

F.No. L-11015/3/2016-L&M
Government of India
Ministry of Agriculture & Farmers Welfare
Department of Agriculture, Cooperation & Farmers Welfare

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 Madheshwari Multi-State Co-operative Textiles Ltd., Nimgaon(T), Gat No.-146, A/p-Nimgaon (T), Tal. Madha, District Solapur, Maharashtra-413210 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) The proposal was submitted to the Department on 23.05.2016 and whereas, the certificate issued by the bank showing credit balance in favour of the society is dated 21.09.2015 and latest certificate required to be enclosed along with the proposal.
- b) The objectives in Form No. 1 and in bye-law No. 4 are 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.
- c) A separate certificate why registration of the society to be done under the MSCS Act, 2002 as required under Form No. 1, column No. 2(e) has not been found enclosed.
- d) Project report is not satisfactory. The estimated cost of the project and source of income to meet the cost of the project has not been provided. Further, the information given regarding sources and application of funds in schedule D has not been defined in value. Further, the profit appropriation as required u/s 63 of the Act has also not been provided. Overall, the project report is not prepared keeping in view that this is a cooperative society.
- e) In the membership lists of Maharashtra and Karnataka, full addresses of the members have not been provided as required under Form No. 1, column No. 5 of the Act.
- f) The membership list for the State of Karnataka, particularly the signature column is clumsy after S. No. 96.
- g) As per the membership list in the State of Maharashtra, the promoter members have been drawn only from Mumbai and Solapur and whereas, in bye-law No. 2, the area of operation of the society has been proposed to the entire State of Maharashtra.
- h) As per the membership list in the State of Karnataka, the promoter members have been drawn only from Gulbarga, Belgaum and Bijapur and whereas, in bye-law No. 2, the area of operation of the society has been proposed to the entire State of Karnataka.
- i) In bye-law No. 4.3, the Registrar should be Central Registrar.
- j) The proposed society is a textile cooperative society and whereas, in bye-law No. 5, many provisions have been made which are not related to textile industry.
- k) In bye-law No. 6, provision has been made to receive deposits from members which is a credit related activity for which NOC is required from the concerned RCS where the society proposed as area of operation.

- l) Bye-law Nos. 8 & 9.1 are contrary to each other and also the serial number of the bye-laws has not been done properly.
- m) In bye-law No. 14.4, the minimum level of services provided does not pertain to textile industry and whereas the same pertains to credit society.
- n) Bye-law No. 25(1) is in contravention to the provision of section 37(1) of the Act.
- o) The proposed society is a textile society and whereas, the provision made in bye-law No. 29(3) is related to credit activity.
- p) Bye-law No. 31(4) is not framed properly and not consistent with Election Rule 1(f) of Election Schedule annexed with the MSCS Rule, 2002.
- q) Bye-law No. 32 relating to quorum of the General Body meeting is not consistent with the provision of rule 16 of the MSCS Rule, 2002.
- r) Bye-law No. 36 relating to members of the Board is not framed properly.
- s) Bye-law No. 44(2) is in contravention to the provision of section 44(2) of the Act.

Whereas under the provisions of Section 7(3) of the MSCS Act, 2002 the Chief Promoter vide notice of even number dated the 5th September, 2016 was given an opportunity of personal hearing on 19th September, 2016 to contest the deficiencies.

Whereas none appeared for hearing. Since the existing proposal is having deficiencies as mentioned in the notice dt. 5th September, 2016 and the same was not contested, the proposed Society in the name of **Madheshwari Multi-State Co-operative Textiles Ltd., Nimgaon(T), Gat No.-146, A/p-Nimgaon (T), Tal. Madha, District Solapur, Maharashtra-413210** 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.

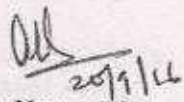
Given under my hand and seal on 20th September, 2016.

Encl:- as above



To,

Chief Promoter (Shri Ravindra Sampatray Shinde)
Madheshwari Multi-State Co-operative Textiles Ltd.,
Nimgaon(T), Gat No.-146, A/p-Nimgaon (T),
Tal. Madha, District Solapur,
Maharashtra-413210.


(Ashish Kumar Bhutani)
Joint Secretary to the Government of India
&
Central Registrar of Cooperative Societies