

**NO.F.14017/29/2021-TOUR**  
**GOVERNMENT OF MIZORAM**  
**TOURISM DEPARTMENT**

...

**Aizawl the 11<sup>th</sup> August 2022**

**NOTIFICATION**

In the interest of the public and for the Development of Tourism Industry in the State, the Governor of Mizoram is pleased to notify amendment of Memorandum of Association with Rules & Regulations of the Mizoram Tourism Development Authority (MTDA) as enclosed.

This issues with approval of Registrar, Firms & Societies vide No. B.14016/26/2008-RFS/250 dated 26.07.2022.

**SD/-MANISHA SAXENA**  
*Principal Secretary to Govt. of Mizoram*  
*Tourism Department*

**Memo. NO. F.14017/29/2021-TOUR** : **Aizawl the 11<sup>th</sup> August 2022**

Copy to:

1. Secretary to Governor of Mizoram
2. PS to Chief Minister, Govt. of Mizoram
3. Speaker/ Dy. Speaker, Mizoram Legislative Assembly
4. All Ministers/Ministers of State, Govt. of Mizoram
5. All Members of Legislative Assembly, Mizoram
6. Sr.PPS to Chief Secretary, Govt. of Mizoram
7. All Administrative Heads/All Heads of Department
8. Controller, Printing & Stationery Department with 6 spare copies for publication in the Official Gazette.
9. Director, Tourism Department for information & necessary action.
10. All Tourist Lodges/Facilities under Tourism Department
11. Guard File.



**(ZONUNTHARI)**

*Deputy Secretary to Govt. of Mizoram*  
*Tourism Department*

**MIZORAM TOURISM DEVELOPMENT AUTHORITY  
MEMORANDUM OF ASSOCIATION**

**1. Name of the Society:**

The name of the society shall be called '**Mizoram Tourism Development Authority**'.

**2. Registered Office:**

Registered office of the society shall remain in Aizawl, in the State of Mizoram and at present at the following address:

Mizoram Tourism Development Authority  
Directorate of Tourism Building  
MINECO. Khatla  
Aizawl - 796001

**3. Aims & Objects:**

The primary objective of the Mizoram Tourism Development Authority (MTDA) is to provide economic, social, and environmental benefits to the State through development and management in coordinated manners with other line departments, non-government organizations and other private service providers in the sector for responsible and sustainable for the overall benefit of the citizens and public by setting up the necessary administrative, financial, legal and technical framework, implementation mechanism and resources in the State of Mizoram. It will facilitate establishment of service centre through this 'Society' for an innovative way of providing promotion and development of tourism and allied sectors where general public can get sustainable development and livelihood through tourism in line with the Mizoram Responsible Tourism Policy 2020.

**a)** To take all necessary steps to promote efficiency, enhance accountability, transparency and objectivity in tourism promotion and development.

**b)** To act as technical authority for all kinds of designs relating to tourism infrastructures and to assist the Tourism Department, Government of Mizoram in formulating, implementing and executing projects, policies, procedures and guidelines for the promotion and development of tourism sector and work in convergence with various government departments & agencies and ancillary activities & services so that sustainable development through tourism in the State could reach the general public.

**c)** To promote and develop tourism and tourism markets of the State through promotional campaigns such as visual media, print media and various other social networking sites Development of Tourism in the State and to assist in and associate itself with the efforts of Central and State Governments in respect of development of tourism in the State.

**d)** List and prioritise the areas for tourism development in consultation with the concerned Departments and other public and private stakeholders and take all steps for improving tourism services to the visitors and residents to the use of IT.

**e)** To workout revenue models and modalities through tourism development through a public-private partnership model for its sustainability and to encourage private service providers in tourism and its related infrastructure and services. This would include working out all commercial modalities and revenue model including Franchise Model in tourism sector.

**f)** To collect revenue and to issue receipts on behalf of the various Departments and Organizations. Such receipts shall have same legal validity as if it were an actual receipt issued by the concerned department of organization. Transfer the revenue collected to the concerned departments and organizations; and to authorize a suitable authority, committee, management, sub-committee or society for these purposes on behalf of the Society.

