

BIHAR STATE SEED & ORGANIC CERTIFICATION AGENCY

RULES:

1. Short title: -
These Rules may be called the "Rules of the Bihar State Seed and Organic Certification Agency, 2017
2. Definition: -
In these Rules, unless the context otherwise requires:
 - (a) "Chairman" means the Chairman of the Board.
 - (b) "Director" means the Director of the Bihar State Seed and Organic Certification Agency.
 - (c) "Agency" means the Bihar State Seed and organic Certification Agency.
 - (d) "Board" means the Bihar State Seed and organic Certification Governing Board.
 - (e) "Member Secretary" means the Member Secretary of the Board.
3. Authorities of the Agency: -
The Authorities of the Agency shall be:
 - (a) The Chairman.
 - (b) The Board.
 - (c) The Director
 - (d) Member-Secretary
 - (e) Such other authorities as may be constituted by the Board and/or Association of the Agency and these Rules.
4. The Director shall be the Chief Executive Officer of the Agency.
5. The Director shall be appointed by the Board on such terms and conditions as may be approved by the Board.
6. Member of the Agency.

Sl. No.	Address and occupations	Designation in the Society
1	Secretary /Principal Secretary/Agriculture Production Commissioner Govt. of Bihar Department of Agriculture, New Secretariat, Patna-800001	Chairman
2	Director of Agriculture, Bihar, Patna New Secretariat, Patna-800001	Member
3	Director Horticulture, Bihar, Patna, Pant Bhawan-800001	Member
4	M.D. BRBN	Member
5	Principal of an agril. college nominated by Vice Chancellor Dr. Rajendra Prasad Central Agriculture University, Pusa, Samastipur	Member
6	Principal of an agril. college nominated by Vice Chancellor, Bihar Agriculture University, Sabour, Bhagalpur	Member
7	Director Research, Rajendra Agriculture University Pusa, Samastipur	Member
8	Director Research, Bihar Agriculture University, Sabour, Bhagalpur	Member
9	Additional Secretary, Department of Agriculture, Bihar, Patna	Member
10	Regional Manager National Seed corporation, Sheikhpura, Patna	Member
11	Deputy Director (agro) seed, Bihar, Patna	Member
12	Deputy Director (agro) Seed Inspection Bihar Patna	Member
13	Deputy Director (agro) Seed Analysis Bihar Patna	Member

Signature
Date

14	Director, Central Potato Research Institute, Patna	Member
15	Director, Bihar State Seed Certification Bihar, Mithapur farm, Patna	Member Secretary
16	Ratnagiri Seeds and farm, Sikrol, Chousa, Buxar, Bihar-Seed Producer	Member
17	Brij Bihari Choudhari Vill+Post -Bikaramganj, Songandaseed Bikramganj Rohtas.-Seed Producer	Member

Member Secretary

7. Roll of Members:

The Agency shall keep a Roll of Members giving their names, addresses and occupations and every member shall sign the same.

8. If a member of the Board changes his address he shall notify his new address to Members-Secretary, who shall thereupon enter his new address in the roll of members. But if he fails to notify his new address, the address given in the Roll of members shall be deemed to be his address.

9. Duration of Membership:

The term of office of the nominated or representative members shall be of two years and a retiring member shall be eligible for re-nomination for one more term only. In cases where more than one representative is nominated one shall be nominated in the first instance for only one term to assure a gradual change of Board Member and better continuity.

10. A member of the Board shall ceases to be a member thereof if:-

- (a) He dies, resigns, becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude; or
- (b) He does not attend three consecutive meetings of the board without proper leave of the Chairman; or
- (c) being a member by reason of the office or appointment. He holds, ceases to hold, that office or appointment.

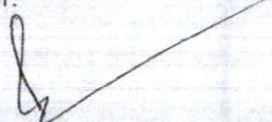
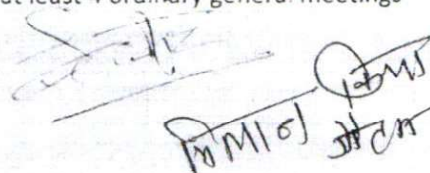
11. A resignation from the membership of the Board may be tendered to the Chairman in writing and shall not take effect until it has been accepted by the Chairman.

