



School of Good Governance & Policy Analysis (SGPA)

Regulations

SCHOOL OF GOOD GOVERNANCE AND POLICY ANALYSIS

REGULATIONS

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SCHOOL OF GOOD GOVERNANCE AND POLICY ANALYSIS

REGULATIONS

Chapter 1 : Preliminaries

1. *Name*: The Society shall be called the School of Good Governance and Policy Analysis. It shall be hereinafter referred to as the *School*.
2. *Office of the Society*: The Registered Office of the School shall be situated in the Municipal limits of the Bhopal Municipal Corporation. At present the school is situated in Narmada Bhawan, Bhopal.
3. *Area of Operation*: The operational jurisdiction of the School shall extend to the whole of Madhya Pradesh.
4. *Definitions*: In these regulations, unless the context otherwise requires :
 - (a) "*State*" means the existing State of Madhya Pradesh;
 - (b) "*State Government*" means the State Government of Madhya (General Administration Department);
 - (c) "*Act*" means The Madhya Pradesh Society Registrikaran Adhiniyam, 1973 (No. 44 of 1973);
 - (d) "*Rules*" means the Madhya Pradesh Society Registrikaran Niyam, 1998, made under the MP Society Registrikaran Adhiniyam 1973 (No. 44 of 1973);
 - (e) "*Registrar*" means Registrar of the Societies appointed under the sub section (1) of section-4 of the Act;
 - (f) "*Regulations*" mean the Regulations of the Society as registered under the provisions of the Act and the Rules;
 - (g) "*Financial Year*" means 12 months commencing from 1st April and ending on 31st March;
 - (h) "*Board*" means the Body constituted under regulation 7 of these regulations and entrusted with the management of the affairs of the School. It shall be hereinafter referred to as "*Governing Body*". The Meeting of this body after fulfilling the quorum shall be referred to as the Governing Body Meeting;
 - (i) "*Chairman*" means the Chairperson of the "Board";
 - (j) "*Executive Body*" means Executive Body constituted under regulation 23 of these regulations;
 - (k) "*Members*" mean members of the Governing Body of the School;
 - (l) "*Director General*" means the Director General of the School as provided under regulation 29 of these regulations;
 - (m) Words and expressions used in these Regulations but not defined shall have the same meaning as assigned to them in the Act and the Rules.

Chapter 2 : Aims and Objectives

5. The School of Good Governance and Policy Analysis is to act as a knowledge resource hub with the aim to *i) facilitate a multi-disciplinary network of governance, ii) to recognise and promote research, good practices, and overall improvement in*

practices of governance globally, with focus on Madhya Pradesh with the help of professionals, organisations/associations in the relevant areas. To achieve this, the School shall have the following objectives:

1. In the Global-Local context, to act as 'Think Tank' in the field of good governance; To analyze the Policies of Government and to assess their impact on the target group.
2. To analyze key issues in Good Governance, identify problems and to suggest solutions for them, develop action plans and support implementation of these plans.
3. To create a bank of "Best practices", methodologies and e-governance programmes and their dissemination.
4. To provide consultancy services towards improving the prevailing administrative system and required restructuring.
5. To identify those areas for change and reform that will make the most positive impact in improving administrative performance and achievement.
6. To provide institutional mechanisms to local, national and international institutions and stake-holders for people-centric administration.
7. To provide technical support and advisory services to the local bodies, states, national and international institutions in the areas of programme structuring and implementation, action research, change management and administrative reform.

Chapter 3: Membership

6. Structure of the School: The school shall consist of the following bodies, namely:

1. Governing Body;
2. Executive Body;
3. Any other committee constituted by the Governing Body..

7. Governing Body: The Governing Body shall consist of the following:

- | | |
|----------------------------------------------------------------------------------------|----------|
| 1. Hon'ble Chief Minister, Government of M.P. | Chairman |
| 2. Hon'ble Minister for Finance, Government of M.P. | Member |
| 3. Hon'ble Minister for Rural Development, Government of M.P. | Member |
| 4. Hon'ble Minister for Urban Administration & Development, Government of M.P. | Member |
| 5. Hon'ble Minister for Science & Technology, Government of M.P. | Member |
| 6. Hon'ble Minister for Scheduled Castes /Scheduled Tribes Welfare, Government of M.P. | Member |
| 7. Hon'ble Minister for Planning, Economics & Statistics, Government of M.P. | Member |
| 8. Chief Secretary, Government of M.P. | Member |
| 9. Director General, R.C.V.P.Academy of Administration and Management. Bhopal | Member |
| 10. Secretary to the Government of M.P. in the General | Member |

