

MEMORANDUM OF ASSOCIATION OF THE GOA STATE AIDS CONTROL SOCIETY, (GSACS) (Status at the time of registration with the District Registrar and Notary Service, North Goa.)

- I. (a) Name of the Society: Goa State AIDS Control Society,
(b) Registered Office: -

The Registered office of the Society shall be situated at

Directorate of Health Services,
Campal –Panaji
Goa-403001.

- (c) Objects of the Society: -

- (i) To prevent HIV transmission and control its spread.
- (ii) To reduce morbidity and mortality associated with HIV infection;
- (iii) To reduce the adverse social and economic impact resulting from HIV infection;
- (iv) To coordinate and strengthen STD/HIV/AIDS surveillance
- (v) To provide technical support in HIV/AIDS prevention and control to Government and Non-Government Organization;
- (vi) To develop skills in clinical management with focus on biosafety;
- (vii) To develop health promotion interventions among high risk behaviour groups;
- (viii) To enhance the community awareness, specifically knowledge attitude and Practice of high risk groups;
- (ix) To develop health education materials for distribution and adoption by agencies working in AIDS prevention;
- (x) To channelise and integrate the activities of Non –Government Organization in AIDS control prevention;
- (xi) To provide facilities and to strengthen the centres for control of Sexually Transmitted Diseases both in Government and private medical institutions and practitioners;
- (xii) To develop counselling services;
- (xiii) To organise social support for management of HIV infected and AIDS patients;
- (xiv) To undertake operational and Bio-medical research;
- (xv) To monitor the development of HIV/AIDS epidemic in the State;
- (xvi) Any other measures related to AIDS control as per guidelines of National AIDS Control Organisation

II. Programmes and Activities

- (a) To strengthen Sexually Transmitted Disease clinics and to coordinate Sexually Transmitted Disease Surveillance;
- (b) To launch an intensive campaign about the preventive aspects of STD/HIV infection;
- (c) To support Blood safety measures;
- (d) Other activities related to the objectives stated above;

III.Strategy:

The society would adopt a multi-pronged approach that would focus on the most critical intervention being limiting HIV transmission. It would also set a basis for more extensive HIV/AIDS control activities in the future. It would take into account currently available scientific information and the lessons of experience from AIDS control worldwide. The activities would be intergraded to the maximum extent with the existing Health Infrastructure and would also make extensive use of the private sector and NGOs in areas in which they have a comparative advantage.

IV. (a) The apex body of the society is the Governing Body. The Governing Body shall consist of not more than thirty persons from various bodies such as Government, Medical, Public Health, Non –Government Organization, Voluntary Health Services and UNICEF or any Central Government Organisation representative etc.

(b) The governing Body of the Society shall consist of the following members:

(1) Chief Secretary	Chairman
(2) Commissioner (Finance)	Member
(3) Secretary (Health)	Member
(4) Secretary, Planning Department	Member
(5) Secretary, Social Welfare Department	Member
(6) Secretary, Education Department	Member
(7) Secretary, (Industry)	Member
(8)Secretary, Women and Child Welfare Department	Member
(9) Secretary, Labour	Member
(10) Secretary, Urban Development Department	Member
(11) Secretary, Transport Department	Member
(12) Secretary, (Tourism)	Member
(13) Dean, Goa Medical College	Member
(14) Director of Health Services	Member
(15) Director of Information & Publicity	Member
(16) Station Director All India Radio	Member
(17) Director of Sports and Youths Affairs	Member
(18) N.S.S. coordinator Goa University	Member
(19) Station Director (Doordarshan)	Member
(20) Three Members to be nominate by Governing body	Member
(21) Representative of UNICEF/ WHO	Member
(22) Representative of NACO	Member
(23) Director of Tourism Department	Member
(24) Project Director	Member Secretary

The Governing body shall be empowered to invite special invitees other than those mentioned above as and when required.

(c) The tenure of the NGO representative nominated by Governing Body shall be two years. The control of administration and management of the affairs of the Society's shall vest with the Governing Body in accordance with the rules and regulation of the Society.

