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NOTIFICATION

No.B.11011/36/95-FST, the 5th November, 2001. Whereas after considering the facts that Forest areas in the State are under continuous degradation due to excessive biotic perssure and that active participation/involvement of local people are vital for regeneration, maintenance and protection of all such forests/plantations, a resolution on Joint Forest Management was adopted by Govt. of Mizoram vide its notification No.B.11011/36/95-FST dt. 18th September, 1998;

Whereas a need is earnestly felt to link the afforestation schemes of Ministry of Environment & Forest, Govt. of India with employment/generation and poverty-alleviation and to implement these afforestation schemes under an integrated approach through the institution of Forest Development Agency(FDA);

And, whereas, as per May, 2000-Guidelines of Govt. of India, the Forest Development Agencies are required to be registered under Registration Act, 1860.

Now therefore, the Governor of Mizoram is pleased to notify the guidelines as laid down in the Schedule hereto under which a Forest Development Agency in each territorial/forest/wildlife division shall be constituted in the State of Mizoram, with immediate effect.

This is vetted by Law & Judicial Department vide their I.D. No.LJ.9/2001/419 dt. 17/9/2001.

Vanhela Pachuau, Secretary to the Govt. of Mizoram, Environment & Forest Department.

SCHEDULE

The Procedure for constitution and registration of Forest Development Agency, (hereinafter called as FDA). duties, functions and other modalities for the FDA shall be as follows:

- 1. NAME, ADDRESS AND JURISDICTION OF THE FDA: The FDA will be named after the name of territorial/wildlife forest division and office of the concerned forest division will be the office of the FDA. Jurisdiction of the FDA will be the whole territorial jurisdiction of respective territorial/wildlife division.
- 2. OBJECTIVES OF THE FDA: Following will be the objectives of FDA:
- 1. Organising and management of various necessary activities for conservation of Biodiversity of the area falling in the jurisdiction of territorial/wildlife Forest division.
- 2. To ensure people's participation for Biodiversity conservation in area falling with in the jurisdiction of territorial/wildlife Forest division.
- 3. To assess the sources of livelihood and to provide alternative resources of livelihood to the villagers falling in and around reserve forests and other forest areas of the division in order to ensure conservation and protection of the forests of the division by bringing down excess pressure on forests to a sustainable level.
- 4. To encourage the adoption of land use pattern most suited to the objectives of conservation of biodiversity.
- 5. To end or at least to reduce conflict between the reserved forests and the people living in and around them.
- 6. To generate the capacities of the local people to formulate and to implement the long term development projects through joint forest management and Integrated Village Afforestation and Eco-development Schemes in the jurisdiction of division.
- 7. To supplement the efforts of various other agencies including Government agencies like DRDA in proverty alleviation and alleviating the standard of living of rural people by formulating and executing developmental schemes related to the forest, environment, wildlife and biodiversity, to be funded by various Government and non-government agencies.
- 8. To execute any other developmental conservation or protection programme as directed from time to time by Central or State Governments which could be helpful to above mentioned programmes.
- 9. To curtail the jhum practice prevailing in Mizoram by providing alternative, more remunerative and less destructive and biodiversity conservation oriented cultivation practices as well as other alternatives sources of livelihood to the

rural people viz. cultivation of commercial timber tree species, medicinal plants species and non timber forest produce species.

- 3. CONSTITUTION OF FDA: FDA will be basically a federation of Village Forest Development Committees falling under its jurisdiction and will be comprised of representatives of various Government and Non-Governmental organisations and Presidents and Members of various Village Forest Development Committees/Eco-Development Committee (hereinafter called as VFDC/lopment Committees/Eco-Development Committee (hereinafter called as VFDC/lopment of forests of the EDC) who are interested in conservation and development of forests of the Division. FDA will be comprised of regular and nominated members of following categories:

- e) Ordinary Member Ex-Officio members nominated by respective (Conservator of Forests/Chief Wildlife Warden), representatives of NGOs and nominated members of/VFDCs/EDCs.
- d) Patron Members As per the Government order in connection with constitution of FDA Conservator of Forest/Chief Wildlife Warden will be the Patron Member.

