

FISHCOPFED

BYE-LAWS

(As Per the Provisions of Multi-State Cooperative Societies Act, 2002)

(As amended Upto 6th February, 2014)



FISHCOPFED

**NATIONAL FEDERATION OF FISHERS COOPERATIVES LTD.
7, Sarita Vihar Institutional Area,
NEW DELHI-110076**

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BYE-LAWS

(As Per the Provisions of Multi-State Cooperative Societies Act, 2002)

(As amended Upto 6th February, 2014)



FISHCOPFED

**NATIONAL FEDERATION OF FISHERS COOPERATIVES LTD.
7, Sarita Vihar Institutional Area,
NEW DELHI-110076**

No.L.11015/17/74-LAM
Government of India
Ministry of Agriculture
(Department of Agriculture & Cooperation)
(Office of the Central Registrar of Cooperative Societies)

Krishi Bhavan,
New Delhi

Certificate of Registration


In pursuance of the provisions of the Multi-unit Cooperative Societies Act, 1942 (Act VI of 1942), a society by the name of All India Fishermen's Cooperative Federation Limited with registered office C/o Kurlaba Jilla Machhimar Madhyawarti Sahakari Sangh Limited, Sassoon Dock, Colaba, Bombay has been registered as a multi-unit cooperative society under the Maharashtra Cooperative Societies Act, 1960. The registration number of the society is CR-12. The byelaws filed by the said society have also been registered.

Given under my hand and seal this day the 26th of February, 1980.

Sd/-
(S. Satyabhama)
Central Registrar of Cooperative Societies
&
Joint Secretary to the Govt. of India.

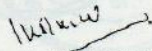
This duplicate copy of the original Registration Certificate is issued to the All India Fishermen's Cooperative Federation Limited in accordance with the Resolution of the Board of Directors adopted in their Meeting held on 3rd September, 1982 and should be used in lieu of the original certificate for all practical purposes. In case the original Registration Certificate is found, the Federation should return the same to the Registering Authority together with this duplicate copy, so that the duplicate copy may be cancelled after making all necessary endorsements/amendments on the original copy.

Given under my hand and seal this day 2nd of January January, 1983.


(K. Supparajulu)
Chief Director (Coop.) &
Central Registrar of Cooperative Societies

The name "All India Fishermen's Cooperative Federation Limited" is changed as "National Federation of Fishermen's Cooperatives Limited". The amendments to byelaw No. 1(a) and 3(a) of the Federation changing its name have been duly registered in accordance with the provisions of Section 12 of the Maharashtra Cooperative Societies Act, 1960 read with Rule 14 of the Maharashtra Cooperative Societies Rules, 1961.

Given under my hand and seal this day, the 2nd of January, 1983



No. L-11015/17/74-L&M
Govt. of India
Ministry of Agriculture
Department of Agriculture & Cooperation

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Krishi Bhavan, New Delhi

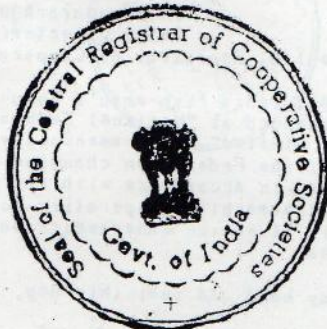
CERTIFICATE OF REGISTRATION
OF
AMENDMENT

In pursuance of the provisions of the Multi-State Cooperative Societies Act, 1984, the amendment to byelaws 19 and 23 of the National Federation of Fishermen's Cooperatives Limited, New Delhi are hereby registered under Section 9 of the Multi-State Cooperative Societies Act, 1984 (51 of 1984).

Given under my hand and seal this the 26th
day of May, 1988.

Soumitra Sam
(S. Sam)
26/5/88

Joint Secretary to the Govt. of India
&
Central Registrar of Cooperative Societies.



NATIONAL FEDERATION OF FISHERMEN'S COOPERATIVES LTD.

NEW DELHI-110017.

Text of bye-law No.19 and 23 as they would stand after amendments

Board of Directors

19. The Board shall consist of:

(a) Two representatives to be elected by all the delegates of the general body from amongst the Chairmen/Chief Executives/Administrators, by whatever name called, of the member institutions from each of the following six zones. However, only one representative can be elected from one State/Union Territory in a Zone:-

1. North Zone: Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan, Chandigarh and Delhi.
2. West Zone: Goa, Gujarat, Maharashtra, Daman & Diu and Nagar Haveli.
3. Central Zone: Madhya Pradesh and Uttar Pradesh.
4. South Zone: Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Andaman & Nicobar, Lakshadweep and Pondicherry.
5. East Zone: Bihar, Orissa and West Bengal.
6. North ^{East} Zone: Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Arunachal Pradesh. ✓

(b) One representative to be nominated by the National Cooperative Development Corporation;

(c) One representative to be nominated by Government of India; and

(d) The Managing Director.

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23. Deleted.

Jhans



No.L-11015/17/74-L&M
GOVERNMENT OF INDIA
Ministry of Agriculture
(Deptt. of Agriculture & Cooperation)

Krishi Bhawan, New Delhi

Dated : May 23rd, 2001

The Managing Director
National Federation of Fishermen's Cooperatives Ltd.,
7 A, Sarita Vihar Institutional Area,
New Delhi-110044

Subject : Amendment to bye-laws – reg.

Sir,

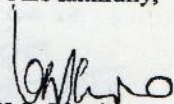
Please refer to your letter No. FISHCOPFED/83/2000-2001/582 A on the subject mentioned above.

2. The proposed amendments to bye-laws Nos. 1(c), 5(h), 6, 11(a) and 23 are registered. The Certificate of Registration of Amendment and text of amended bye-laws are enclosed.

3. The proposed amendment to bye-law No. 19 (a) (d) is not registered as the membership of Board of Directors to the immediate past President is not allowed under the provisions of the Multi-State Cooperative Societies Act, 1984.

This may kindly be acknowledged.

Yours faithfully,


(K.S. Bhorla)

Joint Secretary to the Govt. of India

&

Central Registrar of Cooperative Societies

Copy to :

Guard file



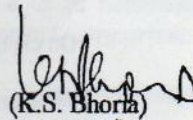
No.L-11015/17/74-L&M
Government of India
Ministry of Agriculture
(Deptt. of Agriculture & Cooperation)

Krishi Bhawan, New Delhi

**CERTIFICATE OF REGISTRATION
OF
AMENDMENT**

In pursuance of the provision of the Multi-State Cooperative Societies Act, 1984, the amendment to bye-laws Nos. 1(c), 5(h), 6, 11(a), 23 of the National Federation of Fishermen's Cooperatives Ltd., New Delhi are hereby registered under Section 9 of the Multi State Cooperative Societies Act 1984 (51 of 1984).

