



DISASTER MANAGEMENT INSTITUTE (DMI)

*MEMORANDUM OF ASSOCIATION  
&  
REGULATIONS*

PARYAVARAN PARISAR, E-5, ARERA COLONY  
BHOPAL - 462 016

## DISASTER MANAGEMENT INSTITUTE (DMI)

### MEMORANDUM OF ASSOCIATION

#### General

In the recent years, rapid industrial growth in the country has increased the chances of various kinds of hazards considerably especially due to a greater use and handling of toxic and chemically highly reactive substances. This has been amply evidenced in the occurrence of various kinds of industrial disasters resulting in widespread destruction of life and property. Besides, there is frequent occurrence of floods and droughts leading to environmental degradation.

In order to educate Government officials, personnel of Public and Private sector industries, NGOs, community, etc. about the importance of preventive measures and preparedness, promote research oriented studies, conduct appropriate training programmes, and to establish a central library to collect and disseminate information on all aspects of disasters, both natural and man-made, there is a need to establish an Institute of national importance for promoting the efficient management of disasters. With this in view we, the signatories to this Memorandum of Association, have agreed to form a society by the name of 'Disaster Management Institute', hereinafter called the DMI and register it under the M P Societies Registration Act, 1973.

#### Location of the Society Office

The Registered Office of the DMI will be situated at "Paryavara Parisar, E-5 Sector, Arcera Colony, BHOPAL - 462 016"

#### Aims & Objectives

The aims and objectives of the Society shall be to :

1. Conduct training in Disaster Management and related subjects for the officials and executives of Government Departments, Public and Private Sector Undertakings and others with a view to make them aware of the potential hazards, ways to control them and equip them to conceive and prepare emergency plans and execute them effectively in case of crises arising due to natural disasters or disasters caused as a result of human activities.
2. Run Post-graduate Diploma and Degree courses in Disaster Management and Industrial Safety.

3. Carry out research oriented studies in matters concerning causes and effects of disasters, their mitigation, management and other state-of-art techniques.
4. Collect and store information on all matters concerning hazards and disasters and disseminate the same effectively.
5. Offer consultancy services to industries and others.
6. Institute awards, scholarships, fellowships, prizes and medals etc. for furtherance of the aims and objectives of the society.

4. **Board of  
Governors  
(Executive  
Council)**

1. There shall be an Executive Council called the Board of Governors under the rules of the society. The following persons shall constitute the Board of Governors and manage the affairs of the Society as required under M.P. Societies Registration Act, 1973.
  - a. Principal Secretary  
Govt. of M.P.  
Housing & Environment  
Department Chairman
  - b. Executive Director  
Disaster Management Institute Member  
Secretary
  - c. Principal Secretary  
Govt. of M.P.  
Finance Department Member
  - d. Principal Secretary  
Govt. of M.P.  
Revenue Department &  
Relief Commissioner Member
  - e. Secretary  
Govt. of M.P.  
Commerce & Industry  
Department Member
  - f. Secretary  
Govt. of M.P.  
Labour Department Member
  - g. Joint Secretary  
Govt. Of India,  
Ministry of Environment & Forests.  
(Hazardous Substances Management  
Division) Member







- h. Joint Secretary,  
Govt. Of India, Ministry of Agriculture  
(Natural Disaster Management Division) Member
- i. Director General  
Environmental Planning  
& Coordination Organisation(EPCO) Member
- j. Chairman  
M.P. Pradushan Niyantaran Board Member
- k. Director  
Regional Research Laboratory  
(CSIR,) Bhopal Member
- l. A nominee of M.P.  
Chamber of Commerce and  
Industry. Member
- m. A Vice-Chancellor of a  
University in M.P.(nominated  
by the Chairman) Member
- n. 2 nominees of Chairman as  
experts or representatives  
of Industry Member

- 2. Member of the Executive Council of serial number 1 to n shall hold office for a period of 2 years.
- 3. The Executive Council may coopt either generally or for a particular meeting, persons not exceeding two if it so considers necessary for efficient disposal of business. The coopted members shall have all the rights of a member.
- 4. The Executive Council shall meet at such intervals, and at such times and places, as it may deem fit but in any case not less than two times in a year.
- 5. One third of the members of the Executive Council shall form the quorum.
- 6. The powers and duties of the Executive Council shall, in general, include all such powers necessary for the day-to-day discharge of the activities of the DMI in pursuance of its aims and objects. The Executive Council may delegate any of its powers to the Executive Director or to any other officer of the DMI.

