

MEMORANDUM OF ASSOCIATION

(Registration under Societies Registration Act, XXXI of 1860)

1. Name of the society

North East Livelihood Promotion Society

2. Location of Office of the society

C/o Director
CANE AND BAMBOO TECHNOLOGY CENTRE
ZOO-NARANGI ROAD, NARIKAL BASTI
GUWAHATI - 781024

3. The objectives for which the Society is established are as follows :-

- (1) To implement rural and urban livelihood projects and create enabling conditions for the poor specially women to economically and socially empower them through appropriate livelihood options.
- (2) Establish, strengthen and empower community based institutions/grassroot institutions based on widespread inclusive community participation especially of poor, women and other vulnerable groups.
- (3) To organize community groups among urban poor for enhanced livelihood options.
- (4) Promote collective action through community based organization for economic and social purposes.
- (5) Strengthen capacity of communities for participatory activities for economic empowerment by enhancing their livelihood opportunities and incomes through farm and non-farm activities.
- (6) To promote market linkages for agricultural and rural non-farm products of the community based organizations of the poor.

- (7) Promote community driven development interventions for fostering equity in the distribution of wealth, natural resources and common facilities.
- (8) Creation of capital assets at household and community level through use of local resources particularly rural technology and participatory processes.
- (9) To promote linkages with micro finance institutions and banks for delivery of financial services to the rural and urban poor.
- (10) Appropriate vocational skill training to youth after proper demand assessment to facilitate employability and create options for non-farm livelihoods.
- (11) Natural resources management, with special emphasis on community-based forestry management, Non Timber Forest Produce (NTFP).
- (12) To provide technical assistance and seed capital for value-addition activities in the downstream segments of relevant supply-chains.
- (13) To promote partnership and linkages with organizations and bodies of local regional, national and international which will promote the objectives of the society
- (14) To access funds from Government and semi-government sources, local bodies, banks and other financial institutions, trusts and any other legally constituted bodies Act the State, national, and international levels engaged in lawful activities to promote the society's' objectives.
- (15) To receive loans, grants, donations and technical services from any bilateral, multilateral, and international bodies such as governments, United Nations, World Bank, International Financial Corporation and other bodies for promotion of livelihoods and natural resource management.
- (16) To document and implement best practices for poverty eradication appropriate to the North Eastern Region.

- (17) To invest in small scale local infrastructure in project areas that are essential to promote the objectives of the Society.
- (18) Support Panchayati Raj institutions and other forms of local self government for responsive effective and transparent service delivery
- (19) To bring in convergence among various poverty reduction and empowerment projects
- (20) To build support and services structures for providing social and technical guidance to the poor in their overall social progress and livelihood development
- (21) Support village governments in becoming more responsive and effective in delivery of services and assisting the rural poor especially women;
- (22) To undertake all relevant activities, including implementation of specific projects funded by government, bilateral, multilateral and other funding agencies for elimination of poverty, and livelihood development of the poor.

4. The Executive Committee of the Society is entrusted with the management of the Society. The Executive Committee of the Society shall have a minimum number of three members (Chairperson, Vice Chairperson and Member Secretary) and any other member of the Society nominated by the Government of India from time to time. ***The names, address and designation of the Members of the Executive Committee are:-***

<i>Sl. No.</i>	<i>Name in full</i>	<i>Address, Occupation</i>	<i>Designation</i>
1.	Shri U.K. Sangma,	NEC Sectt. Nongrim Hills, Shillong, Meghalaya	Secretary, North Eastern Council
2.	Ms. Jayashree Mukherjee	Ministry of DONER Room No. 283,Vigyan Bhawan annexe, Maulana Azad Road, New Delhi-110011	Joint Secretary,
3.	Ms. Manjula Saikia Bhuyan	Adviser(Banking) NEC Sectt. Nongrim Hills, Shillong,	Project Director NERLP & Member Secretary, North East Livelihood

		Meghalaya	Promotion Society
4.	Mr. N.C. Sinha	Commissioner, Rural Development Department, Govt. of Tripura, Civil Secretariat, Agartala – 799001	Nodal Officer, NERLP, Govt. of Tripura
5.	Mr. P.R. Poudiyal	Project Director, State Rural Development Agency, Government of Sikkim Kazi Road, Gangtok	Nodal Officer, NERLP, Govt. of Sikkim
6.	Mr. V. Lalremthanga	Director, Rural Development Department, Government of Mizoram, Civil Secretariat, Aizawl	Nodal Officer, NERLP, Govt. of Mizoram
7.	Mr. I. Himato Zhimomi	Commissioner & Secretary to Govt. of Nagaland & State Nodal Officer, NERLP Nagaland, Civil Secretariat, Kohima 797001, Nagaland	Nodal Officer, NERLP, Govt. of Nagaland

Co-opted members of the Executive Committee - The Executive Committee shall have the right to co-opt eminent persons/officials in the field of activities related to the objectives of the Society. The Executive Committee may co-opt a maximum of three members. The co-opted members shall have a right to participate in the meetings of the Executive Committee but shall not have voting rights and they shall not constitute the quorum. The President can also invite experienced officials and eminent persons for specific issues to the meetings of the executive Committee.

