

**ARTICLES OF ASSOCIATION
OF THE
STATE SPORTS COUNCIL OF MEGHALAYA
AS AMENDED**

GENERAL :

1) DEFINITION :

In these Articles, unless there is something inconsistent with the subject or context :-

“Act” means the Societies Registration Act, 1860 (Act XXI of 1860)

“Council” means the State Sports Council of Meghalaya.

“Government” means the Government of Meghalaya.

“President” means the President of the Council.

“Secretary” means the Secretary of the Council.

“Director” means the Director to the Government of Meghalaya in the Department of Sports & Youth Affairs.

“Chief Engineer” means the Chief Engineer of the Council.

“Year” means the period between the 1st of April of any Calendar year up to and including the 31st of March of the subsequent year.

2) OBJECT :

The objects of the Council shall be as set forth in the Memorandum of Association of the Council.

3) REGISTRATION :

The Council shall be registered under the Indian Societies Registration Act, 1860 (Act XXI of 1860).

4) THE ARTICLES TO COVER THE COUNCIL :

The Regulations for the management of the Council and for the observance of the members thereof shall be such as contained in these Articles.

5) MANAGEMENT OF THE COUNCIL :

The management and control of the Council shall consist of the President, Vice President, Secretary, Chief Engineer, and 6 other members.

6) COMPOSITION OF THE COUNCIL :

The Council shall compose of the following members and office bearers namely ;

- a) President: Minister of the Government of Meghalaya in the Department of Sports & Youth Affairs.
- b) Vice President: Principal Secretary/Commissioner and Secretary to the Government of Meghalaya in the Department of Sports & Youth Affairs.
- c) Secretary: Director, Sports & Youth Affairs.
- d) Chief Engineer, State Sports Council of Meghalaya.
- e) 6(six) other members: to be taken in the manner stated below :-
 - i) 1(one) member each to be nominated by the Govt.from the Department of Finance/ Planning/Education not below the rank of Secretary.

ii) 3(three) other members to be co-opted by the Council.

f) Two Representatives from the Meghalaya State Olympic Association.

7) TERM :

The term of the nominated and co-opted members under sub-clause 5 (a) and 5(b) of Clause 6 of these Articles, shall be two years. They will however, be eligible for re-nomination, on the expiry of their respective term.

8) FILLING UP OF VACANCIES:

a) In case of any vacancy in the Council caused by death, resignation or otherwise, it may be filled up by fresh nomination or selection as the case may be, but the term of this newly nominated or appointed member as the case may be, shall be limited to the unexpired portion of the term of the outgoing member.

b) All posts of Grade-I Officers and above in the Council are to be filled up through promotion. In case, no suitable candidate is available, the Council shall appoint such Officers on contract or on deputation.

9) TERMINATION OF MEMBERSHIP:

a) Any member other than Ex-Officio member shall have the right to resign without assigning any reason.

b) A member who fails to attend four consecutive meetings of the Council without showing sufficient reason may be removed by the Government on the recommendation of the Council.

c) The Office of a member shall opt-so facto be vacated if :-

- He is found to be unsound mind by the Court of competent jurisdiction, or
- He is adjudged an insolvent, or
- He is convicted by the Court of any offence involving moral turpitude and sentenced.

10) DUTIES AND POWERS OF THE COUNCIL:

The duties and power of the Council shall be as follows:-

a) To meet at least four times a year. The Council shall take up matters concerning the progress and activities of various schemes/projects entrusted with the Council.

b) To consider, approve and forward to the Government in the Sports & Youth Affairs Deptt. schemes and projects placed before it by the Secretary.

c) To receive and consider the accounts, the audit report and the Annual Report of the Secretary.

d) To generate revenue for the Council. The Council shall also find out ways and means to provide sufficient allotment of funds in furtherance of the objectives of the Council.

e) To elect members and other office bearers, wherever necessary.

f) To appoint necessary standing or Sub-Committee or Committees wherever necessary.

g) To nominate person or persons to act on behalf of the Council in various for as may be decided.

h) To make necessary bye-laws, Regulations and also to alter, repeat, suspend or amend all or any such bye-laws or Regulations as specified in Clause-29 of this Constitution.

i) To take such steps as many be necessary or expedient to carry into effect the object of the Council.

j) The Council shall take up schemes of the Govt. as and when entrusted.

