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GOVERNMENT OF ARUNACHAL PRADESH  
OFFICE OF THE STATE MEDICINAL PLANTS BOARD  
ITANAGAR

## NOTIFICATION

The 29th August, 2018

No. FOR.09/EA/2015/22070.—Consequent upon the transfer of State Medicinal Plants Board from Health and Family Welfare Department to the Department of Environment and Forests, and in supersession of the earlier Memorandum of Association, except in respect of things done or omitted to be done before such supersession, the General Body of the Arunachal Pradesh State Medicinal Plants Board is pleased to make the Memorandum of Association of Arunachal Pradesh State Medicinal Plants Board as follows:

### MEMORANDUM OF ASSOCIATION OF "ARUNACHAL PRADESH STATE MEDICINAL PLANTS BOARD"

1. (a) Name of the Society : Arunachal Pradesh State Medicinal Plants Board
- (b) Registered Office : Registered Office of the Society shall be situated at Arunachal Pradesh State Medicinal Plants Board, Chimpu, Itanagar
- (c) The main objectives of the State Medicinal Plants Board are as follows :
  - (i) Coordination with Departments/Organizations, Central and State Government for development of Medicinal Plants.
  - (ii) Assessment of demand/supply position relating to medicinal plants both within and outside the State.
  - (iii) Advice concerned Departments/organizations on policy matters relating to schemes and programmes for development of Medicinal plants.
  - (iv) Provide guidance in the formulation of proposals, Schemes programmes etc. to be taken up by the Agencies, Departments, NGOs, individual's etc.
  - (v) Identification, inventorization and quantification of Medicinal plants.
  - (vi) Promotion of in-situ and ex-situ cultivation and conservation of Medicinal Plants.
  - (vii) Promotion of co-operative efforts among growers and collectors of Medicinal Plants and assisting them in storage, transportation and marketing their produce at remunerative prices.
  - (viii) Setting up data-base system of inventories, dissemination of information and facilitate prevention of patents being obtained for medicinal use of plants which is in the public domain.
  - (ix) Matters relating to export-import of raw materials, as well as value added products either medicine, food supplements or as herbal cosmetics including adoption of better techniques of marketing of products to increase their credibility for quality and reliability in the state of Arunachal and outside.
  - (x) Undertaking and awarding scientific, technological research and cost-effectiveness studies on Medicinal Plants.
  - (xi) Development of standard for cultivation and quality control of Medicinal Plants.
  - (xii) Encouraging the protection of Patent Rights and Intellectual Property Rights (IPR).
  - (xiii) Regulation and issue of procedure relating to registration of medicinal plants to farmers/growers, traders etc.
2. (a) The Apex body of the Society will be its Governing Body. The Governing Body shall consist of official/non-official Chairperson and Vice-Chairperson to be appointed by the Govt. In case a serving Government official is appointed as Chairman, PCCF & Prl. Secy. (E&F) will cease to be Vice-Chairperson of the Governing Body. In the absence of re-appointment by Govt, the official Members will continue to hold their posts in Governing Body and Executive Committee. The Governing Body will be assisted by the Executive Committee.

(b) The Governing Body of the Society may comprise of the following members :

