

ANANDPUR SAHIB FOUNDATION
RULES & BYE LAWS

INTRODUCTION

These rules may be called the Anandpur Sahib Foundation Rules & Bye-laws, 1999.

In these rules, unless the context otherwise requires: -

- (a) "Deed" means the Deed of Declaration of Anandpur Sahib Foundation.
- (b) "Trust" means Anandpur Sahib Foundation.
- (c) "Chairman" means Chairman of the Trust.
- (d) "President" means President of the Executive Committee of Anandpur Sahib Foundation.
- (e) "Committee" means a Committee constituted by the Trust.
- (f) "Member Secretary" means Member Secretary of the Trust.
- (g) "Member" means member of the Trust includes Chairman & Member Secretary thereof.

PREPARATION OF BUDGET ESTIMATES

1. Not later than 1st February of each year, Chief Executive Officer (CEO) of Anandpur Sahib Foundation (ASF) shall prepare estimates of income and expenditure (both capital & revenue) of the ASF for the ensuing financial year. The form in which the Budget Estimates of Income and Expenditure shall be prepared in the prescribed performa to be approved by the Executive Committee. This will be supplemented by CEO's note explanatory to the Budget which will encompass broadly the entire spectrum of activities proposed to be undertaken in each division and highlights of the plans, programmes and projects etc slated for the next year to which the Budget relates.

2. The estimates shall be prepared in rupees. Element of Foreign Exchange in the estimates of expenditure may be indicated in the remarks column of the detailed statements appropriately.

APPROVAL OF THE BUDGET ESTIMATES

3. The Budget Estimates of the ASF for the next Financial Year shall be submitted by the Executive Committee for approval of the ASF in the February each year.
4. On approval of the Budget Estimates by the ASF Trust, the funds provided therein shall be at the disposal of the Executive Committee. On such an approval forthcoming, the Executive Committee or its authorised officer may incur expenditure from the Trust funds.

However, if due to delay in holding of its meeting or otherwise for reasons to be recorded and placed before the ASF in its next meeting, the ASF is not in a position to approve the Budget by the 31st March, Executive Committee may proceed to incur expenditure in accordance with the draft Budget pending its approval for the first three months of the Financial Year subject to approval of the whole budget by the Trust in the meantime.

RE-APPROPRIATION

5. Out of the total funds provided for expenditure, Executive Committee shall re-appropriate funds from one Division to another after obtaining approval of the President of the Executive Committee. All such re-appropriations shall be reported to the Executive Committee.

SUPPLEMENTARY BUDGET

6. Subject to the provisions of Byelaws, if at any time during the course of the year, it is felt that the total Budget allotment, will not be sufficient to meet the requirements of the entire financial year, CEO may approach the ASF for

grant of additional funds. For this purpose, an explanatory memo will be put up by the CEO for approval of the ASF.

On its approval, additional funds provided for in the Supplementary Budget shall be at the disposal of the Executive Committee as per Byelaw 4 above.

7. Normally, no money shall be spent or liability incurred which may cause the expenditure to exceed the funds budgeted for. However, if a contingency arises in which some inevitable payments have to be made or liabilities have to be incurred, Executive Committee of ASF may allow it with the approval of the President of the Executive Committee. The excess over the Budget provisions including any supplementary Budget shall be reported to the ASF and got approved by it.

FUNCTION AND POWERS OF TRUST

8. The Trust shall exercise general superintendence over the functioning and affairs of Anandpur Sahib Foundation, its organs and authorities.

DELEGATION OF POWERS

9. No administrative sanction shall be issued nor any expenditure shall be incurred from the funds of the ASF unless it has been sanctioned by an officer authorised by the Executive Committee Anandpur Sahib Foundation.

- (a) by the provisions of the Deed of Declaration of the ASF Trust or
- (b) by these Byelaws or any other rules or orders issued by or under the authority of the ASF, or
- (c) by any general or special orders issued on the authority of the Executive Committee.