A copy of the Regulations of the Society certified by sponsoring members is being filed with the Registrar of Societies, Madhya Pradesh, along with this Memorandum of Association as required by sub-section (3) of section 5 of the Madhya Pradesh Societies Registration Act, 1973.

We, the several persons whose names and addresses are subscribed below are desirous of forming a society in pursuance of this Memorandum of Association and have signed the Memorandum in presence of the witness as shown below :

Witnessed by  
K.C. Dikshit,  
Engineer-in-  
-Chief, EPCO

1. K.S. Sharma  
Principal Secretary  
Govt. of M P  
Housing & Environment  
Department

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14/3/95

2. S C. Jain  
Principal Secretary,  
Govt. of M.P.  
Revenue Department and  
Relief Commissioner, M.P.

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3. A K Agrawal  
Principal Secretary  
Govt. of M.P.  
Finance Department

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4. K. Shankar Narayanan  
Secretary, Govt. of M.P.  
Commerce & Industry Department

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14.3.95


5. R.P. Bagai  
Secretary, Govt. of M.P.  
Labour Department

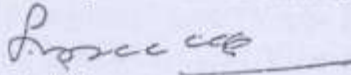
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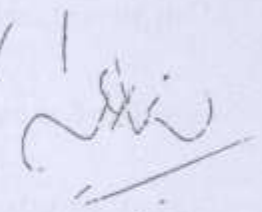
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Witnessed by  
K.C.Dikshit,  
Engineer-in-  
-Chief,EPCO

6. Avani Vaish   
Director General  
Environmental Planning  
& Coordination Organisation (EPCO)  
and  
Secretary, Govt. of M.P.  
Housing and Environment Department

7. R A .Khanna   
Chairman  
M P Pradushan Niyantaran Board

8. Alok Srivastava   
Director General  
Disaster Management Institute,  
and  
Executive Director  
Environmental Planning &  
Coordination Organisation(EPCO).



These regulations shall come into force w.e.f. the date of registration of the Society under the M. P. Societies Registration Act, 1973.

In these regulations, unless the context otherwise requires,

- i) "Board" shall mean the Executive Council, called the Board of Governors of the Society.
- ii) "Central Government" shall mean the Government of India.
- iii) "State Government" shall mean the Government of Madhya Pradesh.
- iv) "President" and "Vice-President" shall respectively mean the President and Vice-President of the Society.
- v) "Chairman" means the Chairman of the Board.
- vi) "Member Secretary" means the Member Secretary of the Board.
- vii) "Executive Director" means the Executive Director of the Institute.
- viii) "Institute" shall mean the Disaster Management Institute (DMI).
- ix) "Society" shall mean the Society for the Disaster Management Institute.
- x) "DMI" shall mean the Disaster Management Institute.
- xi) "Committee" means any functional committee appointed by the Board (Executive Council) which include adhoc and sub-committee.
- xii) "Financial Year" means the period of 12 months commencing on 1st April and ending on 31st March of the following

mailing list of such periodicals and journals published by the DMI and may be invited to participate in such seminars, discussions, etc. organised by the DMI as may be decided by the Executive Council.

President  
and Vice-  
President of  
the Society

- a) The Chief Minister of Madhya Pradesh shall be the ex-officio President of the DMI.
- b) The President by virtue of his office shall be the Head of the DMI and the President of the General Body and shall, when present, preside at the meeting of the General Body.
- c) The President may call for any papers or information relating to the affairs of the DMI and, for reasons to be recorded, refer any matter for reconsideration to the Executive Council.
- d) The Minister of Environment, Madhya Pradesh shall be the ex-officio Vice President of the society.
- e) The Vice-President shall, in the absence of the President, preside at the meetings of the General Body and shall exercise such other powers as may be conferred on him by or under these regulations.

