

**THE MEMORANDUM OF ASSOCIATION  
AND  
THE RULES AND REGULATIONS OF THE  
GOVIND BALLABH PANT  
HIMALAYA PARYAVARAN EVAM VIKAS SAMITI  
(GOVIND BALLABH PANT SOCIETY OF  
HIMALAYAN ENVIRONMENT AND DEVELOPMENT)**

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**The Memorandum of Association and the Rules and Regulations of the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Samiti (Govind Ballabh Pant Society of Himalayan Environment and Development)**

**1. Name of the Society:**

The name of the Society shall be Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Samiti (Govind Ballabh Pant Society for Himalayan Environment and Development) hereinafter referred to as Society.

**2. Registered Office:**

The Registered office of the Society shall be at New Delhi. The postal address will be as follows:

Ministry of Environment and Forests  
Paryavaran Bhawan  
4<sup>th</sup> Floor, B-Block  
Phase II, CGO Complex  
Lodi Road, New Delhi-110 003

**3. Aims and Objectives:**

- (i) To set up and administer Institutions with a view:
- a. undertake in depth research and development studies on environmental problems of Himalayan regions and Shiwalik regions;
  - b. to evolve and demonstrate suitable technology packages and delivery systems for integrated development of the Himalayan and *Shiwalik ranges*;
  - c. to co-operate with educational and other institutional Organizations including any voluntary organizations in India as well as any part of the world having objectives wholly or partly similar to those of the Institute.

The functions and Rules of each institution will be as may be laid down by the Society. The first one being the G.B. Pant Institute of Himalayan Environment and Development, Kosi (Katarmal), Almora, Uttarakhand

- (ii) To institute and award research grants, fellowships, scholarships, prizes, awards and medals in accordance with the rules and regulations of the Society.
- (iii) To do all such acts as may be necessary, incidental or conducive to the attainment of all or any of the objectives of the Society.

- (iv) To create administrative, scientific, technical, ministerial and other posts under the Institute(s) in the pay scales the maximum of which does not exceed Rs. 4500 p.m., to make appointment thereto in accordance with the orders issued by the Govt. of India from time to time.
- (v) To create patronship, affiliation and other classes of professional or honorary membership or office as the Society may consider necessary.
- (vi) To make rules and regulations and by-laws for the conduct of the affairs of the Society and to add, to amend, vary or rescind these from time to time.
- (vii) To raise, accept and expend money for all or any of the purposes of the Society consistent with its objectives.
- (viii) To deposit all such money in such public sector banks or to invest them in such manner as the Society may decide.
- (ix) To prepare and maintain accounts and other relevant records and to prepare an annual statement of accounts including the balance sheet of the Society.
- (x) To forward annually to the Central Government and accounts of the Society as certified by the auditors appointed by the Society from year to year.
- (xi) To constitute such committee or committees as it may deem fit for the disposal of any business of the Society or for rendering advice in any matter pertaining to the Institute; and
- (xii) To delegate any of its powers to the Governing Body or any of the Committee or committees constituted by it.

All the incomes, earnings, movable or immovable properties of the Society shall be solely utilized and applied towards the promotion of its aims and objectives only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever to the present or past members of the Society or to any persons claiming through any one or more of the present or past members. No member of the Society shall have any personal claim on any movable or immovable properties of the Society or make any profits whatsoever by virtue of this membership.

The Central Government (viz. Ministry of Environment and Forests) may issue such directives to the Society or the Governing Body, as it may consider necessary, for the furtherance of the objectives of the Society and for ensuring its proper and effective functioning and the Society or the Governing Body shall comply with such directives.

## **Rules and Regulations of the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Samiti (Govind Ballabh Pant Society of Himalayan Environment and Development)**

### **1. Short title:**

These rules may be called the rules of the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Samiti (Govind Ballabh Pant Society of Himalayan Environment and Development).

### **2. Commencement:**

These rules shall come into force with effect from the date of registration of the Institute under the Societies Registration Act.

