



**MEMORANDUM
AND
ARTICLES OF ASSOCIATION
OF**

JHARKHAND SMALL INDUSTRIES ASSOCIATION

(Registered Under Societies Act 21, 1860, Regn. No. 431)

(Formerly known as Chotanagpur Small Scale Industries Association)

JHARKHAND SMALL INDUSTRIES ASSOCIATION

MEMORANDUM

1. The Name of the Society : Jharkhand Small Industries Association, Hereinafter briefly called JSIA.
2. The Registered Office : Udyog Bhawan, Industrial Area, Kokar, Ranchi-834001, Jharkhand State.
3. Area of Operation : Whole Jharkhand State.

4. **AIMS & OBJECTS:**

The Association shall have the following Aims & Objects:

- (a) To promote and protect the interest of Micro, Small & Medium Enterprises.
- (b) To consider all questions connected with such industries.
- (c) To help in the extension and development of existing industries and to plan promote new industries.
- (d) To urge legislation and other measures and to procure change in law and practice affecting Micro, Small and Medium Industries in Jharkhand.
- (e) (To guide the Government in formulation of correct economic industrial policies by constructive and expert suggestions.
- (f) To provide mutual assistance in technical and industrial problem and to make representations to the Government regarding inspection, production, specification of materials and such like matters pertaining to the industries.
- (g) To foster friendly feeling and unanimity amongst the members of the Association on the basis of community interest.
- (h) To organize, establish and start separate department or departments of the Association for the purpose of research works.
- (i) To collect and circulate statistics and other information relating to trade, commerce and industries.
- (j) To adjust and arbitrate controversies between members of the Association.
- (k) To promote commercial or technical and scientific knowledge to develop *Micro*, Small & Medium Industries.
- (l) To encourage, assist and extend knowledge and information connected with the Micro, Small & Medium Industries of Jharkhand through lectures, discussions or correspondence, by holding conference, establishment of libraries, publication

of newspapers, periodicals or journals, books and maps or by foundation and endowment or scholarships or by encouraging research works.

- (m) To create trust combinations or syndicates among its members or outsiders engaged in similar trade for the protection or regulation of Industries in general and Micro, Small & Medium Industries in particular.

JHARKHAND SMALL INDUSTRIES ASSOCIATION

RULES AND REGULATIONS

1. DEFINITION:

In these articles, unless there be something in subject or context repugnant or inconsistent therein.

‘ASSOCIATION’ means Jharkhand Small Industries Association, Udyog Bhawan, Kokar Industrial Area, Kokar, Ranchi.

‘MEMBER’ means a member of the Association.

‘COMMITTEE’ means the Executive Committee of the Association.

‘GENERAL MEETING’ ‘SPECIAL OR EXTRA – ORDINARY’ means a special extraordinary or general meeting of the Association.

‘THE PRESIDENT AND TREASURER’ means President and Treasurer of the Association.

‘MEMBER OF THE COMMITTEE’ shall be deemed to include the members of the Executive Committee and the Office-Bearers elected in the Annual General Meeting.

‘THE SECRETARY’ means the Hony. Secretary, for the time being of the Association.

‘THE OFFICE’ means the Registered Office of the Association.

‘MONTH’ means a Calendar month.

‘FINANCIAL YEAR’ means from April to March.

‘IN WRITING’ means written or printed, or partly written and partly printed.

‘THE REGISTER’ means the Register of Members to be kept in the office of the Association.

‘ACT’ means Societies Registration Act 21, 1860.

2. CONDITIONS FOR ADMISSION FOR MEMBERSHIP

Membership shall be open to all, registered as Micro, Small & Medium unit having

registration certificate under MSMED Act from competent authority and registered under Factories Act with Inspector of Factories as defined by Government from time to time.

There shall be four classes of members and shall be open to all classes:-

a) LIFE MEMBER/ PARTRONS

Any person or firm who qualifies for admission as an ordinary member of the Association contributes Rs. 21,000/- is eligible for admission as Life Member of the Association and shall be exempted from payment of yearly subscription in future or as proposed (and decided) by the E.C. and approved by General Body Meeting.

b) MEMBERS

Any individual, firm or company who qualify as an Micro, Small or Medium Unit as defined by the Government shall be eligible for membership of the Association.

c) HONORARY MEMBER

Persons having distinction in public life, vocation or trade, who may be invited by the association to become its member for a period not exceeding one year be 'selected' as an Honorary Member by the Executive Committee of the Association and shall be exempted from paying subscription. They shall have no voting rights for any purpose.

d) ASSOCIATE MEMBERS

Any Association or group of persons involved in similar lawful activities and involvement for the benefit of their members, can opt to become an Associate Member of the Association. Such Associations shall have voting rights.

