

Memorandum of Association and Rules relating to the formation and registration of a Charitable Society under the Societies Registration Act, 1860 (Act XXI of 1860) for imparting quality education and rendering assistance to Poor Meritorious Students of Punjab.

Memorandum of Association

Name of the society

1. (1) The name of the Society shall be the "Society for Promotion of Quality Education for Poor and Meritorious Students of Punjab" (herein after called the Society).

(2) The Head Office of the Society shall be located at the office of the Director Public Instruction (Secondary Education) Punjab or at such place, as may be specified by the President of the Society.

2. Area of operation:- The Society shall operate and discharge its functions in whole of the state of Punjab.

Objects of the society

3. Objects of the Society; The objects of the Society shall be:-

(a) to establish Senior Secondary Schools in the State of Punjab for imparting education, exclusively to those students of Punjab, who qualify their Matric Examination from the Government Schools of Punjab affiliated with the Punjab School Education Board; and

(b) to render assistance to the said meritorious students in imparting education in the said schools.

4. The names, addresses and occupations of the members of the Society: We, the following persons whose names and addresses are given below, having associated ourselves for the objects described in the Memorandum of Association, do hereby subscribe our names to this Memorandum of Association, and set our respective hands hereunto and form ourselves in to a society, namely the Society for Promotion of Quality Education for Poor and Meritorious Students of Punjab under the Societies Registration Act, 1860 (Act XXI of 1860) this ..... day of 2013.

Serial No.	Name	Address
1	Hon'ble Chief Minister, Punjab.	2 <sup>nd</sup> Floor, Civil Secretariat, Punjab, Chandigarh.
2	Minister In-charge of Higher and School Education, Punjab.	Civil Secretariat, Punjab, Chandigarh.
3	Chief Parliamentary Secretary, Education.	Civil Secretariat, Punjab, Chandigarh.
4	Chief Secretary, Punjab.	26/6, Civil Secretariat, Punjab, Chandigarh.
5	Principal Secretary to Hon'ble Chief Minister, Punjab.	Civil Secretariat, Punjab, Chandigarh.

6	Principal Secretary to Government of Punjab, Department of School Education.	Civil Secretariat, Punjab, Chandigarh.
7	Principal Secretary to Government of Punjab, Department of Higher Education.	Civil Secretariat, Punjab, Chandigarh.
8	Principal Secretary to Government of Punjab, Department of Finance.	Civil Secretariat, Punjab, Chandigarh.
9	Principal Secretary to Government of Punjab, Department of Technical Education.	Civil Secretariat, Punjab, Chandigarh.
10	Director General School Education, Punjab.	5 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
11	Director, Public Instruction (SE), Punjab.	4 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
12	Deputy Commissioner of the concerned district.	
13	Project Director,	To be appointed by the President for a period of three years.
14	Five Educationists.	To be nominated by the President for a period of three years.
15	Any other person who may be invited as a special invitee.	

5. A copy of the Rules of the Society, certified to be a true and correct copy by three members of the Society, is filed alongwith the Memorandum of Association.
6. **Functions of the Society:**  
The functions of the Society shall be;-
  - (a) to establish Senior Secondary Schools in the State of Punjab;
  - (b) to impart quality education, exclusively to the Poor Meritorious Students of Punjab;
  - (c) to provide Vocational Training for the students;
  - (d) to provide assistance to the Meritorious Students;
  - (e) to prepare plans and schemes for providing qualitative education to the Meritorious Students;
  - (f) to enable the Meritorious Students to compete in the examinations;
  - (g) to acquire and hold, both moveable and immoveable property for the establishment of Senior Secondary Schools in the State of Punjab for imparting education to the Meritorious Students;

- (h) to establish and maintain the buildings for schools and hostels etc. for Meritorious Students;
- (i) to provide for extra-curricular activities like sports, National Cadet Corps when established for the Meritorious Students in the Senior Secondary Schools established by the Society;
- (j) to create administrative, teaching/non-teaching and ministerial and other posts under the Society and make appointments thereto as needed in accordance with rules and bye-laws;
- (k) to co-operate with educational or other institutions in any part of the world having objectives wholly or partly similar to those of the Society by exchange of teachers, scholars in such manner, as may be conducive to their common objects;
- (l) to enter into contracts/partnership with private institutions to enhance learning inputs for providing quality education;
- (m) to make Bye-laws for the conduct of the affairs of the Society and to amend, vary or rescind them from time to time with the approval of the State Government;
- (n) to deal with or dispose of or write off any property or loss therein belonging to or vested in the Society in such manner, as the Society may deem fit for advancing its objectives, subject to the condition that in case of transfer and disposal of any immovable property, the prior approval of the State Government shall be obtained;
- (o) to maintain a Fund to which shall be credited;-
  - (i) all money provided by the Central and State Governments;
  - (ii) all money received by the Society by way of grants, gifts, donations, benefactions, bequests or transfers; and
  - (iii) all moneys received by the Society in any other manner from any other source.
- (p) to deposit all moneys credited to the Fund in banks or to invest them in such manner, as the Society may, with the approval of the Governing Body, decide;
- (q) to meet expenses of the Society including expenses incurred in the exercise of its powers and discharge of its functions out of the Fund;
- (r) to prepare and maintain accounts and other relevant records and to prepare an annual statement of accounts including the balance sheet of the Society in such form, as may be specified by the State Government;

