



**Government of Jammu and Kashmir
J&K E-Governance Agency (JaKeGA)**

In the matter of J&K Societies Registration Act-1998 for the Registration of
Literary, Scientific and Charitable Societies

AND

In the matter of Jammu & Kashmir E-Governance Agency (J&KeGA),
Jammu & Kashmir, hereinafter referred to as the Society, for the administration
and implementation of Information Technology and E-Governance projects.

MEMORANDUM OF ASSOCIATION

1. Preamble

The primary objective of the Jammu & Kashmir e-Governance Agency (JaKeGA) is to design, deliver and administer E-Governance projects by providing the necessary administrative, financial, legal and technical framework in the State of Jammu & Kashmir. JaKeGA will also facilitate establishment of e-service centres throughout the State through suitable public-private partnerships to ensure that the public gets the desired information and e-services literally at their doorsteps.

- 2. (a) Name of Society:** The name of the Society shall be Jammu & Kashmir E-Governance Agency (JaKeGA),
- (b) Office:** The Registered office of the Society shall be at IT Enclave, Civil Secretariat Jammu.

3. Definitions: In this Memorandum and the Rules made there under unless the context otherwise requires:

- a. The 'Act' means the Societies Registration Act 1860 as applied to the State of Jammu & Kashmir or any statutory modification thereof for the time being in force.
- b. "Board" shall mean the body which is constituted as the "Board of Governors" of the Society.

- c. The "Chairman" and "Vice Chairman" shall mean the "Chairman" and "Vice-Chairman" of the Board of Governors.
- d. IT shall mean: Information Technology.
- e. Member means :
 - i. The ex-officio members as per the constitution of the Society;
 - ii. The members of the Society nominated by the Board as per the constitution of the Society; and
 - iii. Such person(s), institutions, organisations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.
- f. "Member Secretary" means Member-Secretary of the Board of Governors of the Society. Secretary to Government Information Technology, Government of Jammu & Kashmir shall be the ex-officio Member-Secretary.
- g. "Chief Executive Officer" means Chief Executive Officer of the Jammu & Kashmir E-Governance Agency.
- h. "The Society" means the Jammu & Kashmir E-Governance Agency known by the name, style and manner of JaKeGA.
- i. "State Government" shall mean the Government of Jammu & Kashmir in the Department of Information Technology or in any other way the IT Department be known as.
- j. "IT expert" shall mean a specialist from the field of Information Technology, computers, communication or electronics with a formal graduate degree in computers / Information Technology / communication/ electronics/ IT management or other related fields with at least 5 years of experience.
- k. "Eminent citizens" shall mean well-known, distinguished, renowned or reputed persons from the general public as nominated by the Board of Governors.

4. Objectives and functions of the Society:

- a. To promote and disseminate Information Technology culture in the State so that the common man could avail the benefits of information technology and e- governance.
- b. To assist the Department of IT in formulating and implementing policies, procedures and guidelines for the adoption of Information Technology and e-governance for improving public services, and to arrange for the necessary administrative, financial, legal and technical framework and resources for such IT- enabled Public Services.

- c. To workout revenue models and modalities for providing Public Services through use of IT on a public-private partnership model for its self-sustainability and to encourage private sector initiative in IT related infrastructure and services.
- d. To take such steps as authorised, to promote efficiency, reduce delays, enhance accountability, transparency and objectivity in the functioning of the Government.
- e. To collect revenue and to issue receipts, as authorised from time to time, on behalf of the various Departments and Organizations, which shall have the same legal validity as an actual receipt issued by the concerned Government Department or Organization.
- f. To transfer the revenue so collected to the concerned departments and organizations; or to authorize a suitable authority, committee, sub-committee or Society to do the same after deducting the prescribed handling/collecting expenses.
- g. To establish and make available connectivity and access to Information through Internet, Intranet, LAN, MAN, WAN, E-MAIL, WEB SERVERS and Web sites, VSAT & other modes of Communication or any other form of connectivity and to regulate their use in the State.
- h. To facilitate the creation of a comprehensive State-wide Computer Network and a State Telecom Network for use by all Government Departments, Institutions, agencies as also the public and private sector, on charges as authorised/agreed to.
- i. To buy, sell, let on hire, repair, import, export, lease, trade and otherwise deal and provide all IT resources and support, required by any Department for IT and e-governance applications including hiring of professionals, consultancy services, procurement of hardware and software, development of special purpose software etc. on turnkey basis.
- j. To enter into collaborations, MoUs, partnerships, agreements and contracts with Indian and/or foreign individuals, companies or other organizations for transfer, sale, purchase of equipment and for technical, financial or any other assistance for carrying out all or any of the objects of the Society.
- k. To enter into any agreement with any Government or authority (Municipal, local or otherwise) or any corporations, companies, or persons which may seem conducive to the Society's objects and to obtain from any such authorities, corporations, companies, societies or persons any contracts, rights, privileges and concessions which the Society may think desirable and to carry out,

