

**Memorandum of Association**

**Of**

**ERNET India**

**1. Name of the Society**

Name of the Society shall be ERNET India (herein after referred to as the “Society” or “ERNET”).

**2. Registered Office**

The registered office of the Society shall be situated in the National Capital Territory of Delhi and at present it is situated at Electronics Niketan, 6 CGO Complex, Lodhi Road, New Delhi-110 003.

**3. Aims and objects**

**3.1 The Society has been established as a non-profit Society only for the objects as under:**

**3.1.1 To advance the cause of computer communication in the country in all its aspects and dimensions with a view to provide rapid nationwide development of the sector and technological and economic growth of the country**

**3.1.2 To develop, design, setup and operate nationwide state-of-the-art computer communication infrastructure with international connectivity directed towards research and development, advancement of high quality education, create and host content, express creative and academic potential via Intranet and Internet, peer to peer connectivity among educational and research institutions in the country and the world and make available the communication infrastructure to users in academic, research and development institutions, Govt. organizations in line with national priorities.**

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- 3.1.3 To undertake and promote education, research, development, training and standardization in the area of computer networking and information technology as well as allied areas of communication and to provide a forum for such activities.
- 3.1.4 To promote and inculcate awareness of the strategic importance of computer communication and information technology for the benefit of academic, research and development institutions, Government organizations and public at large.
- 3.1.5 To develop policy options for consideration of the Government for development of information infrastructure and computer networking in the country and implement/participate in programme thereof.
- 3.1.6 To make available its experience and know how for the effective utilization of the technology and provide services to potential users and developers.
- 3.1.7 To act as a research centre for technological and managerial resources and also act as a bridge for cooperation among other countries in the area of computer communication information technology, computer networking and other related emerging technologies.
- 3.2 With a view to attain the aforesaid objectives set out in the Para 3.1 above, the Society may **carry on the following activities:**
- 3.2.1 Undertake research, design, development, consultancy to build competence in the areas of computer networking, information technology, digital library, voice-on-data, satellite communication and other related emerging fields in terms of present, futuristic and perspective technologies.**
- 3.2.2 Undertake test-bed programmes and evaluate emerging trends in the area of computer networking, information technology and other related emerging fields in India and abroad.
- 3.2.3 Work in the areas of advanced computer, networking taking into consideration of both technological forecasts and national needs.

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- 3.2.4 Conduct general and customized educational and training activities for users and others through classroom and distance learning modes.
- 3.2.5 Conduct national and international conferences including teleconferences, seminars, symposia and workshops to inculcate awareness of the strategic importance of computer communication and information technology in education and research.**
- 3.2.6 Carry out/guide research leading to advanced degrees from leading national and international educational institutions and universities.
- 3.2.7 Institute stipends, scholarships, associateships and fellowship to students and individuals.
- 3.2.8 Carryout demonstration, field trials and pilot production of its products and services developed in-house or in collaboration with other educational and research institutions.**
- 3.2.9 Develop or acquire and assimilate inputs from indigenous sources of computer networking and information technology and transfer relevant knowledge/technology to users.**
- 3.2.10 Promote and assist ancillary Research, Design and Development (RD&D) units in the country for development of systems, sub-systems, hardware and software to build an appropriate technological and application base in the country.
- 3.2.11 Award research, surveys, studies, technology development and consultancy projects to other institutions, organizations and companies to achieve objectives of the society and disburse funds and grants for the purpose.
- 3.2.12 Invite experts in the field each from within and outside the country for advice, consultancy and participation in specific assignments.

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- 3.2.13 Participate in and /or promote professional bodies and institutions in the country and abroad.
- 3.2.14 Undertake publications in the form of papers, books, monographs and journals on various media including electronic media.
- 3.2.15 Disseminate its findings, development and inventions etc. through exhibitions and other promotional activities in the area of computer networking and Information Technology.
- 3.2.16 Apply for registration of patents and copyrights to protect intellectual property rights for the products and services developed by the Society by itself or in collaboration with others.
- 3.2.17 To purchase or take on lease or hire or develop or improve or construct or alter or execute or maintain or otherwise acquire temporarily or permanently any movable or immovable property including land and building, machine and equipment, works etc. and to mortgage or create any charge on the assets so acquired, necessary or convenient for the activities in furtherance of the objectives of the Society.
- 3.2.18 Acquire, establish, maintain, disseminate and manage facilities of information to achieve the objectives of the Society.
- 3.2.19 Set up a library of books, periodicals, audio/visual aids, database of industry and end users etc. on national and international basis, to enable the Society to meet its objectives and effectively carry out its activities.
- 3.2.20 Provide services and charge for the same from the users and exploit the know-how and products developed by the Society.
- 3.2.21 Decide subscription, membership tariff and other charges for the services provided by the Society.

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3.2.22 Receive grants, loans, subscriptions, hire/lease charges, donations or any other financial contribution in cash and securities and of any property, either movable or immovable from within the country and/on abroad including international agencies, bilateral and multilateral agencies subject to prevailing laws of the Government of India and to invest and deal with funds and moneys of the Society and to vary, alter or transfer such investments from time to time.

3.2.23 To accept remuneration for consultancy, design, development, technology transfer, providing services or any related activity in the country as well as abroad.

3.2.24 To establish and maintain provident and other funds for the benefit of the employees or for the purpose of the Society and open and operate bank accounts.

