

# **BIHAR SHIKSHA PARIYOJANA PARISHAD**

## **MEMORANDUM OF ASSOCIATION**

**&**

## **RULES**

PATNA

## PREFACE

The Bihar Education Project (BEP) was conceived in the year 1989-90. In February, 1990, the Government of Bihar and Government of India jointly published a document, which explained the philosophy, principles and goals of the BEP. In the same year, in March, the World Conference on the 'Education for All' was organised in jometian (Thialand); when the International Organisations agreed to further co-operate in the area of primary education. UNICEF agreed to participate in the BEP.

To achieve the goals of the Bihar Education Project, the Bihar Shiksha Pariyojna Parishad was registered under the Societies Registration Act - 21/1860 on 13/5/1991.

The objectives of the Project have been outlined in the Memorandum of Association; all the persons associated with the BEP are expected to know them. Besides, Bye-laws of the Organisation would help in the achievement of the goals, and for working with the mission spirit.

The Memorandum of Association and the Bye-laws of the Bihar Shiksha Pariyojna Parishad have been re-printed with this objective in mind so that all those working with the BEP, on full time or part-time basis, have its copies and they get guidance from it.

**Madan Mohan Jha**  
Project Director

# BIHAR SHIKSHA PARIYOJNA PARISHAD

## Memorandum of Association

1. The name of the Society shall be Bihar Shiksha Pariyojna Parishad (hereinafter referred to as the Parishad).
2. The registered office of the Parishad shall be located at Vikas Bhavan, Patna- 800015.
3. **Objects :** The Bihar Shiksha Pariyojna Parishad shall act as an autonomous and independent body for implementation of the Bihar Education Project as outlined in the project document published by Government of Bihar and Government of India in February, 1990 and its revised versions that may be prepared on the basis of joint review from time to time. The activities of the Parishad will be concentrated in selected districts, but may extend to the whole State of Bihar in respect of selected and sponsored projects. The Parishad has been established to function as a societal mission for bringing about a fundamental change in the basic education system, and through it in the overall sociocultural situation.

The following specific objects of the Bihar Education Project would be pursued by the Parishad :

- (a) Universalisation of Primary Education, viewed as a composite programme of (i) access to primary education for all children upto 14 years of age; (ii) universal participation till they complete the primary stage through formal or non formal education programmes; and (iii) universal achievement atleast of minimum levels of learning.
- (b) Drastic reduction in illiteracy, particularly in the age 15-35 age group, ensuring that the levels of the 3 Rs. are functionally relevant and provision of post-literacy, continuing education and skill development programmes for youth and adults.
- (c) Modification in the educational system to serve the objects of women's equality and their empowerment.

- (d) Making necessary intervention to provide equal educational opportunity to adults and children belonging to the Scheduled Castes, Scheduled Tribes and the poorest sections of society.
- (e) Relating education to the working and living conditions of the people, improving thereby their ability to cope with problems of livelihood, environment, and mother and child survival.
- (f) Laying special emphasis in all educational activities on culture and communication; science and environment and inculcation of a sense of social justice.

4. **Functions :** In pursuance of the above objects, the functions of the Parishad, to be undertaken directly by the Parishad offices of staff, or sponsored/supported by it through other institutions, agencies or individuals, shall be as follows :

- (a) To undertake all activities that may be necessary for the implementation of the Pariyojna and in particular for the achievement to the objects referred to at Article 3 above.
- (b) To create duly empowered administrative mechanisms, through such participation as may be deemed necessary of various departments and autonomous agencies of the Central and State Governments, for the achievement of the objects of the Parishad.
- (c) To establish for the implementation of the Pariyojna District Task Forces as branch offices and other appropriate mechanisms at the Divisional, District, Sub-Divisional, Block and Village levels, and to delegate to them necessary powers to enable them to discharge their responsibilities.
- (d) To secure active involvement and participation of educational institutions, voluntary agencies, teachers' organisation and individuals committed to educational improvement and to provide financial assistance to them.

