

DRAFT

The West Bengal Societies Registration Act, 1961

MEMORANDUM OF ASSOCIATION Of MUNICIPAL CORPORATION/MUNICIPALITY..... NO AREA LEVEL FEDERATION

1. The name of the society shall be**MUNICIPAL CORPORATION/ MUNICIPALITY
NO AREA LEVEL FEDERATION**
2. The **society** shall consist of Self-Help Groups (SHGs) of Ward No..... and the registered office of the **society** shall be situated at
3. **Objectives:** The objectives of the **society** are:
 - a. To provide regular interaction and networking between constituent SHGs and assist in the formation of new SHGs wherever needed
 - b. To take up activities that strengthen SHGs, but cannot be taken up by individual SHGs on their own, such as facilitate bank linkages for constituent SHGs, provide handholding support for the development of constituent SHG's loan proposals
 - c. To facilitate constituent SHGs' access to benefits under NULM and other Government of India and State Government schemes and to create linkages with institutions of relevance for their welfare
 - d. Work as an information dissemination body by facilitating constituent SHGs' access to skill training and support under NULM as well as access to social assistance benefits under various government programs.
 - e. Handhold and build the capacity of new constituent SHGs and regularly review the functioning and strengthen the capacity of existing constituent SHGs to continue to successfully function
 - f. To successfully represent the society and constituent SHGs at the society through their representatives as members
 - g. To build leadership skills of members so that they can manage the constituent SHGs and the society.

This is to certify that:

- I) The objects will be done as per prevailing law of the country
- II) The object shall always remain restricted within the scope of section 4(2) of the West Bengal Societies Registration Act. 1961.
- III) The income & properties of the Society whatsoever is derived or obtained shall be applied solely towards the promotion of the objects of the Society and no portion thereof shall be paid to or divided amongst any of the constituent SHGs or their representative members in the society by way of profits

4. Names, address and descriptions of the first and present members of the Governing Body:

| Sl. No. | Name & Phone Number of the Member | Address | Description of constituent SHGs | | Designation in society | Signature |
|---------|-----------------------------------|---------|-----------------------------------|--------------------------|------------------------|-----------|
| | | | Name of concerned constituent SHG | Portfolio in present SHG | | |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |
| 11 | | | | | | |

5. Names, address and descriptions of the first and present members of the General Body of the society

| Sl. No | Name | Address | Description of members representing from constituent SHGs | | Designation in society | Signature |
|--------|------|---------|---|--------------------------|------------------------|-----------|
| | | | Name of constituent SHG | Portfolio in present SHG | | |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |
| 11 | | | | | | |

6. We, the undersigned are desirous of forming into a society in pursuance of this Memorandum of Association

| SL. No. | Signature | Address | Occupation |
|---------|-----------------|---------|------------|
| 1. | _____ (Name) | | |
| 2. | _____ (Name) | | |
| 3. | _____ (Name) | | |
| 4. | _____ (Name) | | |
| 5. | _____ (Name) | | |
| 6. | _____ (Name) | | |
| 7. | _____ (Name) | | |
| 8. | _____ (Name) | | |
| 9. | _____ (Name) | | |
| 10. | _____ (Name) | | |
| 11. | _____ (Name) | | |

Witness to the above signature:

Signature:

Address: **(Office address of the signatory with seal)**

Occupation :

Dated, the _____ day of _____ 2022

The West Bengal Societies Registration Act, 1961

REGULATIONS

OF

.....MUNICIPAL CORPORATION/ MUNICIPALITYNO. AREA LEVEL FEDERATION

1. Membership:

This Area Level Federation (ALF) is the middle level tier consisting of SHGs represented by 2 (two) volunteers / leaders of each of the constituent Self-Help Group (SHG) in Ward No. ... of
.....MUNICIPAL CORPORATION/MUNICIPALITY NO. AREA LEVEL FEDERATION

The criteria are as follows:

SHGs in the area defined above are:-

- i. In existence for more than..... months
- ii. Are meeting and saving regularly (not less than of the members)
- iii. Are repaying any loans given (not less than repayment)
- iv. Paid the prescribed admission fee and the fixed yearly subscription fees

Each constituent SHG shall elect two of its members to represent the group in the Governing Body of the society for a one year term. One of these members shall be an SHG office bearer; the other one a general SHG member or an office bearer.