exercise and comply with any such contracts, rights, privileges and concessions.

- l. To provide and/ or arrange to provide all technical assistance & help to create, organise, and maintain centralised data-warehouse, departmental databases, information-repository, and software-library to be shared by all Departments, Institutions, Agencies and wherever possible, the general public.
- m. To facilitate inter-departmental coordination in all IT related matters and to devise modalities for information sharing so as to avoid duplication of data entry and development of software.
- n. To enable, simplify and modernise the storage, retrieval, transmission, distribution and exchange of information in electronic format.
- o. To work out procedures for data entry and its verification, validation, security, storage and up-dation on regular basis.
- p. To handle intellectual property rights in Information Technology and other new technology areas.
- q. To workout and notify the Standard of Service and Service Level Agreements in E-governance and IT for public services.
- r. To take all means for the safety and security of data and to lay down policies, procedures guidelines and rules for achieving the objectives of security, authentication and recovery from disasters.
- s. To borrow and raise money with or without security or to receive money and deposit on interest or otherwise in such manner as the Society may deem fit; to lend or deposit moneys belonging to or entrusted to or at the disposal of the Society or having dealings with the society with or without security, upon such terms as may be thought proper and to guarantee the performance of contracts by such persons or company provided that the Society shall not carry on banking business as defined in Banking Companies Regulation Act 1949.
- t. To draw, issue, accept and to endorse, discount and negotiate promissory notes, hundies, bills of exchange, delivery orders, warrants, certificates and other negotiable or commercial or mercantile instruments connected with the business of the Society.
- u. To establish and maintain any agencies and franchises in the State for the conduct of the business of the Society.
- v. To apply for tender, purchase or otherwise require any contracts and concessions for or in relation to the construction, execution, improvement, management, administration or control of improvement, management, administration or control of works and

conveniences and to undertake, execute, carryout, dispose of or otherwise turn to account the same.

- w. To improve, manage, work, develop, alter, exchange, lease, mortgage, turn to account, abandon or otherwise deal with all or any part of the property rights and concessions of the Society.
- x. To let out on hire all or any of the properties of the Agency including every description of apparatus or appliances of the Society.
- y. To open account or accounts with any individual firm or company or with any bank or banks and to pay into and to withdraw moneys from such account or accounts.
- z. To invest, apply for and acquire, or otherwise employ moneys belonging to or entrusted to or at the disposal of the Society upon securities and shares or without securities upon such terms as may be thought proper and from time to time and vary such transactions in such manner as the Society may think fit.
- aa. To guarantee the payment of money and/or to guarantee as sureties for the performance of any contracts or obligations.
- bb. To create any depreciation fund, reserve fund, sinking fund, insurance fund or any special or other fund whether for depreciation or for repairing, improving, extending or maintaining any of the properties of the Society and to transfer any such fund or part thereof to any of the other funds herein mentioned.

5. Funding of Agency its resources, operations and management

- a. The expenditure on IT resources, operations and management of the state-level Society would be funded mainly through the share of user charges and other income of society, as also through grants/loans from the Government or other agencies.
- b. The income and property of the Society, howsoever derived, shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum of Association.
- c. No part of income and property of the Society shall be paid or transferred, directly or indirectly, by way of profit, to the persons/body who are, or, at any time, have been or shall be members of the Society or Board of Governors or to any of them or to any persons claiming through them or any of them.