### **3. Definitions:**

In these rules, unless the context otherwise requires:

- (i) 'Institute' implies the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Sansthan or any other Institutions as may be set up (hereinafter referred to as the Institute) by the Society.
- (ii) 'Society' means the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Samiti.
- (iii) 'Governing Body' means the Body which is constituted as such under Rule of the Governing Body of the Institute.
- (iv) 'President' means President of the Society.
- (v) 'Vice-President' means Vice-President of the Society.
- (vi) 'Chairman' means the Chairman of the Governing Body.
- (vii) 'Member-Secretary' means the Member-Secretary of the Society as well as of the Governing Body.
- (viii) 'Director' means the Director of the Institute(s).
- (ix) 'Central Government' means the Government of India.

**4. Registered Office:**

The Registered Office of the Society shall be situated a C/o Ministry of Environment and Forests, Paryavaran Bhawan, 4<sup>th</sup> Floor, 'B' Block, Phase II, CGO Complex, Lodi Road, New Delhi-110 003.

**5. Admission & Qualifications for Membership:**

Admission to the membership of the Society is only nomination from identified Central/State Ministries/Departments and non-official bodies.

**6. Membership:**

The Society shall consist of the following members:

1. Minister In-charge, Ministry of Environment & Forests, Government of India – President of the Society.
2. Minister of State, Ministry of Environment & Forests, Government of India – Vice-President of the Society.
- 3-4. Two Members of Parliament to be nominated by the Government of India, every three years or upon sooner determination of the membership of the Lok Sabha.
- 5-16. Minister In-charge of Environment in the State Governments of (1) Jammu and Kashmir (2) Sikkim (3) Himachal Pradesh (4) Uttarakhand (5) Arunachal Pradesh (6) West Bengal (7) Assam (8) Mizoram (9) Manipur, (10) Meghalaya, (11) Nagaland and (12) Tripura.
- 17-18. Two MLAs from the State of Uttarakhand to be nominated by the Government of India, every three years or upon sooner determination of the membership of Uttarakhand Legislative Assembly of an incumbent member.
- 19-23. Five non-officials to be nominated by the Government of India every three years, (Two out of these non-officials will be representatives of the Hill Universities by rotation).
24. A representative of the Indian Institute of Forest Management to be nominated every three year or upon sooner determination of the membership of the Indian Institute of Forest Management.
- 25-36. Secretaries to the Government of India from the following Ministries/Departments:
  - (i) Environment & Forests
  - (ii) Secretary Expenditure, Ministry of Finance

- (iii) Science & Technology
  - (iv) Scientific and Industrial Research
  - (v) Human Resource Development (Deptt. of Education)
  - (vi) Rural Development
  - (vii) Urban Development
  - (viii) Non-Conventional Energy Sources
  - (ix) Steel and Mines
  - (x) Water Resources
  - (xi) Agricultural Research and Education
  - (xii) Planning Commission
37. Chief Secretary to the Government of Uttarakhand
38. Director General, ICFRE, Dehra Dun
39. Director General of Forests
40. Director, Botanical Survey of India
41. Chairman, Indian Council of Social Science Research
42. Director, Wildlife Institute of India, Dehra Dun
43. Director of the Govind Ballabh Pant Himalaya Paryavaran Evam Vikas Sansthan  
– Member Secretary.

**7. Meeting of Society:**

- (i) The Society shall ordinarily meet at least once in every year, on such date and at such time and place as may be determined by the President. Provided that the President may call a meeting of the Society whenever he thinks necessary and shall call meeting upon a written requisition of not less than four members.
- (ii) The President may call a special/extra-ordinary meeting of the Society for which a notice of at least seven days shall be given.
- (iii) For every meeting of the Society, twenty-one days notice shall be given to the members.
- (iv) One-third of the members of the Society, including the President or Vice-President shall constitute the quorum at any meeting of the Society.
- (v) In case of a difference of opinion amongst the members, the opinion of the majority shall prevail.

