

REGULATIONS FOR MADHYA PRADESH BIOTECHNOLOGY COUNCIL

Chapter 1 - PRELIMINARY

1. **Name** - The Society shall be called of Madhya Pradesh Biotechnology Council also to be known by the acronym **MP_BIOTECH**. It shall hereinafter be referred to as "Society".
2. **Office of the Society** - The registered office of the society shall be situated in 26, Arera Hills, Kisan Bhavan, IIIrd Floor, Jail Road, Bhopal - 462011 (M.P.)
3. **Area of Operation** - The operational jurisdiction of the Society shall extend to the whole of Madhya Pradesh.
4. **Definitions** -
 1. In these regulations, unless the context otherwise requires, -
 - (a) "Act" means the Madhya Pradesh Society Registrikaran Adhiniyam, 1973;
 - (b) "Board of Directors" shall mean the body constituted under these Regulations and entrusted with the management of the affairs of the Society. It shall hereinafter be referred to as "Board"
 - (c) "Chairman" shall mean the Chairman of the Society.
 - (d) "Financial year" means 12 months commencing from 1st April and ending on 31st March;
 - (e) "General Body" shall mean all the members of the society. Meeting of this Body after fulfilling the quorum shall be referred to as "General Body Meeting";
 - (f) "Registrar" means Registrar of Society appointed under Section 4(1) of the Act.
 - (g) "Regulations" means the rules and regulations of the Society as registered under the provisions of the Act and the Rules;
 - (h) "Rules", means the Madhya Pradesh Society Registrikaran Niyam, 1995 made under the MP Society Registrikaran Adhiniyam 1973;
 - (i) "State Government" means the State Government of Madhya Pradesh and
 - (j) "State" means the existing State of Madhya Pradesh.
 - (k) "Vice Chairman" shall mean Vice Chairman of the Society.

2. Words and expressions used in these Regulations and not defined herein but defined in the Act and the Rules shall have the same meaning as assigned to them in the Act and the Rules.

Chapter 2 - AIMS AND OBJECTS

5. The Society is established to coordinate the promotion of the Biotechnology (BT) sector in Madhya Pradesh and oversee the implementation of the biotechnology policy of the state government. To achieve this it shall, inter-alia, :-

- (i) provide assistance to government departments/agencies for them to encourage biotechnology application and research through industry and local communities;
- (ii) facilitate the development of education in the discipline; and undertake any other function(s) as may be assigned by the state government.

Chapter 3 - MEMBERSHIP

6. Members of the Society shall be of the following categories:

- a. **Patrons** :A patron of the society shall be an eminent person from any of the fields covered under the aims and objects of the Society.
- b. **Institutional Members** : Members in this category shall be drawn from BT and related sectors.
- c. **Ex-officio Members** : By virtue of holding a particular official position in the state government the persons listed in clause 7 (iv) shall be the ex-officio members of the society.

7. **Admission of Members:**

- (i) Patrons shall be appointed by invitation by the State Government.
- (ii) Institutional members shall also be sponsored by the State Government. An institutional member shall pay a fee of Rs 5000/- per year, on accepting the membership.
- (iii) While occupying a particular official position in the State Government, the following shall be ex-officio members of the Society:
Chief Minister Government of Madhya Pradesh, Minister in the State Government in charge of Biodiversity and Biotechnology Department, Agriculture Department, Higher education,

Commerce & Industries, Forest Department, Science and Technology Department and the Finance Department, Chief Secretary to the Government of the State, Agriculture Production Commissioner, Principal Secretary/Secretary to the Government in the Departments of Science and Technology, Forest, Biodiversity and Biotechnology, Higher Education, Commerce & Industries Department and Finance Department.

8. **Tenure of Membership :** The membership of the Society shall be initially for a period of three years but may be extended subsequently on year to year basis by the Board. Ex-officio members shall continue to be members as long as they hold the position in office.
9. **Eligibility for Membership :** To be eligible for membership, individuals/organization should be agreeable to abide by these Regulations and specific norms of membership as may be stipulated by the Board from time to time. Organizations can nominate an individual to attend meetings of the Society.
10. **Termination/Cessation of Membership :**
 - (i) Membership shall stand terminated in the event of death of the member, his becoming of unsound mind, or resignation from membership if accepted, and conviction in a criminal offence.
 - (ii) Membership shall cease if in the opinion of the Board a Member is guilty of unbecoming conduct in relation with the Society.
 - (iii) Membership shall be liable for termination if fee is overdue for more than six months.
11. **Register of Members :** The Society shall maintain at its registered office a register of its members and shall enter therein the particulars of members as per the provisions of the act.