General Body

1. The General Body of the Institute shall consist of the following:
  - a) Chief Minister, Madhya Pradesh President
  - b) Minister of Environment, Madhya Pradesh Vice-President
  - c) Chief Secretary, Govt. of M.P. Member
  - d) All members of the Board of Governors (the Executive Council) Member
  - e) One person nominated by each member organisation Member







- f) Director General  
National Safety Council, Bombay Member
- g) Managing Director,  
Loss Prevention Association of  
India Ltd., Bombay Member
- h) A nominee of the Federation of Indian  
Chamber of Commerce and Industry  
(FICCI). Member
- i) A nominee of the Confederation of  
Indian Industry (CII). Member
- j) Such other persons as may be  
nominated by the State Government .  
Provided that Associate Members,  
Associates and Fellows may attend and  
participate in the discussions of the  
General Body but shall not be entitled  
to vote.

2. The term of the non-official members of the society other than official members shall be 3 years from the date of their nomination or till such time their membership is terminated.
3. The Executive Director shall be appointed by the State Government on such terms and conditions as may be prescribed.
4. The Annual General Meeting of the Society shall ordinarily be held on such date, time and place as may be fixed by the Executive Council. Such Annual General Meeting shall be called the ordinary General Meeting.
5. The President, whenever he thinks fit, or upon the requisition of not less than one third of the members of the General Body call a Special General Meeting.
6. { The Executive Director shall send information of the date, time and place of the meeting to all the members atleast 15 days before the date of the meeting.  
Provided that the President may call a meeting at such shorter notice as he may direct for the transaction of any urgent business.
7. A copy of the agenda with notes, if any, shall be circulated by the Executive Director to all the members atleast seven days before the date of the meeting. Provided that in the case of a meeting called for the transaction of urgent

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- business, the agenda and the notes thereon shall be sent alongwith the notice of the meeting.
8. Notwithstanding that any member has not received the notice or agenda, a meeting may proceed to transact the business on the agenda.
  9. Notwithstanding any thing contained in clause (7) above any matter on which decision of the meeting is urgently required and which has not been included in the agenda of the meeting may with the approval of the person presiding, be placed before the meeting for its consideration.
  10. Every meeting shall be presided over by the President and in his absence by the Vice-President and in the absence of both by the Chief Secretary.
  11. All questions coming up before the meeting shall be decided by majority of votes of the members present and in the case of equality of votes, the person presiding over the meeting shall have a second or casting vote.
  12. A member who desires to move a proposition shall send a notice of such proposition together with a brief note setting out the reasons in support of the proposition to the Executive Director. Such proposition shall be included in the agenda of the next meeting to be held on a date not earlier than 10 days after the receipt of the notice. Provided that the President may in his discretion allow such proposition to be included in the Agenda in an earlier meeting.
  13. A member desirous of asking any question in order to obtain any information concerning the affairs of the Society shall give atleast seven days notice of such question.
  14. Any proposal on which the decision of the meeting is urgently required may be circulated to the members, and if approved by majority may be deemed to have been passed by a resolution at a meeting of the General Body duly convened. Such decision shall be placed before the next meeting for information.
  15. The order in which any business may be transacted at any meeting shall be determined by the person presiding over the meeting.



16. Every proposition moved by a member shall be seconded by an another member and unless so seconded it shall not be discussed nor any question raised in respect thereof.
17. The person presiding shall decide on the admissibility of the proposition or a question and shall disallow the same, if in his opinion, it contravenes these regulations or is otherwise inadmissible, and his decision thereon shall be final.
18. When a question is put to vote, the person presiding shall call for a show of hands and shall count the votes thus cast for or against the proposition and declare the result.
19. The Quorum for a meeting shall be one third of the members in the General Body. If within half an hour from the time appointed for the meeting a quorum is not present the ordinary General Meeting shall stand adjourned to such time and date as may be determined by the person presiding. The adjourned meeting shall proceed to transact business even if there be no quorum. Special General Meeting called on the requisition of members shall be dissolved for want of quorum.
20. Brief note indicating the decisions taken by the General Body at any meeting shall be recorded in a book which shall be signed by the person presiding.
21. The minutes of the proceedings of each meeting shall be drawn up by the Executive Director and signed by him and the person presiding and shall be circulated to the members of the General Body.  
After such circulation, the minutes shall be taken up for confirmation at the next meeting and shall be deemed confirmed unless any member present objects to the minutes as having been incorrectly or incompletely recorded in which case, the person presiding after taking consensus of the members present at the meeting may make



under for the furtherance of its objects, and shall have all powers which may be necessary or expedient for the purpose.