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- (s) to forward annually to the State Government the accounts of the Society as certified to be true and correct by such authority, as may be specified by the State Government;
  - (t) to do all such things, as may be necessary or incidental or conducive to the attainment of all or any of the objects of the Society;
  - (u) to constitute such committee or committees, as it may deem fit for the disposal of any business of the Society or for tendering advice in any matter pertaining to the Society; and
  - (v) to delegate any or all of its powers to the Governing body of the Society or to any of the committee or committees constituted by it.

7. **Rules of the Society:**

1. Short title and commencement:

(1) These rules may be called the **Society for Promotion of Quality Education for Poor and Meritorious Students of Punjab Rules, 2013.**

(2) They shall come into force on and with effect from the date of registration of the Society.

2. Definitions:- In these Rules and Memorandum, unless the context otherwise requires:-

- (a) 'Act' means the Societies Registration Act, 1860,
- (b) 'Chairman' means the Chairman of the Executive Committee;
- (c) 'Eminent educationist' means a well-known, distinguished, renowned or reputed person in the field of education, as recommended by the Executive Committee;
- (d) 'Executive Committee' means the Executive Committee of the Society;
- (e) 'Governing Body' means the Governing Body of the Society;
- (f) 'Government' means the Government of the State of Punjab in the Department of School Education;
- (g) 'Member' means the member of the Society including an ex-officio member or a nominated member;
- (h) 'Member-Secretary' means the Member-Secretary of the Governing Body or the Executive Committee of the Society, as the case may be;
- (i) 'Poor Meritorious Students' mean the students who belong to poor families residing in the State of Punjab, and who pass their Matriculation Examination from the Government Schools of Punjab, affiliated with Punjab School Education Board;
- (j) 'President' and 'Vice President' mean the President and Vice President of the Governing Body;
- (k) 'Society' means the '**Society for Promotion of Quality Education for Poor and Meritorious Students of Punjab**'; and
- (l) 'Year' means a period of 12 months commencing from the first day of April.

3. Constitution of the Society:

(i) The Society shall consist of the following members, namely:-

Serial No.	Name	Address
1	Hon'ble Chief Minister, Punjab.	2 <sup>nd</sup> Floor, Civil Secretariat, Punjab, Chandigarh.
2	Minister In-charge of Higher and School Education, Punjab.	Civil Secretariat, Punjab, Chandigarh.

3	Chief Parliamentary Secretary, Education.	Civil Secretariat, Punjab, Chandigarh.
4	Chief Secretary, Punjab.	26/6, Civil Secretariat, Punjab, Chandigarh.
5	Principal Secretary to Hon'ble Chief Minister, Punjab.	Civil Secretariat, Punjab, Chandigarh.
6	Principal Secretary to Government of Punjab, Department of School Education.	Civil Secretariat, Punjab, Chandigarh.
7	Principal Secretary to Government of Punjab, Department of Higher Education.	Civil Secretariat, Punjab, Chandigarh.
8	Principal Secretary to Government of Punjab, Department of Finance.	Civil Secretariat, Punjab, Chandigarh.
9	Principal Secretary to Government of Punjab, Department of Technical Education.	Civil Secretariat, Punjab, Chandigarh.
10	Director General School Education, Punjab.	5 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
11	Director, Public Instruction (SE), Punjab.	4 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
12	Deputy Commissioner of the concerned district.	
13	Project Director.	To be appointed by the President for a period of three years.
14	Five Educationists.	To be nominated by the President for a period of three years.
15	Any other person, who may be invited as a special invitee.	

(ii) If a member of the Society changes his address, he shall inform the Member-Secretary his new address, but if he fails to inform such new address, his address as recorded in the roll of the members shall be deemed to be his address.

4. **Governing Body:-**

- (1) The Governing Body shall be the Supreme Authority of the Society in so far as its powers, functions and activities are concerned.
- (2) The general superintendence, direction and control of the affairs of the Society and that of its income and property shall vest in the Governing Body.
- (3) The Governing Body shall consist of the following members, namely:-

Serial No.	Name	Address
1	Hon'ble Chief Minister, Punjab.	2 <sup>nd</sup> Floor, Civil Secretariat, Punjab, Chandigarh.
2	Minister In-charge of Higher and School Education, Punjab.	Civil Secretariat, Punjab, Chandigarh.
3	Chief Parliament Secretary, Education.	Civil Secretariat, Punjab, Chandigarh.