2. Rights and Obligations of Members:

Any member of the society has the right:

- a. To elect/ to be elected in any election of the society (for members having voting rights only),
- b. To submit suggestion for discussion to the Governing Body and sub-committee on any matter relating of the society,
- c. To inspect the accounts and the proceedings of the meeting of the society on appointment with the Chairpersons/Secretary,
- d. To pay subscription of the constituent SHG within the prescribed time.

3. Disqualification of Membership:

A member representing the constituent SHG may be disqualified by the society on the following criteria:

- a. Non-participation in regular federation meetings for more than times will make liable to be disqualified by the Governing Body.
- b. Not paying the subscription by the constituent SHG
- c. Not repaying the loan received from the society
- d. Not following the rules of the group

4. Register of Members:

The society **shall** maintain a Register of Members containing the members' name, address, occupation, date of admission and cessation of membership. Similarly, SHGs shall maintain their respective Register of members with the same particulars as above. The Register will be kept open for inception of the members concerned of representing the SHG in the society on requisition. All entries required to be made therein shall be entered within a period of 15 days.

5. Withdrawal of Membership:

The Governing Body of the society shall discuss in detail and approve the procedure and terms of refund of money if a constituent SHG proposes to leave the group. The society shall prepare a bye-law within three months of its formation incorporating detail procedure and terms and conditions for withdrawal from the society by a constituent SHG.

6. Contributions:

- a. At the time of admission, each constituent SHG shall pay an admission fee of **Rs./- (RUPEES.....ONLY)**
- b. Each constituent SHG shall pay a subscription of **Rs...../- (RUPEESONLY)** per year.
- c. If a constituent SHG does not pay the yearly subscription on the decided date, it will be fined **Rs. .../- (RUPEES ONLY)** per month.

7. Group Management:

- a. A General Body (GB) shall comprise two representatives per constituent SHG
- b. From the General Body, members shall be selected as the Governing Body members who shall be responsible for strategic and day-to-day management of the society.
- c. The Governing Body shall consist of office bearers- Chairperson, Vice Chairperson, Secretary and Treasurer who shall each be elected by all members of the society from among the society members for a period of year.
- d. These office bearers can remain in office continuously for only terms.
- e. All office bearers must be from all different constituent SHGs.

8. Duties, Responsibilities and Powers:

a. Responsibilities of the Chairperson:

- i. Presides over the regular meetings and any other meetings of the society
- ii. Signs (or puts thumb impression) to approve the decision and resolutions of the society taken at various meetings
- iii. Calls for or postpones a special meeting
- iv. Check and coordinate the activities of the Secretary, Treasurer and other members
- v. Maintains relationships within and outside the society, especially with the banks
- vi. to ensure credit to the group (and individual constituent SHG) as well as access of constituent SHGs to benefit under all relevant components of NULM
- vii. Regularly report progress of the society to the Municipal Authority along with any other details requested in a timely manner.
- viii. Shall mobilize constituent SHGs for social cause, shall organize at least one monthly camp on social issues in its area.

b. Responsibilities of the Vice Chairperson:

- i. Presides over the regular meetings and any other meetings of the society in absence of Chairperson,
- ii. Signs (or puts thumb impression) to approve the decision and resolutions of the society taken at various meetings
- iii. Check and coordinate the activities of the Secretary, Treasurer and other members
- iv. Maintains relationships within and outside the society, especially with the banks
- v. to ensure credit to the group (and individual constituent SHGs) as well as access of constituent SHGs to benefit under all relevant components of NULM
- vi. Regularly report progress of the society to the Municipal Authority along with any other details requested in a timely manner.
- vii. Take independent responsibilities for social upliftment of the member families of its constituent SHGs like 100% literacy, no child marriage, 100% financial inclusion and savings and eradicate other social evil prevalent among urban poor.