- (e) to bring about effective decentralisation in basic education by involvement of the people through a process of training and awareness building, and creation of appropriate structures, formal or otherwise.
- (f) to secure constructive and participatory involvement of teachers for the achievement of the Parishad's objects and for this purpose to establish, formal as well as informal structures.
- (g) to undertake experimentation and innovation in basic education.
- (h) to undertake and promote research and studies relating to basic education and its management.
- (i) to ensure technical resources support by harnessing the existing institutions, or through establishment of new ones.
- (j) to advise the State Government in implementation of basic education programmes.
- (k) to organise conferences, symposia, workshops etc. on matters related to the Pariyojna.
- (l) to undertake preparation and production of educational materials and to disseminate the same.
- (m) to create academic, technical, administrative, managerial and other posts in the Parishad and to make payments for the same in accordance with the Rules and Regulations of the Parishad.
- (n) to make rules and regulations for conduct of the affairs of the Parishad and add or amend, vary or rescind them from time to time.
- (o) to accept grant of money, securities or property of any kind and to undertake and accept the management of any endowment, trust, fund or donation not inconsistent with the objects of the Parishad.
- (p) to incur expenditure after drawing up a budget and with due regard for economy and probity.

- (q) to prepare annual reports and accounts of the Parishad.
  - (r) to purchase, hire, take on lease, exchange or otherwise acquire property, movable or immovable and to construct, alter and maintain any building or buildings as may be necessary for carrying out the objects of the Parishad.
  - (s) to take all such action as may appear necessary or incidental for the achievement of the objects of the Parishad.
5. **Property and assets :** The income and property of the Parishad however derived, shall be applied towards promotion of the objects thereof as set forth in this Memorandum of Association, subject nevertheless, in respect of the expenditure of grants made by the government of Bihar or Govt. of India, to such limitations as these Governments may, from time to time, impose. No portion of the income and property of the Parishad shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to the persons who at any time have been members of the Parishad or to any of them or to any person claiming through them provided that nothing here in contained shall prevent the payment in good faith of remuneration to any member thereof or other persons in return for any service rendered to the Parishad for travelling allowance, halting, or other similar charges.
6. **Government's powers :** State Government and the Central Government may jointly appoint one or more persons to review the work and progress of the Parishad, and to hold enquiries into the affairs thereof and to report thereon in such manner as the Governments may stipulate; and upon receipt of any such report, the Governments may jointly take such action and issue such directions as they may consider necessary in respect of any of the matters dealt with in the report and the Parishad shall be bound to comply with such directions. In addition, the Central Government and the State Government may, at any time, jointly issue directives on matters of policy to the Parishad and the latter shall be bound to promptly comply with such directives.

7. **Dissolutuion** : If, on winding up or dissolution of the Parishad, there shall remain, after the satisfaction of all its debts and liabilities, any assets and property what so ever the same shall not be paid to or distributed among the members of the Parishad or any of them but shall be dealt with in such manner as the State Government may determine.
8. The names and addresses and occupations of the first members of the Governing Body of the Parishad to whom, by the rules and regulations of the Parishad the management of its affairs is entrusted are given on page 27.
9. A copy of the rules of the Parishad, certified to be a correct copy by the three members of the General Council of the Parishad is filed along with the Memorandum of Association.
10. We, the several persons whose names and addresses are given on page 27, having associated ourselves for the purpose described in this Memorandum of Association and set our several and respective hands here into and form ourselves into a Society under Registration of Societies Act (XXI of 1860) this day of at Patna.

**DESIROUS PERSONS** : We the undersigned are desirous of forming a society namely “ **Bihar Shiksha Pariyojana Parishad**” under the Societies Registration Act, 1860 as applicable to the State of Bihar in pursuance of this Memorandum of Association of the Society.