6. Present Board of Governors:

The names, designations and address of the present members and office bearers of the Board of Governors, to whom the management of the

affairs of the Agency is entrusted as required under Section 2 of the Registration of J&K Societies Act, 1998(Act of 1998) shall be as under :

| S. No. | Name & Designation | Address | Remarks |
|---------------|--|--------------------------------|--------------------------------|
| | Ex-officio Members | | |
| 1. | Sh. S.S. Kapur, IAS Chief Secretary to Government of Jammu & Kashmir | Civil Secretariat, Jammu | Chairman * |
| 2. | Sh. S. L. Bhat, IAS Financial Commissioner Planning, Government of J&K | Civil Secretariat, Jammu | Vice- Chairman * |
| 3. | Dr. Arun Kumar, IAS Principal Secretary to Government of Jammu & Kashmir, Department of Information Technology | Civil Secretariat, Jammu | Member Secretary |
| 4. | Sh. Bharat Bushan Vyas, IAS Commissioner/Secretary to Government of Jammu & Kashmir, Department of Finance | Civil Secretariat, Jammu | Member |
| 5. | Sh Mohammad Yousuf Dar Addl. Secretary to Government of Jammu & Kashmir, Department of IT | Civil Secretariat, Jammu | Member & CEO ** |
| 6. | Sh. Majid Jahangir, FA/CAO IT, Government of J&K | Civil Secretariat, Jammu | Treasurer |
| 7-9. | 3 Secretaries to Government Executing Mission Mode Project (MMPs), as nominated by the Chairman | Civil Secretariat, Jammu | Member |
| | Nominated Members | | |
| 10- 11. | Two IT experts to be nominated by the Department of IT | | Member |

| S. No. | Name & Designation | Address | Remarks |
|--------|---|---------|-------------------------|
| 12-13. | Two eminent citizens/prominent users of IT services to be nominated by the Department of IT | | Member |
| | Co-opted Members | | |
| 14. | Any other member, which Board of Governors decides to co-opt. | | Co-opted Members |

*The senior most members, after the Chairman, shall function as the Vice - Chairman of the Society and shall exercise all the powers of the Chairman in the absence of the Chairman.

**Addl. Secretary IT, Govt. of J&K shall function as the ex-officio CEO of the Society till a fulltime CEO is appointed by the Board.

7. **Rules and Regulations:** The Board of Governors is authorized to frame rules and regulations for conducting the business of the Society based on this Memorandum of Association.

**RULES
OF**

Jammu & Kashmir E-Governance Agency (JaKeGA)

1. **Registered Office:** The Registered Office of the Society shall be situated at IT Enclave, Jammu.
2. **Short title and commencement**
 1. This Society may be called the Jammu & Kashmir E-Governance Agency.
 2. These rules may be called the Jammu & Kashmir E-Governance Agency Rules, 2009.
 3. **Definitions:** In this Memorandum and the Rules made there under unless the context otherwise requires:-
 - (a) "The 'Act' means the Societies Registration Act 1860, as applied to the State of Jammu & Kashmir or any statutory modification thereof for the time being in force."
 - (b) "Board" shall mean the body which is constituted as the "Board of Governors" of the Society.
 - (c) "Committee" means the Executive Committee of the Agency.
 - (d) The "Chairman" and Vice Chairman" shall mean the "Chairman" and "Vice-Chairman" of the Board of Governors.

- (e) IT shall mean Information Technology.
- (f) Member means:-
- i. The ex-officio members as per the constitution of the Society;
 - ii. The members of Society nominated by the Board as per the constitution of the Society; and
 - iii. Such person(s), institutions, organisations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.
- (g) "Member Secretary" means Member Secretary of the Board of Governors of the Jammu & Kashmir E-Governance Agency, as appointed by the Board.
- (h) "Chief Executive Officer" means Chief Executive Officer of the Jammu & Kashmir E-Governance Agency, as appointed by the Board.
- (i) "Society" means the Jammu & Kashmir E-Governance Agency known by the name, style and manner of JaKeGA.
- (j) "State Government" shall mean the Government of Jammu & Kashmir in the Department of Information Technology or in any other way the IT Department is known.
- (k) "IT expert" shall mean a specialist from the field of Information Technology, computers, communication or electronics with a formal graduate degree in computers / Information Technology / communication/ electronics/ management or other related fields with at least 5 years of experience.
- (l) "Eminent citizens" shall mean well-known, distinguished, renowned or reputed persons from the general public, as nominated by the Board.
4. **Authorities of the Society:** The Authorities of the Society shall consist of the following:
- a. The Board of Governors
 - b. The Chairman of the Board of Governors
 - c. The Vice Chairman of the Board of Governors
 - d. The Member Secretary of the Board of Governors.
 - e. Chief Executive Officer of the Society.
 - f. Treasurer of the Society.
5. **The Board of Governors :**
- a. The Society shall have its **Board of Governors** as the Supreme Authority and source of all powers, functions and activities.

