

GOVERNMENT OF PUNJAB  
DEPARTMENT OF TRANSPORT  
(TRANSPORT-2 BRANCH)

NOTIFICATION

The 2 May, 2011

No. 10/33/2011-2T2/ 533 The Governor of Punjab is pleased to constitute the Punjab State Transport Society (PSTS) comprising of the following members:-

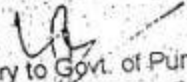
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|----|---|------------------|
| 1. | Chief Secretary to Govt. of Punjab                                | Chairman         |
| 2. | Secretary to Govt. of Punjab<br>Department of Transport.          | Vice Chairman    |
| 3. | Secretary, Department of Information & Technology                 | Member           |
| 4. | Secretary to Govt. of Punjab<br>Department of Finance             | Member           |
| 5. | The State Transport Commissioner<br>Punjab, Chandigarh            | Member Secretary |
| 6. | One Additional State Transport Commissioner<br>Punjab, Chandigarh | Member           |
| 7. | Nominated Members<br>One Transport Expert                         | Member           |
| 8. | One IT Expert   | Member           |
| 9. | Co-opted Members:<br>2 DTCs as co-opted by the Governing Council  | Co-opted members |

The memorandum of the PSTS is enclosed, which will regulate the functioning of this society.

The STC is authorised to complete all required formalities for the registration of the Punjab State Transport Society under the Societies Registration Act 21 of 1860.

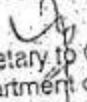
Anurag Agarwal  
Secretary to Government of Punjab,  
Department of Transport.

Endst.No. No. 10/33/2011-2T2/ 534. Dated, Chandigarh the, 2-5-2011.  
A copy is forwarded along with a spare copy of notification to the Controller, Printing and Stationery Department, Punjab, Chandigarh for publication in the Punjab Government gazette (ordinary). Fifty copies there of may be sent to this department for official use.

  
Secretary to Govt. of Punjab,  
Department of Transport.

Endst.No. No. 10/33/2011-2T2/ 535. Dated, Chandigarh the, 2-5-2011.

- A copy is forwarded to the following for information and further necessary action:-
1. Chief Secretary to Govt. of Punjab.
  2. Secretary to Govt. of Punjab, Department of Transport
  3. Secretary to Govt. of Punjab, Deptt of Information and Technology.
  4. Principal Secretary to Govt. of Punjab, Deptt. of Finance
  5. The State Transport Commissioner, Punjab, Chandigarh
  6. The Additional State Transport Commissioner, Punjab, Chandigarh.

  
Secretary to Govt. of Punjab,  
Department of Transport.

Government of Punjab

**Punjab State Transport Society**

**Memorandum of Association**

**1. Preamble**

An efficient and robust transport sector is among the most important prerequisites for a healthy and vibrant economy. As the sector has expanded and the volume & complexity of the operations increased, Transport Department, Government of Punjab has taken initiative to constitute the Punjab State Transport Society (PSTS) for making the Transport Department more efficient and provide better services by enhancing reliability and convenience to the Citizens. PSTS would leverage Information Communication Technology (ICT) in the Transport department to provide:

- Prompt and single-window services
- Provision online services with anytime-anywhere access
- Transparency in the delivery mechanism of citizen services
- Automate the ledgers being maintained at the department
- Minimize the physical interface between citizens and government
- Introduce Smart Card based Driving License and Registration Certificate
- Make transport services efficient, safe and responsive to the public.
- Provide necessary infrastructure.

2. (a) Name: The name of the Society shall be Punjab State Transport Society (PSTS)

(b) Office: The registered office of the society shall be situated at Office of State Transport Commissioner, Punjab, First floor, Jeevandeep Building, Sector-17, Chandigarh

**3. Objectives and functions**

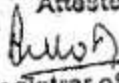
- i. To formulate strategies, policies, plans, projects and to assist the Government in an effort to provide efficient and prompt services to the citizens.
- ii. To take all necessary steps to promote efficiency, reduce delays; enhance accountability, transparency and objectivity in the management of all functions of the transport services.
- iii. To lay down the necessary administrative, financial, legal and technical framework and resources for transport and related Services.