**g)** To buy, sell, let on hire, repair, import, export, lease, trade and otherwise deal and provide all tourism services and support, required by any Department including hiring of professionals, consultancy services, procurement of goods and services, development of tourism projects on turnkey basis.

**h)** To enter into collaborations, MoUs, partnerships, agreements and contracts with Indian and/or foreign individuals, companies or other organizations for providing services in tourism sector through technical, financial or any other assistance for carrying out all or any of the objects of the Society after due approval of the State Government.

**i)** To enter into any agreement with any Government or any corporations, companies, or persons which may seem conducive to the Society's objects or any of them and to obtain from any such Government authorities, corporations, companies, societies or persons any contracts, rights, privileges and concessions which the society may think desirable and to carry out, exercise and comply with any such contracts rights, privileges and concessions.

**j)** To hire professionals, consultants and other specialized agencies as found necessary for efficient handling and conduct of the business of the society.

**k)** To provide and/ or arrange to provide all support and assistance and help to create, organise, outsource and maintain tourism infrastructure to tourism service providers owned by the State Government or Society.

**l)** To facilitate inter-departmental coordination in tourism related matters and to devise modalities for information sharing so as to avoid duplication of project development.

**m)** To acquire, hold, dispose of property in any manner whatsoever provided that the prior approval of the Central or the State Government is obtained in the case of acquisition or disposal of immovable property.

**n)** To arrange manpower development or human resource development in tourism sector through State Institutes of Hotel Management and other such institutions.

**o)** To promote Mizoram Tourism to the world tourism map through intensive marketing and publicity campaigns through various media

**p)** To take all the steps necessary to fulfil the objectives of the Tourism Department, Government of Mizoram as enshrined in the Mizoram Responsible Tourism Policy 2020 and Acts and rules of the State Government.

**q)** To create conducive and healthy environment for investment in tourism and hospitality sector by public and private enterprises.

**r)** To open account or accounts with any individual firm or company or with any bank or banks and to pay into and to withdraw moneys from such account or accounts.

**s)** To invest apply for and acquire, or otherwise employ moneys belonging to or entrusted to or at the disposal of the Society upon securities and shares or without securities upon such terms as may be thought proper and from time to time and vary such transactions in such manner as the Society may think fit.

**t)** To guarantee the payment of money to guarantee become sureties for the performance of any contracts or obligations.

**u)** To create any depreciation fund, reserve fund, sinking fund, insurance fund or any special or other fund whether for depreciation or for repairing, improving, extending or maintaining any of the properties of the Society and to transfer any such fund or part thereof to any of the other funds herein mentioned.

All the incomes, earnings, movable or immovable properties of the society shall be solely and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profit or in any manner whatsoever, to the present or past members. No members of the society shall have any personal claim on any movable or immovable properties of the society or make any profit, whatsoever, by virtue of his membership.

#### 4. Governing Body:

The names, address, occupation and designation of the present members and governing body to whom the management of the Society is entrusted as required under Section 5 of the Mizoram Societies Registration Act, 2005 are as follows:

Sl.No	Name (Full in Capital)	Address	Occupation	Designation in the Society
1	ROBERT ROMAWIA ROYTE	Minister of State (Chhing Veng)	Minister of State for Tourism	Chairman
2	MANISHA SAXENA	Prin Secretary, Tourism (New Capital)	Govt Servant	Vice Chairman
3	VANLAL CHHUANGA	Secretary, Finance (Mission Veng)	Govt Servant	Member
4	LALMALSAWMA PACHUAU	Secretary, Planning (Mission Veng)	Govt Servant	Member
5	ZONUNTHARI	Deputy Secretary, (New Capital)	Govt Servant	Member
6	SAITLUANGA	Director, Tourism (Chaltlang)	Govt Servant	Financial Secretary
7	LALTHAKIMI PACHUAU	DDO, Tourism (Zemabawk)	Govt Servant	Treasurer
8	DR R LALRINCHHANI	Deputy Director, Tourism (Republic Veng)	Govt Servant	Assistant Secretary
9	RACHEL LALRINHLUI	Deputy Director, Tourism (Zotlang)	Govt Servant	Assistant Secretary
10	LALRINENGA SAILO	Durtlang	Hotelier	Member
11	JOE RZ THANGA	Mission Veng	Tour Operator	Member
12	LALHRUAITLUANGA	Bungkawn	Travel Agent	Member
13	V LALENGMAWIA	Joint Secretary, Tourism (Venghnuai)	Govt Servant	Member Secretary

## 5. Desirous Person:

We the undersigned are desirous of forming a society namely 'Mizoram Tourism Development Authority' under the Mizoram Societies Registration Act 2005 in pursuance of this Memorandum of Association of the Society.

