

# **Ecotourism Society of Himachal Pradesh (ECOSOC)**

## **Memorandum of Association and Rules**

**( As per REVISED ECO TOURISM POLICY OF GOVT OF HP 2005)**

**Ecotourism Society of Himachal Pradesh**  
**ECOSOC**  
**Memorandum of Association**

The name of the Society shall be the **Ecotourism Society of Himachal Pradesh (ECOSOC)** which hereafter will be referred as "The Society".

1. The head office of the Society shall be located at Shimla (Himachal Pradesh).
2. Area of operation of the Society shall be the whole of the Himachal Pradesh.

**3. Objectives of Society**

The Society shall be an autonomous and independent body with the main aim to preserve and protect the natural, historical and cultural heritage of Himachal Pradesh in order that it acts as a preferred destination for visitors and provides opportunities to promote Community Based Ecotourism (CBET) in Himachal Pradesh, particularly using latest approaches of Participatory Forestry Management for sustainable development of the Forests and thereby generates revenue for the State. A harmony is to be fostered between people, environment, conservation and development. This Society would work in partnerships between civil society (local communities, NGOs, academic institutions and private enterprises/businesses) and the State (Forest Department, the Tourism Department and other related departments). *The involvement of local communities in the tourism (called 'eco-tourism' herein after) would support their livelihood needs and consequently create their direct stake in conservation of local culture, ecology and environment.* ..... "This concept of 'community based eco-tourism' would go a long way in providing better income generation options to the rural people. This would also mean less dependence upon the natural resources in as far as it amounts to removal of produce from these areas. There would be, moreover, greater incentive in conservation of local traditions, culture, heritage and environs, as these would be seen as aiding in local economy rather than an impediment to it."

To achieve this main aim, the society shall have the following objectives:-

- a) Appreciation, education and awareness of historical and cultural heritage of Himachal Pradesh. The Society would endeavour to make the State a resource centre and a learning destination with reference to eco-tourism.
- b) It would help enunciate mechanisms for partnerships in eco-tourism and would identify and promote activities which are in tandem with the principles of eco-tourism.
- c) To develop the State of Himachal Pradesh as a shining example of Community Based Ecotourism the world over. To promote community based ecotourism (CBET) which is ecologically sustainable, financially viable, culturally acceptable, and beneficial to the village communities and encourages nature conservation education in the relevant places in Himachal Pradesh
- d) To project the pristine beauty and natural environment of Himachal Pradesh to the world, while not undermining the resource base. Safeguards/regulators must be inbuilt to ensure that the laws, rules/regulations of Himachal Pradesh Department are followed in the right spirit.
- e) To evolve strategies for the development and the efficient use of the Forest Rest Houses, Forest Inspections Huts and other relevant infrastructure (camping sites, forest trails, film shooting grounds, etc.) which could help in promoting the CBET in local Panchayats.
- f) To organize activities particularly with educational institutions/school children in respect of disseminating information through workshops, presentations, paper- readings and essay-writing competition etc. in respect of CBET and its allied fields.

- g) To negotiate with other persons, institutions etc. for promoting and enhancing the CBET resources and networking. Inter-policy coherence must be inbuilt. The Forest Department Policy would be the main stay with the Society ensuring that all the eco-tourism and CBET work dovetails into it.
- h) To disseminate information on all matters related to CBET development in Himachal Pradesh.
- i) To advise the HP Government on all matters related to development of CBET in Himachal Pradesh.
- j) To create, and or maintain such assets as felt necessary and to ensure that the private entrepreneur works effectively through the society. All efforts would be taken to ensure that all agencies---public, private and Government cohere and create required synergy to deliver the composite eco-tourism product. Both the circuit and scheme approach would be followed so that people's participation through panchayats, local bodies, NGOs and youth organisations create a greater awareness of tourism.
- k) To pursue any other issue as stated in the REVISED ECOTOURISM POLICY 2005 of the Govt of HP.

The Governing Body of the Society shall be the body constituted by the Government of Himachal Pradesh keeping in mind the aforesaid objectives.

4. The Biodiversity Conservation Society (BiodCS) (or any other society to be notified separately by the Govt of HP) which is operating in the Great Himalayan National Park, and also all other Societies pertaining to ecotourism in HP Forest Department will either be merged or will function under the overall directions and control of the Ecotourism Society of Himachal Pradesh.

**1. The Society**

The Society shall consist of the following members:

- i. Chief Minister, Himachal Pradesh President
- ii. Forest Minister of Himachal Pradesh. Vice President
- iii. Pr. Secretary Finance, Govt. of HP. Member
- iv. Pr. Secretary Tourism, Govt. HP. Member
- v. Pr. Secretary RD, Govt. HP. Member
- vi. Pr. Secretary Education, Govt. HP. Member
- vii. Pr. Secretary Fisheries, Govt. HP. Member
- viii. Pr. Chief Conservator of Forests, H.P. Member
- ix. Pr. Chief Conservator of Forests (Wildlife), H.P. Member
- x. Pr. Secretary Forests, Govt. of HP. Member Secretary
- xi. Chief Conservator of Forests(CEO of the Eco-tourism Society) Joint Member Secretary

2. We the several persons whose names and addressed are given below having associated ourselves for the purpose described in the Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands here unto and form ourselves into a Society under Society Registration Act, 1860 and hold copy of which duly certified to be true copy by three members of the governing Body is filed herewith along with this Memorandum of Association. This \_\_\_\_\_ day of the month \_\_\_\_\_ of \_\_\_\_\_ in the year of Two Thousand and Five.

