

PROCEEDING OF THE INAUGURAL GENERAL MEETING  
OF THE .....AGRI & ALLIED  
CO-OPERATIVE SOCIETY LIMITED .....  
.....HELD ON  
.....AT.....A.M/P.M.

Present ( As per list attached. )  
Minutes:-

1. ....was elected president of the meeting.
2. ....explained the object of the meeting and the provisions of the suggested bye-laws.
3. It was resolved that a co-operative society be formed under the name of ..... Agri Allied Co-operative Society Ltd., and that the suggested bye-laws be accepted.
4. It was resolved that the area of operation of the society will be restricted for the present to the following villages/towns.
5. It was resolved that the admission fee be fixed at .....
6. It was resolved that the value of each share be fixed at ..... to be paid up within thirty days from the date of the notice of the allotments.
7. It was resolved that the maximum rate of the interest payable on account of deposits be fixed at .....per cent per annum.
8. It was resolved that the Registrar of Co-operative Societies, Nagaland, be moved to grant permission for the opening of current account in accordance with the bye-laws with the..... Bank, at ..... for the safe custody of the cash of the society. The Treasurer will operate the account and he is authorized to keep cash in his hand not exceeding .....the remainder being deposited in the Bank.

- 9. ....was elected chair of the society.
- 10. ....was elected Vice Chairman of the society.
- 11. The following were elected to the remaining \_\_\_\_\_ posts of member of the Managing Committee.
  - 1. 4.
  - 2. 5.
  - 3. 6.
- 12. It was resolved that a copy of the proceedings of this meeting together with the application for registration and bye-laws in triplicate be forwarded to the Registrar of Co-operative Societies, Nagaland, Kohima through the Local Co-operative Officer for early registration of the proposed society.

Dated

President of the Inaugural  
General Meeting.

APPLICATION FOR THE REGISTRATION OF

.....  
AGRI & ALLIED CO-OPERATIVE SOCIETY LTD.

Application for Registration of a Co-operative Society under Section 10 of Co-operative Societies Act, 1949 (Act 1 of 1950).

To,

The Registrar of Co-operative Societies, Nagaland, Kohima.

- 1. The name of the society is.....  
..... Agri & Allied Co-operative Society Limited.
- 2. The registered address of the society is-  
.....Village/Town.  
.....Post Office.  
.....Police Station.  
.....Sub-Division.  
.....District.

3. **The objects of the society shall be:-**

- a) To encourage thrift and self help amongst the members.
- b) To raise fund by way of share capital, deposits & borrowing from member, financing agencies and the State Govt.
- c) To advance loan to the members for agricultural production.
- d) To supply fertilizer manure, machineries and other input to its members for the purpose of agricultural production.
- e) To arrange the sale of agricultural production of the members of the societies and on non members of the area of operation.
- f) To rent or own go-down to provide facilities for storage of agricultural production of the members and non members of the area of operation.
- g) To act as agent of members for disposal of their produce.
- h) To rent or own processing units relating to agricultural produce for the benefits of the members and non-members.
- i) To sale to its members and non-members all essential consumers commodities and to own a consumer shop for this purpose.
- j) To undertake joint or collective farming and other allied agricultural programme such as Dairy, Poultry, Fishery, Animal Husbandry etc. on a planned basis increasing agricultural production and acquire land for this purpose by purchasing, pooling, Leasing Land of the members or collectively holding land in the name of the society.
- k) To undertake schemes of land improvement, irrigation, soil conservation, consolidation, plant protection, a forestation, horticulture etc.
- l) To undertake contract work for providing employment to the members.
- m) To under take subsidiary occupations such as Dairy, Poultry, Sheep Breeding, Bee Keeping, Piggery etc. suited to the local condition and
- n) To carry out such other schemes as are conductive and incidental to the objects of the society.

4. The area of operation shall be.....

5. The rate of admission fee shall be.....

6. The number and value of shares which it is proposed to issue shall be .....number of shares of the value of Rs.....

each to be paid up within thirty days from the date of allotment. Each member shall subscribe at least one share.

