

THE KERALA STATE SMALL INDUSTRIES ASSOCIATION

MEMORANDUM OF ASSOCIATION

1. Name

The name of the Association shall be “**The Kerala State Small Industries Association**” (hereinafter referred to as “the Association”). In each Revenue District there shall be a District Unit.

- (a) The name of the Association in the Revenue District shall be “**The Kerala State Small Industries Association, District Unit**” (“hereinafter referred to as “District Unit”)

Illustration : The name of the respective District shall be preceded by the Kerala State Small Industries Association.

Example : **The Kerala State Small Industries Association,
Ernakulam District Unit.**

2. Registered Office.

The Registered office of the Association shall be in **Ernakulam District**

3. Aims & Objectives.

- (a) To establish fellowship and co-operation among industrialists, who have setup their duly registered MSME-Industrial Units in Kerala State and to promote and protect such industrial units and their interests.
- (b) To further mutual assistance and co-operation among members and to organize combination of members for undertaking projects in which they are interested.
- (c) To consider and formulate opinions on all matters connected with Micro/small scale industries and to make representations for and on behalf of the members of the Association before State and Central Governments, Governmental Institutions, Statutory Bodies, Local Bodies, individuals and other organizations and to obtain by all acknowledged means the redress of grievances of the Micro/Small Scale Industrialists.
- (d) To edit, print and publish journals, periodicals, dailies, books, Souvenirs, Electronics Magazines, Journals, E-mail & to host websites and other literature concerning the Micro and Small Scale Industries Sector and to undertake any other activities necessary for the above purpose. To assist members to form clusters, consortiums and entrepreneurial clubs. To implement a Social Security Scheme and similar welfare schemes for the benefit of the Association members.
- (e) To Establish and maintain a library consisting of books, periodicals and other publications, tapes, films, photographs and other audio- visual equipment's of interest to Micro/small scale industrialists and to establish and maintain offices and lecture halls.
- (f) To provide facilities for exchange of information and opinion of interest to Micro/small industries.
- (g) To adjust and settle disputes or controversies among the members of the Association and to assist the members in settling disputes with their employees and to represent members in industrial disputes before the conciliation officers and/or the authorities under the Industrial Dispute Act.
- (h) To render legal aid to members and to assist them in solving labour, industrial and other problems connected with their activities.
- (i) To conduct Seminars and conferences and to organize Fairs, Exhibitions and similar activities.
- (j) To assist members in the procurement of raw materials, machinery and equipment, to obtain finance for their industries and to assist them to market their finished products.

- (k) To communicate with and to make representations to chambers of commerce, institutions and other Association throughout the world and conceive and promote measures for the protection and furtherance of the Micro/small scale industries and the common good of persons engaged their in.
- (l) To arrange tours for members in India and abroad and to send representative or representatives to attend Meetings, Seminars, Conferences, Fairs, and Exhibitions anywhere in the world.
- (m) To undertake and finance researches, Surveys, Projects reports and feasibility studies.
- (n) To subscribe to and to become member of and co-operate with other organizations whose objects are wholly or partly identical with or similar to those of the Association.
- (o) To accept and make gifts, donations, awards or benefactions from and to individuals Institutions, Organizations and Governments.
- (p) To acquire by purchase, gift, lease or otherwise and buildings and properties and to construct equip and furnish buildings and structural and to lease out, exchange or sell or otherwise dispose off such assets, which the Association may from time to time decide for the purpose of and in the interest of the Association.
- (q) To borrow from Bank or Banks or such other institutions or individuals amounts necessary for carrying on the objects of the Association.
- (r) To co-operate with other Associations in India and abroad with the intention of furthering the objects of the Association and with this end in view, to affiliate with groups and bodies and by getting itself affiliated to any National Body or Chamber of Commerce, if considered necessary.
- (s) To help, promote and establish suitable machinery for procurement and distribution of raw materials, provision of credit and marketing of end products of the member units.
- (t) To provide facilities for maintaining quality of products and to conduct research for the upgradation, modernization and the like for the industrial growth.
- (u) To do all or such other acts and things as may be necessary and conducive to the preservation, furtherance and expansion of Micro/small scale industries in the State or incidental to the attainment of the above objects or any of them.
- (v) To Start a trust in the name of KSSIA Social Security Fund, KSSF. This trust will be a welfare scheme for the members of the KSSIA. The trust will have its own bye-laws for the effective functioning of the trust.

4. RULES AND REGULATIONS

PRELIMINARY

Unless the context otherwise required, word and expressions used in these rules shall have the meaning assigned to them in the Travancore- Cochin Literary, Scientific and Charitable Societies Registration Act, 1125 M. E. Act. 12 of 1955.

5. MEMBERSHIP

The Association shall consist of Ordinary Members, Active Members, Honorary Members and sector specific State Level MSME Associations.

- (a) **Ordinary Members:** Any industrial unit registered as micro/small scale industry with the Department of Industries and possessing valid factories license/ industrial licenses from authorized local bodies/industrial power connection certificate is eligible for admission as an Ordinary Member. Each member shall be represented by one person. Those SSSEB's who are already members of the Association will continue to be members subject to other clauses in these bye-laws.

A Micro/Small Scale Industry having Provisional Registration/ MSME Part I is also eligible for ordinary membership. However, the validity period of such membership shall be only for the period for which the Provisional Registration Certificate is valid.

Members belong to each of District shall be enrolled by the respective District Committee of the Association in the name and style under which they carry on business, and for all purposes of the Association be generally

represented by the Proprietor, a partner, a Director or a Company Secretary in the case of a Proprietorship, Partnership or company respectively or in the case of a Trust and a Co-operative Society, by its President. In case of a Co-operative Society, or Company registered under the Companies Act, 1956, such application shall be accompanied by a resolution passed in the meeting of the Board of Directors of the Company/ Co-operative Society authorizing the Director / President of the Company/ Co-operative Society to represent the Company / Co-operative Society in the Association. In the case of Proprietary, blood relatives such as Father/ Mother/ Husband/ Wife/ Son/ Daughter/ Brother/Sister of the Proprietor/Proprietorix can also represent the firm for all purposes of the Association provided the respective Dist. Committee to which such members belong, feels that such representation is legally right and duly approved by the District Committee as per its bye-law.

- (b) **Active Members:** Active Members are those members who have a standing of at least twelve calendar months in the Association after having obtained the State Committee's approval and who have permanent SSI Registration/ Certificate of Part II of the Memorandum of MSME subject to provisions (in Clause 5a).
- (c) **Honorary Members:** Honorary Members are persons admitted to the Association by the State Committee or District Committee from among members of the public like Lawyers, Technologists, and Scientists etc. who possess special technical skill, expertise and knowledge on any subject which will be of use to the Association. The Honorary Members shall have no voting rights.
- (d) **Sector Specific State Level MSME Association:** The State President and State Secretary of Sector specific State Level MSME Associations or two members nominated by them are admitted as members to the State Committee without voting rights. These members are not entitled to become Office Bearers of the State Committee or District Committees.

6. Membership Fee

- (a. 1) Ordinary members shall pay an admission fee of **Rs.200/=** for enrolment, annual subscription of **Rs.800/=** and **subscription to periodicals of Rs. 200/=** to the District Committee. Members shall remit admission fee, membership fee and renewal of membership fee etc. **by cash, multi city cheque, demand draft or online transfer to the respective District Committee** and procure an official receipt issued by the District Committee. The membership fee may be altered by the General Council from time to time.
- (a.2.) Sector Specific State Level MSME Associations shall pay an annual subscription of Rs.8,000/= and subscription to periodicals/ E Magazine/ Circulars/ Notifications etc of Rs. 2000/= to the State Committee, by multi city cheque, demand draft or online transfer and procure an official receipt issued by the State Committee. The membership fee may be altered by the General Council from time to time.
- (a.3) **Life Member**
Every Ordinary or Active Member is eligible to become a life member by remitting a fee of Rs.8,000/= and subscription to periodicals/ E Magazine/ Circulars/ Notifications etc of Rs. 2000/= to the respective District Committee. Any increase in the membership fee will not be applicable to life members. The membership fee may be altered by the General Council from time to time.
- (b) **Renewal**
 1. Every Member including Sector Specific State Level MSME Associations, other than life members and those who have paid subscription for more than a year, shall renew his/her membership in advance by paying the subscription on or before 31st March of every year for the succeeding year.
 2. In the case of a calendar year during which an election is due, the District Unit shall have the power to accept membership renewal fee, provided a full year's subscription is paid in advance on or before 30th April of that calendar year.

In case a member has lost his membership due to his not paying the previous year's membership fee, he is allowed to renew his membership by paying the previous year's membership fee along with a late fee of Rs. 100/=.

A member can renew his membership for a period of 5 years. Any increase in membership fees during this period will not be applicable to those members who have renewed their membership for 5 years.

c) Honorary Member

Honorary Members shall not be required to pay any membership fee.

(d) Membership year

Membership year shall be from 1st April to 31st March.

(e) Share of Membership subscription.

The District Committee should remit to the State Committee, 50% as share of the admission fee collected from new members and 40% as share of annual or life membership subscription collected from all members on enrolment or renewal as the case may be, **along with subscription to periodicals/ E magazine/ Circulars/ Notifications etc collected from the members** to the State Committee on or before the 15th of the month succeeding the month such fees are collected. Membership renewal fee for an election year should reach the State Committee before the 15th of May. It should be presented in the accounts of the State Committee held during the month of June. The State Committee should not accept renewal fees after the 15th of May during an election year. Payments made to the State Committee between May 1st and May 15th should be by cash, demand draft or e-payment only. The Taluk Committee is eligible to 20% of the share of admission fee and renewal fee collected from the members of the respective Taluks. This amount is to be paid from the share of the District Committee.

(f) Membership Audit.

The State Committee shall make arrangements for annual membership Audit in every District starting from **1st April to 31st March** of the succeeding year. The State Committee shall on receiving such audit report ask the District Unit concerned to clear of the arrears, if any within 15 days.

7. ENROLMENT.

- (a) The State Committee as well as the District Committee may enroll honorary members. No application by the member shall be required.
- (b) The District Committee shall have the right to enroll Ordinary Members subject to provisions under clause 8 (c)

8. APPLICATION FOR MEMBERSHIP

- (a) Every application for ordinary membership shall be in writing and must be submitted in the form and manner prescribed by the State Committee. Original and photocopy of the above membership application shall be sent along with the State Association membership share to the State Committee. All the two copies should include along with the membership application in the prescribed format, a copy of the SSI Registration Certificate/ Registration Certificate of Part – I/ II of MSME/ Udyog Adhaar, local bodies license/ power allocation certificate/ latest electricity bill/ factories license of the person authorized by the Unit. All such application forms received by the District Committee along with the membership share of the State Committee should reach the State office of the Association on or before the 15th of the month succeeding the month during which the application was received by the District Committee.

The Following information shall also be furnished on the application along with any other relevant details.

