

NATIONAL INSITUTE FOR THE EMPOWERMENT OF PERSONS WITH MULTIPLE DISABILITIES

MEMORANDUM OF ASSOCIATION

1. *Name of the Society:* National Institute for the Empowerment of Persons with Multiple Disabilities
2. *Address* : The Registered office of the Society shall be at Door No. 97/4, East Coast Road, Village: Muttukadu, Post: Kovalam, Dist: Kancheepuram - 603 112.
3. *Date of Commencement of the Society* : 28th September 2006
4. *Registration District of the Office of the Society* : Chengalpattu Dist (Tamil Nadu)
5. *Timings of the society* : 9:00 A.M. to 5:30 PM on all working days except Saturdays, Sundays & Central Government Holldays.
6. *Objects of the Society* :

6.1 The aims and objectives for which this society is established are as under:-

- (i) To undertake human resource development in various functional areas covering inter-disciplinary, multi-disciplinary and trans-disciplinary activities for empowerment of persons with multiple disabilities through the state-of-the-art rehabilitation intervention viz., educational, therapeutic, vocational, employment, leisure and social activities, sports, cultural programmes and full participation as also through developing various approaches including community rehabilitation, project management and capacity building of Non-Government Organisations (NGOs).
- (ii) To promote and conduct research in all areas relating to multiple disabilities and to develop trans-disciplinary models and strategies for social rehabilitation to meet various functional needs of diverse groups of people with multiple disabilities, by this Society hereinafter referred to as "the Institute" or through NGOs.
- (iii) To conduct, sponsor, coordinate or subsidize research into all aspects of the education, rehabilitation, capacity building, independent living of persons Multiple Disabilities by the Institute or through NGOs.

- (iii) To conduct, sponsor, coordinate or subsidize research into all aspects of the education, rehabilitation, capacity building, independent living of persons with multiple disabilities by the Institute or through NGOs.
- (iv) To undertake and/or sponsor the training of trainers and professionals in the area of early intervention, early childhood education, special education, vocational training & employment, independent living, community rehabilitation and project management, therapists and such other personnel as may be deemed necessary by the Institute in empowering the persons with multiple disabilities.
- (v) To manufacture, fabricate, adapt or promote or subsidize the manufacture of prototypes and distribution of any or all aids designed to promote any aspects of the education, therapy and rehabilitation of the persons with multiple disabilities.

6.2 For the realization of its objectives, the Institute will undertake:

- i) To prepare and develop human resource development programmes and activities in the areas of multiple disabilities;
- ii) To develop appropriate service models of care for empowering the persons with multiple disabilities in the Indian setting, which will have special emphasis on domiciliary care both in rural and urban areas;
- iii) To acquire relevant data as to the nature of the problems and on the felt needs of the community in the care and empowerment of persons with multiple disabilities and to identify, conduct and coordinate research in these areas;
- iv) To develop material for education, training and rehabilitation and impart training to the key professionals and personnel involved in the care and training of persons with multiple disabilities which will include rehabilitation therapists, parents, teachers and all levels of health, education and welfare personnel and others who work with persons with multiple disabilities;
- v) To develop extension programmes and conduct, monitor and evaluate them; with the view to maintain quality, provide need based training and to have a data base for further research;
- vi) To develop appropriate educational materials and carry out programmes of public education and mass communication;

- vii) to provide technical guidance to voluntary agencies in various programmes including initiating and coordinating activities in the community
- viii) to develop appropriate outreach programmes for rehabilitation of persons with Multiple Disabilities, including institutional programmes and services in linkage with existing medical, educational, social, legal and welfare services, and
- ix) to promote in-service and pre-service programmes through distance mode and through the use of ICT (Information Communication Technology) with the view to update professionals and others concerned.

7. Executive Council

The names, addresses, occupations and designations of the present members of the Executive Council to whom the management of the affairs of the institute is entrusted as required under Section 15(1) of The Tamil Nadu Societies Registration Act, 1975 (Act No.27/75) are as follows:

<i>S.No.</i>	<i>Name</i>	<i>Designation & Address</i>	<i>Description</i>
01.	Shri G.N. Pegu (Government Service)	Joint Secretary (DD), Ministry of Social Justice & Empowerment, Government of India, Room No. 601, 'A' Wing, Shashtri Bhavan, New Delhi-110 001. E-mail: gn.pegu@nic.in Phone: (011) 23381643	Chairperson (Ex-officio)
02.	Shri Mrityunjay Sahoo (Government Service)	Financial Adviser, Min. of Social Justice & Empowerment, Government of India, Room No.405, Shrama Shakthi Bhawan, Rafi Marg, New Delhi-110 001 E-mail: msahoo@nic.in Phone: (011) 23716792	Member (Ex-officio)

03. Dr. L. Govinda Rao
(Government service)

Director,
National Institute for the Mentally
Handicapped, Manovikasnagar
Secunderabad - 500 009.

Member Secretary

E-mail: hyd2_dirnimh@sanchernet.in
Phone: (044) 27759267


Director, National Institute for the Empowerment
of Persons with Multiple Disabilities(NIEPMD),
Chennai

Phone: (044) 27472389
E-mail: niepmd@gmail.com

8. Signatories to the Memorandum of Association.

We, the persons whose names and addresses are given below, have associated ourselves for the purposes described in the Memorandum, do hereby subscribe our names to this Memorandum and set our hands hereunto and form ourselves into a Society under the Tamil Nadu Societies Registration Act, 1975 (Act No.27/75)

<i>S.No.</i>	<i>Name</i>	<i>Occupation & Address</i>	<i>Signature</i>
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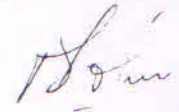
01.	Dr. Sundeep Khanna	Additional Secretary, Ministry of Social Justice & Empowerment, Government of India, Room No.616, 'A' Wing, Shashtri Bhavan New Delhi-110 001.	
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Phone: (011) 23384259

02. Shri Mrityunjay Sahoo

Financial Adviser, Ministry of
Social Justice & Empowerment,
Government of India, Room No.405,
Shrama Shakthi Bhawan,
Rafi Marg,
New Delhi-110 001.

