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## REGULATIONS OF THE STATE FOREST DEVELOPMENT AGENCY GUJARAT, GANDHINAGAR

1. Interpretations: In the interpretations of these rules the following expressions shall have the following meaning unless inconsistent with subject of context:

- (a) The "Federation" shall mean the Gujarat State Forest Development Agency,
- (b) "General & Executive bodies" will mean the bodies as constituted under these rules.
- (c) The "Chairman" shall mean the Chairman of the Federation referred to in these rules.
- (d) The "secretary" shall mean the secretary of the Federation referred to in these regulations.
- (e) SFDA Gujarat, FDA and Village Forest Committee shall mean such Committee as may be defined by the Federation.

2. **Members of the Federation.**

The Federation shall consist of the following members.

### General Body

- Chairperson - Principal Chief Conservator of Forest, Gujarat State, Gandhinagar.
- Member: Chairpersons and CEOs of Centrally sponsored afforestation schemes.
- Member Secretary: Nodal Officer for NAP/ SFDAG
- Executive body members will *ipso facto* be members.

### Executive Body

- Chairperson - Principal Chief Conservator of Forest, Gujarat State, Gandhinagar.
- Member Secretary: Nodal Officer for NAP
- Member: Officers not below the rank of CCF dealing with Development Social Forestry and Protection to be nominated by the Chairperson.
- Director of Panchayati Raj and Tribal Welfare Department, Representatives of Revenue and Rural development Department.
- Chairpersons of FDAs CEOs of 2 FDAs or any other scheme being implemented through SFDA Gujarat, to be nominated by Chairperson on rotational basis for a period of two years.
- The Executive Body can co-opt other Members as and when necessary.

3. Should a person who is member Secretary by virtue of the office held by him be prevented from attending the meetings of the Federation a substitute to take his place in the meeting may be nominated by him. Such substitute shall be entitled to take part in the proceeding of the meeting for which he had been nominated and shall also have the right to vote thereof.
4. The Federation shall maintain a role of members at his registered office and every member shall sign the role and state there in his occupation and address.
5. It shall be incumbent upon a member of the Federation to notify to the secretary any change of his address and occupation.
6. The Federation shall enter into the register of members about the following particulars.
  - (a) Name and address of each member,
  - (b) The date on which the member was admitted, and
  - (c) The date on which the member ceased to be member.
7. Person who have signed the memorandum of Association of the Federation shall be first members duly admitted.
8. The Federation may admit further members subject to the approval of the Government of India.
9. When a person-becomes or is appointed or is nominated as a member of the Federation by virtue of an office held by him, his membership of the Federation shall terminate when he ceases to hold that office and the vacancies so caused shall be filled by his successor to that office.
10. Whenever a member desires to resign from the membership of the Federation either by the request, he shall address his resignation to the Secretary and present it to him. His resignation shall effect only on its acceptance by the chairman of the Federation.
11. Any vacancy in the membership of the Federation either by request or by article (9) of this regulation or otherwise, shall be filled up by appointment or nomination by the authority or institution entitled to do so., as the case may be.
12. The Federation shall function; notwithstanding that any person entitled to be a member by reason of his office is not represented on the Federation and shall not be invalidated by the above reasons from the existence of any vacancy or any defects in the appointment of any of its members.
13. The Federation shall in consultation with the State Government, appoint a Member Secretary whom the executive authority of the Agency will vest.
14. The Government of India and the Government of Gujarat State shall be entitled to obtain information, advice and assistance of the Federation on all matters connected with Forest Programs undertaken or to be undertaken by the Federation.

15. Executive Body shall meet, not less than twice a year to discuss and deliberate upon the activities of the Federation. A quorum of at least two third persons shall be essential for meeting under this regulation. A fresh meeting must be convened immediately by the Member Secretary in case this requirement of quorum is not met at any meeting.
16. If any change occurs in the composition of the Executive Body or in to hold of the office of the Chairman or the Secretary at any time from reasons arising through such change shall within 30 days be notified to the Registrar of Societies.

