# OF THE REGISTRAR, CO-OPERATIVE SOCIETIES

# FORM NO. VII

[Rule 17 (2)]

# Certificate of registration of amendment

I do hereby certify that the amendments of the bye-laws of the Jharkhand State Co-operative Lac Marketing & Procurement Federation Ltd. (JASCOLAMPF) registered under the Jharkhand Co-operative Societies act 1935 (Act. VI of 1935) as contained in the enclosed document have been registered under section 25 of the said Act, in token of which necessary certificate duly signed and sealed bearing number O. (Act. Six). dated O. H. day May 2016 has been appended on the document.

The copy of the bye-laws deposited in this office has been accordingly amended.

Registrar, Co-operative Societies,

Jharkhand, Ranchi.

\* A TREE OF THE PARTY OF THE PA

# श्रिविय, निबंधक, सहयोग समितियाँ, झारखण्ड,

#### VII प्रपत्र

नियम-17(2) संशोधन के निबन्धन का प्रमाण पत्र

में एतद् द्वारा प्रमाणित करता हूँ कि झारखण्ड सहकारी सोसाइटी अधिनियम (अधिनियम, 1935) 1935 के अधीन निबन्धित झारखण्ड राज्य सहकारी लाह क्रय-विक्रय एवं आहरण संघ सीमित (झास्कोलैम्पफ), राँची सहकारी सोसाइटी की उपविधियों के संशोधन को जो संलग्न लेख्य में दिया गया है, उक्त अधिनियम की धारा 25 के अधीन निबन्धित किया गया है, जिसका प्रतीक <u>04.05</u> 2016 लेख्य में संलग्न है।

इस कार्यालय में जमा की गयी उपविधियों की प्रति तदनुसार संशोधित कर ली गयी है।

सहयोग समितियाँ,

झारखण्ड, राँची।

.....सन् दो हजार सोलह ईस्वी।

THE STORILY

# THE JHARKHAND STATE CO-OPERATIVE LAC MARKETING AND PROCUREMENT FEDERATION LTD.

(Regd. No. 29/HQ Dated 26.05.2012)



# **BYE LAWS**



JASCOLAMPF Bhartpuri, Purulia Road, Ranchi (JHARKHAND)



कारिक स्ट्रेंट ने जिल्ला कि महिंद्य एड कि निवंदित किया गया है।

**Gram: JASCOLAMPF** 

Phone: Office 0651-2532997

Fax: 0651-2532997
E-mail: mdiascolampf@gmail.co

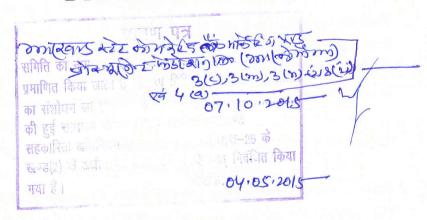
E-mail: mdjascolampf@gmail.com Website: www.jascolampf.com

# THE JHARKHAND STATE CO-OPERATIVE LAC MARKETING AND PROCUREMENT FEDERATION LTD.

(Regd. No. 29/HQ Dated 26.05.2012)

# **BYE LAWS**





JASCOLAMPF Bhartpuri, Purulia Road, Ranchi (JHARKHAND)

# BYELAWS OF JHARKHAND STATE CO-OPERATIVE LAC MARKETING AND PROCUREMENT FEDERATION LTD., RANCHI.

#### 1. Name and Address:

अगिरखण्डे.

The Society which is registered under Jharkhand Co-operative Societies Act (Act VI of 1935) shall be called the Jharkhand State Co-operative Lac Marketing and Procurement Federation Limited, i.e. in short "JASCOLAMPF" and its registered office shall be at Ranchi. It has been referred to in these bye-laws briefly as "Federation".

In the event of any change in the address of the registered office, notice thereof shall be sent within 15 days of such change to the Registrar, Co-operative Societies, Jharkhand to the Bihar Co-operative Federation Limited, Patna and to the Bihar Jharkhand State Co-operative Bank Limited, Ranchi.