(A) ADMISSION TO MEMBERSHIP

(i) Any person desirous of enrolling him-self as Life/Ordinary or Associate Member of the Association shall apply to the Secretary of the Association in the form prescribed by the Committee from time to time along with the Admission Fee & Membership fee as specified by the Committee of the Association.

No application shall be considered unless the application is complete in nature and proposed and seconded by existing members.

(ii) All the members of Chotanagpur Small Scale Industries Association shall be deemed to be considered as member of Jharkhand small Industries Association as per their respective membership criteria.

(iii) The applicant member, may nominate three persons, not below the age of 18 year, in order of priority and position and who are Proprietor/Partners/ Director or close relative (Blood relation) of Proprietor/Partners/ Director or their senior official to represent such firm. In case of change in constitution of the Firm/Unit,

the same shall be intimated in writing to the Hony. Secretary who shall place before the E.C. to consider & take appropriate decision about the proposal of change.

(B) MODE OF ADMITTING MEMBERS

- (i) The Secretary shall on receipt of the application form alongwith the payment will analyse the application and put it before the next meeting of Executive Committee and the Committee will be competent to accept or reject the application.
- (ii) The decision of the executive committee shall be communicated to the applicant in writing.

(C) ENROLMENT IN REGISTER OF MEMBERS

After a member is declared as admitted his name will be enrolled in the Register of Members to be specially provided for by the Association.

(D) RE-ADMISSION TO MEMBERSHIP

Concern ceasing to be a member under Clause 3 (b) & (c) may be re-admitted by the Committee on the payment of all the dues to Association plus the re-admission fee which will be half the amount of the admission fee. The Committee shall be competent to review the re-admission from case to case basis.

(E) ADMISSION FEE

- (a) An admission fee for Ordinary Member under Medium Scale Industry category shall be Rs. 5,000/- (Rupees Five thousand only) payable along with the application for membership or as revised from time to time by the Executive Committee of the Association and approved in the General Body Meeting.
- (b) An admission fee for ordinary member under Micro or Small Industry shall be Rs.2,000/- (Rupees Two thousand only) payable along with the application for membership or as revised and decided by the Executive Committee of the Association, from time to time and approved in the General Body Meeting.
- (c) The minimum subscription payable by an ordinary member will be Rs. 2,000/- (Rupees Two thousand only) for Medium Industry and Associate Members and Rs. 1,000/- (Rupees One thousand only) per year for Micro/. Small Industry or as revised and decided by the Executive Committee of the Association from time to time and approved in the General Body Meeting.
- (d) An admission fee for Associate Members shall be Rs. 11,000/- (Rupees Eleven thousand only) payable along with application.
- (e) All money of the Association shall be deposited in the Bank approved by the executive Committee.
- (f) A member shall be liable for the full subscription for the year in which his

membership terminates.

3. TERMINATION OF THE MEMBERSHIP

Membership of the Association shall be terminated in any of the following events:-

- (a) If the unit which he represents goes on liquidation or ceases to exist.
- (b) On voluntary resignation and its acceptance by the Committee.
- (c) On its failure to pay the dues of the Association on due time and inspite of notice of opportunity given by the Committee.
- (d) Ground of acting in derogation to the interest of the Association which will be determined by Executive Committee of the Association by a majority of not less than two third vote of the members of the Committee present, provided that due notices have been given to the respective member.

4. FORMATION OF EXECUTIVE COMMITTEE

- (a) Office Bearers will carry on the administration of the Association and Executive Committee elected by the Annual General Meeting of the Association from the Members of the Executive Committee of the Association.
- (b) Election shall be held for the post of – President, Senior Vice President and Vice President, Hony. Secretary, Joint Secretary, Treasurer and Executive committee members not be less than 11 and not more than 15 in number.
- (c) The total strength of the Executive Committee shall not be less than 17 and more than 21 including the Office Bearers.
- (d) In case of any vacancy in the Committee at the time of election caused by death, resignation or otherwise the Committee shall have power to fill the same.
- (e) Any office bearer or a member of the Executive Committee shall be liable for removal from office on vote of no confidence passed by at least two-third of the members assembled at an emergent meeting of the Executive Committee in which at least three-fourth of the members of the Executive Committee are present.