E-mail: msahoo@nic.in
Phone: (011) 23716792



03. Shri G.N. Pegu

Joint Secretary, Ministry of
Social Justice & Empowerment,
Government of India, Room No.611,
'A' Wing, Shashtri Bhavan
New Delhi-110 001

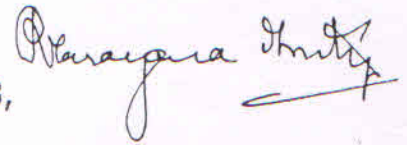
E-mail: gn.pegu@nic.in
Phone: (011) 23381643



04. Shri P.N. Murthy

Joint Secretary, Ministry of
Social Justice & Empowerment,
Government of India, Room No.613,
'A' Wing, Shashtri Bhavan
New Delhi-110 001

Phone: (011) 23387924



05. Dr. Arvind Prasad

Joint Secretary, Ministry of
Social Justice & Empowerment,
Government of India, Room No.612,
'A' Wing, Shashtri Bhavan
New Delhi-110 001

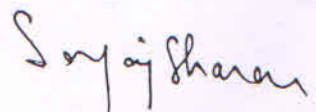
Phone: (011) 23384284



06. Col. Sanjay Sharan

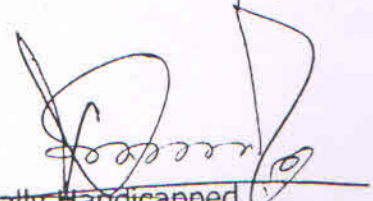
Director, Ministry of Social
Justice & Empowerment,
Government of India, Room.No.635,
Shashtri Bhavan,
New Delhi-110 001.

Phone: (011) 23382774



07. Dr. L. Govinda Rao

Director,
National Institute for the Mentally Handicapped
Manovikasnagar,
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E-mail: hyd2_dirnimh@sanchernet.in

Director, National Institute for the Empowerment of
Persons with Multiple Disabilities, Chennai

Phone: (044) 27472389
E-mail: niepmd@gmail.com

Witnesses to the above signatures

<i>S.No.</i>	<i>Name</i>	<i>Occupation & Address</i>	<i>Signature</i>
01.	Shri A.K. Sachdeva	Under Secretary to the Government of India Ministry of Social Justice & Empowerment Government of India, Room.No.622 Shashtri Bhavan, New Delhi-110 001. Phone No. 23386314	
02.	Shri P.A. Raghwan	Under Secretary to the Government of India Ministry of Social Justice & Empowerment Government of India, Room No.622 Shashtri Bhavan, New Delhi-110 001 Phone No. 23386314	

**BYE-LAWS IN ACCORDANCE WITH THE PROVISIONS OF ACT-XXVII, OF 1975
OF THE TAMIL NADU SOCIETIES REGISTRATION ACT, 1975.**

1. The name of the Society shall be National Institute for Empowerment of Persons with Multiple Disabilities.
2. The address of the Registered Office is at D.No.97/4, East Coast Road, Village: Muttukadu, Post: Kovalam, Dist.: Kancheepuram - 603 112.
3. The Society was formed on 28th September, 2006.
4. The Society is within the jurisdiction of the Registrar of Societies, Chengalpattu District, Tamilnadu.
5. The business hours of the Society shall be between 9.00 a.m. and 5.30 p.m. on all working days except Saturdays, Sundays and Central Government holidays.
6. *Aims and objectives of the society:*
 - 6.1 The aims and objectives for which this society is established are as under:-
 - (i) To undertake human resource development in various functional areas covering inter-disciplinary, multi-disciplinary and trans-disciplinary activities for empowerment of persons with multiple disabilities through the state-of-the-art rehabilitation intervention viz., educational, therapeutic, vocational, employment, leisure and social activities, sports, cultural programmes and full participation as also through developing various approaches including community rehabilitation, project management and capacity building of Non-Government Organizations (NGOs).
 - (ii) To promote and conduct research in all areas relating to multiple disabilities and to develop trans-disciplinary models and strategies for social rehabilitation to meet various functional needs of diverse groups of people with multiple disabilities, by the Institute or through NGOs.
 - (iii) To conduct, sponsor, coordinate or subsidize research into all aspects of the education, rehabilitation, capacity building, independent living of persons Multiple Disabilities by the Institute or through NGOs.
 - (iv) To undertake and/or sponsor the training of trainers and professionals in the area of Early intervention, Early childhood education, Special

education, vocational training & employment, independent living, community rehabilitation and project management therapists and such other personnel as may be deemed necessary by the Institute in empowering the persons with multiple disabilities.

- (v) To manufacture, fabricate, adapt or promote or subsidize the manufacture of prototypes and distribution of any or all aids designed to promote any aspects of the education, therapy and rehabilitation of the persons with multiple disabilities.

6.2 For the realization of its objectives, the Institute will undertake:

- i) To prepare and develop human resource development programmes and activities in the areas of multiple disabilities;
- ii) To develop appropriate service models of care for empowering the persons with multiple disabilities in the Indian setting, which will have special emphasis on domiciliary care both in rural and urban areas;
- iii) To acquire relevant data as to the nature of the problems and on the felt needs of the community in the care and empowerment of persons with multiple disabilities and to identify, conduct and coordinate research in these areas;
- iv) To develop material for education, training and rehabilitation and to impart training to the key professionals and personnel involved in the care and training of persons with multiple disabilities which will include rehabilitation therapists, parents, teachers and all levels of health, education and welfare personnel and others who work with persons with multiple disabilities;
- v) To develop extension programmes and to conduct monitor and evaluate them; with the view to maintain quality, provide need based training and to have a data base for further research;
- vi) To develop appropriate educational materials and to carry out programmes of public education and mass communication;
- vii) To provide technical guidance to voluntary agencies in various programmes including initiating and coordinating activities in the community;

- viii) To develop appropriate outreach programmes for rehabilitation of persons with Multiple Disabilities, including institutional programmes and services in linkage with existing medical educational social, legal and welfare services; and
- ix) To promote in service and pre-service programmes through distance mode and through the use of ICT (Information Communication Technology) with the view to update professionals and others concerned.

