



PUNJAB GOVERNMENT

Punjab State E-Governance Society (PSEGS)

In the matter of Society Registration Act, XXI of 1860 being an act for the registration of Literary, Scientific and Charitable Societies

And

In the matter of Punjab State E-Governance Society (PSEGS) (hereinafter referred to as the Society) pertaining to Rules and Regulations of Society for the administration and implementation of Information Technology and E-Governance projects.

MEMORANDUM OF ASSOCIATION

1. Preamble

The primary objective of the Punjab State e-Governance Society (PSEGS) is to administer the implementation of E-Governance projects for the overall benefit of the citizens and public by setting up the necessary administrative, financial, legal and technical framework, implementation mechanism and resources in the State of Punjab. It will facilitate establishment of service centre through the district level Sukhmani Societies or through other methods as an innovative way of providing public facilitation and citizen services where citizens can get various desired information and services.

It is considered expedient to provide the Society a legal entity by getting it registered under The Societies Registration Act, 1860.

2. (a) **Name:** The name of the Society shall be Punjab State E-Governance Society (PSEGS), Society for short.

(b) **Office:** The Registered office of the Society shall be at Mohali.

3. **Definitions:** In this Memorandum and the Rules made there under unless the context otherwise requires:

- a. "The 'Act' means the Societies Registration Act 1860, (Punjab Amendment Act, 1957) as applied to the State of Punjab or any statutory modification thereof for the time being in force."
- b. "Board of Governors" shall mean the body which is constituted as the "Board of Governors of the Society" by the Government.
- c. The "Chairman" and Vice Chairman" shall mean the "Chairman" and "Vice-Chairman" of the Board of Governors.
- d. IT shall mean: Information Technology.
- e. Member means :
 - i. The ex-officio members as per the constitution of the society or
 - ii. The members of society nominated by the Government as per the constitution of the society or
 - iii. Such Person(s), institutions, organisations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.
- f. "Member Secretary" means Member Secretary of the Board of Governors of Punjab State E-Governance Society. Director, Information Technology or Secretary, Information Technology Government of Punjab shall be the Member Secretary.
- g. "Chief Executive Officer" means Chief Executive Officer of the Punjab State E-Governance Society.
- h. "The Society" means the Punjab State E-Governance Society known by the name, style and manner of PSEGS.

- i. "State Government" shall mean the Government of Punjab in the Department of Information Technology or in any other way it is known as.
- j. "IT experts" shall mean a specialist from the field of Information Technology, computers, communication or electronics with a formal graduate degree in computers / Information Technology / communication/ electronics/ management or other related fields with 8 to 10 years of experience and can contribute his expertise & experience to achieve the objectives of the Society.
- k. "Eminent citizens" shall mean well-known, distinguished, renowned or reputed persons from the general public duly recommended by the district/ state administration.

4. Objectives and functions of the Society:

- a. To take all necessary steps to promote efficiency, reduce delays, enhance accountability, transparency and objectivity in the functioning of the government.
- b. To assist the Department of IT in formulating and implementing policies, procedures and guidelines for the adoption of Information Technology and e-governance for improvement of citizens services through various government departments & agencies and ancillary activities & services. To promote and disseminate Information Technology culture in the State so that the common man could avail the benefit of information technology and e-governance.
- c. To administer the implementation of E-Governance projects for ensuring use of Information Technology for masses. To lay down the necessary administrative, financial legal and technical framework and resources for the IT enabled Citizen Services.
- d. List and prioritise the areas for Citizen Services in consultation with the concerned Departments and take all steps for improving Citizen services to the use of IT. To facilitate implementation of Citizen Charters framed by the other departments through the use of E-governance and IT as a tool.
- e. To workout revenue models and modalities for providing Citizen Services through use of IT on a public-private partnership model for its self sustainability and to encourage private sector initiative in IT related infrastructure and services. This would include working out all commercial modalities and revenue model including Franchise Model in citizen services.
- f. To collect revenue and to issue receipts on behalf of the various Departments and Organizations. Such receipts shall have same legal validity as if it were an actual receipt issued by the concerned department of organization. Transfer the revenue collected to the concerned departments and organizations. Or to authorize a suitable authority, committee, sub-committee or society for these purposes on behalf of the E-Governance Society.
- g. To establish and make available connectivity and access to Information through Internet, Intranet, LAN, MAN, WAN, E-MAIL, WEB SERVERS and Web sites, VSAT & other modes of Communication or any other form of connectivity and regulate their use in the State. To facilitate the creation of a comprehensive State-wide Computer Networks and a State Telecom Network for use by all Government Departments, Institutions, agencies as also the public and private sector. Anything in excess capacity could be commercially exploited.
- h. To buy, sell, let on hire, repair, import, export, lease, trade and otherwise deal and provide all IT resources and support, required by any Department for IT and e-governance applications including hiring of professionals, consultancy services, procurement of hardware and software, development of special purpose software projects involving application of Information Technology on turnkey basis.
- i. To enter into collaborations, MoUs, partnerships, agreements and contracts with Indian and/or foreign individuals, companies or other organizations for transfer, sale, purchase of equipment and for technical, financial or any other assistance for carrying out all or any of the objects of the Society.
- j. To enter into any agreement with any Government or authorities (Municipal local or otherwise) or any corporations, companies, or persons which may seem conducive to the Society's objects or any of them and to obtain from any such Government authorities, corporations, companies, societies or persons any contracts, rights, privileges and concessions which the society may think desirable and to carry out, exercise and comply with any such contracts rights, privileges and concessions.

