

Government of India

**Ministry of Human Resource
Development,
Department of Higher Education**

**Board of Apprenticeship Training,
(Southern Region), Chennai**



MEMORANDUM OF ASSOCIATION

**MEMORANDUM OF ASSOCIATION
OF
THE BOARD OF APPRENTICESHIP TRAINING
(SOUTHERN REGION), CHENNAI – 600 113**

- The name of the Society shall be “**Board of Apprenticeship Training (Southern Region)**”.
- The Registered Office of the Society shall be located at Madras.
- The objects for which the Society is established are :

I. FUNCTIONS

- i. To implement the provisions of the Apprentices Act 1961 as amended in 1973, so far as these are related to Graduate and Technician apprentices, in exercise of the powers conferred upon the Board under the said Act, and within the limits specified in it.
- ii. To advise Apprenticeship Adviser and Central Apprenticeship Council on amendment of existing rules under the Act.
- iii. To take such actions as may be needed to perform the following functions :
 - a. to establish liaison between the technical institutions and the industry;

- b. to secure facilities for training in different establishments, both private and public sector organizations for the products of technical institutions;
- c. to make selections for placement from among the applicants who wish to undergo training;
- d. to make out programme of training for the trainees in consultation with them and the industry and other agencies concerned;
- e. to supervise the training so arranged;
- f. to provide advisory service in the area of practical training to both technical institutions, the industry and other agencies requiring the same;
- g. to undertake documentation of literature on various aspects of practical training;
- h. to arrange for dissemination of information on various aspects of practical training through lectures, films and other media of communications;
- i. to award certificates as may be appropriate to those who successfully complete the training course;
- j. to institute and award stipends, scholarships, fellowship, prizes and medals in accordance with the Rules and Bye-laws;

- k. to print and publish pamphlets, magazines and periodicals or issue advertisements that may be desirable for the promotion of the objective of the Society;
- l. to fix and demand such fees and other charges as may be laid down in the bye-laws made under the Rules of the Society;
- m. to levy and collect such charges as may be appropriate in respect of technical advice and services rendered to the various agencies by the society under the terms and conditions that may be laid down by the Society.

II. FUNDS

- a. To maintain a Fund to which shall be credited
 - i. all moneys provided by the Government;
 - ii. all fees and other charges received by the Society;
 - iii. all moneys received by the Society by way of grants, gifts, donations, benefactions, bequests or transfers;
 - iv. all moneys received by the Society in any other manner or from any other sources.
- b. to disburse stipends or distribute prizes etc as agreed upon from time to time to time for the trainees and others to make other such payments as agreed upon from time to time;
- c. to deposit all moneys credited to the Fund in such banks or to invest them in such a manner as the Society may (with the approval of the Central Government) decide;

- d. to draw, make, accept, endorse and discount cheques, notes or other negotiable instruments;
- e. to pay all expenses preliminary or incidental to the formation of this Society and its registration out of the Funds;
- f. To meet the expenses of the Society out of the Fund to buy material/stores and consumables that may be required to maintain the various activities of the Society as well as for the buildings and equipment belonging to the Society;
- g. To borrow or raise moneys with or without security or on the security of mortgage, charge, hypothecation or pledge overall or any property belonging to the Society or in any other manner whatsoever with the prior approval of the Central Government;
- h. To create with the prior approval of the Central Government any reserve fund, sinking fund, insurance fund or any other special fund whether for depreciation or for repairs, improving, extending or maintaining any of the properties or rights of the Society and/or for recoupment of wasting assets and for any other purpose for which the Society deems it expedient or proper to create or maintain any such fund or funds;
- i. to build and construct buildings and workshops/laboratories and alter, extend, improve, repair, enlarge or modify the same as and when required to suit the activities of the Society;
- j. to establish, maintain and manage hostels for the residence of students/trainees.

- k. to acquire by gifts, purchase, exchange, lease, hire or other-wise howsoever any lands, buildings easements and any property moveable and/or immovable and hold the same provided prior approval of the Central Government is obtained for acquisition of the said immovable property;
- l. to deal with any property belonging to or vested in the Society in such a manner as may be deemed fit advancing the objectives of the Society provided that prior approval of the Central Government is obtained for transfer of any immovable property;
- m. For the purpose of the aforesaid to sign, execute and deliver such contracts, deeds and instruments as may be necessary.