7. Definitions:

7.1 In these Bye-Laws unless there is anything repugnant to the subject or context:

- (a) The 'Institute' means the National Institute for Empowerment of Persons with Multiple Disabilities.
- (b) The 'President' means the President of the General Council.
- (c) The 'General Council' means the General Council of the Institute.
- (d) The 'Executive Council' means the Executive Council of the Institute.
- (e) The 'Chairperson' means the Chairperson of the Executive Council.
- (f) 'Memorandum' means the Registered Memorandum of the National Institute for Empowerment of Persons with Multiple Disabilities as may be amended from time to time by the Society.
- (g) The 'Bye-law' means bye-law registered along with Memorandum and as may be amended by the society from time to time.
- (h) 'Society' means the society forming the Institute.
- (i) 'Office Bearers' means the President or Chairperson, Member-Secretary or any other who may be designated by the President or the Chairperson.
- (j) 'Government' means the Central Government dealing with subject matters pertaining to or allocated to the Ministry of Social Justice & Empowerment.
- (k) 'Year' means the financial year of the Central Government.

8. Authorities of the Institute:

8.1 The following shall be the authorities of the Institute;

8.2 General Council;

8.3. Executive Council;

8.4 Such other Authorities as may be prescribed from time to time by the General Council.

9. General Council:

9.1. The composition of the General Council shall be:

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|-----|---|----------------------------|
| (a) | Secretary,
Ministry of Social Justice & Empowerment,
Government of India | -President
(Ex-officio) |
| (b) | Joint Secretary dealing with the subject in the
Ministry of Social Justice & Empowerment,
Government of India. | -Member
(Ex-officio) |
| (c) | Financial Adviser to the
Ministry of Social Justice & Empowerment,
Government of India. | -Member
(Ex-officio) |
| (d) | Director General of Employment & Training.
Government of India, Ministry of Labour. | -Member
(Ex-officio) |
| (e) | Six specialists/representatives of voluntary
organization/Parent Association/social workers in the field
(to be nominated by the Government of India) of Autism /cerebral
Palsy/Multiple Disabilities. | -Members |
| (f) | Director General of Health Services, Ministry of Health,
Government of India | -Member
(Ex-officio) |
| (g) | Two nominees from the Government of Tamil Nadu
(Principal Secretary Department of Social Welfare & Principal Secretary
& Director. Medical Health Services. Government of Tamil Nadu) | -Members |
| (h) | Joint Secretary to the Government of India,
Department of Education
Ministry Human Resource Development
Government of India. | -Member
(Ex-officio) |
| (i) | Chairperson of the National Trust | -Member
(Ex-officio) |
| (j) | Chairperson of the Rehabilitation Council of India | -Member
(Ex-officio) |
| (k) | (a) Director, Ali Yavar Jung National Institute for the
Hearing Handicapped (AYJNIHH) | - Member
(Ex-officio) |

(b) Director, National Institute for the Mentally Handicapped (NIMH) - Member (Ex-officio)

(c) Director, National Institute for the Visually Handicapped (NIVH) -Member (Ex-officio)

(d) Director, National Institute for the Orthopaedically Handicapped (NIOH) -Member (Ex-officio)

(l) Director of the Institute - Member- Secretary

9.2 The General Council will have the power to co-opt from time to time for such period as they deem fit, representative or representatives of such other organizations or institutions and individuals as they deem desirable in the interests of the Institute. The co-opted member shall have the right to participate in the discussion, but not to vote.

10. Term of office:

10.1 The tenure of office of the Members and Office Bearers of the General Council except that of the President shall be two years or until their successors are nominated, whichever is later, and they shall be eligible for renomination.

10.2 The tenure of office of the member of the General Council shall be at the pleasure of the Central Government. It can be reduced or extended at the pleasure of the Central Government.

10.3 An ex-officio member shall automatically cease to be a member of General Council on vacating office.

11. Meeting of the General Council:

11.1 The Annual General Meeting of the General Council shall be called by the President every year, after giving at least 21 days written notice of the date, time, place and agenda and at such meeting it shall transact the following business.

(a) Consideration of the Annual Report.

(b) Consideration of the Balance Sheet and the Audited accounts for the previous year.

(c) Receipt and consideration of budget proposals for the following year; and

(d) Such other matter or matters as the President may direct.

11.2 The President may convene a special meeting of the General Council whenever he/she thinks it necessary to do so by giving not less than 7 days notice and indicating the purpose of the meeting.

11.3 At such Special Meeting of the General Council convened by the President no business other than the business included in the notice of the meeting shall be conducted.

11.4 Powers and duties of the President of the General Council shall include-

- a. To supervise and guide the overall activities of the Society;
- b. To be responsible for working of the Society and the Executive Council;
- c. Moving the Executive Council to take into consideration his / her views in regard to any matter which is required to be considered by it.
- d. Calling and presiding over all the meetings of the General Council and see that the meeting is conducted properly.

12. The Executive Council:

The Executive Council shall consist of not less than five members and not more than eleven members.