Sl.No	Name (Full in Capital)	Address	Occupation	SIGNATURE
1	ROBERT ROMAWIA ROYTE	Minister of State (Chhinga Veng)	Minister of State for Tourism	
2	MANISHA SAXENA	Prin Secretary, Tourism (New Capital)	Govt Servant	
3	VANLAL CHHUANGA	Secretary, Finance (Mission Veng)	Govt Servant	
4	LALMALSAWMA PACHUAU	Secretary, Planning (Mission Veng)	Govt Servant	
5	ZONUNTHARI	Deputy Secretary, (New Capital)	Govt Servant	
6	SAITLUANGA	Director, Tourism (Chaitlang)	Govt Servant	
7	LALTHAKIMI PACHUAU	DDO, Tourism (Zemabawk)	Govt Servant	
8	DR R LALRINCHHANI	Deputy Director, Tourism (Republic Veng)	Govt Servant	
9	RACHEL LALRINHLUI	Deputy Director, Tourism (Zotlang)	Govt Servant	
10	LALRINENGA SAILO	Durtlang	Hotelier	
11	JOE RZ THANGA	Mission Veng	Tour Operator	
12	LALHRUAILUANGA	Bungkawn	Travel Agent	
13	V LALENGMAWIA	Joint Secretary, Tourism (Venghnuai)	Govt Servant	

## MIZORAM TOURISM DEVELOPMENT AUTHORITY

### RULES AND REGULATIONS OF MIZORAM TOURISM DEVELOPMENT AUTHORITY (MTDA)

#### 1. Registered Office:

The Registered Office of the Society shall be situated in the Capital of Mizoram, Aizawl with Chief Executive Officer as its head and other requisite supporting staff as a given address below:

MINECO. Khatla  
Aizawl -796001  
Mizoram

#### 2. Short title and commencement:

1. This Society may be called the Mizoram Tourism Development Authority.
2. These rules may be called the Mizoram Tourism Development Authority Rules, 2021.
3. Definitions: In this Memorandum and the Rules made there under unless the context otherwise requires:-

**(a)** "The 'Act' means the Mizoram Societies Registration Act, 2005 or any statutory modification thereof for the time being in force."

**(b)** "Board of Governors" shall mean the body which is constituted as the "Board of Governors of the Society" by the Government.

**(c)** "Committee" means the meeting of the Board of Governors.

**(d)** The "Chairman" and Vice Chairman" shall mean the "Chairman" and "Vice-Chairman" of the Board of Governors.

**(e)** Member means:

- i. The ex-officio members as per the constitution of the society or
- ii. Such person(s), institutions, organisations, societies, corporate bodies who may be accepted in future as the co-opted Members of the Board of Governors on such terms and conditions as laid down by the Board of Governors.

**(f)** "Member Secretary" means Member Secretary of the Board of Governors of the Mizoram Tourism Development Authority. Joint Secretary, Tourism Department or Director, Tourism Department or any other officer designated by the Government shall be the Member Secretary of the Board of Governors

**(g)** "Chief Executive Officer" means Chief Executive Officer of the Mizoram Tourism Development Authority. Tourism Department, Government of Mizoram may designate any officer as the Chief Executive Officer

(h) "The Society" means the Mizoram Tourism Development Authority known by the name, style and manner of MTDA.

(i) "State Government" shall mean the Government of Mizoram in the Tourism Department or in any other way it is known as.

(j) "Eminent citizens" shall mean well-known, distinguished, renowned or reputed persons from the general public or tourism related sector duly recommended by the State Government.