- b. The general superintendence, direction and control of the affairs of the Society and of its income and property shall be vested in the Board of Governors of the Society hereinafter referred to as "The Board".

6. Constitution of the Board of Governors

Initially the Board of Governors of the Agency would comprise the following members:

| S.No. | Name & Designation | Remarks |
|--------------|---|----------------------------|
| | Ex-officio Members | |
| 1. | Chief Secretary to Government of Jammu & Kashmir | Chairman * |
| 2. | Financial Commissioner Planning, Govt. of J&K | Vice-Chairman * |
| 3. | Principal Secy. to Government of Jammu & Kashmir, IT Deptt. | Member- Secretary |
| 4. | Commissioner/Secretary to Government of Jammu & Kashmir, Department of Finance | Member |
| 5. | Additional Secretary to Govt., IT Deptt. | Member & CEO ** |
| 6. | Financial Advisor/CAO IT, Government of J & K | Treasurer |
| 7-9 | 3 Secretaries to Government Executing of J&K Mission-Mode Projects (MMPs) as nominated by the Chairman from time to time. | Member |
| | Nominated Members | |
| 10-11 | Two IT experts to be nominated by the Department of IT | Member |

| | | |
|-------|---|------------------|
| 12-13 | Two eminent citizens/prominent users of IT services to be nominated by the Department of IT | Member |
| | Co-opted Members | |
| 14. | Any other member, which Board of Governors decides to co-opt. | Co-opted Members |

***In absence of the Chairman, the senior most member functioning as the Vice-Chairman of the Board, shall officiate as Chairman.**

****The Addl. Secretary IT Govt. of J&K shall function as the ex-official CEO of the Society till a full-time CEO is appointed by the Board.**

7. MEMBERS OF THE SOCIETY:

- a. The Society shall consist of
 - i. **All the ex-officio members** as per the provisions at Sr. No. 1 to 6 of para 6 in the constitution of the Board of Governors.
 - ii. **The members nominated** by the Board/ Government as per the provisions at Sr. No. 7 to 13 of para 6 in the constitution of the Board of Governors.
 - iii. Other individuals, institutions, organisations and corporate bodies to be accepted in future as **Co-opted Members** as per terms and conditions of eligibility as laid down and approved by the Board of Governors from time to time as per the provision at Sr. No. 14 of para 6 in the constitution of the Board of Governors.
- b. The Society shall keep a Roll of nominated and co-opted Members and every such member of the Society shall sign the roll and state therein his name, occupation and address.
- c. If a nominated and co-opted member of the Society changes his address, he shall inform his new address to the CEO who shall thereupon enter his new address in the Roll of such Members failing which, the address in the Roll of Members shall be deemed to be his address.
- d. **Termination of Membership:**
 - i. Where a person becomes a member of the Society by reason of the office or appointment he holds, his membership of the Society shall terminate when he ceases to hold that office or appointment.
 - ii. Whenever a member other than the ex-officio member, desires to resign from the membership of the Society, he shall

address his resignation to the Member Secretary of the Society and submit the same to him. The membership of such person shall stand terminated from the date of his resignation.

- iii. A member of the Society shall cease to be a member, if the Board of Governors so desire.

