NORTH EAST COMPUTER TRADERS' ASSOCIATION (NECTA)

GUWAHATI, ASSAM

Registration No. RS/KAM(M)/263/RFSRS/202302931 of 2023-2024

Rules and Regulations

As adopted by the General Meeting

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GOVERNMENT OF ASSAM

CERTIFICATE OF REGISTRATION OF SOCIETIES ACT XXI OF 1860

UAIN : **RFS-RS/2023/02931**

UBIN: 618/754801/AACAN0133G/9/2023

Issue No. **202302931**

Registration No. : RS/KAM(M)/263/RFSRS/202302931 **of 2023-2024**

I hereby Certify that **NORTH EAST COMPUTER TRADERS ASSOCIATION(NECTA), H NO 6 MRD ROAD CHANDMARI GUWAHATI, L AND T PATH CHANDMARI GUWAHATI, GUWAHATI, PO - BAMUNIMAIDAN, PS - CHANDMARI, Dist. - KAMRUP METRO, Pin - 781021** has this day been registered under the Societies Registration Act XXI of 1860.

Given under my hand at GUWAHATI on this **29/09/2023**

VALID UPTO: **28/09/2026**

VALIDITY EXTENDED UP TO:

Place of issue: **GUWAHATI**
Date of issue: **29/09/2023**

Arup Kumar Sarma
REGISTRAR OF SOCIETIES
GUWAHATI, ASSAM

N.B.:- Registered number of Societies should not be stated as Government registered. It is registered under S.R.Act, XXI of 1860.

"Please read carefully the rules written overleaf."

"This certificate can be verified by Application Ref. No. or the QR Code printed on it."

NORTH EAST COMPUTER TRADERS' ASSOCIATION (NECTA)

GUWAHATI, ASSAM

(Rules and Regulations)

1. The Name of The Association :

NORTH EAST COMPUTER TRADERS' ASSOCIATION (NECTA)

2. Address of the main office of this Association:

The Registered office of the association will be at Guwahati.
Present address: M.R.D. ROAD, BAMUNIMAIDAM, GUWAHATI -781021, ASSAM

3. Area of operation :

The Jurisdiction of the NORTH EAST COMPUTER TRADERS' ASSOCIATION (NECTA) shall be the whole of North East covered by seven states. (Assam, Arunachal Pradesh, Meghalaya, Manipur, Mizoram, Nagaland and Tripura)

4. The objective for which the Associations is established are :

i) The association is a charitable, nonpolitical and non profitable.

ii) To protect and promote the interest of manufacturer, importer, exporter, distributor, traders, dealer, service providers and consultants of all kind of IT and other technology to take all steps necessary or advisable for the protection and promotion of above industries.

iii) The association is to facilitate growth and development of Information Technology in the North East regions & to promote use of Information

Technology for betterment of standard of living and quality of life for members in the Region.

iv) To organize events/ seminar/ conferences/ social get together or any such programs which may be helpful for members mutual bonding, business promotion, fund collection, information awareness, CSR activity and recreations for members and their families.

v) To promote better fellowship and harmony amongst the members.

5. Membership :

Qualification for becoming member:

There shall be two type of member:

a) General member

b) Life time member

1. Membership is open to any individual/firm/company, who deals in business of IT product, IT enabled service, mobile, Office automation, CCTV, telecom product and other allied item within the North East State, by way of manufacturing/ Importing/ exporting/ trading/ servicing/ consultancy in above product subject to given criteria :

2. Applicant must have at least two forms like GST Registration/ Trade license/ Service tax Registration or any valid license to run business as per local municipal board, state or central law and he should have been running his business for more than two years at the time of application (or can eligible as member without any voting rights if less than two years of establishment).

3. The applicant should have the principle place of business or head office in North-East State. The Firm/ Company having their head office outside North-East state but having business / office in North-East state are not eligible for membership. However as a special case application received from such outside companies may be considered by executive body and if executive body deem fit to allow him become as a member, executive body can put that application in General AGM or Special AGM and only AGM can decide about giving membership to said applicants.

4. A firm, company or individual who has been declared bankrupt or insolvent shall not be eligible for the membership of the association.

