

Government of Andhra Pradesh
Animal Husbandry Department

Proceeding of the Joint Director (AH) & Functional Registrar, Anantapur
Present: Dr. Mukundappa, MVSc.,

Rc.No.1444/OS/2012

Dated:05.11.2012


Sub:- Animal Husbandry Department - Anantapur District - District SBC union - updated enbloc amendments to the model bye laws of the District Sheep Breeder's Co-operative Union Ltd., Anantapur - with reference to amendments made to the APCS act 1964 - Issue of certificate of enbloc amendment registration - Regarding.

Ref:- 1) Head Office Memo.Roc.No.6811/D/D5/2012, dt.19.03.2012.
2) Application of President, DSBCU, Anantapur dt.04.11.2012.

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ORDER:

By virtue of powers vested with the Joint Director (AH), & Functional registrar as per G.O.Ms No.392 Food & Agl (AH-I) Dept., dt.14.06.1990. I do hereby register the enbloc amendments of byelaws of District Sheep Breeder's Cooperative Union Ltd., Anantapur under section 16 of APCS act 1964.


Joint Director (AH) &
Functional Registrar,
Anantapur (District)



To

The President, District Sheep Breeder's Cooperative Union Ltd., Anantapur along with certificate of registration & amendment byelaws.


Copy submitted to the Managing Director, Andhra Pradesh Sheep & Goat Development Cooperative Federation Limited., Hyderabad for favour of information.

Copy submitted to the Director of Animal Husbandry, Andhra Pradesh, Hyderabad for favour of information.

Government of Andhra Pradesh
Animal Husbandry Department
Anantapur District

Certificate of Enbloc Amendment Registration

I do hereby certify that, an enbloc amendment made to the byelaws of the District Sheep Breeder's Cooperative Union Ltd., Anantapur District on this day registered in pursuance of the section 16 of APCS act 1964. Given under my hand and seal at Anantapur on this day 5th of November two thousand twelve.


Joint Director (AH) &
Functional Registrar,
Anantapur (District)



55 (up dated Amendments copy)



THE BYELAWS OF THE DISTRICT
SHEEP BREEDERS CO-OPERATIVE UNION LTD.

Regd. No.1660.....

Arantapour

1. Name of the District Sheep Breeders Cooperative Union *Arantapour*
2. Date of Registration 1660 / 1987
3. Area of Operation *Arantapour (DI)*



ENBLOC AMENDMENTS TO THE BYE-LAWS OF THE DISTRICT SHEEP BREEDERS CO-OPERATIVE UNION LTD.,

1. The Ananthapur District Sheep Breeders' Cooperative Union Limited No. Reg No 1560 is registered as a cooperative society under the A.P. Cooperative Societies Act 7 of 1964. It's address shall be the Ananthapur District Sheep Breeders Cooperative Union Ltd., Ananthapur It's area of operation shall extend to the entire district of Ananthapur

2. DEFINITIONS

- 2.1 'Union' means the Ananthapur District Sheep Breeders Cooperative Union. of Ananthapur
- 2.2 'Society' means any registered Primary Sheep Growers' Cooperative Society Ltd., or any Wool Marketing Cooperative Society Ltd., which is affiliated to the union.
- 2.3 'Board' means the Board of Directors constituted as per the provisions of these bye-laws and Andhra Pradesh Cooperative Societies Act 7 of 1964 and rules framed thereunder.
- 2.4 'Member' means the society as defined in the item (2.2) above and affiliated to the union.
- 2.5 'Sheep Breeder' means a person who is engaged in rearing sheep and goats, irrespective of caste and creed.
- 2.6 The 'Act' means the A.P. Cooperative Societies Act 7 of 1964.
- 2.7 'Rule' means the A.P. Cooperative Societies Rules 1964.
- 2.8 'The Registrar' means the Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad or any other officer, or any other person on whom all or any of the powers of the Registrar under the Act are conferred.
- 2.9 'Managing Director' means a full time employee of the Animal Husbandry Department, whose services are loaned to the union.