8. Meeting of Board Of Governors

- a. The Board shall ordinarily meet 4 times in a year with the gap between one meeting and the other not exceeding 120 day.
- b. Every meeting of the Board shall be presided over by the Chairman of the Board of Governors and in his absence, the Vice Chairman, shall preside over the meeting.
- c. The Chairman may, on the written requisition of not less than four members, call a special meeting of the Board.
- d. Every notice calling a meeting of the Board shall state the date, time and place at which such meeting will be held and shall be served upon every member not less than 48 hours before the day and time appointed for the meeting;
- e. Provided that the Chairman for reasons to be recorded shall have the authority to call a special meeting on such shorter notice as he thinks fit.
- f. The Board of Governors can further constitute committees and sub-committees and delegate necessary powers and authorizations to such committees for specific purposes.
- g. **Quorum:** Five Members; out of whom at least three must be ex-officio/ official members, shall constitute the Quorum.

9. Conduct of Business of the Board of Governors

- i). The **Board of Governors** may function notwithstanding any vacancy in its constitution provided, however, that at no time the number of vacancies shall be such that the total number of members is less than the quorum required for a meeting of the Board of Governors.
- ii). **Acts and Proceedings not to be invalidated by vacancies etc:** No act or proceeding of the Board of Governors or any authority of the Society or any committee constituted under the Society, shall be invalidated on the ground merely of the existence of any vacancy or defect in the election, nomination or appointment of a person acting as a member thereof not affecting the merits of the case.
- iii). In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- iv). Each member of the Board, including the Chairman, shall have one vote and if there is an equal number of votes on any question to be

determined by the Board, the Chairman shall, in addition, have and exercise a casting vote.

v). Any resolution, except such as may be placed before the meeting of the Board, may be adopted by circulation among all its members, and any resolution so circulated and adopted by a majority of the Members shall be as effectual and binding as if such Resolution has been passed at a meeting of the Board, provided that in every such case, at least 5 members of the Board shall have recorded their approval to the Resolution.

10. Powers, functions, duties and responsibilities of the Board of Governors:

Subject to the Memorandum of Association and these Rules, but without prejudice to the generality of powers, the **Board of Governors** shall have the full functional autonomy and shall exercise the following **powers** and carry out the following **functions, duties and responsibilities** inter-alia:

Powers of the Board of Governors

- I) Take decision on matters of policy relating to the administration, working and control of the Society.
- II) Consider and approve the Annual or long-term programmes and plans of the Society in conformity with the scope of the objectives of the Society mentioned in the Memorandum of Association and to sanction expenditure for the same.
- III) Consider and approve eligibility conditions, duration, selection process etc for various types of service providers, vendors, resources including system integrators, developers, stake holders, financial collaborators, public-private partners, implementers, executors of the various e-Governance initiatives and other citizen/public services.
- IV) Frame Rules, Regulations and Bye-laws for the conduct of the affairs of the Society and to add, amend, or repeal the rules and regulations from time to time.
- V) Consider, approve and authorize operation of the funds of the Society; authorize collection of payments and user charges on behalf of other departments and agencies and transfer/ utilize it in the manner prescribed in the agreements.
- VI) Frame norms, guidelines and terms and conditions and service level agreements with stakeholders and other IT and e-Governance services and to add to or amend them from time to time.
- VII) Appoint Committees or Sub-Committees, by whatever name called, comprising member(s) of the Society and such outside experts and officers of the Society as may be nominated by it

for specific tasks, for the disposal of any of its business or for tendering advice on any matter pertaining to the administration and management of the Society.

- VIII) Delegate, to such extent as it may deem necessary, any of its powers to any Officer or the Committees constituted by the Board.
- IX) Create permanent, temporary or project based contract positions and handle the work on job-work and/or outsourcing basis for the Agency, lay down terms and conditions and method of hiring such human resources, including deputations from other Government Departments/agencies/undertakings/institutions.
- X) Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, improve, alter, demolish or repair buildings, space, works and constructions as may be necessary or convenient for carrying on the activities of the Society;
- XI) Negotiate, enter into and make contracts and deeds on behalf of the Society with or without any Government support. This includes the power to enter into legal and corporate agreements for and on behalf of the Society and to sue and defend all legal proceedings on behalf of the Society;
- XII) Institute and award, prizes and medals for innovative e-Governance and citizen services applications;
- XIII) Solicit and receive grants, gifts, donations or other contributions from the Central Government, State Government, user charges, cess, contributions, fee and funds in any other forms.
- XIV) Do all such acts and things as are incidental or conducive to the discharge of the functions, and attainment of any of the objects, of the Society.