Sr. No.	Name	Designation	Age.	Signature
1.	_____	Pr. Secretary (Forests) to the Govt. of HP.		
2.	_____	Pr. Secretary (Finance)		

to the Govt. of HP.

3. \_\_\_\_\_ Pr. Secretary (Tourism)  
to the Govt. of HP.
4. \_\_\_\_\_ Pr. Secretary (Education)  
to the Govt. of HP.
5. \_\_\_\_\_ Pr. Secretary (Rural Dev.) to  
the Govt. of HP.
6. \_\_\_\_\_ Pr. Secy, (Fisheries)  
to the Govt. of HP.
7. \_\_\_\_\_ Pr. CCF, HP, Shimla.
8. \_\_\_\_\_ Pr.CCF (WL), H.P.
9. \_\_\_\_\_ CCF & CEO of The Eco-tourism Society

In the presence of (i) Sh. \_\_\_\_\_

(Designation & Address)

(ii) Sh. \_\_\_\_\_

(Designation & Address)

**Articles of Association**  
**Rules of the Ecotourism Society of Himachal Pradesh**

**1. Title**

These rules shall be called “Rules of the **Ecotourism Society of Himachal Pradesh**”(ECOSOC)

**2. Scope and Application**

These Rules shall extend to all the units and activities of the Society.

**3. Date of Application**

These Rules shall come into force from the date on which the Rules of **Ecotourism Society of Himachal Pradesh** are approved by the H.P. Government.

**4. Definitions**

In these Rules unless the context otherwise requires:

- (i) “Act” shall mean The Societies Registration Act, 1860.
- (ii) The “Society” or “EcoSoc” shall mean the **Ecotourism Society of Himachal Pradesh**.
- (iii) “Governing Body” shall mean the body as constituted under these rules by the Government of Himachal Pradesh.
- (iv) “The Chairman” shall mean the Chairman of the Executive Committee of the Society.
- (v) “State government” shall mean Government of Himachal.
- (vi) The “Executive Committee” shall mean the body which is constituted as such under Rule-16 as the Executive Committee of the Society.
- (vii) "Officers and Staff" shall mean employees (permanent or temporary) of the society appointed by the Executive Committee or any authority or officer delegated with the powers to do so and would include consultants, NGOs, fellows, eco-volunteers, community organizers, and research staff.
- (viii) “CEO” shall mean the Chief Executive Officer of the Governing Body of this Society who shall be of the rank of the Chief Conservator of Forest of HPFD as nominated by the Govt. of H.P.
- (ix) “Voluntary Agencies” shall mean non government organizations or group of people assigned responsibility for execution of any activity under the Society by an authority empowered to do so, and would include registered Societies, public trusts and non profit making groups and companies.
- (x) “CBET” shall mean Community Based EcoTourism.
- (xi) “CBET Agency” shall mean Forest Division level/Wildlife Division level CBET Agency.
- (xii) “FRH” and “FIH” shall mean Forest Rest House and Forest Inspection Hut.
- (xiii) “HPFD” shall mean Himachal Pradesh Forest Department.
- (xiv) “Ecotourism Policy” shall mean “Revised Eco-Tourism Policy 2005”

**5. Functions of the Society**

In pursuance of the above objectives, the functions of the Society, to be undertaken directly by the Society through its staff, or sponsored/supported by it through other institutions, agencies or individuals, shall be as follows:

- (a) To implement the CBET with the involvement of local communities, Voluntary Organisations, staff of the HPFD and other departments as enshrined in the Ecotourism Policy.
- (b) To undertake all activities that may be necessary for the achievement of the objectives referred to in the Memorandum of Association.

- (c) To create duly empowered administrative mechanism, through such participation as may be deemed necessary of various departments and autonomous agencies of the state government, and external experts for the achievement of the objectives of the Society.
- (d) To establish links and work in active cooperation with the Tourism Board/Deptt, Fisheries Deptt, and other related agencies, both at the State as well as GoI level.
- (e) To establish and/or support, for the implementation of the CBET, under the Chief Executive Officer, field offices and other appropriate mechanisms like field units scattered all over the state of Himachal Pradesh and to delegate to them necessary powers to enable them to discharge their responsibilities under the umbrella of the Eco-tourism Society.
- (f) To take appropriate steps within its area of operation to :
  - i. maintain ecological sustainability
  - ii. maintain prioritized FRHs, FIHs, forest trails, camping sites, film shooting grounds to facilitate CBET
  - iii. facilitate participation of community in CBET
  - iv. enhance nature-awareness through nature conservation education.
  - v. create additional employment opportunities for local villagers
- (g) To employ directly or indirectly by grants to other institutions/persons to further the programs to be undertaken or supported by the Society.
- (h) To facilitate marketing activities in respect of the CBET through Tourism Department.
- (i) To arrange for competence based training for the staff and community members associated with the CBET in its area of operation (use institutions such as HIPA, Forest Training Schools at Chail and Sundernagar, Community Training and Tourist Center, Sai Ropa, and other institutions within the state and outside)
- (j) To set up or establish any special services such as creation of CBET based-User Groups in Panchayats, etc., in furtherance of the CBET interests of the population.
- (k) To hire services of daily wage workers and professionals on contract basis for short term assignments.
- (l) To invest the funds or the money entrusted to or received by the society or in any such manner as may from time to time be determined by the society and also to hold or transfer such investments
- (m) To utilize CAT Plan fund component and other schemes fund provisions for eco-tourism.
- (n) To generate resources through the Eco-tourism Society for furthering the above goals.
- (o) To maintain an information data base on the CBET of Himachal Pradesh.
- (p) To accept or invest grant of money, securities of property of any kind and to undertake and accept the management of any endowment, trust, fund or donation not inconsistent with objectives of the Society.
- (q) To undertake public-private partnerships of Government properties in the field of CBET. The private entrepreneur would liaise with the Society which would enshrine an inter policy coherence with the Forest Department Policy being the main stay with other connected policies dovetailing into it.
- (r) The Society would enunciate mechanisms for partnerships in eco-tourism and promote such activities that are in tandem with the principles of eco-tourism and CBET.
- (s) To ensure that the safeguards/regulators are at work in all the activities to ensure that the laws, rules/regulations of HP Forest Department are followed.
- (t) To do all other such things as may be considered necessary by the Society and may be incidental or conducive to attainment of its objectives.