### 3. Authorities of the Society:

The Authorities of the Society shall consist of the following:

- a. The Board of Governors
- b. The Chairman of the Board of Governor
- c. The Vice Chairman of the Board of Governors
- d. The Member Secretary of the Society or Chief Executive Officer of the Society.
- e. Apart from the Member Secretary or Chief Executive Officer, the officers as may be appointed by the Board of Governors from time to time and shall be officers of the Society.

### 4. The Board of Governors:

a. The Society shall have its Board of Governors as the Supreme Authority and source of all powers, functions and activities.

b. The general superintendence, direction and control of the affairs of the Society and of its income and property shall be vested in the Board of Governors of the Society hereinafter referred to as "The Board" or "The Board of Governors".

### 5. Constitution of the Board of Governors

Initially the Board of Governors of the society would comprise the following members:

Sl.No	Name & Designation	Remarks
<b>Ex-Officio Members</b>		
1	Robert Romawia Royte Minister of State for Tourism	Chairman & Ex Officio
2	Manisha Saxena Principal Secretary to Government, Tourism	Vice Chairman & Ex Officio
3	Vanlal Chhuanga Secretary, Finance	Member & Ex Officio
4	Lalmalsawma Pachuau Secretary, Planning Department	Member & Ex Officio
5	Zonunthari Deputy Secretary, Tourism Department	Member



6	Saitluanga Director, Tourism Department	Financial Secretary
7	Vacant Joint Director, Tourism Department	Member
8	Lalthakimi Pachuau DDO of Dte of Tourism	Treasurer
9	Dr R Lalrinchhani Deputy Director, Tourism Department	Assistant Secretary
10	Rachel Lalrinhlui Deputy Director, Tourism Department	Assistant Secretary
11	Representative of (MHOA)	Member
11	Representative of (ATOM)	Member
12	Representative of (TAAM)	Member
13	V Lalengmawia Joint Secretary, Tourism Department	Member Secretary
<b>Co-Opted Members</b>		
14	Any other member(s) which Chairman decides to co-opt	Co-Opted Member(s)

## 6. **Members of the Society:**

### a. The Society shall consist of

i. All the ex-officio members as per the provision at Sr. no. 1 to 8 of para 5 in the constitution of the Board of Governors.

ii. Other individuals, institutions, recognized associations, organizations and corporate bodies to be accepted in future as Co-opted Members as per terms and conditions of eligibility as may be laid down and approved by the Board of Governors from time to time.

b. The Society shall keep a Roll of co-opted Members and every such member of the Society shall sign the roll and state therein his name, occupation and address.

c. If co-opted member of the Society changes his address, he shall inform his new address to the Member Secretary who shall thereupon enter his new address in the Roll of such Members. But if he fails to inform his new address, the address in the Roll of Members shall be deemed to be his address.

### d. Termination of Membership:

i. Where a person becomes a member of the Society by reason of the office or appointment he holds, his membership of the Society shall terminate when he ceases to hold that office or appointment.

ii. Whenever a member other than the ex-officio member, desires to resign from the membership of the Society, he shall address his resignation to the Member Secretary of the Society and submit the same to him. The membership of such person shall stand terminated from the date of his resignation.

iii. A member of the Society shall cease to be a member, if Board of Governors so desire.

## **7. Meeting of Board of Governors**

**a.** The Board may ordinarily meet 4 times in a year but the gap between one meeting and the other shall not be more than 120 day.

**b.** Every meeting of the Board of Governors shall be presided over by the Chairman of the Board of Governors and in his absence, the Vice Chairman, shall preside over the meeting.

**c.** The Chairman or the Vice-Chairman may, whenever he thinks fit, and shall, on the written requisition of not less than four members, call a special meeting of the Board of Governors.

**d.** Notice and quorum for the meetings of the Society:

**i.** Every notice calling a meeting of the Board of Governors shall state the date, time and place at which such meeting will be held and shall be served upon every member not less than 48 hours before the day & time appointed for the meeting;

**ii.** Provided that the Chairman for reasons to be recorded shall have the authority to call a special meeting on such shorter notice as he thinks fit.

**iii.** If the Chairman of the Board of Governors is unable to attend any meeting, then Vice Chairman shall preside over such a meeting.

