

17/06/2017

**BYE LAWS
OF
ODISSA SOCIETY FOR SOCIAL AUDIT, ACCOUNTABILITY AND TRANSPARENCY (OSSAAT)**

Rules and Regulations

1. SHORT TITLE

- 1.1. These Rules and Regulations shall be called "The Rules and Regulations of the "Odisha Society for Social Audit, Accountability and Transparency (OSSAAT)".
- 1.2. These Rules shall come into force with effect from the date of registration of the Society by the Registrar of Societies.

2. Definitions:

In these Articles, unless the context otherwise requires:-

- 2.1. "**Area of Operation**" means the areas where the Society will operate or carry out its activities;
- 2.2. "**Governing Body**" means the Governing Body of Odisha Society for Social Audit, Accountability and Transparency constituted under Society Registration Act, 1860.
- 2.3. "**Executive Committee**" means the Executive Committee of the Odisha Society for Social Audit, Accountability and Transparency constituted under Article 11;
- 2.4. "**Society**" means the "Odisha Society for Social Audit, Accountability and Transparency"
- 2.5. "**State Team Monitors**" means the State Team Monitors of the Odisha Society for Social Audit, Accountability and Transparency.
- 2.6. "**District Resource Persons**" means the resource persons engaged by Odisha Society for Social Audit, Accountability and Transparency at District level;
- 2.7. "**Block Resource Persons**" means the resource persons engaged by the Odisha Society for Social Audit, Accountability and Transparency at Block level;
- 2.8. "**Village Resource Persons**" means the youth identified from job card holder families to conduct the social audit at the Gram Panchayat/ Palli Sabha level;
- 2.9. "**State**" means the State of Odisha;
- 2.10. "**Financial Year**" means the year commencing from 1st of April to the 31st March of the following year;
- 2.11. "**Prescribed**" means the prescribed guidelines issued by the Executive Committee and approved by the Governing Body from time to time.

3. Registered Office and area of operation :

- The Registered Office of the Society shall be at Bhubaneswar and its address will be :
Odisha Society for Social Audit, Accountability and Transparency,
SIRD Campus, Unit-8, Bhubaneswar-751 012, Odisha.
- The Society may set up its branch offices elsewhere in the State if it so desires.
- The area of operation of society shall extend to the whole of state of Odisha.

4. Objectives :

The objective of the OSSAAT is to work towards strengthening and deepening the Social Audit processes in Odisha so that Social Audits become an integral part of the governance system in the State. The OSSAAT shall ensure that the autonomy and purity of the social audit process is maintained by all stakeholders. The specific objectives of the Society are –

- 4.1. to create an enabling environment for the Gram Sabha and Palli Sabha to conduct impartial and effective social audits for the development schemes and programmes in its territory;
- 4.2. to ensure that the social audit process remains autonomous from main stream Government administration as well as the implementing agency at all times;
- 4.3. to enable the community to exercise the right bestowed on them through MGNREGA and other developmental schemes.

5. Functions of the Society:

In order to achieve the aforesaid objectives, the Society will:-

- 5.1. facilitate conduct of social audit of the MGNREGS as prescribed in the Act/Guidelines and other Welfare / Development Schemes whenever assigned;
- 5.2. build capacities of Gram Sabhas/Palli Sabha for conducting social audit; and towards this purpose, identify, train and deploy suitable resource persons at village, Block, District and State level, drawing from primary stakeholders and other civil society organisations having knowledge and experience of working for the rights of people;
- 5.3. prepare social audit guidelines, reporting formats, resource materials and manuals for smooth conduct of social audit;
- 5.4. create awareness amongst the labourers about their rights and entitlements under the MGNREGA and other schemes;
- 5.5. ensure that all records for conduct of social audit are furnished to the social audit unit by the implementing agencies and facilitate verification of records with primary stakeholders and worksites;



- 5.6. ensure that corrective action is taken on the social audit report
- 5.7. engage persons / institutions who are experts in the specific areas as consultants for specific processes entrusted to the Society.
- 5.8. act as a liaison agency with Civil Society groups and NGOs on issues of Transparency and Accountability;
- 5.9. adoption of budget and accounts of every financial year;
- 5.10. delegation of appropriate powers to the Chairperson, Vice-Chair person, Member Secretary or any other Office bearer of the Society;
- 5.11. make rules and Byelaws for the conduct of the affairs of the Society and add to, amend, vary or revise them from time to time;
- 5.12. do all such other acts and things, either alone or in conjunction with other organizations or persons, as the Society may consider necessary, incidental or conducive to the attainment of the objectives.