c. Responsibilities of the Secretary:

- i. Call meetings with the prior permission of the Chairperson and prepare the agenda for every meeting
- ii. Maintain a record of the proceedings of all regular and special meetings and read them out at the next meeting.
- iii. Write resolutions made at each meeting and read them out at the same meeting.
- iv. The Secretary will maintain the membership register, attendance register, and activity and resolution register
- v. Conduct all meetings and chair a meeting if the Chairperson is absent.
- vi. Verify the books of account of the society regularly and report to the members in every meeting.
- vii. Maintain relationships within and outside the society, especially with the banks
- viii. to ensure credit to the group (and individual constituent SHGs) as well as access of constituent SHGs to benefit under all relevant components of NULM
- ix. Regularly report progress of the society to the Municipal Authority along with any other details requested in a timely manner.
- x. Take independent responsibility on market linkage/Export orientation of SHG product and support to Groups in this regard.

d. Responsibilities of the Treasurer:

- i. Preserve all important papers and documents related to financial matters of the society
- ii. Maintain all accounts of the society i.e. cash book, loan ledger, receipt and payment vouchers.
- iii. Deposit all cash collected at meetings within two days of collection
- iv. Pay loans approved by the society to constituent SHGs and receive savings, repayment, interest, fines, etc.
- v. Present all financial reports of the group
- vi. Take personal responsibility to enhance society corpus taking different innovative sources and use it judiciously for SHG's financial activity.

e. Responsibilities of the Livelihood Volunteer:

- i. Identify employment sectors which would increase income for constituent SHGs. Market ability of the products to make economic activity of groups financially more viable.
- ii. Provide support for setting up new enterprise ventures under NULM linking the members to credit and advisory services;
- iii. Provide linkage with skill training opportunities under NULM

f. Responsibilities of the Social Security Volunteer:

- i. Evaluate the social security needs of constituent SHGs;
- ii. Liaison with ward officials in charge of health, education and other social security such that constituent SHGs are linked with benefits available in the city to ensure higher standard of health, education and social security norms.
- iii. Compile and update a list of schemes in the city whose benefits constituent SHGs can access and disseminate this information through the society.

g. Responsibilities of the Financial Inclusion Volunteer:

- i. Ensure that constituent SHGs are linked with banks;
- ii. Ensure that constituent SHGs are linked with financial institutions for insurance and money remittances;
- iii. Ensure that individuals from constituent SHGs have Basic Savings Bank Deposit Accounts (BSBDAs)
- iv. Ensure that all constituent SHGs undergo financial literacy training.
- v. Ensure monthly meeting with bank branch and city livelihood center to mitigate all bank related problems.

9. Meetings:

- a. The group will meet at least one time every month. The dates of the meetings are **....DAY** of each month.
- b. In case of an urgent and important issue, the group can hold special meetings at a shorter notice.
- c. A minimum% of the group's members with at least out of of the office bearers must be present for decisions to be valid. Where decisions on group funds above Rs./- (.....) or changes in the bye-laws are to be made, at least 3/4th (three fourth) of its member must be present.
- d. The society will hold its Annual General Meeting in the month of..... every year. This meeting will review the last year's activities and financial progress and plan the activities for the next year. (The group may use this meeting to conduct regular annual elections for the posts of office bearers of the Governing Body).
- e. In case of special meetings or change in the conduct of regular meetings, the Secretary is supposed to give day notice to the members about such meetings

10. Notice and Quorum:

At least..... days of the meeting specifying the place, date and time and the general agenda to be transacted shall be given to every member of the society/Governing Body. Emergency meeting may be called on..... hours notice.

One-third of the members (with voting right) personally present shall constitute a quorum for the meeting.

