



The Mizoram Gazette

Published by Authority

REGN. NO. N.E.—313 (MZ)

Rs. 2/- per Issue

Vol. XXXIII Aizawl, Friday, 2. 7. 2004 Asadha 11, S.E. 1926, Issue No. 27

GOVERNMENT OF MIZORAM

PART I

**Appointment, Postings, Transfers, Powers, and Other
Personal Notices and Others.**

(ORDERS BY THE GOVERNOR)

NOTIFICATIONS

No. A. 11011/1/2000-HMJ, the 28th June, 2004. In the interest of public service and on the recommendation of the MPSC vide their letter No. 125/A/2003-MP SC dt. 18. 6. 2004 the Governor of Mizoram is pleased to promote Pu N. H. Laskar to the post of Superintendent of Jail in the Scale of Pay of Rs. 6500-200-10500/- with all other allowances as admissible under the Rules with immediate effect and to post him at District Jail, Lunglei.

Joseph H. Lalramsanga.
Under Secretary to the Govt. of Mizoram,
Home Department.

No. A. 12026/6/2000-FCS, the 2nd July, 2004. On the recommendation of the Mizoram Public Service Commission, the Governor of Mizoram is pleased to promote Pu Thangtinliana Pachuau Assistant Controller of Legal Metrology, Food & Civil Supplies Department to the post of Dy. Controller, Legal Metrology in the scale of pay of Rs. 10000-325-15200/- p.m. plus all other allowances as admissible from time to time with effect from the date of taking the charge vice Pu S. Lianlula promoted.

On his promotion to the post of Dy. Controller, Legal Metrology, Pu Thangtinliana Pachuau, is allowed to remain in his present posting place i.e. Lunglei and he will take charge of Assistant Controller, Legal Metrology Lunglei and Saiha in addition to his own duties until further orders.

No. A. 12026/6/2000-FCS, the 2nd July, 2004. On the recommendation of the Mizoram Public Service Commission, the Governor of Mizoram is pleased to promote Pu K. L. Buala Inspector of Legal Metrology, Food and Civil Supplies Department to the post of Assistant Controller Legal Metrology in the scale of pay of Rs. 8000-275-13500/-p.m. plus all other allowances as admissible from time to time w. e. f. the date of taking charge vice Pu Thangtinliana Pachuau promoted.

On his promotion to the post of Assistant Controller, Legal Metrology, Pu K. L. Buala is allowed to remain in his present posting place i. e. in the Office of Legal Metrology Aizawl, until further orders.

Thanhawla, I. A. S.
Secretary to the Govt. of Mizoram,
Food and Civil Supplies Department.

No. A. 22018/3/93-EDN/Loose, the 2nd July, 2004. In partial modification of this Department's Notification No. A. 22018/3/93-EDN/Pt dt. 24. 6. 2004 regarding transfer and posting transfer Pu B. Lianthlira, SDEO Aizawl West to SDEO Serchhip with immediate effect. On his transfer to Serchhip, Pu B. Lianthlira, SDEO will take full charge of DEO, Serchhip in his own grade pay without any additional financial benefits in addition to his own duties with effect from the date of taking over charge.

R. K. Singha,
Joint Secretary to the Govt. of Mizoram.

No. A. 19014/5/99-MPSC, the 29th June, 2004. Mizoram Sawrkar lehkha No. A. 35021/1/2003-P&AR(GSW), Dt. 28. 6. 04 bawhzuiin, Pu Malsawma Lawnthang, Under Secretary, Mizoram Public Service Commission chu thla thum dang ni 1. 7. 2004 atanga 30. 9. 2004 thleng Mizoram Service Commission-ah Deputation-in rawih chhunzawm a ni. Deputation hua chhunga a Service hi Mizoram sawrkar-in Deputation chungchanga term & condition a siam ang zui a ni ang.

Hei hi Chairman, Mizoram Public Service Commission rentihna a ni.

C. Lalthandama,
Secretary,
Mizoram Public Service Commission,
Aizawl.

No. A. 11018/1/2002-HFW, the 28th June, 2004. The Officiating promotion of Pu Lalsawma Drugs Inspector to the post of Assistant Drugs Controller in terms of Regulation 4(c) of the Mizoram Public Service Commission (Limitations of functions) Regulations, 1994 issued vide this Department Notification of even No. dt. 3. 12. 2003 is hereby revoked with immediate effect.

Vanhela Pachuau,
Principal Secretary to the Govt. of Mizoram,
Health & Family Welfare Department.

No A.22011/1/2003-TAX, the 29th June, 2004. In partial modification of this Department's Notification of even number dt. 10.6. 2004, the Governor of Mizoram is pleased to keep the transfer and posting order of Shri F.C.Lianghinga, Inspector of Taxes Commissioneriat of Taxes, and Shri H.Vabeitha, Inspector of Taxes, Saiha in abeyance until further order.

Further, the Governor of Mizoram is pleased to post Shri Vanlalsawma, Inspector of Taxes to Aizawl North Zone vice Shri H.K.Lalhawngliana promoted to the post of Superintendent instead of Commissioneriat of Taxes.

Rochila Saiawi,
Secretary to the Govt. of Mizoram,
Taxation Department.

No.A.31021/1/89-PW 'A', the 2nd July, 2004. On his satisfactory completion of 2(two) years probation period, the Governor of Mizoram is pleased to confirm Pu Lalnunfela, Engineering Grade-V(Arch) of PW Cadre in Architectural Wing to the post of Assistant Architect i.e. Engineering Grade-V(Arch) under PWD in the scale of pay of Rs.8,000-275-13,000/-pm with effect from 21.5.2004.

Ramhluna Khiantge,
Secretary to the Govt. of Mizoram,
Public Works Department.

No.A.35021/1/2003-P&AR(GSW), the 2nd July 2004. In continuation of this Department's Notification No.A.35021/1/2003-P&AR(GSW) dated 17.7.2003, the Governor of Mizoram is pleased to extend the period of deputation of Pu Malsawma Lawnthang, Under Secretary, Mizoram Public Service Commission for another 3(three) months w.e.f. 1.7.2004 to 30.9.2004 under the same terms and conditions.

No.A.32013/10/2002-P&AR(CSW), the 2nd July, 2004. On the recommendation of the MPSC and in the interest of public service, the Governor of Mizoram is pleased to promote Pu H.P.Sahu, MCS, Selection Grade to the MCS Supertime Grade B (Addl. Secretary to the Govt. of Mizoram) in the scale of pay of Rs. 16400-450-20900/- p.m. plus all other admissible allowances with immediate effect and until further orders.

On his promotion to Supertime Grade B of MCS, he will continue to look after Cooperation Department as Additional Secretary and he shall draw his pay & allowances against the post of Additional Secretary sanctioned vide letter No.A.11013/1/89-P&AR(GSW) dt. 24.6.1993 under the head "2052-090(03)-Home".

No.A.19011/1/2001-P&AR(GSW), the 1st July, 2004. In partial modification of Notification issued vide No.A.12013/1/91-P&AR(GSW/Pt.II, dated 8.5.2001 and in pursuance of Regulation 5(3) Part II of Mizoram Public Service Commission (Conditions of Service) Regulations, 1994, the Governor of Mizoram is pleased to refix the salary of Pu B.Lalhema, MCS (Rtd), Member, MPSC at Rs. 14,607/- (Rupees fourteen thousand six hundred seven) only per month as per calculation cited below plus other allowances as admissible to Govt. servants under the Govt. of Mizoram w.e.f. 12.5.2001 (FN).

Basic pay	Rs. 23,500/-
Deduct Pension amount	Rs. 8,893/-
Pay admissible	Rs. 14,607/-

R.Sangliankhuma,
Addl. Secretary to the Govt. of Mizoram.

No.A.38013/1/99-AGR, the 29th June, 2004. On attaining the age of Superannuation, the Governor of Mizoram is pleased to order release of Pu Sailutthanga, A.E.O. under District Agriculture Office, Aizawl from service with effect from 30.6.2004 (A.N.).

Pu Sailutthanga will handover charge to District Agriculture Officer, Aizawl.

R.K.Bhanga,
Secretary to the Govt. of Mizoram,
Agriculture Department.

Government of Mizoram

PART II (A)

**Resolutions, Regulations, Orders, Notifications, Rules and Acts,
Awards of Tribunal, Requisition, Acquisition and declaration relating to
Land and Forest etc., by the State Govt. and Head of Departments. /**

NOTIFICATIONS

No. K-53011/134/96-REV/Pt, the 1st July, 2004. In supersession of this Department's Order No. LRR/CDN-7/83/26 dt. 28th May, 1985 and O.M. No. LRR/B-84/Pt-III/56 dt. 18th Aug. 1989, it is hereby notified that henceforth P. Pattas/LSCs of agricultural land within the notified town areas are not necessarily required to be converted into house site passes/LSCs unless the owner desires to get it done or the land covered by such P.Pattas/LSCs falls within the House Site Plan. However, no fresh allotment of agricultural land within notified town areas will be considered under any circumstances.

No. K-53011/134/96-REV/Pt, the 1st July, 2004. It has come to the notice of the Government that there are some Government departments, Semi-Government departments, Corporations, NGOs and Association whose Misc. Passes have not been regularised or who are not in possession of any pass at all for their land.

It is hereby ordered that all such Government departments, Semi-Government departments, Corporations, NGOs and Associations whose lands including Misc. Passes have not been regularised should apply for the Departmental Land Lease in a prescribed form latest by 31st August, 2004 and those who are without any pass for their land should also apply for the Departmental Land Lease in a prescribed form within the aforesaid stipulated period.

No. K-53011/134/96-REV/Pt, the 1st July, 2004. Instances have come to the notice of the Government that some village councils used to make allotment of agricultural land inspite of notice to this effect issued to all village councils by the Government from time to time. Therefore, it is hereby reiterated that under the Revenue laws being in force no village councils are competent to issue passes for agricultural purposes. However, under section 3 (1) of the Lushai Hills District (House Sites) Act, 1953 village councils of unnotified villages shall be competent to allot sites within their jurisdictions for residential and non-agricultural purposes with the exception of shops and stalls which include hotels and other business houses of the same nature.

Hence all the passes for agricultural purposes issued by the village councils shall not be ~~treated as valid~~ under any circumstances.

No. K-53011/134/96-REV/Pt, the 1st July, 2004. With a view to promoting the interest of farmers cultivators, it is hereby notified that henceforth all the expired P.Pattas, irrespective of the date of expiry of validity, may be renewed on proof that the lands covered by such P.Pattas are properly developed by the owners for the right purpose for which they were issued.

This supersedes a decision taken in the meeting of Revenue Officers in the office Chamber of Hon'ble Revenue Minister on 8.8.2000.

J.C. Ramthanga,
Secretary to the Govt. of Mizoram,
Revenue Department.

No. B. 14019/92/02-LAD/VC, the 29th June, 2004. Vapar Village Council Executive body insiamthatna chu Mizoram Governor chuan Lushai Hills District (V.Cs) Act, 1953 section 7, 7(1), 7(5) and 15 hmangin a hnuaia mi ang hian a pawmpui a ni.

