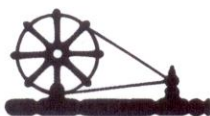


GANDHI SMRITI AND DARSHAN SAMITI

MEMORANDUM OF ASSOCIATION



Gandhi Smriti and Darshan Samiti

(An Autonomous Body Under Ministry of Culture)

Gandhi Smriti, 5, Tees January Marg, New Delhi 110011

**MEMORANDUM OF ASSOCIATION
OF
GANDHI SMRITI AND DARSHAN SAMITI**

1. NAME:

The name of the society shall be the "Gandhi Smriti and Darshan Samiti" (here-in-after referred to as "The Samiti").

2. HEAD QUARTERS :

The Registered Office of the Samiti shall be located at 5, Tees January Marg, New Delhi-11, or at such other place in the Union Territory of Delhi as the Executive Committee of the Samiti may decide from time to time.

3. AIMS AND OBJECTS :

The objects for which the Samiti is formed are:-

- i) To take over from Gandhi Smriti Samiti together its employees and to preserve and maintain the buildings situated at No. 5, Tees January Marg, New Delhi, named Gandhi Smriti as a National Memorial to Mahatma Gandhi as and when the said Samiti is dissolved by resolution;
- ii) To take over from Gandhi Darshan Samiti together with its employees and to preserve, maintain and enrich the main pavilions and grounds of the Gandhi Samadhi at Raj Ghat as and when the said Samiti is dissolved by resolution;
- iii) To acquire, maintain and preserve the personal papers and other historical materials pertaining to the life and works of Mahatma Gandhi in consultation and collaboration with other institutions and organizations, governmental and non-governmental engaged in Gandhian work;
- iv) To plan and carry out activities for the promotion of Mahatma Gandhi's ideals and of the national cause identified with him, especially National Integration and the welfare and betterment of the under privileged;
- v) To keep Gandhi Darshan and Gandhi Smriti open for public with such rules and regulations as are deemed suitable;
- vi) To supplement or alter the display material exhibited in the Gandhi Darshan Pavilions from time to time and acquire, by gift or purchase, additional materials.

- vii) To organize and preserve a library of books, photographs, films and documents etc., which would lead to a better understanding of Mahatma Gandhi's work and thoughts;
- viii) To collect, preserve and exhibit important relics of Gandhiji, especially those connected with the room where he used to stay in Gandhi Smriti;
- ix) To develop Gandhi Smriti as a Museum personalia and to make efforts to enlarge and augment its activities and develop Gandhi Darshan for projecting Gandhiji's message to students in schools and colleges;
- x) To manage Gandhi Darshan and Gandhi Smriti and all movable and immovable properties therein;
- xi) To undertake such other activities and to do all the foregoing objects and to cooperate with and seek cooperation from other institutions for the aforesaid purposes;
- xii) To permit merger of any society or public body anywhere in India dedicated and devoted to the promotional activities of Gandhian Philosophy or works or associated activities;
- xiii) All the incomes, earnings, movable or immovable properties of the Samiti shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in this Memorandum of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profit or in any manner, whatsoever to the present members of the Samiti or any person claiming through any one or more of the present members. No member of the Samiti shall have any personal claim in any movable or immovable property of the Samiti or make any profit, whatsoever by virtue of his membership;
- xiv) to appoint Committees or Sub-Committees as it may deem fit to carry out the objects of the Samiti;
- xv) to delegate the necessary powers to any of the Committee or Sub-Committees constituted by the Samiti;
- xvi) to make rules, regulations and bye-laws for the conduct of the affairs of the Samiti and to add, amend, vary or rescind the same from time to time;

