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**MEMORANDUM OF
ASSOCIATION
AND
RULES & REGULATIONS**

**The Uttar Pradesh Council
for Child Welfare**

Moti Mahal, Lucknow

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12

(d) To organise public opinion in the area under its jurisdiction, to secure progressive legislation, its

better enforcement and its proper co-ordination with similar measures in other State of the Indian Union, and with the total welfare policies and programmes of the country as a whole;

- (e) To organise conferences, seminars, study groups workshops and publish literature of topical and long range significance, and to conduct research with special reference to conditions within the State;
- (f) To maintain a representative character by securing sound institutional membership;
- (g) To organise, run and maintain services for the use of member organisations in its jurisdiction, such as technical counselling, audit unit and such other services as may be required;
- (h) To initiate action for promoting child welfare services in neglected areas and for meeting needs by sitting up essential pilot projects;
- (i) To undertake studies of programmes of member agencies and the community, to locate the difficulties experienced in formulation and implementation of child welfare programmes and to find out solutions to these through Joint deliberations and joint action;
- (j) To be informed and to help institutional members to remain informed about the policies and programmes of the child welfare and to draw up and implement the programmes within the general frame-work of the policies and programmes of the Indian Council for Child Welfare;
- (k) To influence the formulation of general child welfare policies and programmes within the state;

- (l) To conduct all work of interstate, national and international significance through the Indian Council for Child welfare;

- (m) To send delegates to conferences, seminars, etc. and to co-operate with other agencies serving children directly or indirectly within the jurisdiction of the state;
- (n) To receive grants, donations, fees or subscriptions and manage and administer the funds at the disposal of the State Council;
- (o) To acquire, receive and hold properties, both movable and immovable, including securities and negotiable instruments;
- (p) To purchase, construct, manage and alter buildings and to equip them suitably for the purpose of the State Council;
- (q) To manage, sell, transfer, pledge or otherwise dispose off or deal with property of any kind which may be at the disposal of or deal with property of any kind which may be at the disposal of the State Council;
- (r) To enter in to contracts for and in connection with any of the purposes of the State Council;
- (s) To raise money and funds by borrowing or otherwise as may be deemed fit for and on behalf of the State Council;
- (t) To perform all such acts as may be necessary, conducive or proper for the achievement of any or all of the objectives of the State Council.

- (u) To implement Welfare & Rehabilitation programmes for disabled and destitute children, and, if needed, along with their destitute mothers.

3. The names, addresses and occupations of the persons who are the first members of the Council, as on the date of this Memorandum, are as described in Schedule I which also forms part of this Memorandum. They shall continue as such for such period and on such terms as set out in the Rules and Regulations of the Council.

4. A copy of the Rules and Regulations of the Association is filed with this Memorandum of Association and the undersigned being members on this date do hereby certify that it is a correct copy of the Rules and Regulations of the Council, it replaces the Rules and Regulations passed in November 1952.

As witness- our several and respective hands and signatures on this fifteenth day of November 1960.

Bhander Mohan

Dr. B. Ram Krishna Rao (Governor of U. P.)
Dr. Jawahar Lal Rohatgi M. L. A.,
Sri S. C. Singha I. A. S.
Smt. Shyam Kumari Khan
Dr. (Km) G. B. Kabrajee
Dr. A. P. Bajpayee
Smt. Kamala Bhargava
Smt. Prem Chaudhry



AMENDED
RULES AND REGULATIONS
of
Uttar Pradesh Council for
Child Welfare
LUCKNOW

1. Interpretation

- (a) "COUNCIL" means the Uttar Pradesh Council for Welfare.
- (B) "General Body" means and includes the patrons and the members of the State Council of all categories collectively acting in a general meeting.
- (c) "President" includes Chairman and a Vice-President performing the functions of the President under delegated authority.
- (d) "Standing Committee" means the Committee appointed by the Executive Committee under the rules for performance of day to day administration of the State Council.
- (e) "Standing Orders" means the rules framed by the Executive committee containing general instructions regarding conduct of administrative and procedural matters.

2. Patrons

- (a) **HONORARY PATRONS:** The State Council may nominate persons who have rendered distinguished service to the cause of child welfare as honorary

patrons.

- (b) **PATRONS:** The State Council may invite donors, who pay a sum of Rs. 5000/- or more, to accept the distinction of a patron.