## **6. Property, Assets and Liabilities**

The income and property of the Society, however, derived shall be applied towards promotions of the objectives thereof as set-forth in the Memorandum of Association, subject nevertheless, in respect of expenditure of grants made by the Government of Himachal Pradesh to such limitations as the government may, from time to time, impose. No portion of the income and property of the Society shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to the persons who at any time have been members of the society or to any of them or to any person claiming through them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other persons in return for any service rendered to the Society or travelling allowance, halting or other charges.

## **7. Government Powers**

State Government may appoint one or more persons to review the work and progress of the Society, and to hold inquiries into the affairs thereof and to report thereon in such manner as the Government may stipulate and upon receipt of any such report, the Government may take such action and issue such directions as they may consider necessary in respect of any of the matter dealt with in the report and the Society shall be bound to comply with such directions. The government may by special order restrict or extend the scopes and functions of the Society, if required keeping in view the performance of Society in achieving the objectives assigned thereto. In addition, the State Government may, at any time, issue directives on matters of policy to the Society and the latter shall be bound to promptly comply with such directives.

## **8. Dissolution**

If on winding up or dissolution of the Society, there shall remain after the satisfaction of all its debts and liabilities any assets and property whatsoever the same shall not be paid to or distributed among the members of the Society or any of them but shall be dealt with in such manner as the State Government may determine.

## **9. Composition of the Governing Body**

The Governing Body will consist of members from Govt. departments (40%), institutions (20%) and Eminent Personalities and NGOs (40%):

### **Chief Minister, HP Secretariat Shimla-171001, Chairman**

Forest Minister, HP Secretariat Shimla-171001

Tourism Minister, HP Secretariat Shimla-171001

## **Members**

### **Official Members (not more than 8, all ex officio)**

- i. Principal Secretary Tourism, HP Secretariat Shimla-171001
- ii. Principal Secretary, Finance, HP Secretariat Shimla-171001
- iii. Principal Secretary, Rural Development, HP Secretariat Shimla-171001
- iv. Principal Secretary, Fisheries, HP Secretariat Shimla-171001
- v. Principal Chief Conservator of Forests, Himachal Pradesh, Talland, Shimla
- vi. Pr. Chief Conservator of Forests (Wildlife), H.P., Talland, Shimla
- vii. Chief Executive Officer of the EcoSoc.
- viii. Principal Secretary Forests, HP Secretariat Shimla-171001 .....Member-Secretary

### **Institutions:( not more than 5 , all ex officio)**

- i. Director, Wildlife Institute of India, Post Box-18,Chandarabani, Dehradun-248001  
Uttaranchal (Tel: 0135 2640112)

- ii. Director, G.B. Pant Institute for Himalayan Environment & Development, Kosi-Katarmal, Almora, Uttaranchal (Tel 05962 241015)
- iii. Member-Secretary, Biodiversity Conservation Society, Shamsi (Kullu)
- iv. Director, Western Himalayan Mountaineering Institute, Manali
- v. CEO of Uttaranchal Eco Tourism Society.

**Eminent Personalities and NGOs:( not more than 8 , tenure 2 yrs)**

- i. Kanwar Ajay Bahadur Singh, Nahan, Distt. Sirmour, H.P.
- ii. Mr. Vijay Soni, President Fish & Wildlife Conservancy, Member IUCN-Species Survival Commission, 43, Golf Links, N.Delhi-110003, e.mail:vijay.wildfish@gmail.com, Website: www.indianwildfish.org
- iii. Mr. M.P. Bezbaruah, Permanent Representative, World Tourism Organization, Jeevan Bharati Bldg., Tower 1, 7<sup>th</sup> Floor, 124 Connaught Circus, New Delhi 110001. (Tel: 011 23725445; Fax: 23725218; email: mpbezbaruah@yahoo.co.in)
- iv. Mr. Vinay Tandon, Program Manager – NRM, Winrock International India, 1, Navjeevan Vihar, New Delhi 110017, INDIA, Tel: 91-11-26693868; Fax: 91-11-26693881; email: vinay@winrockindia.org
- v. Director, SAHARA, Village Kalwari, Tehsil Banjar, Distt. Kullu (Tel: 94180 45363; email: saharaghnp@hotmail.com)
- vi. Payson R. Stevens, Village Ghiyaghi, Tehsil Banjar, Distt. Kullu, H.P. (Tel: 01903 227109; email: inm@aol.com)
- vii. Ms. Prabhavati Dwabha, Ramana's Seva Samiti, Vill. Tapovan, Laxman Jhula PIN 249192, Distt Tehri Garhwal, Uttaranchal (tel: 0135 2435558; email: dwabha@hotmail.com)
- viii. Ms. Vibha Butail, Potters Hill, Shimla.

**10. Tenure of nominated members**

The tenure will be as indicated against each above. Such members shall not be eligible for remuneration but will be paid TA/DA for attending meetings and other official business in connection with the Society.