- |         |   |   |                    |
|---------|---|---|--------------------|
| (i)     | <b>To be appointed by the Govt. by an order</b>   | : | <b>Chairperson</b> |
| (ii)    | PCCF & Principal Secretary (Env. & Forests), if no Vice Chairperson is appointed by the State Government  | : | Vice-Chairperson   |
| (iii)   | Principal Chief Conservator of Forests or his nominee Government of Arunachal Pradesh, Itanagar.          | : | Member             |
| (iv)    | Director, State Forest Research Institute, Government of Arunachal Pradesh, Itanagar.                     | : | Member             |
| (v)     | Director (Agriculture), Govt. of Arunachal Pradesh, Itanagar  | : | Member             |
| (vi)    | Secretary/Registrar of Cooperative Societies, Naharlagun  | : | Member             |
| (vii)   | Director (Horticulture), Government of Arunachal Pradesh, Itanagar  | : | Member             |
| (viii)  | Director of Industries, Govt. of Arunachal Pradesh  | : | Member             |
| (ix)    | Director (Science & Technology), Government of Arunachal Pradesh  | : | Member             |
| (x)     | Managing Director, APIDFC Ltd., Itanagar  | : | Member             |
| (xi)    | Director, Ayurveda, Regional Research Institute near Mithun Gate, Itanagar                                | : | Member             |
| (xii)   | Professor & Head of Deptt. of Herbal Medicine and Cosmetology, Govt. Polytechnic College, Itanagar        | : | Member             |
| (xiii)  | Professor & Head of Deptt. of Forestry, North Eastern Regional Institute of Science & Technology, Nirjuli | : | Member             |
| (xiv)   | Professor & Head of the Deptt. of Botany, Rajiv Gandhi University, Rono Hills, Doimukh.                   | : | Member             |
| (xv)    | Senior Scientist, Botanical Survey of India, Itanagar   | : | Member             |
| (xvi)   | Senior Scientist, GB Pant Institute of Himalayan E&D Itanagar   | : | Member             |
| (xvii)  | Senior Scientist, NEIST, Naharlagun   | : | Member             |
| (xviii) | Two NGOs to be nominated by the Govt. Arunachal Pradesh   | : | Member             |
| (xix)   | Director, (Audit & Pension), Government of Arunachal Pradesh, Itanagar.                                   | : | Member             |
| (xx)    | Director (Social Welfare & Women & Child Development), Government of Arunachal Pradesh, Itanagar          | : | Member             |
| (xxi)   | Director (Health Services) & Ex-Officio Director, AYUSH, Government of Arunachal Pradesh                  | : | Member             |
| (xxii)  | Incharge, AYUSH Cell, Directorate of Health Services, Naharlagun  | : | Member             |
| (xxiii) | CEO of the SMPB   |   |                    |

(c) The control, administration and management of the affairs of the Board shall vest with the Governing Body in accordance with the rules and regulations of the Board as may be prescribed by the Board and approved by the Government from time to time.

(d) **Executive Committee Members of the Board :**

- |        |  |   |                         |
|--------|--|---|-------------------------|
| (i)    | Chairperson of the Governing Body  | : | <b>Chairperson</b>      |
| (ii)   | Vice-Chairperson of the Governing Body   | : | Vice-Chairperson        |
| (iii)  | PCCF (Planning & Development), Deptt. of E&F, Government of Arunachal Pradesh, Itanagar              | : | Member                  |
| (iv)   | Director (Health Services) & Ex-officio Director, AYUSH, Government of Arunachal Pradesh, Naharlagun | : | Member                  |
| (v)    | Director, (Agriculture), A.P., Naharlagun  | : | Member                  |
| (vi)   | Director, (Horticulture), A. P., Chimpu, Itanagar  | : | Member                  |
| (vii)  | Director, State Forest Research Institute Chimpu, Itanagar   | : | Member                  |
| (viii) | Senior Scientist, NEIST, Naharlagun  | : | Member                  |
| (ix)   | Director of Industries, A. P., Itanagar  | : | Member                  |
| (x)    | Director, Ayurveda Regional Research Institute, Itanagar   | : | Member                  |
| (xi)   | In-Charge, AYUSH Cell, Directorate of Health Services, Naharlagun                                    | : | Member                  |
| (xii)  | Member Secretary of the Governing Body   | : | Chief Executive Officer |

**(e) Tenure of Official/ Non-official Members :**

- (i) The tenure of official appointees shall be regulated as per the policy of the State Govt. on transfer of Government employees and as per the exigencies of the public service.
- (ii) The tenure of non-official appointees shall be 3(Three) years subject to the 2nd provision to the sub-clause (2) of clause 12 (B).
- (f) (i) Re-designation of Member Secretary as CEO. The CEO shall be ordinarily be an Indian Forest Service (IFS) officer.
- (ii) The tenure of the CEO cannot be fixed as he is a Govt. Officer and can be transferred even before the completion of tenure according to the Govt. transfer policy. However, the tenure of the CEO shall normally be for 3 years.
- (iii) The provision of removal of the Chairperson from the board shall be as per clause 12 (B) of the Bye-Laws.