5. We the undersigned are desirous of forming a society in pursuance of this memorandum of Association

Sl.No.	Signature in full	Name, address, occupation and designation	Full Name with seal and signature of the witness
1.		Shri U.K. Sangma,	

		Secretary, North Eastern Council, Nongrim Hills, Shillong.	The witness will be a person not member of this society. He must be either a Local D.C. addl. D.C., SDO(Sadar) or Circle officer
2.		Ms. Jayashree Mukherjee Joint Secretary Ministry for the Development of the North Eastern Region Government of India Vigyan Bhavan Annexe Maulana Azad Road New Delhi-110 011	
3.		Shri Pankaj Asthana Director(NEC) Ministry for the Development of the North Eastern Region Government of India Vigyan Bhavan Annexe Maulana Azad Road New Delhi-110 011	
4.		Ms. Manjula Saikia Bhuyan Adviser (Banking) North Eastern Council, Nongrim Hills, Shillong.	
5.		Shri K.N. Hazarika Chairman & Managing Director North Eastern Development Finance Corporation Basundhara Enclave B.K. Kakati road, Ulubari Guwahati-781007	
6.		Shri Jagdish Borah Managing Director North Eastern Handicrafts and Handloom Development corporation Ltd. East Point Tower Bamunimaidan Guwahati – 781021	
7.		Shri S. Bhattacharya	

		Managing Director North Eastern Regional Marketing Corporation Ltd. Rajbari Path G.S. Road, Ganeshguri Guwahati-781005	
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Date of establishment.

RULES AND REGULATIONS

(Registration under the Societies Registration Act, XXI of 1860)

1. Name of the society:

North East Livelihood Promotion Society

2. Address of the main office of the society:

C/o Director
CANE AND BAMBOO TECHNOLOGY CENTRE
ZOO-NARANGI ROAD, NARIKAL BASTI
GUWAHATI - 781024

3. Area of operation:-

The area of operation of North East Livelihood Promotion Society will primarily be the eight States of the North Eastern Region and secondarily any other location in India as the need be. The states of the North East Region to be directly covered by the field operations are:

- (1) Arunachal Pradesh
- (2) Assam
- (3) Manipur
- (4) Meghalaya
- (5) Mizoram
- (6) Nagaland
- (7) Sikkim and
- (8) Tripura

(i) General Scope and Application of the Bye Laws of the Society:

- (1) These byelaws shall extend to all the units and activities of the North East Livelihood Promotion Society.
- (2) These byelaws shall come into force from the date on which the Society is registered under the Societies Registration Act, 1860

- (3) The Society will be under overall administrative control of the Government of India.
- (4) The Government of India will have absolute and overriding power in respect of Appointment, change and removal of members as also in formation of Committees and Sub-committees under the byelaws mentioned hereinafter. States can nominate their nodal officer.
- (5) The activities and accounts of the Society shall always be open for verification by the Government of India.
- (6) The Government of India shall have the power to issue such directions/instructions as may be deemed necessary in proper functioning of the Society.

(ii) Functions of the Society:

- (a) Take all such actions and to enter into all such actions as may appear necessary or incidental for the implementation of the projects of the Society and in particular for the achievement of the vision and objectives referred to in the objectives of the Society.
- (b) Formulate guidelines for implementation of the various programs of the Society;
- (c) Act as Guardian of rules and “non-negotiable principles” of the North Eastern Region Livelihood Project (NERLP) and enforce the rules and guidelines for the implementation of the project;
- (d) Cause creation and development of District Level societies/District Units, including coordinating and guiding their functioning;
- (e) Accept or provide any grant of money, loan, securities or property of any kind and to undertake and accept the management of any endowment trust, fund or donation not inconsistent with the objectives of the Society.
- (f) Purchase, hire, take on lease, exchange or otherwise acquire property, movable or immovable and construct, alter and maintain any building or building as may be necessary for carrying out the objectives of the Society.

- (g) Open bank account, along with the signatories to the account;
- (h) Receive funds from the Governemnt of Indial/State Governments/OtherGovernment Corporations/Councils/Socities or other sources through budget releases and release money to the District Societies/District Units based on their requirement and utilization of funds previous released;
- (i) Incur expenditure after drawing up a budget and with due regard for economy and propriety.
- (j) Make rules and regulation for the conduct of the affairs of the Society and add or amend, vary or rescind them from as and when required.
- (k) Establish its own organizational structure, offices and employ, retain or dismiss personnel as require, decide salary and benefit structure for the Society.
- (l) Accept, make, enclose or otherwise execute cheques, drafts, receipts, bills of exchange or other instruments and securities as required for the conduct of the business of the Society.
- (m) Enter into contracts without a requirement for government approval, other than by Government representatives on the Executive committee and undertake any legal action that may be necessary to ensure the fulfillment of contracts made between the Society and others.
- (n) Exercise overall responsibility for management of all projects on behalf of the Government of India within the framework of project guidelines.

4. Objectives of the Society :-

- (1) To implement rural and urban livelihood projects and create enabling conditions for the poor specially women to economically and socially empower them through appropriate livelihood options.
- (2) Establish, strengthen and empower community based institutions/grassroot institutions based on widespread inclusive

community participation especially of poor, women and other vulnerable groups.

