

F.No.L-11015/159/2015-L&M
Government of India
Ministry of Agriculture
Department of Agriculture & Cooperation

OFFICE OF THE CENTRAL REGISTRAR OF COOPERATIVE SOCIETIES

Krishi Bhavan, New Delhi.

ORDER

Under the provisions of sub-section (3) of Section 7 of the Multi State Co-operative Societies Act, 2002

Whereas the Chief Promoter of **DPWHO Multi State Group Housing Co-operative Society Ltd., 376 A, 55 Feet Road, Nawada Housing Complex, New Delhi-110059** had submitted a proposal for registration of the proposed society under the Multi State Cooperative Societies Act, 2002 (MSCS Act, 2002).

Whereas the following deficiencies were found in the application submitted by the Society:

- a) Before registration of the society, the Chief Promoter is using the nomenclature of Chairman, whereas it should be Chief Promoter.
- b) In Form 1, number of persons from each State who have signed the application, has not been mentioned.
- c) It is not clear from the name of the society that what DPWHO stands for.
- d) Objectives of the society are vast. At the time of registration, the objectives are to be limited to certain extent since the bye-laws are amendable as need arises from time to time based on requirement.
- e) The main objective of the society is to acquire land, develop and construct residential houses/flats to the ordinary individual members whereas, in bye-law No. 9, multi-State cooperative societies, cooperative societies, Central/State Government, NCDC and other institutions have been proposed as ordinary members.
- f) Bye-law No. 17(ii) is not in consonance with the provision of section 37 of the MSCS Act, 2002.
- g) Bye-law No. 21(1) is not framed properly in consonance with the provision of section 37(1) of the Act.
- h) In bye-law No. 22, the authorized share capital of the society has proposed to Rs. 25 crore which is on very higher side at the time of registration of the society.
- i) The provision made in bye-law No. 31(v) is not required.
- j) The provision made in bye-law No. 32 for Constitutional Amendment Act, 2011 is not required, since the same has been quashed by the High Court of Gujarat.
- k) Bye-law No. 36 is in contravention to the provisions of the Act. Vacancy arising in the Board of Directors has to be filled by election only as per the provision of the Act.

- l) In bye-law No. 50, the provision as required under section 52(k) has not been provided.
- m) In bye-law No. 56, at the end of the bye-law, no provision has been made that the surplus net profits, if any, shall be credited to reserve fund.
- n) In bye-law No. 56(ii)(a), the payment of dividend has not been specified as required under rule 24(2) of the MSCS Rules, 2002.
- o) In bye-law No. 57(d), the name of the institution has not been specified for investment of funds.
- p) Bye-law No. 61(i) is not consistent with the provision of section 70 of the MSCS Act, 2002.
- q) The project report is not satisfactory. As per the certificate of bank, the society is having a credit balance of Rs. 15,000/- and whereas in the projected balance sheet, as on 31.03.2015 (**already over**) shows an amount of Rs. 10.00 crore towards subscribed share capital. Further, the projected financial statements have not included profit appropriation as required u/s 63 of the MSCS Act, 2002. It also appears that the projected balance sheet has been copied from some other project report and has not been prepared on the basis of real assessment. In the projected income statement, details of expenditure and income, sub-head wise, have not been provided.
- r) In the membership list of Haryana, more than one member has been drawn in some places. Further, it appears that few persons have signed in many places.
- s) In the membership list of Delhi, no addresses of the members are provided for the members listed at S.No. 35 & 44.

Whereas under the provisions of Section 7(3) of the MSCS Act, 2002 the Chief Promoter vide notice of even number dated the 25th August, 2015 was given an opportunity of personal hearing on 10th September, 2015 to contest the deficiencies.

The Chief Promoter appeared for hearing. Since the existing proposal is having deficiencies as mentioned in the notice dt. 25.08.2015 and the same was not contested, the proposed Society in the name of **DPWHO Multi State Group Housing Co-operative Society Ltd., 376 A, 55 Feet Road, Nawada Housing Complex, New Delhi-110059** does not meet the requirements of the provisions of the Multi State Co-operative Societies Act, 2002 and rules made thereunder and therefore cannot be considered for registration.

Accordingly, the proposal is returned herewith in original. However, the society is at liberty to submit a fresh proposal and the same shall be considered as per the provisions of MSCS Act, 2002 and MSCS Rules, 2002 made thereunder.

Given under my hand and seal on 10th September, 2015.

Encl:- as above




(Ashish Kumar Bhutani)

Joint Secretary to the Government of India
&
Central Registrar of Cooperative Societies

To,
Chief Promoter (Brigadier Sukhvinder Singh (Retd.)),
DPWHO Multi State Group Housing Co-operative Society Ltd.,
376 A, 55 Feet Road, Nawada Housing Complex, New Delhi-110059