

आदेश

उत्तरांचल शासन की अधिसूचना सं० 259 /सह/2003 दिनांक 5.11.2003 के क्रम उत्तरांचल सहकारी समिति अधिनियम 2003 की धारा 8 (1) के अन्तर्गत उत्तरांचल को-आपरेटिव शुगर फीड्टीज फीडरेशन (उत्तरांचल शुगर) लि० देहरादून का पंजीकरण निम्न प्रविष्टियों के साथ उक्त समिति की उपविधियों के उपबन्धों के अधीन रहते हुए सं० 2/ग.सी.आ./2004 के रूप में किया जाता है।

1. उत्तरांचल को-आपरेटिव शुगर फीड्टीज फीडरेशन (उत्तरांचल शुगर) लि० देहरादून, उत्तरांचल की सहकारी चीनी मिलों की शीर्ष संस्था कहलायेगी।
2. उत्तरांचल को-आपरेटिव शुगर फीड्टीज फीडरेशन लि० देहरादून की सामान्य निकाय की बैठक प्रति वर्ष 31 दिसम्बर तक आवश्यक रूप से कराया जाना सुनिश्चित किया जाय।
3. इस वर्ष की बैठक 31.12.2004 तक कर ली जाय, यदि अपरिहार्य कारणों से विलम्ब सम्भावित हो तो इसकी पूर्वानुमति प्राप्त कर ली जाय।
4. प्रतिवर्ष के लेखे(अथ वय्य का विवरण) 25 दिसम्बर तक निबन्धक को प्रेषित करना अनिवार्य होगा, उत्तरांचल शुगर इस पंजीकरण के पहले से ही कार्यरत है अतः पूर्व वर्षों की प्रविष्टियों एवं खातों का ब्यौरा निबन्धक को भेजना आवश्यक होगा।
5. उपविधि के नियम सं० 33(a) (VIII) एवं (IX) के अधिकांशों का प्रयोग मुख्य कार्यकारी अधिकारी, अध्याय की अनुमति से ही करेगे।
6. उपविधियों का हिन्दी रूपान्तरण 31.12.2004 तक प्रेषित किया जाय।
7. अन्य आवश्यक शोधन समय-समय पर निबन्धक को निर्देशानुसार शामिल करने की सुझाव व्यवस्था की जाय।

संलग्न - निबन्धन प्रमाण पत्र

(आपसी/पाठक)

निबन्धक

सहकारी मन्त्र एवं चीनी मिल समितियां
उत्तरांचल

कार्यालय निबन्धक / मन्त्र एवं चीनी आयुक्त, उत्तरांचल, काशीपुर

पत्रांक / समिति 259/सह/03 दिनांक

दिसम्बर 2004

प्रतिलिपि- सुरुनाथ एवं आवश्यक कार्यवाही हेतु प्रेषित

1. मुख्य कार्यकारी, उत्तरांचल को-आपरेटिव शुगर फीड्टीज फीडरेशन (उत्तरांचल शुगर) लि० देहरादून।
2. संयुक्त मन्त्र एवं चीनी आयुक्त, उत्तरांचल।
3. सचिव, मन्त्र विकास एवं चीनी उद्योग, देहरादून।

निबन्धक

सहकारी मन्त्र एवं चीनी मिल समितियां
उत्तरांचल



उत्तरांचल सरकार

निबन्धन प्रमाण पत्र

(उत्तरांचल सहकारी समिति अधिनियम 2003 की धारा 8 की उप धारा (1) के अधीन जारी किया गया)