- I) Name and address of the Unit
- II) No and date of any registration issued by the District Industries Centre/ Udyog Aadhar
- III) Nature of Industrial Unit (Steel, Softwood, Plastic etc)
- IV) Type of Management: Proprietary /Partnership /Co-operative Society/ Limited Company/ Trust etc.
- V) Name of the authorized person to represent the unit and his/her designation with resolution wherever it is necessary.
- VI) E mail ID
- VII) Mobile Phone No.
- VIII) Signature of the authorized representative or signature of the alternate authorized representative.

IX) Signature of the Managing Director/ Director/ Managing Partner/ Partner/ Proprietor/ President of the Industrial Unit.

The State Committee shall after affixing the seal of the Association and signature of the General Secretary in the membership application send the Original application back to the District Unit.

- (b) The application for ordinary membership shall be accompanied by admission fee in full and the half yearly or annual membership subscription and shall be proposed and seconded by active members of the same district and submitted to the committee of the district.
- (c) Every application for admission as ordinary member shall be placed before the District Committee at the next meeting being convened after receipt of the application. The committee shall have the right to admit any applicant as a member or reject the application and refund the membership fee paid after assigning proper reason for the rejection. The Committee should mention that the rejected applicant may approach the State Committee in appeal. If the rejected applicant feels that justice has not been meted out to him in that respect, he may file a petition before the State Committee. These petitions when received should be taken up at the next State Committee meeting being convened after receipt of such petitions and the decision taken by the State Committee shall be final.
- (d) Application for membership to the Association can be filed online on the respective District Committee's /State Committee's web site
- (e) Sector Specific MSME State Level Association shall apply for the Membership in their letter head with a copy of registration certificate of their organization as a proof.

9. TERMINATION OF MEMBERSHIP

- (a) Every member is liable to pay the annual subscription or to renew his membership on or before 31st March every year. If he fails to renew or to make good his full membership before the stipulated time as per clauses 6 (b) he shall with immediate effect lose his membership, membership of the district committee, General Council and State Committee of the Association and all those committees and bodies constituted by the Government representing the Association.
- (b) A Person shall cease to represent an industrial unit in the Association.
 - 1. By giving a notice of resignation in writing to the concerned District Secretary.
 - 2. By death.
 - 3. By insolvency.
 - 4. By becoming of unsound mind.
 - 5. by losing the ownership right.
- (c) Every person representing and industry in the Association is expected to uphold the dignity and prestige of the Association. If any of them acts prejudicial to the interests of the Association the District Committee may call for his explanation and if his explanation is not satisfactory, the matter may be placed before a meeting of the District General Body of the Association and his membership may be terminated by a majority decision of the District General Body.
- (d) Membership of the Unit will automatically be terminated if the Unit ceased to exist.
- (e) If a complaint is received by the District Committee about a member having relinquished ownership of his/ her Unit; the District Committee will conduct an enquiry and ascertain the genuine status of the Unit. If found that the complaint is genuine, the member automatically ceases to be part of the Association under intimation. If the member feels that he or she has been denied justice he may approach the State Committee. The State Committee will institute a 3-member committee within 60 days to study the matter in detail. The finding of the Committee will be presented at the State Committee's meeting and the State Committee's ruling will be final and binding.
- (f) If a complaint is received against any member, the State Committee with a two third majority amongst those present with voting rights has a right to terminate the membership of this member if he or she is found to act detrimental to the interests of the Association.
 - (f. 1) If it comes to the notice of the State Committee that a member is vilifying the reputation of the Association the State Committee can take up this matter suo moto at its meeting. The State Committee with two third majority can terminate the membership of this member if he or she is found to act detrimental to the interest of the Association.
 - (f.2) If it comes to the notice of the State Committee that a member has or is acting against the directions or interest of the State Committee, the State Committee can take up this matter suo

moto at its meeting. The State Committee with two thirds majority during this meeting can terminate the membership of this member who is found to act detrimental to the interest of the Association.

- (g) This member whose membership has been terminated as per clause f, f. 1, f.2. will be served with a show cause notice and given an opportunity to explain in writing or appear in person within 15 days from the date on which the notice has been served, to explain to the State Committee as to why his or her membership should not be terminated.
- (h) The membership of this member will be terminated if after hearing this member, the State Committee upholds its decision.
- (i) In case this member has a grievance against the decision of the State Committee, he or she may approach the Arbitration Board. After hearing the grievance of this member, the decision of the Arbitration Board will be final.
- (j) No District Committee should grant membership to such members whose membership has been terminated by the State Committee.

10) MEMBERSHIP REGISTER.

- (a) A register of members of the Association shall be maintained in the Office of the District Committee in which all important and relevant details on the applications shall be noted and any changes in the management or structure of the industry as well as any change in the authorized representative/ s shall be noted from time to time after placing the facts before the District Committee and shall be intimated to the State Committee. Out of authorized representatives only one representative authorized therefore shall have voting right as well as the right to hold any office in the Association.
- (b) Separate membership registers for each District shall be maintained in the Office of the State Committee in the same form and manner described in the above clause.
- (c) The State Committee shall supply membership registers to each District Committee on payment.

11. MANAGEMENT

The Affairs of the Association shall be managed by a State Committee subject to direction and control of the General Council. The affairs of each District Unit of the Association shall be managed by the respective District Committee under the supervision of the State Committee.

The District Committee shall be elected by the General Body of the respective District Unit without prejudice to the provisions of article 18 (S). The General Body of the respective District Unit shall also elect the General Council Members according to the formula prescribed on the basis of membership strength. The general Council consisting of directly elected members from the District Unit and of the District Presidents shall elect of the State Committee Members. No District Presidents shall contest for any office in the State Committee.

12. THE GENERAL COUNCIL

- I. The General Council of the Association shall consist of members directly elected by the General Body of each district on the basis of one member for every 25 members. If the total members of a District Unit is not a direct multiple of 25, the ratio will be one representative for 25 members, one representative for 37 members, two representatives for 38 and above. No person shall represent in the General Council from more than one District Unit. If a person is elected from more than one District Unit he shall retain only one membership and resign from the other District Unit within 7 days of the declaration of the result of elections. If not done so he shall cease to be a member of the General Council from the 8th day of the declaration of results of election. Elected Presidents of Taluk Committee from the District shall be members of the General Council, with voting rights provided that the number of General Council members of each District Unit shall not be exceeded according to the formula prescribed regarding the constitution of members of the General Council directly elected by the General Body of the each District on the basis of one member for every 25 members. Taluk Presidents do not have the right to contest for any post of the State Committee as well as the District Committee.

- II. Proxies shall not be allowed in the voting to the General Council at the General Body meeting of the members of the District.
- III. In addition to the elected members, all elected District Presidents and the immediate Past State President of the Association shall be a member of the General Council with voting right, but they shall not have any right to contest for any office in the State Committee during the current election year.
- IV. The term of the General Council shall be 2 years.

13. MEETING OF THE GENERAL COUNCIL

- (a) The General Council may meet whenever necessary but shall meet at least once in every 3 months.
- (b) The State Committee or the General Council itself may decide the time and place of each meeting of the General Council.
- (c) The President or the Secretary of the State Committee may convene meetings of the General Council.
- (d) Not less than 12 clear day's notice for every ordinary meeting of the General Council shall be given to the members.
- (e) The President or in his absence one of the Vice Presidents or in the absence of all of them, any member of the General Council voted to the chair shall preside over the meetings of the General Council.
- (f) **Quorum:** One Fifth of the total members of the General Council or 25 members whichever is less present and entitled to vote shall constitute the quorum for all meetings of the General Council.
- (g) The General Council shall decide matters before it in an agenda by a majority of votes and when votes are equal, the Chairman, shall have a casting vote. Proxies are not allowed.
- (h) In the event of sufficient number of members not being present for the quorum of the meetings of the General Council on relapsing 30 minutes from the time fixed for the commencement of the meeting of the General Council may be adjourned for the same day after one hour at the same place. If there is no quorum at such adjourned meeting, the meeting of the General Council may be held with the available members and resolutions passed and decisions made at that meeting shall be valid as if there was necessary quorum.
- (i) Leave of absence shall be granted if it is in writing only. Any member of the General Council who fails to attend two consecutive meetings of the General Council without leave of absence granted in the previous General Council, loses his/her membership in the General Council but he/she shall not however be removed from the General Council without being provided with an opportunity to explain the reasons for his/her repeated absence and without the General Council deciding after due consideration that his/her explanations is satisfactory.
- (j) Casual vacancies occurring in the membership of the General Council on account of death or expulsion or resignation or removal or any other similar cases shall be filled up by co-option. The concerned District Committee shall have the right to nominate the person in place of the vacated member. The State Committee shall ask the District Committee in writing to nominate a person to fill up the vacancy by co-option sufficiently before the following General Council meeting. Such co-opted member shall hold office till the expiry of the term of that General Council shall have all the rights of an elected General Council member.
- (k) The minutes of the proceedings of the General Council shall be prepared by the General Secretary of the State Committee and shall be read and adopted at the ensuring meeting.
- (l) **Requisition meeting of the General Council:**

If one-third of the total members of the General Council make a written requisition specifying the purpose, to the President or the General Secretary of the State Committee, to convene a meeting of the General Council, the President or the General Secretary shall be bound to convene such a meeting within 15 days of receiving the requisition provided that those members are drawn from at least 5 District. 10 clear day's notice shall be given to the members of the General Council for such meetings. If the President or the General Secretary fails to convene such a requisitioned General Council meeting within the time specified, those members may jointly call such a General Council meeting with the agenda notified. At least 10 clear day's notice shall be given to the members for such a meeting. The decision taken and the resolutions passed pertaining to the matters in the agenda passed by two-thirds majority of the members present and voting at such a requisitioned meeting shall be binding.

(m) **Extra Ordinary meeting of the General Council:**

The State Committee may convene an Extra Ordinary meeting of the General Council. At least 7 clear day's notice specifying clearly the objects of such a meeting and the business to be transacted shall be given to the members of the General Council and only the business so specified shall be discussed at such meeting.

14. POWERS OF THE GENERAL COUNCIL

The General Council of the Association shall have powers:

- (a) To elect a State President, 3 State Vice Presidents and other members to the State Committee.
- (b) To give directions to the State Committee to execute or implement any schemes put forward by the General Council.
- (c) To review the actions of the State Committee and if necessary, ratify or reject any or all of them.
- (d) To pass resolutions.
- (e) To amend byelaw.
- (f) To take disciplinary action against any member of the General Council.
- (g) To remove the President or the Vice Presidents or General Secretary, Joint Secretary or the Treasurer or any of the other members of the State Committee.
- (h) To adopt or amend the Annual Report and passing of the audited balance sheet submitted by the State Committee.
- (i) To appoint an auditor to audit the accounts of the Association and to fix his remuneration.
- (j) To consider the budget prepared by the State Committee and pass it or amend it.
- (k) To supersede a District Committee in case of disputes and appoint an ad-hoc Committee to manage the affairs of the district unit of the Association till a new Committee is duly elected. A District Committee shall be superseded only by a resolution passed by the general council at its ordinary meeting with two-thirds majority of the members present and entitled to vote and voting. The General council shall have the right to consider the subject only if it is included as an item in the agenda of the meeting and due notice has been given.