S.No.	Name	Designation & Address	Signature
1.	Kamla Prasad	Chief Secretary Bihar, Patna	Sd/-
2.	Arun Pathak	Development Commissioner Government of Bihar	Sd/-
3.	R. K. Srivastava	Secretary, H.R.D. Govt. Bihar, Patna	Sd/-
4.	Jagdish Mishra	Secretary, Bihar Primary Shikshak Sangha Exhibition Road, Patna	Sd/-

5.	Loknath Prasad	Law Secretary,G.O.B.	Sd/-
6.	A.K.Choudhary	Secretary, Personnel & A.R Govt. of Bihar,Patna	Sd/-
7.	Amitabh Mukhopadhyay	Dy. Seretary Dept. of Education Ministry of Human Resource Development Shastri Bhawan New Delhi- 110 001	Sd/-
8.	C.R.Venkatraman	Secretary to Govt. of Bihar Finance Dept.	Sd/-

#### **RULES OF THE BIHAR SHIKSHA PARIYOJNA PARISHAD**

1. **Short Title** : These Rules may be called 'Rules of the Bihar Shiksha Pariyojna Parishad'.
2. **Scope and application** : These Rules shall extend to all the units and activities of the Parishad.
3. These Rules shall come into force from the date on which the Bihar Shiksha Pariyojna Parishad is registered under the Societies Registration Act, 1860, as applicable to the State of Bihar.
4. **Definitions** : In these Rules, unless the context otherwise requires.
  - (i) 'Basic Education' shall mean the following activities undertaken in the context of the Pariyojna.
    - (a) Early childhood care and education;
    - (b) Primary education of children upto the age of 14 years, whether through the formal school system or the non-formal education programmes;



- (c) Adult literacy and education;
  - (d) Educational and other programmes aimed at women's equality and empowerment; and
  - (e) Post-literacy and continuing education, including skill development.
- (ii) **'Central Government'** shall mean Government of India (Ministry of Human Resource Development, Department of Education).
  - (iii) The **'Chairman'** shall mean the Chairman of the Executive Committee of the Parishad.
  - (iv) The **'Executive Committee'** shall mean the body which is constituted as such under Rule 22 as the Executive Committee of the Parishad.
  - (v) **'Interested Agencies'** shall mean (i) the Central Government; (ii) State Government; (iii) Teacher's Organisation; (iv) Voluntary Agencies; and (v) Unicef.
  - (vi) **'Non formal Education'** shall mean part time; education provided to children generally below 15 years of age corresponding to primary or upper primary stage.
  - (vii) **'Officers and staff'** shall mean every whole-time employees of the Parishad appointed by the Executive Committee or any authority or officer delegated with the powers to do so, and would include Consultants, Fellows and research staff, but would not include State Project Director.
  - (viii) The **'Parishad'** shall mean the Bihar Shiksha Pariyojna Parishad.
  - (ix) **'Pariyojna'** means the Bihar Education Project as formulated jointly by the Central Government and the State Government and published in February, 1990, as modified and elaborated from time to time on the basis of joint reviews.

- (x) The 'President' shall mean the President of the Parishad.
- (xi) 'Primary Education' shall mean education corresponding to class I to V.
- (xii) 'The State Project Director' shall mean the Project Director of the Parishad appointed by the Government of Bihar under Rule 19.
- (xiii) 'State Government' shall mean the Government of Bihar (Department of Human Resource Development).
- (xiv) 'Technical Resource' shall mean (i) development of curriculum and teaching/learning materials; (ii) instructional methods; (iii) training of teachers; (iv) development of educational technology; (v) media and communication; and (vi) learner evaluation.
- (xv) 'Upper Primary Education' shall mean education corresponding to class VI to VIII.
- (xvi) The 'Vice- President' shall mean the Vice-President of the Parishad.
- (xvii) 'Voluntary Agenices' shall mean non-government organisations assigned responsibility for execution of any activity under the Pariyojna by an authority empowered to do so, and would include registered societies, public trusts and non-profit making companies.
- (xviii)(a) Words imparting the singular number also include the plural number and vice-versa.
- (b) Words imparting the masculine gender also include feminine gender.

