

RULES AND REGULATIONS

1. Short Title

These Rules and Regulations may be called Rules of the Dr. Ambedkar Foundation'

2. Definitions

In these Rules, unless the context otherwise required:

- (i) "The Foundation means Dr. Ambedkar Foundation.
- (ii) "The Library" shall mean Dr. Ambedkar National Public Library.
- (iii) "The General Body" shall mean and consist of all the members of the Foundation.
- (iv) "The Chairperson" shall mean the Chairperson of the Foundation. "Vice-Chairperson" shall mean the Vice-Chairperson of the Foundation.
- (v) The "Governing Body" shall mean the body which is constituted as such under Rule 18 of the Governing Body of the Foundation.
- (vi) The "Secretary" shall mean the Member-Secretary of the Foundation.

3. Members of the Foundation

- a) The Foundation shall consist of the following members:

EX- OFFICIO MEMBERS:

- i) Welfare Minister, Chairperson.
- ii) Executive Vice President
- iii) 11 Ex-officio Members representing the disciplines of education, social work, judiciary and administration
- iv) Financial Advisor of the Foundation.
- v) Secretary/Member-Secretary of Dr. Ambedkar Foundation

4. NOMINATED MEMBERS

32 Members to be nominated by Welfare Minister from amongst eminent Social Workers, Administrators, Educationists, Journalists, etc.

Welfare Minister shall be the Chairperson (Ex-officio) And Vice Chairperson shall be the Executive Vice-President.

5. ROLL OF MEMBERS

The Foundation shall keep a Roll of members and every member of the Foundation shall sign the Roll and state therein his name, occupation and address. No person shall be deemed to be a member or be entitled to exercise any of the rights and privileges of a member unless he has signed the Roll as aforesaid.

If a member of the Foundation changes his address, he shall notify his new address to the Member-Secretary who shall thereupon enter his new address in the Roll of Members. But if he fails to notify his new address, the address in the Roll of Members shall be deemed to be his address.

6. Duration of Membership

(a) Where a person becomes a member of the Foundation by reason of the office or appointment he holds, his membership of the Foundation shall terminate when he ceases to hold that office or appointment. Other members shall hold office for three years unless the authority, which nominates them, terminates their membership earlier, when he will have power to do.

(b) Should any member of the Foundation who is appointed as such, under Rule 3(a), (i) to (ix), be prevented or unable otherwise from attending any meeting of the Foundation or any of its bodies or committees, he shall be at liberty to appoint and authorise a proxy to take his place at that meeting of the Foundation and such proxy shall have all the rights and privileges of a member of the Foundation including the right to speak and vote at that meeting.

7. Any member shall cease to be such member if:-

(a) he/she resigns, because of unsound mind, becomes insolvent or be convicted of an offence involving moral turpitude;

(b) he/she does not attend three consecutive meetings of the Foundation without obtaining leave of absence from the Chairperson;

(c) If he/she other than the Member-Secretary, accepts a full time appointment in the Foundation.

8. A resignation from membership of the Foundation shall be tendered to the Member Secretary and shall not take effect until it has been accepted on behalf of the Foundation by the Chairperson. Any vacancy in the membership of the Foundation caused by any of the reasons mentioned above, may be filled up by the authority appointing such member and the person appointed in the vacancy shall hold office only up-to the date up-to which the member in whose place he/ she is appointed have held office if it has not been vacated as aforesaid.

9. The Foundation shall function notwithstanding any vacancy and notwithstanding any effect in the appointment or nominations of any of its members, and no act or proceeding of the Foundation shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of its members.

10. General body

- (a) All the members of the Foundation shall constitute General body of the Foundation.
- (b) The General body will approve and accept the annual accounts of the Foundation.
- (c) The General Body will approve any amendment to the Memorandum of Association and/or Bye-Laws of the Foundation.
- (d) The General Body will appoint the auditors of the Foundation.
- (e) The General body will also exercise such powers and perform such duties and functions as are not within the powers of the Governing body.

