



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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নং 30 দিশপুৰ, মঙ্গলবাৰ, 30 জানুৱাৰী, 2018, 10 মাঘ, 1939 (শক)  
No. 30 Dispur, Tuesday, 30th January, 2018, 10th Magha, 1939 (S.E.)

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GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR  
INDUSTRIES AND COMMERCE DEPARTMENT

## NOTIFICATION

The 3rd January, 2018

**No. CI.84/2016/100.-** In the interest of public service, the Governor of Assam is pleased to enunciate the Rules and Regulations for the SEMI PROCESSING AND PROCESSING MISSION SOCIETY FOR CHIEF MINISTER SAMAGRA GRAMYA UNNAYAN YOJANA (SPPMS-CMSGUY). This will come into force with immediate effect.

## RULES AND REGULATIONS

### 1. Short title, extent and commencement –

- (1) These rules shall be called "the Rules and Regulations of the Semi Processing and Processing Mission Society for Chief Minister Samagra Gramya Unnayan Yojana" (hereinafter also called as 'SPPMS-CMSGUY Rules, 2017').
- (2) They shall extend to all activities of this Mission Society within the state of Assam.
- (3) They shall come into force with effect from the date of registration of the society by the Registrar of Societies.

## 2. **Definitions** –

In the Rules of Business, unless the subject or context requires otherwise :

- (i) "CMSGUY - Projects" means any CMSGUY-Project or any component thereof taken up by the Government of Assam under the Semi Processing and Processing Mission for 5 years from 2016-17 and culminating in the year 2021-22 coinciding with 75 years of India's Independence for doubling the farm Income in the focused are as under the respective priority sectors in Assam in unison with the vision of the Honble Prime Minister of India and its associated programmes, as may be authorized by the Government of Assam from time to time, whose implementation, monitoring and coordinating responsibility will be vested to the "SPPMS-CMSGUY";
- (ii) "CEO. SPPMS-CMSGUY" means Mission Director of Mega Mission Society for Chief Minister Samagra Gramya Unnayan Yojana;
- (iii) "Chief Minister" means the Hon'ble Chief Minister of Assam;
- (iv) "Chief Secretary" means the Chief Secretary to the Government of Assam;
- (v) "Chairman" and "Vice Chairman" mean respectively the Chairman and Vice Chairman of the Governing Body/Executive Body;
- (vi) "Executive Body" means the executive authority of the SPPMS-CMSGUY constituted under rule 8 hereunder;
- (vii) "Industries and Commerce Department' means the Industries and Commerce Department of the Government of Assam;
- (viii) "Governing Body" means the apex body of the SPPMS-CMSGUY constituted under rule 4 hereunder;
- (ix) "Government" means the Government of Assam In the office of Senior Most Secretary;
- (x) "Minister" means the Hon'ble Minister of Assam for the Nodal department;
- (xi) "Missions" means the missions including the Programmes thereunder in different departments as decided by the Semi Processing and Processing Mission Society, These are under the Semi Processing and Processing-Mission Society of "CMSGUY" entrusted with the responsibility of Implementing different components of the "CMSGUY-Projects" as determined by the Government of

Assam and as laid down in the individual Project Reports. Such Missions may Include any or all the Departments of the Government of Assam and other entities within and outside the state of Assam and these are recognized under the individual CMSGUY-Projects to foster the single objective of doubling the farm income, Each Mission/Programme will have independent targets and outcomes which are aggregated and converged into the overall Semi Processing and Processing-Mission targets;

- (xii) "Mission Director" means the Chief Executive Officer of the Mission Society;
- (xiii) "SPPMS-CMSGUY" means the Semi Processing and Processing Mission Society for Chief Minister Samagra Gramya Unnayan Yojana;
- (xiv) 'Officers and staff' means the officers and staff in the employment of the SPPMS-CMSGUY including the officers, staff and consultants working in the Society of the Nodal Department, part time or full-time. This will also include the Government officers placed on deputation or on Service Disposal basis, in addition to their own duties in their respective parent Department of the Government;
- (xv) "Project Report" means Project Report for CMSGUY-Projects which is duly approved by the Government of Assam to be implemented, monitored and coordinated by the SPPMS-CMSGUY;
- (xvi) "Society" means Semi Processing and Processing Mission Society.