V. The EXECUTIVE COMMITTEE OF THE SOCIETY shall consist of the following members.

- | | |
|---|----------------|
| 1. Secretary (Health) | Chairman. |
| 2. Dean, Goa Medical College | Vice Chairman. |
| 3. Director of Health Services | Vice-Chairman. |
| 4. Director of Education | Member. |
| 5. Director of the Women & Child Welfare Dept | Member. |
| 6. Joint Secretary, Finance Department, | Member. |
| 7. Director of Tourism | Member. |
| 8. Coordinator, NSS Goa University | Member. |
| 9. Director of Social Welfare, | Member |
| 10. Prof & Head Department of Microbiology | Member. |
| 11. Chairperson of Social Advisory Board | Member. |
| 12. HOD, Department of PSM, GMC. | Member. |
| 13. Chairperson of Social Welfare Advisory Board | Member |
| 14. HOD, Department of PSM, GMC | Member |
| 15. President of Goa Psychiatric Society | Member |
| 16. Three Members from NGO to be nominated
by governing body | Member. |

V. TECHNICAL ADVISORY COMMITTEE – Following are the members:

- | | |
|--|--------------|
| 1) Director, DHS | -Chairperson |
| 2) Project Director, GSACS | -Member |
| 3) Prof. & Head, Dept. of Microbiology, GMC | -Member |
| 4) President, Goa Psychiatric Society | -Member |
| 5) Joint Secretary (Finance) | -Member |
| 6) Chairperson, Goa State Social Welfare Board | -Member |
| 7) Chartered Accountant | -Member |
| 8) M & E Officer, GSACS | -Member |
| 9) NGO member | -Member |
| 10) PLHA member | -Member |
| 11) NGO Advisor | -Convenor |

Technical Advisory Committee has been constituted in Goa State AIDS Control Society to give advise on technical matters pertaining to NGOs working on targeted interventions. All the proposals received from NGOs have to be placed and scrutinized by the TAC. On the recommendation of the TAC the proposals may be selected or rejected. Before the selection, members of the TAC also conduct field appraisal. The recommendations are then placed before the Executive Committee for the final approval of the budget allocated for each NGO. NGO Advisor is the convenor of the Technical Advisory Committee.

VI. IEC COMMITTEE, GSACS – Following are members of the IEC Committee:

- | | |
|----------------------------|--------------------|
| 1) Secretary (Health) | - Chairperson |
| 2) Project Director, GSACS | - Vice Chairperson |

- | | |
|--|-------------|
| 3) Mr. Suhas Sardesai Principal, Mustifund | - Member |
| 4) Mr. Sandesh Prabhu Desai Editor, Sunaparant | - Member |
| 5) Director, Information & Publicity | - Member |
| 6) Director, All India Radio | - Member |
| 7) Station Director, Doordarshan Kendra | - Member |
| 8) Dy. Director (IEC) | - Secretary |

Function of IEC Committee - The committee meets once in two months to discuss and finalise the agenda on the target specific & focused IEC strategies.

VII. THE PURCHASE COMMITTEE, GSACS consist of the following members:

- | | |
|---|-------------------|
| 1) Project Director, GSACS | -Chairperson |
| 2) Finance Officer, GSACS | -Member Secretary |
| 3) Dy.Director (Senior most in GSACS)
(for material required in GSACS) | -Member |
| 4) HOD, Microbiology, GMC or his representative
(for material required for VCTCs) | -Member |
| 5) Doctor I/C Blood Bank or his representative
(for materials required for Blood Banks in Goa) | -Member |
| 6) Chief Medical Officer (STD), DHS or his
representative (for materials required for STD Clinics) | -Member |
| 7) Joint Secretary (Finance) | -Member |

BYE-LAWS OF THE SOCIETY.