**3.2.25 Any surplus funds not needed or capable of being used for immediate application towards the objects of the Society will be invested by the Society only in accordance with the provisions contained from time to time in Income Tax Act 1961 applicable to such organizations which presently are as under:**

- i) Investment in savings certificates as defined in clause (c) of section 2 of Government Savings Certificates Act, 1959 (46 of 1959) and any other securities or certificates issued by the Central Government under the Small Savings Schemes of that Government;
- ii) deposit in any account with the Post Office Savings Bank;
- iii) deposit in any account with a scheduled bank or a co-operative society engaged in carrying on the business of banking (including a co-operative land mortgage bank or a co-operative land development bank);

***Explanation:*** In this clause, “scheduled bank” means the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955), a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970), or under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980), or any other bank being a bank included in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934).

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- iv) Investment in units of the Unit Trust of India established under the Unit Trust of India Act, 1963 (52 of 1963);
- v) Investment in any security for money created and issued by the Central Government or a State Government;
- vi) Investment in debentures issued by, or on behalf of, any company or corporation both the principal whereof and the interest whereon are fully and unconditionally guaranteed by the Central Government or by a State Government;
- vii) Investment or deposit in any public sector company;
- viii) Deposits with or investment in any bonds issued by a financial corporation which is engaged in providing long-term finance for industrial development in India and which is approved by the Central Government for the purposes of clause (viii) of sub-section (1) of section (36) of I.T. Act;
- ix) Deposits with or investment in any bonds issued by a public company formed and registered in India with the main object of carrying on the business of providing long-term finance for construction of purchase of houses in India for residential purposes and which is approved by the Central Government for the purpose of clause (viii) of sub-section (1) of section 36 of I.T. Act;
- x) Investment in immovable property i.e. in any building or other immovable property/asset related to the approved activities of the SIRO;
- xi) Deposits with the Industrial Development Bank of India established under the Industrial Development Bank of India Act, 1964 (18 of 1964).

**3.2.26 Any other activity if it is conducive to or incidental to the achievement of the objects of the Society.**

**3.3 The Society shall be managed** with an institutional framework with independent and autonomous authority, responsibility and flexibility for dynamic and efficient operation so that:

- a) Competent people from within the country and abroad are encouraged and attracted, to participate in the activity of the Society.

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- b) Mobility of the staff from State and Union Governments and other organizations to the Society and back again is possible to ensure rapid build up of trained and skilled manpower to achieve the objectives of the Society.
- c) Special procedures are established to facilitate and enable smooth functioning of the Society and various activities including matters related to personnel, finance, administration, purchase, travel, service to users, technology transfer, etc.

3.4 The Society may do and/or get done, all such other lawful things, as are conducive or incidental to administration of the Society and attainment of the above objectives.

4. All incomes, earnings movable and/or immovable properties of the Society shall be solely utilized and applied only towards the promotion of the objectives set forth in this Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profit, or any manner, whatsoever to the members of the Society or to any person or persons claiming through any one or more of the members. No member of the Society shall have any personal claim on any movable and/or immovable property of the Society or make any profit, whatsoever by virtue of his membership.

5. The Society shall be a non-profit Society and any excess of income over expenditure, will be utilized **only** in furtherance of the objectives of the Society **as contained in Para 3.1 and for no other purposes.**

6. The names, occupation and addresses of the members of the Governing Council of the Society, to whom by the rules and regulations of the Society, the management of its affairs is entrusted as required under Section 2 of the Societies Registration Act 1860 as applicable to the National Capital Territory of Delhi are as follows:

[Governing Council Members:](#)

A copy of the Rules of the Society, certified to be a correct copy by three members of the Governing Council is filed with the Registrar of Societies.

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7. We, the several persons, whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association and set our several and respective names hereinto and from ourselves into a Society under Act XXI of 1860, this 23<sup>rd</sup> day of January 1998 at New Delhi.

<b>S.No.</b>	<b>Name &amp; Address</b>	<b>Occupation</b>	<b>Signature</b>
1.	Prof. Y.K. Alagh Technology Bhawan New Mehrauli Road New Delhi	Minister of State for Science and Technology Govt. of India	-- Sd/- --
2.	Shri Shyamal Ghosh Electronics Niketan 6, CGO Complex Lodhi Road, New Delhi	Secretary Department of Electronics	-- Sd/- --
3.	Dr. A.P.J. Abdul Kalam South Block, New Delhi	Scientific Adviser to Raksha Mantri and Secretary, Department of Defence Research and Development	-- Sd/- --
4.	Prof. V.S. Ramamurthy Technology Bhavan New Mehrauli Road New Delhi	Secretary Department of Science and Technology	-- Sd/- --
5.	Dr. R.A. Mashelkar Technology Bhavan New Mehrauli Road New Delhi	Secretary Department of Scientific & Industrial Research	-- Sd/- --
6.	Shri M.S. Ahluwalia North Block New Delhi	Secretary Ministry of Finance	-- Sd/- --
7.	Prof. V.S. Raju Hauz Khas New Delhi	Director Indian Institute of Technology	-- Sd/- --
8.	Shri S. Ramakrishnan Electronics Niketan 6, CGO Complex Lodhi Road, New Delhi	Executive Director ERNET India	-- Sd/- --

I certify the aforesaid signatures.

(Signature & Rubber Stamp)  
of Gazetted Officer)