12.1 The composition of the Executive Council shall be:

- | | | |
|-----|--|-------------------------------|
| (a) | Joint Secretary concerned dealing with the subject in the Ministry of Social Justice & Empowerment, Government of India. | - Chairperson
(Ex-officio) |
| (b) | Financial Adviser, Ministry of Social Justice & Empowerment, Government of India. | - Member
(Ex-officio) |
| (c) | Director concerned dealing with the subject in the Ministry of Social Justice & Empowerment, Government of India | - Member
(Ex-officio) |
| (d) | Two specialists/representatives of voluntary organization/Parent Associations/social workers in the field / other Government nominees (to be nominated by the Government of India) | -Members |

(e) Director of the Institute

-Member-Secretary
(Ex-officio)

12.2 The Chairman of the Executive Council may invite any person to attend any particular meeting or meetings as he/she thinks it desirable.

12.3 Powers and duties of the Chairperson of the Executive Council:

- i) To preside over the meetings of the Executive Council and to see and the meeting is conducting properly;
- ii) To be responsible for working of the Institute/Executive Council with all members;
- iii) To supervise and guide the overall activities of the Institute;
- iv) To take emergent action whenever exigencies of the situation demand it in the interests of the Institute and to have the same ratified by the Executive Council at its next meeting.

12.4 Powers and duties of the Director of the Institute:

- i) To call meetings of the General Council/Executive Council with the consent of the Chairman.
- ii) To keep accounts of all financial transaction by the Institute and of all the sum of money received and spent by the Institute and maintain records of receipts and expenses relating to such matters, and of assets, credits and liabilities. Provided that the accounts shall be kept separately of all foreign donations/grants/contribution if any.
- iii) To get the accounts audited by the Comptroller and Auditor General of India (C&AG).
- iv) To keep minutes of all the meeting of General Council/Executive Council
- v) To keep and preserve the records by the Institute.
- vi) To submit to the General Council and Executive Council the annual accounts and budget by the Institute.
- vii) To carry on correspondence on behalf by the Institute.
- viii) He/She will be overall in-charge of the administration and execution of all the programmes by the Institute including financial affairs on behalf of the Executive Council including creation of posts, fixation of salaries/remunerations/allowances etc. appointments, engagements of staff on work charge or daily basis, make purchase and do all other such things as may be necessary in the furtherance of the objects by the Institute. However, creation of plan and non-plan posts including Group A,B,C and D posts shall be done with prior approval of Government.
- ix) He/She will function as Head of Department as per Delegation of Financial Power Rules (DFPR)

13. Tenure of office:

- 13.1 Member nominated under clause 9.1 (e) and under clause 12.1 (c) shall hold office for a period of two years from the date of nomination. The members shall be eligible for re-nomination.
- 13.2 Where a member of General Council/Executive Council becomes such member by reason of the office he holds, his membership shall be terminated when he ceases to hold that office.
- 13.3 If a member of the General Council/Executive Council changes his address, he will notify to the Member Secretary his new address; but if he fails to notify such address, his address as recorded on the rolls of the members shall be deemed to be his address.

14. Cessation or termination of Membership:

- 14.1 A Member of the General Council or Executive Council shall cease to be such a member if he (a) dies or (b) resigns his membership, or (c) become of unsound mind, or (d) becomes insolvent or (e) is convicted of a criminal offence involving moral turpitude or (f) is removed by the Central Government from the membership or (g) except in the case of Director of the Institute, accepts a full-time appointment in the Institute or (h) fails to attend three consecutive meetings, without the leave of the President of the General Council or Chairperson of the Executive Council as the case may be or (i) is hindrance to the achievements of the aims and objectives of the Society, as reasonably determine by the President of General Council or Chairperson of Executive Council, as the case may be.
- 14.2 A member of the General Council or Executive Council (other than ex-officio member or a member representing the Central Government) may resign office by a letter addressed to the President of the General Council or to the Chairman of the Executive Council whatever the case may be and such resignation shall take effect from the date it is accepted by the concerned President/Chairperson.

15. Casual vacancy:

- 15.1 Any casual vacancy in the General Council or in the Executive Council shall be filled by the appointment or nomination of a member by the appropriate authority entitled to make such appointment or nomination and the member appointed or nominated to fill such casual vacancy shall hold office for

the remainder of the term, if any, of the member in whose place he has been appointed or nominated.

15.2 The General Council or the Executive Council shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members, and no act or proceedings of the General Council or Executive Council shall be called in question merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of any of its members.

16. Meeting of the Executive Council:

16.1 The Executive Council of the Institute shall meet at least once in every three months.

16.2 The meeting of the Executive Council may be convened by the Chairperson of the Executive Council or any other member of the Executive Council who may be authorized by him on his behalf.

16.3 The Meetings of the Executive Council shall be presided over by the Chairperson of the Executive Council and in his absence a member elected by the members present, shall function as Chairman for that particular meeting.

17. Powers and functions of the Executive Council:

17.1 Subject to general control and directives of the General Council, the Executive Council shall be responsible for the management and administration of the affairs of the Institute in accordance with the Memorandum and Bye-laws made thereunder for the furtherance of the objects and shall have all powers which may be necessary or expedient for the purpose including:-

- (a) To lay down broad policy to carry out the purposes of the Institute.
- (b) To review and approve budget estimates.
- (c) To sanction expenditure as defined in Bye-laws.
- (d) To invest the funds of the institute in accordance with the Memorandum and Bye-laws.
- (e) To create posts and recruit and appoint staff. However, creation of plan and non-plan posts including Group A,B,C and D posts shall be done with prior approval of Government.