3. Membership:

There will be the following categories of members:-

- (i) Founder Members;
- (ii) Life Members;
- (iii) Honorary Members;
- (iv) Representative Members;
- (v) Corporate Members; and
- (vi) Individual Members.

- (a) **Founder Members:** founder Members are those persons whose names appear as the first member of the Council in schedule to the Memorandum of Association. Such persons shall continue to be the Founder Members of the State Council during their life-time or until they tender their resignation.

- (b) **Life Members:**
Criteria for enrolling Life Members :-

- o Persons who have attained the age of 21 years and are working in the field of Child Development or allied fields, or are eminent persons working in the field of Development, are eligible to be the Life Members of the Council.
- o No person, convicted under cognizable offence, can be enrolled as a member.
- o Life Members are those persons who are enrolled as such by the Standing Committee and who pay a minimum subscription of Rs. 1,000/-.

- (c) **Honorary Members:** Honorary Members are those persons including officials who are enrolled as such by the Executive Committee for a period of five years or such shorter period as may be specified in each case.

- (d) **Representative Members:** (District Council or Institution): Representative Members are persons who are nominated, from time to time, by institutions who are members of the State Council and have paid affiliation fee of Rs. 500/- once and who pay also an annual subscription of Rs. 200/- only. One district council can nominate one representative only.

- (e) **Corporate Members:** The Executive Committee, of the State Council may, from time to time, admit any other institution, trust, association or any other organised body of an all State character engaged or interested in child welfare work as a Corporate Member subject to the payment, of Rs. 500/- as affiliation fee once only and an annual subscription of Rs. 200/- only or such annual subscription as may be determined by the Executive Committee.

Such Corporate members shall be entitled to nominate one representative to take part in the proceeding of the meetings of the General Body.

4. (a) The General Secretary of the Council shall maintain a register of its members which shall be open to inspection by all the members of the Council.

- (b) A member shall cease to be member on tendering resignation in writing. Members who are in arrears in respect of their subscription shall not vote in any meeting of the Council.

- (c) Only those members will be entitled to vote and stand

for elections, who have been enrolled one year prior to the issue of the notification of election.

- (d) Only those members of the Council, who have served the council for a term of at least three years as a member of the Executive Committee or have been member of the Council for not less than six years will be eligible for election as office bearer.

(e) :-

- (i) The Executive Committee of the State Council may by a vote of 2/3 of the members present at a meeting remove any person or organisation from membership of the State Council, provided that notice of such proposed action and an opportunity for explanation has been given to the member concerned, and provided that the matter had been included in the agenda of the meeting at which such action is taken.

- (ii) Such action shall, however, not be taken unless the Executive Committee comes to the conclusion that the member concerned has been guilty of deliberate violation of the provisions of the memorandum and/or the Rules and Regulations of the state Council.

- (iii) All such actions by the Executive Committee shall be subject to the confirmation by the General Body at its meeting immediately following by a simple majority of the member's present.

5. Office Bearers

- (i) The following will be the Office Bearers of the State Council:-

(a) President

- (b) Chairman
(c) Two Vice Presidents
(d) General Secretary
(e) Associate Secretary
(f) Joint Secretary
(g) Treasurer
(h) Associate Treasurer

- (i) The Office Bearers shall be elected at an Annual General Meeting of the Council for a term of five years. The Governor of U.P. State shall be the President (Ex-officio) and there will be no election for the President. No Office Bearer shall hold the same office for more than two consecutive terms, unless where the General Body desires so with at least 2/3 majority of voter present and voting, to elect the same person for subsequent term.

- (ii) All the Office Bearers will hold office in honorary-capacity unless the General Body otherwise determines.

- (iv) The President shall perform such functions as are specified in the rules of the Standing Orders and may delegate to the Chairman, from time to time, such of his or her functions as he or she is unable to perform himself or herself for any reason, unless other wise provided in the rules or the Standing Orders.

- (v) The General Secretary and the Treasurer shall exercise such powers and perform such functions as may be specified in these Rules or in Standing Orders.