- k. To hire professionals, consultants and other specialized agencies as found necessary for efficient handling and conduct of the business of the society.
- l. To provide and/ or arrange to provide all technical assistance & help to create, organise, and maintain centralised data-warehouse, departmental databases, information-repository, and software-library to be shared by all Departments, Institutions, Agencies and wherever possible, the general public. To facilitate inter-departmental coordination in all IT related matters and to devise modalities for information sharing so as to avoid duplication of data entry and development of software. To enable, simplify and modernise the storage, retrieval, transmission, distribution and exchange of information in electronic format. To work out procedures for data entry and its verification, validation, security, storage and up-dation on regular basis.
- m. To handle intellectual property rights in Information Technology and other new technology areas. All the software created in any government Department would be jointly held by the Department of IT through the Society.
- n. To workout and notify the Standard of Service and Service Level Agreements in E-governance and IT for citizen services.
- o. To decide upon and approve the recommendations of the Sukhmani Societies and to settle disputes and issues raised by the Sukhmani Societies.
- p. To take all means for the safety and security of data and to lay policies procedures guidelines and rules for achieving the objectives of security and authentication. This would include use of digital signatures and public key infrastructure.
- q. To take all the steps necessary to fulfil the objectives of the Department of IT, good governance any governance for the overall benefit of the citizens and public in the State of Punjab. To do all such other lawful things as may be necessary, incidental or conducive to the attainment of the above objects.
- r. To obtain licenses, certificates and privileges for all purposes from all persons, local authorities and the Central and State Government, to renew the same and transfer the same in favour of any person or authorities.
- s. To lend or deposit moneys belonging to or entrusted to or at the disposal of the Society or to Sukhmani societies or franchisees and other having dealings with the society with or without security, upon such terms as may be thought proper and to guarantee the performance of contracts by such persons or company provided that the Society shall not carry on banking business as defined in Banking Companies Regulation Act 1949.
- t. To borrow and raise money with or without security or to receive money and deposit on interest or otherwise in such manner as the Society may deem fit.
- u. To draw, issue, accept and to endorse discount and negotiate promissory notes, hundies, bills of exchange, delivery orders, warrants, warehouse, keeping, certificates and other negotiable or commercial or mercantile instruments connected with the business of the Society.
- v. To establish and maintain any agencies and franchises in the State for the conduct of the business of the Society.
- w. To apply for tender, purchase or otherwise require any contracts and concessions for or in relation to the construction, execution, carrying out, equipment, improvement, management, administration or control of improvement, management, administration or control of works and conveniences and to undertake, execute, carryout, dispose of or otherwise turn to account the same.
- x. To improve, manage, work, develop, alter, exchange, lease, mortgage, turn to account, abandon or otherwise deal with all or any part to the property rights and concessions of the Society.
- y. To let out on hire all or any of the properties of the Society including every description of apparatus appliances of the Society.
- z. To open account or accounts with any individual firm or company or with any bank or banks and to pay into and to withdraw moneys from such account or accounts.
- aa. To invest apply for and acquire, or otherwise employ moneys belonging to or entrusted to or at the disposal of the Society upon securities and shares or without securities upon

such terms as may be thought proper and from time to time and vary such transactions in such manner as the Society may think fit.

- bb. To guarantee the payment of money to guarantee become sureties for the performance of any contracts or obligations.
- cc. To create any depreciation fund, reserve fund, sinking fund, insurance fund or any special or other fund whether for depreciation or for repairing, improving, extending or maintaining any of the properties of the Society and to transfer any such fund or part thereof to any of the other funds herein mentioned.