7. With this application for registration, we sent three copies of the proposed bye-laws signed on behalf of the applicant by the President of the Inaugural General Meeting. We the several members whose names and address are subscribed hereby agree to this application for registration and also agree to confirm to the Co-operative Societies Act and the Rules that are, may be made there under or to any other Act & Rules and which may hereafter replace such Acts and the Rules and we hereby apply that the above society may be registered as a co-operative under section 10 of Act 1949 (Act I of 1950) Co-operative Societies Act.

### NOTE

The list of promoters must be sent in Triplicate with Three copies of the Bye-laws signed by the President of the Inaugural General Meeting to the Registrar of Co-operative Societies, Nagaland, Kohima.

( The list of must be in the following ). Form

Sl. No	Name	Father's Name	Age	Address	Occupation	No. of shares subscribed	Signature

BYE LAWS OF THE .....  
..... AGRI ALLIED'  
CO-OPERATIVE SOCIETY LTD.

**PRELIMINARY**

1. In these bye-laws , unless there is anything repugnant in the subject or context:-
  - (a) 'Act' means the Assam Co-operative Societies Act 1949 (Act I of 1950)
  - (b) 'Rules' means the Assam Co-operative Societies Rules 1953.
  - (c) 'Society' means the .....  
..... Agri-Allied Co-operative Society Limited.
  - (d) Words and expression defined in the Act and Rules shall have meanings assigned in the Rules.

**NAMES**

2. The name of the society is.....  
.....Agri Allied Co-operative Society Limited.

**ADDRESS**

3. (1) The registered office of the society will be situated at .....PostOffice.....  
..... Police Station ..... Sub-Division .....  
.....in the District of.....
- (2) Notice of any change in the registered office shall be sent in the prescribed manner, within 30 days of such change to the Registrar of Cooperative Societies and the financial bank if any, of which the society is the member.

**OBJECTS**

- a) To encourage thrift and self help amongst the members.
- b) To raise fund by way of share capital, deposits & borrowing from member, financing agencies and the State Govt.
- c) To advance loan to the members for agricultural production.
- d) To supply fertilizer manure, machineries and other input to its members for the purpose of agricultural production.
- e) To arrange the sale of agricultural production of the members of the societies and on non members of the area of operation.
- f) To rent or own go-down to provide facilities for storage of agricultural production of the members and non members of the area of operation.
- g) To act as agent of members for disposal of their produce.
- h) To rent or own processing units relating to agricultural produce for the benefits of the members and non-members.
- i) To sale to its members and non-members all essential consumers commodities and to own a consumer shop for this purpose.
- j) To undertake joint or collective farming and other allied agricultural programme such as Dairy, Poultry, Fishery, Animal Husbandry etc. on a planned basis increasing agricultural production and acquire land for this purpose by purchasing, pooling, Leasing Land of the members or collectively holding land in the name of the society.
- k) To undertake schemes of land improvement, irrigation, soil conservation, consolidation, plant protection, a forestation, horticulture etc.
- l) To undertake contract work for providing employment to the members.
- m) To under take subsidiary occupations such as Dairy, Poultry, Sheep Breeding, Bee Keeping, Piggery etc. suited to the local condition and
- n) Generally to do all such other things as are incidental or conductive to the attainment of the objects of the society.

**AREA OF OPERATION AND MEMBERSHIP**

- 4. The area of operation and membership of the society is .....
- 6. 1) The membership of the society is opened to individual above the age of 18 years of good character, and residing or holding immoveable property in the registered area of operation of membership;  
2) The following shall be members of the society namely-
  - a) persons duly qualified who have joined in the application or registration of the society or
  - b) persons who may hereafter be elected as members according to bye-laws.

- 3) Every person admitted to membership shall -
  - a) pay an admission fee of .....
  - b) Hold at least one share
  - c) Name and place to be registered as his address and such address shall all purposes be deemed to be his residence.

