.1 Notwithstanding anything to the contrary contained in these Rules, the Daman & Diu Administration and/or Ministry of IT may appoint one or more persons to review the work and progress of the Society and hold enquiries into the affairs thereof and report thereon. The Central Government may also cause the accounts of the Society to be audited by the internal audit parties of the Chief Controller of Accounts, Department of IT, GoI or do Management Audit through the Financial Management Group, and issue directions, as deemed appropriate, to the Society.

- 14.3.2 The Chair-person of the Governing Body shall have the right to nominate one or more persons to be part of the review / enquiries.

- 14.3.3 The progress review reports and / or enquiry reports shall be included in the written agenda of the ensuing meeting of the Governing Body.

- 14.3.4 The Union Territory Administration may give the Society such directions in regard to the grants and funds, as in its opinion, are necessary or expedient for carrying out the purposes of the funds or the Society. It shall be the duty of the Society to comply with such directions.

We, the undersigned being three of the members of the first Governing Body of the Daman & Diu e-Governance Society, certify that the above is a correct copy of the Rules and Regulations of the said Society.

Sl. No.	Name and address	Signature
1	VIKAS ANAND Director (IT)	
2	UTPAL MENTHA, DIO, NIC	
3	P. J. BAMANIA DS (Fin)	

Dated: 09/01/2008

CERTIFIED TRUE COPY
Daman & Diu e-Governance
Society, Daman
C.O.N. - 10/1/16

- 2 DEC 2016

SUB REGISTRAR
DAMAN