11. Meetings of the General Body

- (i) The Annual General Meeting of the Foundation shall be held at such time, date and place as may be determined by the Chairperson.
- (ii) The Chairperson may convene a special meeting of the Foundation whenever he thinks fit or upon a written requisition of not less than ten members specifying the object for which the meeting is to be called.
- (iii) The power of the Chairperson under this rule may, in his absence, be discharged by the Vice-Chairperson.

12. Unless otherwise provided in these Rules all meetings of the Foundation shall be called by notice under the signature of the Member- Secretary.

13. Every notice calling a meeting of the Foundation shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Foundation not less than twenty- one clear days before the day appointed for the meeting. Provided that the Chairperson may, for reasons to be recorded, call a special meeting on such shorter notice as he may think fit.

14. (i) If the Chairperson is not present at any meeting of the Foundation, the Vice-Chairperson shall preside over the said meeting.

(ii) In the absence of the Chairperson and the Vice- Chairperson, every meeting of the Foundation shall be presided over by a member chosen by the members present on the occasion.

15. Seven members of the Foundation present in person or by proxy as provide in Rule 6(b) above, shall form the quorum at every meeting of the Foundation.

16. All disputed questions at meetings of the Foundation shall be determined by vote. Every member of the Foundation including the member presiding shall have one vote and in the event of equality of votes on any question to be determined by the Foundation, the member presiding shall have an additional or casting vote.

THE GOVERNING BODY

17. (a) The properly movable and immovable belonging to the Foundation, the income thereof and the general superintendence, direction, control and administration of the affairs of the Foundation, shall be vested in the Governing body of the Foundation which shall have full power and authority to do all acts, matters, things and deeds which may be necessary or expedient for the purpose of the Foundation including without prejudice to the generality of the foregoing, the power to acquire and dispose of property, the power to raise loans with or without security, to advance money and to make appointments subject to any limitation that may have been imposed by or under the Memorandum of Association and Rules and Regulations of the Foundation.

(b) The Governing Body of the Foundation shall normally consist of the following:

- i) Welfare Minister, Ex-officio Chairperson;
- ii) One Executive Vice- President to be nominated by Welfare Minister who should be a member of the General Body;
- iii) Financial Advisor of the Foundation;
- iv) Three members to be nominated by the Welfare Minister from among the Members of the General Body for a term of two years;
- v) Secretary (Welfare) - Ex-Officio-Member;
- vi) Financial Adviser (Welfare), Ex-Officio- Member;
- vii) Joint Secretary (SCD), Ex-Officio-Member; and
- (viii) Secretary/Member-Secretary of Dr. Ambedkar Foundation.

Persons who believe in Dr. Ambedkar's Philosophy of Social Justice may be included in these Bodies,

c) The terms of the nominated members of the Governing Body will be a period of three years.

d) However, for the first one year, the Governing Body may be as follows:

S. No.	Name	Address	Occupation Designation	Designation in Foundation
1.	Sh. Sitaram Kesri	Shastri Bhawan, New Delhi	Minister of Cabinet Rank of the Union Cabinet	Chairperson
2.	Smt. Usha Vohra	Shastri Bhawan, New Delhi	Secretary (Welfare) Government Service	Vice-chairperson
3.	Smt. Savita Ambedkar	Matru Chaya 59, R.B.S.K. Bole Road, Dadar (West) Bombay	Social Worker	Member
4.	Dr. Ravinder Kumar	Teen Murti Bhawan, New Delhi	Director, Nehru Memorial Museum & Library Society Govt. Service	Member
5	Shri A.P. Shrivastava Member	Delhi	Delhi University	University Librarian
6.	Shri Anil Bordia	Shastri Bhawan ,New Delhi	Secretary, Dept. of Culture (Govt. Service)	Member
7.	Shri Bhaskar Ghosh	Shastri Bhawan ,New Delhi	Secretary, Dept. of Culture (Govt. Service)	Member
8.	Smt. Anita Das	Krishi Bhawan ,New Delhi	Financial Advisor Ministry of Welfare New Delhi	Member
9.	Sh. A Munivenkatappa	Shastri Bhawan New Delhi	Joint Secretary Ministry of Welfare New Delhi	Member

18. A Member of the Governing Body shall cease to be such member if :

- (a) He/she, resigns, becomes of unsound mind, becomes insolvent or be convicted of an offence involving moral turpitude; or

- (b) He/ she does not attend three consecutive meetings of the Governing Body without obtaining leave of absence from the Chairperson or Vice-Chairperson.
- (c) Being a member of the Foundation ceases to be a member thereof.

