


## CHAPTER II

**MEMORANDUM OF ASSOCIATION OF THE MEGHALAYA STATE  
SKILL DEVELOPMENT SOCIETY FOR REGISTRATION UNDER THE  
SOCIETIES REGISTRATION ACT XII OF 1983.**

1. The name of the Society shall be "**MEGHALAYA STATE SKILL DEVELOPMENT SOCIETY**" (MSSDS), to be named hereafter as "society".
2. The office of the Agency shall be located at **Shillong, Meghalaya**.
3. Objectives of the society shall be:-
  - a. To implement the **MEGHALAYA STATE SKILL DEVELOPMENT MISSION**, and all such matters incidental to it.
  - b. To promote awareness relating to skill development under various Government programmes and departments, and channel them, as also strengthen them, for better delivery.
  - c. Build the capacities of the skill development institutions and empower them to take responsibilities for management of skill development process in the state.
  - d. To collect, collate, analyze, process and document all skill development initiatives of the state.
  - e. To support and collaborate with various institutions/organizations of the state/outside the state on matters relating to society.
  - f. To monitor the progress of the projects and programmes taken up from the resources provided to the society and conduct evaluations of these programmes and projects according to the time frame and details considered appropriate.
  - g. To receive funds from the government, state and central, financial institutions toward promotion of its goals and objectives.
  - h. To draw, accept, make, endorse, discount and negotiate with the Government of India/State Government and other promissory notes, bills of exchange, cheques or other negotiable instruments.
  - i. To invest the fund or the money entrusted to the society upon such security or in any such manner, as may from time to time, to sell or transpose such investments.
  - j. Purchase, take on lease, accept as gift, construct or otherwise acquire, any loan or property wherever suitable, which may be necessary or useful for the society.
  - k. Sell, lease, exchange and otherwise transfer of any portion to the properties of the Society.
4. The income and property of the Society shall be applied toward the promotion of the objectives thereafter as set forth in this Memorandum of Association subject in respect of the expenditure of grants made by the Government of Meghalaya may, from time to time, impose. No portion of the income and property of the Society shall be paid or transferred directly by way of profits, dividends, bonus or otherwise howsoever by way of profits, to the persons who may at any time, be or have been members of the Society or to any persons claiming through them, provided, that nothing herein contained shall prevent payment in good faith of remuneration in return for any service rendered to the Society.
5. If on the winding up or dissolution of the Society there shall remain, after the satisfaction of its debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed among, the members of the Society or any of them but shall be dealt with in such a manner as the Government of Meghalaya may determine.

  
Director  
Skill Development Society



6. We the undersigned, are desirous of forming the Society in pursuance of this memorandum of Association:-

Name	Description of Signatory	Address
1. Shri W.M.S. Pariat	Chief Secretary	Main Secretariat Building, Shillong.
2. Shri P. Barkos O. Warjri	Addl. Chief Secretary i/c Labour	-Do-
3. Shri B.K.Dev Varma	Addl. Chief Secretary i/c Finance	-Do-
4. Shri K. S. Kropha	Principal Secretary i/c Planning	-Do-
5. Shri K. N. Kumar	Commissioner & Secretary i/c C&RD	-Do-
6. Shri P. Kharkongor	Commissioner & Secretary, i/c Agriculture	-Do-
7 Shri R. M. Mishra	Commissioner & Secretary i/c Soil & Water Conservation and Water Resources	-Do-

#### REGULATIONS OF THE MEGHALAYA STATE SKILL DEVELOPMENT SOCIETY

7. In the interpretation of these rules the following expressions shall have the following meaning unless inconsistent with subject or context.
- The "Society" shall mean the Meghalaya State Skill Development Society.
  - "Governing Body" shall mean the body as constituted under these rules.
  - The "Executive Council" shall mean the body as constituted under these rules.
  - The "Chairman" shall mean the Chairman of the Society referred to in these regulations.
  - The "Secretary" shall mean the Secretary of the Society referred to in these regulations.
  - "Institutions" mean- the Institutions formed for purpose of skill development.
8. Members of the Society: The Society shall consist of the following members:
- |  |                     |
|--|---------------------|
| i. Chief Secretary   | Chairman            |
| ii. Addl. Chief Secretary i/c Labour   | Vice Chairman       |
| iii. Additional Chief Secretary i/c Finance                                  | Member              |
| iv. Principal Secretary/Commissioner & Secretary i/c Planning                | Member              |
| v. Principal Secretary/Commissioner & Secretary i/c Agriculture              | Member              |
| vi. Principal Secretary/Commissioner & Secretary i/c Forest & Environment    | Member              |
| vii. Principal Secretary/Commissioner & Secretary, Soil & Water Conservation | Member              |
| viii. Principal Secretary/Commissioner & Secretary, C&RD                     | Member <i>seny.</i> |
| ix. Commissioner & Secretary, PWD  | Member              |
9. Persons who have signed the Memorandum of Association of the Society shall be the first members of the Society duly admitted.