- 2. Without prejudice to the generality of the powers conferred by the foregoing clause, the Executive Council shall have the powers to :
  - i] Take decision on applications for membership.
  - ii] Prepare and execute detailed plans and programmes for the furtherance of the objects of the DMI.
- 3. Receive, have custody of and expand the funds of the DMI and manage the properties of the DMI.
- 4. Appoint and control such staff as may be required for the efficient management of the affairs of the DMI and regulate their recruitment and conditions of service.
- 5. Enter into agreement for and on behalf of the DMI.
- 6. Sue and defend all legal proceedings on behalf of the DMI.
- 7. Appoint Committees for disposal of any business of the DMI or for advice in any matter pertaining to the DMI and make, adopt and vary from time to time rules for the functioning of and for any purposes connected with management and administration of the affairs of the DMI and for furtherance of its objects.

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The Executive Council may constitute committee and sub committee for performing such functions as it may specify. Every committee shall have a convener and such other members as the Board may deem fit. The Council shall have powers to issue such directions to any committee as it deems fit and the committee shall abide by such directions.

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- 1. The DMI will have its own fund and all receipts of the DMI will be credited to the said fund.
- 2. All moneys belonging to the said fund shall be deposited in any bank or banks as may be approved by the Executive Council.
- 3. All transactions of the above fund shall be carried out in the name of the DMI by the Executive Director or any other officer authorised by the Executive Council in his behalf.

- 4. All sums received shall be credited to the above fund in the first instance. No receipt shall be directly appropriated towards expenditure.
- 5. All payments out of the fund shall be made through cheques by such officer or officers as may be authorised by the Executive Council. Provided that petty payments below Rs. 500/- may be made in cash.
- 6. Any money lying at the credit of the DMI in the fund and not immediately required by it for the purpose of the business of the DMI may be invested in authorised securities in nationalised or co-operative banks or small saving, by the Executive Council or an authority to whom such powers are delegated.
- 7. The Executive Director shall prepare and submit to the Executive Council for approval, as far as may be possible, in the month of December every year, a budget for the estimated receipts and expenditure during the financial year.
- 8. The budget so framed shall be scrutinised by the Executive Council which may make such modifications as it deems necessary and the budget will then be formally adopted. The budget estimate so finalised by the Executive Council shall be placed before the next Annual General Body Meeting. The General Body may recommend such amendments to the budget as it may deem fit.
- 9. The budget approved by the General Body and with such modifications suggested by the General Body, as the Executive Council may adopt, shall constitute the budget of the DMI for the following financial year. If at any time during the course of the year, it is considered necessary to make modifications in the budget, it shall be open to the Executive Council to make such changes at an ordinary meeting convened for this purpose.
- 10. No expenditure shall ordinarily be incurred for which provision has not been made in the budget. Provided that the General Body may authorise the Executive Council to incur expenditure on any item, not provided in the budget not exceeding a prescribed amount at a time, if the approval of the General Body cannot be obtained in advance.

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Information of all such expenditure shall be placed before the General Body at the next meeting.

11. The Executive Director shall be responsible for proper maintenance of accounts of the DMI.
12. The books of accounts maintained shall give a true and fair view of the state of affairs of the DMI and explain every transaction.
13. The income and expenditure of the DMI shall be classified under various heads of accounts as the Executive Director may deem necessary for purpose of information and control.
14. All payments shall be made by the Executive Director or any officer authorised by the Executive Council.
15. At the end of each financial year, the Executive Director shall prepare an annual statement of accounts. The annual accounts shall be prepared on or before the 15th May of the year for the previous financial year.
16. The annual accounts so prepared shall be subject to audit by the Auditors appointed by the Executive Council. The Executive Director shall produce all accounts, registers, documents and subsidiary papers which may be called for by the Auditors.
- 17. The audit report shall be sent to the Chairman who shall submit it to the Executive Council with such comments as he may deem fit.
18. The Executive Council shall then place the audit report before the General Body with its remarks. A copy of the audited accounts shall, as soon as the same are adopted by the General Body, be forwarded to the Registrar, Firms and Societies.

property,  
Borrow,  
Invest, Levy  
charges  
etc.