# 2. Area of Operation:

The area of operation of the Federation shall be the whole state of Jharkhand. It may open branches with the prior approval of Registrar, Co-operative Societies, Jharkhand inside or outside Jharkhand on Exporting port for carrying out any or all the objectives.

# 3. Objects:

The object of the Federation shall be in general to promote lac industries on co-operative basis and in particular :-

- (a) To purchase of Lac directly or through -
  - (i) Vyapar Mandal Sahyog Samity.
  - (ii) Large Area Multipurpose Co-operative Society.
  - (iii) Large Size Multipurpose Co-operative Society.
  - (iv) Multipurpose Co-operative Society.(hearing after mentioned as VMSS/LAMPS/LSMPCS/MPCS)
  - (v) Primary Lac Growers Co-operative Societies.
- (b) To provide finance to VMSS/LAMPS/LSMPCS/MPCS lac Growers Cooperative Societies for procurement of lac/from Primary growers.
- (c) To utilize income of the federation for upliftment and betterment of Schedule Tribes/ Schedule Castes or both members of the affiliated societies
- (d) To arrange for processing of sticklac into seedlac, shellac and other lac products.
- (e) To sell sticklac, seedlac and other lac products to the State Trading Corporation of India or otherwise.
- (f) To take all steps for increasing production of lac and its better marketing.
- (g) To undertake purchase and sale of sticklac, seedlac, shellac and such other bye-products derived from lac.
- (h) To undertake processing and manufactured articles derived from sticklac and its products.

JASCOLAMPF, RANCHI



To help in the activities of promotion of production of the lac such as providing broodlacs, plantation of host plants, provision of implements etc.

To enter into all kinds of contracts and transaction relation to purchase and sale of sticklac, seedlac and other lac products with a view to the gradual elimination of middlemen and thus ensure fair price to the lac Growers.

- (k) To acquire and hold shares in any co-operative society in the best interest of the Federation.
- (l) To take necessary steps to safeguard the interest of the affiliated societies.
- (m) Generally to undertake such other business and do such other things as are incidental and conductive to the promotion and attainment of the above objectives.
- (n) i) To Undertake Training, Production, Marketing, consultancy, Promotion and other related activities in Handicrafts and Handlooms.
  - ii) To provide sustainable marketing platform for the Handicrafts, Handlooms & other products made by the Co-operatives/ SHG's/NGO's/ Local Artisans of the state and promote their products through different channels.

# 4. Share capital:

- The authorized share capital of the Federation shall be **Rupees FIFTY CRORES** (**Rs.** 50,00,00,000) **divided into FIVE LAKH** (**Rs.**5,00,000) **shares of ONE THOUSAND** (**Rs.**1000) **each**. The value of each share shall be paid either in one lump sum or in a number of installments as may be fixed by the Board of Directors of the Federation Every member shall on admission pay an admission fee of Rs. 50.
- The State Government may contribute any amount towards the share capital of the Federation.
- Every affiliated society shall collect Rs. 1 per quintal or part thereof as share capital contribution in a year from each of the producer members of society whose lac it purchases. At least 75% of the total share contribution collected by the affiliated societies each towards the share capital of the Federation.

### 5. Funds:

The Federation may obtain funds from the following sources:-

- (1) Share Subscription
- (2) Depositors
- (3) Borrowing
- (4) Subsidy
- (5) Admission fee
- (6) Miscellaneous.

# 6. Borrowing powers:

The maximum borrowing power of the Federation shall not exceed 15 times its paid up share capital and the reserve fund except with the special sanction of the Registrar, Co-operative Societies.

# 7. Membership:

The following shall be eligible for membership of the Federation:-

- (a) Vyapar Mandal Sahyog Samity/ LAMPS/Multipurpose Co-operative Societies/ Large size multipurpose Co-operative Society in whose area lac in grown.
- (b) Primary lac Growers Co-operative Society.
- (c) Government of Jharkhand
- (d) Any statutory body with the prior approval of Registrar, Co-operative Societies.

# 8. The Following shall be the members of the Federation :

In addition to those who joined in the application for registration and those who subsequently admitted by the Board of Directors in accordance with the Byelaws.

# 9. Cessation of Membership:

An Affiliated society shall cease to be a members of the Federation when:

- (i) It is expelled:
- (ii) Is disqualified;
- (iii) Dissolved or liquidated.