15. The State Committee

1. State Committee shall consist of members according to the following formula:

- (a) The State President and 3 State Vice Presidents shall be elected in common.
- (b) The immediate past President shall ipso-facto be a member of the State Committee.
- (c) Every District Unit having not less than 50 members shall be entitled to get one representative each by election in the State Committee, but no district shall have more than 8(eight) representatives excluding the office bearers directly elected by the General Council.
- (d) Other members of the State Committee shall be elected on the basis of one member for every six General council members from the respective District units. If the total number of General council members do not correspond to direct multiple of six members the ratio shall be one state committee member for six general council members, two state committee members for 10 to 12 general council members(e.g.: one state committee member for 6 to 9 general council members, two state committee members for 10 to 12 general council members and so on.)

2. The Constitution of the State Committee shall be as follows:

- (a) A President directly elected by the general council at its first meeting. He shall be known as the State President of the Association.
- (b) Three vice presidents directly elected by the general council at its first meeting. They shall be known as State Vice Presidents.
- (c) Other members elected by the General Council at its first meeting.
- (d) The immediate past president shall ipso-facto be a member of the State Committee.
- (e) Not more than two honorary members duly nominated by the State Committee with voting rights.

Three women members one each from the three zones nominated by the state committee with voting rights.

(f) All district presidents shall be members of the State Committee with voting right.

(f. 1) The State President and State Secretary or any two members of the Sector Specific State Level MSME Associations which have paid the membership fee as per clause 6. A.2 will be members of the State Committee without voting rights.

(g) The state president shall in consultation with the State Committee have powers to invite Association members whom he deems fit for the better functioning of the association as special invitees to the meetings of the State committee. Such special Invitees shall have not voting rights. The state president shall with the consent of state committee, also have the power to withdraw, the special invitation extended to any member on sufficient reasons, like continuous absence, absence without prior intimation in writing, misconduct, and misbehavior in the Association activities.

(h) The term of the State Committee shall be two years.

16. Office Bearers of the State Committee

The state Committee shall have the following office bearers

1. A president
2. 3 (Three) Vice presidents. One each for the 3 zones (North, central and South)
3. A General Secretary
4. 3 (Three) joint secretaries representing three zones
5. A Treasurer

The President and the three vice presidents shall be directly elected by the General council at its first meeting. The other office bearers shall be elected by the elected members of the State Committee from among themselves.

The office bearers shall hold office till the next general election and assumption of office by the new President and Committee.

17. Meetings of the State Committee.

- (a) The first meeting of the State Committee will be held immediately after the election results to this Committee are announced. Subsequently the State Committee shall meet whenever necessary, but shall meet at least once in every month. The General secretary or President may convene the meetings of the State Committee
- (b) Not less than 7 clear days notice of every meeting of the State Committee shall be given to the members of the State Committee.
- (c) The President or in his absence one of the vice presidents or in the absence of all of them any member other than Honorary members of the State Committee voted to the chair shall preside over the meeting of the State Committee.
- (d) The state committee shall decide matters before it by a majority of votes and when votes are equal the Chairman of the meeting shall have a casting vote. Proxies are not allowed.
- (e) Quorum: 10 members or $\frac{1}{4}$ of the strength of the state committee whichever is less excluding honorary members and special invitees at a meeting shall constitute the quorum. Of the above members at least 5 shall be persons other than office bearers of the Association.
- (f) In the event of sufficient number of members not being present for a quorum of the meeting of state committee, the meeting of the State Committee shall be adjourned for the same day after one hour at the same place. If there is no quorum at such adjourned meeting, the meeting of the state committee shall be held with available members, and resolutions passed and decisions made at such meetings shall be valid.
- (g) Leave of absence shall be granted if it is in writing. Any member of the state committee who fails to attend 3 consecutive meetings of the state committee without the leave of absence submitted and granted by the previous state committee shall lose his/her membership in the state committee but he

/she shall not however be removed from the state committee without being provided with an opportunity to explain the reasons for his/her repeated absence and without the state committee deciding after due consideration that his/her explanation is satisfactory.

- (h) Casual vacancies occurring in the membership of the State Committee on account of death or expulsion or resignation or removal or any other similar causes of a member shall be filled by the state committee by co option from among the members of the General council of that particular district. Such co opted member shall hold office till the expiry of the term of the State committee and shall have all the rights of an elected State committee member.
- (l) If 1/3 of the total members of the state committee other than honorary members make a written requisition to the President or General Secretary, specifying the purpose, the President or the General Secretary shall be bound to call a meeting of the state committee within 10 days of receipt of such requisition. 10 clear days notice shall be given to the members for such a meeting. If the President or the General Secretary fails to convene such a requisitioned state committee meeting within the time specified, those members may themselves jointly call a State Committee meeting with the agenda notified. At least 10 clear days notice shall be given to the members for such a meeting.

18. Powers of the State Committee

The state committee shall have powers

- (a) To take appropriate steps to carry out the objects of the Association set out in the memorandum.
- (b) To pay all costs, charges and expenses incurred for the registration of this Association.
- (c) To purchase or otherwise acquire for the Association any property without liability, right or privileges constituted in the Memorandum and the rules of the Association at such price and generally on such terms and conditions as the State Committee deems fit. Powers to sell assets will lie with the General Council.
- (d) To invest and deal with any of the funds of the Association upon securities and investments and in such manner as the state committee deems fit, according to the provisions of these rules.
- (e) To appoint such sub committees as may be necessary for the purposes of the Association.
- (f) To make vary or repeal bye-laws for the regulation of the business of the State Committee subject to the approval of the General Council.
- (g) To appoint officers, clerks and other employees, to suspend or remove or punish them, to determine their powers and to fix their salaries and emoluments and to receive securities in such instances and in such amounts as the State Committee deems fit.
- (h) To institute, conduct, defend, compromise or abandon any legal proceedings on behalf of the Association or against its officers concerning the affairs of the Association, to correspond or allow time for payment or satisfaction of any debt due or any claim or demand against the Association.
- (i) To determine the number of account books, registers and other books to be maintained.
- (j) To fill up any vacancy which may arise in the state committee by co-opting a member thereto.
- (k) To borrow or raise money for and on behalf of the Association.
- (l) To nominate persons to State and national level committees of the Government or other organizations to represent the Association.
- (m) To open offices in any part of the world to attain the objectives of the Association.
- (n) To convene ordinary meetings and extra ordinary meetings of the General Council.
- (o) To fix the date ,time and place for the election to the State Committee.
- (p) To give directions to the District Committee regarding the elections in their respective district.
- (q) To hear appeals by District Committee and members and make decisions on them
- (r) To interfere in the affairs of the district committee when a dispute arises there and suggest ways and means to solve it and to take steps to implement them.
- (s) To supersede a District committee and appoint an ad hoc committee to manage the affairs of the district unit of the Association till a new Committee is duly elected on a clear mandate from the General council. The tenure of such an Adhoc committee shall not exceed 90 days. During this period a new district committee shall be elected which will hold office for the remaining period of tenure. *In case a new District committee could not be elected for reasons beyond control, the State*

committee may extend the tenure of the ad hoc committee or select a new adhoc committee for the remaining term.

- (t) To convene an extra ordinary meeting of the district general body
- (u) To supervise the district level elections and to depute an observer or observers to be present during the elections.
- (v) And generally at their discretion to do and perform every act and thing the State committee may consider necessary for the purpose of carrying out the business and duties of the Association.
- (w) If the superseded District Committee, its Office Bearers, or members refuse to vacate office, attend official meetings convened by the Central or State Government or their Departments, Financial Institutions, quasi Government Bodies or any such meetings as official representatives of the The Kerala State Industries Association and/or prevent the Adhoc Committee appointed, to function as per the decision taken by the State Committee as per clause 18 (s), the membership of such members will be terminated as per the procedure laid down under clause 9 (f.2)

19. Functions of the President of the State Association

The President of the Kerala State Small Industries Association shall have general control over the affairs of the Association and shall preside over all meetings of the State Committee as well as General counsel.

His functions shall generally be:

- (a) To convene special meetings of the state committee as well as the General council on his own or require the General secretary to do so.
- (b) If the President finds that he has no confidence in the general secretary, Joint secretary or treasurer he may report the matter to the meeting of the state committee specially convened for the purpose or the meeting of the Committee in which the subject is specifically shown on the agenda and after due consideration if the state committee approves of the stand of the president by two third majority the concerned office bearer 'may be removed from his position. The members of the state committee shall then elect a person to fill the vacancy from among themselves. But if the state committee does not approve of the stand of the President, he may take up the matter to the next meeting of the general council in the agenda of which the matter is specified, and the decision of the General council in this matter shall be final. In case the General council also does not approve of the stand of the president and rejects his move of no confidence of any of the office bearers by a two third majority of the members present and voting at its meeting it tantamount to an impeachment of the President and he shall be bound to resign. In such circumstances, Central zone vice president shall take charges as president who shall hold office till a new president is duly elected in the next general council meeting. The new duly elected president shall hold office for the remaining period of the tenure of the Committee.
- (c) The president shall have powers to appoint office staff from time to time in consultation with the General Secretary and subject to the approval of the State committee such persons as he thinks fit assist him in his functions and to supervise their work and to take disciplinary action against them as and when occasions demand.
- (d) He shall execute all documents on behalf of the Association.
- (e) The President may delegate subject to the approval of the State Committee any of his powers and duties to any of the Vice presidents or any other member of the state committee for a specified period and may withdraw any powers so delegated
- (f) In the event of death or resignation of the president from his office, the central zone Vice –President shall immediately take charge of the office of the President who shall continue to hold that office till the next meeting of the General Council specially convened for within 15 days to elect a new president and upto his assumption of the office.
- (g) The President shall not be removed from his office without two third majorities of the members present and entitled to vote at a meeting of the General Council, specially convened for the purpose passing a resolution to that effect.
- (h) A state president can hold office for two consecutive terms if duly elected. He or she may then contest and be elected after a break of one term.