The FDA will be having two main bodies i.e

- 1) General body
- 2) Executive Committees
- A. General Body: (Constitution, meeting procedure, Quorum of meeting, rights and duties etc.) Following will be constitution of General body:
 - 1) Chairpersons of all VFDCs/EDCs
 falling under the jurisdiction of respective
 Forest Development Agency.

 Members
 - 2) Member Secretaries of all the VFDCs/-EDCs under the jurisdiction of respective Forest Development Agency. - Members
 - 3) One nominated woman member of each of the all VFDC's/EDCs.
 - 4) All ROs, ACFs, and the DFO of the respective Forest Division. Members

- 5) All the office bearers and members of Executive Committee of the respective Forest Development Agency.
- Ex-officio members
- 6) General body will be headed by Conservator of Forests/CWLW the respective Cirle.
- a) MEETING OF THE GENERAL BODY: Meeting of the general body will be held once in a year at any convenient time, However, special meeting of the general body can be called any time in the year as and when felt necessary.
- b) INTIMATION OF THE GENERAL BODY MEETING: Intimation of general meeting of General Body will be given in writing to all members through post, fax,e-mail or through circulation before fifteen days of the meeting. Similarly intimation of Special Meeting of the meeting will be given seven days earlier than the date of the meeting. The responsibility of sending the intimation of the meetings will lie with member secretary-cum-concerned DFO.
- e) QUORUM OF THE MEETING: Quorum for the meeting of the body will be 2/3rd of the total number of executive committee of the agency. However there will be no restriction of Ouorum for the reorganizing the meeting after postponement or cancellation of the previous meeting.
- d) DATE OF CONVENTION OF THE GENERAL BODY: Convention of the General Body will be held once in a financial year. Date of convention will be decided by majority decision of 2/3rd members of the executive body of the agency. Further special convention of the General Body will be called by the member secretary as per the necessity and after receipt of permission of the Chairman.
- e) RIGHTS AND DUTIES OF THE GENERAL BODY:
 - a. Selection of executive committee or executive body.
 - b. To pass the annual budget of the agency.
 - c. To pass the annual report of the agency.
 - d. Amendment in the rules and regulations of the agencies through 2/3rd majority of the members.
 - e. Approval for the filling up of vacancies in the executive committee on being put up by the executive committee for rest of the period.
- B) EXECUTIVE COMMITTEE (EXECUTIVE BODY) CONSTITUTION MEETING PROCEDURE, QUORUM OF MEETING RIGHTS AND DUTIES OF THE EXECUTIVE COMMITTEES AND ITS OFFICE BEARERS AND PERIOD OF THE COMMITTEE ETC.
- a) Constitution of Executive Committee is constituted as per directions of Mizoram Forest Department and directions of Ministry of Environment & Forests Govt. of India. Following will be the office bearers and members of executive committee.

1) Chairman

- 2) Member Secretary
- DFO of the respective Forest Division will be the Member Secretary-cum-Chief Executive Officer of the respective FDA.

3) Members

1) District Development Officer

2) District Agriculture Officer

- 3) District Veterinary & Animal Husbandry Officer
- 4) District Soil and Water Conservation Officer

5) District Social Welfare Officer

6) District Panchayat Officer

- 7) District Industries Officer (or equivalent)
- 8) District Medical Officer

9) District Education Officer

- 10) Executive Engineer PWD in the District
- 11) Executive Engineer Power & Electricity in the District
- 12) Executive Engineer PHE in the District
- 13) Executive Engineer rural works Department in the District.