12. Any vacancy in the membership of the Board caused by any of the reasons mentioned in rule 10 shall be filled up in accordance with the provisions of these Rules. But the persons appointed in the vacancy shall hold office only for the unexpired period of the term of membership in whose place he is appointed.

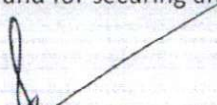
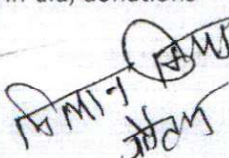
13. The Board shall function notwithstanding that any person who is entitled to be member by virtue of his office, is not a member of the Board for the time being and notwithstanding any other vacancy in Board whether by non-appointment, a defect in appointment or otherwise and no act or proceeding of the board shall be called in question on the ground merely of the existence of any vacancy in or any defect in the constitution of the Board.

14. Proceeding of the Board:-

- (a) The annual General Meeting of the Board shall be held at such time, date and place as may be determined by the Chairman.
- (b) The Chairman may convene an ordinary general meeting of the Board whenever he thinks necessary. However, the Board shall hold at least 4 ordinary general meetings every year.

- (c) Ten members of the Board may, by a letters addressed to the Member-Secretary, requisition a special meeting of the Board. On receipt of such requisition the member secretary shall convene a meeting.
15. Except as otherwise provided in these Rules, all meetings of the Board shall be called by notice under the signature of the Member-Secretary or any officer authorized in this behalf by the chairman.
16. Every notice calling a meeting of the board shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Board not less than fifteen clear days before the day appointed for annual or ordinary General meetings and seven days for a special meeting. The Chairman may, however, for reasons to be recorded, convene a meeting on such shorter notice as the he may think fit.
17. Every meeting of the Board shall be presided over by the Chairman if the Chairman is not present at a meeting of the Board, the members present may elect a Chairman for the meeting.
18. Eight members shall form the quorum at any meeting of the Board. Provided that, if a meeting of the Board is adjourned for lack of quorum, and then meets again to transact the sare business, after due notice as provided for in Rule 16, no quorum shall be necessary.
19. All disputed questions at the meetings of the Board shall be determined by vote. In case of an equality of votes, the Chairman shall have a casting vote.
20. The Member-Secretary shall keep a record of the proceedings of the meetings of the Board add a copy thereof shall be sent the State Government, the Central Seed Certification Board, and member of the Board.
21. Power of the Board:
With the approval of the Central Seed Certification Board, The Board shall have the power to frame regulations, not inconsistent with these Rules and to alter, amend and repeal them from time to time for the administration and management of the affairs of the Agency and for carrying out its objectives:
- (i) The preparation and sanction of budget estimates, the sanctioning of expenditure, making and execution of counteracts, the investment of the funds of the Agency and accounts and audit.
 - (ii) The procedure for appointment of the officers and other staff of the Agency.
 - (iii) The term and tenure of impartment, emoluments, allowances, rules and discipline and other conditions of service of the officers and other staff of the Agency.
 - (iv) Powers, functions and conduct of business of such committee as may be constituted from time to time.
22. Bye-laws:
The Board may frame bye-laws which are not inconsistent with the Memorandum of Association, Rules and Regulations for carrying out the purposes of the Agency and for its day to day administration.
23. Subject to the Memorandum of Association, Rules and Regulations the Board shall have the power.
- (a) To appoint all categories of officers and technical staff for conducting the affairs of the Agency consistent with qualifications specified by the central seed certification Board, to fix the amount of their remuneration subject to the budget provision, and to define their duties.
 - (b) To enter into arrangements with the Govt. of India, State Govt. and other public or private organization of individuals for furtherance of its objectives, for implementation of its programs and for securing and accepting endowments, grants-in-aid, donations

or gift on mutually agreed terms and conditions; provided that the conditions of such grants-in-aid, donations or gifts shall not be inconsistent or in conflict with the objectives of the Agency or with the provisions of these rules;

