

(MANUAL-3)

Procedure followed in Decision Making

Under Section 4(1)(b)(iii)

Manual- III: Procedure followed in decision making

- 3.1 Process of decision making:** The Personnel Committee of the Council is competent authority to look into administrative and personnel matters relating to technical and non- technical staff of the Council including matters relating to appointments, clearance of probation period of scientific staff, grant of extensions, termination of contracts, promotions except the routine matters.

The decisions of the Personnel Committee are placed before the Executive Committee for taking note/ approval/ratification as the case maybe.

The Executive Committee of the Council is having the powers:

- I. To constitute committees and working group to study specific problems and to formulate plans for actions.
- II. To consider the annual report, audited accounts and annual budget estimates of the council.
- III. To authorize and sanction expenditure of the funds of the State Council in accordance with the bye-laws of the Council.
- IV. To create and maintain administrative and other full time or part time posts in the Council.
- V. To enter into such arrangements with Govt. of India, State Govt. and other public or private organizations or individuals and further the objectives of the State Council.
- VI. To acquire by gift, purchase, lease or otherwise any property moveable or immovable which may be considered necessary or convenient for the purposes and programme of the State Council.
- VII. To sell transfer, lease or otherwise dispose of any moveable or immovable property of the State Council.
- VIII. To borrow or raise money from Govt. of India, State Govt., commercial banks and other public or private organization for the implementation of the programmes of the State Council.
- IX. To invest the funds of the State Council in such security or in such manner as may from time to time determine.
- X. To do such other things as are necessary for the conduct of the affairs of the State Council in furtherance of its objectives and in accordance with these rules.

Powers of General Body of the Council:

Whenever it appears to the Executive Committee of the Council to alter, extend or abridge the Memorandum of Association for such purposes as are mentioned in the MoA or for other purposes as specified in Section-12 of the Registration of Societies Act 1860 Governing Body is empowered to approve such amendments.

3.2 Final decision making authority: Executive Committee.

3.3 Related provisions, acts, rules etc: As per **Annexure-A**.

3.4 Time limit for taking a decision, if any : NA

3.5 Channels of supervision and accountability: The work of subordinates is supervised by the next level in the hierarchy

The Punjab State Council for Science and Technology

RULES AND REGULATIONS OF THE SOCIETY

1. **Short title** - These rules may be called the Rules of the Punjab State Council for Science & Technology (hereinafter called the State Council).
2. **Definitions** - In these rules unless the context otherwise requires:
 - 2.1 'President' means the President of the State Council under Rule 6.
 - 2.2 'Vice-President' means the Vice-President of the State Council under Rule 7.
 - 2.3 'Executive Committee' means the Committee constituted under Rule 8.
 - 2.4 'Chairman' means the Chairman of the Executive Committee under Rule 8.
 - 2.5 'Secretary' means the Secretary of the State Council under Rule 9.
 - 2.6 'Bye-laws' means the bye-laws framed under Rule 12.
3. **Members of the State Council :**
 - 3.1 The State Council shall consist of the following members.
 - 3.1.1 Chief Minister of the Government of Punjab.
 - 3.1.2. Minsters of the Government of Punjab, incharge of Finance, Science & Technology, Planning, Industries, Health, Agriculture, Education, Technical Education, Labour, Local Government, Urban Development, Power or such other Ministers as the Chief Minister might nominate.
 - 3.1.3. Vice-Chancellor of Punjab Agricultural University, Ludhiana, Vice-Chancellor of Punjabi University, Patiala, Vice-Chancellor of Guru Nanak Dev University, Amritsar and Vice-Chancellor of Panjab

University, Chandigarh.

- 3.1.4. Chief Secretary to Government of Punjab, Secretary to Government, Punjab, Department of Science & Technology, Finance Secretary, Planning Secretary, Secretary Urban Development, Secretary Health, Secretary Technical Education, Secretary Industries, Secretary Power, Secretary Local Government, Secretary Education and Secretary Agriculture, Secretary Animal Husbandry or such other Secretary to Government as the Chief Minister, might nominate.
- 3.1.5. Persons not exceeding 25 nominated as members by the Government of Punjab from amongst eminent Scientists and Technologists to represent the fields of Agricultural Sciences including Forestry, Horticulture, Dairying and Animal Husbandry, Industries including Agro-Industries, Energy, Environment including problems of Urban Habitat, Health and Medical Education and Technical Education.
- 3.2 All members of the State Council other than *Ex-officio* members shall have a tenure of membership for a period of three years.
- 3.3 Where any person is a member of the State Council by reason of the office or appointment he holds, his membership of the State Council shall terminate when he ceases to hold that office or appointment, and in his vacancy, his successor in office or appointment shall automatically be a member of the State Council.
- 3.4 Any vacancy occurring due to death or resignation addressed to the President, among persons nominated under sub-rule 3.1 above shall be filled up in accordance with the provisions of these Rules.
- 3.5 Notwithstanding anything contained in sub-rule 3.1 above, the composition of the first State Council shall be as given in the Annexure to these Rules.
- 3.6. The State Council shall maintain a Register of members giving their names, occupations and addresses. If a member of the State Council changes his address, he shall notify his new address to the Secretary who shall thereupon enter his new address, the address given in the Roll of Members shall be deemed to be his address.