- | | |
|----------------------------|---|
| (1) Name of the Society: | Goa State AIDS Control Society, |
| (2) Address: | 1 st Floor, Dayanand Smruti Building,
Swami Vivekanand Road,, Panaji. |
| (3) Date of starting: | Actual date of Starting. |
| (4) Area of the society: | Whole of the state of Goa |
| (5) (Office) Working Hours | 9.45 A.M. to 5.30 P.M. |

1. Short title and commencement: -

1.1 These rules may be called the Goa State AIDS Control Society, Rules, 1998.

1.2. They shall come into force from the date of the registration of the Society.

(Date of commencement of the Society: As soon as it is registered)
under the Societies Registration Act, 1860 (Central Act 21 of 1860)

2. Definition: In these rules, unless the subject or context otherwise requires

- (a) Act, means the Societies Registration Act, 1860 (Central Act 21 of 1860)
- (b) Governing Body means the Governing Body of the Society.
- (c) Executive Committee means the Executive committee of the Society.
- (d) Government means the Government of Goa.
- (e) Society means the Goa State AIDS Control Society,

3. Authority of the Society: The following shall be the Authorities of the Societies namely.

3.1. Governing Body.

3.2. Executive Committee;

3.3. Such other Authorities as may be constituted by the Governing Body;

4. Rights, powers and duties of the Governing Body.

4.1. All property, movable, immovable or of any kind shall vest in the Governing body.

4.2. The business and affairs of the Society shall be carried on and managed by the Governing body.

4.3. The Governing body shall have all such powers and shall perform all such functions as are necessary or proper for the achievement of and furtherance of the objectives of the Society.

4.4. Without prejudice to the generality of the foregoing provisions, The Governing body shall have following powers and rights:

4.4.1. to acquire by gift, purchase, exchange, lease or otherwise land, building or other immovable properties together with all rights pertaining thereto;

4.4.2. To prepare and execute detailed plans and proposals for establishment and development of the society and for carrying on its administration and management.

4.4.3. To receive grants in aid accept other grant of money, gifts, donations and contributions in kind or cash, securities, fees, negotiable instruments, other forms of assistance from other sources such as World Bank, UNICEF, USAID, WHO, Central and State Governments, National AIDS Control Organisation other National and International agencies and other local bodies and enter into any agreement or arrangement for receiving such assistance;

4.4.4. To improve and recover fees and charges for the services rendered by the society, to raise funds as deemed fit and necessary for the purposes and objectives of the society;

4.4.5. To improve and adopt and prepare annual reports, financial statements of accounts, financial estimate of the body, Budget allotment and financial requirements of the Society;

4.4.6. To enter into agreement for and on behalf of the Society;

4.4.7. To sue and to be sued and defend all legal proceedings on behalf of the Society;

- 4.4.8 To make sign and execute all such documents and instruments as may be necessary for carrying out the management of the property or affairs of the Society;
 - 4.4.9 To perform all such acts and do all such things as may be necessary for the proper management of the properties and affairs of the Society;
 - 4.4.10 To appoint auditors of the Society;
 - 4.4.11 To make regulation for the management of the affairs of the Society when required;
 - 4.4.12 The Governing Body may delegate its specific rights, powers and duties and assign such functions and responsibilities as are considered necessary to the Secretary of the Society;
 - 4.4.13 The Deputy Director (AIDS) in charge of the AIDS programme shall be member Secretary of the Governing Body till the time project Director is nominated as per the Project Implementation Plan for Second Phase 1999-2004;
 - 4.4.14 Notwithstanding anything contained in these rules when a person becomes a member of the Governing Body by reason of the office or appointment he holds, his membership to the Governing body shall cease when he ceases to hold that office or appointment;
 - 4.4.15 The tenure of non-official members shall be for 2 years from the date of their nomination to the Governing Body such Members after their two years tenure will be eligible for re-nomination;
 - 4.4.16 The member of the Governing Body shall cease to be member if he resigns, become of unsound mind, becomes insolvent or convicted of a criminal offence involving moral turpitude or removal from the post virtue of which he was holding the membership;
 - 4.4.17 Resignation of membership shall be tendered to the Governing Body in person to its Member Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairman.
5. Meeting of the Governing Body: Subject to the provisions of the Act, the Governing Body shall meet at least twice in a year.
 6. Special Meeting: The Chairman of the Society may convene special meetings of the Governing Body to discuss any matters of special importance or urgency or on the written requisition of not less than seven /eight members of the Governing Body, specifying the purpose for which the meeting is proposed to be called for.