Given under my hand and seal this the 23rd day of May, 2001



(K.S. Bhoria)

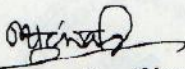
Joint Secretary to the Government of India
&
Central Registrar of Cooperative Societies



TEXT OF THE BYE-LAWS AS IT WOULD STAND AFTER AMENDMENT

<u>S.No</u>	<u>Bye-law No.</u>	<u>Text of the amended bye-law</u>
1.	1(c)	The registered address of the FISHCOPFED shall be – 7 Sarita Vihar Institutional Area, New Delhi-110044
2.	5(h)	When an applicant has been admitted to membership by the BOARD in accordance with 5(a) and (b) above and it has paid its admission fee and share money, it shall be deemed to have acquired all the rights and incurred all the obligations and liabilities of a member or down in the Cooperative Societies Act, the Rules made thereunder and the these bye-laws.
3.	6	Cessation of Membership The membership shall cease: (a) On cancellation of the registration and liquidation of the member society; (b) On redemption/withdrawal of the entire share capital by National Cooperative Development Corporation/ Government of India; (c) On expulsion from membership under Bye-law No. 7 (d) On in completion of qualification mentioned in 5 (h).
4.	11	SHARE CAPITAL The authorised share capital of FISHCOPFED shall be Rs.20,00,00,000/- made of 2,00,000 shares of Rs.1,000/- each. Share holding of every member shall not be less than 1 (one) share




Managing Director
National Federation of Fishermen Cooperatives Ltd.
7, Sarita Vihar Industrial Area
New Delhi - 110044

Board of Directors

The Board shall consist of :

- (a) Two representatives to be elected by all the delegates of the general body from amongst the Chairmen/Chief Executives/Administrators, by whatever name called, of the member institutions from each of the following six zones. However, only one representative can be elected from one State/Union Territory in a Zone:-

1. North Zone: Haryana, Himachal Pradesh Jammu & Kashmir, Punjab, Rajasthan, Chandigarh and Delhi.
2. West Zone: Goa, Gujarat, Maharashtra, Daman & Diu and Nagar Haveli.
3. Central Zone: Madhya Pradesh and Uttar Pradesh
4. South Zone: Andhra Pradesh, Karnataka Kerala, Tamil Nadu, Andaman & Nicobar, Lakshadweep and Pondicherry.
5. East Zone: Bihar, Orissa and West Bengal
6. North-East Zone: Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim Tripura and Arunachal Pradesh.

(b) One representative to be nominated by the National Cooperative Development Corporation;

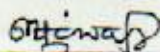
(c) One representative to be nominated by the Government of India;

~~(d) Immediate Past President and not registered~~

(e) The Managing Director

One Expert of Cooperative and one Lady Cooperator coopted by the Board.

True Copy Attested



(M. M. Tewary)
Managing Director
Managing Director

National Federation of Fishermen Cooperatives Ltd.

7, Sarita Vihar Industrial Area

New Delhi-110044



No. L11015/17/74-L&M
Government of India
Ministry of Agriculture
Department of Agriculture & Cooperation

OFFICE OF THE CENTRAL REGISTRAR OF COOPERATIVE SOCIETIES

Krishi Bhavan, New Delhi.


CERTIFICATE OF REGISTRATION
OF
AMENDMENT

In pursuance of the provisions of the Multi State Cooperative Societies Act, 2002, en-bloc amendment to Bye-laws of National Federation of Fishermen's Cooperatives Ltd.(FISFHCOPFED), 7, Sarita Vihar Institutional Area, New Delhi -76 is hereby registered under section 11 of the Multi State Cooperative Societies Act, 2002 (39 of 2002) .

All other provisions as are not provided for herein shall be decided according to terms of MSCS Act, 2002 and the rules made there under.

Given under my hand and seal this the 12th day of February, 2008.




(Satish Chander)
Joint Secretary to the Government of India
&
Central Registrar of Cooperative Societies.

To

The Managing Director (I/C)
National Federation of Fishermen's
Cooperatives Ltd.(FISFHCOPFED),
7, Sarita Vihar Institutional Area
New Delhi -76

No. L-11015/17/74-L&M
Government of India
Ministry of Agriculture
Department of Agriculture & Cooperation

New Delhi, dated 6th February, 2014

To,

Managing Director
National Federation of Fishers Cooperatives Ltd.
7, Sarita Vihar Institutional Area, New Delhi-110076

Sub: Registration of amendment to bye-laws of National Federation of Fishers Cooperatives Ltd. 7, Sarita Vihar Institutional Area, New Delhi-110076

Sir,

I am directed to refer to your application for amendment of bye-laws and to say that amendment to bye-law no. 1, 3(c, d, e, h), 3(i, j, k), Fresh numbering bye-law no. 3(1 to t), 5(a, b, c, d, e), 5(Caption changed to " Annual Membership Subscription), 5(j), 5(j)(ii, iii), 11(except corpus fund), 14, 15(a, b), 21(viii, ix, xi), 22(opening paragraph), 22(c), 22(f) with modification that **"the co-opted directors shall be specialists in any field relating to the objects and activities of the society"**, 22(g), 25(deletion), 26(deletion), 27(i, ii, iii), 28, 31(zd), 35(i, ii, iii, iv, v), 51(deletion) has been approved and certificate of registration of amendment is enclosed.

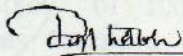
Though the federation hasn't proposed any change in serial number consequent to deletion of bye-law no.25 and 26 however due to the said deletion, the serial number of subsequent bye-laws shall be considered to be rearranged and shall be read accordingly.

Amendment proposed to bye-law no. 11(corpus fund), 21(x), 22(a), 22(c), has not been approved for the reasons mentioned below :

1. Bye-law no. 11(Corpus Fund) :- Two provisions have been clubbed together and the text of bye-law also clarity.
2. Bye-law no. 21(x) :- Period of membership should be determined for the member- society of the federation not for the delegate of the member- society as the society is the member, the delegate is simply a representative of the society.
3. Bye-law no. 22(a) :- The federation has proposed to reserve two seats for women in any of the six zone, however the federation has not defined how the reserved seats shall be rotated in each zone .
4. Bye-law no 22(e) :- Proposed bye-law is vague .

This issues with the approval of Central Registrar of Cooperative Societies.

Yours faithfully


(D.N. Thakur)
Director(Co-operation)



No. L-11015/17/74 -L&M
Government of India
Ministry of Agriculture
Department of Agriculture & Cooperation

OFFICE OF THE CENTRAL REGISTRAR OF COOPERATIVE SOCIETIES

Krishi Bhavan, New Delhi.

**CERTIFICATE OF REGISTRATION
OF
AMENDMENT**

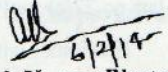
In pursuance of the provisions of the Multi State Cooperative Societies Act, 2002, amendment to bye-law no. 1, 3(c, d, e, h), 3(i, j, k), Fresh numbering bye-law no. 3(1 to t), 5(a, b, c, d, e), 5(Caption changed to " Annual Membership Subscription), 5(j), 5(j)(ii, iii), 11(except corpus fund), 14, 15(a, b), 21(viii, ix, xi), 22(opening paragraph), 22(c), 22(f) with modification that *"the co-opted directors shall be specialists in any field relating to the objects and activities of the society"*, 22(g), 25(deletion), 26(deletion), 27(i, ii, iii), 28, 31(zd), 35(i, ii, iii, iv, v), 51(deletion) of " National Federation of Fishermen's Cooperatives Ltd., 7, SaritaVihar Institutional Area, New Delhi-110076 " is registered under section 11 of the Multi State Cooperative Societies Act, 2002 (39 of 2002).

The name of the society shall now be " NATIONAL FEDERATION OF FISHERS COOPERATIVES LIMITED "

All other provisions as are not provided for herein shall be decided according to terms of MSCS Act, 2002 and the rules made there under.

Given under my hand and seal this the 6th day of February, 2014.




(Ashish Kumar Bhutani)
Joint Secretary to the Government of India
&
Central Registrar of Cooperative Societies.

To,
Managing Director
National Federation of Fishers Cooperatives Ltd.,
7, SaritaVihar Institutional Area, New Delhi-110076

NAME AND ADDRESS

1. (a) The society shall be called "NATIONAL FEDERATION OF FISHERS COOPERATIVES LIMITED" and its Hindi name would be "RASHTRIYA MATSYAJIVI SAHAKARI SANGH MARYADIT".
- (b) Hereinafter it shall be referred to as "FISHCOPFED"
- (c) The registered address of the FISHCOPFED shall be 7, Sarita Vihar Institutional Area, New Delhi-110076. Every change in principal place of business of FISHCOPFED shall be made by an amendment of its bye-laws after following the procedure laid down in section 11 of the MSCS Act. Any change in registered office of FISHCOPFED, the same shall be notified to the Central Registrar within a period of fifteen days of its change.