6. MEMBERSHIP:

- 6.1. The following shall be the members of the Governing body of the Society

SI No.	Designation	Status in Governing Body
1	Chief Secretary	Chairperson
2	Development Commissioner- cum- Additional Chief Secretary	Vice Chairperson
3	Secretary, Panchayati Raj Department	Member Secretary
4	Principal Accountant General, C & AG/ his or her Nominee	Member
5	Secretary, Finance Department	Member
6	Secretary, Agriculture Department	Member
7	Secretary, Woman & Child Development Department	Member
8	Secretary, ST & SC Development Department	Member
9	Secretary, Forest & Environment Department	Member
10	Secretary, Food Supplies & Consumer Welfare Department	Member
11	Secretary, Rural Development	Member
12	Secretary, SS & PED Department	Member
13	Director, Special Projects, Panchayati Raj Department	Member
14	Representative from Civil Society Organisations, working in the State or outside having long standing experience in working with issues related to transparency and public accountability (to be nominated by the Chairperson)	Member

15	Representative from Academic Institutions, working in the State or outside having long standing experience in working with issues related to transparency and public accountability (to be nominated by the Chairperson)	Member
16	Representative from Training Institutions, working in the State or outside having long standing experience in working with issues related to transparency and public accountability (to be nominated by the Chairperson)	Member
17	Director, Odisha Society for Social Audit, Accountability and Transparency	Member Convener

7. Composition of the Governing Body:

- 7.1. The Governing Body must not exceed 17 members and the filling up of vacancies in the membership or addition of new members shall be made by the Governing Body as laid down in these rules / byelaws.
- 7.2. Membership of an ex-officio member of the Executive Committee and / or the Governing Body shall terminate when he / she ceases to hold that office. The vacancy shall be filled by the successor to that office.
- 7.3. Three representatives from Civil Society Organisations, Academic and Training Institutions, working in the State or outside shall be nominated by the Chairperson of the Governing body for a period of 2 years.
- 7.4. The membership in the Governing Body and / or the Executive Committee of any member may be revoked through a resolution in the Governing Body on grounds of consistent absence from three or more consecutive meetings and unsoundness of mind or actions that compromise the autonomy and purity of the social audit process.

8. Functions of the Governing Body :

- 8.1. The core functions of the Governing Body shall be :-
- 8.1.1. provision of overall policy guidance to the Society;
- 8.1.2. guidance in shaping and articulating the vision of the Society;
- 8.1.3. ensuring that the autonomy and purity of the social audit process and the Society is maintained at all times;
- 8.1.4. to review annual plans, budgets, audited accounts and annual reports;
- 8.1.5. undertake all activities necessary for the fulfillment of the vision and objectives of the society;



- 8.1.6. take corrective action if the autonomy and purity of the social audit process is being compromised;
 - 8.1.7. modify or amend the Memorandum of Association and the Bye laws provided that all such additions and modifications are passed by a majority vote of not less than 2/3rd of total members.
 - 8.1.8. to oversee the appointment of the Director and Social Audit Experts of OSSAAT;
 - 8.1.9. delegate to the executive committee any of the above powers;
 - 8.1.10. commission independent studies to review the Social Audit processes in Odisha.
- 8.2. The Governing Body shall meet at least once in a year. The quorum of the Governing Body shall be no less than ½ of the total strength of the Governing Body for the proceedings of the meetings to be valid.
 - 8.3. Each member shall have one vote and in the event of equality of votes on any question, it shall be decided by an additional vote to be cast by the Chairperson.
 - 8.4. Management structure of the Governing Body :-
 - 8.4.1. Chief Secretary shall be the Chairperson of the Governing Body. Development Commissioner- cum- Additional Chief Secretary shall be the Vice-Chairperson. Secretary, Panchayati Raj Shall be the Member Secretary.
 - 8.4.2. The Chairperson will call for the meetings of the Governing Body, accept registrations of members;
 - 8.5. The Vice Chairperson shall fulfill the Chairperson's role in the absence of the Chairperson.