19. A resignation from the membership of the Governing Body shall be tendered to the Secretary and shall not take effect until the Chairperson has accepted it on behalf of the Foundation.

20. Any vacancy in the membership of the Governing Body may be filled up by the authority appointing such member and the person appointed in the vacancy shall hold office only upto the date up to which the member in whose place he is appointed would have held office if it had not been vacated as aforesaid.

21. The Governing Body shall function notwithstanding that any person who is entitled to be a member by virtue of his office is not invited as a member of the Governing Body for the time being and notwithstanding any other vacancy in its body whether by the non appointment or otherwise, and no act or proceeding of the Governing Body shall be invalid merely by reason of the happening of any of the above mentioned events or of any defects in the appointment or nomination of any of its members.

22. Every meeting of the Governing Body shall be presided over by the Chairperson, in his absence by Vice-Chairperson and in the absence of both, a member chosen by the members present at the meeting to preside for the occasion.

23 Four member of the Governing Body present in person shall constitute a quorum at any meeting of the governing Body.

24. Not less than seven clear days' notice for every meeting of the Governing body shall be given to each member thereof provided that the Chairperson and in his absence the Member Secretary may for reasons to be recorded call a meeting on such shorter notice as he may deem fit.

25. Every notice calling a meeting of the Governing Body shall state the date, time and place at which such meetings will be held and shall, except as otherwise provided in these Rules, be under the signature of the Member- Secretary.

26. (i) Annual list of Managing/Governing Body

Once in every year a list of the office-bearers and members of the Foundation shall be filed with the Registrar of Societies, Delhi as required under Section 4 of the Societies Registration Act, 1860.

(ii) The Governing body shall hold at least three meetings in a year and not more than six months shall lapse between any two meetings of the body.

27. (i) Each member of the Governing body including the Chairperson shall have one vote and if there shall be an equality of votes on any question to be decided by the Governing Body, the Chairperson shall, in addition, have a casting vote.

(ii) Subject to as herein mentioned in case of a difference of opinion amongst the members of the Governing Body, the opinion of the majority shall prevail.

28. Any business which it may be necessary for the Governing Body to perform, may be carried out by circulation of the draft resolution amongst all the members and any resolution so circulated and approved by a majority of the members affixing their signatures there to shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body.

29. The Chairperson may refer any question, which in his opinion, is of sufficient importance to justify such a reference, for the decision of the Central Govt. and such decision shall be binding on the Foundation and its Governing Body.

30. Bye-Laws

(i) The Governing Body shall have power to make and frame bye-laws not inconsistent with the Memorandum of Association and Rules and Regulations of the Foundation and to alter, amend and rescind the same from time to time for the administration and management of the affairs of the Foundation.

ii) Without prejudice to the generality of the foregoing provision, such bye- laws may provide for the following matters:

(a) The preparation and sanction of budget estimates, the sanctioning of expenditure, making and execution of contracts, the investment of the funds of the Foundation and the sale or alteration of such investment, and account and audit;

(b) Powers, functions and conduct of business by such Advisory Boards or Committees, Standing and other Sub-Committees, as may be constituted from time to time, and the term of office of their members.

(c) The Governing body shall frame the recruitment rules, prescribe the scales of pay, academic and professional qualification, experience age, etc. for various posts in accordance with the instructions issued by the Govt. of India in this regard from time to time;

(d) Creation, continuation and confirmation of all the posts in the Foundation shall be done by the Governing body in view of the qualifications and experience prescribed by the Govt. of India for similar posts provided that posts carrying the maximum of scales of pay of Rs 3500/-and above (but below Rs 4500/-) .For similar posts provided that posts carrying the maximum of shall be created, continued and confirmed with the prior approval of the Ministry of Social Justice and Empowerment subject to orders issued by the Govt. from time to time in this regard. Provided further that all the posts the maximum scale of pay further that all the posts the maximum scale of pay of which exceeds Rs 4500/- will be created with the prior approval of the Govt. in consultation with the Ministry of Finance, Dept. of Expenditure.