Names, Addresses, Occupation, etc. of the Members of the Executive Committee:-

Sl. No.	Name and Designation	Address	Occupation	Designation in the Society
1	Sh. B. N. Pande, Governor of Orissa	Governor of Orissa , Raj Bhawan, Bhubaneshwar	Governor of Orissa	Member
2	Sh. Naval Kishore Sharma, Member of Parliament	No. 10 Pt. Pant Marg, New Delhi.	Member of Parliament	Member
3	Sh. Sharda Prasad Information Advisor to the Prime Minister	C-11, Lodhi Garden, New Delhi.	Government Service	Ex-Officio Member
4	Sh. P.G. Gava Lt. Governor of Delhi	6, Raj Niwas Marg, Delhi.	Lt. Governor of Delhi.	Ex-Officio Member
5	Smt. Serla Grewal Secretary , Ministry of Education & Culture	No. 5	Govt. Service	Ex-Officio Member

We the several persons, whose names and addresses and signatures are subscribed here-under are desirous of forming a society under the Societies Registration Act XXI of 1860 (Panjab Amendment) as extended to the Union Territory of Delhi, in pursuance of the Memorandum of Association.

Sl. No.	Name, Address and Occupation	Signature	Signatures, Address and Occupation of the witnesses.

**RULES AND REGULATIONS
OF
GANDHI SMRITI AND DARSHAN SAMITI**

1. INTERPRETATION:

- i) "The Samiti" shall mean the "Gandhi Smriti and Darshan Samiti".
- ii) "The Chairman", unless otherwise mentioned shall mean the Chairman of the Samiti.
- iii) "The Vice-Chairman" shall mean the Vice-Chairman who has been nominated by the Chairman of the Samiti.
- iv) "The Member-Secretary" shall mean the Member-Secretary of the Samiti.
- v) "The Director" shall mean the Director of the Samiti.

2. MEMBERSHIP OF THE GANDHI SMRITI AND DARSHAN SAMITI :

- i) a) The Samiti shall consist of 20 members as follows:-

1.	The Prime Minister of India	Ex-Officio	Chairman
2.	Minister in charge Department of Culture	"	Member
3.	The Mayor of Delhi	"	Member
4.	The Lt. Governor of Delhi	"	Member
5.	Commissioner, M.C.D.	"	Member
6.	President, N.D.M.C.	"	Member
7.	Secretary, Ministry of Education	"	Member
8.	Secretary, Ministry of Works & Housing	"	Member
9.	Secretary (Expdt.) Ministry of Finance	"	Member
10.	Information Adviser to the Prime Minister	"	Member
11.	Chief Engineer, CPWD,	"	Member
12.	Eight Members to be nominated by the Prime Minister of India	"	Member
13.	Joint Secretary/Joint Educational Adviser, Dept. of Culture.	"	Member

- a) The Chairman may fill vacancies in the Membership of the Samiti and also nominate additional members as may be required from time to time,
provided that the total number of members shall not exceed twenty-five.
 - b) Where a person becomes a member of the Samiti by reason of the office of appointment he/she holds, his/her membership of the Samiti shall terminate when he/she ceases to hold that office of appointment. Other members shall hold office normally for three years provided that they shall continue to be members till fresh nominations are made.
- ii) A member of the Samiti shall cease to be such member if:-
- a) he/she resigns or declared of unsound mind, becomes insolvent or is convicted of any offence involving moral turpitude;
 - b) he/she accepts a full-time appointment under the Samiti.
3. a) A resignation of Membership of the Samiti shall be tendered to the Chairman and shall not take effect until it has been accepted on behalf of the Samiti by the Chairman. A vacancy caused by any of the reasons mentioned above may be filled up by the authority appointing such members and the person appointed in the vacancy shall hold office only for the unexpired period of the member in whose place he is appointed.
- b) The Chairman/Vice-Chairman may resign his office by a letter addressed to the Central Government in the Department of Culture and his resignation shall take effect from the date it is accepted by the Government.
4. EXECUTIVE COMMITTEE:
- i) a) The Executive Committee shall ordinarily consist of 5 members of the Samiti to be nominated by the Chairman. The Chairman may, however, nominate upto 5 more members in his/her discretion.
 - b) The term of the Members of the Executive Committee shall be coterminous with that of the Samiti and the Chairman shall have powers to accept the resignation and to recommend the reconstitution of the Committee at any time by the Central Government.
 - ii) The Vice-Chairman of the Samiti shall be nominated by the Chairman and he/she shall be the Chairman of the Executive Committee.
 - iii) The general superintendence, direction, control and administration of the affairs of the Samiti along with the management of the properties, movable and immovable, rests in the Executive Committee. They will have full powers and authority to do all acts, matters, things and deeds necessary for the purpose of

the Samiti subject to such directions as may be issued by the Samiti from time to time.