- 2.10 'Department' means Animal Husbandry Department.
- 2.11 'Government' means the Government of Andhra Pradesh.
- 2.12 'Commodities' means Sheep, Goat, Feed, Fodder, Wool, Manure, Mutton, Skins, Offals, other by-products of slaughter of sheep and goat, packing materials, equipment and machinery etc.,
- 2.13 'Cooperative Year' means the period commencing on the 1st day of April of any year and ending with the 31st day of March of the succeeding year.
- 2.14 'Bye-laws' means the registered bye-laws for the time being in force.

✓ 3. **OBJECTS**

The chief objective of the union shall be to promote economic interest of its members and sheep breeders of the district, in the following manner:

- 3.1 To purchase and sale of sheep and goat.
- 3.2 To undertake, the slaughter of sheep and goats by establishing slaughter houses in the district and have sales of mutton and the bye-products of slaughter.
- 3.3 To undertake, collect, process wool from the affiliated societies and if necessary, organize to establish wool processing unit to further the interest of the affiliated societies and its members.
- 3.4 Purchase, pool, sell and distribute the commodities from and to the affiliated societies and private sources after processing, manufacturing without affecting the interest of its members.
- 3.5 Own or have on lease or otherwise movable or immovable properties.
- 3.6 Purchase, process, manufacture, distribute and sell sheep feed and products of the sheep feed and necessary feed, machinery, tools, instruments, packaging material etc.
- 3.7 Encourage pasture and fodder development by the members.
- 3.8 Application of improved sheep and goat husbandry practices of breeding, health care to the flocks of the affiliated society members.
- 3.9 Undertake and encourage sheep, goat and individual member insurance works.



- 3.10 Own flocks of sheep and goat for producing stud stock.
- 3.11 To facilitate arrangements for transport of commodities.
- 3.12 Organise new primary sheep breeders cooperatives and develop the affiliated societies.
- 3.13 Impart training to the primary members of the societies about the sheep and goat husbandry practices.
- 3.14 Render technical, financial, material, administrative and other related assistance to the primary societies and members of the primaries through the affiliated primary cooperative societies.
- 3.15 Organise and encourage saving schemes to inculcate the habit of thrift.
- 3.16 Carry on cooperative propaganda.
- 3.17 Settle all matters of common interest of the affiliated societies and further their interests.
- 3.18 Establish a research and development wing by contributing its funds and raise funds from the members of the union and others.
- 3.19 To facilitate provision of drinking water facilities to the sheep and goats in the grazing fields.
- 3.20 To facilitate for the bulk procurement of the medicines, tools, equipment required by the societies and supply them to the societies.
- 3.21 To enter into such other activities as shall be required to accomplish the above objectives.
- 3.22 To establish sheep breeders housing colonies and any other infrastructure facilities for social up-liftment of the members.

FUNDS

- 4.1 **Share capital:** Share capital may be raised by collection of entrance fee and share capital. The face value of each share will be Rs. 250/- Rupees two hundred fifty only. The authorized share capital will be Rs. 8.0 lacs (Rupees eight lakhs only). The entrance fee of Rs. 110/- one hundred ten shall be collected from each member at the

time of admission. The members should pay the application fee of Rs. ~~50~~ fifty only also at the time of admission. The liability of a member shall be limited to the capital subscribed. Share Certificates shall be issued for the Share Capital subscribed by a member.