Subject to the provisions of the Deed of Declaration of ASF Trust, all powers, not specifically delegated to any authority by these Byelaws vest in the Executive Committee provided that no expenditure shall be incurred as above.

beyond the Financial Powers and limits by the concerned Officer (s) as be prescribed by the Executive Committee from time to time.

10. Subject to the provisions of the Deed of Declaration and of these Bye-laws, Executive Committee or its authorised officer or a Committee of Officers shall have

- (i) Full powers to create and abolish posts, to hire/recruit and terminate the services of staff, fix remuneration and settle other terms, conditions of employment.
- (ii) full powers to sanction recurring or non-recurring contingent expenditure, revenue expenditure and capital expenditure.
- (iii) full powers to sanction miscellaneous and project expenditure.
- (iv) powers to write off irrecoverable losses of stores or of Trust's money or loss of revenue or irrecoverable loans and advances and deficiencies and depreciation in the value of stores (other than Motor Vehicles and Motor Cycles) upto Rs. 5 lakhs in a year.
- (v) power to condemn motor vehicles upto Rs. 5 lakhs (original cost) in each case after they have outlived their life provided that the lives of vehicles in terms of distance run and length of use in years, whichever is reached later, as fixed by the Executive Committee.
- (vi) full powers to sanction grants-in-aid and scholarships, loans and advances etc.
- (vii) power to declare stores and equipment obsolete, surplus or **unserviceable** upto Rs. 1 lakh in each case.

However, all cases of write off of irrecoverable losses of stores or of Trust's money and loss of revenue, irrecoverable loans and advances and deficiencies in the value of stores shall be reported to the ASF in a statement to be annexed to the Annual Accounts. This Statement should cover all writes off ordered during the relevant accounting year. Stores and Equipment declared obsolete, surplus or unserviceable shall also be similarly reported.

11. CEO shall have the authority to enter into all contracts, deeds or other instruments on behalf of the ASF after these have been drawn up in consultation with a legal adviser after approval by the Executive Committee.

CEO also shall have full powers to file and defend suits and other legal proceedings by or against the ASF and to compromise, settle, compound in or out of Court, or refer to arbitration all suits, actions and other proceedings whatsoever.

12. President of Executive Committee may declare any officer of the ASF as Head of the Department and on his being so declared, he shall exercise the powers delegated to a Head of Department by any orders of the Executive Committee.
13. President of Executive Committee may declare any officer of a Division to be Head of the office of that Division, and on his being so declared, he shall exercise the power delegated to a Head of office by any orders of the Executive Committee.

ACCOUNTS

14. The annual accounts of Anandpur Sahib Foundation shall be kept on double entry book-keeping system. The form in which the annual Receipts and Payments Account, Income and Expenditure Account and Balance Sheet shall be prepared in the Performa as approved by the Executive Committee. CEO may add a new head of account and delete, amplify, modify or replace an existing head of account in keeping with the progressive requirements of the activities of the ASF.

15. CEO shall have the annual accounts prepared immediately after the closure of the financial year so that these accounts duly audited are ready to be submitted to the Executive Committee and the Trust by the 30th June following the closure of the financial year to which these relate.
16. CEO shall ensure that quantity accounts of stores of all consumable goods/articles and both quantity and value accounts of stock of non-consumable goods/articles and assets such as land buildings, installations, fixtures, vehicles, acquisitions etc. are kept in each Division and that the Stores, stocks and assets are physically verified at least once in each year by a responsible officer other than the one who is in charge thereof. In the case of library, however, sample verification may be done each year so that all the sections of the library get physically verified in a period of five years.

AUDITOR

17. The auditors shall be appointed by the ASF. The auditors so appointed shall have the right of access to books, accounts, paid vouchers and other connected documents and papers relating to the accounts.
18. If any expenditure from the funds of ASF consists of grants to any authority, body, a group of persons or individuals, the Auditor of the ASF will normally accept a certificate of audit from the grantee's statutory auditor or chartered accountant confirming utilisation of such a grant.

