



**Rules of
THE ASSAM TEA PLANTERS' ASSOCIATION
(As amended upto and adopted on 30.06.2007)**

ASSAM TEA PLANTERS' ASSOCIATION

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RULES

(As amended upto and adopted on 30th June, 2007)

- (b) To render service to Member Gardens for the all round growth and development of the Tea Industry.
- (c) To keep in touch with Government and other authorities in matters affecting the Tea Industry particularly of the Member Gardens.
- (d) To ensure uniformity in all garden practices amongst the Member Gardens.
- (e) To maintain close contact and to collaborate with all sister Associations on matter concerned with the Industry and having the same or like objects in view.

INTERPRETATION CLAUSE

3. In these Rules unless there is anything repugnant in the subject or context :-

- (a) “Association” shall mean the Assam Tea Planters’ Association.
- (b) “Salaried Representatives” shall mean any person appointed by the Executive Committee to represent the Association.
- (c) Chairman, Vice-Chairman, Secretary and Salaried Representatives shall mean respectively the Chairman, Vice-Chairman, Secretary and Salaried Representatives of the Association for the time being.
- (d) “Circle” shall mean and include the following Tea Circles viz,
 - (1) Tinsukia (2) Naharkatia (3) Dibrugarh (4) Sivasagar (5) Jorhat (6) Golaghat (7) Nowgong-cum-Kamrup (8) Darrang-cum-North Lakhimpur (9) Goalpara (10) Cachar (11) Karbi-Anglong or any other Circle formed hereafter by the General Meeting.

- (j) “Member Gardens” shall mean any Tea Estate whose name appears in the Register of Members of the Association for the time being.
- (k) “Member” shall mean a person whose name appears against the name of a Member Tea Estates as representing the said Tea Estate in the Register of Member Tea Estates of the Association.
- (l) “Prescribed” means prescribed by the Rules of the Association.
- (m) “Rules” shall mean the Rules of the Association, for the time being in force.
- (n) “Tea Estate” shall mean and include all Tea Estates registered with the Tea Board.
- (o) “Term” shall mean a period of two years.
- (p) “Year” shall mean the financial year beginning from 1st of April ending on 31st March.
- (q) The word denoting the singular number shall include the plural number and vice versa and words denoting the masculine gender shall include the feminine gender and vice versa.
- (r) Zone Committee shall mean the Committee composed of the Members of the Circle Committees, constituting the zones.
- (s) Zone Chairman shall mean the Chairman of any zone Committee elected by the Members of the Zone Committee.

MEMBERSHIP

- 4. “Only Tea Estates registered with the Tea Board and having an area of 40 Hectares or more under Tea, shall be eligible to become Member Tea Estates of this Association as per the Rules given hereunder. On enrolment, they shall be called Member Tea Estates.

concerned Zone Chairman who will consider the application in consultation with the Zone Members and thereafter, inform the Secretary whether the Zone approves the application or not.

After receipt of the Zone Chairman's letter, the Secretary shall place the matter to the Executive Committee at the earliest opportunity and the decisions of the Executive Committee shall be final".

6. On receipt of the approval of the Executive Committee as aforesaid, the Secretary will send the applicant Member a Bill for the prescribed Annual subscription for the current year together with past liabilities. On receipt of full payment of such Bill the Secretary will cause the name of the applicant garden to be entered in the Register of Member Tea Estates.
7. The number of persons entitled to represent a Member Tea Estate in the Association shall be based on its area under Tea cultivation and shall be calculated at one person for each 40 Hectares under Tea or part thereof, not below 20 Hectares, with a maximum of three.

REGISTER OF MEMBERS

8. (i) The Secretary shall maintain at the Head Office a Register of Member Tea Estates containing the names of all member Tea Estates arranged and groups circle by circle and showing against the name of each Member Tea Estate the names and addresses of the member Representatives of such Member Tea Estates. The list of Members of Member Tea Estates brought upto-date by the Secretary shall be completed before each Circle Committee Elections.
(ii) Similar Registers shall be maintained and kept in the Branch Offices if created.
9. The following Zone shall be created comprising of the Circle mentioned against each.
Zone (i) Dibrugarh, Tinsukia and Naharkatia Circles
Zone (ii) Sivasagar Circle
Zone (iii) Jorhat, Golaghat & Karbi-Anglong Circles.

purpose of calculation of subscription, subject to a minimum of Rs. 3,000 irrespective of the crop.