**11. Cessation of membership**

Members of the governing body shall cease to be such members if:

- (i) They resign, are of unsound mind, are insolvent or are convicted of a criminal offence involving moral turpitude.
- (ii) They do not attend three consecutive meetings of Governing Body without proper leave of the Chairman.
- (iii) An official member of the Governing body becomes a member by reasons of the office of appointment he/she holds, his membership of the governing body shall be terminated when he/she ceases to hold that office or appointment.

**12. Resignation of membership**

Resignation of the membership of the governing body shall be tendered to the Chairman, Society and shall not take effect unless it has been accepted on behalf of the Chairman.

**13. Casual Vacancies:**

- (i) Any vacancy in the membership of the Society shall be filled by nomination of the authority entitled to make nomination, and the persons appointed in the vacancy shall hold office only for the unexpired period of the term of the membership.
- (ii) The Governing Body shall function notwithstanding that any person who is entitled to be a member by reason of his/her office, is not a member of the Society for the time being and notwithstanding any other vacancy in its body, whether by non-appointment or

otherwise and no act of the Society shall be invalidated merely by reason of the happening of any of the member of Governing Body.

#### **14. Powers and Functions of the Governing Body**

The governing body which shall meet at least once in a year, shall have the following powers /functions:

- (i) To implement the decisions/proposals finalized by the Society for the development of the CBET in Himachal Pradesh.
- (ii) To promote public-private partnerships of Government properties in the field of CBET with the permission /as per directions of the Govt. of HP and to raise funds thereof and to finalise the procedure for private sector participation (The 'Jungle Lodges' Model of Karnataka and the defined procedure of M.P, T.N and Kerala be kept in perspective).
- (iii) To review the implementation and management of CBET in Himachal Pradesh and to give overall policy guidance and direction for efficient functioning of the Society.
- (iv) To work in accordance with the Ecotourism Policy of 2005.
- (v) To consider and approve the balance sheet and audited accounts of the Society for the previous year.
- (vi) To consider and approve the annual report prepared by the Executive Committee.
- (vii) To add and to amend the rules of the Society.
- (viii) To secure effective coordination between different departments and other Government/ Government aided Institutions for the benefit of achievements of the objectives of the Society.
- (ix) To perform such other functions as are entrusted to it under these Rules.
- (x) To delegate all such powers to the Executive Committee, CEO, and CBET Agency not expressly mentioned including financial powers and its delegation.

#### **15. Proceedings of the Governing Body**

- (i) The meetings of the Governing Body shall be held at least once a year at the time, date and place as may be determined by the Chairman.
- (ii) Except as otherwise provided in these Rules, all meetings of the governing body shall be called by fifteen days prior notice under the signatures of the CEO, EcoSoc of H.P. and in case of special meeting also, the fifteen days prior notice shall be issued. A summary of the business to be transacted at the annual and other meetings be communicated to the members well in advance.
- (iii) The inadvertent omission to give notice to or the non-receipt of notice of any meeting by any member shall not invalidate the proceedings of the meeting.
- (iv) If the Chairman is not present in the meetings of the governing body, the next senior most member will chair the meeting.
- (v) One third of the members of the governing body present in person shall form a quorum at every meeting of the governing body provided that no quorum shall be necessary in respect of any adjourned meeting.
- (vi) All disputed questions at meetings of the governing body shall be determined by vote and in case of equality of votes, the person chairing the meeting shall have a casting vote.

#### **16. Office and Authorities of the Governing Body**

The officers of the Society shall be the CEO, Chairperson, Executive Committee, and such other persons as may be designated as such by the Governing Body.

#### **17. Executive Committee (shall meet at least once a quarter)**

The affairs of the Society shall be administered subject to the Rules and Regulations and orders of the Society, by an Executive Committee, which shall consist of the following:

### **Official Members**

- Principal Secretary Forests, Chairperson
- Pr. Chief Conservator of Forests, Himachal Pradesh Member
- Pr. Chief Conservator of Forests (Wildlife) Member
- Rep. of Secretary Finance, Member
- Rep. of Secretary Tourism, Member
- Two Conservator of Forests and two Divisional Forest Officers from the prioritized forest circles/divisions Members
- Director, Great Himalayan National Park, Shamshi, Distt. Kullu. PIN 175126 Member
- CCF cum Chief Executive Officer, Member-Secretary

### **Eminent Personalities and NGOs(tenure one year, not more than 3 members)**

- Mr. Vijay Soni, President Fish & Wildlife Conservancy, Member IUCN-Species Survival Commission, 43, Golf Links, N.Delhi-110003, e.mail:vijay.wildfish@gmail.com, Website: www.indianwildfish.org
- Mr. Vinay Tandon, Program Manager – NRM, Winrock International India, 1, Navjeevan Vihar, New Delhi 110017, INDIA, Tel: 91-11-26693868; Fax: 91-11-26693881; email: vinay@winrockindia.org
- Ms. Vibha Butail , Potters Hill Shimla.

