

By Speed Post

F.No. L-11015/90/2016-L&M
Government of India
Ministry of Agriculture & Farmers Welfare
Department of Agriculture, Cooperation & Farmers Welfare
.....

OFFICE OF THE CENTRAL REGISTRAR OF CO-OPERATIVE SOCIETIES

Krishi Bhawan, New Delhi,
Dated: 16th November, 2016

Notice

Chief Promoter of **Limbadi Multi State Agro Cooperative Society Ltd., Shop No. 5, Shrinath Nagar, Taroda Bk, Nanded-431602 (Maharashtra)** has submitted a proposal for registration under the provisions of MSCS Act, 2002.

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

1. Bye-law no. 20(i) is vague as shares can be transferred to members only.
2. Bye-law No. 24(viii) relates to Credit, for which 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. In bye law No. 50[B](a), the maximum payment of dividend to be paid to the members has not been specified as required under rule 24(2) of the MSCS Rules, 2002.
4. The Viability report submitted by the Society does not indicate that how the Society holds the necessary prospects of becoming a viable unit.
5. Bye-law No. 4{ii(b)} depicts two contradictory provisions.
6. Second paragraph of bye-law No. 15 & first paragraph of bye-law No. 16 are contradictory.
7. Composition of board depicted in bye-law No. 32 is not clear as different number of director has been indicated at different places.
8. Term of board depicted in bye-law no. 34 is vague
9. Project report is not satisfactory. The activities/objectives/functions proposed in the bye-laws are not depicted in the project report. The information relating to income & expenditure is not supported with facts and figures for arriving the same. Further, the source of income for the project has not been provided.
10. In the membership lists of Maharashtra, in many places, full addresses of the members have not been provided as required under Form No. I of the Act. Further, it appears that some people have signed in many places.
11. In the membership lists of Telangana, it appears that some people have signed in many places.

12. As per the membership list and as per bye-law No. 4(iv), the total amount collected towards admission fee and share capital to be around Rs. 1,02,000/- and whereas the certificate of the bank shows the credit balance in favour of the society is Rs. 51,000/- only.
13. In bye-law No. 4 relating to membership, the minimum qualifying share to become a member of the society has not been provided.
14. In bye-law No. 6, the proviso as required u/s 25(4) of the MSCS Act, 2002 has not been provided.
15. Bye-law No. 14 is not consistent with the provision of Section 37 of the Act.
16. Bye-law No. 15 relating to authorization of share capital is not framed properly.
17. The provision made in bye-law No. 16 appears to be not required since at present there is no share capital of the government.
18. In bye-law No. 26, the provision made for smaller General Body is not required since the same provision has to be made only after attaining more than 1000 members.
19. Bye-law No. 30(d) is not framed properly and not consistent with Election Rule 1(f) of Election Schedule annexed with the MSCS Rule, 2002.
20. Bye-law No. 32 relating to BoD is not framed properly and the provision made for nominated Directors is in contravention to the provision of section 48 of the Act.
21. Bye-law No. 35(xvi) 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.
22. The provision made in bye-law No. 45 is not required.
23. Bye-law No. 46 relating to Chief Executive is not consistent with the provision of section 51 of the Act. There is no provision made that the Chief Executive shall be a full time employee appointed by the Board.
24. Bye-law No. 47 is not consistent with the provision of section 52 of the Act.
25. Bye-law No. 48 & 49 are relating to credit activities for which NOC is required from the concerned RCS where the society proposed as area of operation.
26. In bye-law No. 50(B)(a), the maximum payment of dividend to be paid to the member has not been specified as required under Rule 24(2) of the MSCS Rule, 2002.
27. At the end of bye-law No. 50, no provision has been made that the remaining net profit, if any, shall be credited to reserve fund.
28. Bye-law No. 51 is missing in the series of bye-laws.
29. The provision made for Audit Committee in bye-law No. 55(ii) is not required to be provided in the bye-laws.
30. Bye-law No. 56 is not framed properly in consonance with the provision of section 84 of the Act.
31. Bye-law relating to service rules is not serialized.
32. The bye-law No. 59 required to be provided at the end of all the bye-laws.

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 **Limbadri Multi State Agro Cooperative Society Ltd., Shop No. 5, Shrinath Nagar, Taroda Bk, Nanded-431602 (Maharashtra)** 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 **16/12/2016 at 9:30 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
(P.Sampath)
Director (Co-operation)

To

Chief Promoter (Mr. Shivkumar Libanyya Birakur),
Limbadri Multi State Agro Cooperative Society Ltd.,
10, Nandigram Society Bhag, Ekta Prathmik, Geeta Nagar,
Bank Colony, SHARDA Nagar, Nanded-431605
Maharashtra, INDIA