1. Acquire by gift, purchase, exchange or hire or sell, transfer, mortgage, demise, disposal of or otherwise deal with any land, building, easement movable or immovable property, estate or interest within the frame work of section 21 of the M P Societies Registration Act, 1973.
2. Borrow and raise moneys with or without securities or on the security or mortgage charge, hypothecation or pledge all of or any of the movable or immovable properties belonging to the DMI or in any other manner whatsoever.
3. Give scholarships and research assistance or institute awards in the field of disaster management.
4. Invest and deal with any money of the DMI not immediately required, in such manner as may, from time to time, be determined.
5. Levy charges, fees or contribution on member or other persons for service rendered by the DMI.  
Provided that any profits earned by the DMI through any of its activities shall be utilised solely for furthering its aims and objects and shall neither be distributed or paid nor transferred directly or indirectly by way of dividends, bonus or otherwise to its members. Provided, however, that nothing shall prevent the payment in good faith of remuneration to any member organisation or other persons in return for any services rendered to the DMI.

  
9.1 Rules and  
Byelaws

1. The Executive Council may, from time to time, make rules for carrying out the purposes of these Regulations. The rules thus framed shall be placed before the General Body in its meeting next following and the General Body may make such modifications therein as it may deem it.
2. Without prejudice to the generality of clause 1 and subject to the provisions of these Regulations, the rules may provide for all or any of the following matters, namely :

- b. Powers and duties of the Executive Director and other employees of the DMI.
  - c. Scale of pay and rules of recruitment, promotion and other conditions of service of the employees of the DMI.
  - d. The constitution of a pension or provident fund and establishment of an insurance scheme and provision of gratuity and other benefits for the employees of the DMI.
  - e. The administration of endowments and institution of fellowships, scholarships etc.
3. Subject to the provisions of the Registration and Rules, the Executive Council may frame bye-laws for all or any of the following matters :
- a. The admission of students to the course by the DMI.
  - b. Academic distinctions to be awarded by the DMI and the qualifications thereof.
  - c. The fees to be charged for course of study, examinations, consultancy etc.
  - d. Conditions for the award for fellowships, scholarships etc.
  - e. The mode of execution of contracts or agreements by on or behalf of the DMI.
1. Whenever it shall appear to the DMI that it is advisable to, alter, extend or abridge the Memorandum of Association and Regulations or to amalgamate, the DMI may submit the proposition to the members of the General Body in a written report and may convene the annual meeting or a special meeting for the consideration thereof but no such proposition shall have been delivered or sent by post to every member of the DMI 10 days previous to the special meeting convened for the consideration thereof or unless such proposition shall have been agreed to by the votes of three-fifths of the members delivered in person or by proxy.
2. Any number not less than three-fifths of the total members of the General Body of the DMI may determine that it shall be

Alteration,  
Amalgama-  
tion  
and Dissolu-  
tion



dissolved, and there upon it shall be dissolved at the time then agreed upon and all necessary steps shall be taken for the disposal and settlement of the property of the DMI, its claims and liabilities, according to the rules of the DMI applicable thereto, if any, and if not, then as the Executive Council shall find expedient.

Provided that in the event of any dispute arising among the members of the General Body of the DMI the administration of its affairs shall be referred for arbitration to such arbitrators as the Government of Madhya Pradesh may appoint and the arbitrator shall make order in the matter as he shall deem fit.

Provided that the DMI shall not be dissolved unless three-fifths of the members of the General Body shall have expressed a wish for such dissolution by their votes delivered in person or by proxy at a general meeting convened for the purpose. Provided further that the DMI shall not be dissolved without the consent of the Government of Madhya Pradesh.

3. If upon the dissolution of the DMI there shall remain, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the General Body of the DMI or any of them, but given to some other society, to be determined by the votes of not less than three-fifths of the members of the General Body present personally or by proxy at the time of the dissolution, or in default thereof, to the Government of Madhya Pradesh in accordance with the provisions of section 36 of the Madhya Pradesh Societies Registration Act, 1973.