However, in all sanctions to such grants, a condition shall invariably be laid down that the accounts of such authority, body, group of persons or individuals shall always be open to check by officers or auditors of the ASF.

COMMUNICATION OF SANCTIONS

19. Sanctions accorded by the Executive Committee or its authorised officer may be communicated to the Accounts Branch by such officer duly signed by him.

MEETING OF TRUST:

20. The Chairman shall cause the meetings of the Trust to be convened and shall preside over these meetings, at which he is present. In the absence of the Chairman any member chosen by the members present in the meeting, shall preside over the meeting.
21. The meeting can also be called on the requisition of members provided one third of total member of the trust give in writing to the Chairman of their intention to call such meeting and the Chairman shall be bound to call meeting within one month from the date of receipt of such notice.
22. The requisition shall set out the matters for the consideration of meeting and all the papers to be called shall be signed by the requisitionist.
23. The notice of the meeting shall be issued by the Member Secretary or in his absence by any other officer of the Trust authorised by the Chairman and notice of seven days shall be given to all the members.
24. Any accidental omission to give notice to or the non-receipt thereof by any member shall not invalidate any resolution passed at any such meeting.
25. The meeting of the Trust shall be held at the Registered Office of the Trust or at any such other place as may be decided by the Chairman.
26. The meeting shall stand adjourned if quorum is not present within half an hour from the time fixed for the meeting and no quorum shall be required at the adjourned meeting for transacting the same business for which the meeting was originally called and adjourned for want of quorum. A fresh notice shall be issued for the adjourned meeting.
27. The minutes of each meeting of the Trust shall be recorded by the Member Secretary and in his absence by any other officer authorised by the Chairman and

submitted to the Chairman of the meeting for approval and signatures. A copy of the minutes shall then be sent by the Member Secretary to each member.

28. Minutes shall be recorded in the books and same shall be signed by the Chairman of the meeting to which it relates or by the person presiding at the next succeeding meeting for the purpose of authentication of the business transacted at that meeting.
29. The books containing the minutes shall be in the custody of Member Secretary or any other person authorised by the Chairman.

MEETING OF EXECUTIVE COMMITTEE:

30. The Committee shall meet together for the despatch of business as frequently as the business may require but at least four such meetings shall be held in every Calendar Year and one in each quarter.
31. President of the Committee shall be the Chairman of the Committee meeting. In case, President is not present, the members shall chose any member present as the Chairman of the meeting.
32. The Chief Executive Officer of the Trust shall issue notice of the meeting, normally three days notice shall be given to all the members of the Committee but these meetings can be called on shorter notice or informing to the member on telephone, if the business so requires.
33. One third of the total strength of the Committee or two members whichever is higher shall be quorum for the meeting.
34. If no quorum is present within half an hour, the meeting shall stand adjourned to the same day and same time in the next week.

35. No notice shall be required for the adjourned meeting and the member present in the meeting shall form the requisite quorum.

36. The minutes of the Executive Committee meeting shall be recorded and kept by Chief Executive Officer of the Trust.

37. The minutes shall be recorded in separate books and shall be signed by the Chairman of the meeting as an evidence of the business transacted at that meeting.

38. The minutes shall be circulated to all the members of the Committee within one month or before the issue of notice of the next meeting, whichever is earlier.

DATE OF EFFECT

39. These Bye-laws will come into effect from the date of its approval by the Executive Committee, which shall also be deemed to be the date of its approval by ASF vide resolution no. 3 passed in Trust meeting held on 25th October 1998.

40. Any action taken or expenditure or liability incurred prior to the date on which these rules come into effect, shall not be invalid on the sole ground that these rules had not come into effect at such earlier date when the action was taken or expenditure or liability incurred.

Certified that the above "Rules & Bye-laws" from page 1 to page 9 were approved in the 17th meeting of Executive Committee presided over by Capt. Kanauljit Singh, Finance Minister, on 25.10.1998

NON OFFICER

ANANDJI SINGH FOUNDATION

Plot No. 3, Sector 33-A Chandigarh