20. Functions of the Vice President of the Association.

- 1) (a) There shall be 3 Vice Presidents one each from the South Zone consisting of Trivandrum, Kollam, Pathanamthitta and Alappuzha Districts, the central zone consisting of Kottayam, Idukki, Ernakulam, Thrissur and Palakkad districts, and the north zone consisting of Malappuram, Kozhikkode, Kannur, Wayanad, and Kasargod districts.
(b) In the event of new district/s being constituted such revenue districts shall form part of respective zone/s.
- 2) (a) The General Council shall have powers to make any changes in the formation of the zones
(b) The Vice Presidents shall have the powers to preside over the meetings of the State committee and general council in the absence of the President.
(c) The Vice Presidents shall have overall supervision of the working of the District committees in their respective zones and shall make periodical reports to the state committee about the working of the district committees.
(d) The Vice –Presidents shall be invited for all the meetings and shall attend at least two meetings of the district committees in their respective zones in a year. They shall also be present in the District general body meetings in their respective zones. When district unit elections take place in their respective zones, they shall act as observers under the directions of the State committee.
- 3) A state Vice President can hold office for two consecutive terms if duly elected. He or she may then contest and be elected after a break of one term.

21. Functions of the General Secretary of the State Association.

The General Secretary shall be the administrative arm of the State committee and his functions shall generally be those specified below such other functions as the State committee or the President may assign to him from time to time.

- (a) The General Secretary shall convene all meetings of the State committee as well as the General council.
- (b) The General Secretary shall prepare the Agenda for the meetings of the State committee as well as the General council in consultation with the President.
- (c) The General Secretary shall keep a page numbered minutes book in which the proceedings of the State committee meetings shall be truthfully recorded.
- (d) The General Secretary shall place before every State committee meetings all-important correspondence upto the date of the meeting of the State Committee.
- (e) The General Secretary shall have general control over the offices of the Association and shall be the controller of all official documents and records of the Association.
- (f) The General secretary shall attend to the day-to-day correspondence and other office work of the Association.
- (g) The General secretary may delegate any of his powers to the Joint Secretary if necessary with the approval of the President.
- (h) The General Secretary shall have the powers to spend upto Rs 3000/-for any purpose of the Association before getting the approval of the State committee, but it should be ratified in the subsequent meeting of the State committee.
- (i) The General Secretary may keep a sum not exceeding Rs 3000/-as imprest cash.
- (j) The General Secretary shall make arrangements for the conduct of all such functions of the Association as may be decided upon by the State committee.
- (k) The General Secretary shall prepare the minutes of the State committee as well as the General council.
- (l) The General Secretary shall represent the state committee in all legal proceedings, hearings etc. In courts, tribunals, Arbitration board, other quasi-judicial bodies and public offices and such other bodies.

22. Functions of the Joint Secretary of the State Association

- (a) The Joint Secretaries shall assist the General Secretary in the day to day affairs of the Association.

- (b) In the absence of the General secretary, the Joint Secretary authorized by the President shall perform all the duties of the General Secretary till a new General Secretary is elected by the State Committee.
- (c) He shall perform such other functions as may be entrusted to him from time to time by the President or General Secretary.

23. Functions of the Treasurer of the State Association.

The Treasurer shall be the sole custodian of all the cash, valuables and connected Account books, Receipt books, Vouchers etc of the Association

His duties shall be:

- (a) To maintain proper records and books of account in respect of all cash dealings of the Association and to place them before the state committee at its meetings for approval.
- (b) To prepare a budget and place it before the General council for its approval.
- (c) To get the annual accounts audited by the auditor appointed by the general council
- (d) To operate on behalf of the Association and the State Committee the bank accounts, of the association, jointly with the President or the General secretary.
- (e) To supervise the collections of and contributions to the Association and to account such collections and contributions.
- (f) To present the accounts at the meeting of the State committee and the General council.
- (g) The state treasurer/internal auditors approved by the state committee will audit the membership accounts as well as the related accounts. The treasurer may use the services of any other office bearer and /or staff of the Association .The Treasurer and his team are entitled to reimbursement of travel expenses when visiting District associations for auditing.

24. The District General Body

The total number of valid members of the Association in the District forms the General body of the District.

25. Powers of the District General Body

The District General body of the members shall have powers:

- (a) To elect the District President ,the district vice president and 14 other members to the district committee.
- (b) To elect the members to the General council.
- (c) To give directions to the district committee to execute or implement any scheme put forward by the general body.
- (d) To review the actions of the District Committee and if necessary ratify or reject any or all of them.
- (e) To pass resolutions.
- (f) To suggest amendments to bye- law
- (g) To take disciplinary action against any member of the district
- (h) To remove the President or the Vice President or any of the members of the District Committee.
- (i) To adopt or amend the annual report and accounts.
- (j) To appoint an auditor to audit the accounts of the district unit of the Association and fix his remuneration.

26. Meetings of the General body of the District.

- (a) The General body shall meet whenever necessary but at least once in an year.
- (b) Not less than 12 clear days notice shall be given to all members for Annual general body meeting.
- (c) The District Committee is empowered to make all necessary arrangements and to lay down rules for conducting the annual general body meeting in a smooth and efficient manner.

- (d) The district committee shall place before the Annual general meeting, an annual report and audited balance sheet and Income and Expenditure account of the preceding financial year for its approval. The general body shall appoint an auditor for the current year and fix his remuneration.
- (e) The District Committee may convene an extra ordinary General Meeting. At least seven clear days notice specifying clearly the objects, the objects of such meeting shall be given to the district members of the association and only the business so specified shall be discussed at such meetings.
- (f) The President or in his absence the Vice president or in the absence of both of them any member voted to the chair shall preside over the meeting of the General body.
- (g) If one –fifth of the members whose subscriptions are current on date, make written requisition specifying the purpose to the president or secretary to convene an extra ordinary General body meeting, the President or Secretary shall be bound to call such general meeting within 15 days of receiving such requisition. The President or Secretary shall circulate the subjects and resolutions to be discussed at such extra ordinary general body meeting and only the business so specified shall be discussed at such meetings. At least 7 clear days notice shall be given to the members for such meeting. If the President or secretary fails to convene such extra ordinary general meeting, with the agenda notified, those members may jointly call for such meeting. At least 7 clear day's notice shall be given to the members for such meeting. The decisions taken and the resolutions passed pertaining to the matters in the Agenda passed by two thirds majority of the members present and voting shall be binding.
- (h) **Quorum:** Thirty five members or one third of the members in the district whichever is less, present and entitled to vote, shall be the quorum for any general body meeting.
- (i) Each member shall have one vote. In case of tie, the Chairman shall exercise his casting vote. Proxies are not allowed.

27. Agenda for the District Annual General Body Meeting.

The following items shall also be included in the agenda for the Annual General body meeting of the District unit of the Association.

- (a) To adopt the minutes of the previous general body meeting.
- (b) To adopt the Annual report presented by the Secretary.
- (c) Passing of the Balance sheet and audited accounts of the Association for the previous year.
- (d) Appointment of an auditor and fixing his remuneration.

28. District Committee

Constitution of District Committee shall be as follows.

- (a) A District President directly elected by the General body of the district from among active members of the Association.
- (b) A District vice –president directly elected by the General body of the district from among active members of the Association.
- (c) Fourteen other members directly elected by the General body of the District from among active members.
- (d) Four members nominated by the district committee from among active members out of which two shall be women and who shall hold office till the term of the district committee.
- (e) The immediate past District President of the District Committee.
- (f) Not more than two honorary members nominated by the district committee who shall hold office till the term of the District committee or till the district committee decides otherwise. They will have no voting rights in any of the meetings of the Association.
- (g) The term of District committee shall be two years if the new office bearers shall not assume office before the said two years.
- (h) The district president shall in consultation with the District committee have power to invite person/s as special invitees to the meetings of district committee whom he deems fit, for the better functioning of the Association.

- (i) The members of the General council and state committee from the respective district shall be permanent special invitees to the meetings of the district Committee. The special invitees shall not have voting right.
- (j) The Taluk level Chairman shall also be specially invited to the District committee meetings.
- (k) Taluk Committee Secretaries shall be members of the District Committee with voting rights.
- (l) Membership forms and receipts books shall be supplied to the Taluk Committees.

29. Office Bearers of the District Committee.

The District committee shall have the following office bearers:

- 1. A District President
- 2. A District Vice -president
- 3. A District Secretary
- 4. A District Joint Secretary
- 5. A District Treasurer

The fourteen elected members of the district committee shall elect Secretary, Joint Secretary and treasurer from among themselves.

The Office bearers shall hold office till the next general election and assumption of Office by the new president and Committee.

30. Meetings of District Committee

- (a) The District Committee shall meet whenever necessary, but shall meet at least once in every month. The Secretary or President may convene the meetings of the District Committee.
- (b) Not less than 5 clear days notice of every meeting of the district committee shall generally be given to members of the district committee, but when matters of a very important and urgent nature are to be discussed and decided upon, the district committee may meet at shorter notice ,and the decisions taken at such meetings shall be valid.
- (c) The District President or in his absence the District Vice President and in the absence of both of them any elected member of the District committee voted to the Chair shall preside over the meetings of the District Committee.
- (d) The District committee shall decide matters before it by a majority of votes and when votes are equal, the Chairman of the Meeting shall have a casting vote. Proxies are not allowed.
- (e) **Quorum:** Seven members other than honorary members of the district committee present at a meeting shall constitute the quorum. Of the above seven members at least three shall be persons other than office bearers of the District Committee.
- (f) **Requisition.** If nine members of the District Committee other than honorary members make a written requisition to the District President or District Secretary specifying the purpose the District President or District Secretary shall be bound to call such a meeting within 7 days of receipt of such requisition .If the District President and District Secretary fails to convene such a requisitioned meeting within the specified time, those members may themselves jointly call a district committee meeting with the agenda notified. At least seven clear days notice shall be given to the members for such a meeting. The decisions taken at such a meeting and the resolutions passed pertaining to the matters in the agenda passed by two thirds majority of the members present and voting shall be binding.
- (g) In the event of a sufficient number of members not being present to constitute the quorum of the meeting of the district committee, the meeting of the District Committee may be adjourned to the same day same time, same place next week and notice of such adjourned meeting shall be sent to all members of the committee the next day. If there is no quorum at such adjourned meeting, the meeting of the district committee may be held with the available members and the decisions taken at that meeting shall be as valid as if there was quorum.
- (h) **Removal of Members**

Any member of the district committee who fails to attend three consecutive meetings of the committee is likely to lose his membership of the District Committee unless his absence is condoned by the district committee. He shall not however be removed from the district committee without being

provided with an opportunity to explain the reasons for his repeated absence and without the district committee deciding after due consideration that his explanation is satisfactory.

(i) **Casual vacancy.**

Casual vacancies occurring in the membership of the District Committee on account of death or retirement or incapacity or expulsion or resignation or removal or any other similar cases shall be filled by the District committee by co-option. The person so co-opted shall have voting right and hold office till the expiry of the District committee.