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- iv. To undertake the necessary administrative reforms required to accomplish the objectives of good governance through IT or otherwise.
- v. To promote, investigate, establish, execute, install, maintain, manage and Administer projects in Information Technology aimed at meeting the requirements of the State Government to provide IT related services to the public and stakeholders in matters relating to transport.
- vi. To establish, create and maintain a database of the people with driving licenses, registered vehicles and related stakeholders.
- vii. To establish and to maintain a technical library and information centre/data centre and to collect and to collate information, data regarding various attribute related to driver licenses and registered vehicles etc.
- viii. To undertake or sponsor studies relating to better and efficient management of the transport system and information technology so as to make it more efficient, effective and in time with the emerging trends Nationally and Internationally.
- ix. To workout revenue models and modalities for providing various services on a public-private partnership model for its self-sustainability and to encourage private sector initiative in infrastructure and services.
- x. To ensure and maintain the Standard of Service as per the Service Level Agreements between Department of Transport, Punjab, Suvidha centers, Financial Institutions and the government.
- xi. To liaise cooperate and affiliate as and when necessary with other similar, Institution, agencies, associations or bodies in India and/or abroad for the alignments and the above objectives
- xii. To workout and recommend the service fee or user charges that could be charged from the customers for the approval of the competent authority over and above the prescribed/ statutory fee for providing the services through multiple service delivery channels.
- xiii. To chalk out detailed procedures for the collection of revenue for the Citizen services provided through multiple service delivery channels, to transfer the revenue in to the accounts of the Punjab State Transport Society as per the policy guidelines.
- xiv. To keep detailed account of the revenue collected, expenditure and transactions.
- xv. Regular reconciliation of bank accounts between all stakeholders and the Punjab State Transport Society.
- xvi. To decide upon and approve the recommendations of the District Level Committees.
- xvii. To take all means for the safety and security of transport data and to lay policies procedures guidelines and rules for achieving the objectives of security and authentication. This would include use of digital signatures and public key infrastructure.

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- viii. To provide necessary infrastructure and hire professionals/ manpower/ resources/ consultants/ other specialized agencies as found necessary in order to achieve objectives and functions of the Society.
- xix. To undertake any function as entrusted by the State Government in the department of Transport.

4. Funding of Society, its resources, operations and management:

The expenditure on projects, resources, operations and management of the Society would be funded mainly through the share of fee & taxes as agreed upon by the government; and user charges and other income of society, which will include donations, grant - in- aid from the State Government and the Government of India and specific project funding. Initially, the Government and other agencies could provide the capital costs for the purpose.

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. 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 Governing Council or to any of them or to any persons claiming through them or any of them.

5. The Governing Council:

- The Society shall have its Governing Council as the Supreme Authority and source of all powers, functions and activities.
- The general superintendence, direction and control of the affairs of the Society and of its income and property shall be vested in the Governing Council of the Society hereinafter referred to as "The Council" or "The Governing Council".

The names, designations and address of the members and office bearers of the PSTS under Section 2 of the Registration of Societies Act, 1860 (Act XXI of 1860) read with Punjab Amendment Act of 1957, shall be as under:

S.No.	Designation	Address	Remarks
	<b>Ex-Officio Members</b>		
1.	Chief Secretary to Government of Punjab		Chairman
2.	Secretary to Government of Punjab, Department of Transport		Vice- Chairman
3.	Secretary, Department of IT, Punjab		Member
4.	Secretary, Department of Finance, Punjab		Member
5.	State Transport Commissioner, Government of Punjab		Member Secretary
6.	One Additional State Transport Commissioner, Punjab		Member

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	Nominated Members		
7.	One Transport Expert		
8.	One IT Expert		Member
	Co-Opted Members		Member
9.	2 DTOs as co-opted by the Governing Council		Co-opted Members

6. **Authorities of the Society:** The Authorities of the Society shall consist of the following:

- a. The Governing Council
- b. The Executive committee.
- c. The Chairman of the Governing Council
- d. The Vice Chairman of the Governing Council
- e. The Member Secretary of the Society/ Chief Executive Officer of the Society
- f. Apart from the Member Secretary, the officers as may be appointed by the Governing Council from time to time shall be officers of the Society.