- 4.2 **Loans & Deposits:** The union shall raise loans and deposits from the members, State Government, Central Government and other financing agencies, with the approval of Registrar. The total borrowing of the union whether from members or other shall not exceed 30 times of the paid up share capital plus reserve funds, minus accumulated losses if any. However, this will not apply to loans from governments.
- 4.3 **Grants-in-Aid and Subsidies:** The union may receive the grants-in-aid and subsidies from Government and other institutional agencies and foreign collaborations.
- 4.4 **Investments:** The union can invest funds in the Nationalized Banks or Scheduled Banks, in National Saving Certificates, in the Postal Saving Banks or in any of the securities specified in Section 20 of the Indian Trusts Act 1882, in the shares of securities of any other society or the concerned District Co-operative Central Bank, as stipulated under Section (46) of the Andhra Pradesh Co-operative Societies Act 7 of 1964.

5. MEMBERSHIP

- 5.1. Membership of the union is open to the registered cooperative societies as defined in bye-law No.2.4, who take a minimum of 4 shares initially.
- 5.2. Each member shall pay a minimum deposit of Rs. 5000/-. The deposit is refundable bearing interest announced from time to time.
- 5.3. The members will be strengthened financially for the purchase of sheep and goat, which will be adjusted against the supplies made to the union by the members.
- 5.4. No society once affiliated can be disaffiliated without the sanction of the Registrar unless it is dissolved and wound up under section 64 of the Andhra Pradesh Cooperative Societies Act, 1964.
- 5.5. Subject to section 23 of A.P. Cooperative Societies Act, 1964 any member may be expelled by a resolution of 2/3rd of the members of the society present and voting at the general body meeting, after giving an opportunity of making his representation to the general body.

- 5.6 The liability of the member shall be limited to the share capital subscribed by him.
- 5.7 The application for shares shall be made in writing in the form prescribed and shall be disposed off by the Board of Directors.
- 5.8 A share certificate shall be issued every time a share is subscribed by a member.
- 5.9 A duplicate share certificate will be issued if share certificate is lost by a member, with the approval of Board of Directors on payment of fee of Rs. 10/- per share.
- 5.10 No member can withdraw the shares unless the period of one year and/or until the liabilities are cleared.

6. GENERAL BODY MEETING

- 6.1 The committee may at any time call not less than (2) general meetings of a society in a cooperative year provided that one meeting shall be held in each half year.
- 6.1(a) If the general body is not convened within the above stipulated period, the Board of Directors shall cease to hold the office on the day next after the first day on which the general meeting should have been held.
- 6.2. The committee shall call a special general meeting of the society within 30 days of the date of receipt of a requisition in writing from
- (i) 1/3rd of the total members of the union.
 - (ii) The financing bank to which the union is affiliated
 - (iii) A federal society to which the society is affiliated or
 - (iv) The Registrar.

6.3 FUNCTIONS OF THE GENERAL BODY

The following matters shall be dealt by the general body.

- (i) Election and removal of member of the committee and members.
- (ii) Annual report to the Registrar.

- (iii) Consideration of the Audit Report and the Annual Report.
- (iv) Disposal of net profits.
- (v) Amendment of bye-laws.
- (vi) Expulsion of a member.
- (vii) Approval of the annual budget of income and expenditure.
- (viii) Affiliation of the society to the financing bank or other societies.
- (ix) Election of delegates to the financing bank or other societies.
- (x) Review of the loans and advances sanctioned to or the business done with the society by the members of the committee or their such near relatives and report to the Registrar about any default in the recovery of amounts due to society.
- (xi) Appointment of two internal auditors from among its members other than the members of the committee.
- (xii) Consideration of the report of the internal auditors appointed by it.
- (xiii) Contribution to Cooperative Education Fund.
- (xiv) Consideration of report of Enquiry or Inspection or Special Report of Audit.
- (xv) Decision on bad debts considered irrecoverable.
- (xvi) Management of deficits in stocks or cash.
- (xvii) Appointment of members of supervisory council, entrustment of duties to the supervisory council and consideration of its reports.
- (xviii) Decision of transfer of assets and liabilities on division or amalgamation.
- (xix) Review of attendance of committee members.
- (xx) Review of membership.
- (xxi) Review of the reports on the disqualification of the members and the committee members.