9. Composition of the Executive Committee:

- 9.1. The Executive Committee shall consist of a minimum of 8 members which will include the Secretary, Panchayati Raj Department, Director, Special Projects, Director, P.R., Director, OLM, Director of OSSAAT, FA-cum- Additional Secretary, Joint Secretary & Additional Director, MGNREGS, Deputy Secretary & Joint Director, MGNREGS by virtue of their posts.
- 9.2. Members of the Governing Body can also be appointed as member of the Executive Committee.
- 9.3. The Secretary of Panchayati Raj Department shall be the Chairperson of the Executive Committee.
- 9.4. The Director of the Society shall be the Member Secretary-cum-Convener of the Executive Committee.

- 9.5. Filling - up of Vacancies in the membership or addition of new members shall be made by the Governing Body as laid down in these rules / byelaws.
- 9.6. The membership in the Executive Committee of any member may be revoked through a resolution in the Governing Body on grounds of consistent absence from meetings - if a member is absent for more than three consecutive meetings, or of unsoundness of mind or actions that compromise the autonomy and purity of the social audit process.

Executive Committee

Sl	Designation	Status in Executive Committee
1	Secretary, Panchayati Raj Department	Chairperson
2	Director, Special Projects, Panchayati Raj Department	Member
3	Director, P.R., Panchayati Raj Department	Member
4	Director, OLM, Panchayati Raj Department	Member
5	Director- Odisha Society for Social Audit, Accountability and Transparency	Member Secretary -cum -Convener
6	FA –cum- Additional Secretary, Panchayati Raj Department	Member
7	Joint Secretary & Additional Director, MGNREGS Odisha Society	Member
8	Deputy Secretary & Joint Director, MGNREGS Odisha Society	Member

10. Functions of the Executive Committee:

- 10.1. The Executive Committee shall meet at least once every quarter. The quorum of the Executive Committee shall be no less than 1/2 of the total strength of the committee for the proceedings of the meetings to be valid. Secretary, Panchayati Raj Department shall preside over all Executive Committee meetings and in his absence, the senior most official member shall preside.
- 10.2. Each member shall have one vote and in the event of the equality of votes on any questions, it shall be decided by an additional vote to be cast by the Executive Chairperson.

The Key functions of the Executive Committee are:-

- 1.2.1. To provide overall policy support and guidance to the society.
- 1.2.2. To ensure that the autonomy and purity of the social audit process is maintained at all times.



- 1.2.3. To review the annual budget, action plan and audited accounts.
- 1.2.4. To monitor follow up and take action based on social audit findings on critical issues.
- 1.2.5. To perform any function as delegated by the Governing Body.
- 1.2.6. To undertake all activities necessary for the fulfillment of the vision and objectives of the society,
- 1.2.7. To monitor the functioning of the society to ensure that the autonomy of the society is not compromised.
- 1.2.8. To take corrective action if the autonomy and purity of the social audit process is being compromised.
- 1.2.9. To modify or amend the Byelaws as per approval by the Governing Body provided that all such additions and modifications are passed by a majority vote (2/3) of the Governing Body.
- 1.2.10. To oversee the management of the society including appointments for managerial, technical, financial and administrative staff. All persons appointed (Official and non-official) shall be appointed on a contractual basis for 1- year extendable by one year each based on satisfactory performance
- 1.2.11. To authorize acquisitions by gift, purchase, lease or otherwise, any property, movable or immovable, and to construct, look after and maintain any building or building for purpose of the society as deemed appropriate by the Executive Committee on approval by the Governing Body.

11. Functions of the Director of the Society:

- 11.1. A Director shall be appointed to head the Society:
- 11.2. The Director shall be of sufficient seniority with minimum 10 years of experience in the conduct of Social Audits and right based activities.
- 11.3. The core functions of the Director, OSSAAT shall be:
 - 11.3.1. to be answerable to the Governing Body and Executive Committee as per the norms of OSSAAT.
 - 11.3.2. to manage the day-to-day functioning of the Society;
 - 11.3.3. to ensure that social audits undertaken by OSSAAT are in compliance with the Audit of the Scheme Rules and in compliance with a calendar of social audits jointly approved by the Panchayati Raj Department and OSSAAT.
 - 11.3.4. to design and develop all programmatic guidelines with respect to recruitment, process of social audit, governance structure, capacity building and training, financial rules etc. for the operation of OSSAAT.