5. Funding of Society its resources, operations and management

- a. The expenditure on IT resources, operations and management of the state-level Society would be funded mainly through the share of user charges and other income of society.
- b. Initially, the capital costs for the purpose of setting up the society and its infrastructure would be provided by the Government. So far, only a grant amounting to Rs. 30 lacs has been released by Punjab Government to Punjab State E-Governance Society and the District level Sukhmani Society for the "Sukhmani" an integrated Citizen Services pilot Project in Ludhiana.
- c. The Society may approach Government of India, Government of Punjab, any financial institutions or sources for funding the project depending upon the policy at that time and the project structuring/ requirement.
- d. **Sources of income of the Society:** The Society will facilitate/ execute/ implement various E-Governance projects and also provide integrated services on behalf of various Government Departments at a service charge to be decided by the Government.
- e. **Operations and Management (O & M) of the society:** The Society will not have a permanent staff of its own. Any required operating, administrative, technical and other manpower may be deployed on job work, contract or outsourcing basis from project to project basis for at no cost to the Government. Any expenditure on manpower would be met by the Society out of its own resources like the service charges collected by the Society in lieu of providing services.
- f. The income and property of the Society howsoever derived shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum of Association.
- g. No part of income and property of the Society shall be paid or transferred, directly or indirectly, by way of profit, to the persons/ body who are, or, at any time, have been or shall be members of the Society or Board of Governors or to any of them or to any persons claiming through them or any of them.

6. Present Board of Governors:

The names, designations and address of the present members and office bearers of the Board of Governors, to whom the management of the affairs of the Society is entrusted as required under Section 2 of the Registration of Societies Act, 1860 (Act XXI of 1860) read with Punjab Amendment Act of 1957, shall be as under:

SN	Name & Designation	Address	Remarks	Signature
	Ex-officio Members			
1.	Sh. Y. S. Ratra, IAS Chief Secretary to Government of Punjab Chandigarh	6 th , Main Secretariat, Punjab	Chairman	
2.	Sh. B. R. Bajaj, IAS Principal Secretary to Government of Punjab, Department of Information Technology	410/4, Mini Secretariat, Punjab.	Vice-Chairman	
3.	Sh. K.R. Lakhanpal, IAS Principal Secretary to Government of Punjab, Department of Finance	16/8, Main Secretariat, Punjab	Member	
4.	Sh. Sudhir Mital, IAS Chairman, Punjab State Electricity Board	414/4, Mini Secretariat, Punjab	Member	
5.	Sh. Sarvesh Kaushal, IAS Secretary to Government of Punjab,	714/7, Mini Secretariat, Punjab	Member	

SN	Name & Designation	Address	Remarks	Signature
	Department of Local Government			
6.	Managing Director Punjab Information and Communication Technology Corporation Limited	Udyog Bhawan, Himalaya Marg, Sector 17, Chandigarh	Member	
7.	Sh. Nirmaljeet Singh Kalsi, IAS Director-cum-Secretary, Department of Information Technology, Punjab, Chandigarh.	The Director, Department of Information Technology, SCO 193-195, Sector 34-A, Chandigarh.	Member Secretary	
	Nominated Members			
8.	Three IT experts to be nominated by the Department of IT		Member	
9.	Three eminent citizens to be nominated by the Department of IT		Member	
	Co-opted Members			
10.	Any other member which Board of Governors decides to co-opt.		Co-opted Members	

7. **Rules and Regulations:** The Board of Governors is authorised to frame rules and regulations for conducting the business of the Society based on this Memorandum of Association.

RULES

OF

Punjab State E-Governance Society (PSEGS)

1. **Registered Office:** The Registered Office of the Society shall be situated at Mohali. Presently the registered office is to be located at the Chandigarh.
2. **Short title and commencement**
 1. This Society may be called the Punjab State E-Governance Society.
 2. These rules may be called the Punjab State E-Governance Society Rules, 2003.
 3. **Definitions:** In this Memorandum and the Rules made there under unless the context otherwise requires:-
 - (a) "The 'Act' means the Societies Registration Act 1860, (Punjab Amendment Act, 1957) as applied to the State of Punjab or any statutory modification thereof for the time being in force."
 - (b) "Board of Governors" shall mean the body which is constituted as the "Board of Governors of the Society" by the Government.
 - (c) "Committee" means the Executive Committee of the society.
 - (d) The "Chairman" and Vice Chairman" shall mean the "Chairman" and "Vice-Chairman" of the Board of Governors.
 - (e) IT shall mean Information Technology.
 - (f) Member means :
 - i. The ex-officio members as per the constitution of the society or
 - ii. The members of society nominated by the Government as per the constitution of the society or
 - iii. Such Person(s), institutions, organisations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.
 - (g) "Member Secretary" means Member Secretary of the Board of Governors of the Punjab State E-Governance Society. Director, Information Technology or Secretary, Information Technology Government of Punjab shall be the Member Secretary.
 - (h) "Chief Executive Officer" means Chief Executive Officer of the Punjab State E-Governance Society.
 - (i) "The Society" means the Punjab State E-Governance Society known by the name, style and manner of PSEGS.
 - (j) "State Government" shall mean the Government of Punjab in the Department of Information Technology or in any other way it is known as.
 - (k) "IT experts" shall mean a specialist from the field of Information Technology, computers, communication or electronics with a formal graduate degree in computers / Information Technology / communication/ electronics/ management or other related fields with 8 to 10 years of experience and can contribute his expertise & experience to achieve the objectives of the Society.
 - (l) "Eminent citizens" shall mean well-known, distinguished, renowned or reputed persons from the general public duly recommended by the district/ state administration.
3. **Authorities of the Society:** The Authorities of the Society shall consist of the following:
 - a. The Board of Governors
 - b. The Chairman of the Board of Governor
 - c. The Vice Chairman of the Board of Governors
 - d. The Member Secretary of the Society
 - e. Chief Executive Officer of the Society.