**THE PARISHAD :**

5. The Parishad shall consist of the following members :

- |   |                              |
|---|------------------------------|
| (i) Chief Minister of Bihar                                       | President<br>Ex- Officio     |
| (ii) Minister incharge of Primary education in the State of Bihar | Vice President<br>Ex-Officio |

(iii) Development Commissioner.	Member
(iv) Commissioner and Secretary, Department of Education, Government of Bihar.	Member
(v) Sec., Dept.of Planning & Development.	Member
(vi) Secretary, Dept. of Rural Development.	Member
(vii) Finance Secretary and Commissioner, Govt. of Bihar.	Member
(viii) Four persons drawn from non government- tal agencies engaged in educational ac- tivities in the State, of which atleast one would be a woman, to be nominated by the State Government.	Member
(viii)(a) Upto five heads of relevant State level institutions; engaged in technical re- source development, to be nominated by the State Government.	Member
(ix) Representatives for teachers, to be nomi- nated by the State Government :	Members
(a) Three persons, including atleast one woman, to represent primary teach- ers.	
(b) Three persons, including atleast one woman, to represent instructors and other functionaries engaged in non- formal education/adult education, etc.	
(c) Three teachers known for their com- mitment to basic education system, of which atleast one would be a woman.	

(x) Three heads of Primary schools known for their initiatives and contributions in elementary education, of which atleast one would be a woman.

Member

(xi) **Other Ex-officio representatives of the Government of Bihar :**

(a) Six Heads of District Committees in the selected districts of the Pariyojna by rotation with two persons retiring every year on the basis of seniority.

(b) Five Heads of department whose functions relate to basic education.

(c) Six Executive Heads of the District Task forces, by rotation with two persons retiring every year on the basis of seniority.

(xii) **Representatives of the Central Government**

(a) Three representatives of the Central Government to be nominated by the Ministry of Human Resource Development (Department of Education). Government of India.

(b) Director, National Council of Educational Research and Training, New Delhi.

(c) Director, National Institute of Educational Planning and Administration, New Delhi.

(d) Director, national Institute of Adult Education, New Delhi.

(xiii) Three persons from amongst eminent educationists writers, artists poets and professors of specialisation, to be nominated by the State Govt. members

(xiv) **Other nominees of the Central Government**

(a) Three pesons having keen interest in basic education programmes, of which atleast one would be a woman.

(b) Two heads/representatives of the institutions engaged in evaluation and monitoring of the educational programmes, to be nominated by the Central government.

(xv) Two representatives of Unicef. Members

(xvi) Two persons each from amongs those who have distinguished themselves in the area of education for Scheduled Castes, Scheduled Tribes and physically handicapped, one person in each category to be nominated by the Central and State Government. Members

(xvii) Five women who have distinguished themselves in the areas of Primary education, non-formal education and adult education, two of them being nominated by the State Govt. and three by the Central Government. Members

(xviii) All members of the Executive Committee not included above. Members

(xiv) State Project Director. Members

6. The term of non-official members nominated by the Central Government and the State Government shall be 2 years. Such members shall not be eligible for renomination.

7. Members of the Parishad shall cease to be such members, if

- (a) they resign, are of unsound mind, are insolvent or are convicted of a criminal offence involving moral turpitude; or
- (b) They do not attend three consecutive meetings of the Parishad without Proper leave of the President.

8. Where a member of the Parishad becomes a member by reason of the office of appointment he holds, his membership of the Parishad shall terminate when he ceases to hold that office or appointment.
9. A resignation of the membership of the Parishad shall be tendered to the State Project Director and shall not take effect unless it has been accepted on behalf of the President.
10. **Vacancies** : Any vacancy in the membership of the Parishad shall be filled by nomination of the authorities entitled to make nominations, and the persons appointed in the vacancy shall hold office only for the unexpired period of the term of the membership.
11. The Parishad shall function notwithstanding that any person who is entitled to be a member by reason of his/her office, is not a member of the Parishad for the time being and notwithstanding any other vacancy in its body, whether by non-appointment or otherwise, and no act of the Parishad shall be invalidated merely by reason of the happening of any of the above event or any defect in the appointment of any of the members of the Parishad.

#### **POWERS AND FUNCTIONS OF THE PARISHAD :**

12. The Parishad shall have the following powers and functions :
  - (i) To review the implementation of the project and to give overall policy guidance and direction for efficient functioning of the Parishad.
  - (ii) To consider the balance sheet and audited accounts for the previous year.
  - (iii) To consider the annual report prepared by the Executive committee.
  - (iv) To add and to amend the Rules of the Parishad with the approval of the Central Government and the State Government.
  - (v) To perform such other functions as are entrusted to it under these Rules.