10. Executive Committee of the Society:

The routine decision making of the Society and its funds shall be managed by the following Executive Committee:

| S.No. | Name & Designation | Remarks |
|-------|--|------------------------|
| 1. | Principal Secretary to Government of Jammu & Kashmir, Department of Information Technology | Chairman |
| 2. | FA/CAO, Information Technology | Member (Finance) |
| 3. | Additional Secretary, Department of Information Technology, Jammu & Kashmir | Member-Secretary & CEO |

| S.No. | Name & Designation | Remarks |
|-------|---|-------------------------------|
| 4. | State Informatics Officer, NIC | Member |
| 5. | Concerned MMP Secretary (for matters pertaining to that Mission-Mode Project) | Invited Members (as required) |
| 6. | Representative of GAD for Service matters | Invited Member (as required) |

- a. The Executive Committee will be empowered to take all administrative decisions where no creation of posts is involved.
- b. The Executive Committee will issue Administrative Approvals (AA), Financial Sanctions (FS) and Technical Sanction (TS) for all IT and e-Governance projects of value less than Rs. one crore. Any project of more than Rs. one crore would require the approval of the Board of Governors. -19-
- c. The Executive Committee will be competent to handle all IT resource acquisition and disposal cases of value less than Rs. one crore per tender. Any acquisition of more than Rs. one crore per tender would require the approval of the Board of Governors.
- d. In case of urgency, the Executive Committee will take decisions and get the same ratified from the Board of Governors in its next meeting.
- e. The Executive Committee may also further delegate any of its power to any Member or sub-committee that it may constitute for some specific purpose.
- f. The Executive Committee shall exercise such other powers as delegated to it by the Board of Governors.

11. Functions, duties and responsibilities of the Executive Committee:

- I) To prepare and execute the detailed plans and programmes for working of the Society and to carry on its day-to-day administration and management.
- II) To procure and provide all types of IT resources & services like hardware, system software, power & printer peripherals, networking components etc.
- III) To have custody and ensure proper utilization of the funds of the Society and to manage all the resources of the Society.
- IV) To frame and prescribe guidelines and instructions for the implementation of e-governance and public service applications in conformity with the overall policy approved in this behalf by the Board of Governors.

- V) To provide the required operating, administrative, technical, ministerial and other manpower under JaKeGA on job work, contract, deputation or outsourcing basis from project to project for ensuring the efficient operation and management of the projects and to prescribe the conditions for hiring and firing of such manpower as and when required.
- VI) To co-ordinate with central and state level organizations/ institutions of national and international organizations in the pursuit of the objectives of the Society.

12. Assets and Funds of Society:

- (a) The capital cost and corpus fund for the smooth functioning of the Society may be contributed by Government of Jammu & Kashmir, Government of India, Public Sector undertakings, Co-operative Institutions, other Public Sector organizations, Financial Institutions, and any other Organization/person approved in this regard by the Board.
- (b) The recurring expenditure of the Society would be met out of the administrative expenses granted, if any, for the purpose of recurring expenses by the Donors or through other income from the resources and business of the Society.
- (c) The Society may accept contributions from statutory bodies created under the Acts of Parliament or of the State Legislature, the national and International organizations, NRIs, or industry. The contribution may also be accepted from Private bodies and individuals subject to the approval of its Board of Governors.
- (d) **Vesting of the assets and funds of the Society:**
 - i) **Assets register and accounts:** The Society shall maintain Assets Register (AR) and accounts as per the common corporate practices relating to IT industry. -21-
 - ii) **The Treasurer of Fund:** The FA/CAO of IT Department, Government of Jammu and Kashmir or any other person authorized by the Board shall be the treasurer of the funds.
 - iii) **Operation of Bank Account:** The bank accounts of the Society shall be kept in the name of the Society and shall be operated upon by the Member Secretary of the Society or any other person authorized by the Executive Committee or Member Secretary.
- (e) Objects for which the Fund of the Society could be used:
 - i. The objects of the fund shall be as approved by the Board of Governors.
 - ii. All decisions for utilization of funds would be recorded in Executive Office Order Register (EOOR).