President : Pu Tuandothanga
Vice President : Pu Haulamthanga
Treasurer : Pu Haulamthanga

Lalthuamliaana,
Under Secretary to the Govt. of Mizoram,
Local Administration Deptt.

CORRIGENDUM

No.B. 12018/1/2000-EDC/pt, the 28th June, 2004. In partial modification of this Deptt's Notification of even No. Dt. 28.5.2004, the name of Khawzawl College appearing at Sl.No. 2 should be deleted.

R. Malsawma
Under Secretary to the Govt. of Mizoram,

PART IX

NOTIFICATION

FORM-D

K. Lal Nghinglova,
Registrar,
Cooperative Societies.
Mizoram : Aizawl.

PROPOSAL FOR AMENDMENT OF MIZOFED BYE-LAWS :

1. To construct heading in each and every Section of MIZOFED Byelaws.
2. To replace 'The Assam Co-operative Act' that appeared some where in Section 4(2) of MIZOFED Byelaws, by Mizoram Co-operative Act. 1972 Sec. 51.
3. To delete Note: 'B-class members will not have any right to vote or to participate in the management' that appeared some where in sec. 5(i).
4. To put 'WITHDRAWAL OF MEMBERSHIP' as heading for sec. 6.
5. To put 'CESSEION TO A MEMBER' as heading for sec.8.
6. To put 'SUBSCRIPTION OF SHARE' as heading for sec.9.
7. To put 'SHARE CAPITAL' as heading for sec. 10.
8. To put 'FORFEITURE OF SHARE' as heading for sec. 11.
9. To put 'FIXATION OF SHARE' as heading for sec. 12.
10. To put 'SHARE CERTIFICATE' as heading for sec. 13.
11. To put 'SHARE TRANSFER' as heading for sec. 14.
12. To put 'LIABILITY OF SHARE' as heading for sec. 15.
13. To put 'LEGAL HEIR TO SHARE' as heading for sec. 16.
14. To put 'SHARE REFUND' as heading for sec. 17.
15. To incorporate Sec.22,25 and 27 into Sec. 18 constructing 'GENERAL ASSEMBLY' as heading.
16. To incorporate sec.26 into sec. 19 elaborating and putting 'SPECIAL GENERAL ASSEMBLY' as heading.
17. To delete sec. 20 since the same is not practicable at this age but replace by the next sec. 21 bearing sec.20.
18. To incorporate sec.23 and 24 into sec.21 putting 'QUORUM' as its heading.
19. To incorporate sec.28 into sec.22 placing 'VOTING' as it's head.
20. To put 'INVITEES' as heading for sec. 23.
21. 'RECORDS' for sec. 24.
22. To incorporate sec.29 into sec.25 constructing 'MANAGEMENT' as heading.
23. To incorporate sec. 30 into sec.26 putting 'QUALIFICATIONS OF MEMBER FOR BOARD OF DIRECTORS' as its head.
24. To incorporate sec.34,35 and 36 into sec.27 putting 'DISQUALIFICATIONS OF MEMBER OF THE BOARD' for its head.
25. To incorporate sec. 32 into sec.28 putting 'FILLING IN VACANCY' for its head.
26. To incorporate sec. 32 into sec. 29 putting 'BOARD OF DIRECTORS' for its head.
27. To incorporate sec. 39 into sec.30 putting 'FUNCTIONS OF THE BOARD OF DIRECTORS' as its head.
28. To put ELECTION OF CHAIRMAN AND VICE CHAIRMAN' as heading for sec.31.
29. To insert new section putting 'DELEGATION OF POWERS' as heading for sec.32.
30. To insert new section putting 'SERVICE OF MEMBERS' as heading for sec. 33.
31. To insert new section putting 'BOARD MEETING' as heading for sec. 34.
32. To insert new section putting RECORDS' as heading for sec. 35.
33. To incorporate sec.41 (a) into sec.36 putting 'EXECUTIVE COMMITTEE' as heading.
34. To put 'VACATION OF OFFICE' as heading for sec.37.
35. To delete but insert new section giving 'ACTIVITY REPORT' as heading for sec.38.

36. To put 'SITTING' as heading for sec. 39.
37. To put 'MEETING NOTICE' as heading for sec. 40.
38. To put 'MEETING CHAIRMAN' as heading for sec. 41.
39. To put 'QUORUM' as heading for sec. 42.
40. To delete but insert new section putting 'VOTING' as heading for sec. 43.
41. To delete but insert new section putting 'INVITEE' as heading for sec. 44.
42. To delete but insert new section and put 'RECORDS' as heading for sec. 45.
43. To put 'POWERS AND DUTIES OF EXECUTIVE COMMITTEE' as heading for sec. 46.
44. To put 'POWERS OF CHAIRMAN' as heading for sec. 47.
45. To put 'POWERS OF VICE CHAIRMAN' as heading for sec. 48.
46. To put 'MANAGING DIRECTOR OF THE FEDERATION' as heading for sec. 49.
47. To put 'SECRETARY' as heading for sec. 50.
48. To put 'OPENING OF DIVISION/ BRANCH' as heading for sec. 51.
49. To put 'CONDUCT OF SALES' as heading for sec. 52.
50. To put 'DISTRIBUTION OF PROFITS' as heading for sec. 53.
51. To put 'ACCOUNTS AND RECORDS' as heading for sec. 54.
52. To put 'AMENDMENTS' as heading for sec. 55.
53. To put 'GENERAL' as heading for sec. 56.
54. To put 'DISPUTES AND ARBITRATION' as heading for sec. 57.
55. To put 'AUDIT' as heading for sec. 58.
56. To put 'CHARGE AND SET OFF SHARES OR INTEREST' as heading for sec. 59.
57. To put 'LIQUIDATION' as heading for sec. 60.
58. To shift sec. 61 to sec. 56.
59. To shift sec. 62 to sec. 57.
60. To shift sec. 63 to sec. 58.
61. To shift sec. 64 to sec. 59.
62. To shift sec. 65 to sec. 60.

Section of the Bye-laws	Provision as will stand amended
BYE-LAW OF THE MIZORAM STATE CO-OPERATIVE MARKE- TING & CONSUMERS' FEDERA- TION LTD.	BYE-LAW OF THE MIZORAM STATE CO-OPERATIVE MARKE- TING & CONSUMERS' FEDERA- TION LTD.

PRELIMINARY.

1. The name of the Federation is the Mizoram State Co-operative Marketing & Consumers' Federation Ltd., and its registered address shall be at Aizawl, Mizoram.

Any change of address shall be notified to the Registrar of Co-operative Societies, Mizoram, Aizawl within 14 days.

PRELIMINARY.

1. May remain status quo.

II. OBJECTS.

2. a) To arrange for the sale of produce of the members of the affiliated societies and other members to the best advantage of the growers themselves.
- b) To co-ordinate the activities of the various societies by getting them in touch with the market place, the place of production and the prices prevailing in the State and to encourage self help and thrift amongst the Societies and their members.
- c) To act as Central Purchasing, producing and distributing agency for agricultural as well as consumer's co-operative societies and for other members, pisciculture operation, livestock feeds and other ancillary goods and arrange for proper storage, packaging, grading and transport of such goods.
- d) The object of the Federation is not Profit Motive, but to take up business and any other activities conducive for the economic upliftment of the poor tribal members in the State through affiliated Primary Co-operative Societies concerned particularly in activities relating to purchase procurement stock, distribution, sell or arrange for sale or otherwise do business in consumer goods, textiles, essential commodities, seeds, manures, fertilizers and machinery etc.
- e) To own lands, buildings, plants and fixtures and take or give item on lease or rent.
- f) To rent or own godowns or sale depots to facilitate the storing of produce of members and sale thereof and to do business of licensed warehouse keepers.

OBJECTS.

2. a) May remain status quo.
- b) May remain status quo.
- c) May remain status quo.
- d) Main remain status quo.
- e) May remain status quo.
- f) May remain status quo.

- g) To serve as an information bureau of raw products and articles available in the state or elsewhere and to operate a cell of technical promotional and assessment cell.
 - h) To open branches, sale depots and agencies in any part of the state of Mizoram and to frame rules for their guidance, subject to the previous sanction of the Registrar, Co-operative Societies, Mizoram provided that they do not work in conflict with any of existing co-operative societies having similar activities and functioning in the particular area and
 - i) To pool the produce of the members as well as of the non-members on terms as may be settled with the parties.
 - j) To act as agents of members for the disposal of their produce.
 - k) To advance and pay money on security of produce of members sent or brought to the Federation for sale.
 - l) To do such business with non-members as may be conducive to the promotion of the economic interests of members under conditions as may be decided upon from time to time by the Board of Directors by a resolution in writing provided that the Registrar does not otherwise directs.
 - m) To carry on their state trade in agricultural produce and other essential commodities as agent of Govt. and undertakings in public and co-operative sectors for the distribution of controlled and non-controlled commodities
- g) May remain status quo.
 - h) May remain status quo.
 - i) May remain status quo.
 - j) May remain status quo.
 - k) May remain status quo,
 - l) May remain status quo.

and other essential consumer goods from outside the state in suitable circumstances on behalf of the affiliated societies and other co-operatives.

- n) To serve as marketing centre for co-operative societies to supervise the working of the affiliated societies and to render technical guidance and assistances to affiliated societies in purchasing, grading, packing, standardization, bulk buying, storing, displaying and other business techniques and management methods to improve and increase their operational and managerial efficiency.
- o) To become members of the state co-operative Bank, National and State Level Co-operative Societies and Union and other Co-operative financing agencies.
- p) To own and ply transport vehicles, hire vehicles for transport of its goods and those of the affiliated societies and other members.
- q) To undertake processing and grading of agriculture produce handled by the Federation as and when necessary and to establish and run manufacturing and processing units for the production of consumer goods in collaboration with other co-operative societies or directly by itself.
- r) To receive share capital grants, subsidies and loans from Govt., of India, State Govt., other National co-operative Institution, Mizoram Co-operative Apex Bank Ltd., the State Bank of India and other Commercial Banks and any other Co-operative financing agencies for carrying out the objects of the Federation.

n) May remain status quo.

o) May remain status quo.

p) May remain status quo.

q) May remain status quo.

r) May remain status quo.

- s) To accept agency of registered manufacturers; firms or Govt. for wholesale agency of articles dealt by the Federation.
- t) To coordinate, supervise and control the activities of the affiliated societies.
- u) And to do such other things as are incidental or conducive to the attainment of the above subjects.

III. AREA OF OPERATION

- 3. The area of operation shall be the State of Mizoram.