# 10. Suspension and expulsion members :

- (a) The Board of Directors may expel or suspend pending completion of enquiry, any affiliated society for :-
  - (i) Being guilty of carelessness or bad working,
  - (ii) Willful disobedience of these byelaws or any rules which may from time to time be drawn up by the Federation for the guidance of the Society members.
  - (iii) Willful default or acts contrary to the interest of the Federation.
- (b) All cases of suspension or expulsion shall be reported to the next general meeting for confirmation. An appeal shall lie to the Registrar, Co-operative Societies within 30 days of confirmation of the decision by the general meeting against any order of suspension or expulsion and his decision shall be final.

### 11. Refund of Shares:

In the event of cessation of membership on any ground other than default of share payments, the net value of the shares held by a member after deduction of the members dues to the Federation shall be paid to the member within six months from the date of cessation of membership, except in case of dissolution of the society when such amount

shall be paid to the Liquidator of the society of to the person who is legally in possession of the assets of the society.

12. Transfer of Shares:

Shares may be transferred with the approval of the Board of Directors to a member or to a society who is eligible for admission and whom the Board of Directors is willing to admit as a member, but shares must be held for a period of at least 12 months before they can be transferred.

# 13. Share Certificate

Share holders shall be entitled to certificates under the common seal of the federation specifying the share or shares held by them. It such certificates are lost or worn out they may be renewed on payment of 50 P.

# 14. Liability of Share Holders:

- The liability of the share holders for the debts of the Federation shall be (a) limited to the face value of the share held by them.
- The liability of a post member to the extent mentioned in clause (a) for the (b) debts of the Federation as they existed on the date of its ceasing to be a member shall continue for a period of two years from such date.

# 15. General Body:

- The supreme authority of the Federation is vested in the General Body (a) consisting of the following members:-
  - One representative from each members society to be elected by the General Body for the purpose by such society from time to time,
  - One representative of the State Government,
- One fifth of the members of the General Body shall constitute the quorum, (b)
- Notice of a General meeting mentioning the place, date and hour of the meeting and the business to be transacted there at, shall be circulated at least fifteen days before the date of the meeting.
- The Chairman shall preside at the meetings of General Body. In his absence a (d) member of the General Body elected by the members from among themselves shall preside at the meeting.
- 16. The general meeting shall be of three kinds, Annual, Extraordinary and Special. The General meeting shall maintain a general supervision over the business of the Federation specially over the acts of the Board of Directors and shall take all steps that may be considered necessary in the interests of the Federation
- 17. An Annual General Meeting shall be convened within six months of the close of the Co-operative year.
  - To receive and consider the annual report and the statement of accounts submitted by the Board of Directors and to review the work of the Federation

during the past year. In case the audited statement of accounts is not ready, the same shall be considered at the next General meeting.

- To review the work of its officers and to hear an decide all appeals from the decision of the Board of Directors.
- (iii) To decide the maximum amount of liabilities which may be incurred by the federation subject, however, to the provision of bye-law 6.
- (iv) To take notice of all subjects which effect the financial position of the Federation.
- (v) To transact any other business that may be brought up.

# 18. Extra ordinary general meeting:

The Board of Directors may, whenever it thinks fit and shall upon a requisition in writing made by one tenth of members of the general body convene an extra ordinary General Meeting within a month from the date of such requisition.

# 19. Special General Meeting:

- (i) Special General Meeting shall be called at the written requisition of Registrar, Cooperative Societies or other person authorized by him at the headquarters of the federation and at such time and ate as specified in such requisition for consideration of such matters as may be specified thereon.
- (ii) To elect members and office bearers of the Board of Directors in accordance with the rule 21 of Jharkhand Co-operative Societies Rules, 1959 and the bye-laws no. 20 of the federation.

If at the hour fixed for an Annual or Extra-ordinary General Meetings quorum is not forth coming the Chairman, shall if the meeting has been called on the requisition of members dissolve it if otherwise convened he shall post-pone the meeting to a date no less than seven days and not more than a fortnight later and the business to be transacted at the postponed meeting shall be the same and no other than that proposed for the original meeting. At such postponed meeting if a quorum is still not forthcoming resolutions may be carried by majority of three-fourths (3/4) of the number of delegates present.