#### Power of the Governing Body

17. save as herein expressly provided, as having to be passed by the Federation in general meeting all the duties, powers, function and rights whatever or consequential and incidental to carrying out the objectives of the Federation shall only be exercised or performed by the Executive Body subject to such limitations as the Government of India may from time to time impose in respect of the expenditure of its grants.
18. In particular and without prejudice to the foregoing provisions, the executive body may:
- a) Make, amend or repeal any by-laws relating to the administration and management of the affairs of the Federation subject to the observance of the provisions contained in the Societies Registration Act, 1860.
  - b) To consider the annual budget and its subsequent alteration placed before it by the Member Secretary from time to time and to pass it with such modification as the Executive Body may think fit.
  - c) To delegate any of its powers other than those of making rules to the Chairman, Secretary or other authorities as it may deem fit.
  - d) To appoint committees, boards and sub-committees etc. for such purpose on such terms as it may deem fit and to remove any of them.
  - e) To do generally all such acts and thing as may be necessary, incidental to carrying out the objectives of the Federation or any of them provided that nothing here contained shall authorize the Executive Body to do any act or to pass any bye-law which may be contrary to the provision hereof or to the power hereby conferred on the Governing Body and other authority or which may be inconsistent with the objectives of the Federation.

### Proceedings of the Executive Body

19. The Principal Chief Conservator of Forests, Gujarat State shall be the Chairman of the Executive Body and shall preside at all meetings of the same. In his absence the members present may authorize one of them (other than the Member-Secretary) to preside over the meeting.
20. Not less than 16 clear days notice of every meeting of the Governing body shall be given to such members.
21. The Chairman may himself call or requisition in writing signed by him, or may require the Secretary to call, a meeting of the Executive Body at any time and on the receipt of such a request the Secretary shall call meeting, but not less than twice a year.
22. Any business, in which it may be necessary for the Executive Body to perform may be performed by a resolution in writing circulated among all its members and any such resolution approved by a majority of the members signing shall be as effectual and binding, as resolution passed at a meeting of the Governing Body.
23. All such special projects prepared & received by SFDA for development & conservation of Forest & Environment and allied subject (other than NAP) will be put-up for approval of the steering committee and got executed/implemented either through FDA of the respective division any Govt. or Non Govt. organisation or outsourcing to any other competent agency.

### Annual General Meeting

24. The Federation shall hold annual general meeting at least once a year
25. The Balance Sheet and the Auditor's Report shall be placed at the Annual General Meeting of the Federation for its consideration.
26. At least two third members of the Federation present at the Annual General Meeting shall form a quorum.

### Fund of the Federation

27. The fund of the Federation shall consist of the following.
- a) Recurring and non-recurring grants made by the Govt. of India or State Govt. for the furtherance of the objectives of SFDA.
  - b) Income from investments
  - c) Funds received from other sources, such as contribution from donor agencies, Non Govt. organization, Private and Public companies willing to contribute towards the cause of conservation.

3. The SFDA will also be free to raise additional financial resources by accepting donations from private/public sectors, grant from various departments/organisations of State & Central Governments to full-fill the objectives of the SFDA.

**28. Fund Flow Mechanism and Financial Procedures for SFDA/G/FDAs/JFMc/EDCs**

Fund Flow Mechanism and Financial Procedures for SFDA Gujarat /FDAs/JFMc/EDCs shall be as per the condition given at Annexure-D, in the NAEB revised operational guideline 2009 circulated vide letter No.F.No.25.1.1/99-BII Dtd. 10.12.2009.

- I. The funds received by the SFDA Gujarat from NAEB shall be deposited in its Exclusive and separate account in a Nationalized Bank, which would be operated jointly by its Chairperson and the Member Secretary.
- II. The SFDA Gujarat shall transfer the full amount earmarked for all FDAs within 7 days of receipt of funds from the NAEB, MoEF based on the approved work programme.
- III. The SFDA shall be responsible for guidance, coordination, supervision, periodical reporting and monitoring the implementation of the project by their constituent FDAs/JFMCs/EDCs
- IV. The project shall be monitored periodically by the respective state forest department and the officials of NAEB, MoEF and all assistance for this purpose will be rendered by the SFDA
- V. The project should be completed within the approved project period. The SFDA shall furnish 2 copies of detailed report to NAEB as per the format prescribed by NAEB within two months of completion of the project.
- VI. In case the FDA fails to execute the project within the stipulated time, including such extensions as may be granted by NAEB, NAEB may, in its discretion, require the SFDA to refund the grant in whole or in such part on account of the FDA along with interest thereon as NAEB may specify.
- VII. There will be no diversion of funds from one FDA to another FDA or one JFMC/EDC to another save in exceptional circumstances and with prior approval of NAEB.

- VII. The SFDA will submit non-diversion and non-embezzlement certificate each time a request for release of grant is made to NAEB
- IX. The auditing of accounts of the SFDA/FDAs will have to be carried out through a reputed chartered accountant who is also on the panel of C &AG.
- X. The SFDA also submit a certificate to the effect that all conditions laid down in the Guidelines and the sanction order are being followed each time a request for release of grant is made to NAEB.