- (vi) Each member of the Society, including the President, shall have one vote and if there be an equality of votes on any question to be determined by the Society, the President shall in addition have power to exercise a casting vote.
- (vii) Every meeting of the Society shall be presided over by the President and in his/her absence, by the Vice-President.
- (viii) If a member of the Society changes his/her address he/she may notify the member secretary his/her new address, but if he/she fails to notify such addresses, his/her address recorded on the rolls of the members shall be deemed to be his/her address.

**8. Power to Amend the Rules and Regulations:**

The Society can make, adopt amend, vary or rescind, from time to time, the objects and the Rules and Regulations for any purpose connected with the management and administration of the affairs of the Society or the Institute and for the furtherance of its objectives. Any change in the objectives of the Society, shall be subject to the approval of the Government of India.

**9. Power of the Central Government:**

The Central Government may issue such directives to the Institute or Governing Body as it may consider necessary, for the furtherance of the objectives of the Institute and for ensuring its proper and effective functioning and these directives will be complied with.

**10. Taking over by Central Government:**

In case the Central Government is satisfied that the Society is not functioning properly, the Central Government shall have the powers to take over the administration and assets of the Institute and the Society.

**11. Winding up or Dissolution of Society:**

If on Winding up or Dissolution of the Society, there shall remain after the satisfaction of all its debts and liabilities, any assets property whatsoever, the same shall be dealt with in such manner as the Central Government may determine.

**12. Authority for Legal Action:**

For the purpose of Section of the Societies Registration Act, the person whose name the Society/Institute may use or be used shall be the Director of the Institute.



**13. List of Executive Members:**

The list of the Executive Members shall be filed with the Registrar annually under Section of S.R. Act 1860. All the provisions of the Societies Registration Act, 1860 (Punjab Amendment Act, 1957) as extended to Union Territory of Delhi shall be applicable to the Society.

**14. Governing Body:**

The general superintendence, direction, control and administration of the Institute affairs, its income and its property shall be vested in the Governing Body of the Institute and shall function under the supervision, direction and control of the Society.

**Ex-Officio Members:**

|    |   |                  |
|----|---|------------------|
| 1. | Secretary (E&F)                             | Chairman         |
| 2. | Secretary (DBT)                             | Member           |
| 3. | Director General & Special Secretary , MoEF | Member           |
| 4. | Additional Secretary (Cons.), MoEF,         | Member           |
| 5. | Addl. Secretary/AS/JS&FA, MoEF              | Member           |
| 6. | Chief Secretary, Uttarakhand                | Member           |
| 7. | JS (Cons-I), MoEF                           | Member           |
| 8. | Director, GBPIHED, Kosi-Katarmal, Almora    | Member Secretary |

**Experts:**

|       |  |        |
|-------|--|--------|
| 9-12. | Four eminent scientists (to be nominated by Secretary, Ministry of Environment and Forests | Member |
|-------|--|--------|

The members of the Governing Body shall hold office for a period of three years except the ex-officio members whose terms of appointment and controlled by the concerned appointing authority. The maximum strength of the Governing Body shall twelve and a minimum of five.

**15. Cessation or Termination of Membership:**

A member representing the Central or the State Government shall be a liberty to appoint and authorize a representative to take his place in a meeting of the Governing Body and such representative shall have all the rights and privileges of the member of the Governing Body. A member of the Government Body shall cease to be such a member if he:

- (i) dies, or
- (ii) resigns his membership, or
- (iii) becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude, or

- (iv) if he is removed from the membership of the Governing Body of the Institute by the Central Government, or
- (v) if, he accepts a full time appointment in the Institute, except in the case of Director of Institute, or
- (vi) if he fails to attend three consecutive meetings of the Governing Body without the prior approval of leave of the President/Chairman.
- (vii) Where membership of the Society's Governing Body is by reason of the office held, his membership shall terminate as soon as he ceases to hold that office.