7. **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 Governing Council so desire.


8. **Meeting of Governing Council**

- i. The Council shall ordinarily meet 4 times in a year but the gap between one meeting and the other shall not be more than 120 day.
- ii. Every meeting of the Governing Council shall be presided over by the Chairman of the Governing Council and in his absence, the Vice Chairman, shall preside over the meeting.
- iii. 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 Governing Council.

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

- i. Every notice calling a meeting of the Governing Council shall state the date, time & 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.

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- iii. If the Chairman of the Governing Council is unable to attend any meeting, then Vice Chairman shall preside over such a meeting.
- iv. The Governing Council can further constitute committees and sub-committees and delegate the necessary powers and authorizations to such committees for the specific purposes.
- v. Quorum: Four Members, out of whom at least three must be Ex-Officio members, shall constitute the Quorum.

#### 10. Conduct of Business of the Governing Council

- i. The Governing Council 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 Governing Council.
- ii. Acts and Proceedings not to be invalidated by vacancies etc: No act or proceeding of the Governing Council 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.
- iii. Subject to the provisions herein contained, the Governing Council may, with the previous approval of the Punjab Government in the Department of Transport, frame and vary from time to time, as it thinks fit, bye-laws for the conduct of its business.
- iv. In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- v. Each member of the Council, including the Chairman, shall have one vote & 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.
- vi. Any resolution, except such as may be placed before the meeting of the Council, 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 Council, provided that in every such case, at least seven members of the Council shall have recorded their approval to the Resolution.

#### 11. Powers, functions, duties and responsibilities of the Governing Council:

Subject to the Memorandum of Association and these Rules, but without prejudice to the generality of powers, the Governing Council 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 Governing Council

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

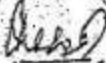
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- ii. Consider and approve programmes and plans of the Society in conformity with the scope of the objectives of the Society mentioned in the Memorandum of Association and to sanction expenditure for the same.
- iii. Consider and approve eligibility conditions, duration, selection process etc. for various types of service providers, vendors, resources including system integrators, developers, stake holders, financial collaborators, public-private partners, implementers, executors of the transport initiatives.
- iv. Frame Rules, Regulations and Bye-laws for the conduct of the affairs of the Punjab State Transport Society and to add, amend, or repeal the rules and regulation from time to time.
- v. Consider, approve and authorize operation of the funds of the Society. Collect fees & taxes on behalf of Department of Transport and transfer/ utilize it in the prescribed manner.
- vi. Frame norms, guidelines and terms and conditions and service level agreements with stakeholders and lease partner to establish IT infrastructure and to add to or amend them from time to time.
- vii. 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.
- viii. Delegate, to such extent as it may deem necessary, any of its powers to any Officer or the Committees constituted by the Council.
- ix. Create project based contract human resources (HR) needs 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.
- x. 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;
- xi. 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;
- xii. Institute and award, prizes and medals for innovative methods for induction & improvements in the education segment;
- xiii. Solicit and receive grants, gifts, donations or other contributions from the Central Government, State Government, contributions, fee and funds in any other forms, provided it is approved by the Executive Committee;
- xiv. 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 Governing Council:**

- i. To prepare and execute the detailed plans and programmes for working of the Society and to carry on its administration and management.
- ii. To procure and provide all types of resources & services like hardware, system software, power & printer peripherals, networking components etc.

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- iii. To have custody and ensure proper utilization of the funds of the Society and to manage all the resources of the Society.
- iv. To frame and prescribe guidelines and instructions for the implementation of computerization project in conformity with the overall policy approved in this behalf by the State Government and Governing Council.
- v. To provide the required operating, administrative, technical, ministerial and other manpower under PSTS 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.
- vi. To co-ordinate with central and state level organizations/ institutions of national and international organizations in the pursuit of its objectives of the society.
- vii. To consider and pass such Resolutions on the annual report, the annual accounts and the financial estimates of the society as it thinks fit.