### **ELECTION OF MEMBERS**

7.
  1. Every person desirous of becoming a member shall submit an application to the secretary in such forms as the Managing Committee may determine.
  2. The Managing Committee after consideration approves or refuses an application for membership, In case of rejection, the applicant shall have a right of appeal to the General Meeting.

### **RIGHT OF MEMBERSHIP**

8. A person shall not acquire the rights and privateness of membership until he has –
  - a) paid the admission fee ;
  - b) subscribe at least one share and has made the payment due on account of such, and
  - c) signed a declaration to the effect that he/she shall be bound by these bye-laws.

### **NOMINEE OF MEMBER**

9.
  1. A member may nominate in writing any person to whom or to whose credit the share or interest or the value of such share or interest shall on his death be paid or transferred under the provisions of the Act and Rules.  
Provide that the member may from time to time revoke in writing.
  2. The society shall keep a register of all persons (if any) so nominated.
  3. In case the nominee dies, the member shall report the death to the society.

### **WITHDRAWAL FROM MEMBERSHIP**

10. A member, if he/she is not in debt to the society or is not surety, may withdraw from the society after giving in writing one-month notice to the secretary.

### **REMOVAL OF A MEMBER**

11. A member who ceases to be qualified to be a member may be removed by the Managing Committee.

### **FINE, SUSPENSION AND EXECUTION**

12. i. The Managing Committee, after due investigation into the conduct of a member and after taking such evidence as may be necessary fine, suspend or expel him for any of the following reasons.
  - a) Willful contraction of the **ACT, RULES** and the bye-laws of the society.
  - b) Acts, which in the operation of the Managing Committee are prejudicial to the interest of the society.
  - c) Willful default, dishonesty or infringement of the terms of any of the contract enters into as a member of the society.ii. A member suspended shall not be entitled to exercise any of the rights or enjoy any of the privileges of membership during the period of suspensions.
  - iii. If any appeal is received from the member so suspended, the Managing Committee on receipt of the appeal shall convene a special general meeting within three months of its receipt for disposal of the appeal provided, however if a general meeting is held within this period, a special general meeting shall be held to consider the appeal immediately before the general meeting is held.
13. A member shall cease to be member if he -
  - a) transfer all his shares hold by him,
  - b) losses the qualification for membership,
  - c) resigns his membership ;
  - d) is expelled;
  - e) dies;
  - f) has been adjudged by competent court to insolvent and unsound and
  - g) has been punished with imprisonment for an offence involving moral turpitude.

### **PAYMENT TO MEMBER WITHDRAWING, REMOVED OR EXPELLED.**

14. Subject to the provision of the Act and the Rules, a member withdrawing, removed or expelled from the society shall be entitled to repayment of the value of his/her share or shares after the share or shares are transferred to some other person qualified under the Act and the Rules to be transferred of the share or shares.



**LIABILITIES**

15. The liability of a member for the debts of the society shall be limited to the nominal value of the shares held by him.

**FUNDS**

16. Subject to the provisions of the Act and the Rules and these bye-laws funds of the society may be raised by –
  - a) issuing shares;
  - b) receiving deposits from members and non-members on such terms and condition as the Registrar or the Financing Bank or Institution may approved;
  - c) taking loans from Financing Banks, Government or other, sources;
  - d) obtaining grants, donations and subsidies from Government, members, non-members and other sources ;
  - e) deriving income from properties, investments and other sources, and
  - f) realizing subscriptions from members and non-members.

**SHARE CAPITAL**

1. The authorized share capital of the society shall be ..... Rupees.....) divided into.....shares of Rs.....( Rupees .....) each to be subscribed by members only.
2. No member shall hold more than one-fifth of the share capital or Rs. \_\_\_\_\_ whichever is less.