- (3) To organize community groups among urban poor for enhanced livelihood options.
- (4) Promote collective action through community based organization for economic and social purposes.
- (5) Strengthen capacity of communities for participatory activities for economic empowerment by enhancing their livelihood opportunities and incomes through farm and non-farm activities.
- (6) To promote market linkages for agricultural and rural non-farm products of the community based organizations of the poor.
- (7) Promote community driven development interventions for fostering equity in the distribution of wealth, natural resources and common facilities.
- (8) Creation of capital assets at household and community level through use of local resources particularly rural technology and participatory processes.
- (9) To promote linkages with micro finance institutions and banks for delivery of financial services to the rural and urban poor.
- (10) Appropriate vocational skill training to youth after proper demand assessment to facilitate employability and create options for non-farm livelihoods.
- (11) Natural resources management, with special emphasis on community-based forestry management, Non Timber Forest Produce (NTFP).
- (12) To provide technical assistance and seed capital for value-addition activities in the downstream segments of relevant supply-chains.
- (13) To promote partnership and linkages with organizations and bodies of local regional, national and international which will promote the objectives of the society

- (14) To access funds from Government and semi-government sources, local bodies, banks and other financial institutions, trusts and any other legally constituted bodies Act the State, national, and international levels engaged in lawful activities to promote the society's' objectives.
- (15) To receive loans, grants, donations and technical services from any bilateral, multilateral, and international bodies such as governments, United Nations, World Bank, International Financial Corporation and other bodies for promotion of livelihoods and natural resource management.
- (16) To document and implement best practices for poverty eradication appropriate to the North Eastern Region.
- (17) To invest in small scale local infrastructure in project areas that are essential to promote the objectives of the Society.
- (18) Support Panchayati Raj institutions and other forms of local self government for responsive effective and transparent service delivery
- (19) To bring in convergence among various poverty reduction and empowerment projects
- (20) To build support and services structures for providing social and technical guidance to the poor in their overall social progress and livelihood development
- (21) Support village governments in becoming more responsive and effective in delivery of services and assisting the rural poor especially women;
- (22) To undertake all relevant activities, including implementation of specific projects funded by government, bilateral, multilateral and other funding agencies for elimination of poverty, and livelihood development of the poor.

5. MEMBERSHIP:

(a) Qualification to become Member

A person will be appointed or nominated as a member of the North East Livelihood Promotion Society by virtue of office held by him and his membership of the Society shall terminate when he ceases to hold the office and vacancy so caused shall be filled by his successor to that office.

The Government, for maximum duration of 3 years will appoint the first non official member. The society will appoint members in place of the retiring members.

The Society shall function, notwithstanding that any person entitled to be member by reason of his office, is not represented on the society for the time being. The proceedings of the Society shall not be invalidated by the existence of any vacancy or any defects in the appointment of any of these members.

(i) Members of the General Body :

The Members of the General Body of the Society will be nominated by the Government of India and its subordinate/autonomous organizations. Representatives of the State governments will be nominated by the respective State Governments. The initial members of the General Body of the Society will be as follows:-

Sl.No.	Name	Designation and Address
1.	Shri U.K. Sangma,	Secretary, North Eastern Council, Nongrim Hills, Shillong.
2.	Ms. Jayashree Mukherjee	Joint Secretary Ministry for the Development of the North Eastern Region Government of India Vigyan Bhavan Annexe Maulana Azad Road New Delhi-110 011
3.	Shri Pankaj Asthana	Director(NEC) Ministry for the Development of the North Eastern Region

		Government of India Vigyan Bhavan Annexe Maulana Azad Road New Delhi-110 011
4.	Ms. Manjula Saikia Bhuyan	Adviser (Banking) North Eastern Council, Nongrim Hills, Shillong.
5.	Shri K.N. Hazarika	Chairman & Managing Director North Eastern Development Finance Corporation Basundhara Enclave B.K. Kakati road, Ulubari Guwahati-781007
6.	Shri Jagdish Borah	Managing Director North Eastern Handicrafts and Handloom Development corporation Ltd. East Point Tower Bamunimaidan Guwahati – 781021
7.	Shri S. Bhattacharya	Managing Director North Eastern Regional Marketing Corporation Ltd. Rajbari Path G.S. Road, Ganeshguri Guwahati-781005

The full membership of the general body will include nominated members as follows :

Sl. No.	Name	Designation
1.	Secretary, North Eastern Council,	Chairperson
2.	Joint Secretary(NEC), Ministry of Development of North Eastern Region	Vice-Chairperson

3.	Project Director NERLP	Member Secretary
4.	Joint Secretary(NLCPR), Ministry of Development of North Eastern Region	
5.	Joint Secretary Ministry of Rural Development, Govt. of India	
6.	Joint Secretary, Ministry of Women & Child Development, Govt. of India	
7.	Director General of Employment and Training (Joint Secretary, Ministry of Labour)	
8.	Director (NEC), Ministry of Development of North Eastern Region	
9.	Adviser(Banking and Industries) , North Eastern Council	
10.	Adviser(Agriculture) North Eastern Council	
11.	Deputy Commissioners/District Magistrates of the Districts where project is being implemented	
12.	Director, National Institute for Rural Development (NIRD), Guwahati	
13.	Regional Chief Conservator of Forests, Ministry of Environment & Forests, Shillong.	
14.	Representative of National Biodiversity Board	
15.	Representative of National Horticulture Mission	
16.	Regional representative of Ministry of Environment & Forests	
17.	Representative of National Medicinal Plant Board	
18.	Regional Director , Indian Council for Agricultural Research (ICAR), Shillong	
19.	Regional Representative of Development Commissioner, (Handloom)	
20.	Regional Representatives of Development Commissioner (Handicrafts)	
21.	CMD, North Eastern Development Finance Corporation (NEDFi)	
22.	Managing Director North Eastern Handicrafts and Handloom Development corporation Ltd.	
23.	MD, North Eastern Regional Marketing Corporation Ltd.	
24.	PCDS of NERCORMP Society	
25.	Centre for Cane and Bamboo Technology (CBTC)	
26.	Regional Director, Confederation of Indian Industry, Guwahati	
27.	Nodal Officer, NERLP, Govt. of Tripura	
28.	Nodal Officer, NERLP, Govt. of Sikkim	

29.	Nodal Officer, NERLP, Govt. of Mizoram	
30.	Nodal Officer, NERLP, Govt. of Nagaland	
31.	Regional Director, NABARD, North Eastern Region	
32.	Representatives of State level Bankers Committee (SLBC) of States where project is being implemented	
33.	Representatives of marketing organizations.	
34.	One NGO each to be nominated by the Government of India from the India in which the project is being implemented.	