10. The Society may admit further members as the Governing Body may decide.

11. When a person becomes or is appointed or nominated a member of the Society by virtue of an office held by him, his membership of the Society shall terminate when he ceases to hold that office and vacancies so caused shall be filled by his successor to that office.

12. Whenever a member desires to resign from the membership of the Society, he shall address his resignation to the Chief Executive Officer and present it to him. His resignation shall take effect only on its acceptance by the Chairman of the Society.

13. Any vacancy in the membership of the Society either by request of article (9) of these regulations or otherwise shall be filled up by appointment or nomination by the authority or institution entitled to do so, as the case may be.

14. The Society shall function notwithstanding that any person entitled to be a member by reason of his office is not represented on the Society for the time being. The proceedings of the Society shall not be invalidated by the above reason, from the existence of any vacancy or any defects in the appointment of any of its members.

15. The **Governing body** of the Society shall consist of the following:

1) Chief Minister	Chairman
2) Minister, Labour & Employment	Member
3) Minister, Education	Member
4) Minister, Industries & Commerce	Member
5) Minister, C & RD	Member
6) Minister, Agriculture	Member
7) Minister, Cooperation	Member
8) Minister, Information & Technology	Member
9) Chief Secretary	Member
10) Addl. Chief Secretary, i/c Labour	Member
11) Principal Secretary/ Commissioner & Secretary, Labour	Member
12) C.E.O., MSSDS	Member Secretary


16. The **Executive Council** of the Society shall consist of the following :-

1) Chief Secretary	Chairman
2) Addl. Chief Secretary (i/c. Labour & Employment)	Vice- Chairman
3) Principal Secretary/ Commissioner & Secretary, Labour	Member
4) Principal Secretary/ Commissioner & Secretary, Education	Member
5) Principal Secretary/ Commissioner & Secretary, Industries	Member
6) Principal Secretary/ Commissioner & Secretary, C&RD	Member
7) Principal Secretary/ Commissioner & Secretary, Agriculture	Member
8) Principal Secretary/ Commissioner & Secretary, Cooperation	Member
9) Principal Secretary/ Commissioner & Secretary, Planning	Member
10) Principal Secretary/ Commissioner & Secretary, Finance	Member
11) Principal Secretary/ Commissioner & Secretary, I. T.	Member
12) Other Officers/ Experts as may be co-opted	Member
13) Chief Executive Officer, MSSDS	Member
14) Executive Director, MSSDS	Member Secretary





17. The Governing Body shall meet at least once in a year to discuss and deliberate upon the activities of the Society. A quorum of at least three persons shall be essential for a meeting under this regulation. The Member Secretary must convene a fresh meeting immediately in case this requirement of quorum is not set at a meeting.
18. The Governing Body shall function notwithstanding that any person entitled to be a member by reason of his office is not represented on the governing body for the time being. The proceedings and actions of the Governing Body shall not be invalidated by the above reason, or from the existence of any vacancy or any defects in the appointment of its members.
19. Should a person nominated or elected as a member of the Governing Body be prevented from attending a meeting, a substitute to take his place at that meeting may be nominated or elected by the authorities who nominate and elect the member. Such a substitute shall be entitled to take part in the proceedings of the meeting and will have the right to vote there at.
20. **POWERS OF THE GOVERNING BODY:** save as herein expressly provided, as having to be passed by the society in a general meeting, all the duties, powers, functions and rights whatsoever or consequential and incidental to the carrying out of the objectives of the society shall only be exercised or performed by the Governing Body.
21. In particular and without prejudice to the generality of the foregoing provisions, the Governing Body may:
- a) Make, amend, or repeal any bye laws relating to the administration and managements of the affairs of the Society subject to the observance of the provisions contained in the Societies Registration.
  - b) To accept donations and endowments or give grants upon such term as it thinks fit.
  - c) To appoint committees, boards and subcommittees etc., for such purpose and on such terms as it may deem fit, and to remove any of them.
  - d) To do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them provided that nothing herein contained shall authorise the governing body to do any act or to pass any bye laws which may be repugnant to the provisions here of or to the powers hereby conferred on the Governing Body and other authorities, which may be inconsistent with the objective of the society.
22. **Proceedings of the Governing body:** The Chief Minister, Meghalaya, shall be the Chairman of the Governing body and shall preside at all meetings of the same. In his absence the members present may authorise one of the Members to preside over the meeting.
23. Not less than ten (10) clear days' notice of every meeting of the Governing Body shall be given to each member.