3. **Authorities of the Society** –

The Authorities of the Society shall consist of the following :

- (a) The Governing Body
- (b) The Chairman and Vice Chairman of the Governing Body
- (c) The Executive Body
- (d) The Chairman of the Executive Body
- (e) The Mission Director of the Society.

4. **Governing Body** –

The general superintendence, direction and control of the affairs of the Society and of its income and property, movable or immovable, shall be vested in the Governing Body.

The Governing Body of the SPPMS-CMSGUY shall have the following members :

<b>Members*</b>	<b>Designation</b>
1. Minister, Industries and Commerce, Assam	Chairman
2. Senior Most Secretary of the Industries and Commerce Department	Vice Chairman
3. Senior Most Secretary of Agriculture Department	Members
4. Senior Most Secretary of Urban Development Department	
5. Senior Most Secretary of Panchayat and Rural Development Department	
6. Representative of CEO, MMS-CMSGUY	
7. Mission Director	Member Secretary

\*Any other Minister/Officer/Entity/Organisation that the GB intends to co-opt as Member.

**5. Term of members of the Governing Body –**

Term of the members of the Governing Body will be for 5 years and they will not be eligible to resign.

**6. Powers and Functions of the Governing Body –**

Subject to the Memorandum of Association and the Rules and Regulations of the Mission Society but without prejudice to the generality of powers, the Governing Body shall have full functional autonomy and shall exercise the following powers and carry out the following functions, duties and responsibilities :

- (a) to take decision on matters of policy relating to the general superintendence, direction and control of the affairs of the Society and of its income, expenditure, assets and liabilities;
- (b) to issue guidelines for the formulation of overall plans and policies of the society, Semi Processing and Processing Mission, Missions and other programmes thereunder with an aim to achieve efficient functioning of SPPMS-CMSGUY;
- (c) to consider the appointment of the auditors of the society;
- (d) to consider the financial statements and audit report of SPPMS-CMSGUY and their approval;
- (e) to consider the annual reports and approval of the same;
- (f) to consider and approve the annual work plan and the budget of the SPPMS-CMSGUY encompassing all Missions and other programmes thereunder;

- (g) to create duly empowered administrative mechanism, through such participations, as may be deemed necessary of various departments and autonomous agencies of the central and state government, for the achievement of the objectives of the society;
- (h) 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;
- (i) delegate, to such extent as it may deem necessary, any of its powers to the Executive Body or to any other Officers or the Committees constituted by the Governing Body;
- (j) 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;
- (k) approve the acquisition and alienation of Immovable Property by the society subject to such limitations as imposed by the Government of Assam;
- (l) accept contributions from statutory bodies created under the Acts of Parliament or of the State Legislature, the national and International organizations, NRIs, industry etc. for the furtherance of the objects of the Society.

**7. Meetings of the Governing Body –**

Tile meetings of the Governing Body shall be held ill the following manner :

- (a) The Governing Body shall meet at least annually once at such date, time and venue as decided by the Chairman and notified by or on behalf of the Member Secretary to all members not less than 48 hours before the date/time of the meeting.
- (b) The Governing Body may meet as and when necessary following the same procedure mentioned above. The Chairman shall have the authority to call special meeting of the Governing Body for reasons recorded in writing.
- (c) In the event of the Chairman or Vice Chairman being not present, meeting shall be chaired by the senior most member present;
- (d) One half of the members shall form the quorum; quorum in the adjourned meetings would not be required;
- (e) Each member of Governing Body shall have one vote; all decisions that cannot arrived at by consensus Will be determined by the majority vote of the members present and voting. In case of equality of votes, the member chairing the meeting

will have a casting vote. Any member who has a conflict of interest in any resolution will abstain from voting.