4) Members

- At least 25 members of VFDCs/EDCs i/g minimum 14 women member and at least more than 3 members of NGOs.
- b) MEETING OF THE EXECUTIVE COMMITTEE; Intimation of the General Meeting will be issued at least 4 times in a financial year and one time in a month as and when required.
- c) PERIOD OF INTIMATION: Intimation of the general meeting and special meeting of the executive committee will be sent to members in writing before 7 days and 24 hours respectively.
- d) QUORUM OF THE MEETING; Minimum 2/3rd of the members of the committee will be the Quorum for meeting. However this Quorum will not be applicable to adjourned meeting.
- e) FILLING OF THE VACANCIES; Will be done by 2/3rd majority of general body for rest of the period.
- 1) RIGHTS AND DUTIES OF THE EXECUTIVE COMMITTEE;
 - 1) Preparation of projects and their implemention through VFDCs,
 - 2) Ownership of movable and immovable properties of the agency will lie with executive committee.

3) Preparation of annual revenue expenditure statement and budget estimates for following year and putting them before general body for approval.

) Committee may constitute sub-committees for running the administration

and management of the agency.

5) Granting of leave to its employees.
 6) Executive committee will keep the account of its revenue and expenditure which will be audited time to time.

g) RIGHTS AND DUTIES OF OFFICE BEARERS OF THE COMMITTEE CHAIRPERSON:

- 1) The head of the agency will be Conservator of Forests of respective Circle and he will be called as "Chairperson"
- 2) He will preside over the meetings of executive committee and general body.
- 3) In case of equal division of votes during voting on any issue Chairman will cast his vote which will be final.
- 4) Responsibility of administration and management of the agency will lie with Chairperson.
- 5) Chairperson will give final approval to all types of appointment, creation of posts and promotion and expenditure to be incurred.

MEMBER SECRETARY

- 1) Member Secretary of the agency will be DFO (the respective) Forest Division and he will be called as Chief Executive officer.
- 2) He will maintain the accounts of the agency.
- 3) He will accept the grant, membership fee and any other grant in aid and maintain their account.
- 4) He will be responsible for engaging the casual workers for the work as per the estimate approved by general body.
 - 5) He will be responsible for looking after any court case against the agency or filed by the agency by laws or any other legal issue related with the agency.
- h) PERIOD OF THE EXECUTIVE COMMITTEE: will be only for two years and selection of the executive committee will be done by General Body in every two years.
- c) RESOLUTION FOR CONSTITUTION OF FDA: A public meeting of the proposed members of Executive body should be convened by respective Conservotor of Forests (Chairperson) and DFO (Member Secretary & CEO) and all the person should adopt a resolution which will be forwarded to Registrar Farm and Society through PCCF for registration alongwith other documents as mentioned in para 12 of this annexure,

- 4. FUNDING OF THE FDA: FDA may receive/generate funds from various resources etc.
- 1) Financial assistance as grant-in-aid from Central Govt. or State Govt.
- 2) Financial assistance from any organization other than Govt. organization.
- 3) FDA may try to generate its own financial base.

Fund of the FDA will be maintained in any recognized bank.

Account of which will be maintained by Member Secretary-cum-Chief Executive Officer/Divisional Forest officer (of the respective) Forest Division.

- financial year or in the beginning of next financial year.
- 6. RESPONSIBILITY OF EXECUTION OF COURT CASES FILED BY OR AGAINST THE AGENCY: In case any courts case is filed by the agency or filed against the agency or if any other legal issue come in front of the agency, Member Secretary will be responsible for executing these matters. All the court cases will be filed in the name of Member Secretary.
- 7. DOCUMENTS OF THE AGENCY: Following documents will be maintained by the agencies.
 - 1. Membership register.
 - 2. Register for meeting notices.
 - 3. Minutes of meeting register.
 - 4. Cash book and ledger.
- 5. Bank pass book and check book.
- 6. Stock register.
- 7. Audit register and related files.
 - 8. Any other related files and records.
- 8. DISSOLUTION OF THE AGENCY: Agency can be dissolved in case General Body of the agency takes a consensus decision to do so or Department of Environment & Forests Govt. of Mizoram issues any new order to this effect.
 - 9. DISPOSAL OF PROPERTIES IN CASE OF DISSOLUTION OF THE AGENCY: In case of dissolution of the agency the disposal of properties will be done as per the decision taken by the Forest and Environment Department at administrative level.
- 10. BY LAWS OF THE FDA: FDA shall frame its bye laws as per terms and conditions mentioned above as per established procedure under Society Registration Act, 4860 (format at Appendix-IV
- 11. AMENDMENT BY LAWS: Any amendment shall be done by 2/3rd majority of General Body and as per section 12 of Societies Registration Act, 1860.