(ii) Termination of Membership:

Membership of the Society shall ipso facto terminate if a member

- a) dies, or permanently leaves India; or
- b) tenders his resignation in writing to the Society; or
- c) Is declared insane by a competent authority; or
- d) Operation of the provisions of section 5.2 above
- e) Found guilty by any court

(iii) Register of Members

The Society shall, at all time, maintain and keep available for inspection by the IG, Registration, a Register of Members at its registered office, which shall be the permanent record of the Society and shall contain the names and addresses of the members, the date on which the member was admitted and the date on which member ceases to be member. Every member shall sign the Register. No member shall be entitled to exercise rights and privileges of a member unless he has signed the register as aforesaid.

- (b) Subscription, donation etc.**
- (c) Collection of Fund**
- (d) Control of fund**

The source of funds of the Society shall consist of the following:

- a) Recurring and non-recurring grants made by the Government of India and/or the State Governments for the furtherance of the objectives of the Society;
- b) Income from investment.
- c) Grant/loan from external funding agencies, other sources through permitted channels;

- d) Grant, loan, donation or assistance of any kind from foreign Governments and other agencies with prior approval of the Central/State Governments
- e) Grants, loans, donation or assistance of any kind from any Government agency or others in India

There shall also be a 'Special fund', which would consist of :

- a) such amounts as are received with a specific condition that income there is alone shall be used for the purpose of the Society (with the Corpus being left intact);
- b) Such other amounts as the General Body may decide to divert from the regular fund to be used in the manner specified in clause (a) above.

The financial year of the Society will be from first day of April to the 31st day of March of the succeeding year.

6. Procedure of the General Body Meeting

(i) Meeting of the General Body

The Society shall hold a general Body Meeting of all its members once a year within the three months from the end of the financial year and this meeting shall be called annual General Body Meeting. Provided that for any reason if it is not practical to convene the annual General meeting within the aforesaid period the executive Committee have powers to extend the date of such AGM for a further period not exceeding three months.

(ii) Special Meeting of the General Body

In addition of the Annual General Body meeting, a Special General Body meeting may be called at any time on the requisition of the executive Committee or one third of the total members of the General Body. The special General Body Meeting shall be convened within fifteen days from the date of requisition and will be called Extra Ordinary General Meeting.

(iii) Notice of Meetings of the General Body

For every meeting of the General Body, a notice of not less than ten clear days specifying the place, date, time and agenda for the meeting shall be delivered personally or sent by post to the members of the society. An adjourned meeting can be called on the notice of at least five days. The notice must indicate the place date and hour thereof as well as the item of the agenda.

(iv) Business of the General Body

Every meeting of the General Body shall be presided over by the President or in his absence by the Vice-President or in the absence of both, by one of the other members, elected by the members present from among themselves. Each member including the member presiding at the meeting of the General Body shall have one vote but the presiding members shall also have a casting vote in addition to his vote as member, in case of equality of votes. All the matters shall be decided by a majority of votes.

(v) Minutes of the General Body Meeting

A copy of the minutes of the proceedings of each meeting shall be furnished to the General Body members as soon as possible after the completion of the meeting. The President or the Member of the General Body who chairs the meeting, as the case may be shall approve the proceedings of the meeting. Proceedings of every meeting shall be kept by the Member Secretary and shall be read out at its next meeting and confirmed by the members present.

(vi) Resolution of the General Body

Every resolution of the General Body shall be passed by a majority of members present and voting for the resolution to be valid. In case of expediency, the member Secretary of the Society may circulate a resolution for approval and such resolution so passed by circulation shall be recorded in the proceedings of the next meeting of the general Body. A member can move a resolution at a meeting of the General Body only with the prior permission of the President.

(vii) Functions of the General Body:-

- i) The General Body shall provide overall policy guidance and direction for the efficient functioning of the Society in fulfilling its vision and objectives as laid down in article 3 and 7 of the Memorandum of Association;
- ii) It shall meet at least twice a year, the gap between any two meetings not exceeding six months.
- iii) It shall consider the Balance sheet and annual audited accounts of the Society presented by the Member Secretary along with the remarks thereon by the Executive committee.
- iv) It shall consider the Annual Report presented by the Member Secretary along with the comments thereon by the Executive Committee.

- v) It shall recommend the Annual Action Plan and budget for the ensuing year for the final approval by the Central Project Steering Committee of the Government of India.
- vi) It shall ensure that the Society adheres to the memorandum of Understanding entered with the Government of India from time to time and fulfils all the agreements, covenants and contracts enumerated in the Financing Agreements including the NERLP.

(viii) Powers of the General Body:

The General Body shall have powers to

- i) Undertake all activities necessary for the fulfillment of the vision and objectives as laid down in Article 4 and 7 of the memorandum and Articles of Association.
- ii) Expand the strength of its membership provided the expanded strength is filled in the manner prescribed for enlisting the original membership.
- iii) Add, modify or amend the Memorandum and Articles of Association and these bye-laws after approval from the Government of India provided that all such additions, modifications or amendments shall be aimed at promoting the objectives of the Society.
- iv) Recommend the removal of a member on the grounds listed in the bye-laws under clause 5(a)(ii).
- v) Approve the Annual Report, Balance Sheet and the annual audited accounts of the Society.
- vi) Approved the appointment of the Auditors of the Society.
- vii) Delegate to the Executive Committee or the Member Secretary any of the above powers.