**e.** The Board of Governors can further constitute committees and sub-committees and delegate the necessary powers and authorizations to such committees for the specific purposes.

**f.** Quorum: Four Members, out of whom at least three must be official members, shall constitute the Quorum.

## **8. Conduct of Business of the Board of Governors**

**1)** The Board of Governors may function notwithstanding any vacancy in its constitution provided however, that at no time the number of vacancies shall be such that the total number of members is less than the quorum required for a meeting of the Board of Governors.

**2)** Acts and Proceedings not to be invalidated by vacancies etc: No act or proceeding of the Board of Governors or any authority of the Society or any committee constituted under this, shall be questioned on the ground merely of the existence of any vacancy or defect in the election, nomination or appointment of a person acting as a member thereof or any irregularity in its procedure not affecting the merits of the case.

**3)** Subject to the provisions herein contained, the Board of Governors may, with the previous approval of the Government of Mizoram, Tourism Department frame from time to time, as it thinks fit, bye-laws for the conduct of its business.

**4)** In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

**5)** Each member of the Board, including the Chairman, shall have one vote and if there are an equal number of votes on any question to be determined by the Board, the Chairman shall, in addition, have and exercise a casting vote.

**6)** Any resolution, except such as may be placed before the meeting of the Board, may be adopted by circulation among all its members, and any resolution so circulated and adopted by a majority of the Members who have given their approval, such Resolution shall be as effectual and binding as if such Resolution has been passed at a meeting of the Board, provided that in every such case, at least 5 members of the Board shall have recorded their approval to the Resolution.

**9. Powers, functions, duties and responsibilities of the Board of Governors:**

Subject to the Memorandum of Association and these Rules, but without prejudice to the generality of powers, the Board of Governors shall have the full functional autonomy and shall exercise the following powers and carry out the following functions, duties and responsibilities inter-alia:

**a) Powers of the Board of Governors:**

**1.** Take decision on matters of policy relating to the administration, working and control of the Society

**2.** Make recommendation for creation of posts relating to technical and administrative support staff for the Society as required from time to time to the Government.

**3.** Consider and approve programmes and plans of the Society in conformity with the scope of the objectives of the Society mentioned in the Memorandum of association and to sanction expenditure for the same.

**4.** Consider and approve eligibility conditions, duration, selection process etc for various types of service providers, vendors, consultants, developers, stake holders, financial collaborators, public-private partners, implementers, executors of the various tourism development initiatives and other development projects.

**5.** Frame Rules, Regulations and Bye-laws for the conduct of the affairs of the Mizoram Tourism Development Authority to add, amend, or repeal the rules and regulation from time to time.

**6.** Consider, approve and authorize operation of the funds of the Society. Collect payments and user charges on behalf of other departments and agencies and transfer or utilize accounts for the interest of Society and Government.

**7.** Frame norms, guidelines and terms and conditions and service level agreements with stakeholders and tourism related services and to add to or amend them from time to time.

8. Appoint Committees or Sub-Committees, by whatever name called, comprising member(s) of the Society and such outside experts and officers of the Society as may be nominated by it for specific tasks, for the disposal of any of its business or for tendering advice on any matter pertaining to the administration and management of the Society.

9. Delegate, to such extent as it may deem necessary, any of its powers to any Officer or the Committees constituted by the Board.

10. Create project based contract positions and handle the work on job-work and/or outsourcing basis for the Society, lay down terms and conditions and method of hiring such human resources.

11. Acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, improve, alter, demolish or repair buildings, space, works and constructions as may be necessary or convenient for carrying on the activities of the Society;

12. Negotiate, enter into and make contracts and deeds on behalf of the Society without any Government support. To enter into legal and corporate agreements for and on behalf of the society and to sue and defend all legal proceedings on behalf of the society;

13. Institute and award, prizes and medals for innovative tourism related and citizen services;

14. Solicit and receive grants, gifts, donations or other contributions from the Central Government, State Government, any other agencies user charges, contributions, fee and funds in any other forms, provided it is approved by the Board of Governors;

15. Do all such acts and things as are incidental or conducive to the discharge of the functions and attainment of any of the objects of the Society.