III. ADMINISTRATION

- a. To create administrative, technical, ministerial and other posts to ensure proper and satisfactory performance and to make appointments to the posts in accordance with the Staff Service Rules and Recruitment Rules as approved by the Board and the Government of India;
- b. To constitute such Committee or Committees as it may deem fit for the disposal of any business of the Society or for tendering any advice in the matter pertaining to the Society;
- c. To delegate any of its powers to the Board of Management of the Society or any of the Committee or Committees constituted by it;
- d. To make rules and regulations and bye-laws for the conduct of the affairs of the Society and to add to , amend, vary or rescind them from time to time with the approval of the Central Government;

- e. To do all such things as may be necessary incidental or conducive to the attainment of all or any of the objects of the Society;

IV. The management of the affairs of the Society is entrusted in accordance with the Rules and Regulations of the Society, to the Board of Management which shall consist of the following Members:

1. Chairman
- 2-4 Three Representatives of the Association of Indian Engineering Industry (Southern Region) representing industry.
5. One Representative of the Southern Zonal Council of the Association of Principals of Technical Institutions (or the Indian Society for Technical Education, as the case may be).
6. Nominee of the Southern India Chamber of Commerce and Industry.
- 7-10 Representatives of the four State Governments of the (Directors of Technical Education) Southern Region.
11. Nominee of the Central Government (Regional Officer of the Ministry of Education).
- 12-17 Nominees of Public Sector Undertakings/Departments and other interests.
18. Nominee of the Southern Regional Committee of the All India Council for Technical Education representing technical educational authorities and other interests.

19-22 Representatives of each of the Industry Liaison Boards of the four States in the Southern Region.

23. Director of Training – Member/Secretary

RULES AND REGULATIONS OF THE BOARD OF APPRENTICESHIP TRAINING (SOUTHERN REGION)

1. These Rules and Regulations may be called the Rules and Regulations of the "Board of Apprenticeship Training (Southern Region)", Madras.

INTERPRETATION

2. The Society shall mean the "Board of Apprenticeship Training (Southern Region)", Madras.

MEMBER OF THE SOCIETY

3. The Society shall for the time being consist of the following Members:
 - i. The Chairman of the Board of Management who shall be appointed by the Central Government.
 - ii. Members of the Board of Management, and
 - iii. Any other person/persons appointed by the Central or State Government
4. Should any member of the Society representing the Central Government or State Government be prevented from attending the Meeting of the Society, the Central Government or State Government shall be at liberty to nominate/ substitute to take his place at the Meeting of the Society. Such substitute shall have all the rights and privileges of the Member of the Society for that Meeting only.

5. The Society shall keep a roll of Members together with their addresses and occupation and every Member shall sign the same.
6. If a Member of the Society changes his address, he shall notify his new address to the Director and the entry in the roll will be accordingly changed; but if he fails to notify, his address in the roll of Members shall be deemed to be his address.

DURATION OF APPOINTMENT

7. (a) Members appointed or nominated by the Central Government or State Government shall hold office for such period as may be specified at the time of their appointment or nomination or at any time thereafter.

(b) Where a person is appointed as a Member of the Society by the reason of Office or appointment he holds, his Membership of the Society shall terminate when he ceases to hold that office for or appointment.
8. Non-official Members of the Society shall hold office for a period of three years from the date of their appointment, but shall be eligible for re-appointment.
9. If casual vacancies arise within the three years tenure, the persons appointed for the vacancy shall hold office for the unexpired period of the tenure.
10. A Member of the Society shall cease to be a Member on the happening of any of the following events:

- (a) If he dies, resigns, becomes of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude;
 - (b) If he does not attend three consecutive Meetings of the Society without proper leave of the Chairman.
- 11. (a) The Chairman of the Society may resign from his office by a letter addressed to the Central Government, his resignation taking effect from the date it is accepted.

 - (b) A Member of the Society (other than an Ex-officio Member or a member representing the Central Government or State Government) may resign Office by a letter addressed to the Chairman and such resignation shall take effect from the date of its acceptance by the Chairman
- 12. Any vacancy in the Membership of the Society caused by any of the reasons mentioned in rule 10 shall be filled up by the Government of India at the request of the Chairman.
- 13. The Society shall function notwithstanding that any person shall be entitled to be a Member by reason of his Office is not a Member of the Society for the time being and notwithstanding any other vacancy in its body whether by non-appointments or otherwise and no act or proceeding of the Society shall be invalidated merely by reason of the happening of any of the above events or of any defect in the appointment of any of its members.