- f. Apart from the Member Secretary, the officers as may be appointed by the Board of Governors from time to time shall be officers of the Society.

4. The Board of Governors :

- a. The Society shall have its **Board of Governors** as the Supreme Authority and source of all powers, functions and activities.
- b. The general superintendence, direction and control of the affairs of the Society and of its income and property shall be vested in the Board of Governors of the Society hereinafter referred to as "The Board" or "The Board of Governors".

5. Constitution of the Board of Governors

Initially the Board of Governors of the society would comprise the following members”:

SN	Name & Designation	Remarks
Ex-officio Members		
1.	Chief Secretary to government of Punjab Chandigarh	Chairman
2.	Principal Secretary to Government of Punjab, Department of Information Technology	Vice-Chairman
3.	Principal Secretary to Government of Punjab, Department of Finance	Member
4.	Chairman, Punjab State Electricity Board	Member
5.	Secretary to Government of Punjab, Department of Local Government	Member
6.	Managing Director Punjab Information and Communication Technology Corporation Limited	Member
7.	Director-cum-Secretary, Department of Information Technology, Punjab, Chandigarh.	Member Secretary
Nominated Members		
8.	Three IT experts to be nominated by the Department of IT	Member
9.	Three eminent citizens to be nominated by the Department of IT	Member
Co-opted Members		
10.	Any other member which the Board of Governors decides to co-opt.	Co-opted Members

6. MEMBERS OF THE SOCIETY:

- a. The Society shall consist of
- i. **All the ex-officio members** as per the provision at Sr. no. 1 to 7 of para 5 in the constitution of the Board of Governors.
 - ii. The **members nominated** by the Government as per the provision at Sr. no. 8 to 9 of para 5 in the constitution of the Board of Governors.
 - iii. Other individuals, institutions, organisations and corporate bodies to be accepted in future as **Co-opted Members** as per terms and conditions of eligibility as may be laid down and approved by the Board of Governors from time to time as per the provision at Sr. no. 10 of para 5 in the constitution of the Board of Governors.
- b. The Society shall keep a Roll of nominated and co-opted Members and every such member of the Society shall sign the roll and state therein his name, occupation and address.
- c. If a nominated and co-opted member of the Society changes his address, he shall inform his new address to the Member Secretary who shall thereupon enter his new address in the Roll of such Members. But if he fails to inform his new address, the address in the Roll of Members shall be deemed to be his address.
- d. **Termination of Membership:**
- i. Where a person becomes a member of the Society by reason of the office or appointment he holds, his membership of the Society shall terminate when he ceases to hold that office or appointment.
 - ii. Whenever a member other than the ex-officio member, desires to resign from the membership of the Society, he shall address his resignation to the Member Secretary of the Society and submit the same to him. The membership of such person shall stand terminated from the date of his resignation.

- iii. A member of the Society shall cease to be a member, if Board of Governors so desire.

7. Meeting of Board of Governors

- a. The Board shall ordinarily meet 4 times in a year but the gap between one meeting and the other shall not be more than 120 day.
- b. Every meeting of the Board of Governors shall be presided over by the Chairman of the Board of Governors and in his absence, the Vice Chairman, shall preside over the meeting.
- c. The Chairman or the Vice-Chairman may, whenever he thinks fit, and shall, on the written requisition of not less than four members, call a special meeting of the Board of Governors.
- d. **Notice and quorum for the meetings of the Society:**
 - i. Every notice calling a meeting of the Board of Governors shall state the date, time & place at which such meeting will be held and shall be served upon every member not less than 48 hours before the day & time appointed for the meeting;
 - ii. Provided that the Chairman for reasons to be recorded shall have the authority to call a special meeting on such shorter notice as he thinks fit.
 - iii. If the Chairman of the Board of Governors is unable to attend any meeting, then Vice Chairman shall preside over such a meeting.
- e. The Board of Governors can further constitute committees and sub-committees and delegate the necessary powers and authorizations to such committees for the specific purposes.
- f. **Quorum:** Five Members, out of whom at least three must be official members, shall constitute the Quorum.