- iv) The Executive Committee shall have powers to make bye-laws relating to services under the Samiti, and governing the payments of Traveling Allowance and Daily Allowance to the members of the Samiti for undertaking any journey in connection with the work relating to Gandhi Smriti and Darshan Samiti and in all matters connected therewith.
- v) The Executive Committee shall have powers to create and institute and abolish posts as may be necessary and to make appointments thereto in accordance with the Rules and Regulations of the Samiti. The appointment/dismissal of Director will, however, require the approval of the Government.
Provided that the posts, carrying a scale of pay the maximum of which exceeds Rs.2000/- per month shall be created only with the approval of the Central Government.
- vi) The Central Government may at any time, after consultation with the Samiti, appoint one or more persons to review and report on the work and progress on the Samiti. On receipt of any such report the Central Government may, on broad questions of policy and matters of general interest, issue suitable directions to the Samiti which the Samiti shall comply with.
Provided that no such directions shall be issued without giving the Samiti the opportunity to express its views in the matter.

5. SUB-COMMITTEES:

The Executive Committee shall have powers to appoint various sub-committees to aid and advise it on matters considered necessary.

6. MEETINGS:

- i) A meeting of the Samiti shall be held at least once in every year which shall be its Annual Meeting.
- ii) The Chairman or Vice-Chairman may convene a special meeting of the Samiti and /or the Executive Committee, whenever he/she thinks fit.
- iii) Except as otherwise provided in these Rules, all meetings of the Samiti and /or the Executive Committee shall be called by Notice issued by the Member Secretary.
- iv) Every Notice calling a meeting of the Samiti and /or the Executive Committee shall state that date, time and place at which such meeting will be held and shall be sent to every member of the Samiti and the Executive Committee, not less than ten clear days before the day appointed for the meeting. The accidental omission to give notice to or non-receipt of notice by a Member shall not invalidate the meeting. The Chairman/Vice-Chairman, however, may for reasons to be recorded, call a special meeting on such shorter notice as he / she may think fit.
- v) If the Chairman is not present at any meeting of the Samiti, Vice-Chairman shall preside over the said meeting.
- vi) In the absence of the Chairman/Vice-Chairman, a meeting of the Samiti/Executive Committee shall be presided over by a Member chosen by the Members present on the occasion.

- vii) The quorum shall be 7 members of the Samiti and 4 members of the Executive Committee at every meeting of the Samiti and the Executive Committee respectively.
- viii) All questions under discussion at the meeting of the Samiti and the Executive Committee shall be determined by a simple majority vote of those present. Every member of the Samiti and the Executive Committee, including the member presiding, shall have one vote, and in the event of equality of votes on any question to be determined by the Samiti and the Executive Committee, the person presiding shall have an additional or casting vote.
- ix) The Chairman or Vice-Chairman or any person presiding over the meeting of the Samiti or the Executive Committee is entitled to interpret the Constitution, Rules and Regulations and Bye-Laws of the Samiti for the purpose of conducting and regulating meetings and deciding the questions and matters that may arise at such meetings.

7. CONSENT BY CIRCULAR:

The Chairman of the Executive Committee may direct the Member-Secretary to circulate any proposal or resolution to the members of the Executive Committee for their opinion. If no dissent to the proposal or resolution is received within fifteen days from the date of dispatch, the proposal or resolution shall be deemed to have been accepted or assented to by the members provided that not less than five members of the Executive Committee have expressed themselves in writing in favour of the proposal or resolution.