AUTHORITIES OF THE SOCIETY

14. The following shall be the authorities of the Society;
- i) The Board of Management;
 - ii) The Chairman;
 - iii) The Director;
 - iv) Such other authorities as may be constituted as such by the Board of Management;
 - v) Principal Executive of the Society.
15. The Director shall be the Principal Executive Officer of the Society.

OFFICE OF THE SOCIETY

16. The Office of the society shall be located at Madras (now located at IV Cross Road, CIT Campus, Taramani, Chennai – 600 113)
17. 1) The annual General Meeting of the Society shall be held at such place, date and time as may be determined by the Chairman.
- 2) Except as otherwise provided in these rules, all Meetings of the Society shall be called by notice under the hand of the Director.
18. The Chairman may convene a special Meeting of the Society whenever he thinks fit.
19. Every notice calling a Meeting of the Society shall state the date, time and place at which such Meetings will be held and shall be served upon every Member of the Society not less than fourteen days before the day appointed for the Meeting.

20. The Chairman shall preside over all the Meetings of the Society, However, if the Chairman is not present at any Meeting of the Society, the Members of the Society shall choose one of the members present to be the Chairman of that Meeting.
21. No business shall be discussed at any Meeting of the Society except the election of a Chairman whilst the Chair is vacant.
22. One-third of the Members of the Society present in person, including the Chairman, shall form a quorum at every Meeting of the Society.
23. All disputed questions at a Meeting of the Society shall be determined by majority vote.
24. Each Member of the Society shall have one vote.
25. In case of the equality of votes, the Chairman shall have a casting vote.
26. A Note/Notices may be served upon any Member of the Society either personally or by sending it by post in any envelope addressed to such member at his address in the roll of Members.
27. Any notice so served by post shall be deemed to have been served on the day following that on which the envelope the same is posted and proof that the envelope containing such notice was properly addressed and duly posted will be sufficient proof of such services.
28. The general superintendent direction and control of the affairs of the Society and its income and property shall be vested in the Board of Management of the Society which shall be called Board of Management, Board of Apprenticeship Training (Southern Region) hereinafter referred to as the Board.

29. The Board shall be composed of the following Members:

1. Chairman
- 2 – 4 Three Representatives of the Association of Indian Engineering Industry (Southern Region) representing Industry (amended vide 13th Meeting)
5. One Representative of the Southern Zonal Council of the Association of Principals of Technical Institutions (or the Indian Society for Technical Education, as the case may be)
6. Nominee of the Southern India Chambers of Commerce and Industry
- 7-10 Representatives of the four State Governments of the Southern Region (Directors of Technical Education)
- 11 Nominees of Central Government (Regional Office of the Ministry of Education)
- 12-17 Nominees of Public Sector Undertakings / Departments and other interests.
18. Nominee of the Southern Regional Committee of the All India Council for Technical Education representing technical educational authorities and other interests
- 19-22 Representatives of each of the Industry Liaison Boards of the four States in the Southern Region

23. Director of Training – Member / Secretary

Provided that the Central Government may terminate the Membership of any Member of at one and the same time all Members other than the Ex-officio Members of the Board of Management, upon such termination, the vacancies shall be filled in accordance with the relevant provision of the Rules. The Members whose membership is so terminated shall be eligible for reappointment.

30. The Membership of the Board of Management shall normally be for a period of three years from the date of appointment. If a Member ceases to be a Member of Society, he shall automatically cease to be a Member of the Board of Management.

31. The Board of Management shall function notwithstanding that any person who is entitled to be a Member by reason of his Office is not a Member of the Board of Management for time being and notwithstanding any other vacancy in its head whether by the authority entitled to make the appointment or otherwise and no act of proceedings of the Board of Management shall be invalidated merely by reason of the happening of any of the above events or of any defects in the appointment of any of its members.

32. A member who fails to attend three consecutive Meetings of the Board of Management without leave of the Chairman shall cease to be a Member thereof.

33. Any vacancy in the membership of the Board of Management shall be filled by an appointment made by the Central Government.