Chapter 4 - FUNDS AND PROPERTY

12. Funds of the Society shall consists of -
 - (a) Fees earned from services rendered, from projects executed and fees from membership

- (b) Grants and subsidies and project finance from Government including the State Government, the Government of India and various national/international organizations;
 - (c) Donations and other voluntary contributions from members, non member-individual and organizations;
 - (d) Loans from financial institutions and others as may be contracted by the Board from time to time, subject to the approval of the State Government; and
 - (e) Funds raised through any other mode as agreed upon by the Board and subject to approval of the State Government; to meet the aims and objectives of the Society.
13. **Property :** All the movable and immovable property acquired from the funds mentioned herein above shall be in the name of the Society. Immovable properties shall not be purchased, sold, mortgaged or transferred without resolution of the Board to this effect, the prior permission of the State Government and permission of the Registrar under Section 21 of the Act.

Chapter 5 - GENERAL BODY

14. The supreme authority of the Society shall vest in its General Body.
15. There shall be an Annual General Meeting of the General Body of the Society once in every financial year at such date, time and place as may be decided by the Chairman. The Chairman or, in his/her absence, the Vice Chairman, shall preside over the meeting. In the event of both being absent, one member present in the meeting shall be elected to chair the meeting.
16. A notice of atleast 15 days shall be given for a General Body Meeting.
17. The quorum of the Meeting shall be 8 or one third (1/3) of the total number of members on the date of notice of meeting whichever is more.
18. The Chairman on matters that are sufficiently important and urgent in his/her opinion and cannot wait for the next meeting of the General Body may exercise his/her discretion as per clause (27) of Chapter 7.
19. The following matters shall be dealt with by the General Body :-
- (a) To consider and adopt the audited annual financial statements of the Society;

- (b) To consider and approve the annual budget of the Society for the next financial year;
- (c) To consider and approve the Annual Report of the Society;
- (d) To elect up to a maximum of five members to serve on the Board from out of the members inducted by invitation in the Society;
- (e) To consider and approve the amendments in the Regulations as proposed by the Board. Atleast two thirds (2/3rd) of the members present and voting shall have to approve the amendments;
- (f) To dissolve the Society and dispose off the property in its ownership in accordance with chapter (viii) of the Act relating to the dissolution of societies; provided that a resolution for the purpose shall be considered at a specially convened meeting, presided over by the Chairman; and that at such a meeting atleast half of the total strength of active members are present further that of these two thirds (2/3rd) vote in favour of such a resolution.
- (g) To consider and approve any other matter referred by the Board

Chapter 6 - BOARD OF DIRECTORS

20. The business of the Society, as per its aims and objectives, shall be managed and carried out by the Board. It shall undertake all such activities as are necessary for the purpose illustrated in the Regulations.

21. The Board shall comprise of the following :-

S.N	Name	Position
1	Chief Minister, Madhya Pradesh	Chairman
2	Minister in charge of Biodiversity and Biotechnology, Madhya Pradesh	Vice Chairman
3	Chief Secretary to Government of Madhya Pradesh	Member
4	Agriculture Production Commissioner	Member
5	Principal Secretary/Secretary to Govt. of M.P., Biodiversity and Biotechnology Department	Member
6	Principal Secretary/Secretary to Govt. of M.P., Higher Education	Member

7	Principal Secretary/Secretary to Govt. of MP, Commerce & Industries Department	Member
8	Principal Secretary/Secretary to Govt. of M.P., Finance Department	Member
9	Principal Secretary/Secretary to Govt. MP, Science and Technology Department	Member
10	Members of the Society, elected by the General Body, who are known for their contributions in the fields of BT, Industry, Human Resource, Social/Infrastructure Development	Member(s)
11	Chief Executive Officer of the Society	Member Secretary

22. In the absence of Chairman, the Vice Chairman and in their absence, the Chief Secretary shall preside over the Board Meetings. In the absence of all three, a person nominated by the Chairman will preside at the meetings convened. Quorum for the Board meeting shall be five. Meetings of the Board shall be held ordinarily once in every three months.

23. **Term of Elected Members on the Board :** Term of elected members on the board shall be three years from the date of their election on to the Board.

24. An elected member on the Board shall cease to be a member -

- If he dies, resigns, becomes insane or is convicted of criminal offence;
- If he does not attend three consecutive meetings of the Board without prior intimation in writing to the Member Secretary.

Resignation from the Board shall take effect only from the date it is accepted by the Board.

