



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
INDUSTRIES, COMMERCE & PUBLIC ENTERPRISE DEPARTMENT

NOTIFICATION

The 16th Decemember, 2023

No. eCF.278531.- The Governor of Assam is pleased to notify the Constitution of “*Corporate Social Responsibility Authority of Assam (CSRAA)*” under the administrative control of the Industries, Commerce and Public Enterprises Department. It will come into force with effect of date of publication of the official notification in the Assam Gazette.

Government of Assam
Industries, Commerce and Public Enterprises
Department
CORPORATE SOCIAL RESPONSIBILITY
AUTHORITY OF ASSAM, RULES AND REGULATIONS, 2023
(CSRAA)

TABLE OF CONTENTS

1. Short title, Extent and Commencement
2. Definitions
3. Authorities of the Authority
4. Governing Body (GB)
5. Term of members of the Governing Body
6. Powers and Functions of the Governing Body
7. Meetings of the Governing Body
8. Executive Committee (EC)
9. Meetings of Executive Committee
10. Powers and functions of Executive Committee
11. Powers and Functions of the President
12. Powers and Functions of the Vice President
13. Powers and Functions of the CEO, CSRAA
14. Officers Staff and Contractual Personnel of CSRAA
15. Funds
16. Accounts, Audit and Annual Report
17. Legal Proceedings
18. Right to Information
19. Bye-Laws of the Authority
20. Amendments and Alterations
21. Validation of Acts
22. Interpretation

**CORPORATE SOCIAL RESPONSIBILITY AUTHORITY OF ASSAM RULES
AND REGULATIONS, 2023
(CSRAA)**

- Short title, extent and commencement
1. (i) These rules shall be called the Corporate Social Responsibility Authority of Assam Rules and Regulations, 2023 (hereinafter also called as 'CSRAA' Rules, 2023).
- (ii) They shall extend to all activities of CSRAA within the state of Assam.
- (iii) They shall come into force on the date of its publication in the Official Gazette.
- Definitions
2. In this rules, unless the subject or context requires otherwise,-
- (i) "Authority" means the Corporate Social Responsibility Authority of Assam(CSRAA);
- (ii) CSRAA-Projects" means any CSRAA -Project taken up by CSRAA for procurement, implementation, review, monitoring, operation and maintenance of these projects;
- (iii) "Chief Minister" means the Chief Minister, Assam;
- (iv) "Chief Secretary" means the Chief Secretary to Government of Assam;
- (v) "Chairperson" and "Vice Chairperson" means respectively the Chairperson and Vice Chairperson of the Governing Body;
- (vi) "Chief Executive Officer" means the head of the CSRAA responsible for the day to-day business of the Authority and to the Executive Committee;
- (vii) "Executive Body" means the executive authority of the CSRAA constituted under rule 8;
- (viii) "Industries Department" means, the Industries, Commerce and Public Enterprises Department of the Government of Assam;
- (ix) "Government" means Government of Assam ;
- (x) "Governing Body" means the apex body of the CSRAA constituted under rule 4;

- (xi) "Implementing Agencies" means the line departments or agencies or NGOs empanelled by the CSRAA entrusted with the responsibility of implementing different elements of the "CSR-Projects" as determined by Government of Assam from time to time.
- (xii) "Officers and Staff" means the officers and staff in the employment of the CSRAA including the officers, staff, and consulting agency, consultants, part time or full-time. This shall 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.
- (xiii) "President" and "Vice President" means respectively the President and Vice President of the Executive Committee of CSRAA;
- (xiv) "Project Report" means Project Report for CSR-activities which is duly approved by CSRAA to be implemented directly or through a Corporate on its own, monitored, and coordinated by the AS-CSRS;

Authorities of
CSRAA

3. Authorities of CSRAA shall consist of the following:
 - (i) The Governing Body;
 - (ii) The Chairperson and Vice Chairperson of the Governing Body;
 - (iii) The Executive Body;
 - (iv) The President and Vice President of the Executive Body;
 - (v) The Member Secretary of the Governing Body and the Executive Body;
 - (vi) The Chief Executive Officer, CSRAA.

Governing Body
(GB)

4. The general superintendence, direction and control of the affairs of the Authority and of its income and property, movable or immovable, shall be vested in the Governing Body. The Governing Body of the CSRAA shall have the following members:

Sl. No.	Members	Designation
1.	Chief Minister, Assam	Chairperson
2.	Minister, Industries, Commerce and Public Enterprises	Vice-Chairperson
3.	Minister, Rural Development	Member
4.	Minister, Health	Member
5.	Minister, Education	Member
6.	Minister, WPTBC	Member
7.	Chief Secretary, Assam	Member
8.	Senior-most Secretary, Industries, Commerce and Public Enterprises	Member-Secretary
9.	Senior-most Secretary, Finance	Member
10.	Chief Executive Officer, CSRAA	Convener
11.	Representatives (two to four) from the CSR Donors or Industry Advisory Bodies (On annual rotation basis as nominated by the Chairperson)	Special Invitees

Term of members of the Governing Body (GB)

5. Term of the members of the Governing Body shall be co-terminus with their tenure in the specified appointment in the Government and they shall not be eligible to resign. All of them shall become members by designation and not by name.

