



सत्यमेव जयते

புதுவை மாநில அரசிதழ்
LA GAZETTE DE L'ETAT DE PONDICHERY
THE GAZETTE OF PONDICHERY

PART-I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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GOVERNMENT OF PONDICHERY

CHIEF SECRETARIAT (ENVIRONMENT)

(G. O. Ms. No. 9/Envt./98, dated 23rd June 1998)

ORDER

The question of establishing an organisation to identify the areas in which science and technology can be applied to the developmental objectives and goals of the Union territory of Pondicherry has been under consideration of this administration for some time past, on the recommendations of the Planning Commission, Government of India. The Government have examined the proposal and approved the setting up of the Council for Science and Technology with immediate effect in the Union territory of Pondicherry. The Science and Technology Council will be the Apex body to look after Research and Development in different scientific discipline in the Union territory of Pondicherry. The Science and Technology Council on its establishment will be doing effective communication and other links between and co-ordinate the activities of

Centers of Scientific and Technological Research, Agricultural, Government agencies and industries with a view to promoting the application of Science and Technology.

2. The Lieutenant-Governor, Pondicherry, is pleased to approve the formation of the "Pondicherry Council for Science and Technology" and registering the same under the Societies Registration Act, 1860 (Central Act 21 of 1860).

3. The Government also approved a draft Memorandum of Association and Rules and Regulations of the Pondicherry Council for Science and Technology as given in the Annexure to this order.

4. This issues with the concurrence of Finance Department, Pondicherry *vide* the U. O. No. 35439/98/F5/A3, dated 15-6-1998.

(By order of the Lieutenant-Governor)

K. KALIYAPERUMAL,
Under Secretary to Government.

ANNEXURE

MEMORANDUM OF ASSOCIATION OF THE PONDICHERRY COUNCIL FOR SCIENCE AND TECHNOLOGY

1. Name.— The name of the society shall be "The Pondicherry Council for Science and Technology".

2. Office.— The Office of the Society shall be situated at the Department of Science, Technology and Environment, Pondicherry.

3. Objects.— The objects of the Society shall be the following, namely:—

(i) To identify areas, for the application of science and technology, to the developmental needs, objectives and goals of the Union territory of Pondicherry.

(ii) To advice the Government on the formulation of policies and measures, including the technical, administrative and legal measures, which will promote application of science and technology to identified needs, objectives and goals.

(iii) To promote effective co-ordination and to develop faster communication and effective links between centres of Science and Technology Research, Government agencies, farms and industries, so that promoting Research and Development work is initiated, promoted and effectively deployed in agriculture, industry, Government and elsewhere.

(iv) To prepare science and technology plans relevant to the developmental needs of Pondicherry.

(v) To consider and advise the Administration of the Union Territory on such other matters as are relevant to the application of science and technology to the problems of this Union Territory.

4. **Subscribing persons.**—We, the several persons whose names and addresses are subscribed hereto are desirous of forming a society in pursuance of the Memorandum of Association.

Sl. No.	Name	Designation
(1)	(2)	(3)
1	Thiru R. V. Janakiraman Chief Minister	Minister, Science and Technology
2	Thiru S. R. Sharma, I. A. S.	Chief Secretary
3	Thiru V. V. Bhat, I. A. S.	Development Commissioner
4	Thiru V. V. Bhat, I. A. S.	Secretary (Finance)
5	Dr. G. Narendra Kumar, I. A. S.	Secretary (Science and Technology)
6	Thiru N. Rajasekar, I. A. S.	Secretary (Education)
7	Dr. K. Balasubramanian	Director, DSTE, Pondicherry.

RULES AND REGULATIONS OF THE PONDICHERRY COUNCIL FOR SCIENCE AND TECHNOLOGY

1. **Short title.**—These rules and regulations are called regulations for the functioning of the Pondicherry Council for Science and Technology and its area of operation shall be confined to the entire Union territory of Pondicherry.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(a) “Act” means the Societies Registration Act, 1860 (Central Act XXI of 1860) as in force in the Union territory of Pondicherry;

(b) “Bye laws” means the bye laws framed under these rules;

(c) “Casual vacancy” means a vacancy caused by resignation or death of a member;

(d) “Chairman” means the Chairman of the Council, of Executive Committee formed under these rules;

(e) “Convenor” means the Convenor of the Executive Committee, who is the Member-Secretary of the Council;

(f) “Council” means the Pondicherry Council for Science and Technology constituted under these rules;

(g) “Executive Committee” means the Executive Committee constituted under these rules;

(h) “Government” means the Administrator of the Union territory of Pondicherry appointed by the President under article 239 of the Constitution;

- (i) "Member-Secretary" means the Member-Secretary of the Council;
- (j) "Vice-Chairman" means the Vice-Chairman of the Council;
- (k) "Year" means financial year *i. e.*, first April to 31st March of the succeeding year.