**Account and Audit**

- 29. The account of the Federation shall be audited by a Chartered Accountant to be appointed by the Executive Body. This Account shall be subject to second audit by the Comptroller and Auditor General of India. The nature of audit to be applied and the detailed arrangement to be made in regard to the form of account and their maintenance and the presentation of the account for audit shall be prescribed by the bye-law to be framed by the Executive Body and approved by the Government of India with concurrence of the comptroller and Auditor General of India.
- 30. An annual report of the proceeding of the Federation and of all work undertaken during the year shall be presented to the Government of India, State Government and the members of the Federation. This report and the audited account of the Federation shall be placed before the Federation at the Annual General Meeting.
- 31. With in 30 days after the holding of Annual General Meeting following shall be filed with the registrar of societies.
  - 1) A list of the names, addresses and occupation of the members of the Executive Body The Chairman, Secretary and the office bearers of the Federation.
  - 2) An Annual report of the previous year, and,
  - 3) A copy each of the balance sheet and of the auditor's report certified by the Chairman and the Secretary.
- 32. The Federation shall keep at its registered office proper books of accounts in which it should be entered accurately (a) all sums of money spent expended by the Federation and the object or purpose for which such sums are spent (b) the Federation's assets and liabilities.
- 33. *The Federation shall have its account audited once a year by duly qualified auditor and have a balance sheet prepared by him. The auditor shall also submit a report showing the exact state of financial affairs of the Federation. Three copies of the balance sheet and the auditor's reports shall be offered by the Federation. The three*

... of the balance sheet and the auditor's report shall be certified by the auditor. The said auditor means a Chartered Accountant with the meaning of the Chartered Account on the panel of CAG.

34. Every member of the Executive Body shall have the right of inspection of accounts and registers maintained by the Federation proceedings of the meetings of the Federation at any time during office hours.
35. Members would receive no profits upon dissolution of the Federation. If after disposal and settlement of the property of the Federation and its claims and liabilities, there are surplus assets, it shall not be paid to or distributed amongst the members of the Federation or any of them but shall be disposed off as directed by the Government of India or the State Government with the approval of the Registrar of Societies.
36. SFD/A and respective implementing agency will maintain separate account for the fund received from the organisation/agencies other than NAP and get audited as being done for NAP fund.

#### PROPERTY OF THE FEDERATION

37. All property belonging to the Federation shall be deemed to be vested in the Executive Body of the Federation but shall be referred as "The property of the Federation".

#### SUIT AND PROCEEDING BY AND AGAINST THE FEDERATION.

38. The Federation maybe sued in the name of the Chairman or Secretary or any office bearer authorized by the Executive Body in this behalf.
- a. No suit or proceeding shall be by reason of any vacancy or change in the holder of the office of the Chairman , the Secretary or any office bearer authorized in this behalf.
- b. Every decree or order against the Federation in any suit or proceedings shall be executable against the property of the Federation and not against the person or the property of the Chairman, the Secretary or any office bearer.
39. Every member of the Federation may be sued or prosecuted by the Federation for anything done by him detrimental to the interests of the Federation.

#### NOTICES

40. A notice may be served upon any member of the Federation either personally or by sending it through the post in an envelope addressed to such member at the address mentioned in the roll of members.

... notice so served by post shall be deemed to have been served on which the letter ... or wrapper containing the same is posted, and in proving such services it shall be sufficient to prove that the cover containing such notice was properly addressed and put into the post office.

**Alteration or Extension of the purpose of the Federation.**

- 42. Subject to the approval of the Government of India, previously obtained, the Federation may alter or extend the purpose for which it is established.
  - a. If the Executive Body shall submit the proposition for such alternation or extension as aforesaid to the members of the Federation in a written or printed report.
  - b. If the Executive Body shall convene a special general meeting of the members of the Federation according to the rules for the consideration of the said proposition.
  - c. If such report be delivered or sent by votes of three fifths of the members of the Federation, fourteen clear days previous to such special General Meeting as aforesaid.
  - d. If such proposition be agreed to by the votes of three fifths of the members of the Federation delivered in-person at such special General Meeting as aforesaid and.
  - e. In proposition be confirmed by the votes of three fifths of the members of the Federation, present on one month after the former meeting.
- 43. The rules of the Federation may be altered at any time by a majority of two third of the members of the Federation present at any meeting of the Federation which shall have been duly convened for the purpose. The modified Rules will be deemed to have come into force in accordance with the provisions contained in the Societies Registration Act, 1860 as applicable to Gujarat State.