17.2 The appointment of the Director shall be made by the Executive Council with the prior approval of the Government.

- (a) Creation and appointment to all such posts as carry an initial monthly pay of Rs.14,300/- or above shall be done with prior approval of the Government.
- 17.3 Creation and appointment of other posts in Group 'A' shall be made by the Executive Council and for Group 'B', 'C' & 'D' by the Director of Institute. However, creation of plan and non-plan posts including Group A,B,C and D posts shall be done with prior approval of Government.
- 17.4 The Director of the Institute shall be in-charge of the management of the Institute and shall exercise such powers in respect of the affairs of the Institute as may be delegated to him by the Executive Council from time to time.
- 17.5 The Executive Council may by resolution appoint one or more committee or committees or sub-committees for such purposes and with such powers as may be specified by it.
- 17.6 The Executive Council of the Institute may, by resolution, delegate separately to the Chairperson or the Director or jointly to both of them such of its powers as it may deem fit for the conduct of business.
- 18. Funds for the Institute, Accounts and Audit:**
- 18.1 The funds of the Institute shall consist the following:-
- (a) Grants made by or through the Government of India or any State Government;
 - (b) Donations and contributions from other sources; and
 - (c) Other income and receipts of the Institute.
- 18.2 The funds of the Institute shall be deposited in a Nationalized/Scheduled bank to be named by the Executive Council and funds received shall be paid into the Institute's account maintained in such a bank and shall not be withdrawn except on cheque signed and/or jointly operated by two persons designated by the Executive Council and authorised to function on their behalf.
- 18.3 The Institute shall maintain proper accounts including a balance sheet in such form as may be prescribed under the Bye-laws.
- 18.4 The accounts of the Institute shall be audited annually in such manner as provided in section 16 of Tamil Nadu Societies Registration Act, 1975 and the Central Government may direct any expenditure incurred in connection with the audit of the accounts of the Institute shall be payable by the Institute. The

auditors shall have the right to demand production of books, accounts, vouchers and other documents and papers and to inspect the office of the Institute.

- 18.5 Within six months after the close of every financial year, the institute shall submit to the Central Government the audited statement of accounts of the previous year.
- 18.6 The financial year of the Institute shall be from the first of April to the thirty-first of March of the following year.
19. The Institute shall invest and deal with funds and moneys of the society and shall have the right:
- a) To issue appeals and applications for money and funds in furtherance of the said objectives and to raise or collect funds by gifts, donations, subscriptions, securities and any property either movable or immovable and to grant such rights and privileges to the donors, subscribers and other benefactors as the society may consider proper;
 - b) To acquire, purchase or otherwise own or take on lease or hire temporarily or permanently buy any movable or immovable property necessary or convenient for the furtherance of the objectives of the society;
 - c) To borrow and raise money with or without security or on the security of mortgage charge or on the security hypothecation or pledge of all or any of the movable or immovable properties belonging to the society or in any other manner whatsoever, provided that prior approval in writing of the Government of India is obtained in that behalf;
 - d) To sell, assign, mortgage, lease exchange and otherwise transfer or dispose of any property movable or immovable of the society for the furtherance of the objects of the society provided prior approval of the Government of India is obtained (in writing) for the transfer of the immovable property;
 - e) To enter into any agreement with any government or authority, municipal, local or otherwise to obtain from such Government or authority any rights, privileges, concessions, fiduciary or otherwise that the society may deem desirable to obtain and carry out, exercise and comply with such arrangements and rights, privileges and concessions;
 - f) To draw, make, accept, endorse, discount, execute, sign, issue and otherwise deal with cheques, hundis, certificates, receipts, Government

securities, promissory notes, bills of exchange or other instruments and securities whether negotiable or transferable or not;

- g) To build, construct, maintain, repair, alter, improve or develop or furnish any buildings or works necessary or convenient for the purpose of the society;
- h) To undertake and accept management of any endowment or trust fund or donation to further the objectives of the society.
- i) To appoint, or employ temporarily or permanently any person or persons that may be required for purposes for the society and to pay them or other persons in return for services rendered to the society, salaries, wages, honoraria, fees, gratuities, provident funds and pensions;
- j) To mobilize available expertise in the field of the Multiple Disabilities and to offer technical and consultancy services with or without payment of remuneration as considered necessary.
- k) To establish a provident fund and other benefits for its employees of the society;
- l) To institute, offer, or grant, prizes, awards, scholarships and stipends in furtherance of the objectives of the society; and
- m) To receive and accept grants/donations and other contributions.

20. Government of India may appoint one or more persons to review the work and progress of the Institute and to hold enquiries into the affairs thereof and to report thereon in such manner as the Government of India may stipulate, and upon receipt of any such report, the Government of India may take such action and issue such directions, as it may consider necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.

21. The Government of India may give from time to time directives to the Institute as it deems fit and these shall be binding on the Institute.

22. The Institute shall be open to persons of either sex, and of whatever race, creed, caste or class, and no test or conditions shall be imposed as to religious belief or profession in admitting trainees/students or appointing members, teachers and other technical and non-technical staff of the Institute.

23. No benefaction shall be accepted by the society which in its opinion, involves condition or obligations opposed to the spirit and objectives of the society.

24. In case the Government of India is satisfied that the Institute is not functioning properly, the Government of India shall have the power to take over the administration of the Institute and to appoint an administrator for this purpose. During the period such an order is subsisting, the General Council and the Executive Council shall remain suspended and all the powers of the General Council and Executive Council shall vest in the administrator.
25. With the previous approval of the Government of India, the society shall have power to frame and amend bye-laws not consistent with the Memorandum and the bye-laws, for the administration and management of its affairs.
26. Without prejudice to the generality of the foregoing provisions such regulations may Provide for the following matters:-
- (i) The preparation and sanction of budget estimates, the sanctioning of expenditure, making and execution of contracts, the investment of the funds of the society and the sale or alteration of such investment and accounts and audit.
 - (ii) Powers, functions and conduct of business of such committees or advisory panels as may be constituted from time to time;
 - (iii) The procedure, terms and tenure of appointments, emoluments, allowances, rules of discipline and other conditions of service of the officers and staff of the society.
 - (iv) Terms and conditions governing scholarships, fellowships, deputations, grant-in-aid; research schemes and projects;
 - (v) Such other matters as may be necessary for the furtherance of the objectives and proper administration of the affairs of the Society.
27. Quorum:
- 27.1 1/3 members of the General Council shall constitute a quorum at a General Council meeting or a special meeting of the General Council.
- 27.2 1/3 members of the Executive Council shall form the quorum at any meeting of the Executive Council.
- 27.3 A written notice shall be sent to every member of the General Council or Executive Council, as the case may be, either personally or through registered/speed post at address mentioned in the latest roll of members.