3. **Financial power.**—The Convenor/Member-Secretary, shall exercise all the financial powers of the Council, subject to the delegation of the powers, by the Council.

4. **Authorities of the Council.**—The following shall be the authorities of the Council, namely :—

- (i) The Executive Committee; and
- (ii) Such other committees as may be formed by the Council from time to time.

5. **Committees.**—There shall be an Executive Committee and its composition shall be as follows, namely:—

- (i) Secretary (Science and Technology) .. Chairman
- (ii) Secretary (Finance) .. Member
- (iii) One member nominated by the Government of Pondicherry for a period not exceeding 3 years from among experts, professionals and Non-Governmental organisation .. Member
- (iv) One Government Officer nominated by the Government of Pondicherry from among the members of the Councils .. Member
- (v) Member-Secretary of the Council .. Convenor

6. **Composition of members of the council.**—The composition of the members of the Council shall be as follows, namely:—

- (i) Minister (Science and Technology) .. Chairman
- (ii) Chief Secretary, Government of Pondicherry .. Vice-Chairman
- (iii) Director, JIPMER .. Member
- (iv) Nominee of Vice-Chancellor, Pondicherry University to be nominated from among Science and Technology, Departments of the University .. Member
- (v) Director, Vector Control and Research Centre .. Member
- (vi) Development Commissioner, Government of Pondicherry .. Member
- (vii) Secretary (Finance), Government of Pondicherry .. Member
- (viii) Secretary (Science and Technology), Government of Pondicherry .. Member

- (ix) Secretary (Education), Government of Pondicherry .. Member
- (x) Secretary (Health), Government of Pondicherry .. Member
- (xi) Secretary (Industries), Government of Pondicherry .. Member
- (xii) Secretary (Agriculture), Government of Pondicherry .. Member
- (xiii) Three members nominated by the Government of Pondicherry for a period not exceeding 3 years from the fields of Agriculture, Health and Nutrition, Industries, Science and Technology, Education, Transport and the Social Science .. Member
- (xiv) Two member one each from the Planning Commission (S & T) and one from Department of Science, Technology (DST), Government of India .. Member
- (xv) Director, Department of Science, Technology and Environment, Pondicherry .. Member-Secretary

7. Duration of the office of the Members of the State Council and Members of Executive Committee and their terms and conditions of appointments.—

- (a) The number of members in the Council shall not exceed 18.
- (b) All the members of the Council and the members of Executive Committee other than *ex-officio* members shall hold their membership for a period of three years.
- (c) Where any person is a member of the Council by virtue of his/her office or appointment his membership in the Council shall terminate when he/she ceases to hold that office or appointment; and in his/her vacancy, his/her successor in office or appointment shall automatically be a member of the Council.

(d) Any casual vacancy occurring due to death or resignation of a member of the Council, the post shall be filled up by nomination by the Government and such member or members shall hold office for the unexpired period of the Council.

(e) Any casual vacancies arise in the Executive Committee it shall be filled up by nomination by the Council from amongst the members of the Council and such member or members shall hold office for the unexpired period of the Executive Committee.

8. Register of members.—The Council shall maintain a register wherein the address and occupation of all the members shall be entered. Changes of address shall be notified by the member concerned to the Member-Secretary who shall enter the new address in the register. If a member fails to notify his new address, the address given in the register of members shall be deemed to be the correct address.

(b) All money received by the Council as donations or contributions from other sources; and

(c) Any other income and receipt of the Council.

(3) All money received for and on behalf of the Council shall be credited to an account opened in the name of the Council with any of the public sector bank. Any withdrawal therefrom shall only be by cheques signed by the Member-Secretary authorised by the Council.

(4) The Council shall be the custodian of the properties of the Council.

11. Powers and functions of the Executive Committee.—(1) The Executive Committee shall deal with administration, management of the affairs and finances of the Council.

(2) The Executive Committee shall perform the current duties of the Council and such other duties as the Council may by way of bye-laws, resolution or otherwise prescribe.

(3) The Executive Committee in case of emergency shall perform any duty and exercise any power of the Council, to whom all the proceedings in exercise of such emergency held, shall be reported at the next meeting of the Council for satisfaction.