Administration Department

- | | |
|-----------------------------------------------------------------------------------------------|------------------|
| 11. Secretary to the Government of M.P in the Finance Department | Member |
| 12. Director, I I M, Indore | Member |
| 13. Five persons nominated by the State Government from the fields of Governance & Management | Members |
| 14. Director General, School of Good Governance and Policy Analysis. | Member-Secretary |
8. *Tenure of Membership:* Membership of the Society shall be initially for a period of two years *but* may be extended subsequently, on year to year basis, by the State Government. Ex-officio members shall continue to be members, as long as they hold the position in office.
9. *Eligibility for Membership:* To be eligible for membership, individuals /organisations should agree to abide by these regulations and specific norms of membership as may be stipulated by the State Government from time to time. Organisations can nominate an individual to attend meetings of the School.
10. *Termination/Cessation:*
1. Membership shall stand terminated in the event of death of the member, his becoming of unsound mind, or resignation from membership if accepted, or conviction in a criminal offence. The resignation shall be accepted by the State Government if it is duly recommended by the Governing Body.
 2. Membership shall cease if in the opinion of the Board a Member is guilty of misconduct in relation to the affairs of the School.
 3. Membership shall cease on removal or dismissal from the service of the State Government or the Central Government on charges of corruption/misconduct.
 4. Membership shall be terminated if a member accepts or holds any official position such as Director/Manager or as a salaried employee of an organisation which has any share or interest in any contract awarded by the School. (Applicable only for nominated members).
11. *Register of Members:* The School shall maintain at its registered office, a register of its members and shall enter therein the particulars as per the provisions of the Act.

Chapter 4 : Funds and property

12. *Funds of the School shall consist of:*
- (a) Grants and subsidies and project finance from Governments including the State Government, the Government of India and various national / international organizations.
 - (b) Donations and other voluntary contributions from members. non-members, individuals and organisations.
 - (c) Loans from financial and other institutions as may be contracted by the Society from time to time, subject to the approval of the State Government, and
 - (d) Funds raised through any other mode, as agreed upon by the Board and subject to approval of the State Government to meet the aims and objectives of the

School.

12A. Contingency Fund of the School:

- (a) The School shall establish a fund which shall be called the Contingency Fund of the School. An amount of Rs 10 Lacs shall be deposited in the fund from the funds of the School.
- (b) The funds shall be held on behalf of the School by the "Director General" and no advances shall be made out of this fund. Payment of unforeseen expenses may be made from this fund in anticipation of approval of the Board.

12B. Powers to borrow and lend: Subject to the provisions of these regulations, the School may, from time to time, advance any sum standing at the credit of the Society and with previous sanction of the State Government, borrow money required from the public or from any financial institutions or any corporation controlled by the State Government or Central Government.

12C. State Government Guarantee: If the School so desires and requests, the State Government may guarantee, in such a manner and subject to such conditions as it may think fit, the payment of a loan raised by the School.

12D. Accounts and Audit: The Director General will oversee through a Finance Committee to be constituted by the Executive Body, the following:

- (a) Proper maintenance of books of accounts as prescribed by the Act and such other books as may be prescribed in the rules and the preparation of an annual statement of accounts.
 - (b) Annual audit of the accounts by a person/organization appointed by the Executive Body.
 - (c) Placement of a copy of the accounts of the society as soon as they are audited, together with a copy of the report of the auditor before the Governing Body.
 - (d) Compliance with such directions as the Governing Body or Executive Body may think fit, after perusal of the report of the auditor.
 - (e) The audited accounts shall be sent to the Registrar, Firms and Societies under section-28 of the Act and under section-27 of the Act along with details of the Annual General Body meeting..
- 13. Property:** All the movable and immovable property acquired from funds mentioned herein above shall be in the name of the School. Immovable properties shall not be purchased, sold, mortgaged or transferred without regulation of the Governing Body to this effect, the prior permission of the State Government and permission of the Registrar under Section-21 of the Act.

