

**Letters, Article
and Document
Send To PRIME
MINISTER
OFFICER**

C. S Pochee & Son

**Importers & Dealers Of Professional & Education Books,
Magazines & Official Distributer Of ISI Standard.**

Plot No.72 / 201,4th Road, L.T Nagar, Goregaon (W), Mumbai-400062.

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Date:

To

Shri Narendra Modi ji

The Honorable Prime Minister of India

152, South Block,

Raisina Hill, New Delhi-110011

REMINDER-2

Subject: Crises in Book Trade

Honorable Prime Minister,

I am a member of the Book Trade based in **Mumbai** and also the Trustee of "**BOMBAY BOOKSELLERS & PUBLISHERS ASSOCIATION**". I am writing to you with regard to my industry which requires your **Urgent Attention** to stay afloat. As you are such a progressive Prime Minister and are working hard towards building literacy as a key aspect of growing the nation, I am submitting my humble proposal.

I remember that during your address at St. Teresa College, you stated that, "**I request people to give a Book instead of Bouquet.**" Books are the Building Blocks of Education. However, the Book Trade that has for so many years supported the Distribution of Books to Educational Institutions, today stands at the **Brink of Extinction**.

To this effect, I submit my humble suggestions below:

The Book Industry Urgently requires to form a **Maharashtra Book Sellers & Publishers Board** under the governance of **Government of India** with inputs and support from **Bombay Booksellers Association** to Safeguard the Book Trade legitimate interest, which is **in Deep Crisis** like the Farmers of Maharashtra due to **lack of Profit on Sale**. Online selling at Deep Discounts has put many Bookshops and Institutional Suppliers **out of Business** and those that survived like me are slowly chocking financially from **Unfair Competition**.

We request you to **enforce the Constitution (enclosed)**, which is drafted to protect the Trade from Extinction and major community of the Book Trade, which silently contributes to Education of the Country will be rendered **Jobless** if this Board is Not Formed soon to protect the Trade.

Reason of Crises:

- a. Tender & Quotation system are invited by some Institution for Books, which is against **Government Regulation**:

GOVERNMENT REGULATION

- 1) Procurement of Books, Publications, Periodicals, etc. for Library does not require a tender to be called as per **Chapter 6 (Procurement of Goods and Services) Rule 136 (definition of Goods) of the General Financial Rules 2005 of Government of India**. This rule clearly excludes Books, Publications, Periodicals, etc. for Library from the Category of "**Goods**".

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Date:

- 2) The Ministry of Finance vide their **O.M NO F.23(7) EII (AB)/83 DATED 7-2-1984** made changes in the **Central Financial Rules** which dispenses with necessity of calling for Tenders or Quotations in respect of purchase of Books, Periodicals etc.
 - b. Predatory pricing policies by some Vendors needs to be prevented by law.
 - c. There are many Non-Registered Members involved in Book Business, who are Not Qualified as Book Traders There should be some Government Body support to those registered with the Board like in the case of MSME.
 - d. Special Bank Interest should be levied for our community because **Profit Margin is less** and overall market turnover is **Marginal due to Minimum Readership**.

Humble help from the Government will increase **Employment Opportunities** in Book Trade which is in Crisis.

It really hurts when a Bookseller sells his **Books in Loss** at the end of the day to collect Cash so that he can buy some essential commodities so that his children don't sleep empty stomach. Bookselling has been a **Noble Profession** like teaching, but with the Current State of Affairs, it will soon be **Extinct** without the Intervention of the Government to Regulate **Prices and Regulations**.

Honorable Sir, on another note impacting our Trade, a **Custom Duty of 5%** has been announced on the **Import of Books** in this Budget, 2019. While the Nation supports you on the "**Make in India**" movement, India is today seen as a "**Global Educational Hub**" and there are numerous International Titles which cannot be produced here as they address smaller niche audiences.

This Duty will adversely impact an already **Hurting Book Trade**, I would urge you to kindly re-consider this levy on Import of Books.

Your Guideline & Cooperation will be of great help.

Eagerly awaiting for your reply.

Thanking you,

Yours Faithfully,

Mr.Varadraj G. Kunder

P.S.: **Proposed Constitution Attached for the Bookseller Board & 2 Articles Attached which was published in the Journal of Commerce & Management Thought**

Bombay Booksellers & Publishers Association

Regd. Nos.S.R. Act: Bom.-417/77; B.P.T. Act: F4640 (Bom)

OFFICE: Room No.25, 6th Floor, Bldg. No.3, Navjivan Society,
Dr. Bhadkamkar Marg, BOMBAY- 400 008, Phone: 398691

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Memorandum of Association

&

BYE-LAWS

Scenario

It is in the Year 2018 India was facing Recession in All Field of Business. Booksellers were facing Lot of Problem to Achieve their Sales Target and Also Due to various Reasons Like Online Selling through various Websites, due to Unethical Predatory Pricing Policies, Publishers & Wholesalers were Entering Retail Business by Approaching Educational Institutes by Superceding in Rates of Retail Trade.