- (e) The reservation of posts for SCs/STs/ Ex- Serviceman/ Disabled etc. will be as per Government of India Rules.
- (f) The terms and tenure of appointments, emoluments, allowances, rules of discipline and other conditions of service of the officers and staff of the Foundation.
- (g) Terms and conditions governing scholarships and fellowships research schemes and projects.
- (h) Such other matters as may be necessary furtherance of the objectives and the proper administration of the affairs of the Foundation.

31. Subject to these Rules and Regulations, the Governing Body or any person or body whom the Governing may authorise in this behalf, shall have the power to appoint all categories of officers and staff for conducting the affairs of the Foundation to fix the amount of their remuneration subject to budget provision, and define their duties.

32. The Governing Body may delegate to the Member Secretary or any of its members and/or any other officer of the Foundation such administrative and financial powers and impose such duties as it deem proper and also prescribe limitations within which the said powers and duties are to be exercised or discharged.

33. The accidental omissions to give notice of any meeting of the Foundation or the Governing body to or the non-receipt of a notice by any person entitled to receive such notice shall not invalidate the proceedings at that meeting.

POWERS OF THE PRESIDENT OF THE GOVERNING BODY

34. The Governing Body may, by resolution, delegate to its Chairperson such of its powers for the conduct of business as, it may deem fit, subject to the condition that the action taken by the Chairperson under the powers so delegated shall be reported for information at the next meeting of the Governing Body.

EXECUTIVE COUNCIL

35. The Term 'Executive Council' has been deleted. The day-to-day affairs of the Foundation will be conducted and administered by Secretary of the Foundation with the approval of the President/Executive Vice-president, as the case may be, and whenever necessary in consultation with Financial Advisor.

36. The Chairperson may, in writing, delegate such of his powers as may be necessary to any of the other members of the Governing Body or any other officers of the Foundation.

FUNCTIONS AND POWERS OF THE MEMBER-SECRETARY

37. The Member Secretary of the Foundation shall be appointed by the Governing Body with prior approval of the Central Govt. provided that the first Member Secretary shall be appointed by the Central Govt. for such period and on such terms and conditions as the Central Govt. may deem fit and proper.

38. Subject to any directions that may be given by the Governing Body, the Member Secretary shall be the principal executive officer of the Foundation. He shall be responsible for the proper administration of the affairs and the schemes of the Foundation under the direction and guidance of the Chairperson of the Governing Body, and for the preparation of accounts and budget of the Foundation provided that the Member Secretary may with the approval of the Governing Body, delegate any of his powers and functions to any other officer of authority appointed or established under these Rules.

39. (a) The Member Secretary shall look after the Foundation under the direction of the Governing Body and shall convene, whenever necessary, meetings of the Foundation, and any of the Committee or Sub Committee thereof.

(b) The Member Secretary shall keep or cause to be kept proper records and minutes of the proceedings of the General Meetings of the Foundation and of the Governing Body and send copies thereof to the Central Govt. The Member-Secretary will do everything necessary to give effect to the resolutions passed by the General Meetings of the Foundation as also to those passed by the Governing body and any Committee or Sub-Committee thereof. The Member-Secretary shall keep or cause to be kept all records of the Foundation at its office or at any other place to be determined by the Governing Body.

(c) The Member Secretary shall or any member of the Governing Body, if so authorised by a resolution passed in that behalf by the Governing Body, may execute all contracts, deeds and other instruments on behalf of the Society and members of the Governing Body.

(d) For the purpose of Section of Societies Registration Act (21 of 1860) the Member-Secretary shall be considered the Principal Secretary of the Foundation and the Foundation may sue or to be sued in the name of the Member- Secretary of the Foundation.

40 The Member- Secretary shall in all matters under his charge, have the powers and duties assigned to him in these Rules and Regulations and the bye- laws that may be framed or such powers and duties as may be delegated to him by the Foundation or the Governing Body.

41. The Member-Secretary shall prescribe the duties of all officers and staff of the Foundation and shall exercise such supervision and disciplinary control as may be necessary subject to these Rules and the Bye-laws that may be framed.

