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Annexure I

GOVERNMENT OF KERALA

ABSTRACT

Power Department – Registration of ANERT as a society under the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955 – Memorandum of Association & Rules and Regulations approved – Orders issued.

POWER (PS) DEPARTMENT

G.O.(MS) No. 12/2004/PD Dated, Thiruvananthapuram, 05-06-2004.  
READ:- G.O.(MS) No.27/2003/PD dated 12-08-2003.

ORDER

ANERT was functioning as a registered society under the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955, under the Administrative Control of Science, Technology and Environment Department (STED). Consequent to the formation of Kerala State Council for Science Technology and Environment (KSCSTE), the Governing Body of ANERT in its meeting held on 16-01-2003 resolved to dissolve the then existing Governing Body and amalgamate ANERT together with its assets and liabilities with KSCSTE. Thus ANERT lost its status as a registered society and became part of KSCSTE.

2. As per Government order read above the administrative control of ANERT was transferred to the Power Department from STED/ KSCSTE subject to the conditions that R&D Schemes accepted by the KSCSTE would continue to be financed under Science and Technology. The KSCSTE has consumed up the Assessment of ANERT from the Council.

3. It is necessary that ANERT be registered as a society under the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955 formatting in a separate legal entity.

4. Government have examined the matter in detail and are pleased to order as follows:

- (a) ANERT will be registered as a society under the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955 with the following members in the Governing Body and Executive Committee.

GOVERNING BODY

(i)	Minister (Electricity)	Chairman
(ii)	Principal Secretary (Power)	Vice Chairman
(iii)	Secretary (Planning & Economic Affairs)	Member
(iv)	Principal Secretary (Rural Development)	Member
(v)	Secretary (Finance-Expenditure)	Member
(vi)	Chairman, Kerala State Electricity Board	Member
(vii)	Director, Energy Management centre	Member
(viii)	Chief Electrical Inspector	Member
(ix)	Member Secretary, Kerala State Council for Science Technology & Environment(KSCSTE)	Member

In the matter of Act XII of 1955 being an Act for regularization of the literary Scientific and Charitable Societies in the erstwhile Travancore Cochin area of the State of Kerala and in the matter of the AGENCY FOR NON-CONVENTIONAL ENERGY AND RURAL TECHNOLOGY, KERALA at Thiruvananthapuram hereinafter referred to as the 'Agency'.

### MEMORANDUM OF ASSOCIATION

1. The name of the Agency shall be the AGENCY FOR NON-CONVENTIONAL ENERGY AND RURAL TECHNOLOGY, Kerala in short ANERT.

#### OFFICE

2. The Registered office of the Agency shall be at Thiruvananthapuram.

#### OBJECTS

3. The object of the Agency is to gather and disseminate useful knowledge in the various fields of Non-conventional Energy, Energy conservation and Rural Technology, conduct studies, demonstrate, implement and support implementation of schemes and projects in these fields, thereby deal with the problems arising out of the rapid depletion on Non renewable energy sources, update the technologies used in rural areas as well as introduce appropriate new technologies with an aim to reduce drudgery, increase production and improve quality of life.

In particular the objects are:

- 1) to identify, formulate, implement and support implementation of projects aimed at providing energy requirements of the State of Kerala by harnessing solar energy, wind energy, wave energy, biogas, biomass, energy plantations, micro and mini Hydel projects, improved chulahs and kilns etc., with the object of evolving long term plans based on the same;
- 2) to identify, formulate, implement and support implementation of a broad based energy conservation programme including the conservation of energy at the source of generation, at the state of distribution and /or its utilization;
- 3) to identify, formulate, implement and support implementation of demonstration projects in the area of rural technology;
- 4) to provide technical, financial or other assistance for the formulation of programmes, designs, and projects meant for extension of alternative energy development programmes, energy conservation, and rural technologies in the state;
- 5) to provide technical, financial or other assistance for popularization and creation of awareness on alternative sources of energy, energy conservation and rural technologies;

- (5) Act as a Nodal Agency for externally sponsored projects on Non-conventional Energy and Rural Technology;
- (6) Take special steps including that of conducting training courses to develop a group of Scientists and technologists working in the field of energy sources and rural technologies and to identify and encourage research and development in the related areas, as also to institute and award fellowships, prizes, and medals and to issue certificates;
- (7) Establish and maintain workshops and manufacturing units to further the objects of the Agency.