- k) In addition to the powers mentioned above, to do any or such acts as are deemed to be incidental to and necessary for the furtherance and attainment of the objects of the Council.
- 11) GENERAL MEETING:**
- a) The Council shall hold an Annual General Meeting once in a year.
 - b) In addition to any other meeting, the Council shall hold in each year but within a period of six months after the close of each financial year, a general meeting to be called "The Annual General Meeting" and specify the meeting as such in the notice convening it.
 - c) Every meeting including the Annual General Meeting shall be called at a time during business hours on a day not being a public holiday and shall be held in the Office of the Council or at any other place may be decided by the Council.
 - d) A minimum of seven days clear notice specifying the place, day and hour of each meeting and the agenda thereof shall be given to every member of the Council.
 - e) Non-receipt of the notice by any member due to postal lapse shall not invalidate the proceedings of the meeting.
 - f) A meeting shall be adjourned unless it has the necessary quorum consisting of a minimum of five members present. If, however, in the adjourned meeting the quorum is not present, then the member present shall form the quorum.
- 12) PROCEEDING AT THE ANNUAL GENERAL MEETING**
- The business of Annual General Meeting shall be to receive and consider the accounts, the balance sheet and the Report of the Secretary, the Report of the Auditors and to transact any other business to be specified in the notice calling the meeting.
- 13) HOW QUESTION ARE TO BE DECIDED IN THE MEETING**
- Every question submitted to a meeting shall be decided by show of hands or by secret ballot as may be decided by the President and in the case of equality of the votes, the President, shall have the casting vote. Provided that, in the absence of the President, Vice-President shall have the casting vote or in the absence of both the President and the Vice President, any one of the members present, who has been elected to act as the President under clause (b) of Article 14, shall have a casting vote.
- 14) PRESIDENT**
- a) The President is the head of the Council and shall exercise general supervision over the affairs of the Council.
 - b) The President shall preside over all meetings of the Council and during his absence the Vice President will preside over such meeting. In the absence of both of them, members present shall elect anyone of its members present to act as the President.
 - c) In case of emergency of the works or when circumstances exist which warrant action to be taken before the meeting of the Council can be called, the President may take certain action as may be necessary provided that such action is ratified at the next meeting of the Council.
 - d) All payments in respect of schemes shall be made only with the approval of the President.
- 15) VICE- PRESIDENT**
- The Vice President shall exercise all the powers of the President whenever the latter is absent from the Headquarters of the Council and may also exercise such other functions as may be delegated to him by the President within his powers or by the Council.

16) SECRETARY

- a) The Secretary shall carry out normal administrative functions; perform such other activities as may be required by the Council and make correspondence in the name of the Council and in accordance with such direction that may be given by the Council.
- b) The Secretary shall be responsible for convening the meetings of the Council.
- c) The Secretary may take any such decision keeping the welfare of the organization in new subject, however, to subsequent ratification in a Council meeting.
- d) The Secretary shall also present before the Council Project proposals, progress reports or any other matters, which may be useful for the maintenance and functioning of the Council. He is responsible and accountable to the Council.
- e) The Secretary may take disciplinary action against any Officer or Employee of the Council as may appear necessary for the interest of the Council provided that, when the punishment involves suspension, the matter shall have to be approved or ratified by the Council. However, the aggrieved employee must be given opportunity to be heard. The spirit of the Meghalaya Services (Discipline and Appeal) rules 1964 shall apply.
- f) The Secretary shall obtain the approval of the President of the Council before authorizing the Chief Engineer to make payments.

