

F.No. L-11015/29/2016-L&M
Government of India
Ministry of Agriculture & Farmers Welfare
Department of Agriculture, Cooperation & Farmers Welfare
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OFFICE OF THE CENTRAL REGISTRAR OF CO-OPERATIVE SOCIETIES

Krishi Bhawan, New Delhi,
Dated: 30th November, 2016

Notice

Chief Promoter of **Labour Multistate Cooperative Society Ltd., Bijulliya, P.O-Bujilliya Ratu, Pin No.835222, Ranchi, Jharkhand** has submitted a proposal for registration under the provisions of MSCS Act, 2002.

On scrutiny, following deficiencies have been found in the proposal:-

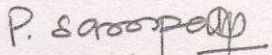
1. Instead of submitting the Bank Certificate, the Society has enclosed a copy of the Pass Book.
2. Since Bye-law No. 3(viii), 24(5) relates to Credit, the following documents have been made mandatory for the proposed credit society to submit along with their proposal of registration, which are not enclosed by the Society:-
 - A. No objection Certificate from the Registrar of Cooperative Societies of the States/U.T. where the area of operation of the society extends.
 - B. A certificate to the effect that the credential of the Chief Promoter/Promoters members have been verified by the Registrar of Cooperative Societies of the States where the head office is proposed to be located.
3. Bye-law no. 20(1) is vague as shares can be transferred to members only.
4. Bye-law no. 24(6) is vague capital and funds for the Society are being arranged from abroad.
5. Project report is not satisfactory. There is no projected financial statement at least for three years without which viability of the society cannot be ascertained. Further, the source of income for the project has not been specified. The project report is not supported with facts and figures which prove the viability of the society. Further, in the project report, the profit appropriation as required u/s 63 of the Act has not been provided.
6. As per the membership list, it is observed that the total amount collected towards share capital and admission fee is around Rs. 1.14 lakhs and whereas the bank certificate shows the credit balance of Rs. 1 lakh only.
7. In the membership lists of Delhi and Jharkhand, it appears that some people have signed in few places.
8. The provision made in bye-law No. 2(m) is in contravention to the provision of section 3(p) of the MSCS Act, 2002.

9. In bye-law No. 3, the objectives are very vast. At the time of registration, the objectives are to be limited to a certain extent, since the same are amendable from time to time as and when required by making bye-law amendments. Further, there are various multifarious activities have been proposed in the objectives for which NOC is required from the concerned RCS where the society proposed as area of operation.
10. Bye-law No. 4(1) relating to ordinary member is not framed properly.
11. In bye-law No. 6, the minimum qualifying share to become a member of the society has not been provided.
12. In bye-law No. 7, the proviso as required u/s 25(4) of the MSCS Act, 2002 has not been provided.
13. Bye-law No. 15 relating to liability is not in consonance with the provision of section 16 & 37 of the Act.
14. In bye-law No. 16, the authorized share capital proposed for Rs. 100 crore which is very high at the time of registration.
15. Bye-law No. 16(3) is not consistent with the provision of section 33 of the Act.
16. In bye-law No. 25 relating to maximum borrowing limit, it has been proposed to receive deposits for which NOC is required from the concerned RCS where the society proposed as area of operation.
17. The provision made in bye-law No. 26 (2nd paragraph) is not required to be provided in the bye-law.
18. Bye-law No. 29 is not framed properly.
19. The heading of bye-law No. 34 is in one page and its narration on another page.
20. Bye-law No. 36(2) is in contravention to the provision of the Act. Meetings of the Board shall be held within the area of operation of the society and not as proposed by any other places as decided by the board.
21. Bye-law No. 35 relating to constitution of BoD is not framed properly in consonance with the provision of section 48 of the MSCS Act, 2002 as well as against to cooperative principle.
22. Bye-law No. 37 relating to the term of BoD is not framed properly in consonance with provision of section 48 of the Act.
23. Bye-law No. 38(16) is not framed properly. Vacancy arising out of the elected members of the Board shall be filled by election by the members in the General Body as per the election schedule annexed with the MSCS Rules, 2002.
24. Bye-law No. 37 is not in consonance with the provision of section 43 of the Act.
25. Bye-law No. 46 relating to appointment of Chief Executive is not consistent with the provision of section 51 of the Act.

26. The provision made in bye-law No. 46(D) is in contravention to the provision of the Act.
27. Bye-law No. 47 relating to powers and functions of the Chief Executive is not consistent with the provision of section 52 of the Act.
28. The provision made at the end of bye-law No. 49 is not framed properly.
29. At the end of bye-law No. 49, no provision has been made that the remaining net profit if any shall be credited to reserve fund.
30. Bye-law No. 50(3) relating to audit is not consistent with the provision of section 70(9) of the Act and also not framed properly.
31. The provision made for dispute in bye-law No. 53 to be a separate bye-law and further the same is not framed properly.
32. The provision made in bye-law No. 55 to be at the end of all the bye-laws.
33. In the proposed bye-laws, the following provisions have not been made :-
 - Filing of returns
 - Association of employees in management decision making process
 - Educational course for members.

In view of the above deficiencies, you are hereby called upon to show cause as to why the registration of the proposed society in the name of **Labour Multistate Cooperative Society Ltd., Bijulliya, P.O-Bujilliya Ratu, Pin No.835222, Ranchi, Jharkhand** under the Multi-State Cooperative Society Act. 2002 and the rules made there under shall not be refused. The Chief Promoter of the society or in his absence any promoter member authorised by him is called upon to appear before the Central Registrar of Cooperative Societies on **22/12/2016 at 9:00 A.M. in Room No. 224, Krishi Bhawan, New Delhi.**

If none appears for hearing, it would be presumed that you have nothing to say in the matter and accordingly appropriate order shall be passed, ex-parte.


(P.Sampath)
Director (Co-operation)

To

Chief Promoter (Shri Jainendra Kumar)
Labour Multistate Cooperative Society Ltd.,
Vill.Bijulliya, P.O-Bujilliya P.S Ratu, Distt.- Ranchi,
Jharkhand. Pin No.-835222