42. It shall be the duty of the Member-Secretary to co-ordinate and exercise general supervision over all activities under the Foundation.

FINANCE ADVISER

43. A person with adequate financial background shall be appointed by the Governing Body as Pay & Accounts Officer who will also act as Financial Adviser of the Foundation.

44. Matters concerning the financial aspects of the affairs of the Foundation shall be referred to the Financial Adviser of the Ministry of Welfare for advice.

FINANCIAL COMMITTEE

45 The Governing Body shall appoint a Finance Committee consisting of five members of which the Financial Adviser and the Secretary shall be the ex-officio members. The President of the Finance Committee shall be appointed by the Governing Body.

46. The Finance Committee shall have the following duties:

- i) To scrutinise the accounts and budget estimates of the Foundation and to make recommendations to the Governing Body;
- ii) To consider and make recommendations to the Governing Body on proposals which shall be referred to the Finance Committee for opinion before they are considered by the Governing Body.
- iii) To scrutinise re-appropriation statements and audit notes and make recommendations thereon to the Governing Body.

iv) To review the finance of the Foundation from time to time and have concurrent audit conducted wherever necessary;

v) To give advice and make recommendations to the Governing Body on any other financial questions affecting the affairs of the Foundation.

vi) 1. To fix limits for recurring and non-recurring expenditure for the year;

2. No expenditure other than that has been provided for in the budget shall be incurred by the Foundation without prior approval of the Finance Committee.

ACCOUNTS AND AUDIT

47. i) The Foundation shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be prescribed by the Central Govt.;

ii) The accounts of the Foundation shall be audited annually, in such manner as the Central Govt. may direct and any expenditure incurred in connection with the audit of the accounts of the Foundation shall be payable to the Foundation;

iii) The accounts of the Foundation as certified by the Auditors together with the audit Reports thereon shall be forwarded annually to the Central Govt.;

iv) The accounting year of the Foundation will be from April to March.

ANNUAL REPORT

48 i) An Annual Report of the working of the Foundation shall be prepared, by the Governing Body for the information of the Central Govt. and the members of the Foundation. A draft of the Annual Report and the yearly accounts of the Foundation shall be placed before the Foundation at the Annual General Meeting for its consideration and approval;

ii) The Annual Reports and the Audit Reports shall be forwarded every year within the prescribed period to the Govt. of India so as to enable it to place them before the Houses of Parliament.

MISCELLANEOUS

49. The Bankers of the Foundation shall be the State Bank of India. All funds shall be paid into the Foundation's account with the State Bank of India and shall not be withdrawn except through a cheque signed and countersigned by such officers as may be duly empowered in this behalf by the Governing Body.

AMENDMENTS OF RULES AND REGULATIONS

50. Subject to the provisions of Societies Registration Act XXI of 1860, the Foundation may alter or extend the purpose for which it is established with the previous concurrence of the Central Govt.

51 Unless otherwise required by the provision of Societies Registration Act XXI 1860, or the Rules or Guidelines made there under from time to time the Rules and Regulations of the Foundation may be altered at any time with the sanction of the Central Government by a resolution passed by a majority of the members of the Foundation present at any meeting of the Foundation duly convened and held for the purpose.

52. The Foundation may be dissolved in accordance with the provision of the Section of the Societies Registration Act XXI of 1860 after obtaining the previous consent of the Central Govt. in that behalf.

53. If upon the dissolution of the Foundation there shall remain after the satisfaction of all its debts and liabilities or any property whatsoever, the same shall not be paid to or distributed among the members of the Foundation, but it shall be lawful for the members to determine by majority of the votes of the members present personally or by proxy at the time of dissolution of the Foundation that such property shall be given to the Central Govt. to be utilised for any of the purposes, or which the Foundation is established.

LEGAL PROCEEDINGS

54. The Foundation may sue or be sued in the name of the Chairperson/Secretary as per provisions laid down under Section 6 of the Societies Registration Act XXI of 1860 as applicable to the Union Territory of Delhi.

55. All the provisions under all the sections of the Societies Registration Act XXI of 1860 as applicable to the Union Territory of Delhi shall apply to the Foundation.