### **Proceedings of the Parishad :**

13. The meetings of the Parishad shall be held at such time, date and place as may be determined by the President.
14. Except as otherwise provided in these Rules, all meetings of the Parishad shall be called by notice under the signatures of the State Project Director.
15. If the President is not present at the meeting of the Parishad the Vice-President will chair the meeting.
16. One- third of the members of the Parishad present in person shall form a quorum at every meeting of the Parishad, provided that no quorum shall be necessary in respect of an adjourned meeting.
17. All disputed questions at meetings of the Parishad shall be determined by vote and in case of equality of votes, the person chairing the meeting shall have a casting vote.

### **OFFICERS AND AUTHORITIES OF THE PARISHAD :**

18. **Officers :** The officers of the Parishad shall be the President, the Vice-President, the Chairman, the State Project Director, and such other persons as may be designated as such by the Executive Committee.
19. The State Project Director of the Parishad shall be appointed by the State Government which shall prescribe his remuneration and other conditions of service.
20. **Authorities :** The following shall be the authorities of the Parishad.
  - (i) The President.
  - (ii) The Vice-President.
  - (iii) Chairman.
  - (iv) Executive Committee.
  - (v) State Project Director.
  - (vi) Such other authorities as may be constituted by the Executive Committee.

21. The affairs of the Executive Committee Parishad shall be administered, subject to the Rules and Regulation and orders of the Parishad, by an Executive Committee, which shall consist of the following.

- |        |   |                         |
|--------|---|-------------------------|
| (i)    | Education Commissioner and Secretary,<br>Department of Human Resource Development,<br>Government of Bihar.  | Chairman,<br>Ex-officio |
| (ii)   | Finance Secretary or his nominee, in the State<br>Government  | Member                  |
| (iii)  | Secretary, Dept. of Planning & Development.   | Member                  |
| (iv)   | Director of Primary Education in the State<br>Government.   | Member                  |
| (v)    | Director of Adult/Non-formal Education in<br>the State.   | Member                  |
| (vi)   | Director of Women and Child Development in<br>the State.  | Member                  |
| (vii)  | Two District Project Coordinators from amongst<br>selected districts by rotation to be nominated<br>by the Chairman.  | Members                 |
| (viii) | Two Heads of District Committees from<br>amongst selected districts by rotation, to be<br>nominated by the Chairman.  | Members                 |
| (ix)   | Three representatives of the Central Govern-<br>ment to be nominated by the Ministry of<br>Human Resource Development, Department<br>of Education, Government of India. | Members.                |
| (x)    | Two Directors/representatives of State level<br>academic and technical resources support<br>agencies.   | Members                 |



- |   |                   |
|---|-------------------|
| (xi) Two educationists known for their experience and interest in basic education, one each to be nominated by the State Government and the Central Government. | Members           |
| (xii) One representative of Unicef.   | Members           |
| (xiii) Two serving teachers to represent Teacher's Organisations concerned with basic education to be nominated by the State Government.                        | Members           |
| (xiv) Two women with experience and interest in women's development and education, one each to be nominated by the Central and State Govt.                      | Members           |
| (xv) Two persons from VAs who have distinguished themselves for work among SCs and STs, one each to be nominated by the Central and State Government.           | Members           |
| (xvi) State Project Director of the Parishad.   | Member Secretary. |
22. The term of non-official members nominated by the Government of India and the State Government shall be 2 years. Such members shall not be eligible for renomination.
23. Members of the executive committee shall cease to be such members if
- (a) they resign, are of unsound mind, are insolvent or are convicted of a criminal offence involving moral turpitude; or
  - (b) they do not attend three consecutive meetings of the Executive Committee without proper leave of the Chairman.
24. A resignation of membership of the Executive Committee shall be tendered to the State Project Director and shall not take effect until it has been accepted on behalf of Parishad by the Chairman.