# 20. Management

The Executive Management of the federation shall vest in a Board of Director consisting of 21 (**Twenty One**) members. The constitution of the Board of Directors shall be: -

- (i) Secretary, Department of Co-operative, Jharkhand Chairman
- (ii) Registrar, Co-operative Societies Director (Ex-officio)
- (iii) Managing Director, JASCOLAMPF Director (Ex-officio)
- (iv) Managing Director, Jharkhand State Tribal Co-operative Development Corporation Director (Ex-officio)
- (v) Managing Director, Jharkhand State Schedule Casted Co-operative Development Corporation Director (Ex-officio)



- (vi) Finance Commissioner or his nominee not below the rank of Joint Secretary- Director (Ex-officio)
- (vii) Managing Director, The Jharkhand State Co-operative Bank Ltd. Director (Ex-officio)
- (viii) Secretary, Forest Dept, Jharkhand or his nominee not below the rank of Joint Secretary Director (Ex-officio)
- (ix) Director, Indian Institute of Natural Resin & Gum, Namkum, Ranch Director (Ex-officio)
- (x) Director, Institute of Forest Productivity, Ranchi Director (Ex-officio)
- (xi) (a) Four Directors to be nominated by State Govt. from the delegates of the affiliated VMSS/LAMPS/ PACS/ Lac Growers co-operative Societies with a view to safeguard the interest of the lac growers in general (preferably from amongst Schedule Tribe and Schedule Caste lac growers)
  - (b) Seven Directors shall be elected in the General Body as per ratio noted below: -
    - 1. South Chotanagpur Division 02
    - 2. Kolhan Division 02
    - 3. Palamau Division 01
    - 4. North Chotanagpur Division 01
    - 5. Santhal Pargana Division <u>01</u>

07

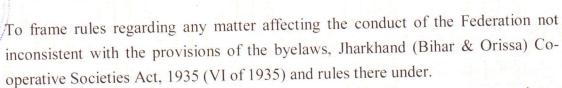
With a view to safeguarding the interest of the Sch. Tribe and Sch. Caste Lac Growers. The ratio between the Sch. Tribes and Sch. castes and other Castes shall be 4:2 on the line of Amendments in Jharkhand Co-operative Societies Act. 1935.

- (c) In the absence of Chairman a Director elected for the purpose shall preside over the meeting of Board of Directors.
- (d) The office of a director shall if sofacto be vacated:
  - (i) If the membership of the society he represents stands terminated under byelaw No.9 or
  - (ii) If he ceases to be a member of the member society he represents; or
  - (iii) If he resigns his office by a notice in writing, and is accepted by the Board of Directors.
  - (iv) If he acquires a disqualification under the act and rules, and
  - (v) If he absents himself from four consecutive meetings of the Board without permission of the Board and his absence is not condoned by the Board, or
  - (vi) The State Govt. shall have power to substitute at any time the nomination of any Director or Directors nominated by it.