#### GOVERNING BODY

5. The management of the affairs of the Agency shall vest in accordance with the rules and regulations of the Agency in the Governing body consisting of the following members:

(i)	Minister (Electricity)	Chairman
(ii)	Principal Secretary to Government, Power Department	Vice Chairman
(iii)	Secretary to Government Planning & Economic Affairs Department	Member
(iv)	Principal Secretary to Government Local Self Government (Rural Development) Department	Member
(v)	Secretary to Government, Finance (Expenditure) Department	Member
(vi)	Chairman, Kerala State Electricity Board	Member
(vii)	Director, Energy Management centre	Member
(viii)	Chief Electrical Inspector	Member
(ix)	Member-Secretary, Kerala State Council for Science Technology & Environment	Member
(x)	Chairman, Institute of Engineers (India), Kerala Centre	Member
(xi)	One representative of Centre for Wind Energy Technology, Chennai	Member
(xii)	One representative of the Ministry of Non-Conventional Energy Sources (MINES)	Member
(xiii)	Two experts working in the field of Non-Conventional Energy nominated by the Chairman	Member
(xiv)	Director, ANERT	Member Secretary

3	RAM SINGH Principal Secretary Rural Development, Registration Department Thiruvananthapuram	Principal Secretary to Government Local Self Government (Rural Development) Department Government of Kerala Thiruvananthapuram	Sd/-
4	V.S.Sentil	Secretary to Government Finance (Expenditure) Department Government of Kerala Thiruvananthapuram	Sd/-
5	T.M.MANOCHARAN IFS CHAIRMAN KSE BOARD THIRUVANANTHAPURAM	Chairman Kerala State Electricity Board Thiruvananthapuram	Sd/-
6	M.G.RAJAGOPAL	Director, Energy Management Centre, Thiruvananthapuram	Sd/-
7	Dr.P.A.WAHID Member-Secretary Kerala State Council for Science Technology & Environment, Thiruvananthapuram	Member-Secretary Kerala State Council for Science Technology & Environment, Thiruvananthapuram	Sd/-

## ROLL OF MEMBERS:-

5. The Agency shall maintain a register of members of the Board and the Committee giving their names, occupations and addresses and every member shall sign the register. Every change of address shall be notified to the Member-Secretary.

## GOVERNING BODY:-

6.(1) (a) The general superintendence and management of the affairs of the Agency shall be vested, in accordance with the rules of the Agency, in the Governing Body. It shall have all such powers and shall perform all such functions as are necessary or proper for the achievement or the furtherance of the Agency.

(b) Notwithstanding anything herein contained, the Government may, from time to time issue, such directions or instructions as the Government may consider necessary in regard to the conduct of the affairs of the Agency or regarding any other matter pertaining to the management or administration of the Agency. The Government may in like manner vary, and amend any such directions or instructions and the Agency, the Board and the Committee shall comply with all such directions or instructions.

(2) Notwithstanding anything contained in the Rules and Regulations, the first Governing Body shall be composed as specified in para 6 of the Memorandum of Association.

## EXECUTIVE COMMITTEE:-

7.(1) Subject to the overall superintendence and policy directions of the Governing Body, the Executive Committee shall be responsible for the management, administration and control of the affairs of the Agency and its income and properties in accordance with these Rules and the Regulations, orders and instructions made from time to time and shall have, and exercise powers which may be necessary, incidental, conducive or expedient for the said purpose.

(2) The Executive Committee shall consist of the following seven members, nominated from within the Board

(i) Principal Secretary to Government, Power Department Chairman

Sd/-  
M.G. RAJAGOPAL  
Director,  
Energy Management Centre,  
Thiruvananthapuram-695014

Sd/-  
S.M. VIJAYANAND  
Secretary to Government  
Planning & Economic Affairs Dept.  
Government Secretariat

Sd/-  
LIZZIE JACOB  
Principal Secretary  
Power Department  
Govt. Secretariat

13. (1) Notwithstanding anything contained, if the Government are satisfied at any time that the Board or the Committee persistently make default or is negligent in the performance of duties imposed on it or commits any act which is prejudicial to the interest of the Agency or willfully fails to comply with any orders or directions issued under the Rules and Regulations, the Government may, after giving the Board or the Committee as the case may be an opportunity to state its objections if any, by order in writing, remove the Board or the Committee.