- iii. Some of the indicative objects for which the funds could be used are as follows:
 - a. For creation, operation, management and maintenance of databases to be used for IT enabled public services in the State
 - b. For developing replicable and reusable models of e-Governance in various State Government Departments, Offices, Boards and Corporations;
 - c. For creation, operation, management and maintenance of IT and other resources for e-governance applications and IT enabled citizens services
 - d. To develop Decision Support System, MIS, Intranet and other applicable enabling technologies in State Government Departments, Offices, Boards and Corporations;
 - e. For IT innovations in administration, re-engineering and for IT supported resource optimization;
 - f. To impart special training, awareness and capacity building in the field of IT for various State Government Departments, Offices, Boards, Corporations and to the extent possible for students and the general public;
 - g. For any other purpose, which seeks to achieve the objectives of the Society.
- iv. Administrative expenses incurred by the Society or Committee such as salary, allowances, traveling Allowances and daily Allowances of the staff can be legitimate charges on the funds of the Jammu & Kashmir E-Governance Agency in accordance with the provision of the rules of the Society.

13. Accounts and Audit

- a. The CEO shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditure and of the property, assets and liabilities of the Society. The Annual Accounts shall be made up by the end of the financial year;
- b. The Accounts of the Society shall be audited and certified by the Auditor General, Jammu & Kashmir in respect of funds provided by the Government of Jammu & Kashmir and by a Chartered Accountant appointed by the Board of Governor or any other competent authority.

14. Contracts:

All contracts and other assurance shall be executed in the name of the Board of Governors and signed on their behalf by the CEO of the Society or any other person duly authorized by the Board of Governors.

15. Powers, Functions & Responsibilities of the Chief Executive Officer (CEO):

- a. The CEO shall be the custodian of the record, the funds of the Society & such other property of the Society as the Board may commit to his charge. The CEO shall have the accounts maintained and also arrange for the annual audit in accordance with the provisions in the Rules and Bye-laws of the Society.
- b. The CEO shall have such other powers and perform other duties as may be delegated or assigned to him by the Board. The CEO may delegate any of his powers to any of his subordinate with the approval of the Executive Committee.
- c. The CEO shall record the proceedings of the meetings of the Society and of the Board of Governors and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.
- d. The CEO shall manage the projects, properties or the fund, manage accounts, execute all contracts on behalf of the Society and receive funds for the Society through donations, grants-in-aid, contributions and such other acts as authorized.
- e. The CEO shall prepare the budget relating to the administrative expenses of the Society and Committee such as expenditure on TA/ DA of the members, which shall be a legitimate charge on the fund.
- f. The CEO will be empowered to take all day to day administrative decisions where no policy is involved or where no creation of posts is involved.
- g. The CEO will have the authority to issue Financial Sanction (FS) and Technical Sanction (TS) for all IT and e-Governance projects of value less than Rs. 20 lacs. Any project of more than Rs. 20 lacs would require the approval of the Executive Committee or the Board of Governors, as the case may be.
- h. In the event of the post of the CEO remaining vacant or the CEO being absent or unable to perform his duties or any reason, it shall be open for the Committee to direct any Officer or Officers in the service of the Society to exercise temporarily such powers & perform such functions and duties of the CEO as the Committee may deem fit.
- i. The CEO shall be responsible for the proper day-to-day administration of the Society. All other staff of the Society shall be subordinate to the CEO. The CEO shall carry out the general correspondence in connection with the work assigned to him/ her by the Chairman of Board of Governors and the Executive Committee from time to time.

- j. The CEO shall hire and fire the manpower for the Society and other staff in accordance with Rules, regulations and bye-laws of the Society. The CEO shall represent the Society in all its legal matters jointly or through any authorised representative.
- k. The CEO shall be responsible for the training and execution of all IT and e-Governance projects as approved by the Board of Governors and the Executive Committee.

16. Withdrawal of Funds.

1. Withdrawal of funds from the accounts of the Society shall be regulated in a manner to be determined by the Board of Governors or under its authority by the Executive Committee.
2. Such withdrawals shall be made by cheques on requisition (as the case may be) signed by the CEO and/ or an officer(s) authorized in this behalf by the Board of Governors or under its authority by the Executive Committee.