25. **Vacancies :** Any vacancy in the membership of the Executive Committee shall be filled up by appointment or nominations by the authority entitled to make such appointment or nominations, and the person appointed in that vacancy shall hold office only for the expired period of term of membership.
26. The Executive Committee shall function notwithstanding that any person who is entitled to be member by reason of his office is not a member of the Executive Committee for the time being and notwithstanding any other vacancy in the Committee whether on account of non appointment by the authority entitled to make the appointment or otherwise and no act or proceeding of the Executive Committee shall be invalidated merely by reason of the happening of any of the above events or defects in the appointment of any of its members.

#### **PROCEEDINGS OF THE EXECUTIVE COMMITTEE :**

27. Every meeting of the Executive Committee shall be presided over by the Chairman and in his absence, by a member chosen by the members present at the meeting to chair for the occasion.
28. One-third of the members of the Executive Committee present in person shall constitute a quorum at any meeting of the Executive Committee, provided that no quorum shall be necessary in respect of an adjourned meeting.
29. Not less than seven clear days' notice of every meeting of the Executive Committee shall be given to each member of the Executive Committee provided that:
  - (a) The Chairman may call an emergency meeting at the notice of 3 days and
  - (b) Any inadvertent omission to give notice of the meeting or its non-receipt by any member shall not invalidate the proceedings of the meeting.

30. Every notice calling a meeting of the Executive Committee shall state the date; time and place at which such meeting will be held and shall, except otherwise, provided in these Rules, be under the signatures of the Member-Secretary.
31. The Executive Committee shall meet as often as necessary but atleast once in each quarter of the year.
32. Each member of the Executive Committee including the Chairman shall have one vote and if there shall be an equality of votes on any question to be decided by the Executive Committee, the Chairman shall, in addition, have a casting vote.

**Functions and Powers of the Executive Committee :**

33. It shall be the responsibility of the Executive Committee to endeavour to achieve the objects of the Parishad and to discharge all its functions. The Executive Committee shall exercise all administrative, financial and academic authority in this behalf; including powers to create posts of all description and make appointments thereon in accordance with the Regulations.
34. The Executive Committee shall have under its control the management of all the affairs and funds of the Parishad.
35. The Executive Committee shall have the powers and responsibilities in respect of the following:
  - (i) To frame regulations with the approval of the State Government.
  - (ii) To frame bye-laws for the conduct of activities of the Parishad in furthering its objects.
36. The Executive Committee shall have the power to enter into arrangement with other public or private organisations or individuals for furtherance of its objects.

37. The Executive Committee shall have powers for securing and accepting endowments, grants-in-aid, donations, or gifts to the Parishad on mutually agreed terms and conditions provided that conditions of such grant-in-aid, donations or gifts shall not be inconsistent or in conflict with the objects of the Parishad or with the provisions of the Rules.
38. The Executive Committee shall have the power to take over and acquire by purchase, gift or otherwise from Government and other public bodies for private individuals, movable and immovable properties or other funds together with any attendant obligations, and engagements not inconsistent with the objects of the Parishad and the provisions of these Rules.
39. The Executive Committee shall have powers to undertake or give contract for construction of the building required for use of the Parishad and to acquire stores and services required for the discharge of the functions of the Parishad.
40. Subject to the provision of Article 5 of the Memorandum of Association, the Executive Committee shall have the power to sell or lease any movable or immovable property of the Parishad provided, however that no assets of the Parishad created out of Government be disposed of, encumbered or utilised for purposes other than those for which the grant was sanctioned.
41. The Executive Committee shall have powers to establish and spell out the membership of standing/adhoc committees or task forces/groups etc., for various areas of the Basic Education Programme and decide in regard to their membership, powers and functions.
42. The Executive Committee may by Resolution, appoint Advisory Boards or other special committees for such purpose and with such powers as the Executive Committee may think fit and Executive Committee may also dissolve any of the committees and Advisory Bodies, set up by it.

43. The Executive Committee may delegate, to the Chairman, State Project Director, or any of its members and/or to a committee/group or any other officer of the Parishad such administrative, financial and academic powers and impose such duties as it deems proper and also prescribe limitations within which the powers and duties are to be exercised or discharged.