31. Powers of District committee:

The District Committee shall have powers:

- (a) To take appropriate steps to carry out the objects of the Association set out in the Memorandum of association in the concerned District.
- (b) To purchase or otherwise acquire for the Association any property right or privileges constituted in the Memorandum of Association at such price and generally on such terms and conditions as the district committee deems fit .
- (c) To invest and deal with any of the funds of the district unit upon securities and investments and in such manner as the district committee deems fit, according to the provisions of these rules.
- (d) To appoint such sub committees as may be necessary for the purpose of the district unit of the Association.
- (e) To edit print and publish journals periodicals dailies, books souvenirs and other literature concerning the Micro/Small Scale Industries sector and to undertake any other activities necessary for the above purpose.
- (f) To appoint officers, clerks and other employees, to suspend or remove or punish them, to determine their powers and to fix their salaries, emoluments and to receive securities in such instances and in such amounts as the district committee may deem fit.
- (g) To institute, conduct defend, compromise or abandon any legal proceedings on behalf of the district unit of the Association, or against its officer/s concerning the affairs of the Association, to correspond or allow time for payment or satisfaction of any debt due or any claim or demand by or against the Association.
- (h) To determine the number of account books, registers and other books to be maintained.
- (i) To fill up any vacancy which may arise in the district committee by co-opting member/s thereto
- (j) To open offices in any part of the district to attain the objectives of the Association.
- (k) To nominate person /persons to the general council whenever vacancy arises in the membership of the district in the General Council.
- (l) To convene extra ordinary General body meeting of the District unit of the Association.
- (m) To fix the date, the time and the place for the election to the district committee and the general council from the District.
- (n) To borrow or raise money for and on behalf of the district unit of the Association.
- (o) To abide by the instructions and directions of the State Committee
- (p) The District Secretary should get the concurrence of the State President/General Secretary before conducting press conference /submitting memorandums on policy matters.
- (q) The Districts should have their accounts audited by a chartered accountant by the 30th of June every year. The district committee should convene its annual general body by the 31st of July every year except during an election year and present these accounts and have it approved by the general body.
- (r) To supersede a Taluk Committee in case of disputes and appoint an ad-hoc Committee to manage the affairs of the Taluk Committee of the Association till a new Committee is duly elected. A Taluk Committee shall be superseded only by a resolution passed by the District Committee at its ordinary meeting with two-thirds majority of the members present and entitled to vote and voting. The District Committee shall have the right to consider the subject only if it is included as an item in the agenda of the meeting and due notice has been given.

32. Functions of the District Committee President:

- (a) The District President shall have general control over the affairs of the district unit of the Association and shall preside over all the meetings of the district committee as well as the General body. Nevertheless, he shall not have such power at situations wherein the State committee on approval of the general council of the Association, takes steps to supersede the district committee. In such situations the Vice president of the respective zone shall have the powers of the district president and he will act according to the directions of the State committee.
- (b) The District President shall have power to convene special meetings of the District committee either on his own or by requiring the Secretary to do so.
- (c) If the District President finds that he has no confidence in the District Secretary or District Joint Secretary or District Treasurer, he may report the matter at the district committee meeting specially called for considering the subject or with that specific item on the agenda, and after due consideration if the district committee approves his stand the concerned office bearer may be removed from his position. The elected members of the district committee shall elect another person to the vacancy from among themselves. But if the district committee does not approve of the stand of the president, he may take the matter to a meeting of the General body and the decision of the General body on the subject shall be final. In case the general body also does not approve the stand of the District President and rejects his move of no confidence in the concerned office bearer, by a two third majority of the members present and voting at its meeting, it tantamount to an impeachment of the District President and he shall be bound to resign forthwith. In such circumstances the District Vice President shall take over the charge and become District President.
- (d) The District President shall have powers to appoint from time to time, in consultation with the District Secretary and subject to the approval of the District committee, such persons as he deems fit to assist him in his functions, and supervise their work and take disciplinary action against them as and when occasions demand.
- (e) The District President shall execute all documents on behalf of the district unit of the Association.
- (f) The District President may delegate, subject to the approval of the District committee, any of his powers and duties to the District Vice President, or in his absence, to any member of the district Committee for a specified period and may withdraw any powers so delegated at any time.
- (g) In the event of death, resignation or removal of the District President from his office, the District Vice President shall take charge of the office of the District President immediately and he shall continue to hold that office till the next election excepting in such situations wherein the State committee on approval of the general council of the association takes steps to supersede the district committee. In such situations the District Vice President of the respective zone shall have full powers of the district president and he shall act according to the directions of the State committee.
- (h) The District President shall not be removed from his office without two third majority of the members present and entitled to vote passing a resolution to that effect at a general body meeting of the District specially convened for the purpose.
- (i) A District president can hold office for two consecutive terms if duly elected .He or she may then contest and be elected after a break of one term.
- (j) He/she shall sign all communications, documents and papers which he/she is authorized to do so, as District President.

33. Functions of the District Committee Vice- President.

- (a) The District Vice President shall have the right to preside over the meetings of the District Committee as well as the General body if the District President is absent.
- (b) The District Vice President shall assist the District President in the overall supervision of the working of the Association in the District and shall share as much responsibilities as possible and as the District President may want him to share.
- (c) The District Vice President shall take charge as District President of the District Committee if post of the District President becomes vacant. If through such a takeover by the District Vice President as District President necessitates that the office of the District President be held by him/her till the next election, he/she shall forth with take steps to elect a District Vice President to fill up the vacancy.
- (d) A district committee Vice president can hold office for two consecutive terms if duly elected. He or she may then contest and be elected after a break of one term.

- (e) He/she shall sign all communications, documents and papers in the absence of District President which the District President is authorized to do so, as District Vice-President.

34. Functions of the District committee Secretary

The District secretary shall be the administrative arm of the District committee and his functions shall generally be those specified below and such other functions as may be assigned to him by the district committee or President.

- (a) The District Secretary shall convene all meetings of the District Committee as well as of the General body of the District.
- (b) The District Secretary shall prepare the Agenda for the meeting of the District Committee in consultation with the President .In the case of General body meetings he shall prepare the agenda in consultation with the District Committee.
- (c) The District Secretary shall keep page numbered minutes book or books in which the proceedings of the meetings of the District Committee as well as the General body shall be recorded from time to time.
- (d) The District Secretary shall place before the District committee at every meeting of the Committee all important correspondence upto the date of the meeting of the district committee.
- (e) The District Secretary shall make arrangements for the conduct of all such functions of the Association in his district as may be decided upon by the District Committee.
- (f) The District Secretary shall be the custodian of all documents and records of the district unit including the register of members and shall have general control over the office.
- (g) The District Secretary shall attend to the day to day correspondence and other office work of the district committee.
- (h) The District Secretary may delegate any of his powers and duties to the joint secretary if necessary with the approval of the President.
- (i) The District Secretary shall have power to spend upto Rs 1000/- for any purpose of the association before getting the prior sanction of the District committee.
- (j) The District Secretary may keep a sum not exceeding Rs 1000/-for the day to day working of the Committee.
- (k) The District secretary shall represent the district committee in all legal proceedings ,hearings etc in courts Tribunals, Arbitration Board and other quasi judicial bodies and public offices and such other bodies.
- (l) He/she shall sign all communications, documents and papers, as of District Secretary which he or she is authorized to do so, as District Secretary.

35. Functions of the Joint secretary of the District Committee

- (a) The District Joint Secretary shall assist the District Secretary in the day to day affairs of the Association.
- (b) In the absence of the District Secretary caused by death ,resignation or removal ,the District Joint Secretary shall perform all the duties of the District Secretary until a new District Secretary is duly elected by the District committee.
- (c) He shall perform such other functions as may be entrusted to him from time to time by the District President or District Secretary.
- (d) He/she shall sign all communications, documents and papers in the absence of the District Secretary which the District Secretary is authorized to do so, as District Joint Secretary.

36. Functions of the Treasurer of the District committee

The District Treasurer shall be the sole custodian of all the cash ,valuables and connected accounts and account books ,receipt books ,vouchers etc of the Association.

His duties shall generally be;

- (a) To maintain proper records and books of accounts in respect of all such cash dealings of the Association and to place them before the district committee at its meetings for approval.
- (b) To get the annual accounts audited by the auditor appointed by the General body.

- (c) To operate on behalf of the Association and the district committee the bank accounts of the Association jointly with the District President or the District Secretary.
- (d) To supervise the collections of or contributions to the Association and to account such collections and contributions.
- (e) To present the monthly and annual accounts at the committee meetings and annual general body meetings of the District respectively.
- (f) He/she shall sign all communications, documents and papers as District Treasurer which he or she is authorized to do so, as District Treasurer.

37. The Taluk General Body

The total number of valid members of the Association in the Taluk forms the General Body of the Taluk.

38. Powers of the Taluk General Body

The Taluk General Body of the members shall have powers:

- a) To elect the Taluk President, the Taluk Vice President and 9 other members to the Taluk Committee.
- b) To review the actions of the Taluk Committee and if necessary ratify or reject any or all of them.
- c) To pass resolutions.
- d) To take disciplinary action against any member of the Taluk.
- e) To remove the President or the Vice President or any of the members of the Taluk Committee .
- f) To adopt or amend the annual report and accounts.
- g) To appoint an auditor to audit the accounts of the Taluk Committee of the Association and fix his remuneration.

39. Meetings of the General Body of the Taluk.

- a) The General Body shall meet whenever necessary but at least once in an year.
- b) Not less than 10 clear days notice shall be given to all members for the Annual General Body meeting.
- c) The Taluk Committee is empowered to make all necessary arrangements and to lay down rules for conducting the Annual General Body meeting in a smooth and efficient manner.
- d) The Taluk Committee shall place before the Annual General Body meeting, annual report, audited balance sheet and Income & Expenditure account of the preceding financial year for its approval. The General Body shall appoint an auditor for the current year and fix his remuneration.
- e) The Taluk Committee may convene an extra ordinary General Body Meeting. At least seven clear days notice specifying clearly the objectives of such a meeting shall be given to the Taluk members of the Association and only the business so specified shall be discussed at such meetings.
- f) The President or in his absence the Vice President or in the absence of both of them any member voted to the chair shall preside over the meeting of the General Body.
- g) If one –fifth of the members of the Taluk whose subscriptions are current on date, make a written requisition specifying the purpose to the President or Secretary to convene an extra ordinary General Body meeting, the President or Secretary shall be bound to call such General Body meetings within 10 days of receiving such requisition. The President or Secretary shall circulate the subjects and resolutions to be discussed at such extra ordinary General Body meeting and only the business so specified shall be discussed at such meetings. At least 7 clear days notice shall be given to the members for such meetings. If the President or secretary fails to convene such extra ordinary General Body meetings, with the agenda notified, those members may jointly call for such meeting. At least 7 clear day’s notice shall be given to the members for such meetings. The decisions taken and the resolutions passed pertaining to the matters in the agenda passed by two thirds majority of the members present and voting shall be binding.
- h) **Quorum:** Twenty members or one third of the members in the Taluk whichever is less, present and entitled to vote, shall be the quorum for any General Body meeting.
- i) Each member shall have one vote. In case of a tie, the Chairman shall exercise his casting vote. Proxies are not allowed to vote during such meetings.