IV. FUNDS

- 4. (1)
 - i) Issuing of shares.
 - ii) Admission fees.
 - iii) Money realized by the sale or transfer of shares.
 - iv) Deposits and loan from Members and Non-Members.
 - v) Profits which accrue to the Federation.
 - vi) Govt. grants and subsidies.
 - vii) Voluntary subscription.
 - viii) Loans and overdrafts from any registered co-operative societies of the state, the Mizoram Co-op. Apex Bank Ltd., the State Bank of India, or any other financing agencies and
 - ix) Borrowing from other sources with the approval of the Registrar.
- 4. (2) The Federation may borrow funds otherwise than by way of deposits provided that the borrowings both by way of deposits and otherwise shall not exceed fifteen times the paid up share capital plus the Reserved Fund separately invested.

- s) May remain status quo.

- t) May remain status quo.

- u) May remain status quo.

AREA OF OPERATION

- 3. The area of operation shall be the whole of Mizoram State including Cachar District.

SOURCE OF FUNDS

- 4. (1)
 - i) May remain status quo.
 - ii) May remain status quo.
 - iii) May remain status quo.
 - iv) May remain status quo.
 - v) May remain status quo.
 - vi) May remain status quo.
 - vii) May remain status quo.
 - viii) May remain status quo.
 - ix) May remain status quo.
- (2) The Federation may borrow funds otherwise than by way of deposits provided that the borrowings both by way of deposits and otherwise shall not exceed fifteen times the paid up share capital plus the Reserved Fund separately invested.

The funds of the Federation when not utilized in the business of the Federation shall be invested or deposited as requires under sec. 51 of the Assam Cooperative Societies Act, 1949 (Assam Act of 1950).

Note: For the purpose of the By-law business of Federation shall include investments in immovable property in process of recovery of the Federation normal dues or for the purpose of construction of buildings for its own use with the prior sanction of the Registrar.

MEMBERS

Member shall consist of:-

5. i. A-class consisting all kinds of primary co-operative societies, wholesale consumers Stores, Marketing co-operative societies, processing co-operative societies and State Level co-operatives.

B-class consisting of traders, commission agents, merchants and persons having business dealings with the Federation, the State Govt.

Note : B-class members will not have any right to vote or to participate in the management.

- ii. For A-class members the entrance fee is Rs. 5/- with minimum 20 share/shares as noted below:-

a) Primary Level Co-operative Societies - 1 share

b) Other co-operatives - 5

- iii) No person shall be admitted as a B-class member unless:

The funds of the Federation when not utilized in the business of the Federation shall be invested or deposited as requires under the Mizoram Co-operative Act, 1972, Section 51 1.

Note: May remain status quo.

MEMBERS

Member shall consist of:-

5. i) May remain status quo.

Note : May be deleted

- ii) May remain status quo.

a) May remain status quo.

b) May remain status quo.

- iii) May remain status quo.

- a) He/they has/have paid an entrance fee of Rs. 5/-
- b) He/they has/have completed 18 years of age and is competent to contract; and
- c) He/they is/are credit worthy.

a) May remain status quo.

b) May remain status quo.

c) May remain status quo.

WITHDRAWAL OF MEMBERSHIP

6. A member may withdraw from the Federation by giving three months' notice to the Secretary provided he has repaid with interest all sums due from him to the Federation and has discharged his liability as surety or other liability undertaken by him.

6. May remain status quo.

7. EXPULSION OF MEMBERS

A member shall be liable for expulsion under the following circumstances:-

- a) If he is a persistent defaulter or habitually fails to carry out his obligations to the Federation.
- b) If he willfully deceives the Federation by false statements.
- c) If he turns out bankrupt or is legally or mentally disabled.
- d) If he is criminally convicted of an offence involving moral turpitude, or
- e) If he is intentionally does any act likely injure the credit of the Federation.

EXPULSION OF MEMBERSHIP

7. May remain status quo.

The committee shall give such member 14 days written notice of the proposal to expel him.

8. A PERSON CEASE TO BE A MEMBER ON :

- a) Death
- b) Ceasing to reside regularly in the area of operation of the Federation.

CESSATION TO A MEMBER

8. a) May remain status quo.
b) May remain status quo.

- c) Ceasing to hold at least one share.
- d) Permanent insanity.
- e) Withdrawal after three months notices under bye-law Sec. 6
- f) Expulsion as per bye-law Sec. 7 of
- g) If the due of the Federation are recovered from him by execution of an award

- c) May remain status quo.
- d) May remain status quo.
- e) May remain status quo.
- f) May remain status quo.
- g) May remain status quo.

9. Application for admission as members and for allotment of shares is to be made to the Managing Director in the form, if any prescribe by the Federation for the purpose. The Board of Directors who shall have power to grant admission or to refuse it without assigning reasons shall dispose off every such application.

9. May remain status quo.

SUBSCRIPTION OF SHARE

10. The authorized share capital of the Federation shall be as 5 crores divided into 5 lakhs share of Rs. 100 each classified as under:—

Redeemable preference shares of the value of Rs. 3 crores (1 lakh shares) which shall be paid up fully and issued to the State Govt.

Ordinary shares of the value of Rs. 2 crores (1 lakh shares) for co-operative eligible to become members of the Federation.

11. The face value of each share shall be Rs. 100/-each which shall be payable along with the application or in such in-

10. The authorized share capital of the Federation shall be Rs. 10 crores (10 crores made up of 5 crores share of Rs. 100 per share) as under:—

Redeemable preference shares of the value of Rs. 3 crores (3 lacs share) which shall be paid up fully and issued to the State Govt.

Ordinary shares of the value of Rs. 2 crores (2 lacs shares) for co-operative eligible to become members of the Federation.

FORFEITURE OF SHARE

11. The face value of each share shall be Rs. 2,000/-, each which shall be payable along with the application or in such install-

installments as may be determined by the Board of Directors. If any member fails to pay any installment due on his share or shares within 30 days of the date fixed for such payment, the share or shares in respect of which the default has been made may be forfeited at the discretion of the Board of Directors and become the property of the Federation and may be disposed of by the Board of Directors as it thinks fit, but 15 days before such forfeiture is made a notice in writing shall be given to the members in default.

ments as may be determined by the Board of Directors. If any member fails to pay any installment due on his share or shares within thirty days of the date fixed for such payment, the share or shares in respect of which the default has been made may be forfeited at the discretion of the Board of Directors and become the property of the Federation and may be disposed of by the Board of Directors as it thinks fit, but fifteen days before such forfeiture is made a notice in writing shall be given to the members in default.

FIXATION OF SHARE

12. A member other than the State Govt. may hold any number of shares not exceeding 1/10 of the total share capital of the Federation, or have or claim any interest in the shares of the Federation exceeding Rs. 10,000/-

12. May remain status quo.

SHARE CERTIFICATE

13. Share certificate bearing a distinctive number shall be issued for every share subscribed. A member may transfer his share after holding it or them for one year to another member with the approval of the Board of Directors. The transfer will not be completed until the transfer has been approved by the Board of Directors and entered in the share Transfer Register and such fee as the Board of Directors may prescribed has been paid.

13. Share certificate bearing a distinctive number shall be issued for every share subscribed. A member may transfer his share after holding it or them for one year to another member with the approval of the Board of Directors. The transfer will not be completed until the transfer has been approved by the Board of Directors and entered in the share transfer register and such fee as the Board of Directors may prescribed has been paid. Share certificate shall be issued under the signatures of Chairman and Managing Director of the Federation.

SHARE TRANSFER

14. Any member of the Federation may in writing under his hand

14. May remain status quo.

nominate any person other than an employee or officer of the Federation, to whom the whole or any part of this interest in the Federation should be transferred in the event of his death. The first nomination shall be free of charge, a fee of Re. 1/- shall be charged for any subsequent variation or reallocation thereof.

SHARE LIABILITY

15. The liability of a member shall be limited to the unpaid portion of shares subscribed by him. 15. May remain status quo.

LEGAL HEIR TO SHARE

16. On the death of a member all amounts standing to his credit by way of shares, dividends etc., shall subject to the deduction on account of his liability, be paid within one year from the death of his death, to such person as is nominated by him under bye law 15 or in the absence of such nominee to such person as may appear to the Board to be entitled to receive the amounts as heir or legal representative of the deceased member, in his executing a deed of indemnity to the Federation provided that the deposits to the credit of the deceased member shall not be so paid until the period of deposits, if any has expired. 16. May remain status quo.

SHARE REFUND

17. A person who ceases to be a member shall be entitled to receive back the sum on account of shares or such part of his shares as much as have been allowed under the Note to bye-law Sec. 7&8 after expiry of one year from termination of membership. 17. May remain status quo.

(To incorporate sec. 22, 25, 27 into sec. 18 as under.)

18. The Annual General Meeting shall be held within 60 days of the close of the coöperative year.
18. The General Assembly of the Federation stands for General Meeting. The A.G.M. shall be held within 60 days of the close of the Co-op year. Such A.G.M. shall meet at least once in a year. Thirty clear days notice of the meeting specifying date, place, hours and business thereof shall be sent by registered post with acknowledge of or by telegram or wireless message shall be sent simultaneously by registered post with acknowledgement due to the registered address of every member. Provided however, that non-receipt of notice by a member shall not invalidate the proceedings of the General Body.
- a) each and every General Assembly shall preside over by the Chairman; in his absence, the Vice Chairman shall preside over the meeting. In the absence of both, members present shall elect one from amongst themselves to preside over the meeting.
 - b) each member present at the meeting shall be entitled to exercise not more than one vote.
 - c) Chairman shall be entitled to exercise a casting vote in case of equality of votes.
 - d) the Chairman of the meeting shall maintain order at the meeting and conduct proceedings in such a manner as may be conducive to expeditious and effective disposal of business. He shall decide all points of order and his decision upon such points shall be final.
 - e) Except by an order of the Registrar no resolution can be brought at a General meeting for cancelling previous resolutions of the General Body unless 6 clear months have elapsed after the passing of original resolution.

- f) The Chairman of the meeting may direct any member to withdraw for disorderly conduct and the member so ordered shall not be entitled vote without the permission of the Chairman of the meeting.
- g) In the event of disorder arising at a meeting, the Chairman of the meeting may suspend the meeting and adjourn it to such date and time as may be think fit subject to the provision of law.

(To incorporate sec. 26 within sec. 19 as under.)

SPECIAL GENERAL MEETING

19. All General Meeting other than the Annual General Meeting shall be called Special General Meetings. As pecial General Meeting may be called at any time by a majority of the Board of Directors and shall be called by the Managing Director within one month on a requisition in writing of not less than 1/5 of the members of the Federation or of the Registrar.

19. All General Meetings other than the A.G.M. shall be called Special General Meetings. A Special meeting of the General Assembly shall be convened by the Managing Director whenever the Board of Director thinks fit or at the request of the Chairman or on requisition signed by one-fifth of the members of the General Assembly specifying the object of the meeting or the request of the Registrar. Such meeting shall be held within thirty days after the date of receipt of such requisition. The Registrar may himself or through a person authorized by him convene a Special Meeting of the Assembly. Fifteen clear days notice of the meeting specifying date, place, hours and business to be transacted thereof shall be sent by registered post or telegram or wireless simultaneously to the registered address of every member.