**b) Functions, duties and responsibilities of the Board of Governors:**

1. to prepare and execute the detailed plans, projects and programmes for working of the Society and to carry on its administration, implementation, execution and management. The Board of Governors will be empowered to take all administrative decisions including creation of posts.

2. to procure and provide all types of tourism resources and services to the Government, public and stakeholders etc.

3. to have custody and ensure proper utilization of the funds of the Society and to manage all the resources of the Society.

4. to frame and prescribe guidelines and instructions for the implementation of tourism development projects and promotions in conformity with the overall policy approved in this behalf by the State Government and Board of Governors.

5. to provide the required operating, administrative, technical, ministerial and other manpower under MTDA on job work, contract or outsourcing basis from project to project basis for ensuring the efficient operation and management of the projects and the affairs of the society and to prescribe the conditions for hiring and firing of such manpower by the other departments and organizations as and when required.

6. to co-ordinate with central and state level organizations/institutions of national and international organizations in the pursuit of its objectives of the society.

7. to consider and pass such Resolutions on the annual report, the annual accounts and the financial estimates of the society as it thinks fit.

8. to make recruitment to technical or administrative staff subject to approval of the Government or may delegate such powers to the Board of Governors of the Society

9. On behalf of the Board of Governors, Member Secretary will obtain Administrative Approvals (AA), Financial Sanctions (FS) and Technical Sanction (TS) for all tourism projects including tenders through Chairman of the Board of Governors. General Financial Rules 2017, the Mizoram Public Procurement Rules 2020 and instructions of Finance Department in this regard shall be followed by the MTDA.

## **10. Assets and Funds of Society**

(a) The capital or salary cost for the smooth functioning of the society may be contributed by Government of Mizoram as grants-in-aid and by Central Government and Financial Institutions.

(b) The recurring expenditure of the society would be met out of the share of service charges collected through income from resources and business of the society.

(c) The Society may accept contributions from statutory bodies created under the Acts of Parliament or of the State Legislature, the national and International organizations, NRIs, industries etc. The contribution may also be accepted from Private bodies and individuals subject to the approval of its Board of Governors.

(d) Vesting of the assets and funds of the Society: The Assets of the fund shall vest with the Society.

i. Assets register and accounts: The Society shall maintain Assets Register (AR) and accounts as per the common corporate practices relating to tourism industry.

ii. The Treasurer of Fund: The Board of Governors headed by the Member Secretary or any other person authorized by the Board of Governors shall be the treasurer of the funds.

iii. Operation of Bank Account: The bank accounts of the Society shall be kept in the name of the Society and shall be operated upon by the Member Secretary and Treasurer of the Society or any other person authorized by the Board of Governors.

**(e)** Objects for which the Fund of the Society could be used:

**i.** The objects of the fund shall be as approved by the Board of Governors.

**ii.** All decisions for utilization of funds would be recorded in Executive Office Order Register (EOOR).

**iii.** Some of the indicative objects for which the funds could be used are as follows:

**a.** For creation, operation, management and maintenance of tourist accommodation units and any other units of Tourism Department in the State.

**b.** For developing replicable and reusable models of tourism in various properties of State Tourism Department, Site Offices and MTDA etc;

**c.** For creation, operation, management and maintenance of tourism related services

**d.** To develop Decision Support System, MIS, Intranet and other applicable enabling technologies in Tourism Department, Site Offices and MTDA etc;

**e.** To develop and arrange IT innovations in tourism administration across the State;

**f.** To impart special training, awareness and capacity building in the field of tourism and hospitality sector for various stakeholders such as hotels, restaurants, tour operators, travel agents, homestay operators etc;

**g.** For any other purpose which seeks to achieve the objectives of the society.

**iv.** Administrative expenses incurred by the Society or Committee such as salary allowances and travelling allowances and daily allowances of the staff can be legitimate charges on the funds of the Mizoram Tourism Development Authority in accordance with the provision of the rules of the Society.

## **11. Funding of Society its resources, operations and management**

**a)** The expenditure on tourism resources, operations and management of the state-level Society would be funded mainly through the share of user charges and other income of society;

**b)** The MTDA shall have its own fund in the form of grants-in-aid received from the State Government through its Nodal Department i.e. Tourism Department and all receipts by the Society shall be credited thereto and all payments by the MTDA shall be met there from;

**c)** The government shall make available to the MTDA, by way of grant, from the Consolidated Fund of the State such sum of money as it may think sufficient for carrying out the purpose of carrying out tourism promotion.

