

1.Frame of District Milk Union Bye Laws:-

- i) The bye laws of the District Milk Producers Cooperative Union Ltd. (DMU) shall be framed as per *Schedule-B* under section-9 of the Assam Cooperative Societies Act, 2007.
- ii) Total members of the DMU shall be minimum 20 nos. registered DCS.
- iii) Board of Director- Under Section 35 - (1) There shall be a Board for the management of every District Milk Union registered under this Act. The Directors shall be elected in accordance with the provisions of the bye-laws. The management of every DMU constituted in accordance with the provision of this Act and the bye-laws shall vest in the Board:

Provided that in the case of a cooperative society/DMU newly registered under this Act, the persons who have signed the application for the registration of the cooperative society/DMU may appoint a promoter Board, for a period not exceeding one year from the date of registration to direct the affairs of the cooperative society/DMU and it shall cease to function as soon as a regular board is constituted in accordance with the provisions of this Act and the bye-laws.

- iv) The Board shall consist of 15 number of Directors (BOD)
 - a) Reservation of One seat of Director for SC or ST
 - b) Reservation of Two seats for women in the Board of every DMU
 - c) The word “Limited” shall be the last word in the name of every society registered under Cooperative Societies Act,2007
 - d) During the Registration of the DCS, section-4 & 6 of Cooperative Act, 2007 may be seen.
 - e) Section 36. President and Vice-President of cooperative society-
 - 1. There shall be a President and Vice-President in a cooperative society/DMU to be elected by the Board from amongst its Directors in accordance with the provisions of the bye-laws. The term of President and Vice-President elected by the Board shall be coterminous with the term of the Board.
 - f) Under Section- 42 (4)The Board may co—opt persons having experience in the field of banking, management, finance or specialization in the field relating to the objects and activities undertaken by the Cooperative societies/DMU as members of the Board of such Cooperative Societies, provided that there is no such experienced or specialized person in the Board. The number of such co-

opted members shall not exceed two in addition to the fifteen Directors specified in Section 35(2):

- g) Provided that such co-opted members shall not have the right to vote in any election in the Board in the capacity as such member or to be eligible to be elected as office bearers of the Board:

2. Chief Executive, his powers and functions and staff (under section – 49)-

(1) ¹[(a) There shall be a Chief Executive, by whatever designation called of every cooperative society to be appointed by the Board or by the State Government. In the event of appointment of the Chief Executive by the Board, he shall be a full time employee of the society]

(b) The Chief Executive shall be the ex-officio member of the Board;

2] The Chief Executive shall be under the general superintendence, direction and control of the Board and exercise the following powers and the functions, namely:-

(a) Day-to-day management of the business of the DMU

(b) Operating the accounts of the DMU and be responsible for making arrangements for safe custody of cash;

(c) Signing on the documents for and on behalf of the DMU

(d) Making arrangements for the proper maintenance of various books and records of the DMU and for the correct preparation, timely submission of periodical statements and returns, in accordance with the provisions of this Act, the rules and the bye-laws;

(e) Convening meetings of the general body of the DMU, the Board and the Executive Committee and other committees or sub-committees constituted under provision of the Act and bye-laws and maintaining proper records for such meetings;

(f) making appointments to the posts in the DMU in accordance with the bye-laws;

(g) Assisting the Board in the formulation of policies, objectives and planning;

(h) Furnishing to the Board periodical information necessary for appraising the operations and functions of the cooperative society;

(i) To sue or be sued on behalf of the DMU; in

(j) Present the draft annual report and financial statements for the approval of the Board within thirty days of closure of the cooperative year.

(k) Performing such other duties, and exercising such other powers, as may be specified in the bye-laws of the DMU.

(l) In case of dispute between the Chief Executive and the Board in any matter, the decision of the Registrar shall be binding on the both.

3. Subject to other laws regulating employer—employee relations all employees of a DMU shall be appointed, regulated and removed by and be accountable to authorities within the DMU in accordance with the service conditions approved by the Board :

4. Annual General Meeting (AGM) — A general meeting to be termed as Annual General Assembly of a registered Cooperative Society/DMU shall be held at least once in every Cooperative year within a period of six months of close of the financial year to transact the business as provided in this Act. The Board shall automatically stand dissolved for not holding Annual General Meeting in accordance with the provisions of the Act and bye-laws within six months from the expiry of every financial year.]

5. Fees etc. — section-17

(1) Registration fees amounting to one percent of the proposal authorized share capital of the proposed cooperative society shall have to be deposited by Treasury Challan along with the application for registration of the proposed cooperative society. [The Registrar may, however, revise the registration fees from time to time on merit and on case to case basis maximum of which shall not exceed 50% of the registration fees calculated under this section.]

6. Inquiry (Section- 87) - (1) Registrar shall on the application of a federal or a secondary cooperative society to which the cooperative society concerned is affiliated, or of a creditor to whom the cooperative is indebted, or of not less than one third of the Directors, or of not less than one—tenth of the members, hold an inquiry or cause an inquiry into any specific subject relating to any violation of any of the provisions of this Act or bye-laws.

¹[(2) The Registrar shall order an enquiry or reject the application for an enquiry showing the reasons within ten days from the date of receipt of application]

(3) The inquiry shall be completed within a period of thirty days from the date of order of the inquiry :

