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**Office of the Executive Secretary
Andaman Adim Janjati Vikas Samiti
Port Blair**

Port Blair, dated the 12th July, 2004

No.125/2004/F.No. 16-1/AAJVS/2004/1253.—Andaman Adim Janjati Vikas Samiti (AAJVS) Rules
(As amended on 05/07/2004)

1. Definitions:—

1.1 In these rules unless there is anything repugnant to the subject to context:

- (a) The "Samiti" means the Andaman Adim Janjati Vikas Samiti;
- (b) "Adim Janjati" means and includes the Andamanese, the Jarawas, the Onges, the Sentinelse and the Shompens inhabiting the Andaman and Nicobar Islands;
- (c) The Lt. Governor means the Lt. Governor of Andaman Nicobar Islands;
- (d) The 'President' means the – President of the General Body;
- (e) The 'Vice-President' means the Vice-President of the General Body;
- (f) The 'General Body' means the General Body of the Samiti;
- (g) The 'Executive Council' means the Executive Council of the Samiti;
- (h) The 'Chairman' means the Chairman of the Executive Council;
- (i) The 'Vice-Chairman' means the Vice Chairman of the Executive Council;
- (j) 'Memorandum' means the Registered Memorandum of Association of the Andaman Adim Janjati Vikas Samiti as may be amended from time to time by the General Body of the Samiti;
- (k) 'Rules' means the Rules framed with the approval of the General Body and as may be amended from time to time by the General Body of the Samiti;
- (l) 'Office Bearers' means the President, Chairman, Vice-President, Vice-Chairman, Member – Secretary, Executive Secretary or any others who may be designated by the President or the Chairman;
- (m) 'Government' means the Central Government;
- (n) 'Year' means the financial year of the Central Government.

2. Authorities of the Samiti:—

2.1 The following shall be the authorities of the Samiti:

- (a) General Body,
- (b) Executive Council,
- (c) Such other authorities as may be prescribed by the President from time to time on the recommendation or otherwise by the General Body or the Executive Council.

3.1 The composition of the General Body shall be:—

- (a) The Lieutenant Governor, Andaman and Nicobar Islands, who shall be the President;
- (b) Two Vice-Presidents elected by the General Body from among the members of the General Body;
- (c) The Member of Parliament, A&N Parliamentary Constituency;
- (d) The Chief Secretary, A&N Administration;
- (e) Adhyaksh Zilla Parishad, A&N Islands;
- (f) The Principal Chief Conservator of Forests, A&N Administration;
- (g) The Development Commissioner, A&N Administration;
- (h) The Inspector General of Police, A&N Administration;
- (i) Secretary (TW), A&N Administration;
- (j) The Chairman, State Social Welfare Advisory Board;
- (k) The Deputy Commissioner, Andaman District;
- (l) The Deputy Commissioner, Nicobar District;
- (m) The Director Health Services, A&N Administration;
- (n) The Director, Anthropological Survey of India, Kolkata;
- (o) The Chief Engineer, A.P.W.D., A&N Administration;
- (p) The Director, R.M.R.C, Port Blair;
- (q) The Director of Education, A&N Administration;
- (r) The Director (TW), A&N Administration;
- (s) Seven persons nominated by the Lieutenant Governor from among experts and persons having experience in matters regarding tribal affairs;
- (t) One representative each from the Ministry of Home Affairs, Ministry of Tribal Affairs;
- (u) The Executive Secretary, AAJVS (Member-Secretary).

3.2 The President, will have the power to co-opt/invite from time to time, representative/s of such other organizations, institutions and individuals as deemed desirable in the interest of the Samiti.

4. Term of Office:—

4.1 The nominated / co-opted members and office bearers of General Body shall hold office at the pleasure of the President.

5. Meetings of the General Body:—

5.1 The Annual General meeting of the General Body may be called by the President every year after giving written notice of the date, time and place and agenda at such meeting it may transact the following business:

- (a) Consideration of the Annual Report;
- (b) Consideration of the Balance Sheet and the Audited Accounts for the previous year;
- (c) Adoption of programme content of the following year;
- (d) Receipt and consideration of budget for the following year.

5.2. The President may convene a special meeting of the General Body whenever he thinks it necessary to do so with due notice.