(4) Without prejudice to the generality of the foregoing powers, the Executive Committee shall have the following powers, namely :—

(a) To incur expenditure on day to day administration of the business of the Council;

(b) To settle the charges and expenses preliminary and incidental, to the establishment and registration of the Council as a society;

(c) To institute, conduct, defend, compound or abandon any legal proceedings by or against the Council or otherwise on the affairs of the Council;

(d) To enter into all such negotiations and contracts and rescind and vary all such contracts and execute and do all such acts, deeds and things in the name and on behalf of the Council as they may consider expedient for or in relation to any of the matters aforesaid or otherwise for the purpose of the Council;

(e) To prepare the annual report of the working of the Council and to submit the same in the annual general meeting of the Council;

(f) To consider the audited accounts and the annual budget estimates of the Council presented by the Member-Secretary and to report the same in the annual general meeting of the Council.

(g) To sell, transfer, lease or otherwise dispose off any movable or immovable property of Council after obtaining the approval of the Council;

(h) To do such other things as are necessary for the conduct of the Council in furtherance of its objectives and in accordance with these rules;

(i) Power to make bye-laws not inconsistent with these rules and the Memorandum of Association for the conduct of the administrative financial and other affairs of the Council in furtherance of its objectives;

(j) The Executive Committee may dispose off urgent matters by circulation of papers, if so desired by the Chairman of the Executive Committee. All resolutions and decisions thus made shall be reported at the next meeting of the Council;

(k) The Executive Committee shall have powers to invite any individual or expert in the field of science, technology and environment to participate in the discussions at the meetings of the Executive Committee.

(1) The procedure to be followed at the meeting shall be laid down in the bye-laws framed by the Executive Committee;

12. **Accounts.**— (1) The Executive Committee shall maintain proper accounts and balance-sheet for each year.

(2) The annual accounts of the Council shall be audited by a certified auditor, who shall be appointed by the Executive Committee in its meeting and fix such remuneration.

13. **Ordinary meeting.**— (1) The State Council shall hold at least one meeting in a year at such time, date and place as the Chairman may decide. Notice of the meeting under the signature of the Member-Secretary or any other member authorised in this behalf by the Member-Secretary shall be served on the members of the Council at least fifteen days before the date of the meeting.

2. The Chairman and in his absence the Vice-Chairman shall preside over the meeting of the Council. In the absence of both the Chairman and the Vice-Chairman, the Council shall elect from amongst the members present, a Chairman who will preside over the meetings and exercise all the powers of the Chairman.

14. **Annual meeting.**—(1) The annual meeting of the Council shall be convened within three months after the close of the financial year. The following business shall be transacted at such meetings :—

(a) Confirmation of the minutes of the previous general meeting;

(b) Consideration and approval of the annual report on the management of the Council for the proceeding year together with an audited copy of the balance-sheet, income and expenditure statement and in auditor's report;

(c) Consideration of any matter or matters brought before it with the permission of the Chairman/Vice-chairman; and

(d) To elect the office-bearers of the Council and members of the other committees.

(2) Notice of annual meeting under the signature of the Member-Secretary or any other member authorised in this behalf by the Chairman shall be sent to all members at least fifteen days before the date of the meeting accompanied by the agenda and a copy of the annual report and statement of audited accounts of the previous year.

9. **Powers and functions of the Council.**—(1) Subject to the provisions of the Act, the Council shall manage the affairs of the society in such a manner so as to promote its objects. It shall have full powers and authority to deal with all matters, things and deals which are necessary and expedient to achieve the said objects.

(2) Without prejudice to the generality of the foregoing power, the Council shall have the following powers and perform the following functions, namely :—

- (a) The approving of broad policies to carry out the objectives of the Council;
- (b) Approving the annual budget, annual report and passing the audited copy of the balance-sheet, audit certificate, etc;
- (c) Delegating any of the powers other than rule making powers of the Chairman or Vice-Chairman;
- (d) The making, amending or repealing of any bye-law relating to the Administration and management of the affairs of Council;
- (e) The rule making power relating to administration and management of the affairs of the Council;
- (f) Appointing Committees, Sub-Committees, etc., for such purpose and on such terms as may be specified by it and to dissolve such committee;
- (g) Receiving grants from Government and accepting donations or endowments;
- (h) Confirm the minutes of the previous meeting of the Council;
- (i) Paying all costs and expenditure incurred for the promotion, establishment and registration of the Council as a society;
- (j) To create posts and posting staff of the Council;
- (k) Authorising the Chairman of the Executive Committee or the Chairman of the Level Council to enter into on agreements;
- (l) Doing all other acts and things either alone or in collaboration with such other organisation or person, as the Council may consider necessary incidental or conducive to the attainment of the objects of the Council;
- (m) The Council shall have the powers to delegate such of those powers of the Executive Committee to the Chairman and Convenor of the Executive Committee, as would be found necessary from time to time;
- (n) To authorise the Member-Secretary to draw accept, endorse, discount, execute, assign, issue and otherwise deal with cheques sundries, draft certificates, receipts, securities, promisory notes bill of exchange, etc.