11. Notice:

At least..... days of the meeting specifying the place, date and time and the general agenda to be transacted shall be given to every member of the society/Governing Body. Emergency meeting may be called onhours notice.

12. Procedure of the Meeting:

The Chairperson or in her absence, the Vice-Chairperson will chair all meetings of society on Governing Body. In the absence of both Chairperson and Vice-Chairperson, the members present shall elect Chairperson of the meeting. All questions before the meeting will be settled by consensus, failing which the decision will be taken by a majority of votes. Each member (except honorary members) will have one vote. In case of equality of votes, majority office bearers voted for the decision will be accepted.

13. General Meeting:

c.I. Annual General Meeting

a. Notice -

The Secretary shall call the Annual General Meeting within one month from the end of the last financial year giving at leastdays' notice to all members. The Notice shall contain the place, day, time and agenda of the meeting. Notice to be handed over or to be sent by post with acknowledgement.

b. Agenda -

The business to be transacted at the AGM shall be:

- i. To confirm the minutes of the last AGM and of Special General Meeting, if any;
- ii. To adopt with or without modification the report of the working of the society for the previous year;
- iii. To pass audited accounts of society for the previous year ended;
- iv. To appoint qualified Auditor or Auditors;
- v. To transact such business as may be fixed by the Governing Body;
- vi. To transact such other business as may be bought by giving days' notice from any members, and
- vii. To conduct election to the Governing Body
- viii. Review the social activity undertaken and present social status of the family member of constituent SHGs.
- ix. Achievement in financial activities undertaken by Constituent SHGs and their future prospect and proposals in this regard.
- x. Overall performance of the society and SHGs towards social and economic stability of the group members.

c. **Quorum of the Meeting** –

One-third of the total number of members (with voting right) of the society personally present at the commencement of the meeting shall constitute the quorum.

d. **Manner and Method of Voting** –

The Chairpersons of the meeting shall decide the manner and method at the outset of the meeting.

c.II. Special General Meeting

A Special General Meeting may be convened by the Governing Body at any time depending upon the urgency of the matter. At least days' notice shall be given to every member for Special General Meeting.

Chairperson of the society may hold a Special General Meeting. The Chairperson or in her absence, Vice-Chairperson or in the absence of both, Governing Body shall convene the Special General Meeting within days from the date of receipt of such request. In defaults of the Governing Body, the requisitions shall hold such meeting provided that no business other than those specified in the notice shall be transacted.

c.III. Extra-ordinary General Meeting

The Governing Body may direct to convene an extra-ordinary general meeting for consideration of addition or modifications of the Memorandum / Regulations of the society. days' notice along with the draft of proposed changes shall be sent to all members before the meeting. The resolution for change amendment, etc of the Memorandum and Regulations be carried out if accepted by the three-fourth of the members (with voting right) present at the meeting.

14. Maintenance of Group Records:

- a. Membership, attendance, activity and resolution registers will be kept with the Secretary to register membership, proceedings, attendance and resolutions of all meetings and all other records not specified to other office bearer.
- b. Cash book and bank loan register will be maintained by the Treasurer who will update the position of all income and expenditure as well as bank loans received and repaid.
- c. Group Bank Pass Book to be maintained by the Treasurer and updated regularly at each deposit and withdrawal.
- d. All group records are to be made available freely for examination by each constituent SHG during the meetings and at other times, with reasonable notice to the relevant office bearer of the Governing Body

15. Safe Custody of Properties:

The Governing Body shall be responsible for the safe custody of the fund, properties and assets of the society. Secretary shall be custodian of assets. The fund of the society shall be kept in Savings Accounts /Fixed Deposits with any scheduled commercial bank / Co-operative bank / Post Office in the area of operation of the society. Treasurer shall be custodian of all liquid cash and funds.