Colleges Were Also Not Utilizing Their Full Book Budget Due to Their Own Internal Problem. Retailers who were not maintaining Full Proper Stock which was one of the Reason for the Publisher to Enter His Market. Booksellers Were Selling Reminder Title Along With Regular Books and Misleading Their Institute That They Are Selling the Books at a Very Cheap Price.

Under Such Circumstances Association Has Decided in the AGM to Restructure the Memorandum of Associations & Bye Laws.

- 1. To Promote High Professional Standards among Its Members**
- 2. To Educate All Booksellers & Publishers, About Competition Act**
- 3. To Organize Book Exhibition & Seminar to Spread Literacy, Education & Reading Habit at All Level**
- 4. To Examine and Settle the Modified Trade Terms Affecting the Industry & Book Trade From Time to Time**
- 5. To Enroll Other Association to Be Our Member under Mutual Understanding Terms & Conditions**
- 6. To Maintain the Association Financially Sound and Efficient Condition& Organize Activities to Raise Funds for This Purpose by the Ways of Subscription, Donation, Gifts, Deposits and Publishing Books Pertaining to the Trade for the Welfare of the Association**
- 7. To Own Construct Lease-in or Lease-out , Sell or Purchase Properties & Real Estate and Also Borrow Lend Invest or Accept Money for the Benefit of Association in Particular and the Publishing Industry & Book Trade in General at Maharashtra or Other Suitable Places**
- 8. To Promote the Welfare of the Person Employed in Publishing Industry & Book Trade and to Improve Their Socio-economic Condition by Enrolling the Members in Various Insurance Scheme Like Medical Insurance, Etc.**
- 9. To Meet Political Leaders & of Various Parties and Government Officials**
- 10. To Resolve & Help the Trade Members during Financial Crisis by Counseling & Sorting Out His Difference with the Third Party after Detailed Discussion in the Managing Committee**

- 11. To Do All Such Things as May Be Necessary and Practical for the Attainment of the Above Objects**
- 12. To Derive Institutional Library Budgets Information through Right of Information Act and to Complain to Government Bodies in Case if It Is Not Utilized**
- 13. to Coordinate with Registered Library Association for Mutual Benefits by Conducting Seminars and Conferences**

Bye Laws

A.Membership

I-Eligibility:

1. Membership of Bombay Booksellers & Publishers Association Hereinafter Referred to as “The Association” Shall Be Open to Sole Proprietors, Firms, Associations and Concerns Engaged in or Connected With the Production and Distribution of Books in Maharashtra, Goa, Daman & Diu, Gujarat.
2. Individual Authors and Individual Librarians, Association of Librarians and Association of Authors Can Be the Members but Cannot Be a Part of the Managing Committee
3. Publishers and Booksellers From Other States Should Be the Members of Bombay Booksellers & Publishers Association or of Federation of Publishers & Booksellers Association in India or Federation of Indian Publisher With Which the Bombay Booksellers & Publishers Association Is Associated.
4. Any Association of Any State, District, Taluka Can Be Member of Bombay Booksellers & Publishers Association and Terms & Conditions Will Be Decided by Managing Committee Members.
5. The Application for the Membership Can Be Proposed and Seconded by 2 Members of the Association of Atleast 12 Months Standing Shall Be Made in Prescribed Form and Delivered to Association Along With the Entry Fee & Appropriate Subscription. Even Online Applications Will Be Accepted Along With Online Payment.
6. All Application of Membership Shall Be Considered at Regular Meeting of the Managing Committee Those Decisions Will Be Final and the Amount Received Through Online System Will Be Refunded Through Cheque.
7. All Registered Members Should Do Ethical Business, Any Members Found Involved in Piracy and Predatory Pricing His Membership Will Be Terminated After Considering at Regular Meeting of the Managing Committee Whose Decision Will Be Final.

II- Category

Title Members:

A. This Membership Will Be Extended to the Deserving Person within the Publishing Industry & Book Trade Strictly on Merit. Atleast He Should Be an Ordinary Member for 5 Years. His Membership will be Terminated if he is Involved in Piracy, Predatory Pricing, or Habitual Defaulter. No Refund will be done under such Circumstances

B. Fees for the Title Members will be Rs.20,000/- (Rupees Twenty Thousand Only)

Life Members:

Life Members will be opened to Deserving Individual who have made Significant Contribution to the Trade like Resolving Government Related Problem and Representating Association for the Welfare of Trade Brothers. At the Time of the Application they have been Attached for the Continuous Period of Atleast 6 Year Either to the Publishing House or to the Wholesale or to the Retail Bookshop. The Selected Member Will Make a Lumpsum Payment of Rs.2000/- to the Association.