5. Any individual, firm or a company willing to be admitted as a member of the association shall send the application form duly filled to the Secretary in such form as may time to time be prescribed by the Executive Committee of the association together with the admission fee and the subscription fee in advance.

6. The application should be proposed and seconded by two members of the Association.

7. The application shall be placed before the Executive Committee for consideration.

8. The Executive Committee shall not be bound to assign any reason whatsoever for rejecting any application for membership and its decision shall be final.

9. After the application is accepted by the Executive Committee a certificate of membership shall be issued to the member which will be the property of the association. This is returnable to association in case membership cease. In the event the certificate is worn out or lost, a fresh certificate may be issued on payment as may be decided by the Executive Committee from time to time.

A) *Subscription, Membership :*

i) For new General membership one need to pay a sum of Rs. 2,000/- (two thousand) + GST including member registration fee with Rs. 1,000/- (one thousand) + GST or any amount may fixed by the General Meeting from time to time. Renewal fee will be Rs 1000/- (one thousand) + GST each for one financial year. To become a life time member one has to pay a one time fee of Rs 12000/- (twelve thousand)+GST including Rs 1000/- (one thousand) + GST as member registration fee.

ii) Every member (other than life member) shall pay the annual subscription in advance within 30th June every year. If the member pays the subscription beyond June but before 30th September, he shall have to pay a fine of 20% of the annual subscription and if he pays beyond 30th September, he shall have to pay a fine equal to annual subscription. The annual subscription in all the cases shall be payable for the whole year irrespective of the date of payment or admission. However if a member fails to pay his fees by 31st March, he shall automatically cease to be a member of the Association.

iii) Each member shall nominate one representative and one alternate representative to the association from amongst the directors, partners, proprietor, relative as his authorized representative to the association and any changes thereof should be notified to the secretary as when it occurs. Any other staff can be nominated only with prior approval from secretary.

iv) Any changes of representatives shall however not be recorded during the fifteen days preceding the date fixed for the General Elections.

v) The Association shall keep and maintain a register of its members in which following particulars shall be entered:-

a) The name, status and the full address of the member.
b) The name and designation of the authorized representative and alternate representative.

vi) Every member must abide by the rules and regulations as framed by the Association. He will sign each & every paper of Rules & Regulations as a token of having read and accepted all the Para & clause.

vii) Every member of the Association is obliged to follow the code of conduct set forwarded by the association from time to time. The association strives to protect business interests of its members and strives to introduce Excellency in business conducts and fair business Practices.

viii) The Association reserves the right to expel any member who acts in contravention of rules & regulations and / or procedures laid by the Association and/ or the Executive Committee from time to time.

ix) A member against whom expulsion action is proposed shall be given thirty days notice in Writing for explanation. If no explanation is received within the time or the same is found Unsatisfactory by the

Executive committee a resolution for expulsion shall be put up by Secretary in the next annual / Special General Meeting.

x) The text of resolution for expulsion, giving the name of the member shall be included in the Agenda of the meeting.

xi) A member expelled under this rule shall not be entitled for refund of his admission fee neither subscription, nor he will be eligible for re-admission unless his fresh application is recommended by the Executive committee and approved in the next Annual General Meeting.

B) Collection of fund :

NECTA may collect funds from different individuals companies, Institutions, organizations through Website, newsletter, Trade fair, seminar, Sport event, cultural event or any other such event as may be decided by Executive committee from time to time.

C) Control of Fund :

i) The funds of the NECTA shall be under the control of General body.

ii) In every year at the Annual General Meeting budget shall be adopted for the expenditure to be incurred during the year.

iii) The Executive Committee shall have power to sanction expenditures under provisions of the budget.

iv) The Executive Committee shall have power to re-appropriate amounts provided under various heads, if found necessary subject to approval by the General body.

v) In the event of special grants and donations the committee shall have power to sanction estimate thereof and undertake execution of the works subject to approval by the General body.

vi) The General Secretary shall be empowered to keep an impress of not more Rs. 10,000/- to meet emergent expenditures.

vii) All amounts/fees/contributions received from member/organization / company shall be deposited in the bank accounts of the NECTA.