8. Conduct of Business of the Board of Governors

- 1) The **Board of Governors** may function notwithstanding any vacancy in its constitution provided however, that at no time the number of vacancies shall be such that the total number of members is less than the quorum required for a meeting of the Board of Governors.
- 2) **Acts and Proceedings not to be invalidated by vacancies etc:** No act or proceeding of the Board of Governors or any authority of the Society or any committee constituted under this, shall be questioned on the ground merely of the existence of any vacancy or defect in the election, nomination or appointment of a person acting as a member thereof or any irregularity in its procedure not affecting the merits of the case.
- 3) Subject to the provisions herein contained, the **Board of Governors** may, with the previous approval of the Punjab Government in the Department of Information Technology, frame and vary from time to time, as it thinks fit, bye-laws for the conduct of its business.
- 4) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- 5) Each member of the Board, including the Chairman, shall have one vote & if there is an equal number of votes on any question to be determined by the Board, the Chairman shall, in addition, have and exercise a casting vote.
- 6) Any resolution, except such as may be placed before the meeting of the Board, may be adopted by circulation among all its members, and any resolution so circulated and adopted by a majority of the Members who have given their approval, such Resolution shall be as effectual and binding as if such Resolution has been passed at a meeting of the Board, provided that in every such case, at least 5 members of the Board shall have recorded their approval to the Resolution.

9. Powers, functions, duties and responsibilities of the Board of Governors:

Subject to the Memorandum of Association and these Rules, but without prejudice to the generality of powers, the **Board of Governors** shall have the full functional autonomy and shall exercise the following **powers** and carry out the following **functions, duties and responsibilities** inter-alia:

Powers of the Board of Governors

1. Take decision on matters of policy relating to the administration, working and control of the Society.
2. Consider and approve programmes and plans of the Society in conformity with the scope of the objectives of the Society mentioned in the Memorandum of association and to sanction expenditure for the same.
3. Consider and approve eligibility conditions, duration, selection process etc for various types of service providers, vendors, resources including system integrators, developers, stake holders, financial collaborators, public-private partners, implementers, executors of the various e-Governance initiatives, franchises of Sukhmani and other citizen services.
4. Frame Rules, Regulations and Bye-laws for the conduct of the affairs of the Punjab E-Governance Society and the Sukhmani Society and to add, amend, or repeal the rules and regulation from time to time.
5. Consider, approve and authorize operation of the funds of the Society. Collect payments and user charges on behalf of other departments and agencies and transfer/ utilize it in the manner prescribed in the agreements.
6. Frame norms, guidelines and terms and conditions and service level agreements with stakeholders and franchises to establish Sukhmani Centres and other IT and e-Governance services and to add to or amend them from time to time.
7. Appoint Committees or Sub-Committees, by whatever name called, comprising member(s) of the Society and such outside experts and officers of the Society as may be nominated by it for specific tasks, for the disposal of any of its business or for tendering advice on any matter pertaining to the administration and management of the Society.
8. Delegate, to such extent as it may deem necessary, any of its powers to any Officer or the Committees constituted by the Board.
9. Create project based contract positions and handle the work on job-work and/or outsourcing basis for the Society, lay down terms and conditions and method of hiring such human resources.
10. Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, improve, alter, demolish or repair buildings, space, works and constructions as may be necessary or convenient for carrying on the activities of the Society;
11. Negotiate, enter into and make contracts and deeds on behalf of the Society without any Government support. To enter into legal and corporate agreements for and on behalf of the society and to sue and defend all legal proceedings on behalf of the society;
12. Institute and award, prizes and medals for innovative e-Governance and citizen services applications;
13. Solicit and receive grants, gifts, donations or other contributions from the Central Government, State Government, user charges, cess, contributions, fee and funds in any other forms, provided it is approved by the Executive Committee;
14. Do all such acts and things as are incidental or conducive to the discharge of the functions and attainment of any of the objects of the Society.

Functions, duties and responsibilities of the Board of Governors:

15. to prepare and execute the detailed plans and programmes for working of the Society and to carry on its administration and management.
16. to procure and provide all types of IT resources & services like hardware, system software, power & printer peripherals, networking components etc.
17. to have custody and ensure proper utilization of the funds of the Society and to manage all the resources of the Society.
18. to frame and prescribe guidelines and instructions for the implementation of e-governance and citizen service applications in conformity with the overall policy approved in this behalf by the State Government and Board of Governors.
19. to provide the required operating, administrative, technical, ministerial and other manpower under PSEGS on job work, contract or outsourcing basis from project to

project basis for ensuring the efficient operation and management of the projects and the affairs of the society and to prescribe the conditions for hiring and firing of such manpower by the other departments and organizations as and when required.

20. to co-ordinate with central and state level organizations/ institutions of national and international organizations in the pursuit of its objectives of the society.

21. to consider and pass such Resolutions on the annual report, the annual accounts and the financial estimates of the society as it thinks fit.