c. Assets and Funds of Society

- i. The capital cost and corpus fund for the smooth functioning of the society may be contributed by Government of Punjab, Government of India, contributions from Public sector undertakings, Co-operative institutions, other Public sector organizations and Financial Institutions.
- ii. Sources of income of the Society: The Society will facilitate/ execute/ implement projects on behalf of the Department of Transport based on the availability of the funds. Therefore, any receipts of the society will consist of the following:
  - a. Plan budget outlay for project in the Department of Transport will be transferred to the Society and proper accounts would be maintained
  - b. The user charges to be collected from the customers.
  - c. Financial assistance from central ministries, Financial Institutions (FIs), or any national/ international individual or institutions or industry
  - d. Fee & taxes shared as agreed by the Government.
  - e. Any other revenue generated from transport activities.
- iii. The recurring expenditure of the society would be met out of the funds and other income from resources and business of the society.
- iv. For expanding the scope and coverage of transport projects in the State the Society may approach Government of India, Government of Punjab or any financial institutions for funding.
- v. The business of the Society may be used as an institutional mechanism for the facilitation/ execution of transport projects which could be either fully or partially funded/ sponsored by Government of India, Government of Punjab or other financial institutions/ resources.
- vi. 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, industry. The contribution may also be accepted from Private bodies and individuals subject to the approval of its Governing Council.

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- vii. 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.
- viii. 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 Governing Council or to any of them or to any persons claiming through them or any of them.

d. Operations and Management (O & M) of the society:

- i. The required operating, administrative, technical and other manpower may be deployed on job work, contract or outsourcing basis from case-to-case basis for ensuring the efficient operation and management of the projects.
- ii. Thus the hiring of manpower for the work of the Society would not be the liability of the Government and any expenditure on such account is proposed to be met out of the funds available with the Society.
- iii. Mostly the operating staff would be hired by the private partners and no Government Expenditure would be involved. Also expenditure on any hiring of staff by the society would be met out of the funds available with the Society.

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

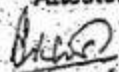
- i. Assets register and accounts: The Society shall maintain Assets Register (AR) and accounts as per the common corporate practices relating to the industry
- ii. The Treasurer of Fund: The Chief Executive Officer any other person dealing the financial & accounts matters authorized by the Executive Committee 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 of the Society or any other person authorized by the Executive Committee or Administrative Secretary to Govt. of Punjab, Department of Transport.

e. Objects for which the Fund of the Society could be used:

The objects of the fund shall be as approved by the Governing Council. All decisions for utilization of funds would be recorded in Executive Office Order Register (EOOR). Some of the indicative objects for which the funds could be used are as follows:

- i. For any purpose that seeks to achieve the objectives of the society.
- ii. For creation, operation, management and maintenance of databases to be used for transport services in the State
- iii. For developing replicable and reusable models of e-Governance in various State Government Departments, Offices, Boards and Corporations;
- iv. For creation, operation, management and maintenance of resources for transport services specially e-governance applications and services.

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- v. To develop Decision Support System, MIS, Intranet and other applicable enabling technologies in State Government Departments, Offices, Boards and Corporations;
- vi. For innovations in administration, re-engineering and for IT supported resource optimization;
- vii. To impart special training, awareness and capacity building.
- viii. Administrative expenses incurred by the Society or Committee such as salary allowances and traveling Allowances and daily Allowances of the staff can be legitimate charges on the funds of the Punjab State Transport Society in accordance with the provision of the rules of the Society.

**f. Accounts and Audit**

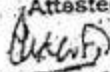
- a. The Member Secretary shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditure and of the property, assets and liabilities of the Society. The Annual Accounts shall be made up by the end of the financial year;
- b. The Accounts of the Society shall be audited and certified by the Auditor General, Punjab in respect of funds provided by the Government of Punjab and by a Chartered Accountant appointed by the Council of Governor or any other competent authority;

**g. Executive Committee of the society:**

The routine decision making of the Society and its funds shall be managed by the following executive committee:

S.No.	Designation	Address	Remarks
1.	Secretary Department of Transport, Government of Punjab		Chairman
2.	State Transport Commissioner, Punjab		Member Secretary cum CEO
3.	Additional State transport commissioner.		Member
4.	One representative from the Department of Finance, Government of Punjab		Member
5.	One representative from the Department of Information Technology, Government of Punjab		Member
6.	1 DTO - to be nominated by executive committee		Member

- a. The Executive Committee will be empowered to take all administrative decisions except where creation of posts is involved.
- b. The Executive Committee will issue Administrative Approvals (AA), Financial Sanctions (FS) and Technical Sanction (TS) for all projects/activities of value less than

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Rs. two crore. Any project/activity of more than Rs. two crore would require the approval of the Governing Council.