7. Quorum of the General meeting:-

The quorum for all General Body meeting of the Society shall be one third of the total strength of the members for the proceedings to be validly conducted. In case the quorum is not met, the meeting will stand adjourned and the member secretary must convene an 'adjourned meeting'. If in the adjourned meeting also, the quorum is not present the members present shall constitute the quorum. The members present at

such 'adjourned meeting' may transact the business for which the meeting was called.

8. ***Election procedure of the Executive Committee***

The Members of the Executive Committee will be nominated by the Government of India, its instrumentalities and the respective State Governments.

9. ***Short description of the Executive body:-***

The Executive Committee of the Society is entrusted with the management of the Society. The Executive Committee of the Society shall have a minimum number of three members (Chairperson, Vice Chairperson and Member Secretary) and any other member of the Society nominated by the Government of India from time to time. The names, address and designation of the Members of the Executive Committee are:-

Sl. No.	Name in full	Address, Occupation	Designation
1.	Shri U.K. Sangma,	Secretary, North Eastern Council NEC Sectt. Nongrim Hills, Shillong, Meghalaya	Chairperson
2.	Ms. Jayashree Mukherjee	Joint Secretary, Ministry of DONER Room No. 283, Vigyan Bhawan Annexe, Maulana Azad Road, New Delhi-110011	Vice Chairperson
3.	Ms. Manjula Saikia Bhuyan	Adviser(Banking), North Eastern Council and I/C Project Director NERLP	Member Secretary
4.			Nodal Officer, NERLP, Govt. of Tripura
5.			Nodal Officer, NERLP, Govt. of Sikkim
6.			Nodal Officer, NERLP, Govt. of Mizoram
7.			Nodal Officer, NERLP, Govt. of Nagaland

(i) Co-opted members of the Executive Committee - The Executive Committee shall have the right to co-opt eminent persons/officials in the field of activities related to the objectives of the Society. The Executive Committee may co-opt a maximum of three members. The co-opted members shall have a right to participate in the meetings of the Executive Committee but shall not have voting rights and they shall not constitute the quorum. The President can also invite experienced officials and eminent persons for specific issues to the meetings of the executive Committee.

(ii) Functions and Powers of Executive Committee

Subject to the provisions of the Memorandum of Association and the Rules, the Executive Committee shall have the control and management of the business and affairs of the Society and shall have all advisory, executive and financial powers to conduct the affairs of the Society through its member Secretary. All the duties, powers, functions and rights, whatsoever, consequential and incidental to the carrying on of the objectives of the Society shall only be exercised or performed by the Executive Committee.

In particular and without prejudice to the generality of the foregoing provision, the Executive Committee will

- a) consider the annual budget and the annual action plan, its subsequent alterations placed before it by the Member from time to time and pass it with such modifications as the Executive committee may think fit;
- b) accept donations and endowment or give grants upon such terms and conditions as it may think fit;
- c) delegate its powers, other than those of making rules, to the President;
- d) appoint committees, sub-committees, expert panels, task-force, working or study groups and Boards etc. for such purpose and on such terms as it may deem fit, and to remove any of them;
- e) set HR Policy including staff positions and salary and incentive structure of the Society
- f) appoint auditors for auditing the accounts of the Society with the approval of the General Body;
- g) ensure that the Society considers any comments made by funding agencies on the progress in the implementation of the projects sponsored and funded by them;
- h) monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts;
- i) monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts;

- j) do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them. Provided that nothing herein contained shall authorize the Executive committee to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Executive Committee and other authorities, or which may be inconsistent with the objectives of the Society.

10. *The term of the Executive body:-*

The term of the Executive Committee shall be term of the Society. However, the Executive committee shall continue in office till the next Executive Committee comes into existence for the next term by way of reconstitution by the General Body.

11. *Procedure of re-election of the members of the Executive body*

The Members of the Executive Committee will be nominated by the Government of India and the respective State Governments.

12. *Procedure of the meeting of the Executive body*

(i) *General Meeting of the Executive Committee –*

The Executive Committee shall meet as and when necessary with the permission of the president, for the management of the affairs of the Society, provided that the executive committee shall meet at least once in three months.

(ii) *Special Meeting of the Executive Committee –*

In addition to the General meetings, a Special meeting may be called at any time with the permission of the President. The special meeting may be convened within five days from the date of requisition, provided further that the President may, whenever deemed fit, direct the Member Secretary to call a Special Meeting.

(iii) *Notice of the Meeting of the Executive Committee*

For every meeting of the Executive Committee, a notice of not less than seven working days specifying the place, date, time and agenda for the meeting shall be given to all the members. If an Executive committee meeting is adjourned due to want of quorum, an adjourned meeting can be called on a date fixed by the

President. But in case of emergency, the President may reduce the above period of notice to such number of days as he deems fit in the circumstances of the case.

(iv) Business of the Executive Committee

Every meeting of the Executive Committee shall be chaired by the President, or, in his/her absence by one of the other members, elected by the members present from among themselves. Each member, including the member presiding at the meeting of the Executive committee shall have one vote but the presiding member shall also have a casting vote in addition to his vote as member in case of equality of votes. All the matters shall be decided by a majority of votes.