प्रमाणित किया जाता है कि "उत्तरांचल को-आपरेटिव शुगर फैक्ट्रीज फेडरेशन(उत्तरांचल शुगर्स) लि० देहरादून " को सहकारी समिति के रूप में निबन्धित करने के लिये प्रधान प्रबंधक को-आपरेटिव शुगर फैक्ट्री लि० बाजपुर, गदरपुर, सितारगंज एवं नादेही जनपद ऊधमसिंह नगर तथा सचिव एवं अपर सचिव, गन्ना विकास एवं चीनी उद्योग उत्तरांचल एवं अपर सचिव वित्त उत्तरांचल द्वारा उत्तरांचल सहकारी समिति अधिनियम 2003 की धारा 8 के अधीन दिया गया प्रार्थना पत्र स्वीकार किया गया है और उक्त समिति (निबन्धन के लिये प्रार्थना पत्र के साथ प्रेषित उप-विधियों सहित) उक्त अधिनियम के अधीन उक्त प्रार्थना पत्र में उल्लिखित शर्तों और उक्त अधिनियम तदन्तर्गत बनी नियमावली और जारी किये गये सामान्य या विशेष आदेशों तथा उक्त समिति की उपविधियों के उपबन्धों के अधीन रहते हुए संख्या-2 ग०ची०आ०/2004 के रूप में निबन्धित की गई।

काशीपुर
दिनांक 15-12-2004



(आर०सी०पाठक)
निबन्धक
सहकारी गन्ना एवं चीनी मिल समितियां
उत्तरांचल

To,
The Chief Secretary,
Uttaranchal Shashan,
Dehradun

Sir,

The proposed Byelaws of Uttaranchal Cooperative Sugar Factories Ltd has provided the following provisions :

Membership
Byelaw No. 6 (ii)

The membership of the Federation shall be open to :
" The Govt. of Uttaranchal as provided for under section 17 (1) (c) of the Uttaranchal Sahakari Samiti Adhiniyam 2003".

After creation of the New State of Uttaranchal a settlement has reached with the State of U.P. to detach the sugar mills of Cooperative Sector in Uttaranchal from the territorial and Administrative jurisdiction of U.P.State and now being administered under the state department of Cane & Sugar , Uttaranchal.

In view of the above change over, the State of Uttaranchal shall take over the membership of the aforesaid federation under the aforesaid law provisions.

It is therefore humbly requested that acceptance of membership of the State Government as provided in sub section 2 of Byelaw no. 6 may kindly be accorded.

Yours faithfully,

(Vinod Sharma)
Chief Executive

Allowed.
Additional Secretary,
Cane Development & Sugar Industry
will be representative of the
State Government

Chief Secretary,
Uttaranchal Shashan

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Bye – Laws
OF
Uttaranchal Co-operative Sugar Factories Federation Ltd,
DEHRADUN

Name & Address :

The Apex Society shall be called Uttaranchal Co-operative Sugar Factories Federation Ltd. The registered address and head quarter shall locate at 53-B Subash Road, Dehradun subject to any change in future and under communication to the Registrar, Cane Cooperatives, Uttaranchal . The short and business name of this Federation shall be known as "Uttaranchal Sugars".

Definitions :-

2. In these byelaws, unless the context otherwise requires,

- (a) 'Act' means the Uttaranchal Sahakari Samiti Adhiniyam, 2003 as amended from time to time.
- (b) 'Apex society' has the same meaning as defined in section 2(c) of the Act and the Rules.
- (c) 'Federation' means the Uttaranchal Co-operative sugar Factories Federation Ltd, (Uttaranchal Sugars) Dehradun.
- (d) 'Registrar' means the person for the time being appointed as Registrar of Cane Co-operative societies Uttaranchal and also includes any person appointed under Sub section (2) of section 3 of the Act exercising all or any of the Powers of the Registrar.
- (e) 'Rules' means the Uttaranchal Sahakari Samiti Rules made under the Act.
- (f) 'Cooperative Sugar factory' means vacuum pan sugar Mill established under Co-operative fold of the state of Uttaranchal.
- (g) 'Weaker Section' means as defined in the Act and Rules.
- (h) 'Arbitration' means disputes referred u/s 70,71 of the Act.
- (i) 'Corporations' means the Corporate bodies established as 'Corporations' under Act of Parliament or State legislature.
- (j) 'State Government' means Uttaranchal Sarkar.
- (k) 'Tribunals' means the co-operative Tribunal framed under the Act.
- (l) National Co-op Federations : Coop Organizations at the National level and registered under Multistate Coop-Societies Act.
- (m) 'Society' means a Corporate body registered under the provisions of Uttaranchal Sahakari Samiti Adhiniyam 2003.