### **18. Functions and Powers of the Executive Committee**

- a. It shall be the responsibility of the Executive Committee to endeavor to achieve the objectives of the Society and discharge all its functions as delegated by the Governing Body.
- b. The Executive Committee shall have the powers and responsibilities in respect of the following:
  - To frame, amend or repeal the bye-laws and rules of the Society with the approval of Governing Body.
  - To frame regulations including Service Rules with the approval of Governing Body.
- c. The Executive Committee shall have the power to enter into arrangement with other public or private organizations or individuals for furtherance of its objectives.
- d. The Executive Committee shall have powers for fund-raising (at national and international levels), securing and accepting endowments, grants-in-aid, donations, or gifts to the Society on mutually agreed terms and conditions or gifts shall not be inconsistent or in conflict with the objectives of the Society or with provisions of these Rules with the approval of Governing Body.
- e. The Executive Committee shall have the power to take over and/or acquire in the name of the Society by purchase, gift or otherwise from government and other public bodies or private individuals, any movable and immovable properties in the state or elsewhere or other funds together with any attendant obligation and engagement not inconsistent with the objectives of the Society and the provisions of these Rules with the approval of Governing Body.
- f. The Executive Committee shall take all steps required for the successful implementation of the management of the CBET in Himachal Pradesh and also to enunciate partnerships between civil society (local communities, NGOs, academic institutions and private

enterprises/businesses) and the State (The HPFD, The Tourism Department and other inter-related departments).

- g. The Executive Committee shall have the power to sell or give on lease any movable or immovable property of the Society with the approval of the Governing Body provided, however, that no asset of the Society created out of Government grants shall without the approval of the Government be disposed of encumbered or utilized for purposes other than those for which the grant was sanctioned.
- h. The Executive Committee will be responsible for the proper maintenance of accounts including preparation of working manuals and timely audit. It will be authorized to appoint Chartered Accountants and fix their emoluments in this behalf.
- i. The Governing Body may delegate to the Executive Committee, CEO, EcoSoc or any of its members and/or to a Committee/Group or any other officer of the Society such administrative and financial powers and impose such duties as it deems proper and also duties that are to be discharged (Refer to Functions of CEO at No. 25).
- j. Issues requiring immediate attention will be decided by the Executive Committee in its meetings but will subsequently have to be approved by the Governing Body in its next meeting.
- k. Consider and approve the Annual Plan of Operations of EcoSoc and any subsequent alternations in it.
- l. Consider and approve the Annual Budget of EcoSoc.
- m. Sort out problems in the implementation of the management of EcoSoc.
- n. To ensure co-ordination with the line departments for the management of CBET in Himachal Pradesh.
- o. To review the implementation of the activities under the management of the EcoSoc.

**19. Proceedings of the Executive Committee**

Every meeting of the Executive Committee shall be presided over by the Chairperson and in his/her absence, by a member chosen by the members present at the meeting to chair for the occasion. One third of the members of the Executive Committee present shall constitute a quorum at any meeting of the Executive Committee, provided that no quorum shall be necessary in respect of any adjourned meeting.

**20.** Not less than seven clear days notice of every meeting of the Executive Committee shall be given to each member of the Executive Committee provided that

- a) The Chairperson may call an emergency meeting at the notice of three days, and
- b) Any inadvertent omission to give notice of the meeting shall not invalidate the proceedings of the meeting.

**21.** Every notice calling a meeting of the Executive Committee shall state the date, time and place at which such meeting will be held and shall, except otherwise provided in these Rules, be under the signature of Member Secretary.

22. The Executive Committee shall meet so far as necessary but at least once in each half of the year.
23. Each member of the Executive Committee including the Chairperson shall have one vote and if there shall be equality of votes on any question to be decided by the Executive Committee, the Chairperson shall, in addition have a casting vote.

**24. Regulations**

The Executive Committee will frame /amend Regulations with the approval of the GB, not inconsistent with these Rules, for the administration and management of the affairs of the Society for the following matters:-

- I. Service matters of officers and staff including creation of posts, qualifications, selection procedures, service conditions, pay and emoluments, discipline and control rules.
- II. Important financial aspects including formulation of budget, purchase procedures, delegation of financial powers, investment of funds, maintenance of accounts, audit, TA and DA rules etc.
- III. Such other matters as may be necessary for the furtherance of the objectives and the proper administration of the affairs of the Society. Provided that for the purpose of this Rule, following guidelines would be kept in view while creating the posts and formulating the Service and Financial Regulations:
  - a) All appointments shall be only on contract basis except officers on deputation with the approval of the Government.
  - b) For work related specific assignments, persons would be deployed on fixed emoluments with provision for revision each year if considered appropriate;
  - c) Till such time, the Society formulates its own set of regulations, the decisions taken by the Executive Committee in all such matters will be carried out;

**25. Functions of the Chief Executive Officer**

The Chief Executive Officer for CBET will be a Chief Conservator of Forests from the HPFD. He/she will work as joint member-secretary in the Governing Council & member-secretary of the Executive Committee, assisted by a Conservator of Forest and two Assistant Conservator of Forests. This team will be located in the office of the Pr. CCF, Talland, Shimla. Pr. Secy. Forest will issue orders for the officers either on full time or part time basis. Their salaries will continue to be paid by the HPFD.

In association with the Forest Division Coordination Committee, the CEO will facilitate the implementation of the following activities:

**(a)Marketing**

- Would work out effective public-private partnerships of government properties in the field of CBET with the permission /as per directions of the Govt. of HP and to raise funds thereof and would help finalise the procedure for private sector participation
- develop brochures, booklets, posters, bird checklist, flora, souvenirs, website, map, logo and a tag line to market the environment-friendly 'Heritage FRH'/other FRH/camp-sites/film-shooting grounds and trekking routes around them. Also display interesting information regarding birds, mammals, plants, local ecosystem, long-term landscape change, socio-economic variables of influence (population growth, tourist increase etc.) in form of charts/pictures/maps, etc.
- network with various organisations in Himachal Pradesh and outside who encourage nature conservation education (e.g. WWF offices all over the country, Bombay Natural History Society, National Museum for Natural History at Delhi, Head Offices of Navodaya, and Central Schools, and others) to be involved with the CBET programme of H.P.