Ordinary Member:

All Other Members will be Styled as Ordinary Members

III-Subscription Fees:

A) Ordinary Members Representing Publishers, Wholesalers, Booksellers and Retail Bookshops will Pay Entry Fee of Rs.100/-

B) Annual Subscription:

Ordinary Members will Pay Annual Subscription at Following Rates:

1. Retailer = Rs.1000/-

2. Wholesalers & Publishers = Rs.2000/-

3. Patron Members & Life Members will be Charged a Renewal Fees of Rs.250/- Annually

C) All Members, Excepting Patrons or Individual Life Members, shall be Entitled to Appoint an Alternative Representative in Place of the Person Previously on the Records of the Association, to Attend Any General Body Meeting of the Association on their Behalf, Notice of Such Appointment being sent in Writing to the Office of the Association Atleast Three Working Days Before the Scheduled Time of the Meeting.

D) An Up-to-date Register of All Members of the Association shall Be Maintained at the Association Office, showing their Names and Address with such other Particulars as may be Necessary.

IV- Duties and Functions of the Members

1. Publishers who are Members should Furnish Their Discount Structure to the End User who Is Not Involved in Reselling for Single or Multiple Copy which will Be a Guideline for the Retailers to Sell. Publisher and Wholesaler should also Follow the Same Discount Structure to the End User who will Not Resell the Book. This Will End Unhealthy Competition (Mandatory)
2. Retailers Will Follow Publishers Guidelines in Regard to Discount Structures Furnished by the Publishers for Single Copy or Multiple Copy (Mandatory)
3. Exclusive Distributors should also Follow the Above Mentioned Guidelines Regarding the Discount Structure to the End User who will Not Resell the Book (Mandatory)
4. Publisher will Mention the Price of the Book on the Cover Page (Mandatory)
5. Reminder Books should be Marked as Reminder and the Bookseller Involved in Selling the Reminder Titles can Create His Own M.R.P after Considering All His Expenses (Mandatory)
6. Member Should Have an Agreement with His Customers & Suppliers for the Mutual Benefit (Non Mandatory)
7. Authors and Publishers Agreement Can Be Furnished to the Association to Avoid Bridge of Trust between Both the Parties (Non Mandatory)
8. Members Should Not Sell Pirated Books and Should Not Involve in Predatory Pricing Which Is Against the Competition Act
9. Publishers & Wholesale Distributors Should Not Enter Into Retail Trade by Supplying Directly to Institutes & Corporates but in Case if No Retailer Is Supporting the Publisher to Sell His Product, He Can Sell to the End User but He Should Follow the Discount Structure Which He Has Furnished for the End User and He Should Furnish Justification for the Same (Mandatory)
10. Managing Committee Has the Right to Terminate the Membership if Above Policies Are Not Followed and the Members Have to Pay Compensation as Per the Managing Committee Decision
11. Termination Means Total Boycott Both National and State Level.
12. All Members Should Keep a Weighing Machine to Check the Weight of the Parcel
13. All Suppliers Should Mention the Packaging Material Weight and the Book Weight
14. In Presence of the Member Private Courier & Logistic Team Should Open the Parcel for Inspection and Affix Their Seal

B. General Body Meeting

1. All Voting Members of the BBPA Shall Constitute the General Body.
2. Meeting of the General Body Shall Be of Two Kinds Viz. Ordinary and Extra-ordinary
3. An Ordinary Meeting of the General Body Shall Be Held at Least Once in a Year at Such Time and Place as the Managing Committee May Determine. This Meeting Shall Be Known as the Annual General Meeting.
4. An Annual General Meeting of the Members Shall Be Held Every Year within Two Months after the Close of Each Official Year for the Transaction of the Following Business:
 - (A) To Receive the Report of the Managing Committee for the Previous Year;
 - (B) To Receive the Audited Accounts for the Year Under Report;
 - (C) To Elect President, Two Vice Presidents, Hon. General Secretary, Two Hon. Joint Secretaries, Hon. Treasurer and Other Eight Members of the Managing Committee and Appoint Auditors for the Following Term Every Two Years;
 - (D) To Transact Any Other Business That May Be Duly Brought Before the Meeting With the Permission of the Chair.
5. (A) an Extra-ordinary General Meeting of the Members May Be Called at Any Time Prior to 15 Days Notice on Requisition From at Least One-fifth of the Total Members of the Association or 30 (Thirty) Members of the Association, whichever Be Less, Stating the Business to Be Transacted. If the Managing Committee Fails to Convene the Meeting Within 40 Days From the Date of Receipt of Such Requisition, the Requisitionist May Themselves Convene the Meeting to Transact the Business That Is Specified in the Original Requisition and No Other Business Should Be Taken at Such Meeting.
 - (B) Budget for Extra-ordinary Meeting Should Be Allotted and Announced in Every AGM.
 - (C) The President, and in the Absence the Vice President, Shall Be the Chairman, at All Meetings. In the Absence of Both, the Chairman Shall Be Elected From Amongst the Members Present.
6. At the Proceedings of the General Body Meeting Only Those Persons Shall Be Entitled to Vote, or to Be Counted as the Voting Members of Association, Whose Subscription at the Time of the Proceedings Has Not Been in Arrear for a Period Exceeding Four Months.