- (c) To establish and collect fees for services provided by the Agency which are not inconsistent with provision of the seeds Act and Rules or recommendations of the Central Seed Certification Board.
- (d) To acquire by gift, purchase, lease or otherwise any property, moveable or immovable, which may be necessary or convenient for the purposes of the Agency and to construct, alter and maintain any buildings or buildings for the purposes of the Agency.
- (e) To draw, make, accept, endorse, discount and negotiate State Govt., Govt. of India and others promissory notes, bills of exchange, cheques or other negotiable instruments.
- (f) To invest the funds of the Agency in such securities or in such manner as may, from time to time, be determined by the Board and from time sell or transfer such investments.
- (g) To take over and acquire by purchase, gift or otherwise from Govt. and other bodies or private individual movable properties or other funds together with any attendant obligations and engagements not inconsistent with the objects of the Agency.

Note:- The powers under (b), (d) and (g) shall be exercised by the Board subject to the condition that the prior approval of the Government of India shall be obtained for accepting any gift or assistance in any form from foreign Government organizations and international agencies or for entering into any negotiations or contractual arrangements with them, and to sell, transfer, lease or otherwise dispose of any movable or immovable property of the Agency subject to the condition that no immovable property of the Agency shall be sold or transferred without the prior approval of the State Govt.

24. The Board may delegate to the Chairman, any of its members, and to the Member-Secretary or to any other officer of the Board such administrative and financial powers or impose such duties as it may deem proper and also prescribe limitations within which these powers are to be exercised or duties to be performed.

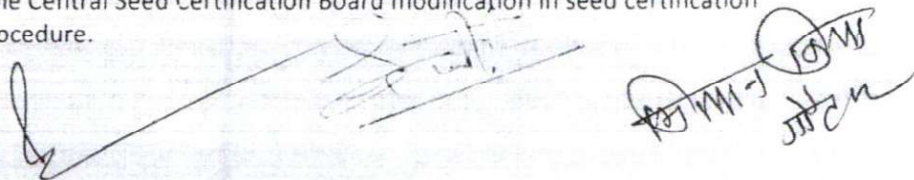
25. The Board may by Resolution appoint:-

- a. Committee or sub-committees for such purpose and with such powers as it may think proper; and advisory committee or panels consisting of persons who need not necessarily be the member of the Board with such advisory functions as the Board may think proper. The Board may dissolve any of the committee or sub-committee at any time.

26. Function of the Board:

The Board shall take such action to:

- a. **Employ the full compliment of a qualified staff to the Agency.**
- b. Arrange for suitable office space for the Agencies headquarters.
- c. Assure to the staff has adequate equipment, mobility and supplies to carry out the responsibilities entrusted to it.
- d. Recognize authentic sources of breeder and foundation seed.
- e. Recognise a seed testing laboratory or laboratories for analysis of samples for certification by the Agency.
- f. Consider matters of concern and specific certification problem cases submitted to it by the Director.
- g. Ensure the development of sound and comprehensive seed certification program in the State.
- h. Recommend to the Central Seed Certification Board modification in seed certification standards and procedure.

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- i. Develop an educational programme emphasizing use of good quality seed of recommended varieties.
- j. Provide the Central Seed Certification Board with a description of all state develop varieties so that it may make this information available to all other agencies.
- k. maintain close relation with similar Board and Agencies of other State and to keep in touch with seed law enforcement and seed testing programmes in the state and the country.

27. Functions and powers of the Directors:

Subject to any directions that may be given by the Board, the director shall function as the Chief Executive Officer of the Agency and shall be responsible for the proper administration of the affairs of the Agency under the direction and guidance of the board.

28. Funds of the Agency:

The fund of the agency shall consist of all or any of the following:

- a. Grants made by the Govt. of India and the State Govt.
- b. Constitutions from other sources.
- c. Income from the assets of the Agency, and
- d. Receipts of the Agency by way of application and certification fees and other service charges.

29. The funds of the Agency shall be deposited in the State Bank of India, Patna Secretariate Branch or other nationalized Bank. All the funds shall be paid to the account of the Agency with State Bank of India, Patna Secretariate Branch and shall not be withdrawn except through a cheque signed by such officer or officers of the Agency as may be duly empowered in this behalf by the Agency and countersigned by the Director or member or members of the Board authorized in this behalf by the Chairman.