(2) On such removal, the Government may appoint a new Board and/or the Committee consisting of such members as the Government may decide.

14. The Board/Committee shall function notwithstanding any vacancy on the Board, and defect in the appointment or nomination of any of its members and no act or proceedings of the Board/Committee shall be invalidated, nullified or called in question merely by reason of the existence of any vacancy on the Board/Committee or by reason of any defect in the appointment or nomination of any of its members.

MEETINGS OF THE BOARD/COMMITTEE:-

15. (1) Board shall meet at least once in six months and the Committee shall meet at least once in three months.

(2) Annual general meeting of the Board shall be held within six months of the close of the financial year.

(a) To receive and consider the annual report and audited accounts of the institution for the preceding financial year.

(b) To appoint auditors and fix their remuneration.

(c) To review progress of work during the year ended and consider and approve generally the budget demands and programmes for the ensuing year.

(d) To discuss any other business as may be necessary.

(3) All meetings of the Board and the Committee shall ordinarily be held at Thiruvananthapuram; provided however, that meetings may be held at any other place as may be expedient or necessary.

Sd/-

M.G. RAJAGOPAL

Director,

Energy Management Centre,  
Thiruvananthapuram-695014

Sd/-

S.M. VIJAYANAND

Secretary to Government

Planning & Economic Affairs Dept.  
Government Secretariat

Sd/-

LIZZIE JACOB

Principal Secretary

Power Department  
Govt. Secretariat

## (2) COMMITTEE

The Chairman of the Committee shall preside over the meeting of the Committee. In the absence of the Chairman of the Committee, the members present shall elect one from amongst themselves to preside over the meeting.

## MINUTES

23. The Member-Secretary shall keep minutes of the meetings and send a copy of the minutes of every such meeting duly approved by the Chairman of the meeting to each members.
24. Any business which it may be necessary for the Agency to perform and which is of an urgent nature and cannot be held over till the next meeting of the Board/Committee may be carried out by circulation among all members of the Board/Committee and any resolution so circulated and approved by a majority of the members signing, shall be as effective and binding as if such resolution had been passed at a meeting of the Board/Committee provided that at least the number of persons constituting a quorum had accorded their views on the resolution; and that any business so transacted shall be reported at the subsequent meeting of the Board/Committee as the case may be.
25. The meeting of the Board and the Committee shall be convened on request from not less than eight or three members respectively.

## DIRECTOR

- 26.(1) The Director shall be a Technically qualified person of eminence either in the field of energy or rural technology, the qualification of whom shall be determined by the Government.
  - (2) The Director shall be appointed by the State Government on such terms and conditions of service as may be decided by the Government.
  - (3) As the Chief executive, the Director shall be responsible for the proper administration and conduct of the affairs of the Agency.
  - (4) The Director shall function as Member-Secretary to the Board, Committee and such other sub committees as may be constituted by the Board/Committee.

Sd/-  
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Director,  
Energy Management Centre,  
Thiruvananthapuram-695014

Sd/-  
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Planning & Economic Affairs Dept.  
Government Secretariat

Sd/-  
LIZZIE JACOB  
Principal Secretary  
Power Department  
Govt. Secretariat

## POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE:

27. Without prejudice to the generality of the provision contained in Rule 7(1), the Executive Committee shall have the powers:-

- (1) To prepare and execute detailed plans and programmes for the establishment and development of the Agency and for carrying on its administration and management;
- (2) To receive grants-in-aid and accept other grant of money gifts, donations, securities, negotiable instruments and other forms of assistance from the State Government and Government of India and from other sources, Indian and foreign, Government and Private and enter into any agreements or arrangements for receiving such assistance which are not inconsistent or in conflict with or repugnant to the objectives and purposes of the Agency provided that in respect of external sources of assistance, prior approval of the State government or the Government of India shall be obtained;
- (3) To keep custody and expend the funds and moneys; invest, deal with and appropriately account for such funds and moneys and manage the income and properties movable and immovable according to the bye-laws formulated in this behalf, provided that for all capital expenditure exceeding Rs.10 lakhs (Rupees ten lakhs) at a time prior sanction of government shall be obtained.
- (4) To receive, acquire, take over and hold movable and immovable property of any kind by means of purchase, transfer, hire, lease, gift, donation or other lawful means from Government, public or private bodies or individuals, construct, build, alter, improve, maintain, repair, equip or furnish any building, develop lands and execute works necessary or convenient for purpose of the Agency and suitably manage and deal with property of any kind in the best interests and for purpose of the Agency.;