A member of the Society or the Governing Body (other than ex-officio member representing the Central Government) may resign office by a letter addressed to the President or Chairman, as the case may be and such resignation will take effect from the date it is accepted by the President or Chairman.

**16. Casual Vacancy:**

Any casual vacancy in the Governing Body shall be filled by the appointment or nomination of a member by an appropriate authority entitled to make such appointment or nomination and the member appointed or nominated to fill such casual vacancy shall hold office for the remainder of the term of the member in whose place he has been appointed or nominated.

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

**17. Scope:**

The Governing Body shall generally pursue and carry out the objectives of the Society as set forth in the Memorandum of its Association, and, in doing so, shall follow the implement the policy directions and guidelines given by the Society.

**18. Functions:**

The affairs and funds of the Society shall be managed, administered and controlled subject to rules/bye-laws and the orders/directions of the Society, by the Governing Body.

**19. Powers:**

The Governing Body shall exercise all executive and financial powers of the Society, including those vested in or conferred or to be conferred on it by or under any statute, subject to such directions as the Government of India may give, from time to time. Subject to the provisions of the Memorandum of Association and the rules and

regulations and bye-laws framed there under without prejudice to the generality of the foregoing, the Governing Body shall have the following powers:

- (i) to review plans and programmes of the Institute;
- (ii) to execute detailed plans and programmes for the establishment of the Institute as approved by the Society and to carry on its administration and management after such establishment;
- (iii) to consider budget estimates and placed before it by the Member Secretary of the Society and pass them with such modifications as may be deemed necessary;
- (iv) to incur expenditure on unforeseen items not included in the budget estimates, in anticipation of the approval of the Society;
- (v) to transfer funds from one budget head to another;
- (vi) to receive grants and contributions and to have custody of the funds of the Society;
- (vii) to prescribe and conduct courses of study, training and research in areas relevant to furthering the objects of the Society;
- (viii) to acquire, hold and dispose off property in any manner whatsoever for the purpose of the Institute, provided that the assets acquired wholly or substantially out of the Government grants should not, without prior sanction of Government, be disposed off, encumbered or utilized for purposes other than those for which grants are sanctioned;
- (ix) to co-operate with any other organisation in the matter of education and training in Management and allied subjects. However, while entering into arrangements or agreements with foreign and International agencies or Organisations, prior approval of the Government of India will be obtained;
- (x) to appoint Committees or Sub-Committees for the disposal of any business of the Society or for tendering advice in any matter;
- (xi) to delegate to such extent as it may deem necessary, any of its power to any officer or Committee(s). Provided further that in the even of disagreement between the representative(s) of the Ministry of Finance and the Chairman of the Governing Body or a financial matter beyond the delegated powers of the Ministry/Department, the matter may be referred to the concerned Minister of the Ministry/Department and Finance Minister for a final decision;

- (xii) to make, adopt, amend, vary or rescind, from time to time the rules, for (a) the conduct of the business of the Governing Body and the Committees to be appointed by its, (b) delegation of its powers, or (c) fixing the quorum.
- (xiii) entering into and execution of contracts, investment of funds of the Society, sale or alteration of such investment, and accounts and audit; and
- (xiv) subject to the prior approval of the Society and provisions of these rules, the Governing Body shall have the power to frame, amend or repeal bye-laws for the administration of the affairs of the Society, in particular for the following matters:
  - (a) conduct of business by Committees of experts to be appointed from time to time along with their powers, functions and the term of office of the members.
  - (b) creation of posts, terms and tenure of appointments, emoluments, allowances, rules of recruitment, promotion, discipline and other service conditions of staff and officers of the Institute adopted for the corresponding posts under Central Government orders issued from time to time, creation of posts above the pay scales the maximum of which is Rs. 4500 p.m. would need the prior approval of the Government of India in consultation with the Ministry of Finance (Department of Expenditure).
  - (c) terms and conditions governing scholarships, fellowships, deputations, grants-in-aid, research schemes and projects and establishment of research centres; and
  - (d) any such other matter as may be necessary for the administration of the affairs of the Society.