30. The representative of the Department of finance on the Board will be the financial advisor to the Agency. Financial aspects of major importance of the Agency shall be referred to the Financial Advisor for his advice. If the advice tendered by the Financial Advisor on any matter referred to him is not acceptable to the Director, the matter shall be referred to the Board for final decision.

31. Account, Audit and Annual report:

- a. The Agency shall maintain proper accounts and other relevant records and prepare annual accounts comprising the receipt and payment accounts, statement of liabilities etc. In such form as may be prescribed by the Board in consultation with the Auditors.
- b. The accounts of the Agency shall be audited annually by a chartered Accountant appointed by the Board and any expenditure incurred in connection with the audit of the accounts of the Agency shall be payable by the agency.
- c. The auditors shall have the same rights to and privileges and authority in connection with the audit of the accounts of the Agency as the comptroller and Auditor General of India or any other person appointed by him in this behalf, as in connection with the audit of Govt. accounts and shall have the right to demand the production books, accounts, connected vouchers and other documents and papers and to inspect any of the officer or institutions of the Agency.
- d. The accounts of the Agency, as certified the auditors, together with the Audit report there on, shall be forwarded annually to the Board and the Board shall submit the same to the central Seed Certification Board.

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32. An annual report of the proceedings of the Agency and of the work undertaken during the year shall be prepared and published for the information of the Board, Central Seed Certification Board, State Govt. Agriculture Universities, Seeds men and others concerned and interested.

33. Amendment to Rules:

Subject to the provision of the Societies registration Act, 1860 (xiv) of 1860 and with the prior approval of the Central Seed Certification Board these rules may be amended any time by the resolution passed at an ordinary general meeting of the Agency duly convened for the purpose and supported by more than three fifth of the total number of members of the Agency.

34. General:

The Agency shall be subject to all the provision of the societies registration act 1860 (act xxi if 1860) as applied to Bihar.

35. The Agency shall use and be sued in the name of Director of the Agency.

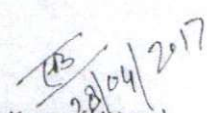
36. Dissolutions:

Subject to the provisions of the societies Registration Act, 1860 (XXI of 1860) and with the approval of the state govt. the society may be dissolved by a resolution passed at an ordinary general meeting of the Agency duly convened for the total number of members of purpose and supported by more than three fifths of the total number of members of the Board. On such dissolution, all assets and liabilities of the Agency shall vest in the State Government and shall be dealt with in such manner as the state Govt. may direct.

Certified to be the correct copy of the Rules of the States Seed Certification Agency:

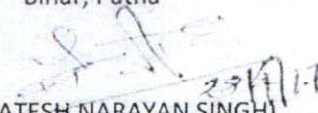
1. Name / Signature

Address
Occupation


(Santosh Kumar Uttam)
Dy. Director, Agro, Seed
Bihar, Patna

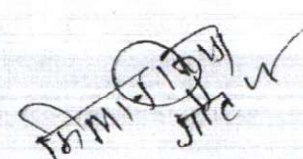
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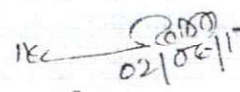
Address
Occupation


(BANKATESH NARAYAN SINGH)
Director, Bihar State Seed and Organic
Certification Agency, Mithapur Farm,
Patna

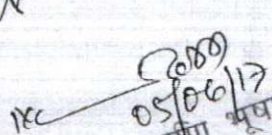

(SANTOSH KUMAR)
Dy. Dir. (Seed) Bihar

आज समा की प्रस्ताव प्रमाण - 16-02-17 तथा बिना
आज समा की प्रस्ताव 17-02-2017, संज्ञापूर्वक करत
पत्र एवं निमावली से सचिव प्रती।


मिथपुर


02/06/17

नाम निमा


05/06/17
मिथपुर प्रसाद
मार्ग निबंधन महानिरीक्षक
बिहार, पटना।