25. The Board will meet on a notice served to the members seven days before the appointed date. In urgent cases, the Chairman may exercise his/her discretion as per clause (27) of Chapter 7.

26. The Board shall exercise all financial and administrative powers to control and regulate the activities of the Society and shall also have powers and duties as under :-

- To frame general guidelines for promotion of BT in the State;

- (b) To raise funds and other resources for the activities of the Society.
- (c) To make rules to manage and maintain the properties of the Society;
- (d) To approve the organization structure and to decide emoluments and service conditions of employees.
- (e) To approve the annual report and statement of accounts and place them before the General Body for approval.
- (f) To pass the budget of the Society for the ensuing financial year and place them before the General Body for approval.
- (g) To frame rules regarding hiring of services of BT professionals/technical advisors/consultants by the Council.
- (h) To appoint Chartered Accountant for auditing the accounts of the Society and to fix terms and conditions for its services.
- (i) To delegate any of its powers and functions to the CEO/ other Office Bearers.
- (j) To arrange to send to the Registrar annual returns and audited statement of income and expenditure and balance sheet as required under Section 27 and 28 of the Act and rule 11 of the Rules;
- (k) To recommend amendment to the Regulations for being adopted by the General Body as per provisions in section 10, 12 and 13 of the Act and rule 9 of the Rules in this regard;
- (l) To perform all such other functions as are necessary for conducting the business of the Society.

Chapter 7 - OFFICE - BEARERS OF THE SOCIETY

27. Chairman -

- i. The Chief Minister of the State shall be the Chairman of the Society.
- ii. The Chairman by virtue of his office shall be the head of the Society.
- iiii. The Chairman shall preside over the meetings of the General Body and Board of Directors.
- iv. The Chairman of the Society shall exercise general control and supervision over working of the Society. He/She shall have power to take decisions, which may be urgently required in the best interest of the Society and to place them for confirmation at the ensuing meeting of the Board/General Body.

28. Vice Chairman -

- i. The Minister in charge of Biodiversity and Biotechnology Dept. shall be the Vice Chairman of the Society.

- ii. In the absence of the Chairman, the Vice Chairman shall preside over the meetings of the General Body.
29. **Chief Executive Officer (C.E.O.):**-
- i. The State Government shall appoint an accomplished biotechnology professional by invitation or an officer not below the rank of Additional Secretary to the state government on deputation as CEO of the Society on terms and conditions as determined by the State Government.
 - ii. The CEO shall hold office for a term of 5 years from the date on which he/she enters office or till the age of 60 years whichever is earlier. The State Government can terminate the appointment of those appointed by invitation by giving a notice of three months period. Similarly the incumbent can also resign by giving a three months notice.
 - iii. Under the overall supervision of the Board of Directors, the CEO shall be responsible for the day to day working of the Society.
 - iv. The CEO shall be the Secretary of the Society.
30. **Financial Controller -**
- i. The State Government shall appoint a person to be the Financial Controller of the Society.
 - ii. The terms and conditions of service of the Financial Controller shall be determined by the State Government
 - iii. Under overall supervision and control of the CEO, the Financial Controller shall be responsible for management of finance and accounts of the Society.
 - iv. The Financial controller shall also be the Treasurer of the Society.
31. **Other Officers -** The Board of Directors may appoint such other officers as it deems fit to be the Officers of the Society.

Chapter 8 - GENERAL

- 32. In case where, a notice is to be given, posting the notice to the last known address of the members/persons concerned under Postal Certificate shall be deemed sufficient for the purpose.
- 33. No act of General Body or the Board of Directors shall be deemed invalid by reason of any defect in their constitution or by reason of

- any vacancy therein not having been filled in accordance with the Regulations.
34. **Emergency powers of the Registrar :** In case the Society fails to call the Annual General Meeting within the stipulated time the Registrar, Firms and Societies, can call the meeting and also decide the agenda.
35. **Bank Account -** All the funds/monies of the Society shall be kept in a scheduled bank as may be authorized by the Board. The Bank account will be jointly operated by any two officers among a panel approved by the Board. The Board may authorize either of them to operate the bank account singly up to a limit of Rs. 25,000/- to facilitate day to day working of the Society.
36. **Disputes :** Chairman of the Society shall have the powers to settle any disputes arising out of the functioning of the Society. In case the concerned parties are not satisfied with a settlement, they can appeal against the orders of the Chairman to the Registrar. Decision of the Registrar shall be final and binding on all the parties concerned. Legal disputes with the society shall be settled in the courts of Bhopal having jurisdiction to deal the case as per the Act.