- 11.3.5. to ensure that all policy level decisions related to the Society are implemented;
- 11.3.6. to undertake all activities necessary to fulfill the objective and vision of the Society;
- 11.3.7. to recruit staff, award consulting contracts and incur necessary expenditures to manage the day-to-day affairs in compliance with HR norms;
- 11.3.8. to convene Governing Body and Executive Committee Meetings at stipulated interval, maintain all records, minutes and register of functioning of OSSAAT.
- 11.3.9. to anchor all interactions and communications with the Department implementing MGNREGS.
- 11.3.10. to ensure transparency in the functioning and expenditure of OSSAAT
- 11.3.11. to ensure that the website is maintained on an online basis.
- 11.3.12. to take disciplinary action over staff as per the contract rules.

12. Audits & Accounts:

- 12.1. The society shall keep proper books of accounts at its registered office.
- 12.2. The accounts of the society shall be audited by a Chartered Accountant to be appointed by Executive Committee. These accounts may be subjected to a second audit by the Comptroller and Auditors General of India depending on the source of funding.
- 12.3. The audit shall be prescribed by the Executive Committee and to be approved by the Government of Odisha.
- 12.4. Every member of the Executive Committee & Governing Body shall have right of inspection of accounts and registers maintained by the society and proceedings of the meetings of the society at any time during office hours.

13. Bank Account :

- 13.1. The account of the Society shall be opened in a Scheduled Commercial Bank approved by the Executive Committee or in a Scheduled Commercial Bank as may be specified by the Ministry of Rural Development, Government of India. All funds shall be paid into the Society's account with the appointed bank and shall not be withdrawn except through a cheque, bill note, other negotiable instruments or through electronic banking (e-banking) procedures signed/ electronically authorised by such authorities of the Society Secretariat as may be determined by the Executive Committee.
- 13.2. The Society shall switch over to e-banking procedures as and when the Ministry



of Rural Development, Government of India directs the Society to do so as the principal donor to the Society.

- 13.3. The Executive Committee shall authorise the Director of the Society to operate the accounts of the Society jointly with another Officer.

14. Annual Reports :

- 14.1. An Annual Report of the proceedings of the society and of activities undertaken during the year shall be prepared by the Director, Odisha Society for Social Audit, Accountability and Transparency (OSSAAT) for the information of the State Government of Odisha, Government of India, Civil Society Organizations and the Members of the Society.
- 14.2. This report and the audited accounts of the society shall be placed before Society at the Annual Governing Body meeting.

15. Suits & Proceedings by and against the Society:

- 15.1. The Society may sue or may be sued in the name of the Chairperson or any office bearer authorized by the Executive Committee on his behalf.
- 15.2. No suit or proceedings shall abate by reason of any vacancy or change of the holder of the office of the Secretary or any office bearer authorized in this behalf.
- 15.3. Every decree of order against the society in any suit or proceedings shall be executable against the property of the society and not against the person or the property of any office bearer. Nothing in this sub-section shall exempt the other office bearer of the society from any criminal liability under this Act or entitle him to claim any contribution from the property of the society in respect of any fund paid by him or conviction by a criminal court.
- 15.4. Every member of the society may be sued or prosecuted for any loss or damage caused to the society or its property or for any action detrimental to the interests of the society.

16. Reports to the Registrar of Societies:

- 16.1. Within 30 days after holding of Annual Governing Body Meeting the Chairperson shall file the following documents with the registrar of Societies-
- 16.1.1.1. A list of the names, addresses and occupations of the members of the Executive committee, the Chairman, Secretary and the other office bearers of the society;



- 16.1.1.2. An Annual Report of the previous year;
- 16.1.1.3. A copy of the Balance Sheet and the Auditor's Report certified by the Chartered Accountant.

17. Amendment to the Memorandum and Rules:

Amendment shall be made in the Memorandum and Rules of the Society in the manner provided by Societies Registration Act. 1860 (No. XXI of 1860)

18. Dissolution:

If, on the winding up or dissolution of the Society, there shall remain, after satisfaction of its debts and liabilities, any property whatsoever, the same shall not be paid or disbursed among the members of the society or to any of them, but shall be delivered to some other Society with a similar objective in the manner prescribed in this Act.

We, the undersigned being three members of the Governing Body of the Odisha Society for Social Audit, Accountability and Transparency (OSSAAT) certify that the above is a correct copy of the Rules and Regulation of the said Society.


31/11/2016
Secretary,
Panchayati Raj
Department


Development
Commissioner-cum-
Additional Chief Secretary


Chief Secretary
Government of Odisha

Dated : _____