C. Managing Committee

1. The Management of the Association Shall Be Vested in the Managing Committee Constituted as Hereafter Provided, Subject to the Control of the Association in General Meeting, Under the Provisions of the Bye-laws at the Annual General Meeting for a Term of Two Years .
2. The Total Membership of the Managing Committee Shall Not Exceed 19 (Nineteen) Members, Including Co-opted Member, and Will Consist of the Following:

I. Elected Members:

(A) Office Bearers:

- (1) President
- (2) Two Vice-presidents Out of Which One Shall Be Compulsorily From the Retail Trade.
- (3) Hon. General Secretary
- (4) Hon. Joint Secretary Representing the Publishing Industry.
- (5) Hon. Joint Secretary Representing the Retail Book Trade
- (6) Hon. Treasurer and
- (7) Hon. Joint Treasurer

(B) Non-office Holding Members:

There Will Be 8 (Eight) Non-office Holding Members. All the Above 15 (Fifteen) Managing Committee Members Will Be Elected at the Annual General Meeting.

II. Non-elected Members:

(a) Co-opted Members:

The Managing Committee Will Have the Option to Co-opt. A Maximum of Three Members to the Managing Committee.

(b) Special Members:

In Addition to the Above There Will Be a Special Category of Members of the Managing Committee in Recognition of Services Already Rendered by Them to the Association as Follows:

- (1) The Retiring President;
- (2) All Past Presidents and General Secretaries;
- (3) Individual Life Members;
- (4) Others

Patrons and Members Listed in Category II B, will Participate Fully in All Meetings of the Managing Committee, and May Join or Even Head Any Committee but They Will Not Have Any Voting Rights.

1. All the Members of the Managing Committee Who Complete a two Year Term Shall Retire at the Annual General Meeting. They Shall Be Eligible for Re-election Provided the Office of the President Shall Not Be Held by the Same Member for More Than Two Consecutive Terms.
2. The Managing Committee Shall Have the Power to Fill in Any Vacancies of Members or Office Bearers Which May Occur Between the Two Annual General Meetings Provided That the Total Strength of the Managing Committee, Including the Co-opted Members, Does Not Exceed Nineteen Members at Any Time.
3. The Managing Committee May Appoint, When Necessary, Sub-Committee or Special Committee for Transacting Any Specified Business and Delegate Any of Their Powers to Such Committee.
4. Within Fifteen Days of the Conclusion of the Annual General Meeting, the Newly Constituted Managing Committee Shall Hold Its First Meeting, to Deliberate Upon and Arrive at Decisions on All Issues, Plans and Procedures for the Following Year as Per General Guidelines Laid Down at the Said Annual General Meeting.
5. The Managing Committee Shall Have All Functional, Managerial and Financial Powers about the BBPA Unless Otherwise Stated under These Bye-laws.
6. The Managing Committee Shall Submit Duly Audited Accounts of the Association at Every Annual General Meeting With Appropriate Explanation on Points Raised by the Auditors.
7. Matters Like Office Procedures, Financial Control, Use of Working Funds, Investment of Available Funds, Negotiating, Entering Into an Amendment of Contracts Shall Be the Duty of the Managing Committee in a Duly Held Meeting, and Not of Any of the Office Bearers in the Normal Course of Functioning.