27.4 Any notice so sent by registered/speed post shall be deemed to have been duly served and in providing such services, it shall be sufficient to show that cover containing such notice was properly addressed and put into the Post Office under registered/speed post.

27.5 Non-receipt of the notice of any meeting of the General Council or Executive Council by any member shall not invalidate the proceeding of the meetings.

27.6 The minimum period of notice for meeting of the General Council/Executive Council shall be as follows:-

(a) for the Annual General Meeting of the General Council-21 days.

(b) for special meeting of the General Council 7 days.

(c) for ordinary meeting of the Executive Council 14 days; and

(d) for extraordinary meetings of the Executive Council 7 days.

27.7 In case of difference of opinion among the members of the General Council or the Executive Council at any meetings, the opinion of the majority shall prevail. Each member other than co-opted members of the General Council or of the Executive Council, as the case may be, including the President shall have one vote and if there be equality of votes on any question, the Presiding Officer shall in addition have a casting or second vote.

28. Supply of copies of bye-laws etc., to members:

Every registered society shall supply to any member, on application and on payment of such fee as may be prescribed, a copy of:-

(i) its bye-laws;

(ii) the receipts and expenditure account; and

(iii) the balance sheet.

29. Property of registered society, how vested:

All property, movable and immovable, belonging to a registered society, whether acquired before or after its registration, if not vested in trustees, shall vest in the committee; and any such property may in any legal proceeding, be referred to as the property of the committee.

30. Members guilty of offences punishable as strangers:

Any member of a registered society who steals, purloins or embezzles any money or other property, or wilfully and maliciously destroys or injures any property of the registered society or forges any deed, bond, security for money, receipt or other instrument whereby the funds of the registered society may be exposed to loss, shall be subject to the same prosecution, and, if convicted, shall be liable to be punished in like manner as any person who is not a member would be subject and liable to in respect of the like offence.

31. Roll of Members:

The Institute shall keep a roll of members and their addresses and occupations.

32. Resolution by circulation:

Any business in respect of which the Chairperson is satisfied that the matter is urgent and that it is not possible to hold a meeting of the Executive Council in the near future may be carried out by circulation among all its members of the Executive Council and shall be effective and binding as if such resolution has been passed at a meeting of the Executive Council.

33. General:

33.1 All contracts shall be executed on behalf of the Institute by the Director in consultation with the Chairperson, as per rules defined in the financial bye-laws to be framed by the society.

33.2 For the purpose of Section 20 of the Tamil Nadu Societies Registration Act, 1975 the Director of the Institute shall sue or be sued in all matter of dispute arising out of contract.

34. Income and Property:

34.1 The income and property of the society, howsoever derived, shall be applied towards the promotion of the objectives thereof as set forth in the Memorandum subject nevertheless to the conditions the Government of India may, from time to time, impose in respect of expenditure or grants made by them. No portion of the income and property of the society shall be paid or transferred directly or indirectly by way of dividends, bonus, or otherwise, howsoever by way of profit to the persons who at any time are or have been members of the society or to any of them or to any persons claiming through them or any of them provided that nothing therein contained shall prevent the payment in good faith of honoraria to any member thereof or remuneration to any officer in the Institute in return for any service rendered to the society or for travelling

allowance halting allowance or other similar charges. If, however, a member of the society is a Member of Parliament, he shall be paid only the compensatory allowance as provided under the Parliament (prevention of disqualification) Act, 1959 until he ceases to be a Member of Parliament.

35. Amendment of Memorandum & Bye-Laws.
- 35.1. Whenever it shall appear to the General Council of the Institute that it is advisable to alter, extend or abridge such purpose or for other purposes specified in Section 12 of Tamil Nadu Societies Registered Act, 1975 the General Council with the prior approval of Central Government, may submit the proposition to the members of the Society in a written or printed report and may convene a special general meeting for the consideration thereof according to the Bye-laws. No such proposition shall be deemed to have been approved unless such report has been delivered or sent by registered post to every member of the Society 7 days prior to the date of the special general meeting convened by the General Council for the consideration thereof and unless such proposition shall have been agreed to by the votes cast in favour of the proposition by member who being entitled to do so and such votes are not less than three-fifths of the members delivered in person or by proxy so entitled and voting and confirmed by similar majority of votes at a second special general meeting convened by the General Council after an interval of one month after the former meeting.
- 35.2 Whenever it shall appear to the General Council of the Institute to alter, extend or abridge such purpose or for other purpose within the meaning of the Act to amalgamate such society either wholly or partially with any other society the General Council may submit the proposition to the members of the Society either in written or printed report and may convene a special meeting for the consideration thereof according to the rules and Bye-laws. But no such proposition shall be carried into effect unless such report shall have been delivered or sent by Post to every member of the society seven days prior to the special meeting convened by the governing body for the consideration thereof, nor unless such proposition shall have been agreed to by the votes of three-fifths of the members delivered in person or by proxy and confirmed by the votes of three-fifths of the members present at a second special meeting convened by the governing body at an interval of one month after the former meeting.
36. Once in every year a list of the office bearers and members of the General Council / Executive Council shall be filed with the Registrar of Societies Changalpattu, as required under section 6 of the Tamil Nadu Societies Registration Act of 1975.
37. Application of Government of India Rules in regard to Service matters:

The Financial Rules, Service Rules, General Financial Rules; Central Civil Services (Leave) Rules, Delegation of Financial Powers Rules, the Central Civil Services (Conduct) Rules and the Central Civil Services (CCA) Rules, etc. of the Government of India shall *mutatis mutandis* apply to all the employees of the Institute.