- identify and prioritise the 'Heritage FRH' (more than 75 years old or so with an historical account) for their maintenance conforming to the original architecture and appropriate publicity and marketing.
- Hire services of daily wagers, marketing professionals and others on contract basis with the approval of General Body.

#### **(b) Tourist Facilities**

- develop rules and Regulations in consultation with the Division level coordination Committee for effective management of CBET. These rules will be site-specific (a FRH/camp site in remote area may have different set of rules as compared to the FRH/camp site located on the roadside). The rules will incorporate items such as FRH/camp-site/film-shooting fee, Do's and Don'ts in nature, and other locality specifics. Display the rules and regulations at the prominent points in English and Hindi
- Conduct regular surveys for the tourists coming to a popular 'Heritage FRH'/forest trails/other FRH/camp-sites/film-shooting grounds. They may be Backpackers who rely mostly on local availability of food, shelter and other services, such as school children, NCC cadets, trekkers from Youth Hostel of India, some tight-budget foreigners; Do-it-yourself Trekkers who come prepared with own food, tents, etc. A number of foreigners are in this category, and Pre-planned Trekkers with pre-planned, organized trips, which are executed by a trekking agency. Develop plans to cater to these trekkers, accordingly.
- Ensure safeguards/regulations to various activities are followed earnestly and the Laws/rules/regulations of the HPFD are followed.
- Invest timely in infrastructure e.g. timely repairs/maintenance of FRH, trekking routes, bridle paths, etc. Conduct regular scouting trips arranged by the Division level Coordination Committee with the HPFD staff on different routes through the forest/Wildlife areas (PAs) and report back on trail conditions, wildlife, forest use, littering by trekking groups, etc.
- Improve the waste disposal around 'Heritage FRH'/forest trails/other FRH/camp-sites/film-shooting grounds.
- Wherever needed, use alternative energy sources e.g. indane cooking gas, solar lights, solar geysers, green houses (most of these are available from Himurja). Introduce fuel sufficiency rule, whereby LPG will be used in the kitchen and firewood will be provided for the fire-places in FRH rooms (which is in good demand from the tourists). Let there be dedicated firewood plantations in association with the HPFD (about 10,000 trees of fast growing firewood species per hectare to be planted in three to ten hectares for each FRH, and develop a rotation so that the wood is available on annual basis) for the selected/prioritised FRHs and camping sites. Let tourists pay for this facility. Till it happens, make alternative arrangements, e.g. from the HP State Forest Corporation.
- create herbal gardens of local medicinal plant in the compounds of the FRHs with information about plants, their uses. A well maintained medicinal plant nursery is part of nature conservation education and a big attraction for the tourists.

#### **(c) Training and Capacity Building**

- develop and implement training programmes for effective CBET activities involving staff and community in:
  - participatory resource management ('Heritage FRH'/FIH/forest trails/other FRH/camp-sites/film-shooting grounds);
  - resource sharing rights and responsibilities;
  - planning procedures;
  - local level coordinating arrangements;
  - leadership issues;

- NGO roles and responsibilities;
  - shared understanding of biological diversity between staff and communities, etc.
  - infrastructure development and maintenance
  - self defense and first aid, etc.
- train a cadre chowkidar/cook/guide from the local Panchayats and post them at priority FRHs/FIHs. Facilitate appropriate training for concerned Forest Guards/Dy. Rangers/Rangers through specially designed courses at the Forest Training School, Chail or Sundernagar and Community Training and Tourist Center, Sai Ropa in GHNP's ecozone.
  - Capacity Building of the local youth (employment opportunities) in
    - Basic courses in mountaineering and adventure with the help of Mountaineering Institute, Manali
    - Courses in Communication, personal hygiene
    - Exposure visits
    - Special courses in Guide and Cook training for the trekking parties
    - Soft Adventure: trekking, fishing, rock climbing, rappelling, camping
    - Wildlife viewing, bird watching, science tours, culture fairs and festivals (devtas)
    - Yoga and meditation
    - Environmental awareness programmes through Community based street theater

**(d)Community Involvement**

- link management of `Heritage FRH'/other FRH/FIH/camp-sites/film-shooting grounds and trekking routes around them to the local Panchayats and let the tourists also know about it. The tourists coming to nature often appreciate such efforts. CBET is to be seen as an income generation activity to supplement the incomes of the local villagers.
- Make sure that the CBET activities does not result in local culture depredation (spread of AIDS and use of narcotics).
- Develop user groups for CBET following HP Participatory Forest Management Rules, 2001.

**(e)Nature Conservation and Education**

- Set-up a mechanism to share incomes (25%) from a Forest Division level Coordination Committee (fee from the `Heritage FRH'/other FRH/camp-sites/film-shooting grounds and trekking routes) with the Executive Committee. Rest of the income (75%) is ploughed back for maintenance of FRHs, etc.
- Encourage research and documentation for the best efforts made in CBET in H.P.
- Start regular programmes in conservation education for the local schools, village communities, and the tourists. The HP Gyan Vigyan Samiti (of National Literacy Mission) may do a good job in association with the Ecotourism Society of H.P.
- Facilitate introduction of nature conservation education in school and college curriculum in Himachal Pradesh
- Develop schemes and plans such as Nature camps, Nature Education and Awareness for the local school/college students and teachers around a FRH/FIH/camp-site/forest trail and raise funds from sources such as Centrally Sponsored Scheme, and others.

The CEO will also undertake any other activity as considered by the Executive Committee of the EcoSoc. All above regulations shall be approved by the EC.