AREA OF OPERATION

2. The area of operation of the FISHCOPFED shall cover the whole of India.

DEFINITION

3. In these bye-laws, unless there is anything repugnant in the subject or context:
 - (a) 'FISHCOPFED' means the National Federation of Fishers Cooperatives Ltd.,
 - (b) 'Act' means the Multi-State Cooperative Societies Act, 2002.
 - (c) 'State Federation' means a federal society of fishermen's/ fisherwomen cooperatives whose area of operation extends to the whole of a State or Union Territory
 - (d) 'Regional Federation' means a federal society of fishermen's cooperatives whose area of operation extends to more than one district
 - (e) 'District Society' means a society of fishermen/fisherwomen cooperatives and / or fish farmers, area of operation of which extends to the whole of a district.

- (f) 'State' means territory defined as state in the Constitution of India.
- (g) 'Union Territory' means territory defined as a Union of Territory in the Constitution of India.
- (h) 'Member' means a person who joined in the application for the registration for the FISHCOPFED or an organization admitted to its membership in accordance with the bye-laws of FISHCOPFED.
- (i) 'Nominal' member means a person who has been admitted as nominal member or associate member under the bye-law of FISHCOPFED.
- (j) "Delegate" means a person who is appointed/elected by the members of the society or part thereof in accordance with its bye-laws as its representatives to the General Body of the FISHCOPFED or a person who is duly authorized by the Board of the member society to represent the society in General Body of the FISHCOPFED of which the society is a member
- (k) "Defaulter" means a member who has defaulted in payment of any kind of dues payable to the society.
- (l) 'Board' means the Board of Directors of FISHCOPFED constituted in terms of these bye-laws.
- (m) "Executive Committee" means the Executive Committee constituted in terms of these bye-laws.
- (n) 'Sub-Committee' means Committee constituted by the Board of Director or the Executive Committee to undertake specific tasks to further the objects of the FISHCOPFED.
- (o) 'President' means a member of the Board of Directors who has been elected by the Board of Directors as the President of the FISHCOPFED.
- (p) 'General Body' means a body of representatives of members and representatives of other organization constituted in accordance with the Act, Rules and these bye-laws.
- (q) 'Managing Director' means a person appointed by the Board of Directors as the Chief Executive Officer of FISHCOPFED in terms of these bye-laws.
- (r) 'Central Registrar' means the Central Registrar of Cooperative Societies appointed by the Government of India.

- (s) 'Rules or Notified Rules' means rules framed under the Multi State Cooperative Societies Act, 2002.
- (t) 'Officer' means Officer of FISHCOPFED as defined in the Act.

OBJECTS

4. The objects of FISHCOPFED shall be to facilitate coordinate and promote fishing industry in the country through cooperative and for this purpose to undertake, organize and develop production, processing, storage and marketing of fish and fish products and to manufacture and distribute machinery, implements and other inputs required by the fishing industry. In furtherance of these objectives, the FISHCOPFED may undertake one or more of the activities;
- (i) to undertake or promote own or on behalf of its member institutions, inter-state, intra-state and the international trade and commerce in fish and fish products and undertake, wherever necessary, sale, purchase, import, export and distribution of fish and fish products and other articles and goods from various sources for pushing its business activities and to act as the agency for canalization and import and inter-state trade of fish and other commodities or articles and to facilitate these activities, wherever necessary, and to open branches /sub offices and appoint agents at any place within the country or abroad;
 - (ii) to undertake purchase, sale and supply of fish and fish products, marketing and processing requisites such as machinery, spare parts, and other fisheries requisites;
 - (iii) to act as an insurance agent and to undertake all such works which is incidental to the same;
 - 4 (iv) to organize consultancy work in various field for the benefit of the member cooperative institutions;
 - (v) to undertake manufacture of fishing vessels, marine engines and other fishery requisites by setting up manufacturing units either directly or in collaboration with or as a joint venture with any other agency, including import and distribution of spare parts and components for upkeep of the fishing vessels and gears, etc;

- (vi) to set up storage units including cold storage for storing various commodities and goods by itself or in collaboration with any other agency in India or abroad;
- (vii) to maintain transport unit of its own or in collaboration with any other organization in India or abroad for movement of goods on land, sea, air, etc.;
- (viii) To undertake marketing, research and dissemination or market intelligence;
- (ix) to subscribe to the share capital of other cooperative institutions as well as other public and joint sector enterprises, if and when considered necessary for fulfilling the objective of FISHCOPFED
- (x) to arrange for training of employees of the fishery cooperative societies, State Fishery Departments and State Cooperative Departments;
- (xi) to establish processing units for processing and preservation of fish and fish products;
- (xii) to undertake grading, packing, and standardization of fish and fish products;
- (xiii) to acquire, take on lease or hire lands, buildings, fixtures and vehicles and to sell, give on lease or hire them for the business of FISHCOPFED;
- (xiv) to advance loans to its members and other cooperative institutions on the security of goods or otherwise;
- (xv) to do all such things or undertake such other business or activities as may be incidental or conducive to the attainment of any or all of the above subjects;
- (xvi) to ensure compliance of the cooperative principles;
- (xvii) to make model bye-laws and policies for consideration of its member cooperatives;
- (xviii) to provide specialized training, education and data base information;
- (xix) to undertake research, evaluation and assist in preparation of perspective development plans for its member cooperative;

- (xx) to promote harmonious relations amongst member cooperative;
- (xxi) to help member cooperative to settle dispute among themselves;
- (xxii) to undertake business services on behalf of its member cooperatives, if specifically required by or under the resolution of the general body or the board, or bye-laws of a member cooperative;
- (xxiii) to provide management development services to a member cooperative;
- (xxiv) to evolve code of conduct for observance by a member cooperative;
- (xxv) to evolve viability norms for a member cooperative;
- (xxvi) to provide legal aid and advice to a member cooperative;
- (xxvii) to assist member cooperative in organizing self help; and
- (xxviii) to develop market information system, logo brand promotion, quality control and technology upgradation.

MEMBERSHIP

5. The membership of the FISHCOPFED shall open to;
- (a) State level Fishermen/Fisherwomen Cooperative Federations;
 - (b) Regional level Fishermen/ Fisherwomen Cooperative Societies;
 - (c) District level Fishermen/Fisherwomen cooperatives societies;
 - (d) National Cooperative Development Corporation; and
 - (e) Government of India

NOMINAL MEMBERSHIP

- (f) Such other persons/societies, not covered by 5 (a) (b) and (c) above, with whom the FISHCOPFED is likely to do business may be admitted as nominal members. The application for such membership is received along with the admission fee of Rs.500/-and is duly accepted by the FISHCOPFED. Such admission fee shall not be refunded in any case.

Provided that no such nominal or associate member shall be entitled to subscribe the share of FISHCOPFED or any interest in the Management there of or in the sharing of its profits or liabilities including right to vote, elect as director or the Board or participate in the General Body meeting.

- (g) Application for admission as a member and for allotment of shares shall be made to the Managing Director in the form, if any, prescribed by FISHCOPFED for the purpose. Every such application shall be disposed of by the Board within a period of four months from the date of receipt of application, and the decision of the Board shall be communicated within fifteen days from the date of such decision to the applicant. The Board have power to grant admission or to refuse it after recording reasons for such refusal, provided, however, that the institutions/person, whose application has been refused by the BOARD, may appeal to the Appellate Authority and if the Appellate Authority so directs it shall be admitted as a member by FISHCOPFED. The decision of the Appellate Authority shall be the final.
- (h) Every member other than the Government of India, National Cooperative Development Corporation and nominal members shall pay Rs.25/- as admission fee which shall not be refunded in any case.
- (i) When an applicant has been admitted to membership by the BOARD in accordance with 5(a) (b) and (c) above and it has paid its admission fee and share money, it shall be deemed to have acquired all the rights and incurred all the obligations and liabilities of a member of FISHCOPFED, as laid down in the Cooperative Societies Act, the Rules made thereunder and these bye-laws.