Powers and Functions of the Governing Body (GB)

6. Subject to the Memorandum of Association and these Rules, 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:

- (i) take decision on matters of policy relating to the general superintendence, direction and control of the affairs of the Authority and of its income, expenditure, assets and liabilities;
- (ii) to issue guidelines for the formulation of overall plans and policies of the Authority with an aim to achieve efficient functioning of CSRAA;
- (iii) to consider the appointment of the auditors of the Authority;
- (iv) to consider the financial statements and audit report of CSRAA and their approval;

- (v) to consider the annual reports and approval of the same;
- (vi) to consider and approve the annual work plan and the budget of the CSRAA;
- (vii) to create duly empowered administrative mechanism, through such participations, as may be deemed necessary of various departments, autonomous agencies of the central and state government, and Industry representatives contributing CSR funds for the achievement of the objectives of the Authority;
- (viii) appoint Committees or Sub-Committees, by whatever name called, comprising member(s) of the Authority and such outside experts and officers of the Authority 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 Authority;
- (ix) delegate, to such extent as it may deem necessary, any of its powers to the Executive Committee or to any other Officers or the Committees constituted by the Governing Body;
- (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 Authority;
- (xi) approve the acquisition and alienation of immovable Property by the Authority subject to such limitations as imposed by the Government of Assam.
- (xii) 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 Authority.

Meetings of the
Governing Body
(GB)

7. The meetings of the Governing Body shall be held in the following manner:
- (i) The Governing Body shall meet at least annually at such date, time and venue as decided by the Chairperson and notified by or on behalf of the Member Secretary to all members not less than 48 hours before the date or time of the meeting.
 - (ii) The Governing Body may also meet as and when necessary, following the same procedure mentioned above. The Chairperson shall have the authority to call special meeting of the Governing Body for reasons recorded in writing.
 - (iii) In the event of the Chairperson or Vice-Chairperson being not present, the meeting shall be chaired by the senior most member present.

- (iv) One half of the members shall form the quorum; and quorum in the adjourned meetings shall not be required.
- (v) Each member of Governing Body shall have one vote; all decisions that cannot be arrived at by consensus shall be determined by the majority vote of the members present and voting. In case of equality of votes, the member chairing the meeting shall have a casting vote. Any member who has a conflict of interest in any resolution shall abstain from voting.
- (vi) Any person or agency involved in the CSR projects implementation may be invited to the Governing Body Meetings, with approval of the Vice-Chairperson.
- (vii) The Convener shall maintain or cause to be maintained the minutes of the meetings of the Governing Body.

Executive
Committee (EC)

8. The Executive Committee shall be entirely responsible for overall co-ordination among various implementing entities or agencies of the CSR Projects, for coordinating and monitoring the progress of implementation of CSR-Projects and to discharge management responsibilities under overall guidance of the Governing Body and shall give directions or take decisions in an endeavor whenever necessary, to achieve the objectives of the CSR-Projects. The Executive Committee shall consist of the following members:

#	Officials		Members
1.	Chief Secretary to the Government of Assam	:	Ex-Officio President
2.	Senior Most Secretary to the Government of Assam, Industries, Commerce and Public Enterprises Department	:	Ex-Officio Vice President
3.	Senior Most Secretary to the Government of Assam, Finance Department	:	Ex-Officio Member
4.	Senior Most Secretary to the Government of Assam, Transformation and Development Department	:	Ex-Officio Member
5.	Senior Most Secretary to the Government of Assam, Panchayat and Rural Development Department	:	Ex-Officio Member
6.	Senior Most Secretary to the Government of Assam, Skills, Entrepreneurship and Employment Department (SEED)	:	Ex-Officio Member

7.	Representatives of the Departments of the Governments of Assam, associated with the CSR Projects, not below the rank of Secretary	:	Ex-Officio Member
8.	CEO, CSRAA (Selected from Open Market)	:	Ex-Officio Member -Secretary
9.	Representatives (two to four) on annual rotation basis from the CSR donors or Industry Advisory Bodies	:	Special Invitees
10	2 (Two) private persons to be nominated by the State Government	:	Members

Meetings of the Executive Committee (EC)

9. The meetings of the Executive Committee shall be held in the following manner:
- (i) Meetings of Executive Committee shall be held at least once in four months on the date, time and venue to be decided by the President and notified by the Member-Secretary to all members not less than 48 hours before the date or time of the meeting.
 - (ii) Five members of Executive Committee shall form the quorum. Quorum in the adjourned meetings shall not be required.
 - (iii) In the event of the President or Vice-President being not present, the meeting shall be chaired by the senior most members present.
 - (iv) Each member of Executive Committee shall have one vote and all decisions that cannot be arrived at by consensus shall be determined by the majority vote of the members present and voting. In case of equality of votes, the member chairing the meeting shall have a casting vote. Any member who has a conflict of interest in any resolution shall abstain from voting.
 - (v) The Member-Secretary shall maintain or cause to be maintained the minutes of the Executive Committee meetings.