viii) The General Secretary shall have power to spend no more than Rs. 5000/- on any single item in emergent cases and for all expenditures over Rs. 5000/- the prior approval of the Executive Committee shall be obtained.

ix) The bank accounts of NECTA shall be jointly operated by the President and the Treasurer.

x) The income and property of the association whatsoever derived shall be applied solely towards the promotion of the objects of the association as set forth above and no portion thereof shall be paid or transferred directly or indirectly by way to any member, office bearer of the association.

xi) Cash balance will be with treasurer or any other official appointment by the executive committee. In normal circumstances a treasurer should not keep cash in hand more than INR 10,000/- . In case he carries more cash in hand then given limit, he should deposit that excess cash amount within three working days in to Bank.

xii) Life Membership subscription shall be treated as a reserved fund and will be kept in fixed deposit account with any banks approved by executive committee.

6. Procedure of the General Meeting :

i) The Annual General Meeting of the Association shall be held by 30th June. However, date can be extended with valid ground and if approved by executive body up to 30th September but not beyond that. In case AGM cannot take place by 30th September, body will be automatically be dissolved and further procedure will be decided by adviser.

ii) Fifteen days clear notice of the date, time and place of such meeting along with the agenda of the meeting shall be given to the members of the association to transact the following business besides other business if any:-

a) Receive and adopt the Annual Report of the Secretary and the audited statements of account of the association.

b) To declare and record the results of the elections of the President, General Secretary and the Executive body.

c) To appoint Auditors for the ensuing year.

d) To consider any other matter put up by the Executive Committee in the form of resolution / motion which should be circulated as a part of the agenda to all the members.

e) To transact any other business which may be brought forward by any member with the permission of the Chair?

f) To consider any other specific put up in the form of a resolution/ motion by a member.

iii) Such resolution / motion shall be sent to the Secretary seven days before the date fixed for Annual General Meeting. The Secretary shall put up the resolution / motion before the Executive Committee for its approval. The Executive Committee may not circulate any resolution / motion which in its opinion is beyond the scope of the objects of this Association and / or is couched in objectionable and unparliamentarily language. The decision of the Executive Committee shall be final.

iv) Text of the approved resolution / motion shall be circulated amongst the members before the General Meeting.

v) The President / Secretary may call a Special General Meeting as and when advised by the Executive Committee. Clear seven days' notice shall be given to the members specifying the date, place, hour an agenda of the Special General Meeting.

vi) The General Elections will be held not earlier than three days before the date fixed for Annual General Meeting. The date, time and venue of the elections shall be notified at least Fifteen days before such specified date to all the members.

7. Quorum of the General meeting :

$^1/_3$ of the total enrolled member of the member shall be the quorum of a General Meeting. No business shall be transacted at any meeting unless the quorum of the member is present. In case of no Quorum meeting will be adjourned. Next meeting will be conducted same place and time on next day or within seven days to transact same agenda. Adjourned meeting shall need no Quorum.

8. Election procedure :

The Executive body will elect 19 members through voting. After the 19 member are being elected they will elect one President and one General Secretary either unanimously or through secret voting. Voting will be conducted by election committee and their decision will be final. In case of equal vote, toss will be done.

i) No office bearer shall hold the same office for more than four consecutive years. If any office- bearer of Executive Committee member holds the office in place of a vacancy occurring due to demise, resignation or any other reason, that period will not be counted.

ii) Unless any member has the privilege of two years membership of the association, he will not be entitled to contest in the election of Executive body.

iii) Unless any member has the privilege of having the experience of two year in executive body, he will not be entitled to stand for the post of President and General Secretary.

iv) Unless any member has the privilege of having one year's Executive Committee membership he will not be eligible to become an office bearer.

v) For holding the General Elections of the association, the Executive Committee shall appoint Chairman from amongst ex-office bearers having completed one full term of the said office. Nomination papers inviting nominations for the election of the Executive Committee shall be sent to all members at least fifteen days before the date fixed for Election if election is conduct by secret voting.

vi) The Chairman of the Election Committee may take three more members from amongst members of the association.