40. Agenda for the Taluk Annual General Body Meeting.

The following items shall also be included in the agenda for the Annual General Body meeting of the Taluk Committee of the Association.

- (a) To adopt the minutes of the previous General Body meeting.
- (b) To adopt the Annual report presented by the Secretary.
- (c) To pass the audited Balance Sheet and accounts of the Association for the previous year.
- (d) To appoint an auditor and fixing his or her remuneration for the current year.

41. Taluk Committee

The Taluk Committee of the Association shall consist of not more than 12 members, the constitution of which shall be as follows:

- a) A President directly elected by the General body of the Taluk from among active members of the Association of the respective Taluk.
- b) A Vice –President directly elected by the General body of the Taluk from among active members of the Association of the respective taluk.
- c) Nine other members directly elected by the General body of the Taluk from among active members of the respective Taluk.
- d) The immediate past President of the Taluk Committee.
- e) The term of Taluk Committee shall be two years if the new office bearers shall not assume office before the said two years.
- f) The Taluk President shall in consultation with the Taluk Committee have power to invite person/s as special invitees to the meetings of Taluk Committee whom he deems fit, for the better functioning of the Association. Provided that the number of special invitees shall not exceed three. The special invitees shall not have voting rights.

42. Office Bearers of the Taluk Committee.

The Taluk Committee shall have the following office bearers:

- 1. A President
- 2. A Vice -President
- 3. A Secretary
- 4. A Joint Secretary
- 5. A Treasurer

The nine elected members of the Taluk Committee shall elect Secretary, Joint Secretary and Treasurer from amongst themselves.

The Office Bearers shall hold office till the next general election and assumption of office by the new President and Committee.

43. Meetings of the Taluk Committee

- a) The Taluk Committee shall meet whenever necessary, but shall meet at least once in every month. The Secretary or President may convene the meetings of the Taluk Committee.
- b) Not less than 5 clear days notice of every meeting of the Taluk Committee shall generally be given to members of the Taluk Committee, but when matters of a very important and urgent nature are to be discussed and decided upon, the Taluk Committee may meet at shorter notice and the decisions taken at such meetings shall be valid.
- c) The President or in his absence the Vice President and in the absence of both of them any elected member of the Taluk Committee voted to the Chair shall preside over the meetings of the Taluk Committee.
- d) The Taluk Committee shall decide matters before it by a majority of votes and when votes are equal, the Chairman of the Meeting shall have a casting vote. Proxies are not allowed to vote.

- e) **Quorum:** Seven members of the Taluk Committee present at a meeting shall constitute the quorum. Of the above seven members at least three shall be persons other than office bearers of the Taluk Committee.
- f) **Requisition.** If nine members of the Taluk Committee make a written requisition to the President or Secretary specifying the purpose the President or Secretary shall be bound to call such a meeting within 7 days of receipt of such requisition. If the President and Secretary fails to convene such a requisitioned meeting within the specified time, those members may themselves jointly call a Taluk Committee meeting with the agenda notified. At least seven clear days notice shall be given to the members for such a meeting. The decisions taken at such a meeting and the resolutions passed pertaining to the matters in the agenda passed by two thirds majority of the members present and voting shall be binding.
- g) In the event of a sufficient number of members not being present to constitute the quorum of the meeting of the Taluk Committee, the meeting of the Taluk Committee may be adjourned to the same day same time, same place next week and notice of such adjourned meeting shall be sent to all members of the Committee the next day. If there is no quorum at such adjourned meeting, the meeting of the Taluk Committee may be held with the available members and the decisions taken at that meeting shall be as valid as if there was quorum.
- (h) **Removal of Members**
Any member of the Taluk Committee who fails to attend three consecutive meetings of the committee is likely to lose his membership in the Taluk Committee unless his absence is condoned by the Taluk Committee. He shall not however be removed from the Taluk Committee without being provided with an opportunity to explain the reasons for his repeated absence and without the Taluk Committee deciding after due consideration that his explanation is satisfactory.
- (i) **Casual vacancy.**
Casual vacancies occurring in the membership of the Taluk Committee on account of death or retirement or incapacity or expulsion or resignation or removal or any other similar reasons shall be filled by the Taluk Committee by co-option. The person so co-opted shall have voting right and hold office till the expiry of tenure of the Taluk Committee.

44. **Powers of Taluk Committee**

Taluk committee shall have powers

- (a) To take appropriate steps to carry out the objects of the Association set out in the Memorandum of Association in the concerned Taluk.
- (b) To purchase or otherwise acquire for the Association any property right or privileges constituted in the Memorandum of Association at such price and generally on such terms and conditions as the Taluk Committee deems fit.
- (c) To appoint officers, clerks and other employees, to suspend or remove or punish them, to determine their powers and to fix their salaries, emoluments and to receive securities in such instances and in such amounts as the Taluk Committee may deem fit.
- (d) To determine the number of account books, registers and other books to be maintained. Receipts should be accounted in every month.
- (e) To fill up any vacancy which may arise in the Taluk committee by co-opting member/s thereto
- (f) To abide by the instructions and directions of the District Committee
- (g) The Taluk President/Secretary should get the concurrence of the District President/ Secretary before conducting press conferences /submitting memorandums on policy matters etc.
- (h) The Taluk Committee should have their accounts audited by a Chartered Accountant by the 31st of May every year. The Taluk Committee should convene its Annual General Body by the 31st of July every year except during an election year and present these accounts and have it approved by the General Body.

45. **Functions of the Taluk Committee President:**

- a) The President shall have general control over the affairs of the Taluk Committee of the Association and shall preside over all the meetings of the Taluk Committee as well as the General Body. Nevertheless, he shall not have such power at situations wherein the District Committee on approval of the District General Body of the Association, takes steps to supersede the Taluk Committee. In

such situations the Vice President of the respective District Committee shall have the powers of the Taluk President and he will act according to the directions of the District Committee.

- b) The President shall have powers to convene special meetings of the Taluk Committee either on his own or by requiring the Secretary to do so.
- c) If the President finds that he has no confidence in the Secretary or Joint Secretary or Treasurer, he may report the matter at the Taluk Committee meeting specially called for considering the subject or with that specific item on the agenda, and after due consideration if the Taluk Committee approves his stand the concerned office bearer may be removed from his post? The elected members of the Taluk Committee shall elect another person to the vacancy from among themselves. But if the Taluk Committee does not approve of the stand of the President, he may take the matter to a meeting of the General Body and the decision of the General Body on the subject shall be final. In case the General Body also does not approve the stand of the President and rejects his move of no confidence in the concerned office bearer by a two third majority of the members present and voting at its meeting, it tantamounts to an impeachment of the President and he shall be bound to resign forthwith. In such circumstances the Vice President shall take over charge and become the President.
- d) The President shall have powers to appoint from time to time, in consultation with the Secretary and subject to the approval of the Taluk Committee, such persons as he deems fit to assist him in his functions, and supervise their work and take disciplinary action against them as and when occasions demand.
- e) The President shall regulate, supervise and control the functioning of such and Taluk level Committees and members of such Committees are bound to comply with the directions of the President.
- f) The President may delegate, subject to the approval of the Taluk Committee, any of his powers and duties to the Vice President, or in his absence, to any member of the Taluk Committee for a specified period and may withdraw any powers so delegated at any time.
- g) In the event of death, resignation or removal of the President from his office, the Vice President shall take charge of the office of the President immediately and he shall continue to hold that office till the next election excepting in such situations where in the District Committee on approval of the respective District General Body of the Association takes steps to supersede the Taluk Committee. In such situations the Vice President of the respective District shall have full powers of the Taluk President and he shall act according to the directions of the Taluk Committee.
- h) The President shall not be removed from his office without two third majority of the members present and entitled to vote passing a resolution to that effect at a General Body meeting of the Taluk specially convened for the purpose.
- i) A Taluk President can hold office for two consecutive terms if duly elected .He or she may then contest and be elected after a break of one term.

46. Functions of the Taluk Committee Vice- President.

- a) The Vice President shall have the right to preside over the meetings of the Committee as well as the General Body if the President is absent.
- b) The Vice President shall assist the President in the overall supervision of the working of the Association in the Taluk and shall share as much responsibilities as possible and as the Taluk President may want him to share.
- c) The Vice President shall take charge as President of the Taluk Committee if post of the President becomes vacant. If through such a take over by the Vice President as President necessitates that the office of the President be held by him/her till the next election, he/she shall forth with take steps to elect a Vice President to fill up the vacancy.
- d) A Taluk Committee Vice President can hold office for two consecutive terms if duly elected. He or she may then contest and be elected after a break of one term.

47. Functions of the Taluk Committee Secretary

The Secretary shall be the administrative arm of the Taluk Committee and his functions shall generally be those specified below and such other functions as may be assigned to him by the Taluk Committee or President.

- a) The Secretary shall convene all meetings of the Taluk Committee as well as of the General Body of the Taluk.
- b) The Secretary shall prepare the Agenda for the meeting of the Taluk Committee in consultation with the President .In the case of General Body meetings he shall prepare the agenda in consultation with the Taluk Committee.
- c) The Secretary shall keep page numbered minutes book or books in which the proceedings of the meetings of the Taluk Committee as well as the General Body shall be recorded from time to time.
- d) The Secretary shall place before the Taluk Committee at every meeting of the Committee all important correspondence upto the date of the meeting of the Taluk Committee.
- e) The Secretary shall make arrangements for the conduct of all such functions of the Association in his Taluk as may be decided upon by the Taluk Committee.
- f) The Secretary shall be the custodian of all documents and records of the Taluk Committee including the register of members and shall have general control over the office.
- g) The Secretary shall attend to the day to day correspondence and other office work of the Taluk Committee.
- h) The Secretary may delegate any of his powers and duties to the Joint Secretary if necessary with the approval of the President.
- i) The Secretary shall have power to spend upto Rs 1000/- for any purpose of the Association before getting the prior sanction of the Taluk Committee.
- j) The Secretary may keep a sum not exceeding Rs 1000/-for the day to day working of the Committee.
- k) The Secretary shall represent the Taluk Committee in all legal proceedings, hearings etc in Courts Tribunals, Arbitration Board and other quasi judicial bodies and public offices and such other bodies.

48. Functions of the Joint Secretary of the Taluk Committee

- a) The Joint Secretary shall assist the Secretary in the day to day affairs of the Association.
- b) In the absence of the Secretary caused by death ,resignation or removal , the Joint Secretary shall perform all the duties of the Secretary until a new Secretary is duly elected by the Taluk Committee.
- c) He shall perform such other functions as may be entrusted to him from time to time by the President or Secretary.

49. Functions of the Treasurer of the Taluk Committee

The Treasurer shall be the sole custodian of all the cash ,valuables and connected accounts and account books ,receipt books ,vouchers etc of the Association.