The Member-Secretary shall inform all members of the Executive Committee of all decisions taken or resolution passed by circulation and shall place them before the subsequent meeting of the Executive Committee for information and incorporation in the proceedings.

8. POWERS OF THE CHAIRMAN:

- i) The Chairman shall have power to appoint necessary personnel and staff to facilitate the conduct and the working of the Samiti. The Chairman shall however exercise powers of appointment to the posts equivalent to the class I and class II Gazetted under the Central Government in consultation with a sub-committee to be appointed for the purpose by the Executive Committee. In case of dispute the decision of the Chairman shall be final.
- ii) The Chairman may delegate any of his/her powers to a sub-committee or to any of the officers of the Samiti as may be found necessary or expedient to be exercised in such manner as may be directed by the Chairman and /or the Vice-Chairman.
- iii) These powers shall be exercise subject to the provisions of the bye-laws made under Rule 11 and so as to be within the Budget Estimates approved by the Samiti from time to time.
- iv) In the absence of the Chairman, the Vice-Chairman will exercise the powers of the Chairman and conduct the affairs of the Samiti.

9. POWERS OF THE VICE-CHAIRMAN:

- i) The Vice-Chairman shall exercise such powers as may be delegated by the Chairman from time to time.
- ii) These powers shall be exercised subject to the provisions of the Bye-laws made under Rule 11 and so as to be within the Budget Estimates approved by the Samiti from time to time.

10. FUNCTIONS AND POWERS OF THE DIRECTOR

- i) The Director shall be the Principal Executive Officer of the Samiti. He shall be responsible for the proper administration of the affair of the Samiti under the direction and control of the Chairman/Vice-Chairman.
- ii) The Director shall, in all matters under his charge, has the powers and duties assigned to him in these Rules and Regulations and the Bye-Laws that may be framed or such powers and duties as may be delegated further to him by the Chairman/Vice-Chairman.
- iii) The Director shall prescribe the duties of all officers and staff of the Samiti and shall exercise such supervision and disciplinary control as may be necessary subject to these Rules and Regulations and the Bye-laws that may be framed.

11. BYE-LAWS:

- i) The Samiti shall have power to make and frame Bye-laws not inconsistent with the Memorandum of Association and Rules and Regulations of the Samiti and to alter, amend, and rescind the same from time to time for the administration and management of the affairs of the Samiti.
- ii) Without prejudice to the generality of the foregoing provision, such Bye-laws may provide for the following matters:-
 - a) The preparation and sanction of the Budget Estimates, the sanctioning of expenditure, making and execution of contracts, the investment of the funds of the Samiti and the sale or alteration of such investment and account and audit.
 - b) The procedure for appointment of the officers and the staff of the Samiti.
 - c) The terms and tenure of appointment, emoluments, allowances, rules of discipline & other conditions of services of the officers and staff of the Samiti; and
 - d) Such other matters as may be necessary for the furtherance of the objectives and proper administration of the affairs of the Samiti.

12. FUNDS & FINANCES:

In discharging its functions for effectively fulfilling its aims and objects the Samiti shall have the powers and authorities:

- i) To raise funds by way of donations or by contributions from public or by way of grant from the Central Government or State Government or Corporation or any other sources for carrying out the objects of the Samiti.
- ii) To obtain or accept grants subscription, donations, gifts and bequests from the Central and State Governments, Corporation Trusts or any other Institution or person for the purpose of the Samiti.