**PAYMENT OF SHARES**

1. For every shares Rs.....(Rupees.....) shall be paid on allotment or in such installment as the Managing Committee may call, and the balance shall represent the Reserve Liability of the members.
2. The Reserve Liability shall become payable:
  - a) in case of winding up of the society,
  - b) on calls may made by the society by a resolution of a General Meeting and with the approval of the Registrar of the Cooperative Societies, Nagaland.

### **SHARE CERTIFICATE**

19. (1) Every member shall free of charge entitled a share certificate under seal of the society specifying the share or shares held by him. Such certificates shall be signed by the chairman or Vice-chairman and the Secretary.
- (2) If share certificate is defaced, lost, or destroyed, it may be renewed on payment of such fee, if any, not exceeding Rs. 20/- and, on such terms, if any, as the evidence and indemnity as the managing committee may determined.

### **TRANSFER OF SHARES**

20. (i) Share may be transferred with the approval of the Managing Committee by an instrument in writing and in such form as the Managing Committee may be determine and transferred to another member or to a non-member, who is eligible for membership and when the Managing Committee is willing to admit as a member.
- (ii) The transfer is not complete, and the transfer shall be deemed to remain a holder of the share, until the transfer is admitted to membership and his name is entered in the register of members.

### **FORFEITURE OF SHARES**

21. (i) If a member fails to pay by calls or installment of a call on or before the day appointed for payment thereof the Managing Committee may at any time thereafter during such time as the call or installment remains unpaid, serve a notice on him to pay the same together with any interest that may have accrued and any expenses that may have been incurred by the society by reason of such non-payment.
- (ii) If the requirement of such notice as aforesaid are not complied with, any shares in respect of which the notice has been given may at any time, thereafter, before the payment required by the notice has been made, be forfeited by a resolution of the Managing Committee to that effect. Such forfeiture shall include all dividends declared in respect of the forfeited shares and not actually paid before the forfeiture.
- (iii) A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the Managing Committee think fit, and at any time before sale or disposition the forfeited shares may be cancelled on such terms as the Managing Committee think fit.
- (iv) A person whose shares have been forfeited shall cease to be member in respect of the forfeited shares, but shall, notwithstanding, remain liable to pay the society all moneys which at the date of forfeiture, where presently payable by him, to society, in respect of the shares.

## **BORROWING**

22. (i) The society may borrow in accordance with law from either member or non-members and all borrowings, subject to such restrictions as the General Meeting may impose, shall be regulated by the Managing Committee.
- (ii) The society shall not by acceptance of deposits or loans in any other way incur liabilities exceeding ten times the sum of the paid up share capital and the reserve fund separately invested outside the business.
- (iii) The maximum amount the society may borrow in any one time or any one year shall be determined annually at a general meeting and the society shall not borrow beyond the maximum amount so determined and in force for the time being. Provided that the Registrar may at any time revise the limit fixed by a general meeting, and when he does so, the limit fixed by him shall not be exceeded.

## **EMPLOYMENT OF FUNDS**

23. (i) The fund of the society may be applied in.
- (a) provided all facilities to the members for improved farming, economic business operations and better living.
- (b) making investments for the benefits of the members.
- (c) purchasing land and buildings and in the erection of buildings for office and other purposes necessary for the proper conduct of business.
- (d) paying the establishment, contingent, interest, audit fee and all other usual working expenses.
- (e) creation of RESERVE, BAD DEBT and other funds, and in payment of dividend etc; and
- (f) any other purpose incidental or conducive to the attainment of its objects.
- 2) Save with the permission of the Registrar no portion of the borrowing-capital of the society shall be applied in payment of the establishment, contingent, interest of the like other charges except the audit fee.

## **CUSTODY OF FUNDS**

24. The funds of the society not used or invested outside shall be kept in the savings Bank Account in any other Banks or in the custody of the Treasurer to be appointed by the Managing Committee on such conditions as the furnishing of security, if any, as the Managing Committee may determined .Provided that any person charge with the keeping of accounts shall not be placed in charge of the cash.