38. Maintenance of Accounts and Audit of Accounts, etc.:

- 38.1 The Director shall be the Head of the Department for exercising the powers under the Delegation of Financial Powers Rules 1978 of the Government of India in the financial matters pertaining to the Institute.
- 38.2 An officer of the Institute shall be nominated by the Director as the Drawing & Disbursing Officer for the Institute.
- 38.3 The Officer entrusted with discharging the Administrative functions shall be nominated by the Director as Head of the Office.
- 38.4 The Director shall exercise financial power as per the schedule of powers delegated by the Executive Council. The Director may further re delegate powers to subordinate officers except the powers for a) creation of posts, b) write off of losses and c) appointment, termination of appointment.
- 38.5 The budgetary proposals shall be submitted for consideration of the General Council. Therefore the Institute shall prepare the budget for the following year and submit the same to the Chairperson of the Executive Council by 15th September and to the Executive Council by 30th September for its consideration, prior to its submission to the General Council.
- (i) The Institute shall give the plan and non-plan estimates separately.
 - (ii) It shall give Capital and Revenue estimates separately.
 - (iii) The Institute shall give previous year's expenditure, current year's budget and the next year's estimates in the budget proposals.
 - (iv) The budget should show a break-up of the various activities of the Institute and the allocation of funds proposed for each activity. In addition it will Show a General Head indicating salaries and allowances, contributions to leave salary, provident fund etc., Expenditure on

fixtures and furniture, office equipments, etc., expenditure on post and telegraphs, telephones, expenditure on rent, taxes, electricity, water charges, etc. and other contingencies like vehicle maintenance. In each activity area it should contain requirements of funds for Capital equipments, consumable stores and non-consumable stores, stipend, etc.

38.7 *The budget estimates should be accompanied by write-up giving following particulars:*

- (i) Requirements of funds for current programmes
- (ii) Requirements of funds for new programmes
- (iii) Physical targets achieved during the previous years, proposed to be achieved in current year, and in the next year.
- (iv) The comparison of the past performance with the current performance, reasons for short fall and achievements if any, ultimately action taken or proposed to be taken.

38.8 The schemes which have not been administratively approved by the competent authority shall not be included in the budget estimates.

38.9 For any new scheme likely to be introduced for development of original scheme which has not been included in the estimates for that year, a proposal with financial implication be made to the Executive Council for financing it by means of supplementary grant or by reappropriation within the sanctioned estimates.

38.10 The grants received from Government of India and/or from any other source shall be entered into the relevant register which will show the expenditure on specific heads and specified items.

38.11 The proper books of accounts will be maintained by the Institute to show receipt and its source as well as expenditure and sanction accorded therefor.

38.12 At the close of the financial year, a balance sheet covering assets and liabilities with due considerations of receipts and expenditure will be prepared.

38.13 The Institute would make available the books of Accounts, registers, vouchers and other documents and papers together with one copy of final sanction budget to the Auditor who will also have the right to inspect the office of the Institute.

38.14 The Director of the Institute shall have the power to appropriate and/or re-

appropriate, for valid reasons, the funds from one primary or secondary unit to another and to have the same ratified by the Executive Council in its next meeting.

- 38.15 The funds of the Institute may be invested in short term fixed deposit to yield better return is feasible after keeping sufficient balance at the disposal of the Institute.
- 38.16 In exercise of the powers delegated by the Executive Council, the Director shall sign and execute all agreements, contracts, transfer deeds, deed of conveyance and other documents in connection with the affairs of the Institute with due consultation and advice of the legal adviser appointed by the Institute.
- 38.17 No contract shall be made by the subordinate authority which has not been directed or authorised by competent authority.
- 38.18 The Director shall sue or be sued in all matters of dispute arising out of contract.
- 38.19 The Director shall have powers to dispose of unserviceable and obsolete articles.
- 38.20 The Director shall keep a watch over expenditure and accord sanction to the payments not exceeding the grants sanctioned. He will be assisted by officers authorised in this behalf.
- 38.21 The funds will be drawn from the bank by cheque to meet the expenditure.
- 38.22 The cheque books will remain in the personal custody of the Director or any other officer as may be authorised by the Director on his behalf.
- 38.23 The Director will be assisted by the Accounts officer in respect of receipt and expenditure, in maintaining proforma accounts, submission of all claims in respect of pay and allowances, travelling allowances etc. and contingent bills in the prescribed forms which will be counter-signed by the Director or by the Officer authorised on his behalf, before these are passed for payment by means of demand draft/cheques or cash as the case may be. The Accounts Officer will apply a check of a nature of pre-audit to all payment from the funds of this Institute.
- 38.24 The Director shall have powers to acquire hired accommodation for office, hostel premises with the approval of the Executive Council, whenever necessary at rates not exceeding those prescribed by the Government for similar purpose and/or in

the absence of such prescribed entry of Annexure to schedule V of the Delegation of Financial Powers Rules 1978. In the matter of construction work of Institute's

own building, the Director will be assisted by the Engineer of the Institute supervising the work on the site and report progress from time to time.

38.25 The balance sheet and the audited accounts together with annual report shall be submitted to the General Council for consideration.

38.26 The results of the audit together with the Auditors' Report shall be communicated to the Ministry of Social Justice & Empowerment, New Delhi.