- 21
- (a) The Board of Directors shall meet to form the transaction of the business at least once in every three months.
- (b) If an elected member of the Board of Directors ceases to be member of the Federation, the Board shall appoint another member to take his place till the next general meeting of the Federation. The vacancy caused in the panel of the nominated member, will be filled by the Registrar No defaulter shall be eligible for election as members of the Board of Directors of the Federation if he defaults after election he shall be removed by the Board of Directors.
- (c) A minute Book shall be maintained by the Member Secretary in which the names of members present and the proceedings of each meeting shall be recorded. The proceedings of each meeting shall be signed by the Chairman and the members of the Board present in the meeting. In case of every resolution on an item of business involving a money transaction the voting of each member shall be recorded. It shall be open to inspection by all members.
- 22. No members shall be present at any meeting of the Board in which he has a personal interest or in which he himself or his conduct is a subject of discussion except with the previous permission of the Chairman.
- 23. Subject to these byelaws and resolution passed at a general meeting, the Board of Directors shall have full authority to carry on the business of the federation. The powers and duties of the Board of Directors shall in particular be -
  - (a) To arrange for the purchase of sticklac from Societies affiliated to the federation.
  - (b) To maintain an efficient system of transport for the activities of the Federation.
  - (c) to arrange for the efficient and quick processing of the sticklac.
  - (d) To arrange for the sale of lac directly or through State Trading corporation.
  - (e) To secure reasonable prices to the lac growes.
  - (f) To provide finance and to determine the rate and amount of commission payable to the affiliated Societies for purchase of lac through them.
  - (g) To arrange for the efficient storage of lac an other stores and proper maintenance of stock registers.
  - (h) to exercise full administrative powers, such as of appointment promotion and punishment etc, over the staff of the federation, subject to the instructions issued from time to time by The Registrar, Co operative Societies.
  - (i) To examine and check the books and record maintained by the Federation.
  - (j) To prepare annual balance sheet.
  - (k) to raise funds for the Federation.
  - (l) To institute, defend or compromise legal proceedings on behalf of the Federation.
  - (m) To generally conduct the business of the Federation.
  - (n) To fix the duties of the Secretary, Treasurer and the office bearers.

MANAGES RECTOR



- The Board of Directors shall have powers to constitute one or more sub committees consisting of the members of the Board of Directors and other share holders of the Federation and Society and any person having experience and knowledge of lac growing or lac marketing and industry and to frame such subsidiary rules as may be necessary to regulate the work of such sub committee and from time to time shall determine the duties and functions of sub committee.
- (q) To determine the duties of the office bearers and servants of the Federations.
- (r) To entertain and consider complaints regarding the quality and price of goods or the conduct of the officers or servants of the Federations.

# 24. Managing Director:-

रिखाण्ड

The Managing Director of the federation shall be appointed by the State Government on such terms and conditions as the State Government may deem necessary and proper. He shall be the Chief Executive authority for the day-to-day working of the Federation and shall work under the general control and supervision of the Board of Directors.

# 25. Powers and duties of Managing Directors :-

The Managing Director shall subject to the general control of the Board of Directors be responsible for the executive administration of the federation. He shall be the officer to sue and be sued on behalf of the Federation. All bonds and other legal documents shall be executed by him. He shall exercise such other powers as the Board may delegate to him from time to time and in particular, shall have the following duties and powers:-

- (i) to guide and supervise the business of the federation in all matters,
- (ii) to exercise general control and supervision on the administration of the federation,
- (iii) to appoint subject to Act and Rules as many as sanctioned from time to time by the Board and/ or the Chairman all salaries staff of the federation except those appointed or deputed by the State Government and the Registrar, Co-operative Societies.
- (iv) to appoint from time to time such number of casual workers or persons needed or specific activities in smooth running of the Lac Factory as may be necessary or the business of the federation and terminate their services provided that no regular appointments shall be made except in accordance with Rule 33.
- (v) to suspend, remove, dismiss, fine or otherwise punish all salaries staff of the federation in accordance with rules, made in this behalf by the Board subject to approval of the State Government.
- (vi) to sanction leave and increments to the said employees of the Federation.



- (vii) to fix the amount and nature of security, if any, to be given by the members of the staff; subject to the rules framed under the Act.
- (viii) to exercise such powers as may be delegated or assigned to him by the board and the Chairman.
- (ix) to depute person or persons to attend conferences or meetings whenever necessary except those provided under the byelaws.
- (x) to carry on all business and correspondences on behalf of the federation;
- (xi) to determine the powers and duties of different categories of staff of the federation and to delegate power and assign duties to them working under him.
- (xii) to anticipate Board's decision in matters that cannot wait for a Board's meeting without prejudice to the interest of the federation provide that in all such matters the Chairman's approval, if possible, shall be taken and all matters decided by the Managing Director in anticipation of Board's approval shall be brought before the next meeting of the Board for confirmation.

# 26. Deposits -

Deposits may be received by the federation according to such rules as the Board of Directors may frame for the purpose, consistently with these byelaws and rate of interest on such deposits shall be determined by the Board of Directors, from time to time but it will not exceed Rs. 6½ percent per annum.