- iii) To borrow or raise money with or without security of mortgage charge or otherwise, of all or any of the immovable properties, provided that if the assets have been created, wholly or largely out of Central Govt. grants, prior approval of the Central Govt. should be obtained;
- iv) To sell, buy, exchange, hire or otherwise transfer all or any portion of property, movable or immovable. Provided that if immovable property has been created, wholly or largely, out of Central Government grants prior approval of the Central Government should be obtained;
- v) To maintain a fund to which shall be credited:
 - a) All money received by Samiti by way of grants, subscriptions, donations, gifts, bequests or other transfers from the Central Governments; and
 - b) All moneys received by the Samiti in any other manner or from any other source;
- vi) To deposit all moneys credited to the fund in such manner as may be provided for in the Rules and Regulations of the Samiti.
- vii) To draw, make, accept, endorse and discount cheques, notes or other negotiable instrument and for this purpose to sign, execute and deliver and such assurances and deeds as may be necessary for the purposes of the Samiti;
- viii) To pay out of the funds belonging to the Samiti or out of any particular part of such funds, the expenses incurred by the Samiti, from time to time, including all expenses incidental to the preformation of the Samiti & management and administration of any of the foregoing objects, including all rents, rates, taxes and of salaries of the employees.

13. ACCOUNTS AUDIT AND ANNUAL REPORT:

- i) The Samiti shall maintain proper accounts and other records and proper Annual Statement of Accounts, including the balance-sheet, in such form as may be prescribed by the Central Govt. ;
- ii) The accounts of the Samiti shall be open to audit by the C&A of India in accordance with the provisions of the CAG's (Duties, Powers & Condition of Service) Act. , 1971, and the accounts of the Samiti as certified by the Comptroller and Audit General together with the audit report thereon shall be forwarded annually to the Govt. of India and the Govt. shall cause the same to be laid before the Houses of Parliament;
- iii) An Annual report of the proceeding of the Samiti and of the work undertaken during the year shall be prepared and adopted by the Samiti, for information of the Government of India and other concerned and shall be laid before the Houses of Parliament;

14. DISSOLUTION OF THE SAMITI:

The Samiti may be dissolved in accordance with the provisions of Section 13 of the Societies Registration Act. XXI, 1860 as applicable to the U. T. /Delhi. In the event of dissolution after the satisfaction of all its liabilities, all the assets, including movable and immovable properties whatsoever remains, shall vest absolutely in the Government of India, who would be empowered to decide the future use of them.

15. MISCELLANEOUS:

The Bankers of the Samiti shall be the State Bank of India. All funds shall be paid in to the account of the Samiti with the State Bank of India and shall not be withdrawn except through a cheque signed and countersigned by such officers as may be duly empowered in this behalf by the Executive Committee.

16. AMENDMENTS OF RULES AND REGULATIONS:

- a) The Rules and Regulations of the Samiti may be altered at any time by a Resolution passed by a majority of two-third members of the Samiti present at any meeting of the Samiti duly convened for the purpose;
- b) Subject to provisions of the Societies Registration Act. of 1860, the Society may alter or extend the purposes for which it is established with the previous concurrence of the Central Government;
- c) The Rules and Regulation of the Society may be altered at any time with the sanction of the Central Government, by a resolution passed by a majority of the members of the society present at any meeting of the society duly convened and held for the purpose;

ALTERATION, EXTENSION OR ABRIDGEMENT:

Amendment of purposes (aims and objects) change of name section 12 & 12 (i) of the S.R. Act. of 1860 as applicable to the U.T. of Delhi. The Amendment in the Memorandum shall be made under this section.

17. LEGAL PROCEEDINGS:

The society may sue or be sued in the name of the member secretary as per the provision laid down under section 6 of the S.R. Act., 1860, as applicable to the U.T. of Delhi.

18. APPLICATION OF THE ACT:

All the provisions under all the sections of the Societies Registration Act. of 1860 is applicable to the Union Territory of Delhi shall apply to this Samiti.

We, the following Members of the Samiti certify that the above is a correct copy of the Rules and Regulations of the Samiti:

Sl. No.	Name	Designation	Signature
1.	Smt. Sheila Kaul, Minister of State, Ministry of Education & Culture		Sd/- Sheila Kaul
2.	Shri B.N. Pande, Governor of Orissa Bhubaneshwar		Sd/- B.N.Pande