(xxii) Review of all overdue loans and defaulters.

(xxiii) Approval of the staffing pattern, pay and other allowances of the employees of the society and contingencies, subject to the availability of administrative and contingent fund and approval of the Registrar.

6.4 VOTING

1. Each representative of member society present at the general body meeting shall be entitled to exercise not more than one vote.
 2. The president of the general body meeting shall have a casting vote if necessary in addition to his ordinary vote.
 3. The primary society can send only the President as its delegate to the general body meeting.
- 6.5 In case of general body meeting, 15 days notice and in the case of special general body meeting, 10 days notice shall be given by the publication of notice at the Office of the Union or in at least one local newspaper.
- 6.6 The quorum for the general body meeting shall be 1/10th of the total members.
- 6.7 With the permission of Chairman any member may bring forward proposals regarding any matter, not specified in the Agenda of the meeting, provided that he may not propose the expulsion of another member or an amendment in the bye-laws.

7. BOARD OF DIRECTORS

The executive management of the union shall vest in a committee called 'Board of Directors'. The Board shall consist of not more than 18 members as detailed below. The constitution of committee shall be in accordance with the provisions stipulated under section 31 read with Rule 22 of the Act.

- 7.1. (1) 12 representatives elected by the general body out of which one shall be from SC/ST community.
- (2) Three government nominees as under
- (i) Registrar of Cooperative Societies or his nominee.
 - (ii) Director of Animal Husbandry, A.P. or his nominee.
 - (iii) One nominee of the Apex body of the State Sheep Breeders Federation.

- (3) One nominee of the financing agency.
- (4) One to be nominated by the Animal Husbandry Department from the experts in sheep development.
- (5) The Managing Director of the union will be the member of the board.
- 7.2 Notwithstanding any thing contained in these bye-laws the Government shall be vested with the power of nominating the first set of Board of Directors and Chairman.
- 7.3 **The term of Office :** The elected Board of Directors shall hold office for five years from the date of assumption of charge.
- 7.4 Any casual vacancy in the board during its term of office shall be filled up by co-option and such co-opted member shall hold office for the remaining period.
- ✓ 7.5 As soon as the election of the members of the Board is over, they shall meet and elect a Chairman and Vice-Chairman.
- 7.6 Seven clear days notice should be given to convene the Board meeting. The notice of the meeting shall be sent under certificate of posting to the address of the member societies. The quorum for the board meeting shall be majority of the total members of the committee.
- 7.7 Any delegate sitting in the committee of any other society cease to be such delegate if the society,
- a) of which the delegate is defunct or commits default in the payment of any amount due in cash or in kind to such other society for a period of three months.
 - b) the affairs of the society of which the delegate is wound up and if,
 1. he is a paid employee of the union.
 2. he is defaulter.
 3. he is declared as insolvent.
 4. he absents himself for three consecutive meetings of the Board.
 5. he incurs any other disqualifications mentioned in section 21A read with rule 24 of the Andhra Pradesh Cooperative Societies Act 7 of 1964 and Rules framed thereunder.

- 7.8. Subject to the provisions of the bye-laws and the directions conveyed in the resolutions of the General Body meetings, the Board of Directors shall have full authority to carry out the business of the union and responsible to the general body as stipulated under the Andhra Pradesh Co-operative Societies Act and rules framed there under. The board may meet as often as it may consider necessary for transaction of the business but, meet at least once in three months. On urgent occasions the business of the Board of directors will be conducted by a circulation of the resolution.
- 7.9. It shall be the duty of the President of the union to call the meetings of the committee so that at least one meeting of Committee is held in every three months. If the President fails to discharge that duty with the result that no meeting is held within such period, of three months or within one month following such period, he shall with effect from the date of expiration of one month afore said cease to be the President.