17) CHIEF ENGINEER

- a) The Chief Engineer shall carry out all functions necessary in relation to execution and supervisions of works entrusted to him by the Council.
- b) The Chief Engineer shall execute all schemes, which have the sanction of the Govt.
- c) The Chief Engineer shall maintain the Accounts of the Council including the Cash Book, Bill Register, the cheque book etc.
- d) The Chief Engineer shall make payments only after obtaining the approval of the President conveyed by the Secretary.
- e) The Chief Engineer shall produce and make available all books of account, Registers, Cash Book etc. for inspection and Audit as may be required for examination.
- f) Release of payments should be by cheque and after receiving joint signatures of the Secretary, SSCM & Chief Engineer.

18) FUNDS OF THE COUNCIL

- a) The Council shall raise funds through subscriptions, donations, grant or otherwise. Such funds shall be kept in deposit in Bank or Bank authorized by the Council.
- b) The Bank accounts shall be operated by the Secretary and payments shall be made by cheques signed jointly by the Secretary, Chief Engineer of the Council.
- c) The Council shall communicate to the Govt. at the end of each financial year the statement of accounts depicting the flow of fund to the Council and the expenditure incurred.

19) UTILISATION OF FUNDS

- a) The Council shall utilize funds schemes for which they have been sanctioned.
- b) There shall be no diversion of funds from one scheme to another.

Provided that, in exceptional circumstances of urgency where the exigencies of the work so demand, the Secretary may temporarily divert funds from one scheme to another subject to the condition that the implementation of the former is not adversely affected thereby. Provided further that the fund so diverted replenished and adjustment made in any case within the next financial year.

Provided further that in all such cases the matter may be placed before the Council for ex-post facto approval.

20) BUDGET

- a) The Council shall prepare the budget and present the same to the Governing Body for approval. The Annual Budget when approved shall be taken to be the budget of the year and likewise, it shall be taken out every year.
- b) The annual Budget of the Council shall be drawn up within the 31st July of the Year. all normal re-appropriation under the budget shall be done by the Council on or before 15th August every year.
- c) The Council shall not consider any re-appropriation of schemes entrusted by the Govt. unless it has the consent/approval of the Govt.
- d) All re-appropriation proposals when approved by the Council shall be submitted to the Govt. within 20th August every year for approval and budgetary sanction. The budget proposals shall not exceed the grant expected from the Govt. in any financial year or the total resources at the disposal of the Council from other sources.
- e) In case of any likelihood of any additional grant from any saving from the Govt. the Council shall draw up supplementary budget and submit the same to the Govt. for according sanction.

21) BOOKS OF ACCOUNTS

- g) The Council shall cause to keep all books of accounts to be kept in respect of:
 - i) All sums of money received and expended by the Council and the matter in respect of which the receipt and expenditure take place.
 - ii) All sales and purchase of goods by/from the Council.
 - iii) The assets and liabilities of the Council.
- h) The books of accounts shall be kept at the registered Office of the Council.
- i) The books of accounts of the Council shall be preserved in good order and shall be opened to auditing/accounting as and when desired.

22) AUDIT

Once at least in every year, the books of accounts including the registers, the cashbook etc of the Council shall be examined by the authorized Accountant and the correctness of the balance sheet and profit and loss accounts shall be ascertained as per the provisions of the Societies Registration Act, 1860.

In respect of grant-in-aid from the Govt., the Examiner of Local Accounts shall audit the accounts as per prescribed procedures.

23) STAFF

- a) The Council shall from time to time create such posts as may be required by the Council depending upon the resources available with sanction of the Govt. in the Sports & Youth Affairs Deptt.
- b) The Council shall not take any responsibility to grade its employees as those governed by Govt. circulars and sanctions.

24) COMMON SEAL

The Council shall have a common seal which shall be kept under the custody of the Secretary. The seal shall be affixed to such deeds and documents as may be required by the Council and shall be so affixed after obtaining signatures/countersignatures on the deeds and documents. The seal shall be affixed to all documents, which may be required by the Govt.

25) COURT PROCEEDINGS

The Council shall sue or be sued in the name of the State Sports Council of Meghalaya represented by the Secretary.

26) RIGHTS OF THE GOVERNMENT

Notwithstanding anything which contained in any of these Articles, the Council shall, from time to time, consult the Govt. on any matters as it may deem fit. However, the Govt. shall have the right to issue such directions to the Council on any matter as it thinks fit and the Council shall then comply with such directions.