PROCEEDINGS OF THE BOARD OF MANAGEMENT

34. Every Meeting of the Board of Management shall be presided over by the Chairman and in his absence by a Member chosen by the Meeting to preside for the occasion.
35. One-third of the Members of the Board of Management including the Chairman, present in person shall constitute a quorum at any Meeting of the Board of Management.
36. Not less than fifteen days notice of every Meeting of the Board of Management shall be given to each Member to his address in the roll of Members.
37. Atleast three Meetings of the Board of Management shall be held every year.
38. For the purpose of the last rule each year shall be deemed to commence on the first day of April and terminate on the 31st day of March of the following calendar year.
39. The Chairman of the Board of Management may himself call or by a requisition in writing signed by him require the Member / Secretary to call a Meeting of the Board of Management at any time.
40. Each Member of the Board of Management including the Chairman shall have one vote and if there shall be an equality of votes on any question to be decided by the Board of Management, the Chairman shall in addition have a casting vote.

41. Any business, except such as the Board of Management may by general or special order direct to be placed before the Meeting may be carried out by circulation amongst all its members and any resolution so circulated and approved by a majority of the Members signing shall be as effectual and binding as if such Resolution has been passed at a Meeting of the Board of Management provided that atleast one-third of the Members of the Board of Management have recorded their views on the Resolution.
42. Where there is a difference of opinion among the Members of the Board of Management opinion of the majority shall prevail subject, however, to the vote of the Central Government which shall be communicated to the Chairman within thirty days of such decision.

The Chairman of the Board of Management may refer to the Central Government any question, which in his opinion is of sufficient importance for the decision of the Central Government and the decision of the Central Government shall be binding on the Society and/its Board of Management.

POWERS AND FUNCTIONS OF THE BOARD OF MANAGEMENT

43. Subject to the provisions of the Memorandum, the Council shall have full powers and authority do all acts, matters, things and deeds which may be necessary of expedient for the purpose of the Society and without in any manner derogating from the generality of their powers, in particular the following.
- i. to prepare and execute detailed plans and programmes for the establishment of the Board of Apprenticeship Training and to carry on/its administration and management after such establishment.

- ii. To look after and manage the Board and properties of the Society and to spend moneys required for that purpose
- iii. to receive grants and contributions and to have custody of the funds relating to the Board
- iv. to prepare the budget estimates of the Society for each year and to sanction the expenditure within the limits of the budget as approved by the Central Government.
- v. to prescribe and conduct courses of training in the Board
- vi. to prescribe rules and regulations for the selection of candidates for training for the various courses
- vii. to lay down the procedure for judging the competence for the award of certificates after completion of training
- viii. to establish procedures in respect of service and technical advice to be rendered to the industry by the Society and the levy and collection of charges for the same.
- ix. to lay down procedures for appointment of officers and staff under the Society; and terms and tenure of appointment, emoluments, allowances and rules of discipline and other conditions of service for the Officers and staff of the Society
- x. to create with the prior approval of the Secretary (EXP). Ministry of Finance through the Financial Adviser of the Ministry in respect of Group 'A' posts, and Secretary, Department of Education in respect of Group 'B', 'C' & 'D', administrative, technical Ministerial and other Posts, to ensure proper and satisfactory

performance and to make appointments to the posts in accordance with the staff service Rules/Recruitment Rules as approved by the Board and the Government of India **(Amended vide Item No.10 of the Board Meeting on 16.07.99).**

44. Subject to these rules and the bye-laws the Board of Management shall have the powers to appoint officers and staff for conducting the affairs of the Society and to fix the amount of their remuneration and to define their duties.
45. The Board of Management shall have the power to enter into arrangements with the Central Government, State Governments and other public or private organizations or individuals for securing and accepting endowments, grant-in-aid, donations or gifts to the Society on mutually agreed terms and conditions provided that the conditions of such grant-in-aid donation or gifts, if any, shall not be inconsistent or in conflict with the nature or objects of the Society or with the provisions of these rules.
46. The Board of Management shall have the power to take over and acquire by purchase, gift or otherwise from the Government and other public bodies or private individuals willing to transfer, moveable and immovable properties, endowments, or other funds together/with any attendant obligations and engagements not inconsistent with the objects stated in the Memorandum of Association and the provisions of these Rules.