At a special meeting of the General Assembly held in the manner cited above, no business other than that mentioned in the notice convening the meeting should be transacted.

(To delete sec.20 and replenish by incorporating sec.21 &31 bearing sec. 20 as under.)

FUNCTIONS OF GENERAL ASSEMBLY

20. The first General Meeting after registration shall transact the same business herein allotted to the Annual General Meeting.
20. 1) To receive from the committee a report on the proceeding years working of the Federation together with statements showing receipts and disbursements, assets and liabilities and profit and loss for the year and sanction appropriations and distributions of profits.
- 2) To elect Board of Directors from amongst the members present by simple majority votes.
- 3) To appoint one or more qualified internal auditors for the ensuing year.
- 4) To fix the limit of outside borrowings which may be incurred subject to the maximum limit under Byelaw Sec. 4.
- 5) To decide the kind or kinds of agricultural, domestic and other requisites, which may be supplied through the Federation, and to fix the rate of commission and other charges as levied on such supplies.
- 6) To fix the rate of commission and other charges to be levied in respect of sales of different kinds of agricultural produce.
- 7) To consider the audit memo, audit rectification report from the Board of Directors and any other communication received from the Registrar.
- 8) To expel members as per Byelaw Sec. 7.
- 9) To alter, rescind or amend Byelaws.
- 10) To sanction the levy of penal interest.
- 11) To remove one or more members of the Board of Directors.

12) To dispose of any other business duly brought forward and mentioned in the notice calling for the meeting.

13) To pass the Annual Budget at the Annual Meeting as approved by the Board of Directors.

(To remove sec. 21 to 20 and replace by incorporating sec. 23 & 24 bearing sec. 21 as under.)

QUORUM

21. The General Meeting shall transact the following business:-

(1) To receive from the Committee a report on the Proceeding years working of the Federation together with statements showing receipt and disbursements, assets and liabilities and profit and loss for the year and for the sanction appropriations and distributions of profits.

(2) To elect the Board of Directors.

(3) To appoint one or more qualified internal Auditors for the ensuing year and fix his or their remuneration.

(4) To fix the limit of outside borrowings which may be incurred subject to the maximum limited under bye-law No. 4.

(5) To decide the kind or kinds of agricultural, domestic and other requisites, which may be supplied through the Federation, and to fix the rate of commission and other charges as levied on such supplies.

(6) To fix the rates of commission and other charges to be

21. a) With the permission of one-third of those present at the General Meeting any member may bring forward a proposal regarding any matter not specified in the notice of the meeting provided that he may not propose the expulsion of any other member of amendment of the Byelaw.

b) One-fifth of the total number of members or forty whichever is less shall form a quorum at a General Meeting. If on the day of the meeting there is no quorum, or if all business is not completed, the consideration of all or a part of the business may be abandoned or adjourned to another day. If on the day to which the meeting is adjourned no quorum is obtained, the business shall be disposed of without a quorum.

levied in respect of sales of different kinds of agricultural produce.

- (7) To consider the audit memo, audit rectification report from the Board of Directors and any other communication received from the Registrar.
- (8) To expel members as per bye-law No. 7.
- (9) To alter, rescind or amend bye-laws.
- (10) To sanction the levy of penal interest.
- (11) To remove one or more members of the Board of Directors.
- (12) To dispose of any other business duly brought forward and mentioned in the notice calling for the meeting.

(To move sec. 22 to 18 and replace by sec. 28 bearing sec. 22 as under.)

VOTING

- 22. In case of Annual General Meeting, 14 days' notice and in the case of the Special General Meeting 7 days' notice shall be given in writing to each member. A copy of the written notice shall also be published at the office of the Federation. The notice shall specify the day; hour and place fixed for holding the meeting and shall state the nature of the business to be transacted at the meeting.
- 22. Each member societies is entitled one representative fully authorized by resolution of the Board of Directors to attend the General Meeting of the Federation and such representative shall have no vote, only those who are actually present at the meeting may vote.
 - a) The Board, of Directors shall maintain a list of members of the Federation who are qualified to vote at the General Meeting and shall bring such list up to date 30 days before the date of the General Meeting and the members admitted after that date shall not vote in the election

- b) The instrument appointing the representative shall be deposited at the registered office of the Federation at least two hours before the time for holding the meeting at which the representative named in the instrument proposed to vote.
- c) Notwithstanding anything contained in these Byelaws, the election of office bearers including the members of the Board of Directors shall be by a secret ballot.

(To remove sec. 23 to 21 and replace by new section bearing sec. 23 as under.)

INVITEES

23. With the permission of two-thirds of those present at the General Meeting any member may bring forward a proposal regarding any matter not specified in the notice of the meeting provided that he may not propose the expulsion of any other member or amendment of the by-laws.

23. The Chairman, in his discretion may admit any person not being a member to the meeting of the General Assembly for the purpose of giving expert advice. Such person shall not be entitled to vote.

(To remove sec. 24 to 21 but replace by new section bearing sec. 24 as under.)

RECORDS

24. One-fifth of the total number of member or 40 whichever is less shall form a quorum at a General Meeting. If on the day of the meeting there is no quorum, or if all business is not completed, the consideration of all or a part of the business may be abandoned or adjourned to another day. If on the day to which the meeting is adjourned no quorum is obtained, the business shall be disposed of without a quorum.

24. The Managing Director/Secretary in a book shall record the proceedings of all meetings of the General Assembly and the names of those presents. The Chairman shall sign the minutes of such proceedings and the members present at the meeting or at the next meeting shall confirm such proceedings. Minutes thus authenticated shall be deemed to be the true records of the proceedings of the meeting concerned and a true copy of which duly certified by the Managing Director shall be sent to the Registrar, immediately after the meeting, by registered post with acknowledge-

ment due, failure to file the true copy of the proceedings to the Registrar as aforesaid may lead to purifying the entire proceedings by the Registrar at his discretion.
(To remove sec. 25 to 18 and replace by sec. 29 bearing sec. 25 as under.)

MANAGEMENT

- 25.(a) At all General Meeting, the Chairman shall preside over the meeting, in his absence members present elect a Chairman from among themselves.
- (b) Each member present at the meeting shall be entitled to exercise not more than one vote.
- (c) The Chairman shall have a casting vote in addition to his ordinary vote, in case of equality of vote.

25.1) A Board of Directors consisting of the following shall manage the Federation :-

- a) Seven representatives of the affiliated co-operatives societies to be elected by the members of such co-operative societies present in the Annual General Assembly.
- b) One representative from the financing Bank/Banks.
- c) State Govt., representatives :-
 - 1) Secretary to the Govt., of Mizoram, Co-operation Deptt., or his representative.
 - 2) Secretary to the Govt. of Mizoram, Finance Deptt., or his representative.
 - 3) Registrar of Co-operative Societies, Mizoram or his representative.
 - 4) Secretary to the Govt., of Mizoram, Agriculture Deptt. or his representative.
 - 5) The Managing Director of MIZOFED.
- 2) The election of Board of Directors shall be conducted biennially (every two years) and the term of office shall be two years. No member shall hold office for more than four years in succession or having already

held office for four years be re-elected within a shorter interval than two years from the date on which he ceased to be a member of such council or body. Provided further that if the election cannot be held for any reason, the gap period so occasioned shall not be counted to form part of the interval period of two years. Notwithstanding anything contained in the Byelaw to the contrary the Govt., may appoint the Chairman and the other members of the Board of Directors where the share capital contribution of the Govt., exceeds fifty-one per centum of the total paid up share capital of that Institution in accordance with the provision in the Byelaws for such period as it may consider necessary.

(To remove sec.26 to 19 and replace by sec.30 (adding General Order issued by R.C.S.) bearing sec. 26 as under.)

QUALIFICATIONS OF MEMBER FOR BOARD OF DIRECTORS

26. A special general shall be called within one month on requisition in writing, stating the business to be transacted at such a meeting from at least 40 members of the Federation or from the Registrar for any specific purpose if required by the Board of Directors (Management).

26. An Office Bearer of 'B' Class Society only shall be eligible for election as a member of the Board of Directors.

And no person shall be eligible for appointment or continuance as a member of the Board of Directors of the Federation if he :-

- a) is an applicant to be adjudicated a bankrupt or an insolvent or an uncertified bankrupt or under-charged insolvent, or
- b) has been sentence for any offence other than an offence of a political character or an offence not involving

moral turpitude, such sentence not having been reserved or the offence pardoned, provided this disqualification shall not apply where more than five years have elapsed from the date of expiration of such sentence, or

- c) is of unsound mind, or
- d) is a paid employee of the Federation, without the approval of the Registrar, or
- e) is in default to the Federation or to any other society in respect of any loan or loans taken by him or is a defaulter to the Federation or to any other society; or
- f) is interested directly or indirectly in any contract or transaction of the Federation (other than investment and borrowing) involving financial interest, if the contract or transaction be subsisting or in the contract, transaction sale or purchase be not completed; or
- g) does similar business as that of the Federation either in his own name or in the name of a relative; or
- h) is a professional moneylender.
- i) is not a member of the affiliated society which he represents, at least one year before holding the election; or
- j) the society which he represents must be a member at least one year, paying share and entrance fee, before the election; or
- k) is a defaulter to the society which he represents or other society, in respect of loan taken by him; or
- l) holds office for more than two years in succession or having already held

office for two years be re-elected within a short interval than one year from the date on which he ceases to be a Director. This will not, however, be applicable in case of State Govt., representatives; or

- m) is the society which he represents, a defaulter in respect of loan taken by itself; or
- n) the society, of which he is a member, is dissolved; or
- o) on his being convicted to a criminal offence which in the opinion of the Board of Directors is of a serious nature.

(To remove sec. 27 to 18 and replace by incorporating sec. 34,35 & 36 bearing sec. 27 as under.)

DISQUALIFICATION OF MEMBER OF BOARD

27. Except by an order of the Registrar no resolution can be brought at a General Meeting for cancelling previous resolutions of the General Body unless six clear months have elapsed after the passing of original resolution.

27. Member of the Board of Directors shall be disqualified for the following :—
- a) a member of the Board of Directors may be removed during the term of office by a two-third majority of votes at a General Meeting.
 - b) no member shall be presented at the time of the consideration of or vote on any matter in which he has a personal interest.
 - c) if except with the consent of the Board of Directors, he is absent for more than three consecutive Board meetings.
 - d) if he becomes insolvent;
 - e) if, by reason of bodily infirmity, he becomes incapable of acting.

- f) on his resigning office by notice in writing to the Board, such resignation taking effect, the expiry of three weeks from the date of delivery of notice.
- g) on his being convicted to a criminal offence which in the opinion of the Board of Directors is of a serious nature.
- h) if the society of which he represents, is dissolved or liquidated.
- i) if he ceases to be a member of the society which he represents or he becomes a defaulter to the society which he represents or the society represented by him is a defaulter to the Federation or he ceases to be a representative of the society.