**d)** The income and property of the Society howsoever derived shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum of Association.

**e)** No part of income and property of the Society shall be paid or transferred, directly or indirectly, by way of profit, to the persons/ body who are, or, at any time, have been or shall be members of the Society or Board of Governors or to any of them or to any persons claiming through them or any of them.

## **12. Accounts and Audit**

**a.** The Member Secretary shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditure and of the property, assets and liabilities of the Society. The Annual Accounts shall be made up by the end of the financial year;

**b.** The Accounts of the Society shall be audited annually by the Auditors appointed by the State Government and any expenditure incurred in connection with such audit it payable by the Society to the Auditors.

**c.** The report of such auditor shall be communicated by the auditor to the Society which shall submit a copy of the audit report alongwith its observation to the Tourism Department. The Auditor shall also forward a copy of the report to the Finance Department, Government of Mizoram.

## **13. Arbitration and Reconciliation**

**a.** Any dispute between two or more members of the Society which has an impact the Chairman or the Vice Chairman an arbitrator appointed by the Chairman upon the activities of the Society, shall be referred to and resolved amicably by.

**b.** The extent of penalty that may be imposed through arbitration shall be limited to a maximum of 15% of the agreement.

## **14. Contracts:**

All contracts and other assurance shall be executed in the name of the Board of Governors and signed on their behalf by the Member Secretary of the Society or any other person duly authorized by the Chairman of the Board of Governors.

## **15. Powers, Functions & Responsibilities of the Member Secretary or Chief Executive Officer (CEO):**

**a.** The Member Secretary of the Society shall act as the Chief Executive Officer of the office of the Society. Any officer designated by the Government shall be both the Member Secretary and the Chief Executive Officer supported by technical and administrative personnel to discharge the function.

**b.** The Member Secretary or Chief Executive Officer shall be the custodian of the record, the funds of the Society & such other property of the society as the Board

may commit to his charge. The Member Secretary shall have the accounts maintained and also arrange for the annual audit in accordance with the provisions in the Rules and Bye-laws of the Society.

**c.** The Member Secretary or Chief Executive Officer shall have such other powers and perform other duties as may be delegated or assigned to him by the Board. The Member Secretary or Chief Executive Officer may delegate any of his powers to any of his subordinate with the approval of the Board of Governor

**d.** The Member Secretary or Chief Executive Officer of Board of Governor shall act as the Member Secretary of the Society and will record the proceedings of the meetings of the Society and of the Board of Governors and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.

**e.** The Member Secretary of Board of Governor or Chief Executive Officer shall manage the projects, properties or the money under the fund, manage accounts, execute all contracts on behalf of the society and receive funds for the society through donations, grants-in-aid, contributions and raising money whenever required.

**f.** The Member Secretary of Board of Governor or Chief Executive Officer shall prepare the budget relating to the administrative expenses of the Society and Committee such as expenditure on TA/DA of the members, which shall be a legitimate charge on the fund.

**g.** The Member Secretary or Chief Executive Officer will be empowered to take all day to day administrative decisions where no policy is involved where no creation of posts is involved.

**h.** The Member Secretary or Chief Executive Officer will have the authority to issue Financial Sanction (FS) and Administrative Sanction of expenditure related to administration, petty expenses, salary, offices expenses, marketing and publicity with value upto Rs. 20.00 lakh by following the GFR 2017, the Mizoram Public Procurement Rules 2020 and instructions of Finance Department. Any expenditure of more than Rs. 20 lakh would require the approval of the Chairman of the Board of Governors, as the case may be.

**i.** In the event of the post of the Member Secretary or Chief Executive Officer remaining vacant or the Member Secretary or Chief Executive Officer being absent or unable to perform his duties or any reason, it shall be open for the Government to direct any Officer or Officers in the service of the Society to exercise temporarily such powers and perform such functions and duties of the Member Secretary as the Board may deem fit.