ANNUAL MEMBERSHIP SUBSCRIPTION

- j) Each member society shall pay subscription to the Federation for promotion of fisheries cooperative as under :

State Federation	- Rs. 10,000/- per year
Regional/District Federations	- Rs. 5,000/- per year
- ii) Annual subscription from members shall fall due at the commencement of each cooperative year i.e. on the 1st day of April every year and shall be payable by 1st July of the every year.

- iii) In case of default in payment of membership subscription, the member society shall be liable to pay interest at the rate or any other decisions as may be decided by the Board of FISHCOPFED from time to time.

CESSATION OF MEMBERSHIP

6. The membership shall cease:
- (a) On cancellation of the registration and liquidation of the member society;
 - (b) On redemption/withdrawal of the entire share capital by National Cooperative Development Corporation/Government of India;
 - (c) On expulsion from membership under Bye-law No.8;
 - (d) On in completion of qualification mentioned in 5(i)

DISQUALIFICATION FOR MEMBER OF FISHCOPFED

7. (1) No person shall be eligible for being a member of FISHCOPFED if-
- (a) his business is in conflict or competitive with the business of FISHCOPFED; or
 - (b) he used two consecutive years the services below the minimum level specified in the bye-laws; or
 - (c) He has not attended three consecutive general body meetings of the FISHCOPFED and such absence has not been condoned by the members in the general body meeting; or
 - (d) he has made any default in payment of any amount to be paid to the FISHCOPFED; or
 - (e) he has been adjudged by a competent Court to be an insolvent or an undischarged insolvent; or
 - (f) has been sentenced for any offence, other than offence of a political character or in offence not involving moral turpitude and dishonest and a period of five years has not elapsed from the date of expiry of the sentence; or

- (2) Not with standing anything contained in MSCS Rule or the bye-laws of the FISHCOPFED, if a member becomes or has already become subject to any disqualifications specified in Rule 11 of sub-rule(2), he shall be deemed to have ceased to be a member of FISHCOPFED from the date when the disqualification was incurred.
- (3) No individual being a member of a primary level multi-state cooperative society or a multi-State credit society, or a multi State urban cooperative bank, shall be the member of any other society or cooperative society of the same class without the general or special permission of the Central Registrar and where an individual has become a member of two such cooperative societies aforesaid, then either or both of the societies shall be bound to remove him from membership on written requisition from the Central Registrar to that effect.
- (4) FISHCOPFED shall not admit members within thirty days prior to the date of the meeting of its general body.

EXPULSION FROM MEMBERSHIP

8. (a) A member including a nominal member of FSHCOPFED, but excluding National Cooperative Development Corporation/ Government of India, may expelled by a majority of not less two thirds of the members entitled to vote who are present at a General Body Meeting held for the purpose;
 - (i) If it intentionally does any act likely to injure the credit of FISHCOPFED or fail to observe proper discipline in regard to work of FISHCOPFED;
 - (ii) If it does any act which may be held by the BOARD or a General Body of FISHCOPFED to be dishonest or contrary to the stated objects or interest of the FISHCOPFED;
 - (iii) If it persistently defaults or fails to carry out its obligations to the FISHCOPFED.
- (b) Before expulsion, the member to be expelled will be given an opportunity to explain its position. After the explanation has been considered, the member may be suspended by the BOARD which shall then call a General Body Meeting within one month from the date of suspension, termination of membership shall take effect

from the date of expulsion or such date as may be specified in the resolution of expulsion and after the resolution is approved by the General Body.

9. FISHCOPFED shall have a charge upon the share of contribution or interest in the capital and on the deposit of a member or the past member and upon any dividend, bonus or the estate in respect of any debt due from such member or past member to the FISHCOPFED and may set off any sum credited or payable to a member or past member or in towards payment of any such debt.
10. Subject to the provision of the Act, Rules and these bye-laws, a member or an ex-member may transfer its share to another member or applicant qualified under these bye-laws and approved by the BOARD or to share transfer fund.

FUNDS

11. FISHCOPFED may receive funds from any or all the following sources:
 - (a) admission fee
 - (b) share capital
 - (c) grants-in-aid, donation and contribution from affiliated federations;
 - (d) Deposit from members, Borrowings;
 - (f) subscriptions; and
 - (g) profit

Provided that the total amount of the maximum borrowing of the FISHCOPFED by way of deposits and loans received during any financial year shall not exceed ten times of the sum of subscribed share capital and accumulated reserve fund minus losses.

INVESTMENT OF FUNDS

12. FISHCOPFED may invest or deposit its funds-
 - (a) in a cooperative bank, State cooperative bank, cooperative land development banks or Central Cooperative Bank; or
 - (b) in any of securities specified in section 20 of the Indian Trusts Act, 1882 (2 of 1882); or

- (c) in the shares of securities of any other multi-State cooperative society or any cooperative society; or
- (d) in the shares, securities or assets of a subsidiary institution or any other institution; or
- (e) with any other bank.

Explanation For the purpose of clause (e), "bank" means any banking company as defined in clause (c) of section 5 of the Banking regulation act, 1949 (10 of 1949), and includes.

- (i) the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955);
- (ii) a subsidiary bank as defined in clause(k) of section 2 of the State Bank of India(subsidiary Banks) Act, 1959 (38 of 1959);
- (iii) a corresponding new bank constituted under section 3 of the banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) act, 1980 (40 of 1980).

SHARE CAPITAL

13. (a) The authorized share capital of FISHCOPFED shall be Rs.30,00,00,000/- made of 300000 shares of Rs. 1000/- each. Share holding of every member shall not be less than 1(one) share.
- (b) The FISHCOPFED shall cause to be kept and maintained a register of its members setting forth the name and address, share capital and other interest of each member.
- (c) Every member shall be entitled to certificate in such form as the BOARD may approve for any or all the shares standing in the name for the time being and from time to time.
- (d) Each such certificate shall specify the number of shares for which it is issued and the amount up thereon and shall be signed by the Managing Director and countersigned by the President.

- (e) Such certificate shall be issued in order and by number from a stock certificate book and a record of each certificate, together with a receipt signed by or on behalf of the member to whom it is issued shall be kept on the stub thereof.
- (f) In case a certificate is lost, defaced or destroyed, a duplicate thereof may be issued on such terms as to evidence, indemnity and fee as the BOARD may prescribe.
- (g) No transfer or alienation of shares in the FISHCOPFED whether by sale, hypothecation, devise, succession or otherwise shall be registered without the consent of the BOARD.

LIABILITY

- 14. (a) Liability of the members shall be limited to the share capital subscribed by them.
- (b) Liability of every member would continue for period of two years from the date of ceasing to be member of FISHCOPFED.

GENERAL BODY

- 15. The General Body of FISHCOPFED shall consist of :
 - (a) One representative each of the members admitted under bye-law No. 5(b), (c), and (d) shall be represented either by their Chairman or Chief Executive or Secretary or Administrator, by whatever name called.
 - (b) Not exceeding two representatives of each affiliated state federation and these two representatives shall be the Chairman and the Chief Executive of the State Federation. Where, however, there is no board of the state federation, then one representative shall be the Administrator, by whatever name called, and the other shall be the Chairman/Chief Executive of the fishery cooperative society affiliated to the state fishermen/fisherwomen Cooperative federation.