His duties shall generally be;

- a) To maintain proper records and books of accounts in respect of all such cash dealings of the Association and to place them before the Taluk Committee at its meetings for approval.
- b) To get the annual accounts audited by the auditor appointed by the General Body.
- c) To operate on behalf of the Association and the Taluk Committee the bank accounts of the Association jointly with the President or the Secretary.
- d) To supervise the collections of or contributions to the Association and to account such collections and contributions.
- e) To present the monthly and annual accounts at the committee meetings and Annual General Body meetings of the Taluk respectively.

50. Financial Year

The financial year of the Kerala State Small Industries Association shall be the period from 1st April to 31st March. This shall be common to all district committees also.

51. Funds

The Funds of the Association at the state and district levels shall be deposited in scheduled banks and shall be operated jointly by the respective treasurer and the President or the Treasurer and the Secretary or the General secretary as the case may be.

52. Books and Documents

- (a) The account books and connected documents shall be under the custody of the Treasurer
- (b) The minutes book of the proceedings of the District/State Committee and all statutory books shall be maintained by the concerned Secretary or General Secretary as the case may be.
- (c) All the account books and other documents of the Association including minutes book in the state and district levels shall be kept in the office of Association and shall be open for inspection by any member of the Association during office hours.

53. Accounts

- (a) The accounts of the Association in the Districts as well as at the center shall be audited by Chartered Accountants every year. A copy of the audited balance sheet and Auditors report of the District committees shall be sent to the General secretary , State committee as soon as they are ready.
- (b) The list of the newly enrolled members and all the three copies of their duly filled in application forms, the list of existing members who have paid their membership subscription in a month together with the membership share due to the State Committee, shall be sent to the General Secretary, State Committee on or before 15th of the succeeding month.
- (c) The State Treasurer /internal Auditors approved by the State Committee will audit the membership accounts as well as the related accounts of all the district units once in two years.

54. Borrowings

In situations where it is absolutely necessary ,the district committee and State committee may borrow monies from any sources subject to the approval of the district general body and general council respectively.

55. Elections

Elections to the **Taluk Committee**, District Committee as well as the General Council shall be held in every District once in two years i.e. at the end of the term of the **Taluk Committee**, District Committee and General Council and that may be termed as election year. The election shall be conducted in accordance with the rules and regulations laid down for the purpose on or before the **25th July of the year to the Taluk Committee and 25th August of the year to the District Committee and General Council**. It is the responsibility of the **outgoing Taluk Committee** and District committee to present the accounts and get it approved by the General Body. **If this is not done within the stipulated time, the outgoing District President, District Secretary, District Treasurer of the respective District Committee and outgoing Taluk President, Secretary and Treasurer of the respective Taluk Committee** will be disqualified from contesting to any post of the Taluk Committee/ District Committee/General Council. They will also lose their membership in the Association after being given an opportunity to be heard. The new District Committee may take legal action against these outgoing office bearers. **Subsequently the State election shall be conducted on or before 30th September of the Year.**

56. Voters

Every member of the Association who had paid his membership on or before the 30th of April in the Election year and who had no membership dues on that day shall have the right to exercise his vote in the elections to be held in that Election Year.

- (a) Voters shall produce any of the photo identity cards of pan card /electoral card /passport/driving license /attested copy of District President of KSSIA, while they come to cast their vote in the State election. The District Presidents shall also have right to issue photo identity card for the state election provided that such attested photo identity card shall be sent to the State Association in advance along with the election report of the Chief Returning Officer of the District Election. In the case of district election the respective chief returning officer shall have right to decide on the matter of identity card of the voters.

57. Election Sub Rules

The State Committee shall have powers to frame sub rules for the efficient conduct of elections to the Taluk Committee District Committees ,General counsel and State Committee. Such rules and regulations as well as any additions or changes in those rules and regulations , which may be adopted from time to time should have the approval of General council.

- a) In case Office Bearers of a superseded District Committee forward a voter's list with or without the State Committee's share of the membership subscription, the State Committee will decide on whether the Units

shown in such a list can be granted membership as well as whether they can participate in the respective Taluk and District elections. The decision of the State Committee will be final.

58. Appeal

Any member who has any grievances about the election can present a written complaint to the State President, before the conduct of the elections. The State President shall on receipt of such complaint make enquiries and refer the matter with a report to the Arbitration Board referred to in Article 61 and the decision of the Board shall be final and binding upon the parties to the dispute.

- a) The cost to conduct the arbitration proceedings shall be met by the complainant member or District Unit of The Kerala State Small Industries Association. Accordingly a complainant member or District Unit shall pay the application fee of Rs 5000/-in advance to The Kerala State Small Industries Association, along with the complaint under proper acknowledgement. This money is not refundable under any circumstances whatsoever.

59. Delay in District elections.

If by any reason ,elections to the General council cannot take place in any district, election to the State committee shall not be postponed for that reason. The newly elected State committee at its first meeting may nominate a member or members to the State committee from the District where elections could not be conducted. Such nominated members shall retire as soon as elections are conducted in the District.

60. Taking charge of Offices

The outgoing Presidents of the District Committee as well as the State Committee shall handover charge to respective newly elected President immediately after the election results are announced .

61. Dispute in or between District Committee

There shall be a Board of Arbitrators consisting of five members. Two of these members shall be Past State Presidents selected from the panel of Past State Presidents by the State Committee. The third and fourth member shall be from the elected General Council Members. The fifth member shall be a lawyer practicing in the High Court of Kerala. Whenever disputes arise or complaints are received in the affairs of the District Committee, or between members, or between member/s and District Committee/s, or between members and the State Committee, or between District Committees, or between District Committee/s and the State Committee, the affected parties are to approach the Arbitration Board for resolution of the dispute. The Arbitration Board is the only competent Body that can resolve such disputes and settle them amicably and on merits.

No member or District Committee/s Taluk Committee/s shall resort to any other legal means or proceedings without submitting their complaint/ grievance to the Arbitration Board. In case any member approaches any court in the State impleading the present or past State Office Bearers, present or past District or Taluk Committee Office Bearers, the State Committee, the General Council, any District Committee or Taluk Committee, without approaching the Arbitration Board, the matter will be taken up by the State Committee at its next meeting and the membership of the litigant will be terminated.

The Arbitration Board shall act independently following natural justice and is empowered to take evidence from the concerned parties for legally resolving matters coming before them and also taken by the suo motto.

The decisions of the Arbitration Board shall be final and binding upon the parties to the dispute.

The State Committee at its first meeting shall re-constitute the Arbitration Board immediately after the State Election. The term of the Arbitration Board shall be till a new State Committee is elected every two years and till a new Arbitration Board is constituted.

All sittings of the Arbitration Board shall be at the Office of the State Association.

The Arbitration Board shall have the powers to entrust all records of the Board with Manager of The Kerala State Industries Association, MSME. He or she will also be asked to act as the Secretary of the Board.

The prescribed fee for filing complaints before the Arbitration Board is Rs.5000/=. This fee is to be remitted at the State Office of the Association.

62. Jurisdiction

In case of any dispute or legal steps that may be necessary at any time ,only the courts in the respective district head quarters shall have jurisdiction if the dispute is between the District Committee and anybody else.The courts in Ernakulam only will have jurisdiction over disputes between the State committee and anybody else.

63. Amendments.

The rules and regulations shall not be altered ,modified ,amended or repealed in any manner except by special resolution of the Association passed by not less than two third majority of votes of the members of the General council present and entitled to vote and voting at the extra ordinary meeting of the General council specially convened in which such resolution is proposed .Proposed amendment shall be given in the notice issued for convening the general council in which it is to be discussed.

64. Dissolution

The Association shall be dissolved only by special resolution passed by not less than two third majority of votes of the members present and entitled to vote and voting at the Extra ordinary meeting of the General Council specially called for the purpose. Conditions of such dissolution and the manner of disposal of the Assets and liabilities of the Association shall be detailed in the notice calling for such extra ordinary meeting and shall be as decided by the Meeting in the manner aforesaid.

65. Matters not provided in the Constitution:

The provisions of the Travancore –Cochin (Literary ,Scientific and Charitable Societies)Registration Act 1125 ME shall apply in all matters in respect of which specific provisions are not made in this Constitution.

**ELECTION TO THE TALUK COMMITTEE, DISTRICT COMMITTEE,
GENERAL COUNCIL AND STATE COMMITTEE**

Rules and Regulation

Taluk Elections

Nomination to the Election of Taluk Committee

Nominations

- (a) The Secretary of the respective District Committee shall issue notice to every active member in the respective Taluk whose name is shown on the final voters list published Taluk wise, which is approved by State Committee asking for nominations for elections to the Taluk Presidentship, Taluk Vice Presidentship and the Taluk Committee.

The notice shall clearly show the following:

- 1) The date, the time and place of the election
 - 2) The date, the time and place for submitting the nominations.
 - 3) The date, the time and place for scrutiny of nominations.
 - 4) The date and the time for withdrawal of nomination
 - 5) The number of persons to be elected in each category
 - 6) The name of the Chief Returning Officer
- b) The nomination papers shall be issued from the office of the respective District Committees and shall bear the stamp of the District Committee
- c) Every nomination shall be proposed and seconded by active members of the respective Taluk Committee of the Association with their signatures and must have the signature of the candidate also signifying his acceptance of the nomination.
- d) Nominations shall be filled before the Chief Returning Officer appointed by the Taluk Committee on or before the prescribed time and at a place fixed by the District committee. Nominations shall be submitted at least 15 days before the date of the election. The Chief Returning Officer shall issue receipts for all nomination papers received by him. He may appoint a person/s to assist him in his duties as Returning Officer.
- e) The candidates or their representatives shall be allowed to be present during the scrutiny of the nomination papers and they must be given opportunities to make any explanation or arguments if required.
- f) A nomination paper is normally rejected by the Returning Officer for the following reasons:
1. If the signatories to the nomination paper are not Active Members of the respective Taluk from the particular District.
 2. And if the Returning Officer finds any other major defects as per the sub rules prescribed by the State Committee.
- (g) A list of valid nominations in each category shall be displayed on the Notice Board of the District committee as well as respective Taluk Committee immediately after the scrutiny of the nomination papers.
- (h) At least three days time shall be allowed to the candidates to withdraw their nominations if necessary. All withdrawals shall be in writing and addressed to the Chief Returning Officer and must be signed by the candidate.

2. Voting

- a) Voting in each category shall be by secret ballot .
- b) Ballot Papers bearing the names of the candidates shown in alphabetic order in English shall be supplied to the Chief returning Officer by the District Committee.
- c) The Counterfoil of the Ballot papers shall be serially numbered.

- d) Separate ballot papers shall be given to the voters for election of the President ,Vice President and the other members of the Taluk Committee.
- e) A voter shall vote only for one candidate each in the case of election for Taluk Presidentship and Vice Presidentship. But he may vote for the number of members required for the Taluk Committee as shown in the notice for election. However any ballot paper in which more than the above number that have been voted for, will be invalid.

