

PART III

REVISED MEMORANDUM OF
ASSOCIATION

Proposed substitution of the 2005 Memorandum

REVISED MEMORANDUM OF ASSOCIATION
OF
BIHAR HORTICULTURE DEVELOPMENT SOCIETY (BHDS)*A society registered under the Societies Registration Act, 1860 as applicable to the State of Bihar***Continuity**

The Society retains its existing legal identity and registration, subject to lawful substitution and filing of this Memorandum. The year 2026 denotes the revised instrument and does not create a new society unless the competent authority expressly decides otherwise.

1. Name

- (1) The name of the Society shall continue to be the Bihar Horticulture Development Society, abbreviated as 'BHDS' and hereinafter referred to as 'the Society'.
- (2) The Society may use the functional description 'State Horticulture Mission, Bihar' where a scheme guideline or Government order so requires, but such description shall not alter its registered legal name.

2. Registered office and area of operation

- (1) The registered office of the Society shall be situated at Patna at the office of the Directorate of Horticulture or at such other address in Patna as the State Government may notify and the Society may file with the Registrar.
- (2) The area of operation of the Society shall extend to the whole of the State of Bihar and, for lawful market linkage, research, capacity building, export facilitation or inter-State cooperation, to such activities outside Bihar as are incidental to its objects.

3. Character of the Society

- (1) The Society is a Government-controlled, non-profit, public-purpose mission implementation and programme-management body under the administrative control of the Department of Agriculture, Government of Bihar.
- (2) The Society shall not be construed as a parallel Secretariat, a private association, a financial intermediary or an authority possessing any statutory, regulatory or sovereign power unless such power is separately conferred by law.
- (3) All income, grants, receipts, assets and earnings of the Society shall be applied solely to its objects and no portion shall be distributed directly or indirectly to any member.

4. Aims and objectives

- (a) to serve as a mission-mode institutional platform for planning, implementation, coordination, monitoring and evaluation of horticulture development programmes entrusted by the Government of Bihar or the Government of India;
- (b) to implement or support the Mission for Integrated Development of Horticulture, National Horticulture Mission, National Bamboo Mission and any other Central, Centrally Sponsored, State or externally aided programme lawfully entrusted to the Society;
- (c) to prepare perspective plans, annual action plans, district horticulture plans, cluster and value-chain plans, project reports and outcome frameworks consistent with scheme guidelines and State priorities;
- (d) to facilitate timely, transparent, inclusive and citizen-friendly delivery of assistance, services, infrastructure and knowledge to farmers, tenants, cultivators, sharecroppers, FPOs, producer companies, cooperatives, SHGs, Jeevika groups, entrepreneurs, start-ups, institutions and other eligible stakeholders;
- (e) to promote production, productivity, quality planting material, nursery systems, protected cultivation, micro-irrigation, mechanisation, post-harvest management, cold chain, processing, logistics, branding, standards, marketing and export of horticultural produce;
- (f) to strengthen the horticulture bio-economy through value addition, circular resource use, renewable energy, climate resilience, natural-resource efficiency, biodiversity safeguards and sustainable livelihoods;
- (g) to promote aggregation, farmer collectives, women and youth enterprises, rural employment, entrepreneurship, market linkages and equitable participation of socially and economically vulnerable groups;
- (h) to undertake or commission baseline studies, surveys, GIS/remote-sensing analysis, market intelligence, research, innovation pilots, impact evaluation and evidence-based policy support;
- (i) to coordinate with departments, local bodies, universities, research organisations, financial institutions, commodity boards, development agencies, civil-society institutions and responsible private actors for convergence and public-purpose outcomes;
- (j) to create and operate common digital public infrastructure, beneficiary systems, application and grievance platforms, GIS, asset registers, dashboards, knowledge repositories and monitoring systems, subject to law and Government approval;
- (k) to build institutional and human capacity through training, technical support groups, programme-management units, centres of excellence, publications, e-learning and knowledge partnerships;
- (l) to promote traceability, quality assurance, food safety, phytosanitary compliance, certification, grading, packaging, GI/brand development, export readiness and consumer confidence;
- (m) to support disaster response, crop rehabilitation and continuity of essential horticulture services when entrusted by the competent Government; and
- (n) to undertake any lawful activity necessary, incidental or conducive to the above objects.