(To remove sec. 28 to 22 and replace by sec. 32 bearing sec. 28 as under.)

FILLING IN VACANCY

28. Each member society (A-class) is entitled one representative duly authorized by resolution of the Board of Directors to attend the general meeting of the Federation and such representative shall have no vote. Only those who are actually present at the meeting may vote.

28. a) The Board from amongst the qualified members of the affiliated societies shall fill up any vacancy occurring in the Board of Directors for the remaining period of the term. Any vacancy amongst nominated members shall be filled up by the Govt of Mizoram.

(a) The Board of Directors shall maintain a list of members of the Federation who are qualified to vote at the General Meeting and shall bring such lists up to date 30 days before the date of the General Meeting and the members admitted after that date shall not vote in the election.

(b) The instrument appointing the representative shall be deposited at the registered office of the Federation at least two

in respect of Chairman/Vice Chairman. The vacancy will be filled in by the Board from amongst the elected members for such interim period if the Board considers necessary.

hours before the time of holding the meeting at which the representative named in the instrument proposes to vote.

- (c) Notwithstanding anything contained in these bye-laws the election of office bearers including the members of the Board of Directors shall be by ballot.

(To remove sec. 29 to 25 and replenish by sec. 33 bearing sec. 29 as under.)

BOARD OF DIRECTORS

29. (1) The Federation shall be managed by a Board of Directors consisting of the following:—

Seven representatives of the affiliated Societies to be elected by the members of such Co-operative Societies present in the Annual General Meeting.

- (a) Deleted.
- (b) Deleted.
- (c) Deleted.
- (d) Deleted.
- (e) One nominee from the financing Band/Banks.
- (f) State Govt. Representative
- (i) Secretary to the Govt. of Mizoram, Co-operation Deptt. or his representative.
- (ii) Secretary to the Govt. of Mizoram, Finance Deptt. or his representative.
- (iii) Registrar of Co-operative Societies, Mizoram or his representative.
- (iv) Secretary Agriculture, Govt. of Mizoram or his representative.
- (v) Deleted.
- (vi) The Managing Director of the Federation.

29. The entire administration and management of the Federation vest in the Board of Directors and subject to the control of the Board in an Executive Committee. The Board of Directors shall have and exercise such powers, enter into all such agreements, so such acts and things, as may be necessary or proper for the due management of the affairs of the Federation and for carrying out its objects and for securing and furthering its interest subject to the provisions of the Act and Rules frame there under and these bye-laws. The Board of Directors shall have full authority to carry on the business of the Federation. The Board may meet as often as it considers necessary for the transaction of the business.

Six members of the Board shall form quorum for the purpose of holding meeting of the Board provided at least two of them is Govt. representative under (f) above.

- (2) Election of Board of Directors/Managing Committee shall be conducted biennially (every two years) and the term of office of Board of Directors/Managing Committee of State level Societies shall be two years only.

Provided that no member shall hold office for more than four years in succession or having already held office for four years from the date on which he/the ceased to be a member of such council or body.

Provided further that if the election cannot be held for any reason, the gap period so occasioned shall not be counted to form part of the interval period of two years.

Provided further that not withstanding anything contained in the rules to the contrary the Govt. may appoint the Chairman and the other members of the Board of Directors of Managing Body of the State Level Co-operative and affiliated Societies where the share capital contribution of the Govt., Capital exceeds fiftyone per centum of the total paid up share capital of that Institution in accordance with the provision in the Bye laws for such period as it may consider necessary.

(To remove sec.30 to 26 and replace by sec.39 bearing sec.30 as under.)

30. No person shall be eligible for appointment or continuance as a member of the Board of Directors of the Federation if he:-

- (a) is an applicant to be adjudicated a bankrupt or an insolvent or an uncertified bankrupt or undercharged insolvent, or
- (b) has been sentenced for any offence other than an offence of a political character or an offence not involving moral turpitude, such sentence not having been reserved or the offence pardoned, provided that this disqualification shall not apply where more than five years have elapsed from the date of expiration of such sentence or
- (c) is of unsound mind, or
- (d) is a paid employee of the Federation without the approval of the Registrar, or
- (e) is in default to the Federation or to any other society in respect of any loan or loans taken by him or is a defaulter to the Federation or to any other society; or
- (f) if interested directly or indirectly in any contract or transaction of the Federation (other than investment and borrowing) involving financial interest, if the contract or transaction be subsisting of in the contract, transaction sale or purchase be not completed; or
- (g) does similar business as that of the Federation either in his

FUNCTIONS OF THE BOARD

- 30.a) To appoint one Executive Committee from members of the Board and one or more Sub-Committee from amongst members to carry out specific work of the Federation.
- b) To define the financial policy of the Federation.
- c) To give general direction to the Ex-Committee for training fund.
- d) To scrutinize and put up the Annual Budget to the General Assembly for approval.
- e) To submit the Annual Report and the Statement of Accounts to the General Assembly.
- f) To supervise and examine the work of the Ex-Committee and other committees.
- g) To purchase and take on lease or otherwise acquire buildings or lands for the purpose of constructing offices or for any other purpose necessary for the business of the Federation.
- h) To establish and support Employees Provident matching contribution and other funds for the benefit of employees of the Federation with the

own name or in the name of a relative; or

(h) is a professional money-lender.

(i) holds office for more than two years in succession or having already held office for two years be re-elected within a short interval than one year from the date on which he ceases to be a Director. This will not, however, be applicable in case of State Govt. Representatives.

sanction of the General Assembly and the Registrar of Co-operative Societies.

i) To hear all complaints against the decision of the Ex-Committee and other Committees and to hear appeals.

j) To summon meeting of the General Assembly.

k) To open Branches where necessary within the area of operation of the Federation and to close them.

l) To transact any other business incidental or conducive to the efficient administration and management of the Federation.

m) To sanction working expenses.

n) To appoint, suspend, punish or dismiss all salaried servants of the Federation including the Secretary of the Federation. The appointment and dismissal of the Secretary shall be subject to the approval of the Registrar of Co-operative Societies.

o) To institute, defend or compromise legal proceedings.

p) To examine the stock registers and verify the stock.

q) To receive agricultural produce for sale and to arrange for its grading and processing whenever possible.

r) To consider the audit memo, take action on the instructions contained therein and to submit an audit rectification report to the internal auditor within two months of the date of receipt of the audit memo, and to place the audit memo and the rectification before the next General Meeting.

s) To arrange for the supply of manures, fertilizers, agricultural implements etc., to the affiliated societies as well and other non-members.

t) It shall be competent for the Board of Directors to frame subsidiary rules for the Federation's business in consistent with the provisions of the Acts, Rules and Byelaws for the conduct of business of the Federation. Such rules shall be entered in the Minute Book of the Board and shall come into force after the General Meeting and the Registrar of Co-operative Societies approve them

The members of the Board of Directors shall be jointly or severally liable for all transactions conducted in contravention of these bye-laws.

CHAIRMAN

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

31. (a) After the election of the Board of Directors as provided in Bye-law No. 29(1) and on receipt of Govt. nomination, the appointed Election Officer who conducted the election of the Board of Directors in the General Meeting shall convene election of

31. (a) After the election of the Board of Directors as provided in Bye-law sec. 25(1) and on receipt of Govt. nomination, the appointed Election Officer who conducted the election of the Board of Directors in the General Meeting shall convene election of Chair-

Chairman and Vice Chairman in its first Meeting of the duly constituted Board of Directors from among themselves comprising of both elected and nominated members.

b) The Chairman shall preside over all the Meetings of Board and General Meeting. In his absence, Vice Chairman shall preside over the Meeting. In absence of both Chairman and Vice Chairman, the member present shall elect one from among themselves to act as Chairman of the Meeting. The Chairman is entitled to give a casting vote in addition to his ordinary vote in case of equality of votes.

FILLING OF VACANCY IN ADMINISTRATIVE COUNCIL

32. The Board elected by the Annual General Meeting shall hold office for one year till another Board is elected by the next Annual General Meeting. Vacancies on the Board occurring during its term of office on account of death or any other cause shall be filled by co-option.

33. Subject to the provisions of by-laws and directions conveyed in

man and Vice Chairman in its first Meeting of the duly constituted Board of Directors from among themselves comprising of both elected and nominated members.

(b) May remain status quo.

(To move sec. 32 to 28 and replace by new section bearing sec. 32 as under.)

DELEGATION OF POWERS

32. It shall be competent for the Board of Directors to delegate by a resolution in writing giving reasons, all or any of its powers and duties to the Ex-Committee or to the Chairman or to the Managing Director or to any Officer/Employees of the Federation from time to time as may be deem fit and withdraw all or any powers and duties so delegated. It shall also be opened to the Board to constitute such committee/committees as it may consider necessary to facilitate the work of the Federation and to delegate to them such powers as may be deem fit.

(To remove sec. 33 to 29 and replace by new section bearing sec. 33 as under)

SERVICE OF MEMBERS

33. The services of the members of the Board of Directors and

resolutions of General Meeting of the Federation, the Board of Directors shall have full authority to carry on the business of the Federation. The Board may meet as often as it considers necessary for the transaction of the business.

the Executive Committee or other Committee, if any, shall be gratuitous. They shall, however, be entitled to travelling allowances and sitting allowances as may be fixed by the Board from time to time, subject to the approval of the Registrar.

(To remove sec. 34 to 27(a) and replace by new section bearing sec. 34 as under.)

BOARD MEETING

34. A Board of members of the Board may be removed during the term of office by a two-third majority of votes at a General Meeting.

34. At least fifteen days notice of all meetings of the Board of Directors, specifying the date, hours and place shall be forwarded by the Managing Director or authorized by him to each member of the Board with the Agenda of the meeting, provided that no business transacted at a meeting shall be deemed invalid on account of non-receipt of the notice by a member in due time.

Sitting : The Board of Directors shall meet at least once in two months.

Meeting Chairman : The Chairman of the Federation or in his absence the Vice Chairman shall preside over every meeting of the Board of Directors, if both the Chairman and Vice Chairman are absent or unwilling to act as Chairman, the members present shall elect Chairman from amongst themselves.

Quorum : Six members of the Board shall form quorum for the purpose of holding meetings of the Board provide at least two of them is Govt., representative under Byelaw Sec. 25(c).

Voting : All matters brought before a meeting of the Board shall be decided by a majority of votes. Each member shall have one vote. The Chairman shall have a vote and in the case of equality of votes, he shall have a second or casting vote. Voting shall be by show of hand. Unless by a resolution at the meeting it is decided to have a secret ballot in any particular instance in which case the Chairman shall arrange for a secret ballot.

Invitee : The Chairman, in his discretion, may admit any person not being a member to a meeting of the Board for the purpose of giving expert advice. Such person shall not be entitled to vote.

(To remove sec. 35 to sec. 27(b) and replace by new section bearing sec. 35 as under.)

RECORDS

35. No member shall be present at the time of the consideration of or vote on any matter in which he has a personal interest.