10. Assets and Funds of Society

- (a) The capital cost and corpus fund for the smooth functioning of the society may be contributed by Government of Punjab, Government of India, contributions from Public sector undertakings, Co-operative institutions, other Public sector organizations and Financial Institutions.
- (b) **Sources of income of the Society:** The Society will implement the various E-Governance projects and also provide integrated services on behalf of various Government Departments. Therefore, any receipts of the society including the receipt through the Sukhmani Societies for citizen services, will consist of the following:
 - i. Payments against the bills for various services rendered by the Departments which will be transferred by the Society into the accounts of the concerned departments or agency and proper accounts would be maintained;
 - ii. The fee prescribed by concerned Department of the Government for the certain categories of service would be transferred to the concerned department for depositing the same in the Government Treasury and;
 - iii. Lastly the approved user charges for providing the service by the Society which will be retained by the Society. These user charges will be apportioned between the Punjab E-Governance Society, Sukhmani Society and the Private partner to be selected on open tendering basis for meeting the expenditure on account of operations, management and maintenance of the IT resources for providing the services
- (c) The recurring expenditure of the society would be met out of the share of service charges collected through the implementation of various E-Governance Projects or from the services charges collected in lieu of the citizens services and other income from resources and business of the society.
- (d) For expanding the scope and coverage of E-Governance services in the State the Society may approach Government of India, Government of Punjab or any financial institutions for funding the E-Governance project depending upon the project structuring/ requirement.
- (e) The services of the Society may be used as an institutional mechanism for the facilitation/ execution of various e-Governance projects which could be either fully or partially funded/ sponsored by Government of India, Government of Punjab or other financial institutions/ resources. The execution of such projects could be facilitated through the Society and any funds allocated for such projects could be utilized through the Punjab State e-Governance Society, District Level Society for Citizen Services or any other society. The Society would be paid a service charge for facilitating/ executing such projects to the tune of 4% to 6% as decided by the Government in the Department of IT from time to time.
- (f) The Society may accept contributions from statutory bodies created under the Acts of Parliament or of the State Legislature, the national and International organizations, NRIs, industry. The contribution may also be accepted from Private bodies and individuals subject to the approval of its Board of Governors.
- (g) The income and property of the Society howsoever derived shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum of Association.
- (h) No part of income and property of the Society shall be paid or transferred, directly or indirectly, by way of profit, to the persons/ body who are, or, at any time, have been or shall be members of the Society or Board of Governors or to any of them or to any persons claiming through them or any of them.
- (i) **Operations and Management (O & M) of the society:**
 - i. The required operating, administrative, technical and other manpower may be deployed on job work, contract or outsourcing basis from project to project basis for ensuring the efficient operation and management of the projects.

- ii. Thus the hiring of manpower for the work of the Society would not be the liability of the Government and any expenditure on such account is proposed to be met out of the service charges/ other funds available with the Society.
 - iii. For the operations, the Society is likely to be financially self-sustaining after the successful implementation of the pilot projects. The Society will outsource its work on job-work basis or even totally outsource the projects depending upon the requirements of the specific project on a case to case basis. However, at no point of time the Society will have the permanent staff of its own and even the Skelton project base staff would be deployed on contract/ job work basis.
 - iv. Mostly the operating staff would be hired by the private partners and no Government Expenditure would be involved. Also expenditure on any hiring of staff by the society would be met out of its own resources like the service charges collected by the Society.
- (j) **Vesting of the assets and funds of the Society:** The Assets of the fund shall vest with the Society.
- i. **Assets register and accounts:** The Society shall maintain Assets Register (AR) and accounts as per the common corporate practices relating to IT industry.
 - ii. **The Treasurer of Fund:** The Executive Committee of the Board of Governors headed by the Member Secretary or any other person authorized by the Executive Committee shall be the treasurer of the funds.
 - iii. **Operation of Bank Account:** The bank accounts of the Society shall be kept in the name of the Society and shall be operated upon by the Member Secretary of the Society or any other person authorized by the Executive Committee or Member Secretary.
- (k) Objects for which the Fund of the Society could be used:
- i. The objects of the fund shall be as approved by the Board of Governors.
 - ii. All decisions for utilization of funds would be recorded in Executive Office Order Register (EOR).
 - iii. Some of the indicative objects for which the funds could be used are as follows:
 - a. For creation, operation, management and maintenance of databases to be used for IT enabled citizen services in the State
 - b. For developing replicable and reusable models of e-Governance in various State Government Departments, Offices, Boards and Corporations;
 - c. For creation, operation, management and maintenance of IT and other resources for e-governance applications and IT enabled citizens services
 - d. To develop Decision Support System, MIS, Intranet and other applicable enabling technologies in State Government Departments, Offices, Boards and Corporations;
 - e. For IT innovations in administration, re-engineering and for IT supported resource optimization;
 - f. To impart special training, awareness and capacity building in the field of IT for various State Government Departments, Offices, Boards and Corporations;
 - g. For any other purpose, which seeks to achieve the objectives of the society.
 - iv. Administrative expenses incurred by the Society or Committee such as salary allowances and traveling Allowances and daily Allowances of the staff can be legitimate charges on the funds of the Punjab State E-Governance Society in accordance with the provision of the rules of the Society.