(v) Minutes of the meeting of the Executive Committee

A copy of the Minutes of the proceedings of each meeting shall be furnished to the Executive committee members as well as to all the members of the General body as soon as possible after the completion of the meeting. The President or the member of the Executive Committee who chairs the meeting, as the case may be shall approve the proceedings of the meeting. Proceedings of every meeting shall be properly kept by the Member Secretary and shall be confirmed at its next meeting.

(vi) Resolution of the Executive committee

Every resolution of the Executive Committee shall be passed by a majority of members present and voting for the resolution to be valid. In case of expediency, the Member Secretary of the Society may circulate a resolution for approval and such resolution shall be deemed to have been passed if a majority of the members approves it, provided that such resolution shall be valid if and only if the President is also one among the member approving the resolution. The resolution so passed by circulation shall be recorded in the proceedings of the next meeting of the Executive Committee.

13. Quorum for the meeting of the Executive Committee

The quorum at all meeting of the Executive Committee shall be not less than one third of the total strength of the members of the Executive committee as per section 7.1 for a proceeding to be validly conducted. In case the quorum is not met and the meeting is adjourned, the member Secretary must reconvene the adjourned meeting.

(i) Chairperson of the Executive Committee :

Secretary, North Eastern Council, Shillong shall be the Chairperson of the Executive Committee of the Society.

(ii) Powers and Duties of the Chairperson of the Executive Committee :

The Chairperson shall have power to :

- (a) Call, or ask the Member Secretary to call, a meeting of the Executive committee at any time and on the receipt of such requisition the member Secretary shall forthwith call such a meeting;
- (b) Authorize acquisitions by gift, purchase, lease or otherwise, any property, moveable or immovable, and to construct, operate and maintain any building for purpose of the Society as deemed appropriate by the Executive Committee.
- (c) Authorize investment of the funds of the Society in such securities and/or to sell or transfer such investments in such a manner as the Executive Committee may consider necessary, for the safety and benefit of the Society and to convert or change such investments, as required by the Executive Committee, subject to the laws applicable.
- (d) Sanction and incur expenditure per instance as may be fixed by the general body for achieving the objectives of the Society.
- (e) Tender & award contracts and incur expenditure on civil works and consultancy to achieve the objectives of the Society up to the limit as may be fixed by the general body.
- (f) Act upon powers as may be delegated to Chairperson by the Society and the Executive Committee.
- (g) Carry out powers and functions of the Executive Committee whenever the exigency so demands and place the action taken before the next meeting of the Executive Committee for ratification.
- (h) Can delegate any or all of the above powers to the Member Secretary of the Society.

(iii) Member Secretary

The Project Director of the NERLP shall be the :

- (a) Member Secretary of the Executive Committee. His appointment will be normally for a term of five years, or as decided by the Government of India.
- (b) Member Secretary who shall ordinarily be a senior IAS officer and act as Project Director will be equivalent in status to Joint Secretary/Director to the Government of India.

(c) The recruitment of the Project Director and any other All India Service officer for any post in the North East Livelihood Promotion Society will be done by the Central Government as per extant Service Rules of AIS officers and applicable guidelines of the Department of Personnel and Training, Government of India.

(iv) Functions and Powers of the Project Director:

- (a) The Project Director shall be the Chief Executive of the Society.
- (b) The Project Director shall be responsible for the management of day-to-day affairs of the Society and the State Unit (SU). He shall have overall responsibility for planning and executing the work of the Society. She/He shall be responsible for the implementation of all the policies laid down by the General Body/Executive committee and shall attend to statutory requirements imposed on the functioning of the State Society.
- (c) The Management and control of the day to day administration and control of finance within sanctioned budgets of the State Society shall be vested with the Project Director and through him with the respective functional heads. She/He shall function as the controlling authority of all employees of the State Society.
- (d) The Project Director shall sign or cause to be signed all documents and proceedings requiring authentication by the Society. The Project Director shall also represent or cause to be represented the Society in business and legal transactions. She/He shall receive on behalf of the Society and disburse all funds of the Society based on instructions from the Executive Committee. The Project Director through functional heads will handle necessary documents including bank cheques and other negotiable instruments on behalf of the Society, as authorized by the President/Executive Committee of the Society.
- (e) Project Director shall appoint bankers of the Society with the approval of the Executive committee. All funds of the Society shall be paid into the Society's account with the said bankers.
- (f) The Project director, as Member Secretary, shall in consultation with the President, convene the meetings of the General Body/Executive Committee at stipulated intervals or otherwise and shall maintain all minutes, records and registers of the Society.
- (g) The Project Director shall also perform such functions as may be delegated to him by the Society, President and/or Executive Committee from time to time.

- (h) The Project Director shall ensure handling of all correspondence on behalf of the Society.
- (i) The Project Director as the Member Secretary shall cause implementation of all the resolutions passed in the General Body/Executive Committee of the Society.
- (j) The Project Director shall also perform such functions as may be delegated to him/her by the State Society, President and/or Executive Committee from time to time, and
 - (a) Shall cause to prepare for the Society the Annual Reports and Financial Statements etc. with due audit.
 - (b) Shall cause to maintain the accounts, cause due verification of the monthly transactions and the monthly receipt and expenditure statement, which shall be put up to Executive Committee as required. He shall be responsible for overall financial discipline.
 - (c) Shall verify the physical and financial usage of the funds disbursed by the State Society to the various participating organization and submit a quarterly report to the Executive Committee.
- (k) The Project Director will liaison with the State Governments, Government of India and other agencies for any matter pertaining to the operations of the Society.
- (l) The Project Director shall appoint staff for the SU and for the Projects implemented by the Society. However, approval of the Government shall be obtained for the creation of regular posts in the Society.
- (m) The Project Director shall have powers to take disciplinary actions over any staff of the Society as per the deputation rules/contract rules.
- (n) The Project Director shall sanction and incur expenditure as decided by the governing body for day to day activities, or as delegated by the Executive Committee.
- (o) The Project Director shall tender & award contracts and incur expenditure up to a ceiling as may be decided by the government, for civil works and consultancies, in line with the objectives of the Society.
- (p) The Project Director shall perform any of the functions of the Executive Committee with the approval of the President, during the interval between meetings of the Executive whenever it is urgent to do so and place a report

in respect thereof, before the Executive Committee for its consideration/ratification.