- (f) Team Leaders of the various consultancy agencies hired under the CMSGUY-Projects and other partner organization/entities, etc. may be invitees to the Governing Body Meetings, With approval of the Chairman/Vice Chairman.
- (g) The representative of Permanent Partnering Agencies whose expert advice and support shall be sought by the Governing Body. Such possible partners as NDDDB, NABARD SLBC Convener, ARIAS Society, IIT-Guwahati, IIIT-Guwahati etc. shall be the permanent invitees to the Governing Body Meetings as decided by the Council from to time.
- (h) The Member Secretary shall maintain or cause to be maintained the minutes of the meetings of the Governing Body.

#### 8. **Executive Body (EB)** –

SPPMS-CMSGUY being constituted primarily to implement "CMSGU-Projects", the Executive Body shall exist for overall co-ordination among various **Departments/Organisations of the Mission and the Missions** of the CMSGUY-Projects, to coordinate and monitor the progress of implementation of CMSGUY-Pojects, and to discharge management responsibilities under overall guidance of the Governing Body and to give directions or take decisions in an endeavor, whenever necessary, to achieve the objectives of the CMSGUY-Projects. The Executive Body shall consist of the following as members :

Members*	Designation
1. Senior most secretary, Industries and Commerce department.	Chairman
2. Respresentative of Agriculture Department <b>not below the rank of Joint Secretary.</b>	Ex-Officio Members
3. Respresentative of Urban Development Department <b>not below the rank of Joint Secretary.</b>	
4. Respresentative of Panchayat and Rural Development Department <b>not below the rank of Joint Secretary.</b>	
5. Respresentative of Chief Executive Officer, MMSCMSGUY.	
6. Commissioner, Industries and Commerce, Assam.	
7. Mission Director.	Member Secretary

**\*The Executive Body may co-opt any representative of Funding Agency/Technical Agency/Consultancy etc.**

## 9. Meetings of Executive Body –

The meetings of Executive Body shall be held in the following manner :

- (a) Meeting of Executive Body shall be held at least once in three months on the date, time and venue to be decided by the Chairman and notified by the Member-Secretary to all members not less than 48 hours before the date/time of the meeting.
- (b) Five members of Executive Body shall form the quorum. Quorum in the adjourned meetings would not be required.
- (c) In the event of the Chairman or Vice Chairman (if any), being not present, meeting shall be chaired by the senior most member present.
- (d) Each member of executive Body shall have one vote; all decisions that cannot be arrived at by consensus will be determined by the majority vote of the members present and voting. In case of equality of votes, the member chairing the meeting will have a casting vote. Any member who has a conflict of interest in any resolution will abstain from voting.
- (e) The representatives of Permanent Partnering Agencies whose expert advice and support is sought by the EB of CMSGUY, such partners as NDDB, NABARD, SLBC Convener, ARIAS Society, IIT-Guwahati, IIIT-Guwahati Omeo Kumar Das Institute of social change and development etc. shall be the permanent invitees to the Executive Body Meetings and as decided by the EB from time to time.
- (f) Planning and Development Department shall be actively involved for programme Planning and Monitoring activities of the Semi Processing and Processing Mission.
- (g) The member Secretary shall maintain or cause to be maintained the minutes of the meetings of the Executive Body.

## 10. Powers and functions of Executive Body –

The affairs of SPPMS-CMSGUY shall be administered, subject to the Rules and Regulations and Bye Laws of the Society, under the overall guidance of Governing Body, by the Executive Body **and the Mega Mission Society**.