**3. BYE-LAWS OF THE SOCIETY :**

- (a) Name of the Society : Arunachal Pradesh State Medicinal Plants Board
- (b) Address : Arunachal Pradesh State Medicinal Plants Board office, Van Vihar, Chimpu, Government of Arunachal Pradesh, Itanagar.
- (c) Area of the Society : Whole of Arunachal Pradesh
- (d) Date of Starting : Date of Registration, i.e., 06.09.2004
- (e) Office working hours : As notified by the Govt. of Arunachal Pradesh from time to time.

**4. SHORT TITLE :**

- (i) These rules may be called "**Rules of the Arunachal Pradesh State Medicinal Plants Board.**" 2016.  
Date of commencement - Date of registration of the Society, shall be deemed to have come into force on 06.09.2004.

**5. DEFINITION :**

In these Rules and Memorandum of Association unless the subject or context otherwise require:

- (i) Act means "Societies Registration (Extension to Arunachal Pradesh) Act, 1978.
- (ii) Governing Body means "the Governing Body of the Society".
- (iii) Executive Committee means "Executive Committee of the Society".
- (iv) Government means "Government of Arunachal Pradesh".
- (v) Society means "Arunachal Pradesh State Medicinal Plants Board".
- (vi)" Chairperson" means a person appointed as such by the Govt. of Arunachal Pradesh.
- (vii)" Vice-Chairperson" means a person appointed as such by the Govt. of Arunachal Pradesh, in absence of such appointment the PCCF & Prl. Secretary (E&F) Govt. of Arunachal Pradesh will be the Vice Chairperson.
- (viii)" Chief Executive Officer" means a person appointed as such by the Govt. of Arunachal Pradesh.
- (ix)" Member" means Members of the Governing Body & Executive Committee.
- (x)" NMPB" means National Medicinal Plants Board, Government of India.
- (xi)" NGO" means Non-Governmental organization working in the State of Arunachal Pradesh.

**6. AUTHORITIES OF THE SOCIETY :**

The authorities of the society shall be

- (a) The Governing Body
- (b) The Executive Committee
- (c) Such other authorities as may be constituted by the Governing Body.

**7. POWERS AND FUNCTIONS OF THE GOVERNING BODY :**

- (i) All property, movable or immovable of the society or any kind shall vest with the Governing Body.
- (ii) The business and affairs of the Society shall be carried on and managed by the Governing body.
- (iii) The Governing Body shall have all such powers and shall perform all such functions as are necessary or proper for the achievement and furtherance of the objectives of the society.
- (iv) Without prejudice to the generality of the foregoing provisions, the Governing Body shall have the following specific powers and rights:

- (a) To acquire by gifts, purchase, exchange, lease or otherwise land, buildings or other immovable properties together with all rights pertaining there to.
- (b) To acquire, hold and dispose off property movable and immovable and to administer all assets of the Society.
- (c) To prepare and execute detailed plans and proposals for the establishment and development of the Society and for carrying on its administration and management.
- (d) To receive grants-in-aid, other grant of money, gifts, donation and contributions in kind or cash, securities, fees, negotiable instruments, other forms of assistance from other sources such as Central and State Governments, National Medicinal Plants Board, Govt. of India organizations other than National and International agencies including and other local bodies and enter into any agreement or arrangements for receiving such assistance.
- (e) To levy impose and recover fees and charges for the services rendered by the society and to raise funds, as deemed fit and necessary for the purpose and objectives of the Society.
- (f) To approve and adopt and prepare annual reports, financial statement of accounts, financial estimates. Budget allotment and financial requirements of the Society.
- (g) To make rules and regulations for the management of the affairs of the Society.
- (h) The Governing Body of the Society may delegate it's any specific right, power and duty and assign such functions and responsibilities as are considered necessary to the Executive Committee of the Society.

#### 8. MEETING OF THE GOVERNING BODY :

- (i) The Governing Body shall meet at-least once in a year.

- (ii) **SPECIAL MEETINGS :**

The Chairperson / Vice-Chairperson of the Society may convene special meetings of the Governing Body to consider any matter of special importance or urgency or on the written requisition of not less than six members of the Governing Body specifying the purpose for which the meeting is proposed to be called.

