

F.No. L-11015/64/2016-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 **Radhey Multistate Cooperative Milk & Agro Processing Society Ltd., A/P Siddhewadi, Tal. Tasgaon, District Sangli, Maharashtra – 416311** 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) Project report is not satisfactory. The profit appropriation as required u/s 63 of the Act has not been provided. The total cost of the project is estimated for establishment of milk processing plant is Rs. 1040.00 lakhs excluding working capital requirement of Rs. 75 lakhs and the source of finance including term loan of 75% is Rs. 1040.00 lakhs and therefore, there is a shortage of funds at the beginning itself. Further, the sales turnover for the first year itself projected to the tune of Rs. 17,394.38 lakhs. Therefore, the project report has not been prepared on realistic basis supported by facts and figures.
- b) In the membership lists of Maharashtra and Karnataka, full addresses of members have not been provided as required in Form No.1.
- c) The proposed members in the State of Maharashtra and Karnataka are belonging to the districts of Sangli and Belgaum respectively, and whereas, the proposed area of operation as per bye-law No. 3 is the whole of Maharashtra and Karnataka and it should be restricted to the areas where members have been admitted.
- d) The provision made in bye-law No. 4(25) to be at the end of this bye-law.
- e) The objectives proposed in bye-law No. 5 included various activities such as manufacture, procurement and sale of agriculture fertilizers, seeds, agricultural implements, construction of cold storages, warehouses, purchase of tractor, including to manufacture milk and milk products and whereas, the project report has been prepared only based on manufacture of milk and milk products.
- f) The objectives are vast in bye-law No. 5. 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.
- g) In bye-law No. 8, the authorized share capital proposed is very high and at the time of registration, it should be restricted to the minimum level as per the requirement since the same are amendable as and when required by making bye-law amendment.
- h) Bye-law Nos. 9.1 & 9.2 are contrary to each other and also not framed properly.
- i) In bye-law No. 12, the proviso as required u/s 25(4) of the MSCS Act, 2002 has not been provided.
- j) Bye-law No. 25(1) is in contravention to the provision of section 37(1) of MSCS Act, 2002.
- k) Bye-law No. 31(4) is not framed properly and not consistent with Election Rule 1(f) of Election Schedule annexed with MSCS Rule, 2002.

- l) The heading of bye-law No. 37 is not framed properly and also the provision for many sub-bye-laws is not consistent with the provision of Act & Rules.
- m) Bye-law No. 38 relating to powers and functions of the Board is not consistent with the provision of section 49 of the Act.
- n) Bye-law No. 45(2) is in contravention to the provision of section 44(2) of the Act.
- o) Bye-law No. 48 relating to powers and functions of the Chief Executive are not in consonance with the provision of section 52 of the Act.
- p) In bye-law No. 59, it has been proposed to receive deposits for which NOC is required from the concerned Registrar of Cooperative Societies where the society proposed as area of operation.
- q) The provision made in bye-law No. 67(g) is not required to be provided.

Whereas under the provisions of Section 7(3) of the MSCS Act, 2002 the Chief Promoter vide notice of even number dated the 9th August, 2016 was given an opportunity of personal hearing on 22nd August, 2016 to contest the deficiencies.

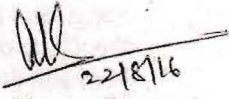
The Chief Promoter appeared for hearing. Since the existing proposal is having deficiencies as mentioned in the notice dt. 9th August, 2016 and the same was not contested, the proposed Society in the name of **Radhey Multistate Cooperative Milk & Agro Processing Society Ltd., A/P Siddhewadi, Tal. Tasgaon, District Sangli, Maharashtra – 416311** does not meet the requirements of the provisions of the Multi State Co-operative Societies Act, 2002.

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 22nd August, 2016.

Encl:- as above




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

To,

Chief Promoter (Shri Suryakant Tatoba Pawar)
Radhey Multistate Cooperative Milk & Agro Processing Society Ltd.,
A/P Siddhewad, Tal. Tasgaon,
District Sangli,
Maharashtra – 416311.