12. REGISTRATION OF FDA: FDA shall be registered with the Registrar of Firms & Societies under Societies Registration Act, 1860 for which resolution so adopted in a meeting of the members of executive committee as mentioned at para 3 (c) as per Appendix-II, by laws so framed and Memorandum of Understanding (as per appendix-III) should be enclosed with application Registrar of Firms and Societies which should be as per for at Appendix-I.

APPENDIX-I

APPLICATION FORM FOR CONSTRUCTION OF FOREST DEVELOPMENT AGENCY FOR JOINT FOREST MANAGEMENT

To

The Registrar, Firms & Societies, Govt. of Mizoram.

(Through Proper Channel)

Subject: Constitution of Forest Development Agency for Joint Forest Management and registration regarding.

Dear Sir.

- 6. Details of office Bearers (Executive Committee)

Sl.No.	Name & Father's Name	Designation/Occupation
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6 YMA Branch is pleased to guide and support us in administrative and management aspects.

We hereby undertake to abide by the rules and regulations as prescribed by the said Government Notification and the rules made there under of likely to be made in future. We also undertake not to contravene the Mizoram (Forest) Act. 1955, the Forest (Conservation) Act, 1980 and the Wildlife (Protection) Act, 1972. In case of failure to comply with any of the conditions laid down in the said Government Notification by any of the members of the FDA, the membership of such member may be cancelled.

Resolution, by laws and memorandum of Understanding are enclosed herewith.

Now, therefore, it is requested to register us as Forest Development Agency under Societies Registration Act, 1860.

				Yours sincerely,	
(Membe Forest) or Secretary/Chi Development A	ef Executive Officer	Fore	Chairperson est Development A	
				APPEN	DIX-II
		RESOLU	TION		41 g - 81
ment A Notific Registr standing	Agency named a ation No, ration Act 1860	and as per enclos	FDA, dt, ed by laws a	as per Govt. of l	Mizoram's er Society of Under-
SI. No.	Name of member	Father's/Hus- band's/Name	Address	Designation/ Occupation	Sign/ thump impres- sion of the Member
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Member Secretary/CEO FDA

(..... Chairperson

FDA

APPENDIX-III

MEMORANDUM OF UNDERSTANDING

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- 4. OBJECTIVES OF THE INSTITUTION. Following will be the objective of the FDA.
- 1. Organising and management of various necessary activities for conservation of Biodiversity of the area falling in the jurisdiction of...........Forest division.
- 3. To assess the sources of livelihood and to provide alternative resources of livelihood to the villagers falling in and around reserve forests and other forest areas of the division in order to ensure conservation and protection of the forests of the division by bringing down excess pressure on forests to a sustainable level.
- 4. To encourage the adoption of land use pattern most suited to the objectives of conservation of biodiversity.
- 5. To end or at least to reduce conflict between the reserved forests and the people living in and around them.
- 6. To generate the capacities of the local people to formulate and to implement the long term development projects through joint forest management and Integrated Village Afforestation and Eco-development Schemes in the jurisdiction of division.
- 7. To supplement the efforts of various other agencies including Gevt. agencies like DRDA in poverty alleviation and alleviating the standard of living of rural people by formulating and executing developmental schemes related to the forest, environment, wildlife and biodiversity, to be funded by various Govt. and non-government agencies.
- 8. To execute any other developmental conservation or protection programme as directed by time to time by Central or State Govt. which could be helpful to above mentioned programmes.
- 9. To curtail the jhum practice prevailing in Mizeram by providing alternative, more remanerative and less destructive and biodiversity versity conservation oriented cultivation practices as well as other alternatives sources of livelihood to the rural people viz. cultivation of commercial timber tree species, medicinel plants species and non-timber forest produce species.