35. The Managing Director in book shall record the proceedings of all meetings of the Board of Directors and the names of those presents. The minutes of such proceedings shall be signed by the Chairman and confirmed by the members present at the meeting or at next meeting. The minutes thus authenticated shall be deemed to be true records of the proceedings of the meeting concerned.

(To remove sec. 36 to sec. 27(c) and replace by sec. 41(a) as under.)

EXECUTIVE COMMITTEE

36. Should a member of the Board absent himself from four consecutive meetings of the Board, without showing reasons considered

36. The Board of Directors shall form an Executive Committee from amongst its members consisting of the following:-

sufficient by the Board, he shall be deemed to have ceased to be a member of the Board.

- 1) Chairman
- 2) Vice Chairman
- 3) Managing Director
- 4) Two members from the Board of Directors
- 5) One representative from financing Banks
- 6) One nominee from the State Govt.
- 7) Registrar of Co-operative Societies or his representative.

(To delete sec. 37 but replace by new section bearing sec. 37 as under.)

VACATION OF OFFICE

37. All acts done by the Board or any person acting as member of the Board notwithstanding that it is afterwards discovered that there was some defect in the appointment of such Board or person shall be deemed valid as if the Board or every such person had been duly appointed.

37. The office bearers of the Federation who are members of the Executive Committee shall be expelled for any of the reasons given in Byelaw Sec. 27. in the case of vacancy, the remaining members of the Executive Committee may co-opt a member of the Board of Directors till the next meeting of the Board when a new member is elected.

(To remove sec. 38 to sec. 30 but replace by new section bearing sec. 38 as under.)

ACTIVITY REPORT

38. The members of the Board of Directors shall be jointly or severally liable for all transactions conducted in contravention of these bye-laws.

38. The Ex-Committee shall lay open before each meeting of the Board of Directors, a short report on its activities since the last meeting so that the Board may exercise its overwriting rights of supervision by giving general or specific directions, which the Ex-Committee shall obey.

(To move sec. 39 to sec. 30 but replace by new section bearing sec. 39 as under.)

SITTING

39. The powers and duties of the Board of Directors shall be :-

(1) To dispose of applications for membership and for shares, and their transfers.

(2) To raise loans and prescribe conditions on which deposits may be raised.

(3) To collect amounts payable on shares and repayment of loans for advances.

(4) To sanction working expenses.

(5) To check the accounts of the Federation and count the cash balance.

(6) To prepare the annual report and balance sheet.

(7) To appoint, suspend, punish or dismiss all salaried servants of the Federation including the Secretary of the Federation. The appointment and dismissal of the Secretary shall be subject to the approval of the Registrar of Co-operative Societies.

(8) To institute, defend or compromise legal proceedings.

(9) To arrange for the purchase of seed, manure, feeding stuff and other agricultural and domestic requisites and if need be, to arrange for storage, distribution and sale of such goods.

(10) To examine the stock register and verify the stock.

(11) To test the scales, weights and measures in use in the Federation, at the regular intervals.

39. The Executive Committee shall meet at least once in a month or as often as necessary for the due discharge of its responsibilities.

(12) To acquire or lease premises for accommodating the Federation office or for storage of goods.

(13) To arrange for insurance against loss of agricultural produce, seeds, manures, etc., by fix if possible against loss of promises and other goods at reasonable market rates.

(14) To receive agricultural produce for sale and to arrange for its grading and processing whenever possible.

(15) To prepare a list of trustworthy brokers or merchants, through whom or to whom the produce may be disposed of whether the Federation has to take risk of granting trade-credit and to fix limits up-to which credit may be fixed. The individual and maximum trade credits may be altered with the previous approval of the central financing agency.

(16) To take security from the Secretary and other employees handling cash, foods and securities on a scale not lower than the one prescribed by the Registrar.

(17) To consider the audit memo, take action on the instructions contained therein and to submit and audit rectification report to the internal auditor within two months of the date of receipt to the audit memo, and to place the audit memo and the rectification before the next General Meeting.

(18) To prescribe and assigning duties to salaried staff of the Federation.

(19) To arrange for the supply manures, fertilizers, agriculture implements etc., to the affiliated society as well as the other non-members.

(29) To arrange for purchase outright of the produce of the members and of the non-members and arrange for its sale subjects to the followings:—

- (a) That outright purchase is confined to such of the commodities as can find a good market.
- (b) That the total amounts locked up does not at any time exceed the owned funds of the Federation or one-tenth of the value of the produce to be marketed whichever is higher.
- (c) Those separated accounts should be maintained for the business done under the outright purchase system.

(21) To obtain from the village level co-operative societies, the marketing Co-operative Societies and Processing Co-operative Societies, a list of members who have signed agreements for sale of their produce through such Co-operative Societies, together with copies of agreements and to credit the recoveries from the sale of produce of such members in the Financing Banks, towards their dues in respect of production finance granted to them by the above Co-operative Societies.

(22) To appoint one Executive Committee from members of the Board and one or more Sub-Committee from amongst members to carry out specific work of the Federation.

(23) Generally to conduct business of the Federation and

(24) To endorse, sell, transfer or otherwise deal either shares, Govt. and other securities on behalf of the Federation and to delegate the powers to one or more member of the Board of Directors and the Managing Director.

(To remove sec 40 to sec. 29 and replenish by new section bearing sec. 40 as under.)

MEETING NOTICE

40. It shall be competent for the Board of Directors to frame subsidiary rules for the Federations' business consistent with the provisions of the Act, Rules and Bye-Laws for the conduct of the business of the Federation. Such rules shall be entered in the Minute Book of the Board and shall come into force after they are approved by the General Meeting and the Registrar of Co operative Societies.
40. At least five days notice of all the meeting of the Executive Committee specifying the date, hour and place shall be forwarded to each Director but an agenda need not necessarily be sent; provided that no business transacted at a meeting shall be deemed invalid firstly on account of non receipt of the notice by a member in due time, if the Managing Director can prove that the notice was duly posted or was received at the member's office or household and secondly, if all members were present at the meeting, if the Ex-Committee fixed a certain day of the week or month for regular meeting and notified all the members of the Ex-Committee to this effect, it will not be necessary to issue any further notice of such meetings.

(To remove sec. 41(a) to sec. 36 but replenish by new section bearing sec. 41 as under.)

EXECUTIVE COMMITTEE:

41. (a) There should be an Executive Committee consisting of not more than six members including the Chairman and the Managing Director of the Federation as under.

MEETING CHAIRMAN

41. The Chairman of the Federation, or in the absence, the Vice Chairman shall preside over the meetings of the Executive Committee. If both the Chairman and Vice Chairman are absent or unwilling

- (1) The Chairman of the Board of Directors.
- (2) Two Directors of the Board of Directors.
- (3) One nominee of the Financing Banks.
- (4) One nominee of the State Govt.
- (5) Managing Director.

to act as Chairman, the members present shall elect a Chairman from amongst themselves.

The business of the Ex-Committee will be to carry out such function as may be entrusted by the Board of Directors from time to time. The Managing Directors shall act as the Ex-officio Secretary to the Executive Committee. The Committee shall meet as often as possible, but at least once in a month. Three members of the Executive Committee will form quorum for meeting, provided at least one of them is a representative of the Govt., under (4) above.

41.(b) Appointment of the Managing Director and his powers and duties:-

(To remove sec. 41 (b) to sec. 49.)

The Managing Director of the Federation shall be appointed by Board of Directors on such terms and conditions as may be determined and his salary shall be charged on the Federation. The Managing Director will be a Director of the Board of Directors. The powers and duties of Managing Director shall be:-

- (1) Generally, to conduct the business of the Federation and to implement the policy and programme laid down by the Board of Directors/Govt., for the purpose.

- (2) To supervise and direct the day to day business of the Federation in accordance with the policy laid down by the Board of Directors/Govt., and appoint such staff as may be necessary for the purpose.
- (3) To sign on behalf of the Federation in the conduct of its correspondence.
- (4) To exercise control and supervision on the staff of the Federation and to make disciplinary action against them as per rule framed for the purpose.
- (5) To be in over all charge of the Management of the Federation subject to the appropriate approval of the Registrar, Co-operative Societies/ Board of Directors/Govt.
- (6) To submit Project/Scheme to Govt., prior to implementation so that their viability can be ascertained.
- (7) To submit a weekly report on the activities of the Federation to Govt.

(To move sec. 42 to sec.50 but replenish by new section bearing sec. 42 as under.)

QUORUM

42. (a) Notwithstanding anything contained in these bye-laws, the Registrar, Co-operative Societies may at any time appoint the secretary of the Federation and other officers, office bearers or employees, and person or persons holding such office shall cease to hold his/ their offices forthwith.
42. Four members of the Executive Committee shall form a quorum.

- (b) Subject to the overall control of the Managing Director, duties of the Secretary shall be.
- (1) To summon and attend all General and Board Meeting of the Federation.
 - (2) To record the proceedings of such meeting in the minute book.
 - (3) To make disbursement and to obtain/vouchers and to receive payments and pass receipt, under the general or special orders of the Board of Directors on this behalf from time to time.
 - (4) To keep all accounts and registers required by the rules.
 - (5) To prepare all the Registers, vouchers, balance sheet and other documents required for the transaction of the business of the Federation.
 - (6) To conduct correspondence and to supply all needful information to the members.
 - (7) To see that the audit memo is placed before the Board of Directors for consideration, without delay and to take further steps in regard to rectification and submission of an audit rectification report to the internal Auditor in time.
 - (8) To guide, supervise and control the work of the salaries staff of the Federations and its branches and do all other work which may be entrusted to him by the Board.

- (9) To receive agricultural produce and other goods in the Federation's Godown and to be responsible for their safety while they are there.
- (10) To realize the sale proceeds.
- (11) To conduct the sales and supervise weightment etc.
- (12) To purchase and sale articles of domestic needs and agricultural requisites at reasonable rates, subject to the approval of general specific instructions of the Board of Directors.
- (13) To countersign Cash Book in token of the balance being correct and to produce the Cash Balance whenever called upon to do so by any person authorized to do so.

In the absence of the Secretary, the Board of Directors may authorize any other person to perform his duties.

Receipts passed on behalf of the Federation shall be signed by the Secretary.

Share Certificates and other document shall be signed by the Secretary and one member of the Board of Directors jointly.

A sum not exceeding Rs. 5,000/- may be kept in the custody of the Managing Director. The Managing Director shall also determine the maximum amount of cash that may be detained in any of the branches of the Federation within the maximum of Rs.5,000/- Amount exceeding that should be kept in deposit with a Bank as approved by the Regis-

trar. The Managing Director can open account with Bank and operate the Bank account. The Managing Director can however delegate this power of opening and operating the Bank account to other officer / officers of the Federation as per exigency of circumstances.

(To delete sec. 43 but replenish by new section bearing sec. 43 as under.)

ADVANCE AGAINST PRODUCE AND GOODS.