*Handwritten:* K. S. Vignani

*Handwritten:* N. S. Singh

*Handwritten:* DEPT. SECRETARY

*Signature*  
Member Secretary  
State Forest Development Agency Gujarat,  
Gandhinagar



## પરિશિષ્ટ - ૫

## સંમતિ પત્રક

સોસાયટીનું નામ:- સ્ટેટ ફોરેસ્ટ ડેવલપમેન્ટ એજન્સી ગુજરાત (ગાંધીનગર)





ઉપર જણાવેલ સંસ્થાને સોસાયટી તરીકે નોંધવા સારુ અમો પૈકી એક શ્રી આર. જે.અસારી સભ્યસચિવ અને મુખ્ય વન સંરક્ષકશ્રી, એસ.એફ.-II, ગાંધીનગરએ અરજી કરી છે એ અરજીમાં જણાવ્યા મુજબ ઉપર જણાવેલ સંસ્થાને સોસાયટી તરીકે નોંધવામાં આવે તે માટે અમો સહમત છીએ અને તેની નોંધણી કરાવવા માટે અમારે તપાસણી નોટીસની જરૂર નથી અને તે જતી કરીએ છીએ તથા આ એજન્સીના ટ્રસ્ટી તરીકે કામ કરવા સહમત છીએ અને સોસાયટી રજીસ્ટ્રેશન એક્ટ હેઠળની જોગવાઈઓ મુજબ એજન્સીની તમામ જવાબદારી અમો સ્વીકારીએ છીએ અને તે બાબતની આ નીચે અમો અમારી પોતાની સહીઓ કરી છે.

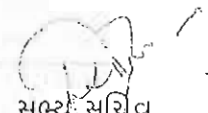
અ.નં.	નામ અને સરનામું	વ્યવસાય	સહી
૧	શ્રી પ્રદીપ ખન્ના.ifs અગ્ર મુખ્ય વન સંરક્ષકશ્રી, ગુ. રા. ગાંધીનગર	સરકારી સેવા	
૨	શ્રીસી.એન.પાંડે.ifs અધિક અગ્ર મુખ્ય વન સંરક્ષકશ્રી, વિકાસ અને વ્યવસ્થા, ગાંધીનગર	સરકારી સેવા	
૩	ડો.એચ.એસ.શીંધા.ifs અધિક અગ્ર મુખ્ય વન સંરક્ષકશ્રી, સામાજિક વનીકરણ, ગાંધીનગર	સરકારી સેવા	
૪	શ્રી કબૂલચંદ.ifs મુખ્ય વન સંરક્ષકશ્રી, વીજીલન્સ એન્ડ પ્રોટેક્શન, ગાંધીનગર	સરકારી સેવા	
૫	શ્રીઆર.જે.અસારી.ifs મુખ્ય વન સંરક્ષકશ્રી અને નોડલ ઓફિસરશ્રી જે.એફ.એમ, ગાંધીનગર	સરકારી સેવા	
૬	શ્રી આર.કે. પાલ.કે.ifs વિકાસ કમિશ્નરશ્રી, પંચાયત વિભાગ	સરકારી સેવા	
૭	શ્રીબી.વી.ગોપાલ.ઈ.એ.એ.એ.ઈ.ઈ. કમિશ્નરશ્રી, આદિજાતી વિકાસ	સરકારી સેવા	
૮	શ્રી અમીત.કે. પાલ.કે.ઈ.એ.એ.ઈ.ઈ. અગ્ર સચિવશ્રી, મહેસુલ વિભાગ	સરકારી સેવા	
૯	શ્રી અમીત.કે. પાલ.કે.ઈ.એ.એ.ઈ.ઈ. અગ્ર સચિવશ્રી, ગ્રામ વિકાસ વિભાગ	સરકારી સેવા	

૨૩૨-૫૭૨૬૭

અનિલ જોષી

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૧૦	શ્રી ડી.કે.શર્મા, ભા.વ.સે FDA સાબરકાંઠાના ચેરમેન અને વન સંરક્ષકશ્રી ગાંધીનગર.	સરકારી સેવા	
૧૧	ડૉ એ.કે.સકસેના, ભા.વ.સે, FDA વડોદરા ના ચેરમેન અને વન સંરક્ષકશ્રી વડોદરા	સરકારી સેવા	
૧૨	શ્રી બી.એ.વ્યાસ, FDA ગાંધીનગરના CEO અને નાયબ વન સંરક્ષકશ્રી ગાંધીનગર	સરકારી સેવા	
૧૩	શ્રી જી.વી.જોષી FDA ખેડાના CEO અને નાયબ વન સંરક્ષકશ્રી નડીયાદ	સરકારી સેવા	

  
 સહાયક સચિવ

 સ્ટેટ ફોરેસ્ટ ડેવેલોપમેન્ટ એજન્સી, ગુજરાત,  
 ગાંધીનગર