16. Every member society, the Central Government and the National Cooperative Development Corporation eligible to send representatives as per bye-law 15 shall nominate their representatives on the General Body of FISHCOPFED and certified copies of the resolution of the competent authorities or copies of the instrument of nomination shall be sent to the Managing Director. Such resolution/instrument shall specify the period for which such nominees will continue to represent them.

17. (a) The Annual General Body Meeting of the members shall be called within a period of six months of the close of the cooperative year at the principal place of FISHCOPFED

(b) SPECIAL GENERAL BODY MEETING

(i) A Special General Meeting may be called at any time by the Managing Director on the direction of the Board and call such meeting within one month after the receipt of requisition in writing from the Central Registrar or from such member or members or a proportion of the total number of members.

(ii) If a special general meeting of FISHCOPFED is not called in accordance with the requisition referred in section 40 sub section (1) of MSCS Act, 2002, The Central Registrar or any person authorized by him in this behalf shall have the power to call such meeting and that meeting shall deemed to a meeting called by the Managing Director in accordance with the provisions of that sub section and the Central Registrar may order that the expenditure incurred in calling such meeting shall be paid by FISHCOPFED or by such person or persons who, in the opinion of the Central Registrar, was or were responsible for the refusal or failure to convene the special meeting.

(C) NOTICE FOR GENERAL MEETING

(i) The annual general meeting of the FISHCOPFED may be called by giving not less than fourteen days notice in writing.

(ii) Special general meeting of the FISHCOPFED may be called by giving not less than seven days notice in writing.

(iii) When a general body meeting is called by the Central Registrar or any person authorized under sub section (2) of section 39 or a special general meeting under sub section (2) of section 40, he may determine:-

- (a) the period of notice of such meeting which shall not be less than seven days;
- (b) the time and place of such meeting; and
- (c) The subjects to be considered in such meeting. The Central Registrar or any person authorized may preside over such meeting.
- (d) The notice of annual general meeting shall be accompanied by a copy each of audited balance sheet, profit & loss account, together with the auditor's report thereon relating to the preceding year and the report of the board, amendment of bye-laws, if any and election of members of the board, if any.
- (e) The quorum for a general meeting shall be one fifth of the total number of members of the general body of FISHCOPFED. Each representative present at the General Body meeting shall have one vote. No proxies shall be allowed. No business shall be transacted in the general body meeting unless there is a quorum at the time when the business of the meeting is due to commence. If, within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned. Provided that a meeting which has been called or requisition of the members shall not be adjourned but dissolved.
- (f) If at any time during the meeting sufficient number of members are not present to form the quorum the chairperson or the member presiding over the meeting on his own or on his attention being drawn to this fact, shall adjourn the meeting and the business that remains to be transacted at this meeting, if any, shall be disposed of the usual manner at the adjourned meeting.
- (g) Where a meeting is adjourned under sub-rule (3) or sub-rule (4) of Rule 16 the adjourned meeting shall be held either on the same day or on such date, time and place as may be decided by the chairperson or the member presiding over the meeting, but within seven days from the date of adjourned meeting.
- (h) No business shall be transacted at any adjourned meeting other than the business on the agenda of the adjourned meeting under sub-rule (3) or sub-rule (4) of Rule 16.
- (i) No quorum shall be necessary in respect of an adjourned general meeting.
- (j) The President or in his absence the Vice-President or in the absence of both, one of the other members elected for the purpose shall preside over the General Body Meetings.

18. The duties and powers of the General Body Meeting shall be:
- (i) to consider and adopt the audit report and annual report of FISHCOPFED
 - (ii) to dispose of net profit of FISHCOPFED in accordance with the Act, Rules and these bye-laws;
 - (iii) to amend bye-laws of FISHCOPFED;
 - (iv) to expel any member of FISHCOPFED
 - (v) to consider and approve the programme of activities of FISHCOPFED for the ensuring year;
 - (vi) to elect, suspend or remove the members of the board other than those nominated by the Government of India and National Cooperative Development Corporation.
 - (vii) to fix the maximum borrowing limit of FISHCOPFED;
 - (viii) to consider any other business with the permission of the Chairman of the General Body:
 - (ix) to consider audited statement of accounts;
 - (x) to consider audit compliance report.
 - (xi) to review of operational deficit if, any;
 - (xii) to consider the appointment of a Statutory Auditor to conduct the audit of FISHCOPFED
 - (xiii) to review the actual utilization of reserve and other funds;
 - (xiv) to approve the long-term perspective plan and the annual operational plan;
 - (xv) list of employees who are relatives of members of the Board or of the Chief Executive;
 - (xvi) formulation of code of conduct for the members of the Board and officers; and
 - (xvii) election of members of the board, if any.
19. The record of the decisions of the General Body duly signed by the Chairman and Managing Director of the meeting shall be maintained.
20. The amendments to these bye-laws shall be passed only by a regulation of the meeting of the General Body in which a quorum is present, by a vote of not less than two-third majority of the members present there at, and voting and fifteen clear days' notice of the proposed amendment of consideration has been given to all the members.

ELECTION OF MEMBERS OF BOARD

21. (i) The conduct of elections to the board of FISHCOPFED shall be responsibility of the existing Board.
- (ii) The election of members of Board of FISHCOPFED shall be held by secret ballot;
- (iii) The election of the members of Board shall be held in the general meeting of the FISHCOPFED;
- (iv) The term of office of the elected members of the board shall be such, not exceeding five years from the date of elections.
- (v) Where the board fails to conduct election of the members of board, the Central Registrar shall hold the election within a period of ninety days from the date when such election become due;
- (vi) No person shall be eligible to be elected as a member of the board unless he a member of the general body of FISHCOPFED; and
- (vii) The expenses for holding election by the Central Registrar shall be borne by FISHCOPFED.
- (viii) The term of office of the members of the Board who are nominees of the Government or institutions or federation shall be as indicated from time to time by the Government or the concerned institutions. However, their term will be co-terminus with the term of elected Directors/Board; and the Government/concerned institutions shall make fresh nominations for the new Board.
- (ix) The elected members of the Board shall be eligible for re-election.
- (x) Delegates from defaulting member societies shall not be entitled to exercise the right to vote or to seek election to any office. The delegates of defaulting society, if holding any office of FISHCOPFED shall forfeit their right to hold such office w.e.f. the date on which the society becomes defaulter under these bye-laws provided, due notice has been given to the defaulting society and it has failed to pay its dues within 30 days after the receipt of notice.

BOARD OF DIRECTORS

22. The Board of Directors of FISHCOPFED shall not exceed Twenty One excluding functional directors and co-opted directors. It shall consists of :

(a) Two representatives to be elected by all the delegates of the general body of the member institutions from each of the following six zones. However only one representative can be elected from one State/Union Territory in a Zone.

- 1 North Zone : Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan, Chandigarh and Delhi
- 2 West Zone: Goa, Gujarat, Maharashtra, Daman & Diu And Nagar Haveli
- 3 Central Zone : Chhattisgarh, Madhya Pradesh, Uttar Pradesh and Uttarakhand
- 4 South Zone : Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Andaman & Nicobar, Lakshadweep and Puducherry
- 5 East Zone : Bihar, Jharkhand, Orissa and West Bengal
- 6 North-East Zone: Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Arunachal Pradesh

(b) One representative to be nominated by the National Cooperative Development Corporation

(c) Not more than three persons to be nominated by the Central Government based on equity share capital held by the Central Government i.e. one person if the equity share capital is less than 26%, two persons if the equity share capital is 26% or more but less than 51%, and three persons if the equity share capital is 51% or more of the total issued share capital

Provided that such nominated persons shall not exceed one third of the total number of members of the Board.

A person nominated under this section shall hold office during the pleasure of the Government by which he has been so nominated.