**Regulations :**

44. Subject to any specific directions of the Parishad and keeping in view the overall advice of the Central Government and the State Government, the Executive Committee shall have powers to frame and amend Regulations, not inconsistent with these Rules, for the administration and management of the affairs of the Parishad and without prejudice to the generality of this provision, such Regulation may provide for the following matters.

- (i) Service matters pertaining to officers and staff including creation of posts, qualifications, selection procedure, service conditions, pay and emoluments, discipline and control rules;
- (ii) Important financial aspects including formulation of budget, purchase procedures, delegation of financial powers, investment of funds, maintenance of accounts and audit, TA and DA rules, etc; and
- (iii) Such other matters as may be necessary for the furtherance of the objects and the proper administration of the affairs of the Parishad. Provided that for the purpose of this Rule, following guidelines would be kept in view while creating the posts and formulating the Service and Financial Regulations.
  - (a) Scales of pay in respect of the posts to be created by the Executive Committee shall correspond either to the Central Government or State Government Scales of pay.

- (b) Mode of recruitment in respect of the posts to be created for the Parishad shall be either transfer on deputation or short-term contract. For work related specific assignments, persons would be deployed on fixed emoluments with provision for revision each year if considered appropriate.
- (c) In the management structure, staff which may devolve permanent liability on the State Government shall not be appointed.
- (d) Till such time, the Parishad formulates its own set of regulations, the decisions taken by the Executive Committee in all such matter will be carried out.
- (e) The principal of reservation as laid down by the State Government shall be followed.
- (f) Consideration of financial propriety and prudence shall be kept in view.

### **Bye-laws:**

45. Subject to the specific directions of the Parishad and the provisions in these Rules and Regulations to be framed thereunder, the Executive Committee shall have powers to frame and amend bye-laws for the conduct of activities of the Parishad for achievement of its objects and these bye-laws may, interalia, include matters relating to;
- (a) Establishment of Branch Offices.
  - (b) Conduct of business of General Council, Executive Committee, and other Committees and Sub-Committees.
  - (c) Grant-in-aid to Voluntary Agencies.
  - (d) Involvement of individuals and contractual arrangements with them.
  - (e) School mapping and establishment of new schools, NFE Centres and other basic education facilities.

- (f) Facilities and incentives to be provided to improve, access and participation of children in primary education.
- (g) All aspects of technical resource support.
- (h) Such other things as may be necessary for implementation of the Pariyojna.

## CHAIRMAN

46. The Education Secretary, Government of Bihar, shall be ex-officio Chairman of the Executive Committee, The Chairman.

- (i) Shall ensure that the affairs of the Parishad are run efficiently and in accordance with the provisions of the Pariyojna, the Memorandum of Association, Rules and Regulations and bye-laws of the parishad.
- (ii) Shall preside over the meetings of the Executive Committee.
- (iii) May himself call, or by a requisition in writing signed by him may require the Member Secretary to call a meeting of the Executive Committee at any time.
- (iv) In case the votes for and against a particular issues are equal, may exercise his casting vote.
- (v) Shall be the sole and absolute authority to judge the validity of the vote cast by members at all the meeting of the Executive Committee.
- (vi) Shall be entitled to invite any other person to attend the meeting of the Executive Committee provided that such persons shall have no power of voting; and
- (vii) May direct the Member Secretary to call a special meeting of the Executive Committee at a short notice, in case of emergency.

## **Functions and powers of the State Project Director :**

47. The State Project Director shall be the Principal Executive Officer of the Parishad and shall be responsible for proper administration of the affairs and funds of the Parishad and implementation of various activities of the Pariyojna in a mission mode under the directions and guidance of the Chairman of the Executive Committee. For the effective discharge of his functions he shall have powers to.
- (a) Constitute Steering Group for each of the programme components and functional areas.
  - (b) Constitute a Task Force, comprising heads of the Steering Groups which would function as a cohesive team for achievement of the objects of the Pariyojna.
  - (c) Prescribe the duties of all officers and staff of the Parishad.
  - (d) Exercise such supervision and disciplinary control as may be necessary;
  - (e) Coordinate and exercise general supervision over the activities of the Parishad including its Branches and units;
  - (f) Conduct meetings of the Parishad and its Executive Committee and keep a record of proceedings of these meetings in accordance with these Rules, and
  - (g) Discharge such other functions as may be assigned to him by the Executive Committee in furtherance of the objects of the Parishad.