### **BUSINESS AND PROGRAMME.**

25. (i) The business of the society may be commenced as soon as after the registration of the society as the Managing Committee may think fit.
- (ii) The business of the society may include the several object specified in the bye-laws or any one of them.
- (iii) Subject to the provision of the Act and the Rules and such direction as the Registrar may from time to time give the society shall be at the liberty to have business transactions with non-members when such transactions are necessary to further the interest on members.
- (iv) The Managing Committee shall draw up a programme of work for the purpose of carrying out the object of the society and shall frame regulations for the proper execution of such work. The Managing Committee from time to time if they think fit revise or modify such programme of work and regulations.
- (v) No work shall be undertaken by the society unless the programme of work and regulations (including modification thereof) have been approved by the Registrar.

### **GENERAL MEETING**

26. The supreme authority of the society shall vest in the general meeting of member. It shall maintain a General supervision over the business of the society and in particular over the acts of the Managing Committee and shall be competent to take all steps they may be considered necessary in the interest of the society.

### **ANNUAL GENERAL MEETING**

27. (i) The annual general meeting of the society shall be held at least once a year.
- (ii) The first annual general meeting of the society shall be held within fifteen months from date of its registration.
- (iii) The business of the Annual General Meeting shall be:-
- (a) to consider the report of Managing Committee
- (b) to fix the maximum amount of borrowing for the ensuing year.

### **SPECIAL GENERAL MEETING**

28. (i) Special General Meeting shall be held as often as may be necessary and shall be held,
- (a) on the requisition from the member ; or
- (b) at the instance of the Registrar, as provided in the Act and the Rules.

(ii) A requisition for General Meeting by the member shall state the objects of the meeting shall be signed by the requisitionist and shall be presented or sent to the registered office of the society.

(iii) A special general meeting shall consider all or any of the subject specified to be the business of the annual general meeting.

(iv) At the special general meeting on subject other than the subject notified shall be discussed.

### **NOTICE OF THE GENERAL MEETING**

29. (i) A notice of the General Meeting stating the place, date, and hour of the meeting together with the statement of business to be transacted and it shall sent to every member at least 15 days before the date of the meeting.
- (ii) In the case of the meeting on the requisition of members copy of the requisition together with the names of the signatories to such requisition shall be sent to all members along with the notice of the meeting.
- (iii) Any accidental commission to give to any member or the non-receipt of the notice by any member shall not invalid the proceedings of any meeting.

### **CHAIRMAN OF THE GENERAL MEETING**

30. (i) The Chairman of the meeting shall maintain order on the meeting and shall control and conduct the proceedings in such a manner as may be conducive to expeditious and satisfactory business disposal. He shall decide all points of order and his decision on such points shall be final.
- (ii) The Chairman of the meeting may direct any member to withdraw for disorderly conduct and the members as directed or ordered shall forthwith withdraw and unless otherwise directed by the Chairman shall remain absent during the remaining period of the meeting and shall not be entitled to vote without the permission of the Chairman.
- (iii) In the event of disorder arising, the Chairman of the meeting may suspend the meeting and adjourn it, subject to the provision of the Act, and the Rules to such date and time as may think fit.

### **QUORUM OF GENERAL MEETING**

31. (i) The quorum for a general meeting shall be two-third of the total number of members as on the date of giving notice of the meeting.
- (ii) No business shall be transacted at any meeting unless a quorum of members is present at the time when the meeting proceeds to business.

(iii) If at any time during meeting sufficient members are not present to fix a quorum, the Chairman of the meeting on attention being drawn to this fact, shall adjourn the meeting to such convenient date, time and place as he thinks fit and the business to be transacted at this meeting shall be disposed of in the usual manner at the adjourn meeting and the members present in such adjourned meeting shall be a quorum.