- (vi) The Associate Secretary and the Associate treasurer will act as General Secretary or Treasurer in the absence of General Secretary and Treasurer, respectively, but under instructions of the

6. The Executive Committee may appoint a Child Welfare Organiser for the State Council on such terms and conditions as to salary, allowances and other privileges as may be deemed appropriate. The Child Welfare organiser shall exercise such powers and perform such functions as may be specified in the Standing orders.
7. The Standing Committee subject to the general direction of the Executive Committee and any rules that may be framed in this respect, may appoint such other advisers, officers and staff as may be deemed necessary for the purposes of the State Council on such terms and conditions as may be considered appropriate, subject to the budgetary approval of the Executive Committee. The Standing Committee may delegate such power of appointment in respect of minor officials and staff to one or more of the officers in accordance with the provisions of the Standing Orders.

8. Annual General Meeting

- I. The Annual General Meeting of the State Council shall held once every year and the interval between such meetings Shall not exceed a period of 18 months.
- II. The Annual General Meeting shall be convened by the order of the President and the Standing Committee shall decide upon the venue for such meetings.
- III. Notice of Annual General Meeting shall be sent to each member by post under certificate of posting, to the member's registered address with the State

- IV. The notice shall be sent at least 30 days prior to the date fixed for the Annual General Meeting and it shall be accompanied by the agenda specifying the business intended to be transacted at such meeting.
- V. At each Annual General Meeting the Annual Report and the Financial Statement for the past year and the budget estimates for the following year shall be presented and a chartered accountant shall be appointed for auditing the accounts for the current year. The scope of his audit, as far as possible, may be same as is for a company.
- VI. The meeting shall transact such business as may be specified in the agenda accompanying the notice of the meeting, provided that any other business, not so specified in the agenda; may be brought forward with the permission of the Chair.
- VII. The Annual General Meeting shall be presided over by the President, or, in the absence of the President by the Chairman, or, in the absence of the Chairman, by any one of the Vice Presidents.

9. Extra Ordinary General Meeting

- I. An Extra Ordinary General Meeting may be convened at any time by the order of the president/chairman for the specified purpose and shall be convened on the written requisition of a number of members not less than 1/5 of the total number of members entitled to vote, and shall specify the object of the meeting.
- II. The notice for an Extra Ordinary General Meeting togetherwith its agenda shall be sent in the same

manner as that of Annual General Meeting except that the period of notice shall be 15 days.

- III. An Extra Ordinary General Meeting shall be presided over in the same manner as an Annual General Meeting.
- IV. The business to be transacted at such meeting shall be only that specified in the agenda of the meeting.

10. Quorum

At all the General Meeting whether Annual or Extraordinary, 1/5 of the total members shall form a quorum of which 25% members should be representative members of the Council.

If a meeting is adjourned, for want of quorum, it may be held after a minimum interval of one hour.

If at such adjourned meeting there be no quorum, urgent business, which may be certified as such by General Secretary, may be transacted provided three members other than the office bearers are present, who shall form the quorum for such purpose.

11. VOTING

- I. All the questions shall be decided by vote of members present, taken by show of hands or ballot.
- II. In the event of votes being evenly divided, the Chairman shall have a second or casting vote.
- III. No resolution passed at an Annual General Meeting or at an Extra Ordinary General Meeting shall be rendered invalid merely on non receipt of notice of

such meeting by a member.

12. Management

The general control or the affairs of the State Council shall be, vested in the Executive Committee, which shall be the governing body of the State Council for the purpose of section 16 of the Societies Registration Act 1860 (Act XXI of 1860).

13. Executive Committee

The Executive Committee shall consist of :-

- (a) All Office Bearer of the State Council,
- (b) Ten District Councils by rotation, determined by the executive Committee, having regard to geographical representation, will be requested to send their elected representatives one for the each district. The first five District Council will be nominated by the President.
- (c) Five other members elected from among the individual members of the State Council at an Annual General meeting.
- (d) Three Co-opted members, who will be experts of different disciplines in the field of child welfare.
- (e) The out going Chairman shall be an ex-officio member for a term of 5 years.

14. The Executive Committee shall have all powers and perform all such functions as are the powers and functions of the State Council mentioned in the Memorandum of Association and the Rules, except those which are required to be done by the General Body

under those rules.