Powers and functions of Executive Committee

10. (i) The affairs of the CSRAA shall be administered by the Executive Committee subject to the Rules and Regulations and Bye Laws of the Authority under the overall guidance of the Governing Body.
- (ii) It shall be the responsibility of the Executive Committee to endeavor to achieve the objects of the

Authority and discharge all its functions. The Executive Committee shall exercise all administrative, financial and technical authority in this behalf; including powers to create posts in CSRAA under the Industries Department and make appointments thereon in accordance with the regulations.

- (iii) The Executive Committee shall have under its control the management of all the affairs and funds of the Authority.
- (iv) The Executive Committee shall sanction expenditure for the execution of plans, and programmes of the Authority as approved by Governing Body.
- (v) The Executive Committee may appoint Committees or Sub-committees, by whatever name called, comprising member(s) of the Authority and such outside experts and officers of the Authority 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 Authority.
- (vi) Consider, frame and issue detailed regulations, instructions, guidelines, procedures and processes from time to time in conformity with the statues and rules for the fulfillment of the objects of the Authority.
- (vii) Consider and approve the appointment of the internal auditors of the Authority.
- (viii) Fixation of remuneration and other Travelling Allowances or Dearness Allowances charges for members of various Committees and special invitees, while attending the meetings of the various Committees.
- (ix) Consider and approve eligibility conditions, duration, selection process, etc. for various types of service providers, vendors, resources including system integrators, developers, stakeholders, financial collaborators, public-private partners, franchises, implementers, executors of the various projects under CSRAA.
- (x) Consider and frame the proposals, Request For Proposal (RFP) and other documents for the approval of the competent authority to achieve the objectives of the Authority.
- (xi) Consider and approve norms, guidelines and terms and conditions and service level agreements with stakeholders.

- (xii) To handle the projects on job-work and or outsourcing basis for the Authority, lay down terms and conditions and method of hiring such human and other Information Technology resources.
- (xiii) Negotiate, enter into and or make contracts and deeds on behalf of the Authority.
- (xiv) To enter into legal and corporate agreements for and on behalf of the Authority and to sue and defend all legal proceedings on behalf of the Authority after due approval of Governing Body.
- (xv) Solicit and receive grants, gifts, donations or other contributions from the Central Government and 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 Authority or with the provisions of these Rules.
- (xvi) Decide the temporary investment of surplus funds of the Authority.
- (xvii) The Executive Committee shall have the power to enter into arrangement with other public or private organizations or individuals for furtherance of its objects.
- (xviii) The Executive Committee may delegate to the President, Vice President, Member-Secretary or any of its members or to a Committee or group or any other officer of the Authority 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.
- (xix) 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 Authority.

Powers and
Functions of the
President

11. The President shall act upon powers that may be delegated by the Executive Committee. President may further delegate the power to the Vice President. The President shall be competent to take action on behalf of Executive Committee, in the absence of Executive Committee decision, if necessary, in respect of matters delegated to the Executive Committee on grounds of urgency to be recorded in writing, and such action shall be placed before the Executive Committee in next meeting for ratification.

Powers and
Functions of the
Vice President

12. The Vice President shall act upon powers that may be delegated by the Executive Committee or the President. In the absence of the President, the Vice President shall be competent to take

action in respect of matters delegated to the President on grounds of urgency which shall be recorded in writing and ex post facto approval of such actions shall be obtained from the President within a reasonable time.

Powers and
Functions of the
Chief Executive
Officer

13. The Chief Executive Officer shall be the full-time Chief Executive Officer of the CSRAA and shall be responsible for administration and management of the CSRAA and implementation of the projects of the Authority, consistent with the policy and management directions issued by the Governing Body and Executive Committee of CSRAA. The Chief Executive Officer shall be reporting to the President of the Executive Committee directly and shall operate from the office of the CSRAA.

An officer not below the rank of Joint Secretary shall be deputed to hold the post of Chief Executive Officer for the operationalisation of the Authority and till the selection of the Chief Executive Officer from the open market.