- (1) It shall be the responsibility of the Executive Body to endeavor to achieve the objective of the Society and discharge all its functions. The Executive Body shall exercise all administrative, financial and technical authority in this behalf except creation of posts.
- (2) In order to achieve the objectives of Society, the Executive Body may engage/hire technical manpower on contractual basis with the approval of Governing Body of the Society and Mega Mission Society.
- (3) The executive Body may avail the services of Officers and Staff from Government on Deputation/attachment/Secondment basis subject to the following–

- (a) incumbents on deputation to the SPPMS-CMSGUY from the State Government shall be entitled for "deputation allowance" and other efficiency linked allowances as deemed fit and proper by the Governing Body;
- (b) SPPMS-CMSGUY shall deposit the "Pension Contribution" and "Leave Salary Contribution" to the appropriate Head of Account as fixed by Accountant General, Assam in respect of officers on deputation from the State Government on a regular basis and deduct applicable GPF/GIS/NPS subscriptions and professional taxes from the incumbents monthly salary and deposit the same to the appropriate head of account of the AG/State Government ;
- (c) the society may grant honorarium/special allowance to the Govt. employees on attachment/secondment not exceeding the limit prescribed by the Mega Mission Society/Govt. of Assam;
- (d) officials and staff deputed by the State Government to the SPPMS-CMSGUY may be reverted by the SPPMS-CMSGUY without assigning any reasons;
- (e) annual Confidential Reports (ACR) of the Officials on deputation to SPPMS-CMSGUY are to be recorded, reviewed and accepted and sent to the respective parent department of the incumbent;
- (4) The Executive Body shall have under its control the management of all the affairs and funds of the society;
- (5) The Executive Body shall sanction expenditure for the execution of plans each Mission as per the Project Implementation Plan (PIP), and programmes of the Society as approved by Governing Body in the Annual Action Plan;
- (6) The Executive Body may appoint Committees or Subcommittees, by whatever name called, comprising member(s) of the Society and such outside experts either as part of the committee or otherwise 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;
- (7) Consider frame and issue detailed regulations, instructions, guidelines, procedures and processess from time to time in conformity with the status and rules for the fulfillment of the objects of the society and for all schemes, projects and Programmes thereunder;
- (8) Consider and approve the appointment of the internal auditors of the society;
- (9) Fixation of remuneration and other TA/DA charges for members of various Committees and special invitees, while attending the meetings of the various Committees;
- (10) Consider and approve eligibility conditions, duration, selection process etc. for



various types of service providers, vendors, resources, developers, stake holders, financial collaborators, public-privates, franchises, implementers, executors of the various projects under SPPMS-CMSGUY;

- (11) Consider and frame the proposals, request For Proposal (RFP) and other documents for the approval of the competent authority to achieve the objects of the society;
- (12) Consider and approve norms, guidelines and terms and conditions and service level agreements with stakeholders;
- (13) To handle the projects on job-work and/or outsourcing basis for the Society, lay down terms and conditions and method of hiring such human and other Information Technology resources;
- (14) Negotiate, enter into and/or make contracts and deeds on behalf of the society;
- (15) 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 after due approval of Governing Body;
- (16) 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, shall not be inconsistent or in conflict with the objectives of the society or with the provisions of these Rules.
- (17) Decide the temporary investment of surplus funds of the Society;
- (18) The Executive Body shall have the power to enter into arrangement with other public or private organizations individuals for furtherance of its objects;
- (19) The Executive Body may delegate, to the Chairman, **Mission Director**, or any of its members and/or to a Committee/group or any other officer of the Society such administrative, financial and academic powers and impose such duties as it deems proper and also prescribe limitations within which the powers and duties are to be exercised or discharged;
- (20) 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.

#### **11. Powers and Functions of the Chairman –**

The Chairman shall act upon powers that may be delegated by the Executive Body. The Chairman may further delegate the power to **the Member-Secretary/Mission Director/member/any officer**. The Chairman shall be competent to take action on behalf of Executive Body, in the absence of Executive Body decision, if necessary, in respect of matters delegated to the Executive Body on grounds of urgency to be recorded in writing, and such action shall be placed before the Executive Body in next meeting for ratification.