- c. The Executive Committee will be competent to handle all resource acquisition and disposal cases of value less than Rs. two crore per tender. Any acquisition of more than Rs. two crore per tender would require the approval of the Governing Council.
- d. In case of urgency, the Executive Committee will take decisions and get the same ratified from the Governing Council in its next meeting.
- e. The Executive Committee may also further delegate any of its power to Member Secretary of the Society.
- f. The Executive Committee shall exercise such other powers as delegated to it by the Governing Council.

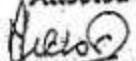
**h. Contracts:**

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

**i. Powers, Functions & Responsibilities of the Member Secretary/ Chief Executive Officer (CEO):**

1. The Member-Secretary shall be the custodian of the record, the funds of the Society & such other property of the society as the Council 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.
2. The Member-Secretary shall have such other powers & perform other duties as may be delegated or assigned to him by the Council. The Member-Secretary may delegate any of his powers to any of his subordinate with the approval of the Executive Committee.
3. The Member-Secretary of Governing Council shall act as the Member-Secretary of the Society and will record the proceedings of the meetings of the Society and of the Governing Council and maintain a proper record of these meetings in accordance with the provisions of the Bye-laws of the Society.
4. The Member-Secretary of Governing Council 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.
5. The Member-Secretary of Governing Council 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.
6. The Member-Secretary will be empowered to take all day to day administrative decisions.
7. The Member-Secretary will have the authority to issue Financial Sanction (FS) and Technical Sanction (TS) for all projects/activities of value less than Rs. 20 lacs. Any project of more than Rs. 20 lacs would require the approval of the Executive Committee of the Governing Council, as the case may be.

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8. In the event of the post of the Member-Secretary remaining vacant or the Member-Secretary being absent or unable to perform his duties or any reason, it shall be open for the Council to direct any Officer or Officers in the service of the Society to exercise temporarily such powers & perform such functions and duties of the Member-Secretary as the Council may deem fit.
9. The Member Secretary 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. The Member-Secretary shall carry out the general correspondence in connection with the work assigned to him/ her by the Chairman of Governing Council and the Chairman of the Executive Committee from time to time.
10. The Member-Secretary of the Governing Council 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 Council of Governor shall represent the society in all its legal matters jointly or through any authorized representative.
11. The Member-Secretary shall be responsible for the training and execution of all projects/activities as approved by the Governing Council and the Executive Committee.
12. To do all acts, deeds and things necessary for carrying out his functions as Member-Secretary.
13. Normally, the Member-Secretary shall be the Chief Executive Officer (CEO) of the Society. However, the Governing Council may appoint a separate Chief Executive Officer (CEO) of society in which case the functions and responsibilities may be decided between the CEO and Member-Secretary by the Governing Council.

**j. Withdrawal of funds:**

1. Withdrawal of funds from the accounts of the society shall be regulated in a manner to be determined by the Governing Council or under its authority by the Executive Committee.
2. Such withdrawals shall be made by cheques on requisition (as the case may be) signed by Member-Secretary or an officer(s) authorized in this behalf by the Governing Council or under its authority by the Executive Committee.

**k. Annual Report:**

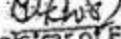
A report on the working of the Society every year shall be got prepared by the Month of September by the Member Secretary and presented to the Government of Punjab after the approval of the Governing Council.

**l. 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.

**m. Powers of the State Government to give directions to the Society:**

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The State Government in the Department of Transport 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.

a. Societies Registration Act to apply: All clauses of Societies Registration Act, 1860 (Punjab Amendment Act, 1957) as applied to the State of Punjab 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.

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State Transport Commission  
Punjab.

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Additional State  
Transport Commission  
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