4	Chief Secretary, Punjab.	26/6, Civil Secretariat, Punjab, Chandigarh.
5	Principal Secretary to Hon'ble Chief Minister, Punjab.	Civil Secretariat, Punjab, Chandigarh.
6	Principal Secretary to Government of Punjab, Department of School Education.	Civil Secretariat, Punjab, Chandigarh.
7	Principal Secretary to Government of Punjab, Department of Higher Education.	Civil Secretariat, Punjab, Chandigarh.
8	Principal Secretary to Government of Punjab, Department of Finance.	Civil Secretariat, Punjab, Chandigarh.
9	Principal Secretary to Government of Punjab, Department of Technical Education.	Civil Secretariat, Punjab, Chandigarh.
10	Director General School Education, Punjab.	5 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
11	Director, Public Instruction (SE), Punjab.	4 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh.
12	Deputy Commissioner of the concerned district.	
13	Project Director.	To be appointed by the President for a period of three years.
14	Five Educationists.	To be nominated by the President for a period of three years.
15	Any other person, who may be invited as a special invitee.	

- (4) Where a member of the Society or the Governing Body becomes such member by virtue of the office he holds, his membership shall terminate when he ceases to hold that office.
- (5) A member of Society or the Governing Body representing a department of the State Government shall continue to be such member during the pleasure of the State Government.
- (6) Every other member of the Society or the Governing Body including the President shall cease to be such member or president on the expiry of a period of three years from the date of their appointment or nomination, but shall be eligible for re-appointment or re-nomination, as the case may be.
- (7) A member of the Society or the Governing Body shall cease to be such member if he,
- dies; or
  - resigns his membership; or
  - becomes of unsound mind; or
  - becomes insolvent; or
  - is convicted of a criminal offence involving moral turpitude; or

- (f) if he is removed by the State Government from the membership of the Society; or
  - (g) if he fails to attend three consecutive meetings of the Society or Governing body without the permission of the President.
  - (8) A member of the Society or the Governing Body may resign his office by a letter addressed to President, and his resignation shall take effect from the date it is accepted by the President.
  - (9) A member of the Society or the Governing Body (other than an Ex-officio member, or a member representing Department of the State Government), may resign from office by a letter addressed to the President. Such resignation shall take effect from the date it is accepted by the President.
  - (10) Any casual vacancy in the Society or the Governing Body 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.
  - (11) The Society or the Governing Body shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment, nomination or invitation of any of its members, and no act or proceeding of the Society or the Governing Body shall be called in question merely by reason of the defect in the appointment, nomination or invitation of any of its members.
  - (12) (a) The Society shall meet whenever the President thinks fit; provided that the President shall call a meeting of the Society upon a written requisition of not less than six members.
  - (b) For every meeting of the Society, fifteen days' notice shall be given to the members.
  - (c) Six members shall constitute a quorum at any meeting of the Society.
  - (d) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
5. Powers and functions of the Governing Body:  
Subject to the provisions of the Memorandum, the Governing Body shall exercise and discharge the following powers and functions, namely:-
- (a) to prepare and execute detailed plans and programs for establishment of the Senior Secondary Schools in the State of Punjab and to carry on its administration and management;
  - (b) to receive grants and contributions and to have custody of the Fund to manage the properties of the Society;
  - (c) to prepare the budget estimates of the Society for each year and to sanction expenditure within the limits of the budget, as approved by the State Government;



- (d) to forward to the State Government, before October each year, Annual Report/Audit Report: (in, both English and Punjabi versions) of the previous year;
  - (e) to prescribe regulations for the admission of students to the various courses of study and for holding examinations and giving awards in conformity with the Policy, approved in this behalf by the State Government;
  - (f) to provide for and supervise residence, health, discipline and well-being of the students of the Society;
  - (g) to create teaching, non-teaching, administrative, ministerial and other posts under the Society;
  - (h) to cooperate with any other organizations in the matter of studies;
  - (i) to appoint committees for the disposal of any business of the Society or for tendering advice in any matter pertaining to the Society;
  - (j) to delegate to such extent, as it may deem necessary, any of its powers to any officer or committee of the Governing body;
  - (k) to consider and pass such resolutions on the annual report, the Annual Accounts and the financial estimates of the Society, as it thinks fit;
  - (l) to make, adopt, amend, vary or rescind, from time to time, with the prior approval of the President, Bye- laws for the regulation of and for any purposes connected with the management and administration of the affairs of the Society and for the furtherance of its objectives;
  - (m) to make, adopt, amend, vary or rescind, from time to time, bye-laws, for:-
    - (i) the conduct of the business of the Society and the committees to be appointed by it;
    - (ii) for delegation of its power; and
    - (iii) for fixing the quorum; and
  - (n) to perform such additional functions and to carry out such duties, as may from time to time be assigned to it by the State Government.
6. Meeting of the Governing Body:-
- (a) The Governing Body shall ordinarily meet once in every three months; provided that the President may, whenever he thinks fit, call a special meeting. Not less than fifteen days notice shall be given for every meeting of the Governing Body of the Society and a copy of the proceedings of every meeting shall be furnished to the State Government as soon as practicable after the meeting.
  - (b) Six members of the Governing Body of the Society shall constitute a quorum for any meeting of the Governing Body.
  - (c) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