5. Guiding principles

- (a) legality, fiscal prudence and fidelity to the purpose of public funds;
- (b) citizen effort minimisation, assisted access and time-bound service;
- (c) transparency, competition, reasoned decision-making and auditability;
- (d) delegation with accountability and proportional, risk-based control;
- (e) digital-by-design, data minimisation, interoperability and cybersecurity;
- (f) inclusion of women, youth, small and marginal farmers, tenants and vulnerable groups;
- (g) environmental sustainability, climate resilience and inter-generational equity;
- (h) professional competence, outcome orientation and continuous learning; and
- (i) coordination rather than duplication of departmental, statutory and local-government functions.

6. Powers of the Society

- (a) to receive, account for and utilise grants, budgetary support, scheme releases, fees, recoveries and other lawful receipts for its objects, subject to applicable public-finance and fund-flow instructions;

- (b) to prepare plans and budgets, issue lawful sanctions, procure goods, works and services, engage professionals, enter contracts and make payments through the competent authorities and systems;
- (c) to establish technical, programme, finance, procurement, legal, data, monitoring and district-support arrangements within approved plans and delegations;
- (d) to own, lease, license, manage, transfer or dispose of movable and immovable property for public purpose, subject to Government sanction and applicable financial rules;
- (e) to enter memoranda of understanding, cooperation arrangements, service agreements and knowledge partnerships with public, academic, multilateral, civil-society or responsible private institutions, subject to conflict and approval safeguards;
- (f) to institute, defend, compromise or otherwise manage legal proceedings through authorised officers, subject to delegation and Government litigation policy;
- (g) to create committees, expert groups and advisory panels and to delegate powers in writing, subject to reserved matters;
- (h) to recover public money, enforce contractual remedies, impose liquidated damages, suspend or debar entities after due process, and refer suspected fraud or misconduct to the competent authority;
- (i) to undertake pilots or innovation sandboxes within approved budgets and lawful safeguards, without diluting statutory eligibility or financial control; and
- (j) to perform all lawful acts incidental to its objects.

7. Restricted powers

- (1) The Society shall not borrow, guarantee debt, create a charge over public assets, form a company or joint venture, or accept a foreign contribution except with prior specific approval of the State Government and every other concurrence required by law, including Finance and Law examination.
- (2) The Society shall not invest, park, pool or divert Central or State scheme funds except as expressly permitted by the applicable fund-flow instructions.
- (3) The Society shall not create permanent posts, prescribe service conditions carrying recurring State liability, or grant remuneration/honorarium to ex-officio Government members except under specific Government sanction.
- (4) The Society shall not alter scheme eligibility, subsidy norms, cost norms, funding ratios or approval powers fixed by a superior scheme guideline or Government order.

8. Application of income and property

- (1) All income, receipts, movable and immovable property and intellectual assets of the Society shall be used solely for its objects.
- (2) A member shall have no personal or beneficial interest in the Society's property by reason only of membership.
- (3) Nothing in this clause prevents payment, in good faith and under valid sanction, for services actually rendered, reimbursement of authorised expenditure, or payment of admissible travel and daily allowance.

9. Relationship with Government and scheme authorities

- (1) The State Government may issue policy directions to the Society, and the Society shall comply with directions that are lawful, recorded and consistent with the purpose of the relevant funds.
- (2) Where the Society acts as State Nodal Agency, Single Nodal Agency, implementing agency or State Mission under a scheme, it shall comply with the concerned scheme guideline, sanction, PFMS/Treasury architecture, audit requirement and reporting protocol.
- (3) Where a Government committee and a Society body have the same or overlapping membership, the proceedings shall expressly identify the legal capacity in which a decision is taken.

10. Alteration and dissolution

- (1) This Memorandum may be altered only in accordance with the Societies Registration Act, 1860 as applicable to Bihar, the rules and amendments in force, these Rules and Regulations and any required Government approval.
- (2) Upon dissolution, after satisfaction of liabilities and settlement of Government grants, scheme balances, records, data, contracts and audit obligations, the remaining property shall vest in or be transferred to the State

Government or another public-purpose body with similar objects as lawfully directed; it shall not be distributed among members.

Subscriber / certification block

The names, designations, addresses and signatures required for statutory filing shall be inserted after approval. Ex-officio designations, rather than the names of incumbent officers, shall govern continuing membership; the current annual list shall be filed separately as prescribed.

Capacity	Name / designation	Signature	Date
Chairperson of General Body			
Chairperson of Board of Management			
Mission Director-cum-Member Secretary			
Authorised member			