**20. Meeting of the Governing Body:**

- (1) The Governing Body may meet as often as necessary but not later than six months provided that the Chairman shall on a written requisition of not less than four members call for a special meeting. The place of the meeting shall be determined by the Chairman.
- (2) One-third of the members of the Governing Body including the Chairman shall constitute a quorum for any meeting of the Governing Body.
- (3) In case of difference of opinion among the members, the opinion of the majority shall prevail.

- (4) Each member of the Governing Body including the Chairman shall have one vote and if there be an equality of votes on any question to be determined by the Governing Body, the Chairman shall in addition have and exercise a casting vote.
- (5) Every meeting of the Board shall be presided over by the Chairman provided that in the absence of the Chairman a member chosen from amongst themselves by the members present at the meeting shall preside over such meeting.
- (6) Any resolution that 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 signified their approval of such resolution shall be as effective and binding as the one that had been passed at a meeting of the Governing Body, provided that in every such case at least five members of the Governing Body shall have recorded their approval on the resolution.
- (7) The notice of the meeting would be served on the members of the Governing Body at least two weeks before the date of meeting.
- (8) The Non-Government members of the Governing Body or of any Committee appointed by the Governing Body shall be entitled to such travelling and daily allowances as may be provided in the bye-laws in this behalf in respect of any journeys undertaken by such members attending the meeting of the Governing Body or of the Committee or in connection with any other business of the Institute. Travelling and Daily allowances in respect of Government representatives for the journey undertaken by them for similar purposes shall be borne by the Institute, if the Central or the State Governments are unable to bear such expenditure. The Chairman of the Governing Body shall have the powers to invite any person or persons, not being members of the Governing Body to attend the meeting of the Governing Body and Society, but such invitees shall not be entitled to vote at the meeting. The Institute shall be open to persons of either sex, and of whatever race, creed, caste or class and no other condition shall be imposed as to religious belief or profession in appointing members and other staff of the Institute(s).

**21. Delegation of Powers of the Governing Body:**

The Governing Body may, by resolution to the effect, delegate to the Chairman or Director of the Institute or to a Committee such of its powers for the conduct of the affairs of the Institute as it may consider necessary and desirable.

**22. Director:**

- (1) The Director shall be appointed by the Central Government.

- (2) Appointment to the post of Director shall be made by the Central Government normally from a panel to be drawn up by the Governing Body. The tenure of the Director shall normally be for a period of five years extendable by the Central Government on recommendation of the Governing Body.
- (3) Subject to these rules, bye-laws and to any orders of the Governing Body, the Director shall be responsible for the administration and management of the Institute under the direction and guidance of the Governing Body.
- (4) The Director shall be the Principal Executive and Academic Officer of the Institute.
- (5) He shall have the right to suggest to the Society through the Governing Body to adopt, amend, vary or rescind any rule and regulation if and when considered necessary.

**23. Annual Report:**

An annual report on the working of the Institute and all work undertaken by its constituent units during the year shall be prepared by the Governing Body for information of the members of the Society and together with audited accounts of the Society along with the Auditor's Report thereon it shall be placed before the Society at its annual general meeting. After adoption of the report by the Society, the Member-Secretary would forward the report to the Government of India for laying it on the Table of the Houses of the Parliament.

**24. Funds of the Society:**

The funds of the Society shall consist of the following:

- (i) Recurring and non-recurring grants made by the Central Government.
- (ii) Grants made by the State Government and Union Territories.
- (iii) Contributions and benefaction from other sources.
- (iv) Income from investments and other sources.

No benefaction shall be accepted by the Governing Body which in its opinion involves conditions or obligations opposed to the spirit and objectives of the Institute.