- (d) Every meeting of the Governing Body shall be presided over by the President, and, in his absence from any meeting, by a member, chosen from amongst themselves by the members present at the meeting.

7. The Executive Committee:

- (1) The Executive Committee shall comprise of the following namely:-

Sr. No	Designation	Address	Designation in Executive Committee
1	Chief Secretary, Punjab	26/6, Civil Secretariat, Punjab, Chandigarh	Chairman
2	Principal Secretary to Government of Punjab, Department of School Education.	Civil Secretariat, Punjab, Chandigarh	Vice-Chairman
3	Principal Secretary to Government of Punjab, Department of Higher Education.	Civil Secretariat, Punjab, Chandigarh	Member
4	Principal Secretary to Government of Punjab, Department of Finance.	Civil Secretariat, Punjab, Chandigarh	Member
5	Principal Secretary to Government of Punjab, Department of Technical Education.	Civil Secretariat, Punjab, Chandigarh	Member
6	Director General School Education.	5 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh	Member
7	Director, Public Instruction (SE) Punjab.	4 <sup>th</sup> Floor, E Block, Punjab School Education Board, Ajitgarh	Member
8	Project Director		Member-Secretary
9	Special Invitee(s)	(To be invited by the Chairman	Member

- (2) The Executive Committee shall be the main implementing body of the decisions of the Governing Body and the projects of the Society.
- (3) It shall be the duty of the Executive Committee to see that the decisions taken by the Governing Body are implemented.
- (4) The Executive Committee shall exercise such other powers and performs as such functions, as may be delegated to it by the Governing Body.
- (5) The Executive Committee will meet as and when it deems necessary, but not later than once in a quarter.
- (6) The quorum for the meeting of the Executive Committee shall be 4 members, including the Chairman.

- (7) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- (8) The Member-Secretary shall maintain a record of the minutes of the meeting of the Executive Committee and the Society and shall also perform such duties, as may be entrusted upon him by the Executive Committee.
8. **Functions of the Project Director:**  
The Project Director shall be responsible for supervision and the execution of the projects, and to ensure that these projects are in accordance with the approved plan and policy of the Society.
9. **Funds of the Society:**  
The funds of the Society will consist of the following namely:-
- (a) all money provided by the Central Government;
  - (b) all money provided by the State Government;
  - (c) all fees and other charges received by the Society;
  - (d) all money received by the Society by way of grants-in-aid, donations, benefactions, bequests or transfers; and
  - (e) all money received by the Society in any other manner or from any other sources.
10. **Accounts of the Society:**
- (a) The Society shall prepare and maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form, as may be prescribed by the State Government.
  - (b) The Accounts of the Society shall be audited annually by the Accountant General, Punjab or any other such authority, as may be decided by the State Government. Any expenditure incurred in connection with the audit, shall be payable by the Society.
  - (c) The Accounts of the Society as certified to be true and correct by the Accountant General, Punjab or any other such authority, as may be decided by the State Government together with the Audit Report thereon, shall be forwarded annually to the State Government.
11. **Officers and officials of the Society-**  
For carrying out its objects and functions, the Society may appoint such officers and officials, as it may deem necessary on such terms and conditions, as may be prescribed by its Bye-laws.
12. **Power to sue and be sued-**  
For the purpose of section 6 of the Societies Registration Act, 1860, the person in whose name the Society may sue or be sued, shall be the Member-Secretary of the Society.
13. **Contracts**  
All contracts for and on behalf of the Society shall be expressed to be made in the name of the Society, subject to the prior approval of the State Government. The Society may alter, extend or abridge any purpose

for which it is established, provided that the procedure prescribed in that behalf by the Societies Registration Act, 1860, is followed.

14. Amendment of the rules-

These rules may be amended by the Society with the prior approval of the State Government at any time by a resolution passed by a majority of two thirds of the total members present at any meeting of the Society, which shall have been convened for the purpose after giving due notice of such resolution to the members of the Society.

15. Dissolution of Society;

In case, the Society deems it necessary or expedient to dissolve the Society, it may dissolve it by following the provisions of sections 13 of the Societies Registration Act, 1860.