D. Duties & Functions of Office Bearers

1. (A) President:

- I) the President Shall Preside Over All the Meetings of the Managing Committee & General Body of the BBPA.
- II) He Shall Represent the BBPA at All Federation Meetings and Other Official Occasions. In Case if He Is Unable to Attend the Meeting, He Can Appoint Anyone to Represent Him From the Managing Committee and in Case of His Death, the Managing Committee Can Elect Among Themselves to Represent Him.
- III) He Shall Be the Chief Executive of the Association and Shall Be Able to Take Decisions and / or Issue Instructions on Matters / Situations Not Covered by Any of the Clauses of These Bye-law.
- IV) He Shall Correspond on Behalf of the BBPA With Outside Parties and Issue Statements to Press and Other Agencies on Matters of Policy of the BBPA or About the Stand Taken by the BBPA on Any Subject. The Only Other Office Bearer to So Correspond or to Issue Such Statements Would Be the Hon. General Secretary.

1. (B) Vice President:

I) the Vice President Would Preside Over the BBPA Meetings in Place of the President in His Absence and Till Such Time That the President Does Not Arrive.

II) He Shall Generally Assist the President in His Work and Shall Be Particularly Helpful in Supervising the Work of the Sub-committees.

2.(A) the Hon. General Secretary:

I) the Hon. General Secretary Shall Be Responsible for All the Internal and External Organisation of the BBPA. He Shall Cause to Maintain the Records of the Association, Arrange for the Functioning of the Office, and Issuing of the Notice and Other Information for the Members.

li) He Shall Correspond With the Outside Parties and Would Be Able to Issue Statements to Press and Other Agencies.

lii) He Shall Sign All Legal Documents, as an Alternative to Te President, Binding the Association Including Property and Monetary Documents, Contracts and Assignments.

Iv) He Shall Publish All the Literature on Behalf of the BBPA

2.(B).the Hon. Joint Secretaries:

I) the Two Hon. Jt.Secretaries would Look After the Interests and Organisation of the Two Categories of Members of the BBPA Viz. Publishers and the Booksellers.

II) They Shall Assist the Hon. General Secretary Is Discharging His Duties and Shall Generally Work Under His Supervision.

3. The Treasurer

I) He Shall Manage All the Funds of the BBPA and Arrange to Keep Proper Records and Books Pertaining to the General Accounts as Well as the Specific Funds.

II) He Shall Arrange for the Audit of the Accounts as Required Under These Bye -laws and Present the Same Before the Managing Committee Every Quarter and Before the General Body Every Year.

4. General

I) Only the President and the Hon. Gen. Secretary Shall Correspond on Behalf of the Association With the Outside Parties, They can, however, Instruct any other Office Bearer, Member or the Employee of the Association to do so on their Behalf.

II) The President and the Hon. General Secretary shall be the Two Main Executive Office Bearers to Carry Out All the Decisions of the Managing Committee and to Represent the Association at Official Occasions.

However, the Managing Committee can Authorise Any Other Office Bearer or Member to Do So in Specific Cases.

E. Year & Election

1. The Official Year of the BBPA Shall Be From 1st August to the Following 31st July.
2. Elections Would Be Held Every Two Years at the Annual General Meeting. In Case of a Contest, Secret Ballot Would Be Arranged and Conducted by an Election Officer Appointed Earlier by the Managing Committee Failing which the General Body shall be able to make the Appointment on the Spot.

F. Funds & Audit

1. All the Monies Belonging to the BBPA Shall Constitute the General Fund of the Association. Special Funds May Be Created for Specific Purposes, With the Set of Rules Governing Such Funds.
2. All Cash More Than Rs.1,000/- (One Thousand Rupees) Only Shall Be Held in a Nationalised Bank or Such Other Bank's Which From Time to Time May Be Recognised by the Govt.
3. All Bank Accounts Shall Be Operated by the Joint Signatures of Any Two Office Bearers Out of the Four Office Bearers of the BBPA So Authorised Viz. The President, the Vice Presidents, the Hon. General Secretary, the Hon. Treasurer and the Hon. Joint Treasurer.
4. All Borrowing Powers Shall Be Vested in the Managing Committee Exclusively.
5. All Accounts Shall Be Audited Every Year by a Certified Chartered Accountant and Placed Before the Annual General Meeting After Being Passed by the Managing Committee.
6. It Is Desirable That the Managing Committee Should Examine All Accounts Every Quarter and Take Amending Action as Required.

G. Quorum & Notice

1. The Quorum of the Managing Committee Shall Be at Least Six Voting Members (Including the President and the Office Bearers).
2. The Managing Committee Shall Need a Clear Notice of One Week, However Urgent Meetings Can Be Called at the Option of the President and the Hon. General Secretary by Giving 24 Hours Notice Only.
3. (a) One-fifth of the Total Number of Members or 25 (Twenty Five) Members of the Association, Whichever Be Less, Shall Form a Quorum at Every General Meeting.

(B) if at a General Meeting, the Required Number of Members Be Not Present at the Scheduled Time, the Meeting Shall Stand Adjourned and the Adjourned Meeting Held at the Same Place on the Same Day After the Expiry of 30 (Thirty) Minutes Even if the Quorum Is Not Available.