**26. Bye-laws**

Subject to specific directions of the Society and the provisions in these Rules and Regulations to be framed thereunder, the Executive Committee shall have powers to frame and amend bye-laws for the

conduct of activities of the Society for achievement of its objectives and these bye-laws with the approval of GB, may, inter-alia, include matters relating to :-

- a) Establishment of field units and branch offices.
- b) Conduct of business of Executive Committee and other Committees and sub-Committees;
- c) Grant-in-aid to voluntary agencies;
- d) Involvement of individuals and contractual new arrangements with them;
- e) All aspects of technical resource support;
- f) Such other things as may be necessary for implementation of the management of ecotourism in Himachal Pradesh.

**27. Forest Division level/Wildlife Division level CBET Agency**

The Forest Division level coordination shall be done by integrating CBET aspects in the forest division level planning. The Forest Division level CBET Agency of each Forest Division/Wildlife Division will be a registered body (under the Societies Registration Act, 1860) and a part of EcoSoc. It will promote the objectives of EcoSoc for implementation of CBET in the Division. The CEO of EC will approve the Memorandum of Association, Articles of Association and Financial Regulations of the Divisional level CBET Agency.

**28. Composition of the Forest Division/Wildlife Division level CBET Agency:**

The Forest Division/Wildlife Division level CBET Agency shall have the following members:-

- |  |              |
|--|--------------|
| 1. Divisional Forest Officer (Territorial/Wildlife.)                 | Chairman     |
| 2. Assistant Conservator of Forest                                   | Member       |
| 3. All Range Officers  | Member       |
| 4. Local Panchayat Pradhan of prioritized CBET area                  | Member       |
| 5. Local Panchayat Up-Pradhan of prioritized CBET area               | Member       |
| 6. Three Nominated villagers representing the local CBET User Groups | Member       |
| 7. Any local NGO or Self Help Group                                  | Member       |
| 8. Two Special Invitees (official/non-official)                      | Members      |
| 9. Range Officer (as nominated by the D.F.O.)                        | Member-Secy. |

**29. Functions of Forest Division/Wildlife Division level CBET Agency:**

- i. The Forest Division/Wildlife Division level CBET Agency shall take all steps required for the successful implementation of CBET in the Division.
- ii. It shall be the responsibility of the Forest Division/Wildlife Division level CBET Agency to endeavor to achieve the objectives of the Society and discharge all its functions as delegated by the CEO of EC.
- iii. The Forest Division/Wildlife Division CBET Agency shall coordinate with district level agencies concerning tourism, fisheries, etc. and resolve local implementation problems.
- iv. It shall prepare the Annual Plan of Operations of CBET in the Division and implement it as approved by the CEO.
- v. It shall prepare the Annual Budget of CBET in the Division. The Forest Division/Wildlife Division level CBET Agency will be responsible for the proper maintenance of accounts including preparation of working manuals and timely audit.

- vi. The Forest Division/Wildlife Division level CBET Agency shall have the power to enter into arrangement with other public or private organizations or individuals for furtherance of CBET in the Division.
- vii. The Forest Division/Wildlife Division level CBET Agency shall have powers for fund-raising at (national and international levels), securing and accepting endowments, grants-in-aid, donations, or gifts to the Agency on mutually agreed terms and conditions or gifts which shall not be inconsistent to or in conflict with the objectives of the EcoSoc.
- viii. Issues requiring immediate attention will be decided by the Forest Division/Wildlife Division level CBET Agency in its meetings but will subsequently have to be approved by the CEO.
- ix. Around each FRH/FIH, Forest Trail, Camping site or the Film shooting ground, a User Group will be formed of such villagers/inhabitants who are poor and unemployed. Such a User Group based on CBET will be of about 15 to 20 persons. In case a User Group of poor and unemployed youth already exist in a village (or a locality) in form of Self Help Group or a Women Saving and Credit Group, such a group will also be considered for CBET based activities. The user group will be the basic organization to operationalize the CBET. A CBET-User Group will work in close association with the local Panchayat. An NGO of local origin, if working in a Panchayat may also be considered for CBET implementation.
- x. All the FRH, FIH, Forest trails, Camping sites, and Film Shooting grounds of HPFD will undergo an exercise of the prioritization on the basis of a criteria suggested by the Executive Committee of the Society. Accordingly, they will be taken up for CBET activities based on the funds and resources of the Society.
- xi. 25% of total annual receipts from fee of the 'Heritage FRH'/other FRH/camp-sites/film-shooting grounds and trekking routes will be sent to the account of the Executive Committee. Rest of the income i.e. 75% will be utilised for maintenance of FRHs, camping grounds, trekking routes, and related activities to achieve the EcoSoc objectives as per the approved APO.
- xii. The Forest Division/Wildlife Division level CBET Agency can also receive grant-in-aid from the Executive Committee.
- xiii. The Forest Division/Wildlife Division level CBET Agency shall hold its meeting at least once in six months.

### **30. Annual Report of the Society**

The Annual Report on the working of the Society and the work undertaken by it during the year together with balance sheet and Audited Accounts shall be prepared by the CEO for information of the EC and GB and the members of the Society. A draft of the Annual Report alongwith the Audited accounts of the Society and the Auditor's Report thereon shall be placed before the Governing Body in its Annual General Meeting.

### **31. Amendments**

With the prior approval of the Governing Body, the Society may alter, extend or abridge these rules or amalgamate the Society in accordance with the provisions of the Societies Registration Act, 1860.

(i)As and when there is any change in the nomenclature of Ministries, Departments, or institution(s) and designation(s) mentioned in the Rules , such changes shall automatically stand incorporated in these Rules.

(ii) If such Society needs to be dissolved, it shall be dissolved as per provisions laid down by the Societies Registration Act, 1860.