(d) One Staff Representative

- (e) The Managing Director
- (f) Two eminent persons may be co-opted by the Board of Directors.
Provided that such co-opted members shall not have the right to vote in any election of FISHCOPFED in their capacity as such member. The co-opted directors shall be specialists in any field relating to the objects and activities of the society.
- (g) Two subject matter specialists may be invited by the Board in any of its meeting as special invitee.

CONTRIBUTORY PROVIDENT FUND

23. A contributory Provident Fund shall be established in FISHCOPFED which shall be regulated in the following manner;
- (a) All regular employees of FISHCOPFED may be admitted to the fund;
 - (b) All sums paid into the fund shall be credited to the books of FISHCOPFED to an account, named as 'National Federation of Fishermen's Cooperatives Ltd. Provident Fund Account'.
 - (c) Every member of fund shall contribute monthly to the fund even when on lien or foreign service, an amount which shall be not less than 8.33 per centum of his basic salary, which shall be credited to the individual account of each member in the books of the Fund.
 - (d) The contribution payable by FISHCOPFED shall be equal to the member's contribution as fixed above, but shall not exceed in any case 8.33 per centum of the basic salary of the members of the Fund.
 - (e) The detailed rules related to Contributory Provident Fund of the Federation to be known as 'CONTRIBUTORY PROVIDENT FUND rules of National Federation of Fishermen's Cooperatives Ltd.' are annexed at the end of these bye-laws.
24. The President shall exercise general supervision over the affairs of FISHCOPFED. In the absence of the President, the Vice - President shall exercise all the powers of the President.

MEETINGS OF THE BOARD OF DIRECTORS

25. (1) (i) The Board shall meet at least once in every quarter, provided that the total number of meetings of the Board shall not ordinarily exceed six in a year.
- (ii) At least 15 days clear notice shall ordinarily be given to the members for the meeting of the Board in writing, including the date, place and time and agenda of the meeting. Notice shall be sent under Speed Post/Registered Post.
- (iii) The quorum for a meeting shall be 5 or one third of the Directors, whichever is less. If there will be no quorum within thirty minutes from time fixed for the meeting, the meeting shall stand adjourned to such other time and date, no earlier than 10 days from the date at which the meeting was originally convened (after notice of the date to which it is adjourned is given) as the Directors present at such meeting may determine. There shall be no quorum for an adjourned meeting. No new subjects shall, however, be discussed at such adjourned meeting
- (2) In case urgency, business may be transacted by circulation and such business shall be reported to the BOARD at its next meeting for confirmation. Such decision shall have the same binding force as any other decision of the BOARD. In case any dissenting vote is received on a resolution sent by circulation, the matter shall not be adopted and shall be placed before the next meeting of the BOARD for a decision.
26. The meetings of the Board of Directors shall be presided over by the President/Chairman or in his absence by the Vice President/Vice-Chairman and in the absence of both President/Chairman and Vice-President/Vice-Chairman, the Directors present in the Meeting shall elect a President/Chairman for the Meeting from among themselves. All questions at the meeting of the BOARD shall be decided by a majority of vote and in case of equality of votes, the President/Chairman shall have a casting vote.

DISQUALIFICATIONS FOR BEING A MEMBER OF BOARD

27. No member of any multi-state cooperative society or nominee of a member society or a national cooperative society shall be eligible for being chosen as, or for being a member or the board of such multi-state cooperative society or a national cooperative society, or any other cooperative society to which the multi-State cooperative society is affiliated, if such member
- (a) has been adjudged by a competent Court to be insolvent or of unsound mind;
 - (b) is concerned or participates in the profits of any contract with the society;
 - (c) has been convicted for an offence involving moral turpitude;
 - (d) holds any office or place of profit under the society: Provident that the Managing Director or such full time employee of the FISHCOPFED as may be notified by the Central Government from time to time or a person elected by the employees of FISHCOPFED to represent them on the board of FISHCOPFED shall be eligible for being chosen as, or for being, member of FISHCOPFED Board.
 - (e) has been a member of the society for less than twelve months immediately preceding the date of such election or appointment.
 - (f) has interest in any business of the kind carried on by the society of which he is a member.
 - (g) has taken loan or goods on credit from the society of which he is a member, or is otherwise indebted to such society and after the receipt of a notice of default issued to him by such society as defaulted.
 - (i) in repayment of such loan or debt or in payment of the price of the goods taken on credit, as the case may be, which the date fixed for such repayment payment or where such date is extended, which in no case shall exceed six months, within the date so extended, or
 - (ii) when such loan or debt or the price of goods taken on credit is to be paid in installment, in payment of any installment, and the amount in default or any part thereof has remained unpaid on the expiry of six months from the date of such default.

Provided that a member of the board who has ceased to hold office as such under this clause shall not be eligible, for a period of one year, from the date on which he ceased to hold office, for re-election as a member of the board of the FISHCOPFED of which he was a member or for the election to the board of any multi-state cooperative society;

- (h) is a person against whom any amount due under a decree, decision or order is pending recovery under his Act;
- (i) is retained or employed as a legal practitioner on behalf of or against the multi-State cooperative society, or on behalf of or against any other multi-State cooperative society which is a member of the former society;
- (j) has been convicted for any offence under this Act;
- (k) is disqualified for being a member under section 29;
- (l) has been expelled as a member under section 30;
- (m) absents himself from three consecutive board meetings and such absence has not been condoned to by the Board.
- (n) absents himself from three consecutive general body meetings and such absence has not been condoned by the members in the general body.
- (2) A person shall not be eligible for being elected as member of a board of FISHCOPFED for a period of five years if the board of FISHCOPFED fails:-
 - (a) to conduct elections of the board under section 45; or
 - (b) to call the annual general meeting under section 39; or
 - (c) to prepare the financial statement and present the same in the annual general meeting.

28. A member of the BOARD shall cease to hold office if he;

- (i) resigns and his resignation is accepted by the BOARD; or
- (ii) holds any office of profit under FISHCOPFED or receives any honorarium form FISHCOPFED except in the case of the Managing Director.
- (iii) fails without showing satisfactory reasons of the BOARD to attend three consecutive BOARD's meetings ; or

- (iv) ceases to represent the affiliated cooperative in the General body of FISHCOPFED ; or
- (v) ceases to be nominee of the Government of India or the National Cooperative Development Corporation: or
- (vi) becomes financially interested in any business conflicting with the interest of the FISHCOPFED; or
- (vii) directly or indirectly is interested in any business contract with the FISHCOPFED or participates in the profits of any contract with the FISHCOPFED in a meeting and refrains from voting in respect any such contract; or
- (viii) ceases to hold the office of the Chairman, Chief Executive or Administrator, by whatever name called, as the case may be, in the society which he represents on general body of FISHCOPFED.