4. The State Council, its Executive Committee and such other Committees and Sub-committees as the State Council may constitute, shall function notwithstanding that any person who is entitled to be a member by reason of his office is not a member of the State Council (or its Committees or Sub-Committees) for the time being and notwithstanding any other vacancy, whether by non-appointment or otherwise; and no act or proceeding of the State Council (or its Committees or Sub-Committees) shall be invalid or be called in question merely by reason of the happening of any of the above events or of any defect in the appointment or any irregularities in the nomination of any of its members.

5. **Authorities of the State Council :-** The following shall be authorities of the State Council.

5.1 President

5.2 Vice-President and Executive Vice-President.

5.3 The Executive Committee.

5.4 Chairman, Executive Committee.

5.5 Secretary.

6. **President-** The President of the State Council shall be the Chief Minister of Punjab State.

7. **Vice-President-** The Minister-in-charge of the Department of Science & Technology shall be the Vice-President of the State Council. In case the portfolio of Science and Technology be held by the Chief Minister, the Minister-in-charge of the Department of Finance Government of Punjab, shall be the Vice-President of the State Council.

The Executive Vice-President shall be an eminent scientist/technologist.

8. **Executive Committee**

8.1 The Administration and Management of the affairs and finances of the State Council shall be conducted by an Executive Committee consisting of 15 members as indicated below :-

8.1.1 Secretary to Government, Punjab, Department of Science &

Technology.

- 8.1.2. Seven members to be nominated by the Government of Punjab from amongst scientists and technologists.
- 8.1.3. Secretary to Government of Punjab, Deptt. of Agriculture.
- 8.1.4. Secretary to Government of Punjab, Deptt. of Industries.
- 8.1.5. Secretary to Government of Punjab, Deptt. of Technical Education.
- 8.1.6. Chairman, Punjab State Electricity Board.
- 8.1.7. Representative of Commission for Additional Sources of Energy.
- 8.1.8. Representative of Department of Science & Technology, Government of India.
- 8.1.9. Managing Director, National Research Development Corporation.
- 8.2. The Secretary to Government of Punjab, Department of Science & Technology shall be the Chairman of the Executive Committee and the member Secretary of the State Council.
- 8.3. Notwithstanding anything contained in Sub-Rules 8.1 & 8.2 above, the first Executive Committee shall consists of the following :
 - 8.3.1 Secretary to Government of Punjab, Department of Science & Technology. Chairman.
 - 8.3.2. Financial Commissioner Development and Secretary to Government of Punjab, Department of Agriculture.
 - 8.3.3. Secretary to Government of Punjab, Department of Industries.
 - 8.3.4. Secretary to Government of Punjab, Department of Technical Education.
 - 8.3.5. Chairman, Punjab State Electricity Board.
 - 8.3.6. Representative of Commission for Additional Sources of Energy.
 - 8.3.7. Representative of Department of Science & Technology, Government of India.
 - 8.3.8. Managing Director, National Research and Development Corporation.

- 8.3.9. Dr. Sukhdev Singh, Vice-Chancellor, Punjab Agricultural University, Ludhiana.
- 8.3.10. Dr. B.S. Pathak, Punjab Agricultural University, Ludhiana.
- 8.3.11. Dr. Piara Singh Gill, Kothi No. 173, Sector 19, Chandigarh.
- 8.3.12. Shri Chander Mohan, Managing Director, Punjab Tractors Ltd., S.A.S. Nagar (Mohali).
- 8.3.13. Dr. Harsh Vardhan, Director, Central Scientific Instruments Organisation, Sector 30, Chandigarh.
- 8.3.14. Dr. I.C. Pathak, Director, Post Graduate Institute of Medical Education and Research, Chandigarh.
- 8.3.15. Dr. M.S. Randhawa, Chairman, Lalit Kala Academy, Chandigarh.
- 8.4. All members of the Executive Committee other than *Ex-officio* members shall hold office for a period of 2 years from the date of their nomination.
- 8.5. Casual vacancies in the Executive Committee other than of *Ex-officio* member shall be filled by nomination by the President from amongst the members of the State Council and such member or members shall hold office for the unexpired period of the original term of the Executive Committee.