VOTING

43. Loans may be advanced on the security of produce or goods on the following terms :-

(1) The Board of Directors shall at the beginning of the season fix the amount of advance, indicating the percentage of the market price of the produce or goods pledged with the Federation that may be granted to the affiliated societies and other members. Such limits may be fixed for different commodities and varied from time to time according to fluctuation in markets or otherwise. It shall also be competent for the Board of Directors to call on a borrower at any time before the due date to repay a portion of the loan or advance issued or to produce additional security for the outstanding loan or advance within a time fixed by them, if in their opinion, there is fall or likely to be a fall in the market value of the produce or goods pledged.

(2) No advance shall be granted until the produce is deposited in a godown or a building

43. All matters brought before a meeting of the Ex-Committee shall be decided by a majority of votes. The Chairman shall have a vote and in the case of equality of votes, he shall have a second or casting vote. Voting be by a secret ballot in any particular instance in which case the Chairman shall arrange for a secret ballot.

approved by the Federation and is completely under Federation's control.

- (3) The produce stored will be insured at reasonable market rates against theft at the cost of the affiliates societies and other members concerned.
- (4) The period of advances shall be restricted to a maximum term of six months. Renewal for a period of six months may be granted by the Board of Directors on such terms and conditions, as it think fit.
- (5) The rate of interest on such advances shall be determined by the Board of Directors from time to time.
- (6) The Federation is not responsible for any damage or deterioration of the goods, but will store the goods in such a way as not to make them liable to deterioration.

(To delete sec. 44 and replenish by new section bearing sec. 44 as under.)

INVITEE

44. The Board of Directors may appoint a Sub-Committee consisting of the Chairman, one member of the Board and the Secretary for sanctioning loans under bye-law 43. Cases of loan application disposed of by the Sub-Committee under this bye-law shall be placed before the regular meeting of the Board of Directors for rectification.

44. The Chairman, in his discretion, may admit any person not being a member to a meeting of the Executive Committee for the purpose of giving expert advice such person shall not be entitled to vote.

(To delete sec. 45 but replenish by new section bearing sec. 45 as under.)

45. DEPOSITS :

Deposits may be received at any time within the limits specified in the Bye-law No. 4 for a fixed period. Interest shall be calculatated

RECORDS

45. The proceedings of all meetings of the Executive Committee and the names of those present shall be recorded by the Managing Direc-

annually and credited to the account holders account on 30th June, every year.

tor/Secretary in a book. The minutes of such proceedings shall be signed by the Chairman and confirmed by the members present at the meeting or at the next meeting. Minutes thus authenticated shall be deemed to be true records of the proceedings of the meeting concerned.

(To move sec. 46 to sec. 51 but replenish by new section bearing sec. 46 as under.)

POWERS AND DUTIES OF EXECUTIVE COMMITTEE :

46. BRANCHES :

The Federation may open Branches at suitable centers within its jurisdiction and Liaison Office outside the State within the approval of the Registrar of Co-operatives Societies. The Branches business shall be conducted by an Advisory Committee nominated by the Board of Directors, subject to the rules framed by Registrar of Co-operative Societies, Mizoram. The committee shall be constituted with the following :-

- (1) Branch Manager of Federation.
- (2) Branch Manager Mizoram Co-op. Apex Bank Ltd.
- (3) The Assistant Registrar of Co-operative societies.
- (4) One member of the Board of Directors of the Federation if available in the district.
- (5) One representative affiliated societies of the district.
- (6) Two from Primary Level Societies.

46. i) The business of the Ex-Committee will be to carry out such function as may be entrusted by the Board of Directors from time to time.
- ii) The Committee shall meet as often as possible, but at least once in a month.
- iii) The Executive Committee shall function as a Departmental Promotion Committee.

In addition to the powers and duties that the Board of Directors may delegate to it, the Executive Committee shall exercise the following powers and duties subject to such general direction as the Board of Directors may issue from time to time.

- a) admission of members
- b) allotment of shares to members
- c) right to refuse allotment of shares to any person and transfer of share;
- d) preparation of annual report, budget etc.

Besides the Chairman, the Managing Director will be Ex-Officio member of the committee. The Branch Manager will convene the meeting. Five members of which at least two representative of the affiliated societies shall form quorum.

- e) to consider as well as examine the services and promotion of the employees of Federation.
- f) generally to conduct business of the Federation in consistent with the Byelaws;
- g) to appoint, suspend and dismiss or otherwise deal with the employees in accordance with such subsidiary rules as may be framed in this behalf;
- h) to prescribe or regulate from time to time the strength of office and fix establishment and their salaries and allowances;
- i) fixation of rate of T.A. and sitting allowances payable to the members of the Board of Directors, Executive Committee or any other Committees.

(To move sec- 47 to sec. 52 and re-planish by new section bearing sec. 47 as under.)

CONDUCT OF SALES

47. Every sale shall be personally conducted by the Secretary or his assistant, as the case may be, shall be responsible for honest weightments and proper pricing.

POWERS OF CHAIRMAN

- 47.a) The Chairman shall be the Head of the Federation and exercise general control and supervision over its affairs and the work of its officers. He is the authority to accept the Annual Confidential Reports of the employees.
- (b) He shall preside over the meetings of the General Assembly, the Board of Directors and the Executive Committee. In his absence, the Vice Chairman shall preside over the meetings. If both the Chairman and Vice Chairman are absent, the members present shall elect a Chair-

man from amongst themselves. In case of equality of votes; the Chairman shall have a second or casting vote.

- (d) The Chairman shall exercise all the powers delegated to him by the Executive Committee and may subject to the approval of the Executive Committee, delegate any of his powers and duties to the Vice Chairman or Managing Director and may withdraw any powers so delegated.
- e) The Chairman shall be entitled to enjoy Honorarium and Co-terminus Muster Roll Worker as may be determined by the Executive Committee from time to time.

(To move sec.48 to sec.52 but replenish by new section bearing sec.48 as under.)

48. The Board of Directors is to arrange for the sale of the produce of the affiliated societies, and other members of the Societies. In arranging for the sales they shall act only as the agent of the affiliated society and the members and shall not do the business as owner. Loss or profit arising out of the transactions shall be of the affiliated society, and other members concerned. When the Board of Directors acts as agent it should be under the instruction of the affiliated societies and other members. The Board of Directors shall not enter into any, forward contracts with dealers for goods not in stock with the society without the permission of the affiliated society and other members concerned; the Federation shall enter into a written contract with such affiliated societies and other members.

POWERS OF VICE CHAIRMAN

- 48.a) Whenever the Chairman is obliged to absent himself from his office by reasons of his absence from Headquarters or illness or any other reason, the Vice Chairman shall exercise the powers and perform the duties of the Chairman.
- b) He is entitled to an Honorarium etc., as may be determined by the Executive Committee.

The Federation may charge commission, rent, insurance, charges and interest as may be decided from time to time.

(To move sec.49 to sec.25 and replenish by new section bearing sec.49 as under.)

MANAGING DIRECTOR OF THE FEDERATION

49. All transaction by way of sale on behalf of the affiliated society and other members shall be as far as possible be on the ready money system.

49. There shall be a Managing Director who shall be appointed by the Board of Directors on such terms and conditions as may be determined and his salary be charged on the Federation.

The Managing Director so appointed shall be an ex-officio Director of the Board and member of the Executive Committee and other Committee/Committees notwithstanding anything contained in these Byelaws.

Managing Director shall:-

- 1) general conduct the business of the Federation and to implement the policy and programmed laid down by the Board of Directors/Govt.
- 2) sign on behalf of the Federation in the conduct of its correspondence.
- 3) supervise and direct the day to day business of the Federation in accordance with the policy laid down by the Board of Directors/Govt., and appoint such staff as may be necessary for the purpose,
- 4) exercise contral and supervision over the staff of the Federation and to make disciplinary action against them as per rule framed for the purpose;

- 5) be in over all charge of the management of the Federation subject to the appropriate approval of the Board of Directors,
- 6) be the officer to sue or to be sued on behalf of the Federation,
- 7) submit project/scheme to Govt., prior to implementation so that their viability can be ascertained,
- 8) arrange for the holding of the meetings of the General Assembly, Board of Directors, Executive Committee and other Committee in such a manner as may be prescribed;
- 9) submit monthly, weekly, daily reports on the activities of the Federation to Govt.,
- 10) attend every meeting of the General Assembly, Board of Directors, Executive Committee and other Committees;
- 11) function as a Secretary, if not appointed a secretary, recording in the minute book, the proceedings of all the meetings of General Assembly, Board of Directors and Executive Committee;
- 12) conduct correspondence and supply all needful information to members of the Federation;
- 13) see the audit memo and place before the Board of Directors for consideration, without delay and take further steps in regard to rectification and submit and audit rectification report to the internal Auditor in time;

- 14) guide, supervise and control the work of the salaried staff of the Federation and its branches and do all other works which may be entrusted to him by the Board;
- 15) countersign Cash Book in token of the balance being correct and produce the Cash balance whenever called upon to do so by any person authorized to do so;
- 16) a sum not exceeding Rs. 5,000/- may be kept in the custody of the Managing Director. The Managing Director shall also determine to examine the maximum amount of cash that may be retained in any of the branches of the Federation within the maximum of Rs. 5,000/-. Amount exceeding that should be kept in deposit with a Bank as approved by the Registrar. The Chairman and Managing Director shall open account with Bank and operate the Bank account jointly. However, this power of opening and operating the Bank account may be delegated to other officers of the Federation as per exigency of circumstances.

(To move sec. 50 to sec. 52 but replenish by new section bearing sec. 50 as under.)

SECRETARY

- 50 The Board of Directors shall be competent to fix the rate of depreciation or shortage to be allowed in the case of produce deposited in the godown of the Federation and such rate shall be binding upon the affiliated society and other members.
50. Notwithstanding anything contained in these Byelaws, the Registrar may at any time appoint the Secretary of the Federation and other officer holding such office shall cease to hold his office forthwith.

Subject to the over all control of the Managing Director, duties of the Secretary shall be :-

- 1) to summon and attend all General and Board Meetings of the Federation;
- 2) to record the proceedings of such meetings in the minute book;
- 3) to make disbursement and to obtain vouchers and to receive payments and pass receipt under the general or special orders of the Board on this behalf from time to time;
- 4) to keep all accounts and registers required by the rules;
- 5) to prepare all the registers, vouchers, balance sheets and other documents required for the transaction of the business of the Federation;
- 6) to conduct correspondence and to supply all needful information to the members;
- 7) to see that the audit memo is placed before the Board for consideration, without delay and to take further steps in regard to rectification and submission to and audit rectification report to the internal auditor in time;
- 8) to guide, supervise and control the work of the salaried staff of the Federation and its branches and do all other works, which may be entrusted to him by the Board;
- 9) to receive agricultural produce and other goods in the

Federation's godown and to be responsible for their safety while they are there;

- 10) to realize the sale proceeds;
- 11) to conduct the sales and supervise weightment etc.;
- 12) to purchase and sale articles of domestic needs and agricultural requisites at reasonable rates, subject to the approval of general/specific instructions of the Board;
- 13) to countersign cash book in token of the balance being correct and produce the cash balance whenever called upon to do so by any person authorized to do so;
- 14) to sign with Chairman of the Federation on the Share Certificate;

In the absence of the Secretary, the Board may authorize any other officer to perform his duties.