Chapter 5 : Governing Body

- 14.** The supreme authority of the School shall vest in its Governing Body.
- 15.** There shall be an annual General Meeting of the Governing Body of the School once in every financial year at such date, time and place, as decided by the Chairman. A special meeting of the Governing Body may be called at any time on the request of at least *One tenth* members of the total member of the body. *Every meeting shall be presided over by the Chairman* and in his absence a member nominated by the Chairman shall preside over the meeting.
- 16.** Normally, a notice of at least 15 days shall be given for a Governing Body Meeting.

However, the notice can be issued 5 days before the date of the meeting under special circumstances.

17. The quorum of the meeting shall be of *one third* of the total members of the body. If at any special or ordinary meeting of the Governing Body the quorum is not complete, the Chairman shall adjourn the meeting for some other time on the same day as he/she may deem fit. No quorum shall be required in the reconvened meeting with regard to the agenda of the adjourned meeting.
18. On matters that are sufficiently important and urgent in his/her opinion and cannot wait for next meeting of the Governing Body, the Chairman may exercise his/her discretion as per clause-26 (iv) of the Chapter-7 of these regulations.
19. All matters in a meeting shall be decided by a majority of the members present and in case of a tie of vote, the person presiding over the meeting shall have the right to a second or casting vote.
20. The proceedings of the Annual General Meeting (AGM) shall be submitted to the Registrar, Firms and Societies within the time-limit prescribed in the Act.
21. *The following matters shall be dealt with by the Governing Body:*
 - (a) To consider and adopt the audited annual financial statements of the School.
 - (b) To consider and approve the annual budget of the Society for the next financial year.
 - (c) To consider and approve the Annual Report of the School.
 - (d) To consider and approve the amendments in the Regulations as proposed by the Executive Body. At least two third (2/3rds) of the members present and voting shall have to approve the amendments.
 - (f) To dissolve the Society and dispose off the property in its ownership in accordance with chapter eight of the Act relating to the dissolution of the societies, provided that a resolution for the purpose shall be considered at a specially convened meeting, presided over by the Chairman, that at such a meeting at least half of the total strength of members are present and further that, of these, two-third (2/3rd) votes in favour of such a resolution.

Chapter 6 : Executive Body

22. The business of the School, as per its aims and objectives, shall be managed and carried out by the Executive Body. It shall undertake all such activities as are necessary for the purposes illustrated in these regulations.
23. The *Executive Body* shall comprise of the following:

1. Chief Secretary, Government of M. P.	Chairman
2. Secretary to the Government of M. P. in the General Administration Department	Member
3. Secretary to the Government of M. P. in the Finance Department	Member
4. Secretary to the Government of M. P. in the Panchayat &	Member

Rural Development Department		
5. Secretary to the Government of M.P. in the Information Technology Department	Member	
6. Secretary to the Government of M. P. in the Commerce, Industry & Employment Department	Member	
7. Secretary to the Government of M. P. in the Planning, Economics & Statistics Department	Member	
8. Maximum five non-Government persons, nominated by the State Government. of M.P.	Members	
9. Director General, School of Good Governance and Policy Analysis.	Member-Secretary	

24. *Term of Nominated Members on the Executive Body* :The term of nominated members on the Body shall be two years from the date of their nomination. Ex-Officio Members shall continue to be members as long as they hold the position in the office.

25. A nominated member on the Body shall cease to be a member :

- a) if he dies, resigns, becomes insane or is convicted of a criminal offense;
- b) if he does not attend three consecutive meetings of the Body without prior intimation in writing to the Member Secretary;
- c) has been removed or dismissed from the service of the State or the Union Government on charges of corruption/misconduct;
- d) holds any official position such as Director / Secretary / Manager or as a salaried employee of an organisation which has any share or interest in any contract awarded by the School;
- e) any nominated member may resign through a signed letter addressed to the State Government, but he/she shall continue in office until his/her resignation is accepted by the State Government. Resignation from the Body shall take effect only from the date it is accepted by the State Government.

26. The Executive Body will meet on a notice served to the members seven days before the appointed date. The Chairman of the Executive Body shall have power to take decision on matters which may be of urgent nature and to place them for confirmation at ensuing meeting of the Executive Body.