4. A Notice Stating the Business to Be Transacted at Any General Meeting or Extra-ordinary General Meeting Shall Be Sent to the Members of the Association at Least 14 (Fourteen) Clear Days Prior to Holding of the Meeting.
5. All Notices or Circulars to Be Given to the Members Shall Be Considered Duly Given When They Are Circulated by Hand or Sent by Courier or Sent by E-mail or Sms or Published in the Website.
6. All Decisions Shall Be Taken by Simple Majority with the Chairman Having a Casting Vote, Unless Otherwise Provided Elsewhere under These Bye-laws.
7. Sub-committee Shall Need No Fixed Quorum or Notice.

H. General

1. In the Case of a Firm, the Sole Proprietor, or One of the Partners, or Manager or Any Other Representative of the Firm Shall Be Considered as Being Empowered to Exercise All the Rights and Privileges of the Firm as a Member of the Association. The Name of Such Representative Shall Be Duly Intimated to the Association.
2. In the Case of a Registered Company, Any of the Directors or Any Executive or Manager Nominated by the Company Shall Be Considered as Being Empowered to Exercise All the Rights and Privileges of the Company as Member of the Association. The Name of Such Nominee Shall Be Duly Intimated to the Association.
3. Any Member May Withdraw From the Association by Giving a Notice in Writing to the Association Fifteen Days Before the Expiry of the Official Year and Shall Be Deemed to Have Ceased to Be a Member Upon the Expiry of Such Notice. In Default of Such Notice, a Member Shall Be Liable to Pay His Subscription for the Ensuing Year.

I. Disciplinary Action

1. If a Member of the Managing Committee Does Not Attend Three Consecutive Meetings of the Committee without Written Intimation or Does Not Attend Four Consecutive Meetings, He Shall Cease to Be a Member of the Committee.
2. If It Appears to the Managing Committee That Any Sitting Member Has Not Conformed to the Objects and Bye-laws of the Association, or That His Conduct Has Been Detrimental and / or Prejudicial to the Interests and Reputation of the Association, He Shall Be Suspended Till Such Time as the Managing Committee May Think Fit.
3. A Majority of Three-fifth of the Members Present and Entitled to Vote and So Voting at Any Extra-ordinary or Annual General Meeting of the Association, May, by a Resolution of Which Previous Notice Has Been Given, Expel a Member from the Association. Any Such Member Shall, From the Passing of Such Resolution Cease to Be a Member of the Association. Such a Member Can Apply for Re-admission After the Expiry of a Minimum Period of Twelve Months Provided That Such Re-admission Does Not Attract the Provision of Clause 47.

4. Any Member Whose Subscription Is in Arrears for a Period of Twelve Months and Who Fails to Pay the Same Within Fifteen Days of the Receipt of a Written Notice From the Association Calling Upon Such Payments Being Made, Shall Be Removed by the Managing Committee From the List of Members of the Association. The Application for Re-admission May Be Considered by the Managing Committee Only on Receipt of the Amount of Arrears Which Were Due From the Applicant on the Date of His Removal From the Membership Plus Interest on the Said Amount as Per Current Bank Rates.

5. Managing Committee Cannot Display About His Post in BBPA in His Letter Write and Visiting Card.

J. Amendment of the Bye-laws

1. No Alteration, Amendment or Addition Shall Be Made in or to the Memorandum of Association or to the Foregoing Bye-laws Except by a Resolution Passed by a Majority of Two-thirds of the Members Present at the General Meeting Specially Called for the Purpose.

K. Dissolution

1. The Association Shall Not Be Dissolved Except by a Vote in Writing From Not Less Than Three-fourth of the Total Number of Members on the Roll at the Time the Dissolution Is Proposed.

2. Dissolution Process Will Be Conducted in EGM and AGM and the Decision Will Be Taken by the Existing Managing Committee and Members by Voting System as Per the Existing Circumstances in Presence of Charity Commissioner, Solicitor, and Auditor of the Association.

NOTE:

The Memorandum of Association and the Bye-Laws have been restructured in 2018. The President Mr.Narendra Nandu and the General Secretary Mr.Jugal Dedhia assigned Mr.Varadraj Kunder to Restructure The Memorandum of Association and the Bye-Laws on 57th Annual General Meeting of Bombay Bookseller & Publishers Association on Saturday 20th October, 2018.

Subject : Marketing with Social Responsibility

Marketing with SOCIAL RESPONSIBILITY will help the book trade to survive in the long run. Money, if well circulated in our economy will bring prosperity to any trade and economy of any country. Organized sector business will not only benefit government to recover maximum tax but also reduce black economy.