(To move sec. 51 to sec. 53 but replenish by sec. 46 bearing sec. 51 as under.)

51. DISTRIBUTION OF PROFITS :

- (1) The net profits of the Federation as distributed by the Board of Directors and approved by the Registrar shall be disposed of at the General Meeting in the following manners.

- (i) Not less than 25% of the Net profits shall be carried to the Reserve Fund.

OPENING OF DIVISION/BRANCH

51. The Federation may open Branches at suitable centers within its jurisdiction and Liaison office outside the State with the approval of the Registrar. The Branches business shall be conducted by an Advisory Committee nominated by the Board, subject to the rules framed by the Registrar. The Committee shall be constituted with the following:-

(ii) The remainder may be utilized for one or more of the following purpose.

(a) For payment of dividend on paid up share to a maximum of 25% of the net Profits, in no case shall the dividend in any year exceed 12.50% of the value of shares paid-up by the members.

(b) For rebate or patronage dividend to members in proportion to the sales made by them through the society up to a maximum of 15% of the Net Profits.

(c) For propaganda and education in the interest of the Federation and its members to a maximum of 10% of the Net Profits.

(d) For creation of Building Fund, Bad Debt Fund, and any other Fund required by the Society.

(2) Any profit not allotted in the manner aforesaid in any year may be credited to the Reserve Fund of carried over to the profits of the next year.

1) Divisional Manager / Branch Manager;

(2) Branch Manager, Mizoram Co-operative Apex Bank Ltd.

3) Assistant Registrar of Co-operative Societies;

4) One member of the Board of Directors if available in the District;

5) One representative of affiliated Societies of the District.

Besides, the Chairman and Vice Chairman, the Managing Director of the Federation shall be an ex-officio member of the Committee. The Branch Manager shall convene the meeting as determined by the Board. An elected member, Board of Directors, if available in the District, shall conduct the meeting.

(To move sec. 52 to 54 and replenish by incorporating secs. 47, 48, 49 & 50 into one section bearing sec. 52 as under.)

CONDUCT OF SALES

52. The Board of Directors shall decide in whose custody the cash balance and the extent of such balance and the securities and the account book of the Federation will be kept.

52. a) Every sale shall be personally conducted by the Secretary or his assistant, as the case may be, shall be responsible for honest weightments and proper pricing;

b) The Board of Directors is to arrange for the sale of the produce of the affiliated societies.

- c) All transaction by way of sale on behalf of the affiliated society and other members shall be as far as possible be on the ready money system.
- d) The Board of Directors shall be competent to fix the rate of depreciation or shortage to be allowed in the case of produce deposited in the godown of the Federation and such rate shall be binding upon the affiliated society and other members.

(To move sec. 53 to sec. 54 but replenish by sec. 51 bearing sec. 53 as under.)

ACCOUNTS AND RECORDS:

53. (A) Books of accounts and other records shall be maintained as prescribed in the rules and also as directed by the Registrar with such additions as the Board of Directors considers necessary.
- (B) Receipts shall be issued for all deposits for payments of loan and for other sum received by the Federation.
- (C) Confirmation slip shall be issued annually to depositors, creditors and debtors of the Federation and shall be verified by the internal Auditor.

DISTRIBUTION OF PROFIT

53. The net profits of the Federation as distributed by the Board of Directors and approved by the Registrar shall be disposed off at the General Meeting in the following manners :—
- (a) not less than 25% of the net profits shall be carried to the Reserve Fund ;
 - (b) the remainder may be utilized for one or more of the following purposes :—
 - i) for payment of dividend on paid up shares to a maximum of 25% of the net profits, in no case shall the dividend in any year exceed 12% of the value of shares paid up by the members;
 - ii) for rebate or patronage dividend to members in proportion to the sales made by them through the society up to a maximum of 15% of the net profits;

- iii) for propaganda and education in the interest of the Federation and its members to a maximum of 10% of the net profits;
- iv) for creation of building fund, bad debt fund and any other fund required by the society;
- v) any profit not allotted in the manner aforesaid in any year may be credited to the reserve fund of carried over to the profits of the next year;
- vi) bonus to staff;
- vii) employee gratuity fund.

(To blend sec. 52, 53, 55 with sec. 54 as under.)

ACCOUNTS AND RECORDS

54. Any member of the Federation may inspect any of the registers or accounts during office hours, so far as they relate to his own business transaction.
- 54.a) The Board of Directors shall decide in whose custody the cash balance and the extent of such balance and the securities and the account book of the Federation will be kept.
- b) Books of accounts and other records shall be maintained as prescribed in the rules and also as directed by the Registrar with such additions as the Board considers necessary.
- c) Any member of the Federation may inspect any of the registers or accounts during office hours, so far as they relate to his own business transaction.
- d) Before the 15th April annually the Board shall draw up statements showing the receipts and disbursements, assets and liabilities, profits and loss for the previous year. A copy of these statements shall be supplied to the Registrar before 15th of May. The Board shall present the Annual Reports and Balance sheet at the General Assembly.

(To move sec. 55 to sec. 54 and replenish by sec. 56 bearing sec. 55 as under.)

AMENDMENTS

55. Before the 15th July annually the Board of Directors shall draw up statements showing the receipts and disbursements assets and liabilities, profits, and loss for the previous year. A copy of these statements shall be supplied to the Co-operative Department before the 15th of August.

55. None of the Bye-laws shall be added except by a vote of majority consisting of at least two-third of the members present at a General Meeting. The notice convening the meeting shall specify the proposed addition of recession and shall be issued not less than 15 days prior to the meeting. The amendment shall not take effect until it has been approved and registered by the Registrar.

(To move sec. 56 to 55 but replenish by incorporating sec. 57,58,59,60 and 61 bearing sec. 56 as under.)

56. AMENDMENT :

GENERAL

None of the bye-laws shall be added except by a vote of majority consisting of at least 2/3 (two-third) of the members present at a General Meeting. The notice convening the meeting shall specify the proposed addition of recession and shall be issued not less than 15 days prior to the meeting. The amendment shall not take effect until it has been approved and registered by the Registrar.

56.1) Whereby these Bye-laws it is provided that a written notice shall be given to any members, the delivery of such notice at the house where he ordinarily resides, shall be sufficient service of such notice.

2) The Federation shall become a member of the Central financing agency and MIZORAM Co-operative Apex Bank Ltd., and purchase shares in them.

3) The services of the members of the Board of Directors and the Executive except the Managing Director shall be honorary but they may be paid travelling allowance on a scale approved by the Board of Directors.

4) The Federation shall prepare and submit such return and statements as the Registrar may from time to time, specify. Its members will also submit such return that the Federation may ask for from time to time.

5) Should any doubt arise with regard to the interpretation of these Byelaws, the matter shall be referred to the Registrar whose decision shall be final.

GENERAL

57. Whereby these bye-laws it is provided that a written notice shall be given to any members, the delivery of such notice at the house where he ordinarily resides, shall be sufficient service of such notice.

(To move sec. 57 to sec. 56 and replenish by sec. 62 bearing sec. 57 as under.)

DISPUTES & ARBITRATION

57. Any dispute touching the business of the Federation between members or past members or persons claiming through members or past members or persons so claiming, or the Federation or the Board of Directors or the Executive Committee or any dispute between the Federation and the Employees of between Employees and Employees, shall be referred to the Registrar for settlement according to Law and he may refer such disputes for settlement to any other person or persons.

(To move sec. 58 to sec. 56 and replenish by sec. 63 bearing sec. 58 as under.)

AUDIT

58. The Federation shall become a member of the Central financing agency and Assam Cooperative Apex Bank Ltd., and purchase shares in them.

58. The accounts and the Balance sheet of the Federation shall be audited each year by the regular staff of Registrar, Co-operative Societies. The officers of the Federation shall produce before the auditors all books and documents necessary for the audit.

(To move sec. 59 to sec. 56 and replenish by sec. 59 bearing sec. 59 as under.)

CHARGE AND SET OF SHARES OR INTEREST

- 59 The services of the members of the Board of Directors and the

59. The Federation shall have a charge upon the share or interest in the

Executive except the Managing Director shall be honorary but they may be paid travelling allowance on a scale approved by the Board of Directors. Payment of honorarium will disqualify a Director.

capital and on the deposit of a member or past member or deceased members and upon any dividend bonus or surplus payable to a member or past member or the estate of a deceased member in respect of any debt from such member or past member or estate of such deceased member of the Federation and may set off any sum credited or payable to a member or past member or estate of deceased member in or towards payment of any such debt.

(To move sec. 60 to sec. 56 and replenish by sec. 65 bearing sec. 60 as under.)

LIQUIDATION

60. The Federation shall prepare and submit such return and statements as the Registrar may, from time to time, specify. Its members will also submit such returns that the Federation may ask for from time to time.

60. The Federation shall be liquidated only by an order of the Registrar in writing. Should there be any surplus after meeting all the liabilities of the Federation and the cost of liquidation the amount shall be distributed according to the provisions of the Act, Rules and the Byelaw.

61. Should any doubt arise with regard to the interpretation of these bye-laws, the matter shall be referred to the Registrar whose decision shall be final.

61. (To move to sec.56 and vacate it.)

62. **DISPUTES & ARBITRATION :**
Any dispute touching the business of the Federation between members or past members or persons claiming through members or past members or persons so claiming, or the Federation or the Board of Directors or the Executive Committee or any dispute between the Federation and the Employees of between Employees and Employees, shall be referred to the Registrar of Cooperative Societies for settlement according

62. (To move to sec. 57 and vacate it.)

to Law and he may refer such disputes for settlement to any other person or persons.

63. **AUDIT :** The accounts and the Balance Sheet of the Federation shall be audited each year by the regular staff of Registrar of Co-operative Societies. The officers of the Federation shall produce before the auditors all books and documents necessary for the audit.

63. (To move to sec. 58 and vacate it.)

64. **CHARGE AND SET OFF IN RESPECT OF SHARES OR INTEREST OF MEMBERS :** The Federation shall have a charge upon the share or interest in the capital and on the deposit of a member or past member or deceased members and upon any dividend bonus or surplus payable to a member or past member or the estate of a deceased member in respect of any debt from such member or past member to estate of such deceased member of the Federation and may set off any sum credited or payable to a member or past member or estate of deceased member in or towards payment of any such debt.

64. (To move to sec. 59 and vacate it.)

65. **LIQUIDATION :** The Federation shall be liquidated only by an order of the Registrar of Coop. Societies in writing. Should there be any surplus after meeting all the liabilities of the Federation and the cost of liquidation the amount shall be distributed according to the provisions of the Act, Rules and the By-law.

65. (To move to sec. 60 and vacate it.)