15. The Executive Committee shall set up a Standing Committee for conduct of day to day business of the State Council in accordance with the provisions of these rules.
16. The Executive Committee shall be empowered to set up Committees and Sub Committees to conduct the business of the Council and delegate its powers and functions to such Committees and Sub Committees and to any of its Officers, except those which are required to be performed by the Executive Committee itself under these rules.
17. The Executive Committee shall be empowered to regulate its own procedure and the procedure of the Committees and Sub Committees set up by its and to specify by Standing Orders the function to be performed by the Office Bearers and the Officers of the State Council.
18. The decisions by the Executive Committee shall normally be taken at a meeting of the Committee.
19.
 - i. An ordinary meeting of the Executive Committee shall be called by the President or the Chairman once in three or four months, and an Extra Ordinary Meeting shall be called on the requisition, in writing, made by any five members of the Executive Committee.
 - ii. The notice of a meeting of the Executive Committee whether ordinary or extra ordinary specifying the place, date and hour of the meeting together with the agenda of the business to be transacted, shall be

sent to every member of the Executive Committee, under certificate of posting, to the member's address, as recorded in Membership Register, 15 days in advance of the date of the meeting.

- ii. An Emergent meeting of the Executive Committee may be called by the President or the Chairman upon giving the members such period of notice as may appear to the President or the Chairman to be reasonable.
 - iv. The meeting of the Executive Committee shall be presided over by the President or Chairman and in his or her absence by any one of the Vice Presidents elected by the members present. In the absence of the said Office Bearer, the members present shall elect a Chairman to preside over the meeting.
 - v. At all meetings of the Executive Committee, seven members shall form a quorum, not more than three of whom shall be Office Bearers.
 - vi. All decisions shall be taken by the majority of vote of the members present. In the event of the votes being evenly divided, the Chairman shall have a casting vote.
 - vii. No resolution passed by the Executive Committee shall be deemed to be invalid merely on the ground that the notice of the meeting at which the resolution is passed had not reached a particular member or members.
20.
 - i. In the cases of urgency, a decision of the Executive Committee in respect of matters within, the competence of the Committee may be obtained by circulation of a proposal among the members of the

Executive Committee, provided that the prior approval of the President is obtained to the adoption of this procedure, in each particular case.

- II. Any decision of the Executive Committee arrived at in this manner shall have the same validity as decision taken in an ordinary meeting of the Executive Committee.

- III. Any decision taken by circulation, in order to be valid, shall require a 2/3- majority of the total number of members of the Executive Committee and shall be confirmed at the subsequent meeting of the Committee.

21

- I. The Executive Committee, except five new District Representatives, shall be elected every five years. The procedure for such elections shall be prescribed by the Executive Committee from time to time.

- II. The Executive Committee shall have power to fill vacancies in the Committee. Which may arise from time to time, during the period between the elections, provided that in cases of vacancies amongst the representative members, the affiliated bodies shall be consulted.

- III. The Executive Committee shall also have the power to co-opt for a period not exceeding five years, three additional members having special knowledge of problems connected with child welfare.

- IV. The Executive Committee may invite to its meetings, from time to time representatives of the State/Central government as well as Experts from whom the Council is receiving, or is likely to receive, material or other help.

- V. The Executive Committee shall be empowered to take it for granted that an Office Bearer or any member of the Executive or standing Committee, who has not attended three consecutive meetings, without any information, shall be deemed to have tendered his/her resignation from that Committee, after informing the member once.

22. Standing Committee

The Executive Committee shall appoint a Standing Committee of not exceeding 15 members from amongst its members, including the President, Chairman, one Vice President, the General Secretary, the Associate Secretary, the Treasurer and the Associate Treasurer for a period of five years, to look after the day to day work of the Council. The President/Chairman will preside over the meeting.

23.

The Standing Committee shall exercise such powers and perform such functions as are laid down in these rules or the Standing Orders. In addition, the Executive Committee may, by resolution, delegate to the Standing Committee any of its powers and functions under the rules except those which are required to be performed by the Executive Committee itself under these rules.

24.

The Standing Committee shall have powers to appoint ad hoc Sub Committees for such purposes as it may think appropriate, provided that Standing Committee shall receive for its own consideration the reports of such Sub committees for consideration.

25.

The Standing Committee shall be responsible to the Executive Committee for the day to day functions of

the Council and shall keep the Executive Committee informed of all actions or decisions taken by it.

26.

The Standing Committee shall normally take decisions at meeting convened for the purpose by the General Secretary, provided that in urgent cases, certified as such by the President or the Chairman, such decisions may be taken by circulation of a proposal by the General Secretary. Any decision taken by circulation, in order to be valid, shall require a 2/3 majority of the total number of members of the Standing Committee and shall be confirmed at the subsequent meeting of the Committee. The Standing Committee should meet once a month.