vii) Members contesting the elections shall submit the nominations on a prescribed form as may be decided by the Election Committee from time to time.

viii) The election shall be held by secret ballot system or by way of online voting. In first method the ballot papers shall be signed by the Chairman. On the Election Day, time and place notified, the authorized / alternate representative of member firms shall present themselves personally and receive the respective voting paper to be filled and placed in the ballot box. Member from upcountry will be entitled to cast their vote by sending ballot paper by post/ courier in sealed cover to election committee chairman. Proxy voting will not be allowed.

ix) A member shall not contest for more than one post at same time.

x) The procedure for filling nomination papers, withdrawal dates or any other matter relating to the election and otherwise stated above, shall be decided by the Election Committee and its decision shall be final and binding to all.

ALL. ACTS DONE IN GOOD FAITH

i) The association shall maintain a Minute book which shall record the minutes of Executive / Annual General / Special General Meeting.

ii) The minutes of General / Special General Meeting shall be circulated among all the Members within sixty days of the date of such meeting.

iii) All money of funds of the association shall be primarily paid to the Treasures or the Secretary who shall deposit the same into an account with any banks, approved by the Executive Committee.

iv) The executive Committee shall normally spend amount within the limit of the association's income during the year. In case where the expenses are more than the income during the year, the Executive committee may spend further up to ten percent of actual income derived during the year from the funds of the association, if further funds are required, a sanction of the Annual / Special General Meeting must be obtained.

v) Notice to the member will normally be sent either through post / courier or e-mail at their notified address. Notice to the member sent by the post or e-mail shall be deemed to have been served on the day on which it is posted / sent.

vi) In Computing the number of the days for the purpose of giving notice the day of notice and the day of meeting shall be excluded.

vii) The accidental omission to give notice or non-receipt of notice by any member shall not invalidate the proceeding of any meeting / election.

viii) Any dispute between members shall be subject to arbitration by the association.

ix) The executive committee shall appoint a chairman of the arbitration committee from amongst the ex-office bearer and four other members from among members of the association. The President & General Secretary shall be ex-officio member of this committee.

x) The decisions of the arbitration committee shall be final and binding on members. In case any member does not abide by such decision, he would be liable to suspended.

xi) The terms "members" where appearing shall mean and include general / life members.

xii) All matters shall be decided by the majority of votes. Matters arising at the meetings of the Executive Committee of Special / Annual general Meeting for which no specific rules are mention shall be decided by the members present at the respective meetings.

xiii) If at any time, it becomes necessary or desirable to dissolve the Association, it shall be done by a resolution of the members at a meeting specially convened for the purpose. Such meeting shall be called on the written requisition from minimum 60% of the members. The quorum for such meeting shall be two-third of total members on roll.

xiv) These rules may be altered or amended from time to time at any annual / Special General Meeting and such amendments or alterations must be placed through the Executive Committee. Additions and alterations will be in accordance with the provisions of the society act, as amended from time to time.

xv) The revised Memorandum and Rule & Regulation will come into force immediately after it is passed at the Annual / Special General Meeting and approved by the Authorities.

xvi) In case of any other dispute, differences or any such point not covered in above, election committee have full right to decide and offered their verdict.

9. Short Description of the Executive body :

The Executive Committee shall be consisted of 19 (ninteen only) members as per the list given below:

a) One President
b) Two Vice President
c) One General Secretary
d) Two Joint Secretary
e) One Publicity Secretary
f) One Treasurer
g) Eleven Executive Members (four members excluding Assam)

However, the Executive should co-opt 3 (three) additional advisor and may co-opt 7 (seven) nominated members without any voting rights.

i) In case of any vacancy created due to retirement/ Resignation or any unwanted incident Happens to any sitting Executive members, the same post shall remain vacant till the next Annual General meeting. However until that other Executive Member can take dual charge as decided in an Executive meeting.

ii) Strength of the Executive Committee including the office-bearers shall not exceed fifteen Members. (excluding advisors and nominated member if any)

ii) The Executive Committee shall have the power to co-opt a member from amongst the members to fill up any vacancy occurring in the committee by demise, resignation or any other cause.

iv) The term "office-bearers" appearing herein and elsewhere shall mean and include the President, Vice- President, General Secretary, Joint Secretary, Treasurer, Publicity Secretary.