11. Accounts and Audit

- a. The Member Secretary shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditure and of the property, assets and liabilities of the Society. The Annual Accounts shall be made up by the end of the financial year;
- b. The Accounts of the Society shall be audited and certified by the Auditor General, Punjab in respect of funds provided by the Government of Punjab and by a Chartered Accountant appointed by the Board of Governor or any other competent authority;

12. Arbitration and Reconciliation

- a. Any dispute between two or more members of the Society or the Sukhmani Societies, which has an impact the Chairman or the Vice Chairman an arbitrator appointed by the

Chairman upon the activities of the Society, shall be referred to and resolved amicably by.

- b. The extent of penalty that may be imposed through arbitration shall be limited to a maximum of 15% of the agreement.

13. Executive Committee of the society:

The routine decision making of the Society and its funds shall be managed by the following executive committee:

SN	Name & Designation	Remarks
1.	Principal Secretary to Government of Punjab, Department of Information Technology	Chairman
2.	One representative of the Department of Finance not below the rank of Joint Secretary	Member
3.	An IT experts to be nominated by Principal Secretary Information Technology	Member
4.	Director-cum-Secretary, Department of Information Technology, Punjab, Chandigarh.	Member Secretary

- a. The Empowered committee will be empowered to take all administrative decisions where no creation of posts is involved.
- b. The Executive Committee will issue Administrative Approvals (AA), Financial Sanctions (FS) and Technical Sanction (TS) for all IT and e-Governance projects of value less than Rs. one crore. Any project of more than Rs. one crore would require the approval of the Board of Governors.
- c. The Executive Committee will be competent to handle all IT resource acquisition and disposal cases of value less than Rs. one crore per tender. Any acquisition of more than Rs. one crore per tender would require the approval of the Board of Governors.
- d. In case of urgency, the Executive Committee will take decisions and get the same ratified from the Board of Governors in its next meeting.
- e. The Executive Committee may also further delegate any of its power to Member Secretary of the Society.
- f. The Executive Committee shall exercise such other powers as delegated to it by the Board of Governors.

14. Contracts:

All contracts and other assurance shall be executed in the name of the Board of Governors and signed on their behalf by the Member Secretary of the Society or any other person duly authorized by the Board of Governors.

15. Powers, Functions & Responsibilities of the Director IT-Cum-Member Secretary & Chief Executive Officer (CEO):

- a. The Member-Secretary shall be the custodian of the record, the funds of the Society & such other property of the society as the Board may commit to his charge. The Member-Secretary shall have the accounts maintained and also arrange for the annual audit in accordance with the provisions in the Rules and Bye-laws of the Society.
- b. The Member-Secretary shall have such other powers & perform other duties as may be delegated or assigned to him by the Board. The Member-Secretary may delegate any of his powers to any of his subordinate with the approval of the Executive Committee.
- c. The Member-Secretary of Board of Governor shall act as the Member-Secretary of the Society and will record the proceedings of the meetings of the Society and of the Board of Governors and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.
- d. The Member-Secretary of Board of Governor shall manage the projects, properties or the money under the fund, manage accounts, execute all contracts on behalf of the society and receive funds for the society through donations, grants-in-aid, contributions and raising money whenever required.

- e. The Member-Secretary of Board of Governor shall prepare the budget relating to the administrative expenses of the Society and Committee such as expenditure on TA/ DA of the members, which shall be a legitimate charge on the fund.
- f. The Member-Secretary will be empowered to take all day to day administrative decisions where no policy is involved where no creation of posts is involved.
- g. The Member-Secretary will have the authority to issue Financial Sanction (FS) and Technical Sanction (TS) for all IT and e-Governance projects of value less than Rs. 20 lacs. Any project of more than Rs. 20 lacs would require the approval of the Executive Committee or the Board of Governors, as the case may be.
- h. In the event of the post of the Member-Secretary remaining vacant or the Member-Secretary being absent or unable to perform his duties or any reason, it shall be open for the Board to direct any Officer or Officers in the service of the Society to exercise temporarily such powers & perform such functions and duties of the Member-Secretary as the Board may deem fit.
- i. The Member Secretary shall be responsible for the proper day to day administration of the Society. All other staff of the society shall be subordinate to the Member-Secretary. The Member-Secretary shall carry out the general correspondence in connection with the work assigned to him/ her by the Chairman of Board of Governors and the Executive Committee from time to time.
- j. The Member-Secretary of Board of Governor shall hire & fire the manpower for the society and other staff in accordance with Rules, regulations and bye-laws of the Society. The Member-Secretary of Board of Governor shall represent the society in all its legal matters jointly or through any authorised representative.
- k. The Member-Secretary shall be responsible for the training and execution of all IT and e-Governance projects as approved by the Board of Governors and the Executive Committee.
- l. To do all acts, deeds and things necessary for carrying out his functions as Member-Secretary.
- m. Normally, the Member Secretary shall be the Chief Executive Officer (CEO) of the Society. However, the Board of Governors may appoint a separate Chief Executive Officer (CEO) of society in which case the functions and responsibilities may be decided between the CEO and Member-Secretary by the Board of Governors.