Explanation : Casual vacancy means a vacancy caused by resignation or death of the member.

8.6. Notwithstanding anything contained in rule 8.4 above, the Executive Committee constituted under sub rule 8.3 above shall remain in office for a period of 3 years from the date of registration of society.

9. Secretary :

9.1 The Secretary of the Department of Science & Technology, Government of Punjab shall be the *Ex-officio* Secretary of the State Council.

10. The State Council shall take such action as it may consider to be necessary to further the objectives set out in the Memorandum of Association. It shall meet as often as necessary but atleast twice in a year. One of the meetings will be the Annual General Meeting.

11. Apart from the general powers vested in the Executive Committee and such other powers that may be delegated by the State Council over the management of the affairs and finances of the State Council, the Executive Committee shall have the following powers :-
- 11.1 To constitute Committees and Working Groups to study specific problems or to formulate plans for action.
 - 11.2 To consider the Annual Report of the Secretary on the working of the State Council and to submit the same to the Annual General Meeting of the State Council.
 - 11.3 To consider the audited accounts and the annual budget estimates of the State Council presented by the Secretary and to report the same to the Annual General Meeting of the State Council.
 - 11.4 To authorise and sanction expenditure of the funds of the State Council, in accordance with the bye-laws to be framed in this regard by it.
 - 11.5 To create and maintain administrative and other full-time or part time posts in the State Council, fix the amount of their remuneration, define their duties and conditions of service and to make appointments to these posts.
 - 11.6 To enter into such arrangements with the Government of India, State Government and other public or private organisations or individuals as in its opinion further the objectives of the State Council and the implementation of its programmes and to secure and accept endowments, grants-in-aid donations or gifts on mutually agreed terms and conditions; provided that the conditions of such grants-in-aid, donations or gifts shall not be inconsistent or in conflict with the object of the State Council or with the provisions of these rules.
 - 11.7 To acquire by gift, purchase, lease or otherwise any property movable or immovable, which may be considered necessary or convenient for the purposes and programmes of the state council and to construct, alter and maintain any building or buildings belonging to the State Council for the purposes and programmes of the State Council.

- 11.8 To sell, transfer, lease or otherwise dispose of any movable or immovable property of the State Council.
- 11.9 To borrow or raise money from the Government of India, State Government, Commercial Banks and other public or private organisations for the implementation of the programmes of the State Council in furtherance of its objectives.
- 11.10 To invest the funds of the State Council in such securities or in such manner as may, from time to time, be determined.
- 11.11 To do such other things as are necessary for the conduct of the affairs of the State Council in furtherance of its objectives and in accordance with these rules.
12. The Executive Committee shall have the power to make bye-laws not inconsistent with these rules and the Memorandum of Association for the conduct of the administrative, financial and other affairs of State Council in furtherance of its objectives and also to amend these as and when considered necessary.
13. The Executive Committee shall have powers to invite individuals or experts to participate in the discussions at the meetings of the Executive Committee or the State Council.
14. The Secretary shall be the Principal Executive Officer of the State Council. He shall have powers to open an account in the name of State Council in a Bank approved by the Executive Committee and operate on the same in accordance with the decisions of the Executive Committee either himself or through an officer authorised by him with the approval of the Executive Committee, and in accordance with such bye-laws as may be laid down.
15. **General Meeting :**
 - 15.1 The Annual General Meeting of the State Council shall be held once every year at such time, date and place as the President may decide. At this meeting, called the Annual General Meeting, the report of the management of the State Council for the previous financial year together with and an audited copy of the balance sheet, income and expenditure account and the auditor's report and other matters that may be placed before it by the Executive Committee, shall be submitted for approval.