- (ii) Provided further that if any Member Tea Estate fails to pay the subscription, levies or contribution within the stipulated date, the Association shall load those subscriptions/levies/contributions with the Ration Bills and collect the amounts through the Handling Agents of Cereal Rations.
- (iii) If any Member Tea Estate fails to pay the Annual Subscription within the date as stipulated in Rule 10 (i), those Member Tea Estates shall be kept in the Defaulters' list and debarred from participating in the Circle Committee or other elections.

CESSATIONS OF MEMBERSHIP

11. (a) Member Tea Estates having arrear subscriptions for two years, shall be served with a NOTICE in Form 'B' to pay up the full dues within a period of 3 (three) months from the date of the notice.

If no payment is received within the period of 3 (three) months, the Secretary shall refer the matter to the Chairman.

The Chairman shall take up the matter with the concerned Member Tea Estate and may decide to terminate the Membership and shall apprise the Executive Committee of his decisions.

- (b) The Association shall have the right to recover the arrear subscription from ceased Member Tea Estates by legal action if necessary.
- (c) The Executive Committee may at their discretion remove by a vote of two thirds of its member present in person, the name of any Member Tea Estate from membership if it is satisfied that the Member tea Estate consistently fails to comply with and abide by the general principles of action as prescribed by the Association in matters concerning the welfare of the employees or in matters concerning the interests of the Industry in general.

**GENERAL ADMINISTRATION AND
OFFICE BEARERS**

14. The Administration and management of the affairs of the Association shall be entrusted to an Executive Committee consisting of persons as may be elected by the Circle Committees under the Rules.
15. As laid down in Rule 26 of these Rules, at the first Meeting of the newly elected Members to the Executive Committee, convened at least one week before the Annual General Meeting, the newly elected Members shall introduce themselves and elect one Chairman and one Vice-Chairman from amongst the Members to hold office, for one term. The Executive Committee shall hold the office for one term.

Provided further that the Executive Committee shall not elect the same person as Chairman for the second consecutive term.
16. There shall be one paid Secretary of the Association appointed by the Executive Committee, who shall also be the Secretary of the Executive Committee.
17. The Executive Committee may appoint any person or persons as Honorary adviser or representative with emoluments at any place or for any assignment as considered necessary.
18. The paid Secretary shall be in charge of the Head Office of the Association.

FORMATION OF CIRCLE COMMITTEES

19. The Association shall be divided into the following Circle Committees, until otherwise decided in a General Meeting :
 - (1) Dibrugarh
 - (2) Tinsukia
 - (3) Naharkatia

thereof not below 200 hectares in each circle. In Circles where minimum of 3 Members cannot be elected due to low hectarage, there will be no Circle Committees.

While Computing the area under Tea of each Circle, the hectarage of defaulting Member Tea Estates shall be excluded from the same.

Provided that those circles where circle committees could not be formed due to low hectarage, should be allowed to have atleast one Member in the Executive Committee to represent the interests of the Member Tea Estates of those Circles.

21. Each Circle Committee shall be constituted of Members to be elected by vote or Ballot before 15th day of February alternate year. The Ballot papers shall be despatched by Regd. Post to every Member of the Circles with a full upto-date list of names of the Members on the issuing date from the Head Office within first week of the month of January to be completed and returned either by registered post, messenger or in person within the prescribed date to be fixed by the Executive Committee.
22. (a) The first Meeting of the Circle Committee will be convened by the outgoing Chairman within a specified date failing which the Secretary of the Association will convene the Meeting. At the first Meeting of the Circle Committee the Members present will elect from amongst themselves one Honorary Chairman and one Honorary Vice-Chairman and also elect members to the Executive Committee as laid down under Rule 24(a).
- (b) The Circle Committee shall be in charge of and deal with only such local matters concerning their respective Circles and will deal with such other matters as may be delegated by the Executive Committee.
- (c) The Circle Chairman will be the convenor of the Circle Committee and shall keep in contact with the Member Tea Estates of his Circle during one term.