## 12. Powers and Functions of Mission Director, SPPMS-CMSGUY –

The Mission Director of the SPPMS-CMSGUY shall be responsible for administration and management of the SPPMS-CMSGUY and implementation of the SPPMS-CMSGUY projects, consistent with the policy and management directions issued by the Governing Body and Executive Body of SPPMS-CMSGUY. The Mission Director will report to the Chairman of the Executive Body. She will operate from the office of the SPPMS-CMSGUY. The Mission Director shall specifically:–

- (a) be the Member and Secretary of both the Governing Body and Executive Body of the SPPMS-CMSGUY ;
- (b) be in overall charge of the day to day functioning of SPPMS-CMSGUY ;
- (c) recommend release of funds to the implementing Departments/Organisations of CMSGUY-Project ;
- (d) monitor physical and financial progress of the Semi Processing and Processing Mission and all Missions thereunder and take corrective actions wherever necessary;
- (e) shall maintain or cause to be maintained proper book of account in accordance with generally accepted accounting principles and standards for all transactions of receipts and payments, income and expenditure and of the property, assets and liabilities of the Society and prepare the annual accounts ;
- (f) ensure audit of accounts (internal, external and statutory) and the follow up action on the audit observations;
- (g) monitor actions relating to obtaining grants from Govt. of India which are used as convergence funds for the Mission and reimbursement of expenditures (as applicable) from funding/aiding agency like NABARD, NIDA etc. specifically borrowed/obtained for the CMSGUY ;
- (h) assess training needs of officials and staff of the SPPMS-CMSGUY and of the Missions and formulate training plans; and arrange for such trainings;
- (i) establish close co-ordination with Funding Agencies of the CMSGUY-Projects and liaise with other similar CMSGUY-Projects under implementation in India, if any
- (j) In order to double the farm income, give necessary support to prepare innovative activities by the **Departments/ Organisations** for introducing the best practices in the following priority sectors :
  - (i) rural Income generation;
  - (ii) convergence of various departmental schemes;

- (iii) **protection of land resources;**
- (iv) co-ordination between Existing Mission, CMSGUY and any other new Mission;
- (v) skill Development;
- (vi) special attention to Sixth Scheduled Councils, PRIs, ULBs;
- (vii) emphasis on village based culture and Eco-tourism;
- (viii) any other relevant programme/item;
- (k) assist, guide and supervise activities of all **Departments/Organisations** in the planning, implementation, monitoring, accounting, auditing and evaluation of activities as per requirement and stipulations of this individual Mission of CMSGUY-Project;
- (l) initiate action on recommendations of CMSGUY-Project funding agencies, Government of India, Government of Assam, Governing Body and the Executive Body;
- (m) ensure complete and up to date maintenance of books of account of the Society in accordance with generally acceptance accounting standards;
- (n) be responsible for ensuring preparation of annual work plan by the Mission of CMSGUYProject by mentoring handholding and supervising the Programmes thereunder;
- (o) to accord sanction and to release funds to the **Departments/ Organisations** as per the Project Implementation Plans (PIPs) of each of the **Departmentals Organisations** and as provided in the bye-laws of the SPPMS-CMSGUY;
- (p) cause field inspections of the activities of **Departments/Organisations** of CMSGUY-Project and to initiate corrective actions wherever necessary; and to recommend disciplinary and/or corrective action including action against contractual staff and/or any officials and staff on deputation to the SPPMS-CMSGUY from the State Government subordinate to him/her;
- (q) discharge all statutory responsibilities of SPPMS-CMSGUY;
- (r) carry out any other responsibilities assigned/directed from time to time by the Chairman Governing Body or Chairman Executive Body; and
- (s) deal with any other matter relating to financial affairs of SPPMS-CMSGUY.

**13. Funds -**

- (a) **All funds received by the Society from Government of Assam, Government of India, Mega Mission Society and other funding Agencies will constitute the fund of the Society.**
- (b) All money of the SPPMS-CMSGUY shall be kept in bank account(s) in the name of SPPMS-CMSGUY opened with the approval of the Executive Body. The bank accounts shall be operated under joint signatories of the Mission Director and Finance and Accounts Officer or as per the approved delegation of powers or as expressly provided by the Executive Body. Drawl of funds from the bank accounts of SPPMS-CMSGUY will be done in accordance with the procedure described in the Bye-laws.
- (c) The Society would further release the funds to each of the **Schemes/ Programmes** there under as per the procedures laid down by the EB.