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5.	MEMBERSHIP OF FDA AN	D CATE	ORIES	OF THE	MEMBERS.
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a)	Life time member —	Each of the residents of the area falling within the jurisdiction of
b)	Special member —	Member Secretary-cum-Chief Executive Officer (Divisional Forest OfficerForest Division) nominated by Reserve Forest Manager (Conservator of Forests).
e)	Ordinary Member —	Ex-Officio members nominated by Reserve Forest Manager (Conservator of Forests) representatives of NGOs and nominated members of VFDCs.
đ)	Patron Members —	As per the govt. order in connection with constitution of FDA Reserve Forest Manager/Conservator of Forest will be the Patron Member.
6.	TERMINATION OF MEM	MBERSHIP
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7.	BODIES OF THE FDA	
•••	FDA v	vill be having following main bodies.
	D) General Body. E) Executive Body.	
	GENERAL BODY: Following	lowing will be members of general body.
÷.	1) Chairpersons of al under	Village Forests Development Committee fallingForest Development Agency. — Members
	2) Member Secretarie Forest Developme	es of all the VFDCs under
	3) One nominated we	omen member of each of the all VFDCs.
	4) All ROs, ACFs, ar Forest Division.	nd the DEO of the
		ers and members of Executive Committee ofrs Forest Development Agency.
	6) General body will	be headed by Conservator of Forests

- a) MEETING OF THE GENERAL BODY: Meeting of the general body will be held once in a year at any convenient time. However, special meeting of the general body can be called any time in the year as and when felt necessary.
- b) INTIMATION OF THE GENERAL BODY MEETING: Intimation of general meeting of General Body will be given in writing to all member through post, fax, email or through circulation before fifteen days of the meeting. Similarly intimation of Special Meeting of the meeting will be given seven days earlier than the date of the meeting. The responsibility of sending the intimation of the meetings will lie with member secretary—cum—concerned DFO.
- c) QUORUM OF THE MEETING: Quorum for the meeting of the body will be 2/3rd of the total number of executive committee of the agency. However there will be no restriction of Quorum for the reorganising the meeting after postponement or cancellation of the previous meeting.
- d) DATE OF CONVENTION OF THE GENERAL BODY: Convention of the General Body will be held once in a financial year. Date of convention will be decided by majority decision of 2/3rd members of the agency. Further special convention of the General Body will be called by the member secretary as per the necessity and after receipt of permission of the Chairman.
- •) RIGHTS AND DUTIES OF THE GENERAL BODY:
 - a. Selection of executive committee or executive body.

b. To pass the annual budget of the agency.

c. To pass the annual report of the agency.

d. Amendment in the rules and regulations of the agencies through 2/3rd majority of the members.

e. Approval for the filling up of vacancies in the executive committee on being put up by the executive committee for rest of the period.

B) EXECUTIVE COMMITTEE (EXECUTIVE BODY)

a) Constitution of Executive Committee is constituted as per directions of Mizoram Forest Department and directions of Ministry of Environment & Forests Govt. of India. Following will be the office bearers and members of executive committee.

1) Chairman	 Circle,	Mizoram	will	be t	the	Chairman	of
				. Fo	rest	Developm	ent
	Agency.						

2)	Member Secretary -	DFO of the
-,		Forest Division will be the Member Secretary-cum-Chief Executive Officer of the
		FDA.