23. (i) For smooth working of the Association Zones comprising of several circles are created as follows :-
- Zone – I Dibrugarh, Tinsukia and Naharkatia Circles.
- Zone – II Sivasagar Circle.
- Zone – III Jorhat Circle, Golaghat Circles and Karbi-Anglong Circles.
- Zone – IV Nowgong-cum-Kamrup and Cachar Circles.
- Zone – V Darrang-cum-North Lakhimpur and Goalpara Circles.
- (ii) Each Zone Committee shall be constituted of the members elected to the Circle Committees and have one Honorary Zone Chairman and one Honorary Zone Vice-Chairman elected at its Meeting to be convened by the Chairman of the Association or his nominee.
- (iii) The Zone Chairman shall be convenor of the Zone Committee and shall be in contact and have liaison with the District authorities in all matters concerning the Member Tea Estates of the Zone.
- (iv) The Zone Committee shall hold its Meeting quarterly and its proceedings shall be forwarded to the Secretary of the Association for circulation amongst the Member Tea Estates.
- (v) In all Meetings of Zone Committees one third of the Members shall form the quorum for conducting the business of the Meeting.
- (vi) The Zone Chairman, if not a Member of the Executive Committee, shall be a permanent invitee to the Executive Committee without voting rights.

will nominate the Members from amongst the Members of the Executive Committee concerned.

- * (d) No person holding gainful or honorary office like Chairman, Vice-Chairman or Secretary in any other Tea Association connected with the Tea Industry shall hold similar gainful or honorary office, namely that of Chairman, Vice-Chairman or Secretary of this Association.
- (e) The immediate past Chairman of the Association should be a Member of the Executive Committee with all rights and privileges. Vide Resolution of the E.O.G.M. dated 24.6.06.

POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

25. Subject to the general control of the Association and to any special direction that may be given in any general meeting of the Members the powers and the duties of the Executive Committee shall be as follows:-
- (a) To manage the affairs of the Association and for such purposes to prescribe such Forms, Regulations etc. as may appear to them conducive to the good and proper administration of the Association and the attainment of its objects provided always that such Forms, Regulations etc. be not inconsistent with anything contained in these Rules.
 - (b) To appoint Sub-Committee consisting of such Member of the Association or of the Executive Committee as they deem necessary.
 - (c) To superintend and direct the publications, Journals, proceedings, bulletins etc. if any published by the Association and to prescribe the manner in which these shall be published.

meetings of the Committee consecutively without leave or absence or without giving sufficient reasons, and in such an event the Executive Committee shall nominate a Member of the Circle to fill up vacancy.

- (i) The Executive Committee may, whenever they think necessary convene a General meeting of the members of the Association. Such meeting shall be called Extra-Ordinary General Meeting.
- 26.
- (a) The Secretary shall convene the first Meeting of the newly elected Members to the Executive Committee at least one week before the Annual General Meeting to transact the business as laid down in Rule 15.
 - (b) The first Meeting of the newly elected Members to the Executive Committee shall be presided over by a person selected by members from amongst themselves.
 - (c) The Chairman and the Vice-Chairman with the members of the new Executive Committee shall start functioning after the Annual General Meeting as laid down in Rule (iii).
- 27.
- (a) After election of the Chairman and Vice-Chairman the Chairman shall appoint a Working Committee consisting of three Members to dispose of the emergent matters. The Secretary shall act as Secretary to this Committee.
 - (b) The working Committee shall scrutinize the ballot papers after receipt of the same and declare in writing the names of the elected members for the Circle Committee according to majority of votes secured Circle by Circle.

- (a) 7 Members present in person shall form a quorum.
- (b) In absence of the Chairman, the Vice-Chairman shall take the chair and in absence of both the Chairman and Vice-Chairman the members present shall elect a Chairman to conduct the business of the meeting.
- (c) Decisions of the Executive Committee shall be by consensus or majority votes.
- (d) In case of equality of votes the Chairman shall have a second or casting vote except in the case of electing an Honorary office bearer in which case the decisions will be by lot.
- (e) Minutes of proceedings of every Meeting of the Executive Committee shall be noted and signed by the Chairman of the Meeting. Proceedings shall be circulated to all the Members of the Executive Committee as well as to all member Tea Estates as soon as possible.
- (f) If a quorum be not formed within half an hour on the date and time fixed for the Meeting it shall stand adjourned to same day, place and time next week and the adjourned Meeting shall be competent to transact the business on Agenda without the requisite quorum.
- (g) In the event of a vacancy occurring in the office of the Chairman or the Vice-Chairman as the case may be, the Executive Committee shall be competent to fill up by election such vacancy with a person eligible under these Rules to hold such office.
- (h) The Executive Committee may act notwithstanding any vacancy in its composition for the time being.

and Extra-Ordinary General Meetings.