8. THE POWERS AND FUNCTIONS OF THE BOARD OF DIRECTORS.

The Board of Directors of the union shall subject to the provisions of the Act, rules, bye-laws and resolutions of the General Body exercise the following powers and functions namely,

1. Admit the members to the General Body.
2. Allot shares to the members and transfer of shares to the General Body.
3. Recommend removal of the members disqualified under section 21.
4. Recommend removal of any of the committee members disqualified and reinstatement of a committee member who ceased under sec. 21 B and place reports before General Body.
5. Raise funds in the form of loans or deposits and invest them.
6. Provide services or facilities including sanction of loans and advances to the members on a specific recommendation of the Chief Executive Officer on the basis of the date of admission of such members.
7. Sanction expenditure which is necessary for the business of the society subject to the provisions of the annual budget.
8. Conduct elections in the manner specified in the Andhra Pradesh Co-operative Societies Act and Rules 1964 to the office of the members of the committee before the expiry of the term.
9. Conduct general body meetings as prescribed in the Act.
10. Cause the Audit of the Accounts of the society within the time prescribed and place the Audit Report before the General Body.

- ✓ 11. decide matters connected with the day to day management of the society.
- ✓ 12. fix the staffing pattern, qualifications, pay scales and other allowances to the employees of the society, subject to the availability of the administrative and contingent fund and approval of the General Body and Registrar.
- ✓ 13. place the reports of Inquiry, Inspection or Special Audit Report before the General Body within the time prescribed.
- ✓ 14. rectify the defects noted in the reports of Audit, Inquiry, Inspection.
- ✓ 15. suspension of any officer or servant of the society under section 59.
- ✓ 16. initiate action for prosecution of any person who may have incurred criminal liability under the provisions of this Act or any other law for the time being in force.
- ✓ 17. prepare the list of defaulters and publish the same as prescribed and place before the General Body.
- ✓ 18. review all outstanding loans and ensure coverage of legal action on all over-due loans and advances.
- ✓ 19. give information on the affairs of the society to the supervisory council, the Registrar, Financing Bank and the Federal society to which the society is affiliated.
- ✓ 20. place the report on the loans sanctioned to and the business done by the members of the committee or their near relatives with the society, defaulters thereof and action to recover them before the General Body.
- ✓ 21. place annual report, annual financial statement, annual plan and budget before the General Body.
- ✓ 22. ensure cooperative education of the members, officers and the servants of the society.
- ✓ 23. prepare and place before the General Body, information or reports or statement relating to:

- a) Disposal of properties.
- b) Deficits in cash or stocks.
- c) Proposals for appropriation of net profits including creation of reserves and other funds.
- d) Write off bad debts.
- e) Removal of membership.
- f) Contribution to Cooperative education fund and administrative and Contingent Fund.
- g) Expulsion of member who has acted adversely to the interests of society.
- h) Affiliation of the society to the financial bank and other societies.
- i) Election of delegates to the financing Bank or other societies.
- j) Appointment of supervisory council and internal auditors and consideration of their reports and follow up action.

9.0 Managing Director

- 9.1 The Managing Director shall be appointed by the Board of Directors. He shall be the officer of the Animal Husbandry Department. He will be the technical chief executive of the Union in implementing the decisions of the Managing Committee and General body and responsible for technical and Managerial assistance to the union.
1. He will be purchasing officer of Sheep and Goats from the members to the tune of Rs. 25,000/- at a time. For other purposes like maintenance of equipment, machinery, purchase of stores, emergency contingent articles and spare parts up to the limit of Rs. 5,000/- at a time. Any expenditure exceeding the above said limit requires the approval of the Board.
 2. Fixing the cost of the Sheep and goats from time to time in consultation with the local Animal Husbandry Officer of the District / area.
 3. All employees or part time workers will be under his direct administrative control.
 4. He will be the custodian of all documents, loan deeds and properties of union.
 5. To convene and attend all General body and Board of Directors meetings in consultation with president.