Area of Operation :

3. The Area of operation of Uttaranchal Co-operative sugar factories federation shall extend to the entire state of Uttaranchal.

Objects :(Main)

4. The objects of the Federation shall be to coordinate, assist and facilitate the working of the affiliated member Cooperative Sugar Factories, existing Government Sugar Companies in the State of Uttaranchal and to assist in the promotion and organisation of new Co operative Sugar factories in the State of Uttaranchal and to supervise their working and to arrange for manufacture and supply of sugar machinery. the Federation Shall also promote establishment of industrial/manufacturing units based on the by-products of member sugar mills and preferably under the management of its constituent units, where the cooperative sugar units are either unable to set up such units by itself, or else makes a request to the federation for establishment of concerned manufacturing units, the federation may by itself establish such units directly under its management and undertake all allied activities linked for the purpose. The ultimate object of the federation is to function for the economic interest of its member sugar mills based on principles of Cooperation.

Subsidiary Objects :

(5) In pursuance and conformity of that main objects stated in Byelaw No (4), the Federation may either by itself or with the advice or assistance or in conjunction with the National Federation of Co-operative Sugar Factories Ltd, New Delhi, may act or function for the following economic activities.

- (a) Provide technical advice and other assistance in the Selection, purchase, installation and maintenance of Sugar plant and Machinery, spares tools and other equipments to member Sugar Factories.
- (b) Recruit, train, appoint, transfer, suspend, dismiss, censure, fine or otherwise punish the employees of the member co-operative Sugar Factories, and exercise disciplinary control under the provisions and regulations framed regarding the terms and conditions of their services, in accordance with Section 121 or 122 of the Act : and

By Uttaranchal *Secretary*

- subject to the provisions contained in section 70 of the Act for Settlement of the disputes between such employees and member factories and to obtain necessary approval from the appropriate Authority under the provisions of Law.
- (c) Undertake or arrange to purchase in bulk on indent, tender or otherwise equipments, chemicals, gunny bags, lime stone, fuel, lubricants and any other requirements of member factories and also to arrange and manage for the Sale of sugar and sale or utilisation of any of the by-products and articles.
 - (d) Suggest means and measures for improving and increasing the operational efficiency of member Sugar Factories.
 - (e) Assist in Standardizing the products and by products and their accounting and costing methods and its market practices.
 - (f) Provide technical service and maintenance for the factory and provide spares and parts required by the member Factories.
 - (g) Assist member factories in the matter of bulk purchases through the centralised channel of the federation or from their shares or out of their own funds or the Principals state partnership fund or any other fund created from any authority of law subject to terms and conditions as may be prescribed by the State Govt. and to assist in procuring financial assistance and accommodation from the State, and Central Govt, Industrial Finance Corporation of India, State Bank of India, State or district Cooperative Banks or from any other financing agencies approved by Govt.
 - (h) Supervision and guidance in the working and functioning of member factories generally and as may be required within the provisions of Section 123 of the Act and may advise as and when it is required.
 - (i) Render legal and business advice to its member factories and may take up or defend legal or quasijudicial proceedings on their behalf.
 - (j) Represent the state federation or member factories at other State or National Co-operative Federations and apprise the working and functioning of the federation to the State and Central Government or any other legal body, commission or committee of enquiry or institution created under Law of the Land.
 - (k) To create or raise funds permissible under law and undertake such other activities as are incidental or conducive to efficient working of the member Factories in order to achieve the aforesaid objectives and to fulfill the common interest of member factories.

By William & h r

- (l) To set up Modern printing press and devices for the work of the federation and also conduct printing job for the benefit of Member sugar factories .
- (m) To take up General and informatory publications in the interest of the federation and its member factories, especially containing the market and related information on sugar industry.
- (n) To set up commercial units for manufacture of sugar Machinery and related implements.
- (o) To purchase required sugar machinery on prescribed norms and other related equipments of the member Sugar factories and enter into contract on their behalf.
- (p) To raise financial accommodation from the financial institutions, banks, government and other approved agencies for rendering financial assistance to member Sugar Factories.
- (q) To Generally act for the common benefit of the federation and its member factories and especially for the Economic uplift of growers of the State in the light of New economic Policies and to largely serve the sugar consumers.