- (b) The Chairman shall take the Chair and conduct the business of the Meeting. In his absence the Vice-Chairman shall be proposed to the Chair and in absence of both, the members present shall elect a Chairman from among themselves for conducting the Meeting.
- (c)
 - (i) The agenda of the Annual General Meeting shall be fixed by the Executive Committee. Any proposal of resolution or motion that a Member wishes to place in Annual General Meeting shall be forwarded to the Chairman at least 15 days before the Annual General Meeting and considered by the Executive Committee.
 - (ii) Not more than a single amendment to the original one shall be laid before the Meeting at a time. When such amendment has been negative or has been allowed to take the place of the original one, other amendments involving fresh points may be brought before the meeting.
- (d) Voting by proxy shall not be allowed.
- (e) A motion or a proposal put to vote in the Meeting shall be decided by a show of hands unless a poll is demanded. If a poll is not demanded, the declaration from the Chairman that the motion on the proposal has, on show of hands, been carried unanimously or by particular majority or lost, an entry to that effect in the books of the proceedings of the Association, shall be conclusive evidence of the facts without proof of the number or proportion of the votes recorded in favour of or against that motion or proposal.

- (k) 21 days notice shall be given to Members for the time being appearing in the Register of Member Tea Estates, of all General Meetings accompanied by the Agenda.
 - (l) If a quorum be not formed within half an hour on the date and time fixed for the meeting it shall stand adjourned to the same day place and time next week and the adjourned meeting shall transact business on Agenda without the requisite quorum
32. An Annual General Meeting of the Association shall be held on such date within 30th June every year at such place and time as the Executive Committee may prescribe for transaction of the following business. .
 - (i) To consider and to pass the audited accounts of the Association.
 - (ii) To approve the rate of the Annual subscription as recommended by the Executive Committee.
 - (iii) To announce the name of the Chairman, the Vice-Chairman, the Zone Chairmen, the Zone Vice-Chairmen, the Circle Chairmen and Circle Vice-Chairmen together with the name of the Members elected to the Executive Committee and the Circle Committees.
 - (iv) To appoint Auditors of the Association and fix their remuneration.
33. On the requisition in writing of at least 25 Members of the Association the Secretary may convene a general Meeting of the Members of the Association. Such Meeting shall be called the Extra-Ordinary general Meeting, Upon receipt of such a requisition notice which shall specify the object of the Meeting desired to be called, The secretary shall issue notices of the Extra-Ordinary General Meeting of the Association within 7 days from the date of receipt of such requisition notice, notifying in accordance with clause (k) of Rule 31.

confidence resolution on the Chairman or the Honorary office bearer as the case may be. The Secretary on receipt of such requisition shall convene the Meeting of the Executive Committee within 15 days from the receipt of this notice, giving 10 days time for the meeting, failing which the requisitionists may convene the meeting of the Executive Committee.

- (ii) If no confidence motion is passed by 2/3rd, majority of the total Executive Committee Members the Chairman or the honorary office bearer against whom the no confidence motion is adopted shall have to resign forthwith. The vacancy of the Chairman or other honorary office bearer shall be filled up by the Executive Committee in a subsequent meeting held under the Rules.

DUTIES OF THE SECRETARY

- 37. The Secretary shall be in general charge of the Association and shall perform all works for furtherance of aims and object of the Association under the general direction
 - (a) To carry out the correspondence of the Association and of the Executive Committee and to sign all letters, papers and documents and be empowered to represent the Association and enter into and execute any contracts, agreements or arrangements for the benefit of the association with the express approval of the Executive Committee.
 - (b) To attend meeting of the Association and of the Executive Committee and Sub-Committee that may be set up by the Executive Committee. To note down the minutes of the proceedings of such meetings and at the commencement of such meetings to read out minutes of the previous meetings.
 - (c) To prepare in the prescribe manner the list of Member Tea Estate with the name of the Members for purposes of the elections under these Rules.

staff and appointment and dismissal of the sub-ordinate staff with the approval of the Chairman.