6. To record the proceedings of the meetings in the minutes book.
7. Arrange disbursement and to receive payment from other agencies on behalf of the union.
8. To guide, supervise and control the work of the staff of the union and to perform particularly the following duties through them.
 - a. Maintenance of accounts and registers
 - b. Preparing of vouchers and balance sheet and other documents, required for the business of the Union.
 - c. To see that the accounts of the union are maintained up to date.
 - d. To conduct the day to day business of the union subject to the directions of the Board.
 - e. To see that the audit certificate is placed before the Board of Directors for consideration without delay and to take further steps for rectification and submit the reports to the auditors in time.
- ✓ 9. The Managing Director and the President of the Union jointly and severally shall be bound to keep, maintain or cause to maintain, sign and authenticate such accounts and books relating to the union and shall be responsible for the correct and up to date maintenance and authentication of such accounts and books and for producing or causing production of the same when called for in connection with Audit, Inquiry, Inspection or Election.

✓ 10. DISTRIBUTION OF PROFITS

The gross profit of the previous year shall be declared in the Annual General Body Meeting and the following deductions made from it.

- 10.1.
 1. Interest payable on loans and deposits.
 2. Working expenses of the union.
 3. Losses if any.
- 10.2 Distribution of profit shall be as prescribed under section 45 read with rule 36 of the Andhra Pradesh Co-operative Societies Act 7 of 1964 and rules framed there under.
 1. Transfer an amount not being less than 25% of the profits to the Reserve fund.

2. To pay an amount not being less than 15% of profit towards rebate to members on the amount or volume of business done by them with the society.
3. 1% of gross profit or gross income in a year to the co-operative education fund.
4. Credit an amount not being more than 30 percent of gross profit or 2 percent of working capital, whichever is less in a year to the Administrative and Contingent Fund towards pay and other allowances of its employees and contingencies in the manner prescribed.

10.3. The balance after the above deductions, shall be distributed as under:

1. 10% towards bad debts reserves.
2. Pay towards dividend to members on their paid up share capital an amount not being less than 15% of the net profit.
3. 10% shall be taken to the common good fund.

10.4. If it is found necessary to make any change in the above pattern of the distribution of profits, it can be done only with the sanction of General body meeting and the approval of the Functional Registrar.

10.5. The Board of Directors shall frame the subsidiary bye-laws for the utilization of these funds and running the business of the Union.

10.6. The livestock, other stock, machinery etc., which will be under direct control of the union have to be insured under General Insurance against natural calamities, theft, riots and other causalities.

11. Settlement of Disputes:

If any dispute touching the constitution, management, or the business of the union arises, such dispute shall be resolved as per section 61 read with Rule 49 of the A.P. Cooperative Societies Act 7 of 1964.

12. Recovery of debts due to Union:

The recovery of debts due to union shall be in accordance with the provisions stipulated under section 71 and section 61 of the Act as the case may be read with section 70 of the A.P.C.S Act 1964.

13. Amendment of Bye-Laws of Union:

Any amendment to the Registered bye-laws of District Union shall be made in accordance with the procedure stipulated under section 16 read with Rule 10 of the A.P. Cooperative Societies Act 1964.

14. Audit of District Union:

The Audit of District Union shall be completed within a period of six months from the close of the Cooperative year in accordance with section 50 of the Act.

15. Winding up and Cancellation of Registration:

The winding up and cancellation of Registration of the District union shall be in accordance with the procedure stipulated under section 64 read with Rule 50-A and Rule 51 of the Act.

16. Copy of the Act, Rules, bye-laws, last audited report list of members and of committee to be kept open to inspection by its members, free of charge, at all reasonable times, at the Union office. The Union shall also permit every member to inspect such portions of the books and records in which the transactions relating to him have been recorded.



M. Srinivas
JOINT DIRECTOR (A.H.)
ANANTAPUR.
P. Srinivas