7. Notice of the Meeting: Every meeting of the Governing Body shall be convened by notice issued under the hand of the Member Secretary of the Society so authorized in this behalf. Every notice calling for the meeting of the Governing Body shall be issued to every member not less than 2 week before the day fixed for the meeting except in the case of special meetings where notice shall be issued seven days before the day fixed for the meeting.
8. Quorum: of the meeting one third of the membership including the Chairman present in person shall constitute the quorum for any meeting of the governing Body provided that, if meeting is once adjourned for want of quorum a subsequent meeting called on the basis of the same agenda shall not require the quorum
9. Presiding Officer of the meeting: - The Chairman of the Society shall ordinarily preside at all the meeting of the Governing Body in the absence of the Chairman, the Vice-chairman shall preside and in the absence of the both the Chairman and the Vice chairman, the members present shall choose one from amongst themselves to preside over the meeting.
10. Voting: in case of difference of opinion amongst the members on any matter under discussion in a meeting, the opinion of the majority present shall prevail.
11. Proceeding of the meeting:-
 - 11.1. All business of the Society shall as far as possible, be recorded as proceedings of the Society
 - 11.2. The proceeding of the Society shall be circulated to all the members.
- 12 . Emergency powers of the Chairman and the Member Secretary:- Nothing in these rules shall prevent the Chairman and Member Secretary from exercising all powers of Governing Body in case of emergencies for furtherance of the objectives of the Society and action taken shall be reported to the Governing Body at the next meeting of the Governing Body.
- 13 Staff of the Society:- The staff of the Society shall be the persons on deputation from the Government Services of the Government of Goa nominated/appointed on deputation as per the Project Implementation Plan for Goa (annexure enclosed) The existing staff of AIDS cell shall be on deputation tom the society.
- 14 Rights, Powers, and duties of the Executive Committee:- subject to the provisions of these rules and regulations, the Executive Committee shall have the following powers and function namely
 - 14.1. The Executive Committee shall be responsible to the Governing Body for the efficient running of the affairs of the Society.

14.2. To create, within the budget allotment any post on consolidated salary upto Rs.10,000/- per months and appoint from time to time such employees on such terms and conditions as it deems fit for carrying out the management and affairs of the Society. Creating posts and appointment to posts for salaries higher than Rs. 10,000/- per month, will rest with the Governing Body.

14.3. To propose amendments to existing Bye-Laws for consideration and adoption by the Governing Body.

14.4. To approve all the Annual Reports prepared by the Member Secretary and to place before the Governing Body for its adoption.

14.5. Special financial powers of the Executive Committee

14.5.1 To sanction expenditure upto rupees 15 lakhs only for a single work and Rs.15 lakhs only at a time for a number of works at the same, which shall be included in the project;

14.5.2. To sanction expenditure upto Rs. 15 lakhs on non-work item at a time in respect of all items or schemes which can be included in the project;

14.5.3. To sanction expenditure upto Rs.15 lakhs at a time on all schemes or items which have been included in the approved project;

14.5.4. To sanction job consultancy services on remuneration basis of more than Rs. 2.50,000/-.

14.6 Decisions on financial expenditure will be taken by the Executive Committee, only if the Finance Secretary of Government of Goa or his nominee attend the meeting and he has an opportunity to express his views on the proposal. Any proposal for financial expenditure beyond the above limit shall be placed before the Governing body on its General Meetings, as the case may be, for its approval.

14.7.The Executive Committee will have a maximum of 15 members.

14.8.The Executive Committee can delegate any of its functions to the Member Secretary.

15. Meeting of the Executive committee:

15.1. The executive committee shall ordinarily meet once in two months or more often if necessary. Five members of the committee including the Chairman present shall constitute the quorum of the meetings. Approval of the Executive Committee shall be obtained by circulation of proposals to its members.