27. General

The State Council shall maintain the Principal Office at the State Capital for effective functioning of its work.

28.

The General Secretary shall maintain the minutes of the meeting of the General Body the Executive Committee and the Standing Committee to be authenticated by the Chairman of the meeting at which the minutes are confirmed.

29.

The Executive Committee shall be charged with the management of all properties vested in the State Council. It shall be empowered to receive and disburse through the appropriate officials of the State Council, in accordance with the provisions of the Standing Orders all moneys and properties, both movable and immovable, on behalf of the State

Council.

30.

The Executive Committee shall also be empowered to receive and disburse, directly through the appropriate officials of the State Council or through the District Councils, all funds received from any sources for child welfare in the state.

31.

The Executive Committee shall have power to appoint a Board of Trustees, consisting of not exceeding seven persons, in whom the immovable properties of the Council may be vested.

(a) The Chairman and General Secretary of the U.P. Council for Child Welfare shall be ex officio Trustees.

(b) The Board of Trustees shall draw up its own Rule, which will be subject to notification by the U. P. Council for Child Welfare.

32.

All moneys standing to the credit of the general account, which are not required for current expenses and which the Executive Committee does not intend to transfer to or earmark for any specific purpose, shall be invested by the Treasurer, with approval of the Standing Committee, in securities recognized by law for the investment of Trust Funds or any fixed or short term deposits in any Nationalised Bank, Scheduled Bank and Government/Semi Government financial institution.

33.

All contracts entered into on behalf of the State Council shall require to be made and authenticated in

such manner as may be determined by the Executive Committee.

34. Financial

The financial year of the Council will be from 1st April to 31st March.

35.

The financial powers of the State Council, including receipts and expenditure, as well as investments shall be exercised by such Committees and officers and in such manner as may be prescribed by the Executive Committee in the Standing Orders.

36.

The accounts of the State Council shall be audited by an Auditor appointed by the General Body at the General Meeting preceding the financial year.

37.

The Annual Report, Financial Statement, together with the Audited Accounts and the Budget Estimates of the State Council, shall be considered and finalized at a meeting of the Executive Committee before its Consideration by the General Body.

38.

The Bankers of the State Council shall be the State Bank of India or any Scheduled Bank, which may be approved by the Standing Committee.

39.

The Executive Committee shall provide a seal and also provide for its safe custody. The seal shall be not

used except by the authority of the Executive Committee, previously given, and in the presence of one other member of the Executive Committee, who shall sign every instrument to which the seal is affixed and every such instrument shall be countersigned by the General Secretary or some other persons recognised by the Executive Committee...

40.

In the event of dissolution decided upon by the State Council by a resolution passed at a General Meeting and confirmed at a subsequent General Meeting, it shall be lawful for it to transfer and distribute its assets and liabilities to a duly constituted body having the same objects as the State Council.

41.

- I. The Executive Committee is empowered to open affiliate or recognise a District Council as primary unit of the U. P. State Council for Child Welfare in any of the District of U. P. the District Council should have its own Constitution which should be duly approved by the U. P. Council for Child Welfare. Any amendment made to the Constitution the District Council should also be approved by U. P. Council for Child Welfare.
- II. The Executive Committee shall have power to take over the activities of any of the District Council, if the District Council is not functioning properly, according to the Executive Committee of the U. P. Council for Child Welfare.
- III. The Executive Committee shall have power to withdraw affiliation or recognition of any District Council, where irregularities are found, after making proper enquiries.

42.

**Procedure of Termination of Life Membership
/Membership from U.P.C.C.W. :**

- (a) All complaints should be signed eligibly and with address. No anonymous complaint will be entertained.
- (b) A complaint will first be considered at the Office Bearers level.
- (c) If Office Bearers are satisfied on the basis of documents/affidavit, produced with the complaints that it requires further investigation, it will be forwarded to the Screening Sub Committee for consideration and recommendation.
- (d) The recommendations of the Screening Sub Committee will be forwarded to the Executive Committee for its consideration.
- (e) A Member, whose Membership has been terminated by the Executive Committee, shall have the right to appeal to the Annual General Body Meeting within one month from the decision of termination taken by the Executive Committee meeting. The appeal will, otherwise, be deemed to be time barred and treated as null and void.

Such appeal should be listed as an agenda item in the subsequent Annual General Body meeting. A simple majority decision of the Annual General Meeting in regard to the appeal will be final.