FINANCIAL AND OTHER COMMITTEES

47. The Board of Management shall have the power to appoint financial and other committees or sub-committees for carrying out the objects of the Society.
48. The Board of Management may by resolution delegate to the Director such of its power for the conduct of business as it may deem necessary.

APPOINTMENT OF DIRECTOR

49. Appointment to the post of Director shall be made by the Board with the prior approval of the Central Government. (Amended vide Fifth Meeting held on 30/12/1970).

Functions and powers of the Chairman

50. The Chairman shall have the authority to review periodically the work and progress of the Society and to order enquiries into the affairs of the society and to pass orders on the recommendations of the reviewing or enquiry Committees

Functions and powers of the Director

51. The Director shall be ex-officio member-secretary of the Board of Management. He shall receive such remuneration as may be decided by the Board with the approval of the Central Government. (Amended vide Fifth Meeting held on 30th December 1970)

52. Subject to the Rules and other conditions of the service as may be decided by the Board of Management as per 43 (ix) above, the Director in all other matters under his charge shall have powers similar to the Head of the Department.
53. He shall prescribe the duties of all Officers and Staff of the Society and shall exercise such supervision and disciplinary control as may be necessary in accordance with these Rules.
54. It shall be the duty of the Director to co-ordinate and exercise supervision overall activities of the Society.
55. The Director shall exercise his powers under the Direction, Superintendence and control of the Chairman of the Society.
56. The Director shall maintain a record of the proceedings of the Society and of the Board of Management and shall perform the duties pertaining to his Office.

RULES OF THE SOCIETY

57. The funds of the Society will consist of the following:

- a) Grants made by the Government of India
- b) Grants made by the Central/State Governments
- c) Contribution from other sources
- d) Income from investments

Rule No. 58. The Bankers of the Society shall be State Bank of India or any nationalized Bank. All funds shall be paid into the Society's Account with such Banks and shall not be withdrawn except on a cheque signed by the Chairman himself or by such Officer singly as may be duly empowered in this behalf by the Chairman of the Board.

ACCOUNT AND AUDIT

59. a) The Society shall maintain proper accounts and other relevant records and prepare the annual statement of accounts in such form as may be prescribed by the auditors appointed by the Board. (Amended vide Fifth Meeting held on 30/12/1970).
- b) The accounts of the Society shall be audited annually by auditors and any expenditure incurred in connection with the audit of accounts of the Society shall be payable by the Society.

- c) The auditors shall have the same rights, privileges and authority in connection with the audit of accounts to the Society as the Comptroller and Auditor General of India has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Society.
- d) The accounts of the Society as certified by the Auditors together with the Audit Report thereon shall be forwarded annually to the Central Government.

ANNUAL REPORT

- 60. The Annual Report and the yearly accounts of the Society shall be prepared by the Board of management and placed before the Society at its Annual General Meeting for consideration and approval. Copies thereof as finally approved by the society shall be supplied to the Members of the Society. The proceedings of the Society together with the annual report shall be sent to the Government of India and to the Members of the Society for information.

ALTERATION OR EXTENSION OF THE PURPOSE OF THE SOCIETY

- 61. With the prior approval of the Central Government, the Society may alter or extend the purposes for which it is established in accordance with the provisions of the Madras Societies Registration Act.

ALTERATION OF THE RULES

62. The prior sanction of the Central Government shall be obtained before the Rules & Regulations of the Society and any amendments to them are brought into force. The said rules and regulations save and except Rule 62 may be altered at any time by a Resolution passed by a majority of the Members of the Society .

The above Board of Management shall remain in office for five years from the date of incorporation of the Society. The income and property of the Society, however derived, shall be applied towards the promotion of the objects as set forth in this Memorandum of Association subject nevertheless in respect of the expenditure of grants made by the Government to such limitations as the Government of India may from time to time impose, No portion of the income and property of the society shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit to persons who at any time are or have been members of the society, or to any of them or two any persons claiming through them or any of them, provided that nothing herein shall prevent the payment in good faith or remuneration to any Member or other person in return for service rendered to the Society, or for travelling allowances, halting allowance, and other similar charges.

DISSOLUTION OF THE SOCIETY

63. The society shall not be dissolved without the consent of the Central Government and on such dissolution the assets of the Society shall be dealt with in accordance with the provisions contained in the Society Registration Act 1860.

Certified that the above are the correct Rules and Regulations of the Board of Apprenticeship Training, Southern Region.