16. Tenure of the Executive Committee (Non Officials members): The tenure of non-officials members shall be for a period of one year from the date of their nomination to the Executive Body. Such members after their one-year tenure will be eligible for re-nomination.
17. Resignation. Resignation of a member from the Executive Committee shall be tendered to the society and shall not take effect until it has been accepted on behalf of the Society by the chairman of the Governing Body.

18. Functions of the Office bearers.

18.1. Chairman

18.1.1. He/she shall, whenever present, preside over Governing Body Meetings;

18.1.2. He/She shall coordinate the effects of various executive members for development of the Society.

18.1.3 in case the votes for and against a particular issue are equal, the Chairman shall exercise his/her casting vote;

18.1.4 The chairman may direct the Member Secretary to call a special meeting at a short notice in case of emergency;

18.1.5 The Chairman shall be the sole and absolute authority to judge the validity of the votes cast by members at all Governing Body meetings and Executive committee meetings;

18.2. Vice Chairman:-

The Vice Chairman shall automatically exercise all the powers of the Chairman in the absence of the Chairman.

18.3. Member Secretary:-

18.3.1. The Member Secretary shall be responsible for the day-to-day management of the affairs of the Society, subject to the terms and conditions of the Executive Committee. He shall be the Chief Executive of the Society.

18.3.2. He shall be responsible for management of staff of the society. He shall exercise control and discipline over the employees of the Society (Both Full time and part time).

18.3.3 The Member Secretary shall be authorized to appoint persons to the posts of pay upto Rs.10,000 and below thereof. The terms and conditions of these posts shall be sanctioned by the Executive Committee.

- 18.3.4. To purchase articles and materials including Drugs and Equipment needed for the Society and for carrying out the objectivities of the Society.
- 18.3.5 He shall verify all bills and countersign them before presenting them to treasury for payment. He shall maintain proper books and accounts for the funds received and expended by the Society.
- 18.3.6 He shall arrange for the audit of the accounts of the Society by the auditors appointed by the Governing Body of the Society.
- 18.3.7. He shall convene the meetings of the Governing body. He shall prepare the agenda for the meetings for the circulation to the concerned members. The approved minutes of the meetings shall be circulated by him.
- 18.3.8. He shall sign all Deeds and Documents on behalf of the Society according to the directions of the Governing Body.
- 18.3.9. He shall present the report before the Governing Body meetings of the Society.
- 18.3.10. He shall sue or be sued and defend the Society in all legal proceedings.
- 18.3.11. Any documents or proceeding requiring authentication by the Society shall signed and scaled by the Member Secretary.
- 18.3.12. The Member Secretary shall be responsible for the execution of all policies adopted in different meetings.
- 18.3.13. Special Financial Powers of the Member Secretary:-
- (i) To sanction expenditure upto Rs.5 lakhs for a single work;
 - (ii) To sanction expenditure upto Rs.5 lakhs on non work items at a time in respect of all items or schemes which have been included in the project;
 - (iii) To sanction expenditure upto Rs.5 lakhs at a time on all schemes or items which have not been included in the approved project;
 - (iv) To sanction job consultancy service on remuneration basis upto Rs 3 lakhs;
 - (v) Any proposal for expenditure beyond the limits prescribed above shall be placed before the executive committee for its approval.
 - (vi) The Member Secretary can incur any extra-ordinary expenditure subject to the ratification of the Executive Committee or the Governing Body within 3 months such expenditure.
- 18.3.14. To do such lawful acts as may be necessary and be executed for the achievement of any or all the objectives of the Society.
- 18.3.15. The Members Secretary can sub-delegate his functions with the previous approval of the Executive Committee to any officers of the Society.

19. Accountant.

19.1. He/she shall keep overall control over the funds of the Society and manage them property within the policies laid down by the Executive Committee.

19.2. He/she shall prepare the annual balance sheets and the statement of accounts, get them audited and afterwards present them at the general body meeting for approval.