Development Society.



24. The Chairman may himself call, or by a requisition in writing signed by him, may require the Member Secretary to call, a meeting of the Governing Body at any time and on the receipt of such a requisition the Secretary shall forthwith call such a meeting.
25. Each member of the Governing Body shall have one vote and in the event of an equality of votes on any question to be decided, the chairman shall have a casting vote.
26. Any business which may be necessary for the Governing Body to perform may be performed by a resolution in writing circulated among all its members and any such resolution so circulated and approved by a majority of the member signing shall be as effectual and binding as a resolution passed at a meeting of governing body.

**27. FUNCTIONS OF THE EXECUTIVE COUNCIL :** The functions of the Executive Council are as follows:-

- I) To prepare a detailed perspective plan and inventory of the current governmental and non-governmental schemes for skill development, and for implementing the policies, plans and strategies as laid down by the Governing Council.
- II) To actualize the convergence of human and material resources of the different government departments, institutions and agencies that has a direct or indirect mandate to generate employment opportunities for the people of Meghalaya.
- III) To commission scoping and evaluation studies for wage employment in different sectors within the state, the country and the world.
- IV) To identify specialized skill development agencies that has the requisite experience in developing placement-linked skill development opportunities
- V) To award skill development projects to the identified Project Implementing Agencies (PIAs) in a time-bound manner, with specific deliveries and quality standards.
- VI) To publish such documents as may be necessary (for e.g., Annual Report, Periodical Discussion Papers) to promote the objectives of the Council, especially oriented towards better mobilization of the youth, and for developing a better understanding of the objectives of the Council.
- VII) To monitor the implementation of projects periodically and decide on such mid-course corrections as may be necessary, so that the objectives of the Council are fully met.
- VIII) To establish a regular dialogue and exchange of information and links with industry, trade, employment agencies, government and non-governmental organizations, in order to deepen interventions for employment promotion in the state.



Director  
Skill Development



- IX) To organize periodical workshops and seminars, within the broad theme of current and emerging employment opportunities in the world.
- X) To create and sustain a Secretariat for the Council that will be manned by competent manpower drawn from various streams of life – i.e., academic, government, civil society as also trade and professional bodies such as CII, to make it a holistic and well-oiled system of governance that is not only liberal and progressive but also, purposive.
- XI) To make such recommendations as may be necessary to the Government of Meghalaya, for creating a corpus of funds, to enable it to function smoothly.
- XII) To prepare and pose projects for various national and multilateral organizations such as Skill Development Corporation, NEDFI, ADB, IFC, etc.
- XIII) To perform any other functions that may be necessary for the achievement of the objectives of the Council.
- XIV) To consider the annual budget and its subsequent alteration placed before it by the Member Secretary from time to time and to pass it with such modification as the Executive Council may think fit.

#### **Annual General Meeting:**


- 28. The Society shall hold an annual general meeting at least once in every year and not more than fifteen months (15 months) shall elapse between two successive annual general meetings.
- 29. The Balance sheet and the Auditor's Report shall be placed at the Annual general Meeting of the Society for its consideration.
- 30. At least six members of the Society present at the Annual general Meeting shall form a quorum.

#### **Funds for the Society:**

- 31. The funds of the society shall consist of the following:-
  - a) Recurring and non- recurring grants made by the Government of India and/or State Government for the furtherance of the objectives of the society.
  - b) Income from investments.
  - c) Income from other sources.
- 32. The bank account of the Society shall be opened in a Bank. All funds of the Society should be paid into Society's account with the said bankers and shall not be withdrawn except on cheques signed by Chief Executive Officer(CEO) empowered in this behalf cheques beyond the authorised amount are to be signed by both CEO and the Chairman of the Executive Council.

#### **Accounts and Audit:**

- 33. The accounts of the Society shall be audited by Chartered Accountant to be appointed by the Executive Council. These accounts shall be subject to a second

  
Executive Director  
Skill Development Soc.



audit by the comptroller and Auditor general of India. The nature of Audit to be applied and the detailed arrangement to be made in regard to the form of accounts and their maintenance and the presentation of the accounts for audit shall be prescribed by the Bye Laws.

34. The Annual report of the proceedings of the Society and of all works undertaken during the year shall be prepared by the Society for the information of the State government. This report and the audited accounts of the Society shall be placed Before the Society at the Annual General Meeting.