- (iii) **NOTICE OF THE MEETINGS :**

Every meeting of the Governing Body shall be convened by notice issued under the hand of CEO or any other Officer of the Society so authorized in this behalf. Every notice calling for the meeting of the Governing Body shall be issued to every member not less than seven days before the day fixed for the meeting except in the case of special meetings where issuance of notice before seven days will not be necessary.

- (iv) **QUORUM :**

One third of the members including the Chairperson or the Vice-Chairperson present in person shall constitute the quorum for any meeting of the Governing Body of the Society.

- (v) **PRESIDING OFFICER :**

**The Chairperson of the society shall ordinarily preside at all meetings of the Governing Body.** In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and Vice-Chairperson, the members present shall choose one from amongst themselves to preside over the meeting.

- (vi) All business of the Governing Body as far as possible shall be recorded and shall be circulated to all members.

- (vii) **VOTING :**

In case of difference of opinion amongst the members on matter under discussion in a meeting, opinion of the majority present shall prevail.

#### 9. ONUS , RIGHTS AND DUTIES OF THE EXECUTIVE COMMITTEE :

Subject to the provisions of these rules and regulations, the Executive Committee shall have the following powers and functions:

- (i) The Executive Committee shall be responsible to the Governing Body for the efficient running of the affairs of the Society.
- (ii) To enter into agreement for and on behalf of the Society.
- (iii) To appoint Auditors of the Society.
- (iv) To inspect and supervise implementation of the Schemes/Projects relating to medicinal and aromatic plants in Arunachal Pradesh.
- (v) To create within the budget allotment any post or posts as may be required for functioning of the State Medicinal Plants Board Society and salaries, T.A., D.A., remuneration, honorarium of the staff so appointed and O/E, O/C or any other expenses etc., will be incurred with the approval of this committee.
- (vi) To propose Bye-laws, including amendments to existing bye-laws for consideration and adoption by the Governing Body.

- (vii) To approve the Annual Report prepared by the CEO and to be placed before the Governing Body for its adoption.
- (viii) To sanction expenditure up to Rupees ten Lakhs for a single work at a time or for a number of works at the same time.
- (ix) Any proposal for financial expenditure beyond the above limit shall be placed before the Governing Body in Annual General meeting or Extra-Ordinary General Meeting as the case may be for its approval.

**10. MEETINGS OF THE EXECUTIVE COMMITTEE :**

- (a) The Executive Committee shall ordinarily meet once in six months or more often if necessary. Five members of the Committee including the Chairman/ Vice-Chairman present shall constitute the quorum of the meetings.
- (b) Approval of the Executive Committee can also be obtained by circulation of proposals to its members.

**11. RESIGNATION :**

Resignation of a member from the Executive Committee shall be tendered to the Governing Body of the Society and shall not take effect until it has been accepted on behalf of the Society by the Chairperson of the Governing Body.

**12. FUNCTIONS OF THE VARIOUS OFFICE BEARERS :**

The functions and the powers of the various office bearers shall be as follows:

**(A) Function of Chairperson :**

- (i) He/ She shall, whenever present, preside over the Executive Committee meetings and Governing Body meetings.
- (ii) He/ She shall be the appointing authority of all staff of the society subject to approval of Governing Body.
- (iii) He/ She shall coordinate the effects of various executive members for development of the society.
- (iv) In case the votes for and against a particular issue are equal, the Chairperson shall exercise his/her casting vote.
- (v) The Chairperson may direct the CEO to call a special meeting at a short notice in case of emergency.
- (vi) The Chairperson shall be the sole and absolute authority to judge the validity of the votes cast by members at all Governing Body meetings and Executive Committee meetings.
- (vii) He/She shall be responsible for the control over the expenditure and exercise all powers with regard to the expenditure out of budgetary provision of the society subject to approval of Governing Body.
- (viii) All files related to appointment of staff, and financial matters including sanction shall be approved by the Chairperson.