5. ELIGIBILITY OF EXECUTIVE MEMBER

- a) Shall have been a member of the Association for at least Two year with good standing.

6. ELECTION PROCESS:

- i. Executive Committee shall decide the date of Annual General Meeting and simultaneously nominate Chairman and Co-Chairman to conduct the Election process.
- ii. The Election Chairman and Co-Chairman shall be at liberty to co-opt more

members for the smooth process of Election and shall be known as Election Committee.

- iii. Election Committee shall announce the Last Date of filing of Applications and withdrawal.
- iv. Nomination form for election shall be sent to all the members along with the notice of AGM.
- v. Members, in good standing having no dues, shall be eligible to file Nomination for one specific post in the Executive Committee.
- vi. Candidate shall be eligible to file nomination for one post only, duly proposed and seconded by other members of the Association, in good standing.
- vii. After the closing date of Application the Office secretariat shall endorse for the correctness and No Dues status on the form and forward the complete set to Election Committee.
- viii. After scrutiny, the Election committee shall publish the list of eligible candidates based on the nominations, and in case where more than one application is received for a particular post, or for Executive Committee member, more than the specified number, then the Election Committee shall proceed with the election on the date of AGM, by secret ballot for the particular post only.
- ix. In case the nomination is not received for any particular post or lesser number of Executive Committee members, the vacancy will be filled up by inviting nomination from the members present in the AGM.
- x. Results will be announced before the close of AGM and the report of Election shall be submitted to the Office.
- xi. The decision of the Chairman of the Election Committee shall be final and binding on all.

7. FUNCTION & POWER OF THE EXECUTIVE COMMITTEE

- a) Be the governing body of the Association and be responsible for its preservation and management, shall transact all business, carry out the Policy of the Association and give effect to the resolution passed at the meeting of the Association.
- b) To purchase, take on lease or in exchange of hire or otherwise acquire any moveable or immoveable property for the purpose of the Society/ Association and to carry out agreement, contract obligations and arrangement on suitable terms.
- c) Supervise and Control the work of the Office – bearers.
- d) Have power to dismiss or discharge officers & Workers of the Association.
- e) Consider the draft budget prepared by the Treasurer and regulate expenditure.

- f) Have powers to frame Regulations for the proper working of the Association subject to the sanction of the Association.
- g) Have the accounts audited at least once a year before submitting them before the annual General Meeting of the Association.
- h) Have powers to appoint sub-committee or Advisory Board from amongst themselves or from among other members of the Association or from outside if necessary for a specific purpose.
- i) Discuss and prepare criticism on behalf of the Association of any legislation affecting the industries of the State.
- j) Take cognizance of any infringement of the Rules or bye-laws and Regulations of this Association and shall be competent to inflict such penalty as may be called for.
- k) Generally undertake such work as may be conducive to the fulfillment of the aims and objects of the Association.
- L) Establish branches of the Association at its discretion in any local or regional area for the propagation of the aims and objects of Association.

8. POWER AND FUNCTION OF THE OFFICE BEARERS

PRESIDENT & VICE PRESIDENT

- a) The President shall maintain the prestige, strength and integrity of the Association. The President shall be entitled to take the Chair at all General Meetings (whether ordinary or extra-ordinary) and at any special function of the Association. President shall also attend the meeting of the Executive Committee and preside therein.
- b) Vice-Presidents shall assist the President in carrying out the work of the Association, and in the absence of the President, he shall preside over the meetings and shall enjoy all the Powers of the President.

SECRETARY AND JOINT SECRETARY

- i) The Secretary shall be the Chief Executive Officer of the Association and shall be responsible for due and timely execution of all orders and directions of the Association and its Executive Committee.
- ii) Shall be in-charge of all papers, documents, records, accounts, correspondence and properties of the Association.
- iii) Shall write and keep a record of the minutes of the meetings and issue notices of the meeting.
- iv) Shall prepare Annual Report and place them before the Annual General Meeting.
- v) Shall appoint employees on the posts sanctioned by the Association subject

to the approval of the President and have powers to suspend, impose fine or regulate the conduct of the employees.

- vi) Shall manage the Library of the Association.
- vii) Shall do such other duties as are entrusted to him by the Executive Committee.
- viii) The Joint Secretary will assist the Secretary and also act in his absence.