20. Funds of the Society.

20.1. The funds of the society will consist of the following.

20.1.1. Grants in aid, other grants of money, fees, negotiable instruments, other forms of assistance from other sources, World Bank, UNICEF, WHO, Central and State Government, National AIDS Control Organisation, other agencies and other local bodies.

20.1.3. Donations, contribution and gifts in kind or cash.

20.2. The funds of the Society shall be spent towards the promotion of the aims and objectives of the society and shall not be spent on any purpose other than the following.

20.2.1. The payment of salaries, allowances and expenses to the staff of the Society.

20.2.2 The payment of expenses for the administration of the Society including traveling expenses, audit of the accounts of the general funds of the society.

20.2.3. The payment for any legal proceedings which the Society or any members if authorized by the Society thereof is a party when such proceedings are undertake for the purpose of securing or protecting the rights and interest of the society and its members subjects to section 6 of the Act.

20.2.4. Publication of periodicals or magazines furthering particularly the interests of the Society and its members.

21. Accounts of the Society: -

21.1. The funds of the Society shall be deposited in one or more accounts opened with a nationalized bank. The Bank account of the Society will be operated by any of the following two office bearers.

21.1.1. Chairman /Vice-Chairman of the Society.

21.1.2. Secretary of the Society.

21.1.3. The Executive Committee at its discretion limit upto Rs. 25,000/- (Rs. Twenty Five thousand only) the cash balance which may be held by the Secretary to meet sundry expenses of the Society.

21.1.4. Financial Years: The Accounting year for the Society shall be from 1st April to 31st March. The annual income and expenditure accounts balance sheet of the Society, shall be presented at the annual General body meeting within 5 (Five) months of the close of the accounting year, duly audited by the competent auditor nominated at the General Body meeting of the Society.

22. Preparing of accounts:- The Executive Committee shall arrange for the proper maintenance of Accounts with respect to

22.1. All sums of money received and spend by Society and the matters in respect of which receipt and expenditure take place;

22.2. All sales and purchases of goods by the society; and

22.3. All assets and liabilities of the Society.

23. Audit: -

The Chief Internal auditor of the Government of Goa, shall be appointed as auditor of the Society at its annual General Body meeting and he /she audit the accounts of the Society for ensuring year. The auditor of the Society shall have access to the books of accounts and vouchers of the Society, and shall be entitled to require such information and explanation as he/she may think necessary for the performance of his /her duties as auditors.

24. Annual list of Executive Committees:-

Once in every year, a list of the office bearer and members of the Society shall be filled with the Registrar of the Society, Panaji.

25. Legal Proceedings:-

25.1 The Society may sue or be sued in the name of the Member Secretary as per the provision laid down under the Act.

25.2. Any amendment in these rules will be carried out in accordance with procedure laid down under the Act.

26. Dissolution of the Society:-

If the Society needs to be dissolved, it shall be dissolved as per provision laid down in the Act and the net amount remaining at the end shall be donated to a Society, Trust or Institution with similar objects of the society.

27. Application of the Societies Registration Act, 1860 (Central Act 21 of 1860)

Al the provision of the Societies Registration Act 1860 and the Rules framed there under as are applicable to the State of Goa shall apply to the Society.

28. Other Conditions:

28.1. The income and funds of the Society shall be solely utilized towards the objectives of the Society and no proportion of its shall be utilized for payment to the members of the Governing Body of Executive Committee by way of profit , interest , dividend , etc, except remuneration if any, allowed by the Government.

28.2. The Society shall not carry on its activity with the intention to making profit;

28.3. The activities of the Society shall be carried out only in India,

28.4. The investments of the funds of the Society shall be in accordance with the provision of Section 13 (10) d read with section 11 (5) of the Income Tax Act, 1961 (Central Act 43 of 1961)

28.5. The society is irrevocable by the promoters;

28.6. The benefit of the Society are open to all irrespective of casts, religion, sex, etc;

29. Essential Certificate

“Certified that this is the correct copy of rules of the Society”

S/d
Chairman

Health Secretary

S/d

Vice Chairman

Directorate of Health Services

S/d

Member Secretary

Dy. Director (AIDS)