## **District Management Structure :**

48. The Zila Salahakar Samiti at the district level will review the progress of the Pariyojna and widen involvement of participating agencies. It will be headed by the Divisional Commissioner concerned, with representation of interested agencies and persons directly involved in the implementation of the Pariyojna. Nominations on the Zila Salahakar Samiti will be made by the Divisional Commissioner in consultation with interested agencies.



49. The Zila Karyakarini will be the executive body at the district level to whom well-defined powers will be delegated, which shall include the powers of all heads of departments concerned with basic education. The Chairman of the Zila Karyakarini will be decided by the Executive Committee and its membership will include district level officials and representatives of interested agencies. The total membership of the Zila Karyakarini shall not exceed 15.
50. The District Programme Coordinator shall be appointed by the Executive Committee. He shall have the same powers and responsibilities in relation to the Pariyojna at the district level as the State Programme Director has at the State level. He shall set up Steering Groups for each programme component and functional area. The head of the Steering Groups will together constitute the Zila Karyakari Dal (District Task Force) which shall work as an organic team for furthering the Pariyojna at the district level.

### **Funds of the Parishad :**

51. The funds of the Parishad shall consist of the following.
- (i) Grants-in-aid made by the Central Government and the State Government for furtherance of the objects of the Parishad;
  - (ii) Contributions from the sources;
  - (iii) Income from the assets of the Parishad;
  - (iv) Receipts of the Parishad from other sources; and
  - (v) Grants, donations or assistance of any kind from foreign, Governments and UNICEF and other external agencies, with prior approval of the Central Government.
- (52) The bankers of the Parishad shall be decided by the Executive Committee. All funds shall be paid into the Parishad account with the Bank and shall not be withdrawn except through a cheque signed by such officers as may be duly empowered in this behalf by the Executive Committee.

## **Accounts and Audit**

- (53) (i) The Parishad shall maintain proper accounts and other relevant records and prepare annual accounts comprising the Receipts and Payment Account, statement of liabilities in such form as may be prescribed by the Registrar of Societies of the State Government in keeping with the Rules in force under the Societies Registration Act 1860 subject to the condition that in respect of grants from the Central Government directions of the Central Government shall be adhered to.
- (ii) The accounts of the Parishad shall be audited annually by the Chartered Accountant and in accordance with the provisions of the Societies Registration Act, 1860.
- (iii) The audited accounts shall be communicated to the Parishad which shall submit a copy of Audit Report along with the observations to the Central government and the State Government.
- (iv) The accounts of the Parishad shall also be subject to the provisions of the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971 as amended from time to time.

## **Annual Report**

54. The Annual Report on the working of the Parishad and the work undertaken by it during the year together with Balance Sheet and Audited Accounts, shall be prepared by the Executive Committee for information of the Central and the State Government and the members of the parishad. A draft of the Annual Report along with the audited accounts of the Parishad and the Auditor's report thereon shall be placed before the Parishad in its Annual Central Meeting.

## **Amendments**

55. With the approval of the Central Government and the State Government, the Parishad may alter, extend or abridge the purpose for which it is established, or amalgamate the Parishad either wholly or partly with any other Society in accordance with the provisions of the Societies Registration Act, 1860, as applicable to the State of Bihar.
56. As and when there is any change in the nomenclature of Ministries, Dpartments, or institution(s) and designation(s) mentioned in the Rules, such changes shall automatically stand incorporated in these Rules.
57. If the Parishad needs to be dissolved, it shall be dissolved as per provisions laid down under Sections 13 and 14 of the Societies Registration Act, 1860 as applicable to the State of Bihar.
58. If, on the winding up or dissolution of the Parishad, there shall remain, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed amongst the members of the Parishad or anyone of them but shall accrue to the State Government which will decide about its utilisation or otherwise in consultation with the State Government.

## **Miscellaneous**

59. Once in every year a list of members of the Governing Body shall be filed with the Registrar of Societies as required under section 4 of the Societies Registration Act, 1860