TREASURER

- a) The Treasurer shall prepare the draft budget and place before the Annual General Meeting.
- b) He shall be responsible for maintenance of the books of accounts of the Association and get the accounts audited annually.
- c) He shall operate the Bank Account countersigned by the President or the Secretary.
- d) Shall receive and disburse money authorized by the Association.

The Hony. Secretary is entitled to spend reasonable nominal amount in a month, which excludes the budgeted expenditure.

9. WORKING & POWER OF GENERAL BODY MEETING

The General Body has the power:-

- i) To elect Executive Committee Members.
- ii) To pass Proposal, Budget, Audited Accounts and Progress Report.
- iii) To appoint Auditors for auditing the accounts.
- iv) To amend Memorandum and Rules & Regulations of the Association.
- v) To take decision on dissolution of the Association.

All members will attend the General Body Meeting of the Society. The first General Body Meeting of the Association shall be held within six months of expiration of Financial Year.

- a) Meeting of the Association shall be called General Meeting and shall be of three kinds.
 - (i) **ORDINARY**: Those held in the usual course of transaction of business, once every month.
 - (ii) **SPECIAL**: Those held for special purpose i.e. those held under the rules of the Association.
 - (iii) **EXTRA ORDINARY**: Those not following within any on the above two cases and called specially for a definite purpose.

- b) Each member shall have one vote to be exercised in person and in case of difference, majority of votes shall prevail.

Members who have not paid up their subscription dues for the proceeding year before the Election shall not be eligible to exercise their voting rights nor can they propose or contest.

- c) The President shall preside over and control the business of all General Meetings and shall have:
 - (i) Powers to suspend the meeting if in his judgment the meeting has become so uncontrollable as to render the transaction of business impossible.
 - (ii) Power to suspend and expel Members from the meeting if the Members concerned do not obey the ruling of the Chair or otherwise create disturbance in the meeting.
 - (iii) Power to frame Rule and Bye-laws and Regulations of the Association and decision of the General Meeting on those points shall be final; and
 - (iv) Power to admit motions, amendments or other resolutions and to regulate the meeting.
 - (v) Power to restrict business which is not mentioned in the Agenda of the meeting.
- d) Proceedings of all meetings of the Association, the Executive Committee or the Committee and Sub-Committees will not be send or cause to send any report of the same to the Press without the express permission of the President of the Association or under an express resolution passed at the meeting.
- e) The minutes of the proceedings of all meetings of the Association and other records of the Association and Accounts shall be open to inspection by any Member of the Association who applies for it in writing with clear three days notice.

10. PROCEEDING OF GENERAL MEETING

- a) There shall ordinarily be one Annual General Meeting of the Association during a year at which the following transactions will be executed:-
 - i) Welcome address by the President.
 - ii) The Secretary shall present the Annual Report.
 - iii) Election of the Executive Committee as specified under Clause 4.
 - iv) To receive, consider and adopt the Audited Balance Sheet and Statement of Accounts for the preceding financial year, concluded immediately before from April to March.
- b) All meetings of the Association shall be convened by the Secretary and should form a quorum as prescribed in Clause 10(c).

- c) Quorum at the General Meeting shall be 50%+1 of the membership of the Association. If the quorum is not present within half an hour from the time fixed for meeting, the meeting shall stand adjourned or dissolved and members present at the meeting will form quorum to transact the business of the meeting.
- d) Notice of the meeting –
 - (i) Every notice shall be sent to a member at least 21 days before the date fixed for the meeting and shall clearly and specifically mention the business to be transacted.
 - (ii) Notice of the meeting will be sent through Registered Post / Courier or through messenger and obtain signature for receipt.
- e) An Extra-Ordinary Meeting of the Association may be convened after giving 21 days notice before the date fixed for the meeting and which must contain specific Agenda of business.
- f) Every requisition shall be in writing signed in full by the members submitting the same and shall clearly and specifically mention the class of meeting demanded and its purpose or purposes.
- g) If the Secretary refuses or neglects to call a meeting, the Executive Committee may empower other Office Bearers of the Association to call for the meeting and transact business as specified. For this purpose, one third of the members the Executive Committee shall form a quorum.

11. EXECUTIVE COMMITTEE MEETING

The Executive Committee Meeting shall be held preferably once in every month but not less than 8 meeting a year from the date of last AGM.