Provided that no movable properties costing more than Rs.5 lakhs (Rupees five lakhs) shall be purchased or sold without the prior approval of the Board. Also provided that no movable properties costing more than Rs.10 lakhs (Rupees ten lakhs only) and no immovable properties shall be transferred by sale, mortgage or otherwise without prior sanction of Government.

Sd/-

M.G.RAJAGOPAL

Director,

Energy Management Centre,  
Thiruvananthapuram-695014

Sd/-

S.M.VIJAYANAND

Secretary to Government

Planning & Economic Affairs Dept.  
Government Secretariat

Sd/-

LIZZIE JACOB

Principal Secretary  
Power Department  
Govt. Secretariat



necessary and desirable to obtain and carry out, exercise and comply with such agreement, rights, privileges and concessions.

- (18) To make frame and adopt Rules, Bye-laws and Regulations for the proper and effective administration and management of the affairs of the Agency and amend, vary, add, or rescind such Rules, Bye-laws and regulations from time to time as may be deemed necessary. Such Bye-laws or Regulations may provide for matters such as:
- (a) Levy of fees, commissions and charges for service
  - (b) Maintenance of Accounts and Audit.
  - (c) Budgeting
  - (d) Recruitment Rules, Terms and conditions of service of officers and staff, pay and allowances and other benefits with the approval of Government.
  - (e) Rules of discipline and code of conduct
  - (f) Maintenance of library
  - (g) Purchase and maintenance of stores, stocks and ledgers
  - (h) Financial regulations with the approval of Government
  - (i) Such other matters as may be necessary.

#### FUNDS AND BUDGET

20. (1) The funds of the Agency shall consist of the following:
- (a) Grants or financial assistance from the Government, other State Governments and /or the Government of India.
  - (b) Grants, donations, contributions or other financial assistances from quasi-governmental or non-governmental agencies, institutions, corporate bodies or persons.
  - (c) Loans from Government and other Financing Institutions.
  - (d) Income derived from the management of its properties and investments of its funds.
- (2) The Committee shall frame a budget of the estimated receipt and expenditure of the Agency not later than February in every year, along with the Annual Report for the previous year and place it before the Board at its annual meeting, preferably in March of that year for consideration and approval.

Sd/-  
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Energy Management Centre,  
Thiruvananthapuram-695014

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Govt. Secretariat

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#### SUITS BY AND AGAINST THE AGENCY

30. For the purpose of Section 9 of the Act the person in whose name the Agency may sue or be sued shall be the Director of the Agency.

#### AMENDMENTS

31. Amendments to these Rules and Regulations and/or the Memorandum of Association may be made by the Governing Body by a two-third majority of the members present and voting, at a meeting convened for the purpose, provided that the members voting in favour of amendment constitute not less than half the total members of the Board at the time after giving a minimum 10 days notice of the proposed amendments in writing to the members of the Board with the prior approval by Government.

#### DISSOLUTION

32. (1) The Agency for Non-conventional Energy and Rural Technology Society shall be dissolved if, not less than three-fifth of the members of the Society determine that it shall be dissolved and thereupon it shall be dissolved with the consent of the Government and all necessary steps shall be taken for the disposal and settlement of the properties of the Society, its claims and liabilities according to the provisions of these Rules.

(2) If on winding up or dissolution of the Agency, there shall remain after the satisfaction of debts and liabilities, any property whatsoever, the same shall not be paid or distributed among members of the Agency or any of them, but shall be dealt with in the manner provided in the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955.

#### DECLARATION

33. In all circumstances this Agency will be functioning in accordance with the provisions of the Travancore-Cochin Literacy, Scientific and Charitable Societies Registration Act 1955 (Act XII of 1955) and all provisions of the said Act will be applicable to the Agency.

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