17. Annual report.

A report on the working of the Society every financial year shall be got prepared by the Month of September of the following financial year by the CEO and presented to the Government of Jammu & Kashmir after the approval of the Board of Governors.

18. Suit by and Against the Society:

The Society may sue or be sued in the name of the Society and the CEO shall have all powers to defend any suits and sue in the name of the Society either by himself or acting through agents/ officials duly appointed by the CEO.

19. Powers of the State Government to Give Directions to the Society.

The State Government in the Department of Information Technology may give the Society such directions in regard to the grants and funds provided by the State Government, as in its opinion, are necessary or expedient for carrying out the purposes of the Society. It shall be the duty of the Society to comply with such directions.

20. Repeal and Savings.

- I. Subject to the prior approval of the Board of Governors, the Society may alter, extend or abridge any purposes for which it is established by following the procedure prescribed under these rules.
- II. These Rules may be altered by the Society with the consent of the Board of Governors at any time by a resolution passed by a majority of the total members present at any meeting of the Society

which shall have been convened for the purpose after giving due notice of such resolution to the Members of the Agency.

21. Societies Registration Act to Apply:

All clauses of Societies Registration Act, 1998 apply to this Society save as are appropriately and expressly amended and altered or amended by these presents and such amendments are not inconsistent with the aforesaid Act.

22. We, the following members of the Board of Governors certify that the Rules of the Agency given above are correct:

| S. No. | Name & Designation | Remarks | Signature |
|---------------|---|-------------------------|------------------|
| | Ex-officio Members | | |
| 1. | Sh. S.S Kapur, IAS Chief Secretary to Government of Jammu & Kashmir | Chairman | |
| 2. | Sh. S. L. Bhat, IAS Financial Commissioner Planning, Government of J&K | Vice-Chairman | |
| 3. | Dr. Arun Kumar, IAS Principal Secretary to Government of Jammu & Kashmir, Department of Information Technology | Member-Secretary | |
| 4. | Sh. Bharat Bushan Vyas, IAS Commissioner/Secretary to Government of Jammu & Kashmir, Department of Finance | Member | |
| 5. | Sh Mohammad Yusuf Dar Addl. Secretary to Government of Jammu & Kashmir, Department of Information Technology | Member & CEO | |
| 6. | Sh.Majid Jahangir, FA/CAO IT, Government of J&K | Treasurer | |
| 7-9 | 3 Secretaries to Government Executing MMPs, as nominated by the Chairman | Member | |

| | | | |
|-------|---|-------------------------|--|
| | Nominated Members | | |
| 10-11 | Two IT experts to be nominated by the Department of IT | Member | |
| 12-13 | Two eminent citizens/prominent users of IT services to be nominated by the Department of IT | Member | |
| | Co-opted Members | | |
| 14 | Any other member, which Board of Governors decides to co-opt. | Co-opted Members | |

ANNEXURE-1

RESOLUTION

It is resolved that Jammu & Kashmir E-Governance Agency (J&KeGA) may be got registered as Society under the J&K Societies Registration Act, 1998 in the office of Registrar of Societies Jammu.

| S N | Name & Designation | Address | Signature |
|----------------|--|-----------------------------|------------------|
| | Ex-officio Members | | |
| 1. | Sh. S.L.Bhat, IAS Financial Commissioner, Planning, Govt. of J&K | Civil Secretariat, Jammu | |
| 2. | Dr. Arun Kumar, IAS Principal Secretary to Government of Jammu & Kashmir, Department of Information Technology | Civil Secretariat, Jammu | |
| 3. | Sh. Bharat Bushan Vyas, IAS Commr./Secretary to Govt. Finance Department. | Civil Secretariat, Jammu | |
| 4 | Sh Mohammad Yousuf Dar Addl. Secretary to Government of Jammu & Kashmir, Department of Information Technology | Civil Secretariat, Jammu | |
| 5 | Sh. A. M. M. Jahangir FA/CAO IT, Govt. of J&K | Civil Secretariat, Jammu | |