27. The Executive Body shall exercise all financial and administrative powers to control and regulate the activities of the Society and shall also have powers and duties as under :

- (a) To frame general guidelines for promotion of good governance in the State.
- (b) To raise funds and other resources for the activities of the School.
- (c) To make sure the implementation of rules and regulations.
- (d) To look after the School structure and its activities.
- (e) To approve the annual report and statement of accounts and place them before the Governing Body for approval.
- (f) The Executive Body will have powers to associate experts / professionals/ practitioners / institutions and members of the School to contribute to meet the objectives of the School in the following categories.

- (i) *Distinguished Fellows* who may have excelled in any of the areas relevant to the objectives of the School.
 - (ii) *Advisors, Fellows, Consultants* on such terms and conditions, as may be decided by the Executive Body from time to time.
 - (iii) National/International Institutions with similar or allied objectives as *members of a global network of Institutions* in the area of Good Governance & Policy Analysis to be developed by the School
 - (iv) *Members* as defined in these regulations.
- (g) To prepare the budget of the School for the ensuing financial year and place it before the Governing Body.
 - (h) To ensure the auditing of the accounts of the School:
 - (i) To delegate any of its powers and functions to officials with prior permission of the Governing Body.
 - (j) To arrange to send to the Registrar, annual returns and audited statement of income and expenditure and balance sheet as required under the provisions of the Act.
 - (k) To recommend amendment to the Regulations for being adopted by the Governing Body as per provisions of the Act.
 - (l) To draw up a framework for the welfare of the staff/officials of the School.
 - (m) To perform all such other functions as are necessary for conducting the activities of the School.

Chapter 7 : Office-bearers of the School

28. Chairman

- (i) The *Chief Minister* of the State shall be the Chairman of the School.
- (ii) The Chairman by virtue of his office shall be the head of the School.
- (iii) The Chairman shall preside over the meetings of the Governing Body.
- (iv) The Chairman of the School shall exercise general control and supervision over the working of the School. He/She shall have power to take decisions, which may be urgently required in the best interest of the School and to place them for confirmation at the ensuing meeting of the Governing Body.

29. Director General

1. The State Government shall appoint a Director General as per terms and conditions determined by the Government.
2. The Director General shall hold office for a term as decided by the State Government, The State Government can terminate the appointment of those appointed by invitation by giving a notice of *three months*. Similarly the incumbent can also resign by giving a notice of *three months*, which on request of the incumbent could be reduced by the Chairman.
3. Under the overall supervision of the Executive Body, the Director General shall be responsible for the day to day working of the School.

4. The Director-General shall be the Member-secretary of the Governing Body and Executive Body.
 5. All orders, notices and instructions issued on behalf of the School shall be issued under the signature of the Director-General or any officer authorised by the Director-General.
 6. Director General shall maintain the proceedings of the meetings and other records.
 7. The Administrative Officer shall be the person in whose name the School may sue or to be sued.
 8. The Director-General may receive any donations / gifts, acquire any land, building or other movable or immovable properties together with all rights pertaining thereto, through purchase exchange, lease or any other means, on behalf of the School.
 9. The Director-General shall oversee management of the funds of the School, implementation of various programmes and activities, sanction and disbursement of all payments to the concerned as per approved plans and budget of the School.
- 30. *Financial Controller/ Manager Finance:*** A *Financial Controller or Manager Finance* shall be appointed as per the guidelines of the State Government, who will be responsible for management of the funds of the School. He shall work under the supervision of the Director-General.
- 31. *Other officials and staff of the School:*** The school shall have such other Officials / staff, other than Director-General as may be approved by the "*Empowered Committee*" constituted by the State Government.
- 32. *Appointment of the officials and staff of the School:***
1. Other officials and staff shall be appointed on deputation from other related Govt. Departments/agencies or on contract basis from outside. The deputation period shall be ordinarily of three years and may be extended or reduced with the approval of the Governing Body. On the basis of performance, services of the officials and staff on deputation may be returned to their parent organization at any time. As per the requirement of the school from time to time, staff, advisors/ specialists may also be appointed for specific purpose and duration on contract basis, with the approval of the Executive Body.
 2. All the officials and employees of the School shall work under the control of the Director-General.
- 33. *Service conditions of the officials and other employee::***
- (a) The remuneration and service conditions of the employees shall be in accordance with the rules approved by the Empowered Committee/State Government or as prescribed in the contract conditions approved by the *Empowered Committee / State Government*.
 - (b) The service conditions of the officers of the all India Services/ autonomous Institutions of Government of India working on deputation shall be as per the All India Services Rules/ Service rules of the lending institutions. Similarly, the service conditions of the officers of the State Government/ autonomous institutions of State Government working on deputation shall be as per their relevant Service rules.