Membership :

(6) The membership of the federation shall be open to :

- (1) All Cooperative Sugar Factories situated in the State of Uttaranchal and previously registered under the U.P. Cooperative Societies Act 1965 or now in future likely to be registered under the Uttaranchal Sahakari Sasmiti Adhiniyam 2003 and which have received the letter of intent or the license under the Industries (Development & Regulation) Act-1951. Presently there are four Co-Operative Sugar Mills namely Bazpur, Sitarganj, Gadarpur & Nadehi are in State of Uttaranchal.
- (2) The Government of Uttaranchal as provided for under section 17(1) (C) of the Act.
- (3) The Society of Central Status (District level) within the Sugar Cooperative fold of Uttaranchal State.
- (4) The Federation may in addition to ordinary members enroll the following kinds of members (a) Sympathiser members (b) Nominal members and associate member and such members shall have neither share participation nor voting right. The provision of Section 18 of the Act shall apply to this Category of membership.

(5) The Sugar Mills namely Doiwala Sugar company ltd and Kichha Sugar Company may be the member of the federation in the member category described in Bylaw No 6(4) (a) or (b).

7. Subsidiary requirements for membership

- (i) Every application for membership from the Cooperative Sugar Factory shall be accompanied by a resolution of the committee of management of the Cooperative sugar factory authorizing the chairman or the managing director to apply for affiliation to the federation unless the bylaws of the Coop. Sugar factory provide automatic membership and affiliation to the federation.
- (ii) Every application for membership from the categories of sub section 3 of Byelaw No. 6 shall also accompany the resolution passed by the bodies authorised of Sugar Cooperative and in case of Categories in Sub Section 4 of Byelaw No.6, an undertaking with the contents acceptable to the federation shall accompany.
- (iii) Each Cooperative Sugar factory or other eligible member shall pay an entrance fee of Rs.1000.00 (One thousand) with the application for membership and such fee shall not be returnable.

Provided that the membership of the state Government will be automatic and not with standing anything contained in any of the provisions of the Byelaws with regard to admission, removal or other liabilities.

8. Termination, Removal or expulsion from Membership

Membership of the federation shall cease :

- (a) On cancellation of registration of the member Cooperative sugar factory or any other member Society.
- (b) On winding up, dissolution merger or amalgamation of the member cooperative sugar factory or any other member society.
- (c) Member removed or expelled from membership of the federation within the provisions of Act, Rules and Byelaws.
- (A) On consecutive default for three years for the payments of its Subscription and other dues.

- (B) Fails to carry out any of its obligations to the federation under these byelaws, Act and Rules.
 - (C) On Misappropriation of funds, embezzlement and unlawful activities on the part of member Society, or member factory or individual Category member.
 - (D) Or caused damage, deterrent to the interest of the federation provided that a due opportunity of being heard is given to the legal representative of the member sugar Factory or to the members of other categories and to explain its position within one month of such communication. The general body especially called for this purpose and by a majority of 2/3 members present shall take necessary decision and may approve the termination, removal or expulsion of the member .
 - (E) The order of censure, suspension, termination or expulsion will specify the Period of such Action.
 - (F) A copy of such resolution passed shall be sent to the member concerned by registered post.
9. Each member sugar factory shall pay to the federation :

- (A) Supervision Fee at the rate as may be fixed by the Committee of management of the Federation.
- (B) Annual subscription on the quantity of sugar produced at the rate as may be determined from to time by the committee of management of the federation.
- (C) Minimum annual subscription of Rs.50000.00 or such higher amount as may be fixed till it goes into production.

Provided further that the federation may require the member sugar factories to make additional contribution towards raising funds or incurring major items of capital expenditure for paying the salary, provident fund and other charges in respect of the Senior Technical, administrative and accounting staff employed by it for their common benefit and for procuring such technical or other advice or assistance as might be in their interest and for publicity and propaganda on their behalf.

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