**14. Accounts, Audit and Annual Report -**

The Society shall maintain proper accounts and other relevant records and prepare annual financial statements comprising the Receipts and payment Account and the Statement of Assets and Liabilities in accordance with generally accepted accounting principles and standards and considering any directions given by the **Mega Mission Society and other** funding agencies.

The accounts of the Society shall be audited annually by a Chartered Accountant in accordance with generally accepted auditing standards. The audit report shall be addressed to the Governing Body. The audited financial statements along with the audit report shall be considered in the meeting of the Executive Body and adopted in the annual meeting of the Governing Body.

The accounts of the Society shall also be subject to the provisions of the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971 as amended from time to time.

The Mission Director will prepare an Annual Report on the working of the Society and the work undertaken by it during the year and together with the audited financial statements and the audit report shall place it before the Executive Body for and also at the annual meeting of the Governing Body. Thereafter, a copy shall be submitted to the Government of Assam and to the funding agencies.

**15. Legal Proceedings –**

- (1) Any suit or other legal proceedings by or against the Society may be filled/contested/defended and conducted on its behalf either by the Chairman or the Mission Director or by any other person so authorized by the Executive Body of the Society. Any pleadings or other documents in connection there with may be signed and verified by any of such persons on behalf of the Society.
- (2) This power shall also include the appointment of advocate/s, attorney/s etc. for the purpose.

**16. Right to Information –**

Consistent with the spirit of the Right to Information Act, 2005 (22 of 2005) the annual Report of the Society, Minutes of the meetings of the Governing Body and Executive Body and notices for employment and award of contract and consuttancies by the Society will be displayed on the web site of the Society.

**17. Bye Laws of the Society –**

The Executive Body may, with the previous approval of the Government of Assam, frame or amend from time to time Bye Laws of the Society for the conduct of the operations of the Society and furthering its objectives. The Bye Laws and any amendments shall be placed before the Governing Body in the next meeting.

**18. Amendments and Alternations –**

The objectives of the Society may be altered or extended in the manner provided in the Societies registration Act, 1860 **with the approval of the Mega Mission Society.**

**With the approval of the Mega Mission Society,** these Rules and regulations may be amended by the Executive Body by a resolution passed by not less than two-third of the members present and voting. The amended Rules and regulations shall be placed in the next meeting of the Governing Body for ratification.

**19. Validation of Acts –**

No action taken by the Society or any of its authority shall be rendered invalid or void merely due to vacancies in the governing Body or the executive Body or defect in the appointment of the members.

**20. Interpretation –**

In the interpretation of these Rules and regulations there be any dispute or about, it will be decided by the Government and the decision of the Government will be final.

**Certified to be the true copy of the Rules and Regulations of the SPPMS-CMSGUY.**

**Signatures :**

Sl. No.	Designation.	Name	Signature
1.	Senior most Secretary, Industries and Commerce Department.	Sri Ravi Capoor, IAS	
2.	Representative of Agriculture Department <b>not below the rank of Joint Secretary.</b>		
3.	Representative of Urban Development department <b>not below the rank of Joint Secretary.</b>		
4.	Representative of Panchayat and Rural Development department <b>not below the rank of Joint Secretary.</b>		

<b>Sl. No.</b>	<b>Designation.</b>	<b>Name</b>	<b>Signature</b>
5.	Representative of Chief Executive Officer, MMS– CMSGUY.		
6.	Commissioner, Industries and commerce, Assam.		
7.	Mission Director.		

Date :

Place :

**RAVI CAPOOR,**  
Additional Chief Secretary to the Government of Assam,  
Industries and Commerce Department.