- (q) The Project Director may also delegate any of his powers to the functional heads and staff of SU for efficient functioning of the Society.
- (r) The Project Director will delegate administrative & Financial Powers to the District units for the smooth functioning of the project with the approval of the Executive Committee.

(v) Project Management Unit (PMU)

- (1) The day to day affairs of the Society shall be conducted by the PMU under the supervision, guidance and control of the Project Director.
- (2) The PMU shall be headed by the Project Director, NERLP, who will also be the Member Secretary of the Executive Committee.
- (3) The PMU shall be formed with various Specialists in disciplines like social Science, Livelihoods, Micro finance, Communication, Procurement, Capacity Building, Finance etc. with necessary supporting staff. The specialists/staff shall be drawn from government departments on deputation and/or out sources for open market on contract basis.
- (4) Subject to the approval of the Government of India for creation of regular posts, the Executive Committee shall recruit employees of the Society and District, required for the running of the PMU and also for the implementation of various projects implemented by the Society. For the purpose of administrative matters and disciplinary action, the Project Director will be the appointing authority.
- (5) The Society shall subject to approval by the Executive Committee establish district Project Management Units which may be registered for implementation of the project at district level.
- (6) The Project Director shall appoint District Project Managers and other officers and Staff with the approval of the Executive Committee for managing day to day affairs of the project under the overall supervision and guidance of the Project Director.

(vi) District Project Management Unit :

- (1) The affairs of the District Project Management Unit shall be conducted under the supervision and guidance of the District Magistrate/Deputy Commissioner.

- (2) The District Project Management Unit would be managed by the District Project Manager who would also be the Convener and Member Secretary of the District Executive Committee. The Deputy Commissioner/District Magistrate will be the Chairman of the District Project Implementation Unit.

14. Expulsion/termination of membership of the Society :-

The Government of India can terminate the membership of any organization/its representative/NGO from the Society without assigning any reason.

A person holding membership of the Society on ex-officio basis will cease to be a member when he ceases to hold that post.

The membership of the Regional Society shall ipso facto terminate if a member dies, or permanently leaves India; or tenders his resignation in writing to the Society; or is declared insane by a competent authority; or operation of the provisions of section 5.2 above and found guilty by any court.

15. Auditor

A qualified Auditor will be appointed by the Executive body who shall audit the accounts of the society at least once in a year and annual Audit Report will be submitted to the Registrar of Societies regularly.

The Audit year of the Society shall begin on the first day of April and end on the 31st day of March next year.

The Society shall maintain proper accounts and other relevant records as well as documents comprising the receipt and payment accounts, statement of assets and liabilities and balance sheet.

The accounts of the Society shall be audited by a Chartered Accountant, to be appointed by the Executive Committee of the States society. The nature of the audit to be applied and the detail arrangement to be made in regard to the account and their maintenance and the presentation of the accounts for audit shall be as per project guidelines. The Auditor shall also submit a report showing the exact state of financial affairs of the Society. The copies of the balance sheet and the auditor's report shall be certified by the auditor, and filed with the concerned Government Agencies.

The Accounts will be open to audit by the Accountant General.

15A. Legal procedure:-

- (a) According to the provision laid down in the section 6 of the societies Registration Act XXI of 1980, the society may sue or may be sued in the name of the President and Secretary of the Society
- (b) The Regional society may sue or be sued in the name of the Regional Society through its Member Secretary.

- (c) No suit or proceeding shall abate by reason of any vacancy or change in the holder of the office of the President, the Member Secretary or any office bearer authorized in this behalf.
- (d) Every decree or order against the Regional Society in any suit or proceedings shall be executable against the property of the Regional Society and not against the person or the property of the President, the Member Secretary or any office bearer.
- (e) Any person, including a member of the Regional Society who damages, injures or destroys and property of the Regional Society or otherwise acts in a manner resulting in pecuniary loss to the Regional Society can be sued by the Regional Society. The fact that such person may be a member of the Regional Society shall not in any manner prevent the Regional Society from proceeding against him in a court of law.

16. *Dissolution – if necessary the society may be dissolved and the properties remained after dissolution may be handed over according to the provision laid down in Sections 13 and 14 of the Societies Registration Act, XXXI of 1860*

Subject to the provisions of the Act, the Regional Society may be dissolved by a resolution passed at a special meeting of the General Body of the Regional Society duly convened for the purpose and supported by at least two-third of the total members of the Regional Society. The General Body shall prescribe procedure for such dissolution by such resolution. The General Body may on such resolution decide to take action for liquidation of assets and liabilities of the Regional society shall or can be given over to organizations with similar aims and objectives as that of the Regional society, strictly in accordance with the provisions of Act, or surrendered to the Government. In either case, the decision of the Government shall be final.

(i) Management of the Society

The Management of the affairs of the Society shall be vested with the executive Committee as enshrined in the Bylaws frame for the purpose.

(ii) Authority to Correspond

The Member Secretary of the Society shall be the authority to correspond on behalf of the Society.