- (g) To be Ex-Officio member of all sub-committees (except Circle Committees) appointed by the Executive Committee.
- (h) To do and perform all other acts and things specially provided for in these Rules to be done by the Secretary.
- (i) To receive and hold for the use of the association all monies paid to association and disburse all sums payable by the association and shall keep regular accounts, voucher of all receipts and expenditures of the Association.
- (j)
 - (i) To prepare and submit to the Executive Committee within the month of January each year a general Budget for the calendar year showing the estimated receipts and expenditures of the Association including those of the other offices detailing each item and the balance in hand with an account of the actual receipts and expenditures of the previous year.
 - (ii) The Audited Accounts of the Association shall be placed before the Executive Committee in the month of March every year.
- (k) Generally to serve the Association faithfully and to the best of his abilities.

FUNDS AND ACCOUNTS

38. The General funds of the association shall be in charge of the Secretary and shall be kept in current accounts in the name of the Association, as the Executive Committee may decide. Such Bank accounts shall be operated by the Secretary on behalf of the association unless otherwise decided by the Executive Committee.

40. All monies received by the Salaried Representatives from the Head Office shall be kept in current account in the name of the Association with one or more Banks as approved by the Executive Committee. Such accounts shall be operated by the concerned Salaried Representative and accounts shall be sent to Head Office by first week of the next month.
41. Accounts and vouchers of receipt and expenditures of the Head Office and the other offices shall be maintained by the Secretary and the Salaried Representative respectively in the prescribed manner and shall be audited at the close of the year by an auditor or auditors appointed at the Annual General Meeting.

ALTERATION AND AMENDMENTS OF RULES.

42. The Rules herein contained may be altered, amended or modified on the recommendation of the Executive Committee by an Extra-Ordinary General Meeting of the Association with prior notification on the Agenda.
43. These Rules shall take effect from the date of adoption thereof at the Extra-Ordinary General Meeting of the Members of the Association to the exclusive of the rules rescinded as from the said day.

SAVINGS

44. Notwithstanding anything contained in the Rules the Executive Committee shall exercise discretionary powers in the matters not clearly covered by the Rules. Such action of the executive body shall not be questioned except when contrary to the Rules.

particulars in respect of our Tea Estate(s) are given below:

1. Name of the Tea Estate
with Tea Board Registration No. :
2. Postal Address :
3. Area under Tea in Hectares :
4. Tea made during the preceding
3 years : 20
- *5. Name and address of Members
representing the Tea Estate : (i)
(ii)
(iii)
6. The person(s) to whom the Bill for
Annual Subscription to be sent :

I/We have received a copy of the Rules of the Association as amended upto date and shall abide by the same. On receipt of your Bill for the Annual Subscription for the current year together with past liabilities if any, I/We will remit the sum of Cash or Cheque/Demand Draft drawn in favour of the Secretary, Assam Tea Planters' Association, Jorhat.

Yours faithfully,
Signature

Designation & Address

Date :

*P.S. The number of persons entitled to represent a Member Tea Estate in the Association shall be based on its area under Tea cultivation at one person for 40 hectares or part thereof not below 20 Hectares subject to a maximum of three.

As provided under Rule 11(A) of the Rules of the Association(as amended upto date), Notice is hereby given that you have the following arrear subscription dues payment to this Association, in respect of your Tea Estate (s).

Arrear A/C. Subscriptions.

Name of Tea Estate	2003	2004	Total
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1.

2.

Grand Total Rs.

May I request you kindly to pay up the above dues within a period of 3(three) months from the receipt of this notice. If no payment is received within stipulated period, the services of the Association to your Tea Estate(s) shall be terminated.

Further, the matter will be referred to the Chairman for necessary action as provided under Rule 11(a) of the Rules of the Association.

Yours faithfully,

Secretary,
**Assam Tea Planters'
Association,**
Jorhat-785 001.