**(B) Qualification for appointment as Chairperson and removal of the Chairperson**

1. No person shall be eligible for appointment as Chairperson, if—
  - (i) He is not ordinary resident of Arunachal Pradesh.
  - (ii) He is below 25 (Twenty five) years of age.
  - (iii) He is convicted within or outside Arunachal Pradesh for an offence involving moral turpitude.
  - (iv) He is of unsound mind.
  - (v) He is declared insolvent by a court of competent jurisdiction and remains as such.
2. Provided that, the Chairperson can be impeached by the Governing Body before completion of 3 (Three) years term by a resolution passed by two-third majority present and voting.

Provided further, a meeting conducted for impeachment of the Chairperson shall be presided by the Vice-Chairperson.

Provided further that, the Chairperson shall function at the pleasure of the Government.

**13. FUNCTION OF VICE-CHAIRPERSON :**

- (i) The Vice-Chairperson shall exercise all the powers of the Chairperson in the absence of the later and can be removed under sub-clause (B) (2) of clause 12.
- (ii) He/ She shall preside over any executive meetings or general body meeting when the Chairperson is on leave or on sickness.
- (iii) Removal/Disqualification of Non-official members.

**14. CEO :**

- (i) The CEO shall be responsible for the day-to-day management of the affairs of the Society.
- (ii) He/ She shall be responsible for management of the staff of the society. He/she shall exercise administrative control and discipline over the employees of the Society (both full time and part-time).
- (iii) The CEO is authorized/empowered to accord expenditure sanction to purchase articles and materials including raw material, Drugs and equipments needed for carrying out the objectives of the Society upto the value of ₹ 50,000/- (Rupees fifty thousand) only at a time subject to Budgetary provisions, provided prior advice is to be obtained from the chairman in the file.
- (iv) He/ She shall verify the bills and countersign them before presenting them for payment. He/she shall maintain proper books and accounts for the funds received and expended by the Society through Accountant or Accounts Officer.
- (v) He/ She shall arrange for the audit of the accounts of the Society by the Auditors/Chartered Accounts appointed by the Executive Committee of the Society, or as provided by the State Govt. from the Directorate of Accounts, Treasury (Audit)/A.G. Office, Itanagar.
- (vi) He/ She shall convene the meetings of the Governing Body, the Executive Committee, the Annual General Body meetings, the Extra-ordinary General Body meeting etc. He/She shall prepare the agenda of the meeting for circulation to the concerned members after approval of the Chairperson/ Vice-Chairperson. The approved minutes of the meetings shall be circulated by him/her.
- (vii) He/ She shall sign all Deeds and Documents on behalf of the Society according to the directions of the Governing Body or the Executive Committee of the Society.
- (viii) He/ She shall present report of the Society to Executive Committee and the Governing Body meetings of the Society.
- (ix) He/ She shall sue or be sued and defend the Society in all legal proceedings before the court of law /Quasi-Judicial Body/Administrative Authority.
- (x) Any documents or proceedings requiring authentication by the Society shall be signed and sealed by the CEO.
- (xi) CEO shall be responsible for implementation of all policies and decisions taken in different meetings of the Society.
- (xii) To do all such other lawful acts as may be deemed necessary for the achievement of any or all the objective of the Society.
- (xiii) CEO can sub-delegate his functions with the previous approval of the Chairperson or Vice-Chairperson to any officers of the Society.

**15. FUNCTION OF A ACCOUNTANT /TREASURER OF THE SOCIETY :**

- (i) He/ She shall maintain all expenditures of the board both recurring and non recurring natures of accounts and keep them posted up to date.
- (ii) All expenditures incurred by the board should be maintained properly in the cash book and obtain signature of the CEO in monthly.
- (iii) He/ She shall prepare the annual balance sheets and the statement of Accounts, get them audited and thereafter present them at the Governing Body Meeting for Approval.
- (iv) He/ She shall maintain the honorarium of the Chairperson.

**16. FUNDS OF THE SOCIETY :**

Funds of the Society will consist of the following :

- (i) Grants-in-aid, other grant of money, securities, fees negotiable instruments, other forms of assistance received from other sources, World Bank, UNICEF, WHO, Central and State Governments, National Medicinal Plants Board, Government of India, other agencies and other local bodies.
- (ii) Donations, Contributions and gifts in kind or cash.
- (iii) The CEO of the Board may send UC and PR to the agency from whom fund was received.