10. **Property and funds**—(1) The Council shall be the owner of all its properties, movable and immovable.

(2) The funds of the Council shall consist of the following :—

- (a) All money received by the Society as grants from the Centra Government or the Government of Pondicherry;

(3) The first annual meeting shall be held by the Council within nine months of its registration of the Council as a Society and thereafter the annual general meeting shall be held as per sub-rule (1) above.

15. **Convening of special meeting.**—(1) A special meeting may be convened by the Member-Secretary at any time at the instructions of the Chairman/Vice-Chairman either on his own motion or on the request received in writing from at least one third of the total number of members of the Council.

(2) A request for a special meeting should be accompanied by the subjects proposed to be discussed at the meeting and the request should be addressed to the Chairman.

16. **Quorum.**—(1) The quorum for all the meeting of the Council shall be one third of the total number of members of the Council on the date of the meeting.

(2) If the quorum not present, the meeting shall be adjourned by the Chairman.

17. **Decision of the Council.**— (1) All the decisions of the Council shall be taken by majority of votes. In case of equality of votes in respect of any matters, the person presiding shall have a casting-vote.

(2) Any vacancy or defect in appointment, nomination or co-option or any member of the Council shall not invalidate any act or proceeding of the Council.

18. **Resolution by circulation.**— (1) When any business of the Council cannot wait till a meeting is convened and if so approved by the Chairman/Vice-Chairman any matter may be circulated amongst the members of the Council and any resolution so passed by circulation and approved by the majority of the members shall be effected and binding, as if such resolution has been passed in a meeting of the Council called and held. The circulation resolution shall be placed in the next general meeting of the Council for information.

19. **Contracts, suits, etc.**— (1) The Council may sue or be sued in the name of the Member-Secretary.

(2) No suit or proceedings shall abate by reason of any vacancy or change in the holder of office, authorised in this behalf.

(3) No decree or order against the Council in any suit or proceedings shall be executable personally against the Member-Secretary.

(4) Nothing in the above sub-rule, shall exempt the Chairman, the Vice-Chairman, the Member-Secretary or any other members of the Council from any criminal liability under the Act, or entitle him to claim any fine paid by him on conviction by a criminal court.

(5) Every member of the Council may be sued or prosecuted by the Council for any loss, damage caused to the Council or its property for anything done by him which is detrimental to the interest of the society.

20. **Authentication of order and instruments of the Council.**— (1) All orders and decisions of the Council and the Executive Committee and such other committee as may be formed by virtue of these rules shall be authenticated by the Member-Secretary or such officers authenticated by the Council.

21. **Validation of Act, proceedings, etc.**— (1) No Act done or proceedings taken by the Council or any standing or *ad hoc* committee shall be questioned on the ground of mere existence of any vacancy in or defect in appointment of the members thereof.

22. **Executive Committee Meeting.**— (1) The Executive Committee shall hold at least three ordinary meetings in a year, at such time, date and place as the Chairman shall decide. Notice of the meeting under the signature of the convenor or any other member authorised in this behalf by the Chairman shall be served on the members of the Executive Committee atleast seven days before the date of the meeting.

(2) The absence of the Chairman, the Executive Committee shall elect from among the members present, a Chairman, who will preside over the meeting and exercise all the powers of the Chairman.

23. **Quorum.**— (1) The quorum for all meetings shall be 1/3 of total number of members of the Executive Committee on the date of the meeting. If the quorum not present, the meeting shall be adjourned by the Chairman.

24. **Dissolution and winding up.**— (1) The Council may be dissolved or wound up in accordance with the provisions of section 13 of the Act, and the property of the Council shall be applied on such dissolution in the manner provided under the Act.

25. **Amendment to the Memorandum of Association, etc.**— (1) No amendment in the name, Memorandum of Association or Rules and Regulations of the Council shall be made except in accordance with the provisions of section 12 and 12-A of the Act.