10. The term of the Executive body and power:

i) Terms of the Executive body will be two years with effect from 1st April of every financial year.

ii) Any member of the Executive committee failing to attend three consecutive committee Meetings without intimation in writing to the Secretary shall cease to be a member of the Executive committee and the post shall be deemed vacant.

iii) Any member of the Executive Committee who has not attended forty percent of the Executive Committee meeting held during the year will not be entitled to stand in the Next year's election for any post. For Advisors and for nominated members this clause is not applicable.

iv) The Executive Committee shall consider applications for new membership and appoint Sub-committees from amongst the members to consider and report upon such matters which may be considering necessary. The powers and functions of the sub-committee shall be prescribed by the Executive Committee. The reports of the sub-committee shall be submitted to the Executive Committee for approval and action. The President and General Secretary shall be the Ex- officio members of the sub-Committees.

v) The Executive Committee may frame its own rules for the purpose of regulating its Business.

vi) It shall have the power to decide questions on which the rules are silent and its decision shall be final until the next General Meeting.

vii) The President shall guide and supervise the various activities of the Association and shall preside over the meeting of the Executives Committee, Annual General Meeting and special General Meetings.

viii) Advisors will be offering their services as and when required by executive body. They will have no role in day to day business of association. However if any gross irregularity or misuse of power is brought to their notice they can ask executive body to conduct a meeting and address the issue. In case of very serious, irregularity or misconduct is there by any member or office bearer or in case of serious difference with in the execute body; advisor will use their office to remove those difference and to help executive body to put the things as per constitution.

11. Procedure of Re-election of the members of the Executive Body :

To re-election of the members of the Executive body The Advisory Board shall give notice of an special and extraordinary General Meeting of the members at least 15 days before the date fixed specifying the time, date, place of the meeting and items of business to be transact therein.

12. Procedure of the meeting of the Executive body :

The Executive body Meeting normally be convened once in every one month. if so needed General Secretary may convene Meeting earlier than that in consultation with the President.

A) In the absence of the President, the Vice President shall act as the President and he will preside over the meeting.

B) In the absence of both President and Vice President, the members present shall elect one member to preside over the meeting.

C) The Chairman of the meeting shall have one casting vote (beside his own vote as member) in case of equality of votes.

D) The Secretary shall be in charge of the executive work of the association. He shall properly keep minutes of the meetings, carry on correspondence and be responsible jointly with the Treasurer for the funds of the association.

E) The Joint-Secretary will help the Secretary in discharged of his duties and shall perform such duties as may be delegated to him by the Secretary.

F) The Treasurer shall jointly with the Secretary be in charge of the funds of the association and shall be liable jointly and severally with the Secretary for the proper use of the funds of the association. He shall properly maintain the books of account of the association and shall submit statements of accounts as and when required by the Executive Committee. He shall also arrange to collect the dues from members. He will duly hand over the cash in hand, bank pass book, cheque book, FD and other related paper, when new executive body take the responsibility.

13. Quorum of the meeting of the Executive body :

50% of total executive members should present in a meeting to make quorum. Nominated member will not be counted in quorum.

14. Expulsion of undesirable member :

Any member who willfully violates the Rules and Regulation of the association may be expelled from the association. Executive committee will be empowered to take decision in this matter.

15. Auditor :

A qualified auditor will be appointed by the Executive body who shall audit the accounts of the association at least once in a year and annual audit report will be submitted to the Registrar of Societies the same will be submitted before Executive committee as well as in AGM.

16. Legal Procedure :

According to the provision lay down in the section 6 of the Societies Registration Act. XXI of 1860 the Society may use or may be used in the name of the President or Secretary of the Society

17. Dissolution :

If necessary the society may be dissolved and the properties remained after dissolution may be handed over according to provision laid down in the Section 13 and 14 of the Societies Registration Act. XXI of 1860.

18. Certificate to be the true copy :

Certificate to be the true copy of the Rules & Regulation of the North East Computer Traders' Association (NECTA).

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