# 27. Register & Accounts;-

The following boos shall maintained by the Federation:-

- (a) A Register of members.
- (b) A Register of shares,
- (c) A Minute Book of the meetings of the General Body,
- (d) A Minute Book of the meetings of the Board of Directors,
- (e) Cash Book,
- (f) A Ledger,
- (g) Stock Register of Stores, and
- (h) Any other register that may be considered necessary and may be prescribed by the Board of Directors.

#### 28. Audit :-

The Accounts may be closed annually on the 30th June. The accounts of the Federation may be audited as often as the Board of Directors may decide any by such persons as the Board may appoint. After audit the Auditors shall give certificate that they have duly audited the books of the federation and shall incorporate in the certificate all defects noticed by them. The certificate shall form a part of the annual report which the Board of Directors are required to submit to the ordinary general meeting. The statutory audit of the federation will be done in accordance with the provisions of the Co-operative Societies Act (VI of 1935) and the rules framed there under.

29. Disposal of profits :-

सहर

After payment of remuneration to the office establishment and other charges incidental to management the balance will be considered as net profit which shall be disposed off by the general meeting in the following order of priority:-

- 35% shall go into the reserve fund. (a)
- Upto 10% may be set apart towards bad debt fund. (b)
- Upto 10% may be set apart towards common good fund for the (c) common benefit of the affiliated societies,
- Upto 10% may be set apart towards dividend equalisation fund. (d)
- Upto 10% may be set apart towards Building fund. (e)
- Upto 10% may be set apart towards development fund for pursuing the (f) objective of the federation.
- A dividend not exceeding 10% or any other limit fixed by the Registrar, Co-operative Societies may be paid on paid up shares held by members (g) for at least a year.
- The bonus to paid servants at a rate to be determined by the general (h) body may be paid not exceeding two months pay.
- Balance, if any, may be carried forwards. (i)

# 30. Reserve fund :-

The Reserve fund shall consist of:

- 10 percent of profits annually placed in the fund. (a)
- Any further sum allotted to it out of the profits or otherwise. (b)
- Admission fee after deductions of preliminary expenses incurred in (c) constituting the federation.
- The value of all shares forfeited to the Federation.
- The Reserve fund shall belong to the federation as a whole and is intended to meet unforeseen losses, No member can claim a share in it. It shall be invested in such 31. manner as the registrar, Co-operative Societies may prescribe and not be drawn upon except with his sanction.
- 32. The Reserve fund shall with the sanction of the Registrar, Co-operative Societies be available for any of the following purpose:
  - to cover with previous sanction of the Registrar any loses arising from any unforeseen circumstances, such drawing upon it being reimbursed (1)to the fund from the next accruing profits.
  - to meet any call on the Federation which cannot be met otherwise, such (2)payments being reimbursed to the fund from the next accruing profit.
  - to serve as security for any loans which the federation has to contract. (3)

In the case of dissolution of the federation Reserve Fund shall be applied to such purposes, for the benefit of Co-operative Movement as may be determined with approval of the Registrar by the majority members.

MANASHING DIRECTOR



# 33. Disputes :-

Any dispute, that cannot be decided by the General Meeting or any arbitration, shall be referred to the Registrar whose decision shall be final.

### 34. Dissolution :-

The Federation shall be would up with the approval of the Registrar, if three fourths of the total number of members and representatives of the societies present at the General Meeting specially summoned to consider the question, vote for it.

#### 35. Miscellaneous:-

Every share holder shall be supplied with a copy of the byelaws.

- 36. Any of these byelaws may be altered or rescinded or new byelaws may be made at a General Meeting held in accordance with the rules made by the Government in this behalf, and such amendment will come into force after it has been approved and registered by the Registrar.
- 37. The federation shall keep a copy of the Jharkhand (Bihar and Orissa) Co-operative Societies Act, 1935 (VI of 1935) a copy of the rules framed there under any copy of these byelaws open to inspection free of charge at all reasonable times at its registered office.
- 38. All matters not specially provided for shall be decided according to the provision of the Jharkhand (Bihar and Orissa) Co-operative societies Act 1935 (VI of 1935) and rules framed under the Act.

MANACING DIRECTOR