39. Maintenance of Registers:

The following books and registers shall be maintained:

- a) Register of grants;
- b) Funds shall be kept in banks authorized by the Executive Council. All money to be drawn by cheques as authorised by the Executive Council;
- c) Register of assets shall be maintained;
- d) Register of outstanding dues recoverable from parties other than employees of the Institute shall be maintained;
- e) Register of loans and advances given to employees with recovery position;
- f) Register of rents;
- g) Register of fees recovered;
- h) Register of cheque books;
- i) Register of receipt books;
- j) Register of sanctioned posts with authority of sanction;
- l) Service Books;
- m) Register of Selection Committees proceedings, Academic Committee proceedings, etc;
- n) Register of library books;
- o) Acquittance rolls and register of periodical increments;
- p) Cash books and Imprest cash books; and
- q) Bank reconciliation register (If possible to be maintained with the cash

book.

40. In the event of disagreement between the representatives of the Ministry of Finance and the Chairperson of the Executive Council of the National Institute for Empowerment of Persons with Multiple Disabilities, Muttukadu (Tamilnadu) on the financial matters beyond the delegated powers of the Ministry/Department of the Government of India, the matter shall be referred to the Minister of the Administrative Ministry concerned and the Finance Minister for a decision.
41. Any alteration in the Bye-Laws or addition to, shall require prior approval of the General Council of the National Institute for Empowerment of Persons with Multiple Disabilities, Muttukadu (Tamilnadu) and Government of India.
42. If any doubt arises about the interpretation of these Bye-laws, the matter will be referred to Government of India whose decision shall be final.
43. If the Society needs to be dissolved, it shall be dissolved as per the provisions laid down under Section 41 of the Tamil Nadu Societies Registration Act of 1975.
44. *Winding up.* (1) Where the registration of the society is cancelled, the Registrar may appoint a liquidator to wind up the society if the society has not, within such period as may be prescribed from the date of the other of cancellation, taken any action under section 39 of the Tamil Nadu Societies Registration Act, 1975.
(2) A liquidator shall have power subject to the control of the Registrar-
 - (a) to institute or defend any action or other legal proceedings on behalf of the the society by his name of office,
 - (b) to determine, from time to time, the contribution to be made or remaining to be made by the members of the society, respectively, to the assets of the society;
 - (c) to investigate all claims against the society and subject to the provisions of the Tamil Nadu Societies Registration Act, 1975, to decide questions of priority arising between claimants;
 - (d) to determine by what persons and in what proportions the costs of the liquidation are to be borne; and
 - (e) to give such direction in regard to the collection and distribution of the assets of the society as may appear to him to be necessary for winding up the affairs of the society
(3) Subject to any rules of procedure made under the Tamil Nadu Societies Registration Act, 1975 a liquidator shall, in so far as such powers are necessary to carry out the purposes of the Section 40 of the Tamil Nadu Societies Registration Act, 1975., have power to summon and enforce the attendance of witnesses and to compel the production of documents, as far as may be, by the same means and in

the same manner as is provided in the case of Civil Court by the Code of Civil Procedure, 1908 (Central Act, V 1908)

(4) An order made under this section shall, on application, be enforced by an Civil Court having local jurisdiction in the same manner as a decree of such court.

All the provisions of the Tamil Nadu Societies Registration Act 1975 and the Tamil Nadu Societies Registration Rules, 1978 will apply to this Society.

Signatories to the Bye-Laws

We, the persons whose names and addresses are given below, have associated ourselves for the purposes described in the Bye-Laws, do hereby subscribe our names to this Bye-Laws and set our hands hereunto and form ourselves into a Society under the Tamil Nadu Societies Registration Act, 1975 (Act No.27/75)

<i>S.No.</i>	<i>Name</i>	<i>Occupation & Address</i>	<i>Signature</i>
01.	Dr. Sundeep Khanna	Additional Sectetary, Ministry of Social Justice & Empowerment, Government of India, Room No.616, 'A' Wing, Shashtri Bhavan New Delhi-110 001. Phone: (011) 23384259	
02.	Shri Mrityunjay Sahoo	Financial Adviser, Ministry of Social Justice & Empowerment, Government of India, Room No.405, Shrama Shakthi Bhawan, Rafi Marg, New Delhi-110 001. E-mail: msahoo@nic.in Phone: (011) 23716792	
03.	Shri G.N. Pegu	Joint Secretary, Ministry of Social Justice & Empowerment, Government of India, Room No.611, 'A' Wing, Shashtri Bhavan New Delhi-110 001 E-mail: gn.pegu@nic.in Phone: (011) 23381643	

04. Shri P.N. Murthy
Joint Secretary, Ministry of
Social Justice & Empowerment,
Government of India, Room No.613,
'A' Wing, Shashtri Bhavan, New Delhi-110001
Phone: (011) 23387924
05. Dr. Arbind Prasad
Joint Secretary, Ministry of
Social Justice & Empowerment,
Government of India, Room No.612,
'A' Wing, Shashtri Bhavan, New Delhi-110001
Phone: (011) 23384284
06. Col. Sanjay Sharan
Director, Ministry of Social
Justice & Empowerment,
Government of India, Room.No.635,
Shashtri Bhavan, New Delhi-110 001.
Phone: (011) 23382774
07. Dr. L. Govinda Rao
Director,
National Institute for the Mentally Handicapped
Manovikasnagar,
Secunderabad-500 009.
Phone: (040) 27759267
E-mail: hyd2_dirnimh@sanchernet.in
Director, National Institute for the Empowerment of
Persons with Multiple Disabilities, Chennai
Phone: (044) 27472389
E-mail: niepmd@gmail.com

Witnesses to the above signatures

<i>S.No.</i>	<i>Name</i>	<i>Occupation & Address</i>	<i>Signature</i>
01.	Shri A.K. Sachdeva	Under Secretary to the Government of India, Ministry of Social Justice & Empowerment, Government of India, Room.No.622 Shashtri Bhavan, New Delhi-110 001. Phone: (011) 23386314	
02.	Shri P.A. Raghwan	Under Secretary to the Government of India, Ministry of Social Justice & Empowerment, Government of India, Room.No.622 Shashtri Bhavan, New Delhi-110 001. Phone: (011) 23386314	