(c) In the interest of the School, the Executive Body will have powers to sanction special pay/allowances or other facilities to the officers/ employees on deputation, during the tenure of their deputation,

34. *General disqualifications for officers and employees:* Any person, who has any direct or indirect interest in any contract or employment of the School, either himself or through his /her partner or agent shall neither be eligible for appointment nor be allowed to continue as an officer or employee of the School, as the case may be.

Chapter 8 : General

35. In case where a notice is to be served, posting the notice to the last known address of the members/persons concerned under Postal Certificate shall be deemed sufficient for the purpose.

36. No act of Governing Body or the Executive Body shall be deemed invalid by reason of any defect in their constitution or by reason of any vacancy therein not having been filled in accordance with the Regulations.

37. *Emergency powers of the Registrar:* In case the School fails to call the Annual General Meeting within the stipulated time the Registrar, Firms and Societies, can call the meeting and decide the agenda.

38. *Bank Accounts:* Unless there are State Government directions to the contrary, all receipts and funds specified in the foregoing provisions and forming part of the fund of the School shall be deposited in any scheduled Bank. All such accounts shall be operated by the Director-General or the officers as may be authorized by him or the Governing Body or Executive Body.

39. *Super session of the Governing Body of the School:*

(a) In the event of super session of the Governing Body (Board) as per the Provisions of the section-33 of the Act :

1. The Chairman and all the members shall vacate their offices from the date of publication of notification of super session of the Governing Body.
2. All the powers and functions exercised or performed by the Governing Body and Chairman or on their behalf, under the Act/rules /bye-laws, shall be exercised by an authority or person decided by the Government, during the period of super session.
3. All funds and other property vested in the School shall, during the period of super session vest in authority or person referred to in clause 2, and
4. All liabilities, legally subsisting and enforceable against the School, shall be enforceable against the authority or person referred to in clause 2, to the extent of the funds and properties vested in it or him.

(b) On the expiry of the period of super session specified in the notification issued under sub-section (a), the State Government may:

1. Extend the period of super session for such further period as it may consider necessary, or
2. Reconstitute the Body.

40. *Dissolution of the Body:* On the dissolution of the Body due to reasons assigned and

procedure prescribed in section-34(1) of the Act of the cancellation of the registration of the School under section-34(2) of the Act :

- 1.All properties, funds and dues payable by the School to the Government shall vest in and be realizable by the State Government;
- 2.All liabilities enforceable against the School shall be enforceable against the State Government to the extent of the properties, funds and dues vested in and realized by the State Government.

41. Powers to make Rules:

- (a)The School shall have powers to make rules and amend them as far as they are not inconsistent with the provision of the Act, with prior permission of the State Government.
- (b)In particular and without prejudice to the generality of the above powers, such regulations may provide for:
 1. All matters expressly required or allowed by the Act/Rules/Bye-laws.
 2. Nomination of the persons as the members of the Executive Body and Governing Body under provisions of these regulations.
 3. The creation of the posts and delegations of powers and duties of the School to any official/officials or any committee/committees of the School.
 4. Definition of the duties and conduct of officers and Staff of the School and of other persons employed by the school under this Act for carrying out of the purposes of this Act.
 5. The welfare and entertainment of the staff of the School and the contributions to be made thereof.
 6. The management, use and regulation of dwellings and properties constructed;
 7. The efficient conduct of the affairs of the School.

42. Disputes: The Governing Body may authorize the Chairman of the School to settle any disputes arising out of the functioning of the School. In case the concerned parties are not satisfied with the settlement, they can appeal against the orders of the Chairman to the Registrar. Decision of the Registrar shall be final and binding on all the parties concerned. Legal disputes with school shall be settled in the courts of Bhopal, having jurisdiction to deal with