Publishers/ manufacturers should market their products through organized wholesalers and retail counters by direct marketing. They are killing retail business, who has supported them in the past to market their products/ books and also part of their success story. Retailers have helped publishers for so many years and now publishers are entering their marketing and encouraging school to resell their books. All publishers and wholesalers are demanding PAN number before selling any book to retailers. They are demanding this from school who is reselling books, which is not their business. This is generating black money and is breaking the chain supply from wholesalers to retailers to end consumers. This business strategy will create inequality of income which is a major crisis in our country. We had school get-together where we had invited our teacher, who after retirement was serving in an old age home, She requested us for charity because demand of old age homes is increasing day by day. Her trust wanted to build new building and required funds. Reason of bringing this topic of old age is because disowning of responsibility, this dangerous attitude has increased. Children don't want their old parents, who have cared for them in their younger days. Similarly publishers do not need retailers who were part of their prosperity in their growing period. This is really against humanity.

Buyer should know that he is also a seller whether he is in trading sector or manufacturing sector or serving in service Industry. If he buys from only one place, money will accumulate at one place only thereby circulation of money will stop. Do not encourage monopoly. A Person who has money to buy 10 loaves of bread will not buy 10 loaves as his requirement is less. And at the other end some other consumer wants to buy your product will not buy your product/ service

because of his limited resource. Indirectly monopoly hampers the whole economy. Disowning responsibility is not ethical whether towards your parent or your retail trader who has taken care in your growing days. Retailers and Wholesalers should also help all publishers (new or old) to develop his business by keeping his books in stock, otherwise you are creating a circumstance indirectly where a publisher will enter your market.

Subject : Suggestion's

All traders need right price. Today major crisis of farmers is that they are not getting right price for their yield. Same problem is being faced by booksellers.

There should be strong legalized Memorandum of Understanding between the publisher and wholesaler & wholesaler and retailer regarding pricing policy and discount to be given to the ultimate consumers.

Even if consumer reaches publisher or manufacturing unit, wholesaler, or service provider (who has franchise), price should be same as that available at retail outlet. In case they sell at a price cheaper than the retail outlet, then who will buy from the retailer? The wholesaler's buying capacity has increased since the retailer has supported them and created demand. They should not spoil the market.

Even if consumer reaches publisher or manufacturing unit, wholesaler, or service provider (who has franchise), price should be same as that available at retail outlet. In case they sell at a price cheaper than the retail outlet, then who will buy from the retailer? The wholesaler's buying capacity has increased since the retailer has supported them and created demand. They should not spoil the market.

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Banking

Stressed Assets

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HR Management in PSBs

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Transport

Planned Transportation


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Guest Editorial : Dr. Vikas Joshi

Business Trends : Varadraj G. Kunder

Annual Index Year 2016 : Catalogue of Articles,
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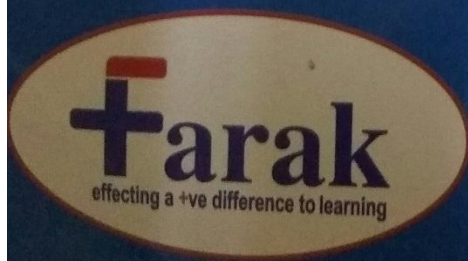
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Save Book Trade

Varadraj G. Kunder

Book Trade was once a lucrative business in India Mr. Prasad had joined the book trade in the 60's because he got a better offer compared to Sales Tax & Railway, but today who will join book trade if they get Government Job, please note this is a hard fact.

Government of India has introduced Competition Act 2002 in place of MRTP Act with the intention of fair competition so that inequality of income should be reduced, but the way the booksellers are throwing the discount, it will really spoil the economy of the country for the following reason; Book sellers will have economy to pay good Govt. Tax or good salary to his employes comparing other industries due to no/low profit margin. Some wholesalers are getting 30% margin from publishers and they are offering the same Discount to retailers and even some wholesalers are offering 31% discount even though they are receiving 30% discount from the publisher; their only intention is to eliminate the competitors and the consequence is capital formation asset is reducing and liability is increasing day by day; BBPA Request Booksellers to sell books not discount.

Competition Act 2002 prohibits

- A. Dominant position means a position of strength, enjoyed by an enterprise, in the relevant market in India, which it enables it to;
 - 1. Operate independently of competitive forces prevailing in the relevant market; or
 - 2. Affect its competitions of consumers or the relevant market in its favour.
- B. "Predatory Price" means the sale of goods or provision of services, at a price which is below the cost, as may be determined by regulations of production of the goods or provision of services, with a view to reduce competition or eliminate the competitors.