5.3 At such Special Meeting of the General Body convened by the President, no business other than the business included in the notice of the meeting shall be conducted except with the permission of President.

6. The Executive Council:—

6.1. The composition of the Executive Council shall be:

- (a) The Lieutenant Governor, Andaman and Nicobar Islands, Chairman;
- (b) The Vice-Chairman nominated by the Chairman from among the members of the Executive Council;
- (c) The Chief Secretary;
- (d) The Principal Chief Conservator of Forests, A&N Administration;
- (e) The Development Commissioner, A&N Administration;

- (f) Secretary (TW), A&N Administration;
- (g) The Inspector General of Police, A&N Administration;
- (h) The Chairman, State Social Welfare Advisory Board;
- (i) The Director of Medical and Health Services;
- (j) The Deputy Commissioner, Andaman District;
- (k) The Deputy Commissioner, Nicobar District;
- (l) The Superintending Anthropologist or the Office-in-Charge of the Anthropological Survey of India at Port Blair;
- (m) The Director (TW), A&N Administration;
- (n) Four members of General Body nominated by the Lieutenant Governor from among non-official experts (under clause 3.1(s));
- (o) The Executive Secretary, AAJVS, Member Secretary.

6.2 A person experienced in tribal affairs or representatives/s of any organization or department may be co-opted / invited by the Chairman of the Executive Council for any particular meeting or meetings if and when he thinks it is desirable to do so.

6.3 The General Body is empowered to increase or decrease the membership of the Executive Council.

7. Meetings of the Executive Council:—

7.1 The Executive Council of the Samiti may meet as often as necessary but at-least twice in each year.

7.2 The meeting of the Executive Council may be convened by the Chairman of the Executive Council or any other member of the Executive Council who may be authorized by him in this behalf.

7.3 The meetings of the Executive Council shall be presided over by the Chairman and in his absence by the Vice-Chairman and in the absence of all these a member chosen by the members present shall function as Chairman for that particular meeting.

8. Powers and Functions of the Executive Council:—

8.1 Subject to the policies, general guidelines and programme laid down by of the General Body, the Executive Council shall be responsible for the Management and administration of the affairs of the Samiti in accordance with the rules made thereunder for the furtherance of the objects and shall have all powers which may be necessary or expedient for the purpose, including:

- (a) To formulate and implement schemes to carry out the purposes of the Samiti;
- (b) To review and sanction budget estimates;
- (c) To sanction expenditure as may be required for the work of Samiti;
- (d) To invest the funds of the Samiti;
- (e) To borrow on terms and conditions as may be prescribed by the Council from time to time;
- (f) To prescribe salary and conditions of service of Executive Secretary for due and proper implementation of the objects of the Samiti and the resolutions of the Executive Council that may be passed from time to time and carrying orders/directives of the President;
- (g) To create posts, prescribe conditions of service and appoint staff to those posts.

8.2 The Executive Secretary of the Samiti shall be appointed by the President. He shall be in-charge of the Management of the Samiti and shall be responsible for carrying out orders/directives of the President and implementation of the resolutions and directives that may be passed by the Executive Council from time to time.

8.3 The Executive Council may by resolution appoint one or more committee or committees or sub-committee or sub-committees or body or bodies for such purposes and with such powers as may be specified by it.

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vice-Chairman or the Executive Secretary or jointly to any two or all three such of its powers as it may deem fit for the conduct of business.

8.5 The Executive Council may frame, alter or repeal bye-laws for the proper conduct of business of the Samiti for which no specific provision has been made in these rules by a majority of not less than three-fifths of the members present.

9. Funds of the Samiti, Accounts and Audit:—

9.1 The funds of the Samiti shall consist of the following:

- (a) Grants made by or through the Central or any State Government;
- (b) Donations and contributions from other sources; and
- (c) Other income and receipts of the Samiti.

9.2 The funds of the Samiti shall be deposited in a "Scheduled" Bank to be named by the Executive Council and approved by the President. All funds received shall be paid into the Samiti's account maintained in such a Bank and shall not be withdrawn except on cheque signed by two persons designated by the Executive Council and approved by the President and authorized to function on their behalf.