**17. UTILISATION OF FUNDS OF THE SOCIETY :**

- (i) The funds of the Society shall be spent towards promotion of its aims and objectives.
- (ii) The funds shall not be spent on any purpose other than the following:
  - (a) The payment of salaries, allowances and expenses to the staff of the Society.
  - (b) Publication of periodicals or magazines furthering particularly the interests of the Society.

**18. ACCOUNTS OF THE SOCIETY :**

- (i) The funds of the Society shall be deposited in one or more accounts opened with a Nationalized Bank/A.P. State Co-operative Apex Bank. The Bank account of the Society will be operated jointly by the CEO and the any senior officer of the board.

- (ii) Sanction and issue of amount/ cheques for a sum of Rs. 50,000/- (Rupees fifty thousand) only shall be signed by the CEO alone and cheques for a sum exceeding Rs. 50,000/- (Rupees fifty thousand) only shall be signed jointly by CEO and the any senior officer of the board duly assigned by the General Body.
- (iii) The Executive Committee at its discretion fix the limit up to Rs. 10,000/- (Rupees ten thousand) only of the cash balance which may be held by the CEO to meet sundry expenses of the Society.

**19. FINANCIAL YEAR :**

The accounting year of the Society will be from 1st April to 31st March. The Annual Income and Expenditure Accounts and Balance Sheet of the Society shall be presented at the Annual Governing Body meeting within three months of the close of the accounting year, duly audited by the competent auditors nominated by Governing Body or as provided by the State Government.

**20. KEEPING OF ACCOUNTS :**

The CEO shall arrange for the proper maintenance of accounts with respect to:

- (i) All sum of money received and expended by the Society and the matters in respect of which receipts and expenditure take place.
- (ii) All sales and purchases of goods by the Society.
- (iii) The assets and liabilities of the Society.

**21. (A) AUDIT :**

- (a) The audit of the accounts of the Society shall be carried out by the Auditors/Chartered Accountant approved by the Society and the expenses thereof shall be paid as approved by the Executive Committee.
- (b) The Auditor(s) of the Society shall have access to the Books of accounts and vouchers of the explanation as they may think necessary for the performance of their duties as auditors.

**(B) ANNUAL LIST OF EXECUTIVE COMMITTEE :**

Once in every year, a list of the office bearers and members of the Society shall be filled with the Registrar of the Co-operative societies, Arunachal Pradesh, Itanagar/ Naharlagun.

**22. LEGAL PROCEEDINGS :**

The Society may be sued or be sued in the name of the CEO as per the provision laid-down under the Societies Registration (Extension to Arunachal Pradesh) Act, 1978.

**23. DISCUSSION AND ADJUSTMENT OF AFFAIRS :**

If the Society needs to be dissolved, be as per the provisions laid down procedures under the Society Registration (Extension to Arunachal Pradesh) Act, 1978 and the amount remaining at the end shall be donated to a Society or Trust or Institution with similar objects as that of this Society.

**24. APPLICATION OF THE ACT :**

All the provisions under all the sections of the Societies Registration (Extension to Arunachal Pradesh) Act, 1978 shall apply to the Society.

25. The income and funds of the Society shall be solely utilized towards the objectives of the Society and no portion of it shall be utilized for payment to any member of the Governing Body or Executive Committee by way of profit, interest, dividend etc., except remuneration, if any, allowed by the Governing Body/ Executive Committee.

**26. ESSENTIAL CERTIFICATE :**

Certified that this is the correct copy of the rules and regulations of the Society.

The income and funds of the Society shall be solely utilized towards the objectives of the Society.

The Society shall not carry on its activity with the intention of making profit.

The Society is irrevocable by its promoters.

**27. POWER TO AMEND :**

Subject to the approval of the State Govt., the Governing Body shall have power to amend the Memorandum of Association as may be expedient for furtherance of its objectives.

Dr. Rabindra Kumar,  
PCCF & Prl. Secy (E&F),  
Government of Arunachal Pradesh,  
Itanagar.