The Chief Executive Officer shall;-

- (i) be in over-all charge of the day-to-day functioning of CSRAA;
- (ii) recommend release of funds to the CSR Project implementing entities or agencies;
- (iii) monitor physical and financial progress and take corrective actions wherever necessary;
- (iv) shall maintain or cause to be maintained proper books 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 Authority and prepare the annual accounts;
- (v) ensure audit of accounts (internal, external and statutory) and the follow-up action on the audit observations;
- (vi) monitor actions relating to obtaining reimbursement of expenditures (as applicable) from funding agency, if any;
- (vii) assess training needs of officials and staff of the CSRAA and of the implementing entities or agencies and formulate training plans; and arrange for such trainings;
- (viii) establish close co-ordination with Funding Agencies of the CSR-Projects and liaise with other similar CSR societies under implementation in India;

- (ix) prepare innovative activities for introducing the best practices in CSR facilitation and monitoring.
 - (x) assist, guide and supervise activities of all Implementing entities or agencies in the planning, implementation, monitoring, accounting, auditing and evaluation of activities as per requirement and stipulations of the individual CSR-Projects;
 - (xi) initiate action on recommendations of CSR-Project funding agencies, Government of India, Government of Assam, Governing Body and Executive Committee;
 - (xii) ensure complete and up to date maintenance of books of account of the Authority in accordance with generally accepted accounting standards;
 - (xiii) be responsible for preparation of annual work plan as per design of the individual CSR-Projects and as authorized by the State Government from time to time;
 - (xiv) constitute various co-ordination mechanism for implementation of the CSR Projects;
 - (xv) to accord sanction and to release funds as provided in the bye-laws of the CSRAA;
 - (xvi) cause field inspections of the activities of CSR-Projects 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 CSRAA from the State Government subordinate to him or her;
 - (xvii) discharge all statutory responsibilities of CSRAA;
 - (xviii) carry out any other responsibilities assigned or directed from time to time by the Chairperson of the Governing Body or President of the Executive Committee; and
 - (xix) deal with any other matter relating to financial affairs of CSRAA.
- Officers, Staff and Contractual Personnel of CSRAA
14. The Authority may create posts necessary for its operations, with concurrence of the Executive Committee and Governing Body.
- Funds
15. (i) Any budget allocation for CSRAA towards its corpus or any specific purposes, as decided by the State Government, shall be shown as Grants-in-Aid (GIA), which shall be reflected accordingly in the budget of the Industries department.
- (ii) The Industries Department shall sanction and release

the funds budgeted for the purposes of the functions of CSRAA as Grants-in-Aid as per rules applicable from time to time.

- (iii) All moneys of the CSRAA shall be kept in the bank account(s) in the name of CSRAA opened with the approval of the Executive Committee. The bank accounts shall be operated under the joint signatories according to the approved delegation of powers or as expressly provided by the Executive Committee. Drawal of funds from the bank accounts of CSRAA shall be done in accordance with the procedure as prescribed in the Bye-laws.

Accounts, Audit
and Annual Report

16. (i) The Authority 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 funding agencies.

- (ii) The accounts of the Authority 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 Committee and adopted in the annual meeting of the Governing Body.

- (iii) The accounts of the Authority 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.

- (iv) The Chief Executive Officer shall prepare an Annual Report on the working of the Authority 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 Committee 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.

Legal Proceedings

17. (i) Any suit or other legal proceedings by or against the Authority may be filed or contested or defended and conducted on its behalf, either by the President or the Secretary or by any other person(s) authorized by the Executive Committee of the Authority. Any pleadings or other documents in connection therewith may be signed and verified by any of such persons on behalf of the Authority.

- (ii) This power shall also include the appointment of Advocate(s), Attorney (s), etc. for the purpose.
- Right to Information 18. The Annual Report of the Authority, Minutes of the meetings of the Governing Body and Executive Committee, notices for employment, award of contracts, consultancies by the Authority shall be displayed on the website of the Authority in accordance with the Right To Information Act, 2005 (Act No. 22 of 2005).
- Bye-Laws of the Authority 19. The Executive Committee may with the previous approval of the Government of Assam, frame or amend Bye-Laws of the Authority for the conduct of the operations of the Authority and furthering its objects. The Bye-Laws and any amendments shall be placed before the Governing Body in the next meeting.
- Amendments and Alterations 20. The objects of the Authority may be altered or extended in the manner as provided in the Societies Registration Act, 1890. These Rules and Regulations may be amended by the Executive Committee 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 General Body for ratification.
- Validation of Acts 21. No action taken by the Authority or any of its authority shall be rendered invalid or void merely due to vacancies in the Governing Body or the Executive Committee or defect in the appointment of the members.
- Interpretation 22. If in the interpretation of these Rules and Regulations there arises any dispute or doubt, it shall be decided by the Government and the decision of the Government shall be final.

RAVI KOTA,

Additional Chief Secretary to the Government of Assam,
Industries, Commerce and Public Enterprise
Department.