(iii) Powers of the Government of India

The Government of India shall have the power to issue and directions as it deems fit to:-

- a) Alter, add or delete any item of the memorandum of Association
- b) Alter, add or delete any item of Article of Association
- c) Terminate and/or make an appointment in place of any member of the Society mentioned under item 12 of the Memorandum of Association or any Member of the executive Committee mentioned under 7(1) of the Article of association
- d) Exercise final supervisory power and give any directives regarding the objectives, activities, procedures, membership and any other aspect relating to the Society. Instructions/directives of the Government of India will supersede or hold good on the occasion of any conflict or differences between the General Body and the Executive Committee or any other kind of differences.
- e) The exercise of the powers of the Government of India on the above shall be final.

(iv) Annual Report

The Member Secretary shall prepare an annual report of the proceeding of the Executive committee and all work undertaken during the year. This report and the duly Audited Annual Accounts of the Society shall be placed for approval before the Executive Committee.

The Annual Report and annual Accounts as approved by the Executive Committee shall be placed before the annual General Body meeting of the General Body before the 31st July of the year. A copy of the annual Report and Annual Accounts as approved by the General Body may be forwarded to the Government within 30 days and shall be filed with the Registrar of Societies, Assam alongwith

- a) a list of names, address and occupation of the office bearers of the Society, certified by the Project Director; and
- b) A copy of the balance sheet and the auditor's report certified by the auditor.

The Annual Report of all the Society and its District Units shall be placed before the Executive Committee of the Society.

(v) Properties of the Agencies

- (a) All properties of the Regional Society shall belong to the Regional Society itself. The Society may acquire purchase or otherwise own,

take on lease or hire movable or immovable properties in furtherance of the objectives of the Society.

- (b) The income and the property of the Society shall be utilized only towards the promotion of the objectives as set forth in the Memorandum of Association of the society. It will be subject to terms and conditions as the Executive Committee may impose in respect of expenditure to be incurred from grants sanctioned to the Society from time to time.
- (c) No portion of the income or the property of the Society shall be paid or transferred directly or indirectly by way of profits to persons, who may at any time be or have been members of the Society.
- (d) No member of the Society shall have any personal claim on any movable or immovable property of the Society or make any profit whatsoever by virtue of his membership.
- (e) Provided that nothing herein contained shall prevent payments in good faith of remuneration, allowances, or honorarium in return for any service rendered by them to the Society.

(vi) Validation of Acts

No action taken by the Regional Society shall be rendered invalid or void only due to the reasons that :

- (i) There existed one or more vacancies in the General Body/Executive Committee on the day on which the resolution was passed; or
- (ii) There was a defect in the appointment of any of its members; or
- (iii) The resolution in pursuance of which the said act was done has subsequently been modified or revoked by the General Body/Executive Committee.
- (iv) The authority entitled to make such appointment shall fill a vacancy in the General Body or in the Executive Committee of the Society.

(vii) Modification of the By Laws :

After obtaining the permission of the Government of India and subject to the provisions to the Society Registration Act, 1860, the Society may amend, add to, alter or delete any of these By laws by a resolution passed at the Special Meeting of the General Body duly convened for the purpose. The modified by laws shall be deemed to have come into force in accordance with the provision of the said Act.

(viii) Contracts :

- (i) All contracts and other instrument for and on behalf of the Society shall, subject to the provisions of the Act, be expressed to be made in the name

of the Society and shall be executed by the persons authorized by the Executive Committee.

- (ii) No contract for the sale, purchase or supply of any goods or materials shall be made for and on behalf of the Society with any member of the Society or the Executive Committee, or his/her relative, or firms in which such member is a partner/shareholder, or with any other partner or shareholder of a firm or a private company in which the member is a partner or Director.
- (iii) All contracts shall be fielded, finalized and entered upon in accordance with the guidelines of the NERLP and specific direction of the Government of India.

(ix) Common Seal

The Society shall have a common seal of such make and design as the Executive Committee may approve.

(x) Notice

Notice may be served upon any member of the Society either personally or by post to the address of such member at the address mentioned in the register of members. Any notice so served by post shall be deemed to have been served on the day following that on which the letter, envelop or wrapper containing the same is posted and in providing such service, it shall be sufficient to prove that cover containing such notice was properly address and delivered to the post office.

(xi) Records of the Regional Society:

(i) the Society shall keep in its registered office proper books of accounts, in which should be entered accurately.

- (a) All sum of money received and the source thereof, all sums of money expended by the Society and the object or purpose for which such sums are expended.
- (b) The assets and liabilities of the Society.

(ii) The records will be as follows :

- (a) Member register;
- (b) Proceedings Register of the General Body;
- (c) Proceedings Register of the Executive committee
- (d) Cash Book, Bank Book and General Ledge;
- (e) Records of the Employees of the Society;
- (f) Records of the Accounts and Claims;
- (g) Stock Register;

- (h) All such other records required for proper and systematic running of the Society.

17. Certified to the true copy of the Rules and Regulations of the North Eastern Rural Livelihood Project Implementation Society

Signature of the three Executive Members:-

1. Shri U.K. Sangma, IAS
Secretary,
North Eastern Council,
Shillong

2. Ms. Jayashree Mukherjee, IAS
Joint Secretary(NEC)
Ministry of Development of North Eastern Region
Government of India

3. Ms. Manjula Saikia Bhuyan
Adviser (Banking)
North Eastern Council
Shillong

INSTRUCTION FOR THE REGISTRATION OF A SOCEITY:

1. Two sets of cleanly typed Memorandum of Association together with the Registration (preferably hand or aerzuid papers should be used) duly