16. Withdrawal of Funds.

- 1. Withdrawal of funds from the accounts of the society shall be regulated in a manner to be determined by the Board of Governors or under its authority by the Executive Committee.
- 2. Such withdrawals shall be made by cheques on requisition (as the case may be) signed by Member-Secretary or an officer(s) authorized in this behalf by the Board of Governors or under its authority by the Executive Committee.

17. Annual report.

A report on the working of the Society every year shall be got prepared by the Month of September by the Member Secretary and presented to the Government of Punjab after the approval of the Board of Governors.

18. Suit by and Against the Society:

The Society may sue or be sued in the name of the Society and the Member Secretary shall have all powers to defend any suits and sue in the name of the Society either by himself or acting through agents/ officials duly appointed by the Member Secretary.

19. Powers of the State Government to Give Directions to the Society.

The State Government in the Department of Information Technology may give the Society such directions in regard to the grants and funds provided by the State Government, as in its opinion, are necessary or expedient for carrying out the purposes of the funds or the Society. It shall be the duty of the Society to comply with such directions.

20. Repeal and Savings.

- l. Subject to the prior approval of the Board of Governors, the Society may alter, extend or abridge any purposes for which it is established by following the procedure prescribed under these rules.

- II. These Rules may be altered by the Society with the consent of the Board of Governors at any time by a resolution passed by a majority of 2/3rd 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.

21. **Societies Registration Act to Apply:**

All clauses of Societies Registration Act, 1860 (Punjab Amendment Act, 1957) as applied to the State of Punjab shall apply to this Society save as are appropriately and expressly amended and altered or amended by these presents and such amendments are not inconsistent with the aforesaid Act.

22. **We, the following members of the Board of Governors certify that the Rules of the Society given above are correct:**

SN	Name & Designation	Remarks
	Ex-officio Members	
1.	Sh. Y. S. Ratra, IAS Chief Secretary to government of Punjab Chandigarh	Chairman
2.	Sh. B. R. Bajaj IAS Principal Secretary to Government of Punjab, Department of Information Technology	Vice-Chairman
3.	Sh. K.R. Lakhnpal IAS Principal Secretary to Government of Punjab, Department of Finance	Member
4.	Sh. Sudhir Mital IAS Chairman, Punjab State Electricity Board	Member
5.	Sh. Sarvesh Kaushal IAS Secretary to Government of Punjab, Department of Local Government	Member
6.	Managing Director Punjab Information and communication Technology Corporation Limited	Member
7.	Sh. Nirmaljeet Singh Kalsi, IAS Director-cum-Secretary, Department of Information Technology, Punjab, Chandigarh.	Member Secretary
	Nominated Members	
8.	Three IT experts to be nominated by the Department of IT	Member
9.	Three eminent citizens to be nominated by the Department of IT	Member
	Co-opted Members	
10.	Any other member which Board of Governors decides to co-opt	Co-opted members

RESOLUTION

It is resolved that Punjab State E-Governance Society (PSEGS) may be got registered as Society under the Act XXI of 1860 and hereinafter may be referred as the Society.

SN	Name & Designation	Remarks	Signatures
	Ex-officio Members		
1.	Sh. Y. S. Ratra, IAS Chief Secretary to government of Punjab Chandigarh	Chairman	
2.	Sh. B. R. Bajaj IAS Principal Secretary to Government of Punjab, Department of Information Technology	Vice-Chairman	
3.	Sh. K.R. Lakhanpal IAS Principal Secretary to Government of Punjab, Department of Finance	Member	
4.	Sh. Sudhir Mital IAS Chairman, Punjab State Electricity Board	Member	
5.	Sh. Sarvesh Kaushal IAS Secretary to Government of Punjab, Department of Local Government	Member	
6.	Managing Director Punjab Information and communication Technology Corporation Limited	Member	
7.	Sh. N.S. Kalsi Director-cum-Secretary, Department of Information Technology, Punjab, Chandigarh.	Member Secretary	
	Nominated Members		
8.	Three IT experts to be nominated by the Department of IT	Member	
9.	Three eminent citizens to be nominated by the Department of IT	Member	
	Co-opted Members		
10.	Any other member which Board of Governors decides to co-opts	Co-opted Members	