27) SERVICE OF NOTICE

The Council may give a notice to any member either personally or by sending it by post to the address furnished by the members.

28) WINDING UP

- a) Three fourth of the members of the Council may at any time determine that the Council shall be dissolved and thereupon at the time agreed upon and all necessary steps shall be taken in the disposal and settlement of the property of the Council and its claims and liabilities according to the direction of the Govt.
- b) If upon the dissolution of the Council there remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the members of the Council or any of them, but it shall be disposed of in such manner as may be determined by the Council.

29) AMENDMENT OF THE ARTICLES

These articles shall not be added to, amended, altered, replaced or suspended except with the prior approval of the Govt. and the consent of the two – third of the members present and voting at the meeting of the Council duly convened under these Articles for the purpose of such addition, amendment, repeal or suspension.

30) INTERPRETATION IN CASE OF DOUBT

The Govt. shall be the final authority for the interpretation of any of these Articles and the Regulations, bye-laws or rules made there under.

31) PROCEEDINGS NOT INVALID FOR FAILURE TO COMPLY WITH RULES

No resolution or action passed or taken by the Council shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the Constitution of the Council.

Sd/- L.ROY, IAS
Commissioner & Secretary
Sports & Youth Affairs Department
Government of Meghalaya

Memo.No.SYA.45/2005/63,

Dated Shillong, the 1st September, 2005

Copy forwarded to :-

- 1) P.S. to Chief Minister in charge Sports & Youth Affairs for information of Hon'ble Chief Minister.
- 2) Director, Sports & Youth Affairs, Meghalaya, Shillong.
- 3) Chief Engineer, State Sports Council Meghalaya, Shillong.

- 4) Law Department.
- 5) Personnel & AR (SRC) Department.
- 6) Director, Printing and Stationery, Shillong with a request to publish the Articles of Association in the official Gazetted.

Yours faithfully

Sd/- P.S.Dkhar, MCS
Officer On Special Duty
Sports and Youth Affairs Department

**GOVERNMENT OF MEGHALAYA
SPORTS AND YOUTH AFFAIRS DEPARTMENT**

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NOTIFICATION

Dated Shillong, the 10th October,2006

No.SYA.45/2005/92 :- The Governor of Meghalaya is pleased to partially amend the Articles of Association of the State Sports Council Meghalaya which was notified vide No.SYA. 45/2005/63 dt.1st September, 2005 as following :-

- A) Clause No.14(d), 16(f) and 17(d) should be read as follows :-
All payments in respect of construction work and technical payments in respect of establishment and other office contingencies should be made on the approval of the Secretary.
- B) Clause No.18(b) should be read as :-
Payments should be made by cheques to be jointly signed by the Chief Engineer and Accountant.
- C) Clause No.23 should be read as :-
Appointment of staff should be made only on the approval of the President based on the availability of fund and requirement of such appointment but expenditure for the purpose should be met strictly from the grant-in-aid provided by the Government and fund generated by the Sports Council on its own.
- D) Matter relating with the allotment of construction works, selection of New Schemes and other un-scheduled works should be taken up only on the approval of the President, State Sports Council Meghalaya.

Sd/- A.Mawlong, MCS
Officer on Special Duty to the Govt.of Meghalaya
Sports and Youth Affairs Deptt.

Memo.No.SYA.45/2005/92-A

Dated Shillong, the 10th October,2006

Copy to :-

- 1) The Minister In-charge, Sports & Youth Affairs and President, State Sports Council Meghalaya for information of the Hon'ble Minister.
- 2) The Director, Sports & Youth Affairs for favour of information.
- 3) The Chief Engineer, State Sports Council Meghalaya for favour of information.
- 4) Law Department for favour of information.
- 5) Personnel & A.A. Department for favour of information.
- 6) The Director, Printing & Stationery with a request to publish this Notification on the Special Gazette.

Sd/- A.Mawlong, MCS
Officer on Special Duty to the Govt.of Meghalaya
Sports and Youth Affairs Deptt.