- 15.2 The first Annual General Meeting shall be held by the State Council within 18 months of its registration. The next Annual General Meeting of the State Council shall be held within 9 months after the expiry of the calendar year in which the first Annual General Meeting is held; and thereafter the Annual General Meeting shall be held within 9 months after the expiry of each calendar year.
- 15.3 A Special General Meeting may be convened at any time on the requisition of the President or on the requisition of one-fourth of the total members of the State Council who shall state in writing to the Secretary the business for which the meeting is to be convened and the Secretary shall, within ten days from the date of the requisition and in consultation with the Executive Committee, proceed duly to call a meeting for the consideration of the business stated on a day not later than forty days from the date of receipt of the requisition.
- 15.4 All meetings of the State Council shall be called by notices under the signatures of the Secretary or any other officer authorised in this behalf by the Secretary.
- 15.5 Every notice calling a meeting of the State Council shall state the date, time and place at which such meetings shall be held and shall be delivered by hand or sent by registered post to every member at the address mentioned in the Register of Members not less than 21 clear days before the date appointed for the Annual General Meeting and 15 days before the date appointed for a Special General Meeting.
- 15.6 If a member has no registered address in India, and has not supplied to the State Council an address within India for the giving of notice to him, a notice advertised in a newspaper in English and Punjabi shall be deemed to be duly given to him on the day on which the advertisement appears in the newspapers.
- 15.7 The president shall preside over all ordinary or Special General Meetings. In his absence, the Vice President shall preside. In the absence of the two, one of the members present elected for the purpose by the members present, shall preside.
- 15.8 One fourth of the number of members shall form the quorum, if

there is no quorum at a meeting, the meeting shall be adjourned for half an hour ; and it will be then be held even if no quorum is present.

15.9 The procedure to be followed at the meeting shall be laid down in the bye-laws framed by the Executive Committee.

16. Once in every year on or before the 14th day after the Annual General Meeting of the State Council, a list of documents as required under section 4 of the Societies Registration Act, 1860, shall be filed with the Registrar of the Societies.

17. The Auditors for auditing the annual accounts of the State Council shall be appointed in the Annual General Meeting on such terms and conditions as may be approved by the State Council.

18. On the dissolution of the State Council if there shall remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among its members but shall be transferred as required under section 13 of the Societies Registration Act, 1860, to some other similar State Council or to the State Government for the promotion of similar objects.

19. Alteration of Memorandum of Association and Rules and Regulations :

19.1 Whenever it shall appear to the Executive Committee of the State Council that it is advisable to alter, extend or abridge the Memorandum of Association for such purposes as are mentioned in the Memorandum of Association or for other purposes as specified in Section 12 of the Societies Registration Act, 1860, the Executive Committee may submit the proposition to the members of the State Council in a written or printed report, and may convene a Special General Meeting for the consideration thereof according to the Rules and Regulations. No such proposition shall be deemed to have been approved unless such reports have been delivered by hand or sent by registered post to every member of the State Council 21 days previous to the date of the Special General Meeting convened at the instance of the Executive Committee for the consideration thereof and unless such proposition shall have been agreed to by the votes cast in favour of the proposition by members entitled to do so, and such votes are not less than three times the

number of votes, if any, cast against the resolution by members so entitled and voting and confirmed by a similar majority of votes at a second Special General Meeting convened at the instance of the Executive Committee after an interval of 30 days after the former meeting.

19.2 Whenever it shall appear expedient to the Executive Committee of the State Council to amend the name and Rules and Regulations of the State Council, the Executive Committee may submit the proposal to a Special General Meeting convened for the purpose, of which notice shall have been delivered by hand or sent by registered post to every member of the State Council 21 days previous to the date of the Special General Meeting. The resolution proposing the amendment shall be passed by the votes cast in favour of the resolution by members who are entitled to do so, provided such votes are not less than three times the number of votes, if any, cast against the resolution by members so entitled and voting.

20. Meeting of the Executive Committee

20.1 The Executive Committee shall meet not less than 3 times during every calendar year at such time, date and place as the Chairman of the Executive Committee may decide. The interval between any two consecutive meetings, shall, however, not be more than 6 months.

20.2 The meeting shall be called by notice under the signatures of the Secretary, or any other Officer authorised in this behalf by the Secretary, who shall cause the Notice to be delivered to each member of the Executive Committee at the address mentioned in the Register of Members, not less than 8 days before the date fixed for the meeting providing that the Chairman may call a meeting of the Executive Committee at such shorter notice as may be expedient.

20.3 Not less than half the number of members of the Executive Committee shall form the quorum. The requirements of quorum shall not, however, apply to meetings adjourned for want of quorum.

20.4 The procedure to be followed at the meetings may be laid down in the bye-laws framed by the Executive Committee.

21. The Executive Committee may dispose of urgent matters by circulation of papers, if so desired by the Chairman. All resolutions and decisions thus made shall be reported at the next meeting of the Executive Committee.