FUNCTIONS AND POWERS OF THE BOARD OF DIRECTORS

29. The Board shall exercise all the power of the FISHCOPFED except those reserved for General body, subject to any resolution or restrictions laid down by the FISHCOPFED in a General Body Meeting or in bye-laws. In particular, the BOARD shall have the following powers and duties:
- (a) to observe in all the transactions the Act, Rules and these bye-law;
 - (b) to admit members and allot shares;
 - (c) to interpret the organizational objectives and set up specific goals to be achieved towards these objectives;
 - (d) to make required changes in the long term objectives and plans;
 - (e) to approve the subsidiary bye-laws, regulations and programmes;
 - (f) to make periodic and systematic appraisal of operations of FISHCOPFED;
 - (g) to place before the General Body the annual report and the audit report;
 - (h) to prepare and lay before the General Body the programme of work for the ensuring year;

- (i) to decide on acquiring membership of cooperative societies at National and International levels and to nominate its representatives on these bodies;
- (j) to consider the inspection note of the Registrar or of any other person authorized on his behalf and to take necessary action;
- (k) to decide matters relating to withdrawals, transfers, retirement, refund and forfeiture of shares;
- (l) to appoint, suspend, punish and remove the Managing Director and to approve his salary, allowances, pension, gratuity, retirement benefits and other terms and conditions of service. However as long as the Central Government holds fifty one percent or more of the Equity Share Capital or of total shares of FISHCOPFED the salary and allowances, pension, gratuity, retirement benefits and other terms and conditions of service of the Managing Director shall be such as prescribed under the Act;
- (m) to frame rules regarding recruitment, appointment, suspensions, punishment and other conditions of service in respect of the employees of FISHCOPFED and to prescribe the scales and nature of securities to be obtained from the employees, wherever necessary;
- (n) to consider and express opinion on problem of common interest concerning the member federations on its own initiative or as referred to it by the members;
- (o) to consider matters of common interest and to advise and assist the member federation in furtherance of their interest.
- (p) to frame subsidiary rules for TA,DA, sitting fee of the members of the BOARD;
- (q) to sanction posts of the administration of the FISHCOPFED
- (r) to elect amongst themselves a President and Vice-President as per provisions of the Act and Rules;
- (s) to appoint from amongst members of the BOARD, the executive committee and other sub-committees for efficient conduct of business, as per provisions of the Act and Rules;

Provided that other committees or sub-committee, other than the Executive Committee shall not exceed three.

- (t) to recommend to the General Body distributions of profits;
- (u) to purchase, sell, take on hire/lease or dispose of immovable properties, buildings, land, godowns, processing plants, machinery, cold storage, etc;
- (v) to purchase, sell or otherwise acquire or dispose of movable property upto an extent of Rs.1 Lakh at a point of time. However, in case of purchase of machinery, fishing boats, trawlers and vessels, etc. there will be no limit on the value of these moveable items;
- (w) to sanction bonus and productivity linked incentives to staff;
- (x) to determine the terms and conditions of collaboration with other cooperative societies and others;
- (y) to sanction contracts of any values;
- (z) to lay down criterion for determining default of members;
- (za) to appoint, trustee or trustees, attorney or attorneys, agent or agents for the business of the FISHCOPFED;
- (zb) to accept or reject resignation of members of BOARD;
- (zc) to do such acts and take such steps as are incidental or conducive to the attainment of the objectives of FISHCOPFED;
- (zd) To approve the panel of auditors for placing in the General Body.
- (ze) to make provisions for regulating the appointment of employees of the FISHCOPFED and the scales of pay, allowances and other conditions of service of, including disciplinary action against such employees.
- (zf) to place the annual report, annual financial statement, annual plan and budget for the approval of the general body
- (zg) to consider audit and compliance report and place the same before the general body;
- (zh) to acquire or dispose of immovable property;
- (zi) to review membership in other cooperatives;
- (zj) to approve annual and supplementary budget;
- (zk) to rise funds; and
- (zl) to sanction loans to the members

REMOVAL OF ELECTED MEMBERS BY GENERAL BODY

30. An elected member of a board, who has acted adversely to the interest of the FISHCOPFED, may on the basis of a report of the Central Registrar or otherwise be removed from the board upon a resolution of the general body passed at its meeting by a majority of not less than two-third of the members present and voting at the meeting.

Provided that the member concerned shall not be removed unless he has been given a reasonable opportunity of making a representation in the matter.

EXECUTIVE COMMITTEE

31. The BOARD shall constitute an Executive Committee comprising of the following:
- a) President;
 - b) Vice-President;
 - c) Two Directors;
 - d) One representative of the National Cooperative Development Corporation; and
 - e) Managing Director.
32. **The Executive Committee shall have the following powers and functions:**
- (i) to arrange for internal checking of the accounts at least once in a quarter;
 - (ii) to purchase, sell or otherwise acquire or dispose of moveable property of the FISHCOPFED;
 - (iii) to fix limits of cash to be kept by various officers and branches and authorize officers to sign or execute receipts and other documents on behalf of FISHCOPFED;
 - (iv) to arrange for raising funds for carrying on the business of FISHCOPFED and to determine the terms and conditions therefore;
 - (v) to decide the terms, period for and the rate of interest at which deposits are to be received and to arrange for repayment of such deposits;

- (vi) to sanction expenditure on purchase of dead stock, furniture and fixture, stationery, vehicles and other contingent expenditure. Executive Committee may delegate these powers to the Managing Director and other officer of FISHCOPFED subject to such restrictions as it may deem fit;
 - (vii) through any members or officer of employees of FISHCOPFED or any other persons, specially authorized, to institute, conduct, defend, compromise, refer to arbitration or abandon legal proceedings by or against FISHCOPFED or its officers, employees concerning the affairs of FISHCOPFED;
 - (viii) to refer any claim or demand for arbitration and to observe and perform the awards;
 - (ix) to delegate its powers to such officers of the FISHCOPFED at it may deem fit.
33. (i) Executive Committee may meet as often as necessary but normally once in every quarter.
- (ii) Four members shall form the quorum in the meeting of the Executive Committee.
- (iii) The meeting of the Executive Committee shall be presided over by the President, in his absence by the Vice-President and in the absence of both the President and Vice-President, the members present may elect their own President from amongst themselves to preside over the meeting.
- (iv) All business transacted or decided at the times of the Executive Committee shall be recorded in the Proceedings Book which shall be signed by the Chairman of the meeting.
- (v) 7 days notice shall ordinarily be necessary for the meeting of the Executive Committee. Notice shall be sent under Speed Post/Registered Post.

PRESIDENT

34. The President shall preside at all meetings of the BOARD and of the GENERAL BODY. He shall together with the Managing Director sign all deeds, mortgages and other conveyances of real property as well as share certificates, bonds debentures and certificates for loan units. In addition thereto he shall perform all such other duties as are usually required of the President of FISHCOPFED or are prescribed by the BOARD.

VICE-PRESIDENT

35. Except as in the proviso otherwise provided:
- (a) The President being absent or unable to act, the Vice-President shall discharge the duties of the President.
 - (b) If the office of the President becomes vacant, new President of the FISHCOPFED shall be elected by the Board for the unexpired period of the BOARD

MANAGING DIRECTOR

36. (a) The BOARD shall appoint a Managing Director on such terms and conditions and for such period as it may be decide and he shall be full time employee of FISHCOPFED
- (b) (i) The Managing Director shall act as the Chief Executive Officer of FISHCOPFED and shall conduct the business of and exercise control over the administration of FISHCOPFED, under the direction and control of the Board.
- (ii) He shall advise the BOARD, the Executive Committee and other committees/sub-committees in framing the policies and programmes of FISHCOPFED and to implement these after approval. He shall furnish to the BOARD periodically such information as may be necessary for long range planning and for appraisal of the operations of FISHCOPFED.

37. The following shall be duties of the Managing Director:

- (i) to convene the meeting of the General Body, the BOARD, the Executive Committee and other committee or sub-committees and participate in them. He shall, however, no right to vote in matters pertaining to elections;
- (ii) to attend the meetings of the different committees and to implement the decision taken in the meetings of these committees;
- (iii) to be responsible for the General conduct, supervision and management of the day to day business and affairs of FISHCOPFED.