Please Note going against the Competition Act 2002, means we are putting ourselves in trouble, which may invite major penalty from the Government body which emphasis us to make a decent profit.

We request Institutes & Corporate to accept books at 10% discount for their library and do not provoke booksellers to give higher discount by

inviting tenders indirectly or directly and hence encouraging predatory price which is against the law of the nation. Help booksellers to prosper so that he can earn a decent profit for his livelihood and please consider him as a part of your organisation and help society to reduce inequality of income. As we all know educational institute major motto is nation building, developing ethical value in Trade / Commerce / Social life.

Our foremost ethical & legal responsibility is to safeguard the interest of our society and in turn our interest will be protected. (Whether it is institute, Retail outlet, Publisher, Wholesale outlet). Otherwise we are moving towards capitalist economy, where we have to face its demerit i.e. inequality of income, exploitation, Inflation, Mass trade union activity which will give rise to unemployment. Priority should be given to social justice rather than unnecessary bargaining.

REMAINDER BOOKS

Inventory is tax. Closing stock enhances profit of the company, hence the stockiest has to pay tax. So to avoid tax for unsold dead stock, stockiest weed out books which he is confident or which is difficult to sell. These kind of books are called remainder books. Some book traders take the risk of buying these books. They may sell these books at a heavy discount or in weight or at MRP, as per their discrimination & capacity to sell a specific title.

REMAINDER books may not always be outdated. They may be latest collection too. But due to storage problem, some Indian and foreign publishers sell at discounted rate because warehousing (godown) rent is heavy in some countries like U.S.A.

EXCEPTION:

Some booksellers have the capacity to sell specific titles, so they may sell at regular cost. But some booksellers may find it difficult to sell specific titles due different circumstances. In that case they may weed out the books and declare them remainder titles and sell at a lower cost. That does not mean the earlier bookseller is cheating by selling at regular price. It differs from case to case.

Please note that a person who has purchased remainder titles need not sell at a low price, because he is an investor. He has to calculate bank interest and time taken to sell specific titles before creating his own MRP. Buyer has to ascertain all facts before buying a remainder title.

Once the stockiest has weeded out remainder titles from his closing stock, all this books should be out of his warehouse or else it may be taxed again.

CONFUSION:

This segment of remainder titles is confusing the buyer and in spite of Government regulations, Institutes/ Corporate are inviting tenders/quotations. Usually these titles are not useful for Institutions, Library or Research purpose. But even after this awareness, Institutes, (Govt/Semi Govt) are asking for quotations/tenders which is hampering the process of procurement of books. At one end Institutes are inviting tenders and at the other end schools are selling books which seems unethical, thereby depriving Booksellers from their income. The consequence is that future generations do not want to join this trade, due to low income.

Trading system of Book dealers is also responsible which has to be revoked. Only unity among trade brother's, publishers, distributors and retailers will bring desired results for upliftment of book trade.

GOVERNMENT REGULATION:

Procurement of books, publications, periodicals etc for library does not require a tender to be called as per chapter 6 (procurement of goods and services) rule 136 (definition of goods) of the general financial rules 2005 of government of India. This rule clearly excludes books, publications, periodicals etc. for library from the category of "goods".

The ministry of finance vide their O.M NO F.23(7)EII(AB)/83 DATED 7.2.1984 made changes in the central financial rules which dispense with necessity of calling for tenders or quotations in respect of purchase of books, periodicals etc. PLEASE REFER To GOOD OFFICE COMMITTEE RULE (www.bbpassn.org) for more detail.

Government auditor, if insist on quotation and tender for purchase of book/journals, request them for government regulation (GR)., if they are not in the position to present GR , THAT ONLY INDICATE THERE CLAIM IS UNJUSTIFIED.

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Date:

To

Shri Narendra Modi ji

The Honorable Prime Minister of India

152, South Block,

Raisina Hill, New Delhi-110011

Honorable Prime Minister,

Thank you for your Letter dated **16/October/2019**, **File No.P-55019/72019-Internal Trade** and also Thank for the Letter dated **21/November/2019**, Signed by **Sundeep Chauhan & Nitish Suri** which has been directed to **6 (Six) Departments**, they have still not Replied which will be very helpful to **Save Book Trade**.

An early Reply in this matter will be highly appreciated.

Your Guideline & Cooperation will be of great help.

Eagerly awaiting for your reply.

Thanking you,

Yours Faithfully,

Mr.Varadraj G. Kunder

CC To: 1. Shri G.C. Hosur, JS (CU), D/o Higher Education, Ministry of Human Resource Development

2. Shri H. Atheli, Director (Expenditure), Department of Expenditure, Ministry of Finance

3. Competition Commission of India