12. SOURCE OF INCOME

By donation from its Members, other individuals, private firms, Companies and organizations.

By Government aids and grants.

Grant from International Agencies, in accordance with the law in force.

Any other legal source.

The income and property of the Association wherever derived shall be vested with the Executive Committee, shall be applied solely towards the promotion of the objects of the Association as set forth in this Memorandum of Association and no promotion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, however, by way of profit to persons who at any time are, or have been members of the Association or to any of them or to any person claiming through any of them provided that nothing herein contained shall prevent the gratuitous distributing

among or sale at a discount to subscribers of the funds of the Association of any books or publication whether published by the Association or otherwise relating to all or any of its objects set forth above on the payment in good faith of remuneration to any officers or servants of the Association or to any member thereof or other persons in return for any services actually rendered to the Association.

13. ARRANGEMENT OF FUNDS/BANK OPERATION

The account of the Society Association shall be kept properly and the bank account will be opened in a Nationalized Bank or Post Office by the name of the Society/Association. Cheque will be signed Jointly by the Treasurer and either the Hony. Secretary or the President.

14. AUDIT OF THE ACCOUNTS

A written account of the Association shall be properly maintained and shall be audited every year by an Auditor appointed by the General Body and it will be placed before the Annual General Body Meeting. I.G. Registration and Audited Accounts of the Society Fee shall be borne by the Association/Society.

15. AMENDMENT OF MEMORANDUM & RULES

The Rules & Regulations of the Association shall not be amended unless 3/5th of the members present in the meeting of the Association agreed on the proposed amendment at the Extra-Ordinary Meeting of the Association provided at least 21 days notice has been given to the Members about the proposed amendment. The authority for interpretation of any of these bye-laws rules or rules or regulations made there under which are in force or that may come into force shall be placed in the Executive Committee and their decision in the matter shall be final.

16. CUSTODIAN COMMITTEE

The Association shall have a Custodian Committee which will be custodian of the immovable property and capital including fixed deposits (other than interest received thereon or accrued thereon during the year) of the Association. If the Executive Committee decides to use the capital receipts and assets of the Association so entrusted to the custodian committee, for revenue expenditure/ fixed assets; or to raise overdraft on deposits; or it wants to purchase/sale/mortgage/put the immovable property on long term lease, the decision and explanation of this intent will be forwarded to the Custodian Committee for approval. The Secretary shall call the meeting of the Custodian Committee within 15 days of such decisions by giving 7 days notice to the members of Custodian Committee.

- (i) All Past Presidents will be member of this Custodian Committee.
- (ii) Presence of minimum seven Past Presidents will form the quorum.
- (iii) The Chairperson of the Committee shall be appointed on rotational basis according to the seniority by the Custodian Committee members during the first

meeting at the beginning of the Financial Year with a term of one year starting from April to March.

- (iv) The chair person shall continue to hold the position for a maximum of two terms only.
- (v) President & Secretary will be ex-officio member of this committee. President will enjoy all the rights and obligations as applicable for the members of the Custodian Committee.
- (vi) The decision may be taken by $\frac{3}{4}$ majority or its integer, of the members present shall prevail for decisions requiring voting.
- (vii) The presiding Chairman of the committee shall communicate the decision in writing to the President & Secretary within 2 working days to facilitate office bearers of the Association to act according to the decision.

17. INSPECTION OF THE REGISTERS

All records will be kept in Registered Office of the Society/Association and any Member can inspect with the prior permission of the President or Honorary Secretary.

18. LEGAL PROCEEDINGS

The secretary of the Society/Association shall represent all the legal proceedings by or against the Society.

All the documents executed by or in favour of the Society/Association will be in the name of the Secretary of the Society.

19. ARRANGEMENT OF ASSETS DISSOLUTION

- (a) The dissolution of the Association shall be done by the General Meeting specially convened for the purpose and the motion for dissolution carried by at-least $\frac{3}{5}$ th or the members present, according to the rules of the Societies Registration Act 21 of 1860.
- (b) If upon the winding up or dissolution of the Association there remains, after the satisfaction of all debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other institution having objects similar to the objects of the Association to be determined by the members of the Association at or before the time of dissolution by at least $\frac{3}{5}$ th of the members present.

Before dissolution, the Society/Association will take permission from the Government in respect of u/s 13 & 14 or Sr. Act 21, 1860.

Certified that this is true and correct copy of the Rules and Regulations of the Society.