- 3) Ex-officio Members
- 1) District Development Officer
- 2) District Agriculture Officer
- 3) District Veterinary & Animal Husbundry Officer
- 4) District Social Conservation Officer
- 5) District Social Welfare Officer
- 6) District Panchayat Officer
- 7) District Industry Officer (or equivalent)
- 8) District Medical Officer
- 9) District Education Officer
- 10) Executive Engineer PWD in the District
- 11) Executive Engineer Irrigation in the District
- 12) Executive Engineer PHE in the District
- 13) Executive Engineer rural works Department in the District.
- 4) Members

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- At least 25 members of VFDCs i/c minimum 14 women member and at least more than 3 members of NGOs.
- b) MEETING OF THE EXECUTIVE COMMITTEE: Intimation of the General Meeting will be issued at least 4 times in a financial year and one time is a month as and when required.
- c) PERIOD OF INTIMATION: Intimation of the general meeting and special meeting of the executive committee will be sent to members in writing before 7 days and 24 hours respectively.
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- e) FILLING OF THE VACANCIES: Filling up of any vacancy will be done by 2/3rd majority of general body for rest of the period.
 - f) RIGHTS AND DUTIES OF THE EXECUTIVE COMMITTEE:
- Preparation of projects and their implementation through VFDCs
- Ownership of movable and immovable properties of the agency will lie with executive committee.
- Preparation of annual revenue expenditure statement and budget estimates for following year and putting them before general body for approval.

- 4) Committee may constitute sub-committees for running the administration and management of the agency.
- 5) Granting of leave to its employees.
- 6) Executive committee will keep the account of its revenue and expenditure which will be audited time to time.
- - 2) He will preside over the meetings of executive committee and general body.
 - 3) In case of equal division of votes during voting on any issue Chairman will cast his vote which will be final.
 - 4) Responsibility of administration and management of the agency will lie with Chairman.
 - 5) Chairman will give final approval to all types of appointment, creation of posts and promotion and expenditure to be incurred.

MEMBER SECRETARY

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- 1) Member Secretary of the agency will be DFO Forest Division and he will be called as Chief Executive officer.
- 2) He will maintain the accounts of the agency.
- 3) He will accept the grant, membership fee and any other grant in aid and maintain their account.
- 4) He will be responsible for engaging the casual workers for the work as per the estimate approved by general body.
- 5) He will be responsible for looking after any court case against the agency or filed by the agency by laws or any other legal issue related with the agency.
- g) PERIOD OF THE EXECUTIVE COMMITTEE: The period tenure of the Executive Committee shall be only for two years and selection of the executive committee will be done by General Body in every two years.
- 8. AMENDMENT IN BY LAWS OF THE AGENCY: Any amendment may be done by 2/3rd majority of General Body and as per section 12 of Societies Registration Act. 1869.

- 10. AUDITING OF ACCOUNTS: Auditing of the accounts of the Agency will be done by an auditor at the end of financial year or in the beginning of next financial year.
- 11. RESPONSIBILITY OF EXECUTION OF COURT CASES FILED BY OR AGAINST THE AGENCY: In case any court's case is filed by the agency or filed against the agency or if any other legal issue come in front of the agency, Member Secretary will be responsible to execute these matters. All the court cases will be filed in the name of Member Secretary.
- 12. DOCUMENTS OF THE AGENCY: Following documents will be maintained by the agencies.

1. Membership register.

- 2. Register for meeting notices.
- 3. Minutes of meeting register.

4. Cash Book and ledger.

5. Bank pass book and check book.

6. Stock register.

- 7. Audit register and related files.
- 8. Any other related files and records.
- 13. DISSOLUTION OF THE AGENCY: Agency can be dissolved in case General Body of the agency takes a consensus decision to do so or Department of Environment & Forests Govt. of Mizoram issues any new order to this effect.
- 14. DISPOSAL OF PROPERTIES IN CASE OF DISSOLUTION OF THE AGENCY: In case of dissolution of the agency the disposal of properties will be done as per the decision taken Forest Department at administrative level.