35. Within 30 days after the holding of Annual General Meeting there shall be filled, with the Registrar of Societies (i) a list of the names, addresses and occupations of the members of the Governing Body, the Chairman, the Secretary and the other office bearers of the Council/Society (ii) an annual report of the previous year; and (iii) a copy each of the balance sheet and of the auditor's report certified by the auditor. Such list and the annual report shall be certified by the Chairman and the Secretary.

36. If any change occurs in the composition of the Governing Body or in the holder of the office of the Chairman or the Member Secretary at any time for any reason arising through such change shall, with 30 days, be notified to the Registrar of Societies.

#### **Property of the Council/Society:**

37. All property belonging to the Society shall be deemed to be vested in the Governing Body of the Society.

#### **Suits and Proceedings by and against the society:**

38. The Society may sue or may be sued in the name of the Chairman or Secretary or any office bearers authorised by the Governing Body in this behalf.

a) No suit or proceeding shall abate by reason of any vacancy or change in the holder of the office of the Chairman, the Secretary or any office bearer authorised in this behalf.

b) Every decree or order against the Society in any suit or proceeding shall be executable against the property of the Society and not against the person or the property of the Chairman, the Secretary or any office bearer.

c) Nothing in sub section 3 shall exempt the Chairman, the Secretary or office bearer of the Society from any criminal liability under this Act or entitle him to claim any contribution from the property of the Society in respect of any in paid by him or conviction by a criminal court.

c) Nothing in sub section 3 shall exempt the Chairman, the Secretary or office bearer of the Society from any criminal liability under this Act or entitle him to claim any contribution from the property of the Society in respect of any in paid by him or conviction by a criminal court.

39. Every member of the society may be sued or prosecuted by the Society for any loss or damage caused to the Society or its property or for anything done by him detrimental to the interests of the Society.

40. The Society shall keep at its registered office proper books of accounts in which should be entered accurately (a) all sums of money expended by the Society and the

  
Director



object or purpose for which such sums are expended (b) the Society's assets and liabilities.

41. The Society shall have its accounts audited once a year by duly qualified auditor and have a balance sheet prepared by him. The auditor shall also submit a report showing the exact state of financial affairs of the Society. The three copies of balance sheet and the auditor's report shall be certified by the auditor.

\*Duly qualified auditor means a Chartered Accountant within the meaning of the Chartered Accounts Act, 1942 or a person approved by the Registrar of Societies in this behalf.

42. Every member of the Governing Body shall have the right of inspection of accounts and registers maintained by the Society and proceedings of the meetings of the Society at any time during office hours.

43. Members to receive no profits upon dissolution of the Society if after disposal and settlement of the property, of the Society and its claims and liabilities, there are any surplus assets, such assets not be paid to or distributed amongst the members of the Society or any of them but shall be disposed of as directed by the Government of India and the State Government.

#### **Notices:**

44. A notice may be served upon any member of the Society either personally or by sending it through the post in an envelope addressed to such members at the address mentioned in the roll of members.

45. Any notice so served by post shall be deemed to have been served on the day following that on which the letter envelopes, and in proving such service it shall be sufficient to prove that the cover containing such notice was properly addressed and put into the post office.

#### **Alteration or extension of the purposes of the Society:**

46. Subject to the approval of the government of India previously obtained the Society may alter or extend the purpose for which it is established.

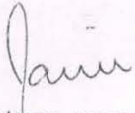
- a) If the Governing Body shall submit the proposition for such alteration or extension as aforesaid to the members of the Society in a written or printed report;
  - b) If the Governing Body shall convene a Special General Meeting of the Members of the Society, according to their Rules for consideration of the said propositions;
  - c) If such report be delivered or sent by post to every member of the Society fourteen clear days previous to such Special General Meeting as aforesaid;
  - d) If such proposition be agreed to by the votes of three fifths of the members of the Society delivered in person at such Special General Meeting as aforesaid;
- and,



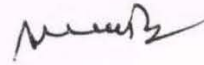
- e) If such proposition be confirmed by the votes of three fifths of the members of the Society present at a second Special General Meeting convened by the Governing Body at an interval of one month after the former meeting.

47. The Rules of the Society may be altered at any time by a Resolution passed by a majority of the members of the Society present at any meeting of the Society, which shall have been duly convened, for the purpose. The modified Rules will be deemed to have come into force in accordance with the provisions contained in Societies Registration Act – 1950.

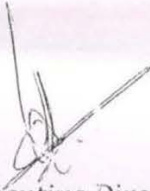
Certified to be a correct copy of the rules of Meghalaya State Employment Development Society, Meghalaya.



Chief Secretary-cum-Chairman,  
Meghalaya State Skill Development Society .



Commissioner & Secretary, C&RD-cum-  
C.E.O.  
Meghalaya State Skill Development Society.



Executive Director,  
Meghalaya State Skill Development Society.