**j.** The Member Secretary or Chief Executive Officer shall be responsible for the proper day to day administration of the Society. All other staff of the society shall be subordinate to the Member Secretary or Chief Executive Officer. The Member Secretary or Chief Executive Officer shall carry out the general correspondence in connection with the work assigned to him/her by the Chairman of Board of Governors from time to time. The Member Secretary or Chief Executive Officer shall also make arrangement for distribution of files amongst the Financial Secretary,



Treasurer and Assistant Secretaries and other officers and staff in the Mizoram Tourism Development Authority in consultation with the Chairman.

**k.** The Member Secretary of Board of Governor or Chief Executive Officer shall hire & fire the manpower for the society and other staff in accordance with Rules, regulations and bye-laws of the Society. The Member Secretary of Board of Governor or Chief Executive Officer shall represent the society in all its legal matters jointly or through any authorized representative.

**l.** The Member Secretary or Chief Executive Officer shall be responsible for the training and execution of all tourism projects as approved by the Board of Governors or Chairman.

**m.** To do all acts, deeds and things necessary for carrying out his functions as Member Secretary or Chief Executive Officer.

**n.** There may be a time when the Board of Governors is not able to convene a meeting for all procurements, projects or expenditure, the Membership Secretary will initiate the proposal and send to Chairman of the Board of Governors

**o.** In case of urgency, the Member Secretary or Chief Executive Officer will take decisions in consultation with the Chairman and get the same ratified from the Board of Governors in its next meeting.

#### **16. Withdrawal of Funds:**

**1.** Withdrawal of funds from the accounts of the society shall be regulated in a manner to be determined by the Board of Governors or under its authority by the Board of Governors.

**2.** Such withdrawals shall be made by cheques on requisition (as the case may be) signed by both Member Secretary and Treasurer on behalf of the Board of Governors.

#### **17. Annual report:**

Once in every year a list of Governing Body of the current year , annual activities report certified by Chairman and Secretary and auditors report and balance sheets for the previous year duly audited and signed by qualified auditors shall be filed in the office of the Registrar, Firms & Societies, Mizoram, Aizawl as it is required under section 18 of the Mizoram Societies Registration Act 2005.

#### **18. Suit by and against the Society:**

The Society may sue or be sued in the name of the Society and the Member Secretary shall have all powers to defend any suits and sue in the name of the Society either by himself or acting through agents/ officials duly appointed by the Member Secretary with a due approval of the State Government.

#### **19. Powers of the State Government to Give Directions to the Society.**

The State Government in the Tourism Department may give the Society such directions in regard to the grants and funds provided by the State Government, as in its opinion, are necessary or expedient for carrying out the purposes of the funds or the Society. It shall be the duty of the Society to comply with such directions.

## **20. Amendment**

Any amendment in memorandum and rules and regulations will be carried out in accordance with section 9 the Mizoram Societies Registration Act 2005

## **21. Dissolution**

If the society needs to be dissolved, it shall be dissolved as per provisions laid down under the section 25 and 28 of the Mizoram Societies Registration Act 2005.

## **22. Repeal and Savings.**

I. Subject to the prior approval of the Board of Governors, the Society may alter, extend or abridge any purposes for which it is established by following the procedure prescribed under these rules.

II. These Rules may be altered by the Society with the consent of the Board of Governors at any time by a resolution passed by a majority of 3/4<sup>th</sup> of the total members present at any meeting of the Society which shall have been convened for the purpose after giving due notice of such resolution to the Members of the Society.

III. The name of previous Society called 'Mizoram Tourism Development Authority' or 'MTDA' shall be retained with its registration to Register, Firms & Societies, Government of Mizoram; while the Memorandum of Association and its Rules & Regulations shall stand repealed by these new Memorandum of Association and its Rules & Regulations with immediate effect.

IV. Notwithstanding such repeal, anything done or any action taken under the name of previous Society so repealed shall be deemed to have been made or taken under the corresponding provisions of this new Society.

## **23. Societies Registration Act to apply:**

All clauses of the Mizoram Societies Registration Act, 2005 shall apply to this Society save as are appropriately and expressly amended and altered or amended by these presents and such amendments are not inconsistent with the aforesaid Act.