16. Books of Accounts and Inspection:

The books of accounts and other statutory books shall be kept at the registered office of the society which shall be located at a central place within its jurisdiction and shall be open to inspection of the members at such time and place as the Governing Body directs on a written request made by any member.

17. Auditors

The accounts of the society shall be audited by Chartered Accountants to be appointed by the Governing Body annually.

The auditors shall have the right of access at audit times to the books of accounts of the society without notice and shall be entitled to enquire from the Chairpersons of the society and any other member of the society such information and explanations as may be necessary for the performance of their duties.

18. Accounting Year:

The accounting year of the society shall be from 1st day of April of each year to the 31st day of March of the following year.

19. Managing the Group's funds:

- a. Loans will be considered during periodic meetings of the society based on a written application from any constituent SHG addressed to the Chairperson of the Governing Body of the society. While representatives of the constituent SHG applying for the loan may take part in the discussions, they will not be allowed to vote at the time of taking a decision on the loan.
- b. The loan limit for each individual constituent SHG shall be decided by the full Governing Body considering the financial position of the constituent SHG and its obligations to meet the credit needs of a number of constituent SHGs. This should be included in by-law.
- c. The service charges shall be Rs.per month per Rs. Only).
- d. The loan repayment procedure shall be decided by the Governing Body of the society.
- e. On sanction of the loan, the record of the loan, including agreed repayment schedule must be recorded in the Activity, Resolution, Saving and Loan registers. Thereafter, all repayments (and defaults, if any) must also be so recorded
- f. The loan shall be granted as long as:
 - i. The constituent SHG has paid all society membership fees due and has repaid any previous loan amount in full, along with the interest
 - ii. The proposed loan purpose is viable
 - iii. The constituent SHG is meeting and saving on a regular basis, is following its byelaws and takes an active interest in the society
- g. All the income that accrues to the society from interest on savings and loans and returns from penalties and fees will be re-invested in the society fund/corpus.

20. Managing the Group's Bank Account:

The society account shall be kept in the nearest bank. The Treasurer, Chairperson and/ or Secretary (any two) shall have joint signatory power. All withdrawals should have to be supported by a resolution of the Governing Body of the society.

21. Suit and Legal Proceedings

All suits and legal proceedings by or against the society shall be in the name of Chairperson/Secretary or such person as shall be appointed by the society.

22. Alternation of Memorandum and Regulations:

The Memorandum and Regulations may be altered, modified, rescinded or added to by special resolutions passed by the 3/4th members in an extra-ordinary general meeting called for the purpose.

The society may delegate the Governing Body the power to make, alter, modify or rescind such bye-laws and rules as may be considered necessary in the interest of smooth functioning of the society

23. Dissolution of the society:

Subject to the provisions of sections 24 & 27 of the West Bengal Societies Registration Act, 1961 or any statutory modifications thereof, the society may be dissolved by a resolution to that effect passed by 3/4th members of the society at a general meeting. The said meeting shall also decide the manner of disbursement of the funds and assets of the Association, if any after dissolution. In the event of dissolution the assets of the society remaining on the date of dissolution shall under no circumstance, be distributed among the members but the same shall be transferred to other societies having similar objectives.

We, the undersigned members of the Governing Body of **Duties of Governing Body** do hereby certify that the above is a true copy of the Rules and Regulations of the society.

Signed: **(.....Office Bearers only)**

- 1..... (Chairperson)
- 2..... (Vice-Chairperson)
- 3..... (Secretary)
- 4..... (Treasurer)
- 5.....
- 6.....

Dated, Day of 2023

Witness: Name:) Signature:.....

Signature & Seal of any Municipal Cadre/School Teacher with Office Seal

Checked & Verified by

Nodal Officer
Secretary &Project Officer (DAY-NULM Programme)
..... MUNICIPAL CORPORATION/MUNICIPALITY
SEAL

***N.B; Composition, designation and numbers of Governing body members may vary in terms of regulation of each society , draft to be amended accordingly**

***Self attested ID/address proof of the witness to be uploaded in the website**