(iii) If, on the winding up or dissolution of the Society, there shall remain, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed amongst the members of the Society or anyone of them but shall accrue to the State Government which will decide about its utilization in accordance with provisions of the Act.

**32. Miscellaneous**

Once in every year, a list of members of the governing body shall be filed with the Registrar of Societies as required under the Societies Registration Act, 1860.

**33.** If any change occurs in the composition of the governing body or in the holder of the office of the Chairman or the Chief Executive Officer at any time for any reasons intimation of such change shall within 30 days be submitted to the Registrar of the Societies.

**34.** All properties belonging to the Society shall be deemed to be vested in the Governing Body of the Society but shall be referred to as the property of the Society.

**35. Suits by and against the Society**

Subject to provisions of this Act, the person in whose name the Society may sue or be sued shall be of the Society or any member of the Society authorized by the Governing Body in this behalf;

- i) No suit or proceedings shall abate by reasons of any vacancy or change in the holder or the office of the Chairman, the Chief Executive Officer or any member of the Society authorized in this behalf;
- ii) Every decree or order against the Society in suit or proceedings shall be executable against the property of the Society and not against the personal property of the Chairman, Chief Executive Officer, or any other member of the Governing Body/Society.
- iii) Nothing herein shall exempt the Chairman, Chief Executive Officer or any other member of the Governing Body from any original liability under the Act or entitle him to claim any contribution from the property of the Society in respect of any fine paid by him on conviction by a criminal court.

Every member of the Society may be sued or prosecuted by the Society for any loss or damages caused to the Society or its property for anything done by him detrimental to the interests of the Society.

**34. Service of Notice**

- i) A notice may be served upon any member of the Society either personally or by sending it through the post under certificate of posting in an envelop addressed to such members at the last known address.
- ii) Any notice so served by post shall be deemed to have been duly served on the day following that on which the letter, envelop or wrapper containing the same shall be sufficient to prove that the cover containing such notice was properly addressed and put into the post office.

**35. Financial Regulations**

**A. Powers of the Chief Executive Officer**

The Chief Executive Officer shall be the principal Executive Officer of the Society and shall be responsible for proper administration of the affairs and funds of the EcoSoc and efficient

implementation of various activities of the CBET management in a mission mode under the directions and guidance of the Chairperson of the Executive Committee. The Chief Executive Officer shall exercise all the technical, administrative, financial and disciplinary authority powers exercised by the Head of the Departments. He shall also continue to perform the duties and exercise the powers as may be or may have been assigned to him by the HP Government/Executive Committee.

For the effective discharge of his/her functions he/she shall have powers to :

- (a) Prescribe the duties of the officers and staff of the EcoSoc.
- (b) Exercise such supervision and disciplinary control as may be necessary.
- (c) Coordinate and exercise general supervision over the activities of the Forest Division/Wildlife Division level CBET Agencies.
- (d) Approve APO and Annual Budget of the Forest Division/Wildlife Division level CBET Agencies.
- (e) Conduct meetings of the Executive Committee and keep a record of proceedings, and Action-Taken-Reports of these meetings in accordance with these Rules.
- (f) Exercise financial, technical and administrative powers of head of departments.
- (g) Discharge such other functions as may be or may already have been assigned to him by the HP Government/Executive Committee/Governing Body in furtherance of the objectives of the Society.

#### **B. Funds of the Society**

- a) The funds of the Society shall consist of the following:
  - i) grants-in-aid made by the state government for furtherance of the objectives of the Society.
  - ii) Contribution from other sources such as fund raising for the CBET at national as well as international levels (by the CEO); fund raising will be of two types: (a) to plan, design, develop and execute projects for the management of CBET in H.P. (b) to develop a corpus fund for CBET in H.P..
  - iii) Income from the assets of the Society;
  - iv) Receipt of the Society from other sources, and income from the rent of all the FRH/FIH of HPFD. Fee from trail permits, camping sites, film shooting grounds fee, and receipts from other sources will also be the income of the EcoSoc.
  - v) Grants, donation or assistance of any kind from foreign governments and other external agencies with prior approval of the central government.
- b) The bankers of the Society shall be decided by the Executive Committee. All funds shall be paid into the Society account with the bank and shall not be withdrawn except through a cheque signed by such officers as may be duly empowered in this behalf by the Executive Committee.
- c) Till such time the grant-in-aid rules are finalized and approved, the Society shall spend the annual budget allotment made to it by the government through the forest department.

#### **C. Accounts and Audit**

- i) The Society shall maintain proper accounts and other relevant records and prepare annual accounts comprising the Receipts and payment account, statement of liabilities in such form as may be prescribed by the Registrar of Societies or the State Government.
- ii) The accounts of the Society shall be audited annually by a Chartered Accountant or any agency so authorized by the Executive Committee in accordance with the provisions of the Societies Registration Act, 1860.

- iii) The audited accounts shall be submitted to the Society which shall submit a copy of Audit Report along with its observation to the State Government within 15 days from the receipt thereof.
- iv) The accounts of the Society shall also be subject to the provisions of the Comptroller and Auditor General (Duties Powers and Conditions of service) Act, 1971 as amended from time to time.

Sd/-  
(R.K. Kapoor)  
Project Director  
Eco-Tourism Society, HP.

Sd/-  
(K.K. Gupta)  
Principal Chief Conservator of Forests (Wildlife)  
Himachal Pradesh, Shimla.

Sd/-  
(R. A. Singh)  
Principal Chief Conservator of Forests,  
Himachal Pradesh, Shimla.

Registered this 30<sup>th</sup> day of June Two Thousand Six (30.06.2006) under Registration No. 442/2006.