- (iv) to ensure maintenance of proper accounts of the FISHCOPFED and to prepare monthly reports for the information of the BOARD.
- (v) to receive all moneys and securities on behalf of the FISHCOPFED and to arrange for the safe custody of cash, properties, records and other securities;
- (vi) to assist in the inspection of the books and records by various authorities empowered to do so under the Act, Rules and these Bye-laws;
- (vii) to certify copies of the entries in the books under the Act;
- (viii) to sign all cheques, deposits, receipts and to operate the account of FISHCOPFED;
- (ix) to keep in safe custody the registers and other papers in use of FISHCOPFED and other property of FISHCOPFED;
- (x) to sign receipts for moneys received by FISHCOPFED;
- (xi) to sign all deposit receipts and to operate on the accounts of FISHCOPFED with such banks as may be approved by the BOARD;
- (xii) to be officer of FISHCOPFED, to sue or to be used on behalf of the FISHCOPFED and sign and execute bonds, agreement and other documents by and on behalf of the FISHCOPFED;
- (xiii) to select and appoint personnel and to determine the powers, duties and responsibilities of the employees of FISHCOPFED for ensuring proper conduct of the day to day business;
- (xiv) to assist the BOARD to take stock of assets of the FISHCOPFED in conjunction with any other member or members appointed by the BOARD at the end of each year or at such other times as the BOARD may require;
- (xv) to permit access to all records of the FISHCOPFED to any auditor or to the BOARD under the provisions of the Act;
- (xvi) to keep record of all the proceedings of the meetings of the Board, the Executive Committee or other committees or sub-committees. He shall be charge of all books, records, papers and the seal of the FISHCOPFED; and

(xvii) to delegate any of the above powers to any officer/officers of FISHCOPFED.

38. The Managing Director shall exercise control and supervision on the administration of the FISHCOPFED and to conduct the affairs of the FISHCOPFED in conformity with the Act, rules and these bye-laws and the decisions of the General body, the BOARD, Executive Committee or other committees.

APPOINTMENT AND REMUNERATION OF AUDITORS.

39. (i) The Board recommends appointment of a Statutory Auditor to conduct the audit of FISHCOPFED and fix the remuneration from a panel of a auditors approved by the Central Registrar or from a panel of auditors, if any, prepared by the FISHCOPFED for the general meeting of FISHCOPFED.
- (ii) A retiring auditor shall be re-appointed as per provisions of the Act and Rules.
- (iii) The General Body of FISHCOPFED is not appointed or re-appointed auditor, the Central Registrar may appoint auditor.

POWER AND FUNCTIONS/DUTIES OF AUDITORS

40. (1) Every auditor shall have a right of access at all times to the books, accounts and vouchers of the FISHCOPFED, whether kept at the head office of the FISHCOPFED or elsewhere, and shall be entitled to require from the officers or other employees of the FISHCOPFED such information and explanations as the auditor may think necessary for the performance of his duties as an auditor.
- (2) Without prejudice to provisions of sub-section (1) of section 73, the auditor shall inquire:-
- (a) whether loans and advances made by the FISHCOPFED on the basis of security have been properly secured and whether the terms on which they have been made are not prejudicial to the interest of the FISHCOPFED.

- (b) whether transaction of the FISHCOPFED which are represented merely by book entries are not prejudicial to the interest of the FISHCOPFED,
 - (c) whether personal expenses have been charged to revenue account; and
 - (d) whether it is stated in the books and papers of the FISHCOPFED that any shares have been allotted for cash, whether cash has actually been received in respect of such allotment, and if no cash has actually been so received, whether the position as stated in account books and the balance-sheet is correct, regular and not misleading.
- (3) The auditor shall make a report to the members of the FISHCOPFED on the accounts examined by him and on every balance-sheet and profit and loss account and on every other document required to be part of or annexed to the balance-sheet or profit and loss account, which are laid before the FISHCOPFED in general meeting during his tenure of office, and the report shall state whether, in his opinion and to the best of his information and according to the explanations given to him, the said accounts give the information required by this Act in the manner so required and give a true and fair view;-
- (a) in the case of the balance-sheet, of the state of the FISHCOPFED's affairs as at the end of its financial year; and
 - (b) in the case of the profit and loss account, of the profit or loss for its financial year.
- (c) The auditor's report shall also state-
- (4) The auditor's report shall also state-
- (a) whether he has obtained all the information and explanations which to the best of his knowledge and belief were necessary for the purpose of his audit;
 - (b) whether in his opinion, proper books of accounts have been kept by the FISHCOPFED so far as appears from his examination of those books, and proper returns adequate for the purposes of his audit have been received from branches or offices of the FISHCOPFED not visited by him;

- (c) whether the report on the accounts of any branch office audited by a person other than the FISHCOPFED's auditor has been forwarded to him and how he has dealt with the same in preparing the auditor's report;
- (d) whether the FISHCOPFED's balance-sheet and profit and loss account dealt with by the report are in agreement with the books of account and returns.
- (5) Whether any of the matters referred to in clause (a) and (b) of sub-section (3) or in clause (a),(b),(c) and (d) of sub-section (4) is answered in the negative or with a qualification, the auditor's report shall state the reason for the answer.

REGISTERS AND BOOKS OF ACCOUNTS

41. The Managing Director shall maintain books and registers in such form as may be prescribed in the Act and the Rules or by the Central Registrar and he shall in particular keep books in such form as may be approved by the BOARD to record the followings:
- (a) bye-laws of the FISHCOPFED;
 - (b) the name of all the members;
 - (c) the address and calling of every member as far as can be ascertained;
 - (d) the number of shares held by each member;
 - (e) the amount paid in and the remaining unpaid respectively in respect of each member;
 - (f) the amounts, if any, standing to the credit of a member; and
 - (g) the names, address and calling of all the members who are or have been Directors of the FISHCOPFED indicating the dates of their assuming office and the dates on which they cease to be Directors.
42. Copies of the bye-laws and the balance sheet shall be supplied free on demand to any member. The last balance sheet shall be open to public inspection during office hours on all the working days.

BONDING

43. Every person appointed to an office touching the receipts, management or expenditure or money or the receipt of goods, wares and merchandise for the purpose of the FISHCOPFED shall, before entering upon the duties of his office give such security as deemed sufficient by the BOARD, which security may be varied to amount or renewed from time to time.

DISTRIBUTION OF PROFITS

44. After making provision for depreciation on buildings, machinery and other stock, productivity linked bonuses and incentives to the staff, as decided upon by the BOARD, the net profit of the FISHCOPFED shall be disposed of in the following manner;
- (a) twenty-five per cent shall be carried to the credit of the Reserve Fund;
 - (b) ten percent shall be carried to business losses reserve, bad debts reserve for irrecoverable assets;
 - (c) sum not exceeding twenty percent may be carried to;
 - (i) Building Fund;
 - (ii) Distress Relief Fund
 - (d) contribution to the Cooperative Education Fund as prescribed in the Act and Rules;
 - (e) distribution of dividend amongst members in accordance with the provisions of Act and Rules;
 - (f) distribution of not more than 2% of the business transacted with a member society as patronage dividend subject to availability of funds; and
 - (g) all undisbursable and undivisible profit shall be carried forward to the reserve fund.

DISPUTES

45. If any dispute touching the constitution or business of FISHCOPFED arising between members or past members of FISHCOPFED or persons claiming through a member or past member or between members or past

members or persons so claiming and any officer, agent or servant of the society (past or present) or between FISHCOPFED or its BOARD, and any other officer, agent, member or servant of FISHCOPFED, (past or present), it shall be referred to the Central Registrar for arbitration as provided in the Act and the Rules framed thereunder. The member shall include the nominal members also.

GENERAL

46. All matters not specifically provided for are to be decided in accordance with the Cooperative Societies Act and the notified Rules thereunder.
47. In case of any dispute about the interpretation of any provisions of the Act, Rules and these Bye-laws, the decision of the Central Registrar shall be final.
48. Should there be a conflict between the bye-laws of the FISHCOPFED and the affiliated societies, the bye-laws of FISHCOPFED shall prevail
 1. J. C. Barway
 2. Y. P. Nishad
 3. A. K. Luke
 4. J. Hass
 5. H.S. Tandel
 6. B.K. Patil
 7. P.B. Mastan
 8. S.G. Valvoikar
 9. Y. Satyanarayana
 10. K.G. Chacherkar



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