3. Counting of Votes

Counting of votes shall be conducted immediately after the voting is over and the results shall be announced by the Chief Returning Officer immediately.

4. Declaration of elected candidates

A list of elected candidates shall be displayed on the notice Board of the District Committee as well as the Taluk Committee.

The Chief Returning Officer shall send a copy of the list of elected candidates also to the respective District Secretary and State Committee duly countersigned by the observers if any deputed by the District Committee to supervise the elections.

A. DISTRICT ELECTIONS

1. Voters list

- a) A list showing the names of members who are eligible to vote in the election year and those active members eligible to contest the election prepared in Taluk wise shall be exhibited on the notice board of the District Committee Office on or before the 15th May of that election year and the fact shall be communicated to every member in the District **by registered post/ courier with acknowledgement/ local delivery or E-mail.**
- b) The members shall be given opportunity to file complaints if any regarding the voters list and all such complaints shall be filed within 10 days of publishing the voters list.
- c) District Committee shall meet immediately after the above mentioned 10 days and after scrutinizing the complaints shall prepare the final voters list and send to the General Secretary and the same should be received in the State Association before 31st May. The General Secretary after verifying the records shall approve the voters list and return the same to the District Committees before **20th June**. The final voters list shall be exhibited on the notice board of the District Committees on **25th June** as well as Taluk Committee Offices.

2. Nominations

- (a) The Secretary of the District Committee shall issue notice to every active member in the district whose name is shown on the final voters list published asking for nominations for elections to the District Presidentship, District Vice Presidentship, the District Committee and the General Council.

The notice shall clearly show the following:

- 1) The date, the time and place of the election
 - 2) The date ,the time ,and the place for submitting the nominations.
 - 3) The date ,the time and the place for scrutiny of nominations.
 - 4) The date and the time for withdrawal of nomination
 - 5) The number of persons to be elected in each category
 - 6) The name of the Chief Returning Officer
- (b) The nomination papers shall be issued from the office of the District Committees and shall bear the stamp of the District Committee
 - (c) Every nomination shall be proposed and seconded by active members of the Association with their signatures and must have the signature of the candidate also signifying his acceptance of the nomination.
 - (d) Nominations shall be filed before the Chief Returning Officer appointed by the District Committee on or before the prescribed time and at a place fixed by the District committee Nominations shall be submitted at least 21 days before the date of the election.

The Chief Returning Officer shall issue receipts for all nomination papers received by him. He may appoint a person/s to assist him in his duties as Returning Officer.

- (e) The candidates or their representatives shall be allowed to be present during the scrutiny of nomination paper and they must be given opportunities to make any explanation or arguments if required.
- (f) A nomination paper is normally be rejected by the Returning Officer for the following reasons:
 - 1. If the signatories to the nomination paper are not Active members of the Kerala State Small Industries Association from the particular district.
 - 2. If the names of the signatories on the nomination paper is not shown on the active members list.
 - 3. And if the Returning Officer finds any other major defects as per the sub rules prescribed by the State Committee.
- (g) A list of valid nominations in each category shall be displayed on the Notice Board of the District committee, immediately after the scrutiny of the nomination papers.
- (h) At least five days time shall be allowed to the candidates to withdraw their nominations if necessary. All withdrawals shall be in writing and addressed to the Chief Returning Officer and must be signed by the candidate.

3. Voting

- (a) Voting in each category shall be by secret ballot .
- (b) Ballot Papers bearing the names of the candidates shown in alphabetic order in English shall be supplied to the Chief returning Officer by the District committee.
- (c) The counterfoil of the Ballot papers shall be serially numbered
- (d) Separate ballot papers shall be given to the voters for election of the President , Vice President ,the other members of the district committee, and the members of the General council.
- (e) A voter shall vote only for one candidate each in the case of election for district Presidentship and Vice Presidentship. But he may vote for the number of members required for the district committee and the General council as shown in the notice for election. However any ballot paper in which more than the above number that have been voted for, will be invalid.

4. Counting of Votes

- (a) Counting of votes shall be conducted immediately after the voting is over and the results shall be announced by the Chief Returning Officer immediately.

5. Declaration of elected candidates

- (a) A list of elected candidates shall be displayed on the notice Board of the District Committee.
- (b) The Chief Returning Officer shall send a copy of the list of elected candidates also to the General Secretary, State Committee duly countersigned by the observers if any deputed by the State Committee to supervise the elections.

ELECTION RULES

B. ELECTIONS TO STATE COMMITTEE

1. Nominations

As soon as the elections to the General Council are over ,the President or in his absence the General secretary of the State Committee shall send notices by certificate of posting to each newly elected member of the General council for a meeting of the General council .The members shall be asked to submit nominations for election of the State President, the 3 State Vice Presidents and the other members of the State Committee. A copy of the notice shall be sent to each district committee also for display in their office.

The Notice shall clearly show the following

- (a) The date,the time and the place of the meeting of the General council and elections
- (b) The last date ,the time and the place for filing nominations
- (c) The name and address of the Chief Returning Officer

- (d) The date ,the time and the place for the scrutiny of the nomination papers.
- (e) The date and the time for withdrawal of nominations
- (f) The number of persons to be elected in each category
- (g) Any other details of importance ,which a candidate for the election should normally know or be informed.

2. Voters List

The list of the newly elected members to the General Council shall form the Voters list of the members who can participate in the elections to the State Committee. The sitting State President can also cast his vote in the election to the State Committee even if he is not a elected General Council Member. In case he is a member of the newly elected General Council and his name is reflected in the Voters List, he is eligible to cast just one vote and the principal of one person-one –vote will be applied. A copy of that list shall be exhibited in the State Committee Office with the names of members classified according to Districts.

A copy of the notice, voters list and proforma of the nomination papers shall be sent to the District Committee Offices. The District Committees shall exhibit the same in the notice board of the District Committees.

3. Nomination for Presidentship

Every nomination for presidentship shall be proposed and seconded by any of the newly elected members of the General council. It must have the signatures of the proposer and seconder as well as of the candidate signifying his acceptance of the nomination.

4. Nomination for Vice Presidentships

Every nomination for Vice Presidentship shall be proposed and seconded by the members of the General Council belonging to the same zone the candidate proposes to represent. The nomination papers must be signed by the proposer and the seconder as well as the candidate signifying his acceptance of the nomination.

5. Nomination for Committee Membership

Every nomination for the membership of the State Committee shall be proposed and seconded by elected members of the General council and must be signed by the proposer, the seconder and the candidate as mentioned in Clause 3.

6. Nomination shall be filed before the Chief Returning Officer appointed for the purpose by the State Committee or its President on or before a prescribed time and at a place fixed by the existing State committee

7. Nominations shall be filed at least 21 days before the elections. The Chief Returning Officer shall issue receipts for each nomination received.

8. Immediately after the close of time for filing the nomination papers ,a list showing all nominations received in each category shall be displayed in the office of the State Committee with the signature of the Chief Returning Officer. A copy of the list shall be given to the General Secretary of the State Committee for the files.

9. Scrutiny

Scrutiny of the nomination papers must be conducted soon after the closing time for filing them preferably within 24 hours. The candidate or his agent must be allowed to be present during the scrutiny of his nomination paper and he must be given opportunity to make any explanation or argument regarding the nomination.

10. Rejection of Nomination paper

A nomination paper may normally be rejected for the following reasons:-

- (a) If the proposer or the seconder or the candidate has not signed on the nomination paper ;or
- (b) If any of those three is not a member of the General council; or
- (c) In the case of Vice Presidentship, if any of the signatories, is not a member of the same zone the candidate proposes to represent;-or
- (d) If the nomination paper is filed after the prescribed time ;or

- (e) If the signatures shown on the nomination papers are proved to be false.
11. A list of valid nominations shall be exhibited in the State Committee office and copies of the same shall be sent to each district committee. Such lists should have the signature of the Chief Returning Officer.

12. Withdrawals

Any candidate may withdraw his nomination within the time specified for it. A minimum of 5 days must be given for such withdrawals. The withdrawal shall be in writing and signed by the candidate and must be addressed to the Chief Returning Officer.

13. Final List

Immediately after the time for withdrawal of nominations is over, the final list of candidates in each category shall be displayed in the State Committee Office and copies of the same shall be sent to each candidate as well as to each District Committee Office.

14. Voting

- (a) Voting in each category shall be by secret ballot
- (b) Ballot papers bearing the names of the candidates in each category shown in alphabetical order in English shall be supplied to the Chief Returning Officer by the State Committee.
- (c) The Counterfoil of the Ballot papers shall be serially numbered.
- (d) Separate ballot paper shall be given to the voters for election of the President, Vice Presidents and the other members of the State committee
- (e) A voter shall vote only for the candidate in the election of the President. He must vote for one candidate in each of the three zones in the election for the 3 Vice Presidents. But he may vote for the number of members required in the case of election of the other State Committee members as shown in the notice of election. However any ballot paper in which more than the above number that have been voted for, will be invalid.

15. Counting of Votes

Counting of votes shall be conducted immediately after the voting is over and the results shall be announced by the Chief Returning Officer Immediately.

16. Declaration of Elected Candidates.

- (a) A list of elected candidates in each category with the signature of the Chief Returning Officer shall be displayed in the office of the State Committee as soon as the election results are announced
- (b) The returning officer shall submit a copy of the list of elected candidates to the President of the Association and copies of the same shall be sent to each District Committee.
- (c) The Chief returning Officer countersigned by the State observer shall forward the list of Elected office bearers, District Committee members, General council members from the district to State office and General secretary or State president must place such lists in the State Committee for endorsing the same for the proceedings of the State election, duly.

17. ELECTION RULES

Deposits by contesting candidates

- a) Every candidate filing a nomination for election to the post of District President shall make a deposit of **Rs.2000/-**. **Every candidate filing a nomination to the post of District Vice President shall make a deposit of Rs 1500/-** and every candidate filing a nomination of the District committee shall make a deposit of **Rs.600/-** along with his/her nomination to the District Committee.

Every candidates filing a nomination for election to the post of Taluk President shall make a deposit of Rs. 1500/- and every candidates filing a nomination for election to the post of Taluk Vice Presidents shall make a deposit of Rs. 1000/- and every candidates filing a nomination to the Taluk Committee shall make a deposit of Rs. 400/-. This may be amended by the General Council from time to time.

- b) Every candidate filing a nomination for election to the General Council shall make a deposit of **Rs.750/-** along with his or her nomination to the District Committee. This may be amended by the General Council from time to time.
- c) Every candidate filing a nomination for election to the post of State President shall make a deposit of **Rs.3000/-**. **Every candidate filing a nomination for election to the post of State Vice President shall make a deposit of Rs.2000/-** and every candidate filing a nomination for election as State Committee member shall make a deposit of **Rs.750/-** to the State Committee along with his/her nomination. This may be amended by the General council from time to time.
- d) These amounts deposited shall not on any account be refunded.