9.3 The Samiti shall maintain proper accounts including a balance sheet in such forms as may be prescribed under the Rules.

9.4 The accounts of the Samiti shall be audited annually by such authority or body as may be decided by the Executive Council and any expenditure incurred in connection with the audit of accounts of the Samiti shall be payable by the Samiti. The auditors shall have the right to demand production of books, accounts, vouchers and other documents and papers and to inspect the office of the Samiti.

10. Quorum:—

10.1 Ten members of the General Body shall constitute quorum at an annual general meeting or a special meeting of the General Body.

10.2 Five members of the Executive Council shall form the quorum at any meeting of the Executive Council.

10.3 If at any meeting of the General Body or Executive Council there is no quorum, the meeting shall stand adjourned to a date and time to be fixed by the Presiding officer. If at any such adjourned meeting there is no quorum, the members present shall constitute the quorum.

10.4 A written notice shall be sent to every member of the General Body or Executive Council, as the case may be at the address maintained in the latest roll of members.

10.5 Any notice so sent by post shall be deemed to have been duly served and in proving such service, it shall be sufficient to show that the cover containing such notice was properly addressed and put into the post office under a certificate of posting.

10.6 Non-receipt of the notice of any meeting of the General Body or Executive Council by any members shall not invalidate the proceedings of the meetings.

10.7 The General Body of the Executive Council shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment, nomination or co-option of any members and no act or proceedings of the General Body or the Executive Council shall be invalidated or nullified merely by reasons only for the existence of any vacancy therein or any defect in the appointment, nomination or co-option of any member(s).

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10.8 The case of difference of opinion among the members of the General Body or of the Executive Council at any meeting, the opinion of the majority shall prevail. Each member of the General Body, or of the Executive Council, as the case may be including the President shall have one vote and if there be equality of votes on any question the Presiding Officer shall in addition have a casting or second vote.

11. Resolution by Circulation:—

11.1 Any business in respect of which the Chairman is satisfied that the matter is urgent and that it is not possible to hold a meeting of the Executive Council in the near future, may be carried out by circulation amongst all its members and any resolution so circulated and approved by majority of members of the Executive Council shall be effective and bindings as if such resolution had been passed by a meeting of the Executive Council.

12. General:—

21.1 All contracts on behalf of the Samiti shall be executed by such person or persons and in such manner as may be prescribed by the Executive Council.

12.2 For the purposes of the Section – 6 of the Societies Registration Act, 1860 the person in whose name the Samiti may sue or sued shall be Executive Secretary of the Samiti or such other person as may be appointed for the purpose by the Executive Council.

12.3 Any Casual Vacancy in the General Body or in the Executive Council may be filled by the President or the Chairman, as the case may be, and the term of office of member so appointed shall continue only for the remainder of the term of the member in whose place he has been appointed.

12.4 Notwithstanding anything contained in these Rules the President/Chairman shall have the power to refer back to the General Body/Executive Council any decision taken or resolution passed by the General Body/Executive Council as the case may be for reconsideration, if in the opinion of the President / Chairman, such decision or resolution is not conducive to or is against the objectives or anyone or more of the objectives of the Samiti. If the General Body / Executive Council refuses to re-consider the decision or resolution so referred to it by the President /Chairman or such decision or resolution, even after re-consideration of the General Body /Executive Council is, in the opinion of the President /Chairman, is not conducive to or is against the objective of the Samiti, the decision of the President / Chairman in that behalf shall be final and binding on the members.

13. Amendment:—

13.1 Subject to the provisions of section – 12 of the Societies Registration Act, 1860 (Act XXI of 1860) relating to alteration, extension etc. of purposes of the Society, Amendment to the above Rules may be effected by the General Body either at its Ordinary or Special General Body meeting provided due notice of the proposed amendment or amendments is given to the Member Secretary of the General Body not less than four weeks prior to the Annual General Meeting of the General Body or due notice has been given of such amendment or amendments for consideration by a Special meeting of General Body. At such meeting the amendment shall be carried, if not less than two-thirds of the members present and voting, vote in favour of the proposed amendment.

Sd/-
(Som Naidu)
Executive Secretary,
Andaman Adim Janjati Vikas Samiti,
Port Blair.