(iv) No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

### **VOTING IN GENERAL MEETING**

32. (i) Every resolution at general Meeting shall be decided by a majority of votes of members. In case of an equality of vote whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands take place or at which the poll is demanded, shall be entitled to a second or casting vote.
- (ii) A poll demanded on the election of a Chairman or on question of adjournment, shall be taken forthwith.
- (iii) When a poll is taken –
- a) the voting may be by ballot if the Chairman of the meeting subject to the Rules, so decides,
  - b) the number of members voting for shall be recorded in the minute of the proceedings.
  - c) any member may demand to have his recorded as voting for.

### **MINUTES OF THE GENERAL MEETING**

33. (i) The society shall cause minute of proceedings of general meeting to be entered in a book kept for that purpose.
- (ii) Unless the minute are drawn up and are duly signed by the Chairman of the meeting immediately on the determination the meeting, the minutes free from all alternations or corrections, shall be drawn up and shall be signed by the Chairman of the meeting within 72 hours from the time when the meeting terminated. The minute so signed shall be evidence of the proceeding of that meeting.
- (iii) Until the contrary is proved, every general meeting of the society in respect of the proceedings where of minutes have been so recorded shall be deemed to have been duly called and held.
- (iv) The minutes shall contain the names of the members present and the resolutions and proceedings of the meeting and shall be laid in the next ensuing meeting.

## **MANAGING COMMITTEE**

34. (i) The business of the society shall be carried on and managed by the Managing Committee who may pay all expenses incur in getting up and registration of the society and may exercise such powers of the society are not required to be exercised by the society in a General Meeting.
- (ii) Subject to the provisions of the Act, Rules and these bye-laws and also the regulations, if any, made in the General Meeting and in force for the time being the committee shall enter in to such agreement, make all such arrangements, take all such proceedings and to do all such acts and thinks as may be necessary and proper for the due management of the affairs of the society and for carrying out the objects for which it has been established and for securing and furthering its interests in every way.

### **QUALIFICATION & DISQUALIFICATIONS OF MEMBER OF MANAGING COMMITTEE**

35. (i) Subject to the provisions of the Act, and the Rules and these Bye-laws every member of the society above the age of 31 year shall be qualified to be elected Director.
- (ii) A member shall not be eligible for election for as a Director if he;
- (a) has been adjudged by a competent court insolvent or of unsound mind; or
  - (b) in concerned or participate in the profits of any contract with the society or
  - (c) has been punished with imprisonment for an offence involving moral turpitude, or
  - (d) to one year fixed for the repayment of his loan; or
  - (e) holds any office or place of profit under the society, or
  - (f) has been a member of the society for less than 12 months immediately proceeding the date of such election.

### **CONSTITUTION OF THE MANAGING COMMITTEE**

36. (i) The Managing Committee shall consist of .....  
Elected directors and such number of additional directors, if any, appointed by the Registrar,
- (ii) The directors shall retire annually from office and shall be eligible for re-election,
- (iii) Provided that no elected directors who has held office of three or more consecutive years shall be eligible for re-election for two years from the date of his retirement without the previous permission of the Registrar.

## **POWERS OF THE MANAGING COMMITTEE**

37. Without restriction the general powers conferred by these bye-laws the following power and authorities are expressly given to and conferred upon the Managing Committee, namely
- (a) to admit new members,
  - (b) to fine, suspend, remove or expel a member,
  - (c) to raise funds,
  - (d) to invest funds,
  - (e) to appoint salaried or non-salaried officers and to define their duties,
  - (f) to fine, suspend or dismiss salaried and non-salaried officers
  - (g) to compound or abandon or deal or enforce any debt or demand of the society to the institute or defend or compromise legal proceedings,
  - (h) to dispose of applications for shares,
  - (i) to dispose of applications for loan and to determine the security to be taken, and
  - (j) to appoint sub-committee as may be deemed necessary from time to time and approved by the Registrar and to define their powers and duties.

## **DUTIES OF THE MANAGING COMMITTEE**

38. The managing Committee shall observe in all their transactions the Act, the Rules, and these bye-laws and shall subject to any directions of the general meeting cause.
- (a) to receive and disburse money,
  - (b) to specify which the officers shall keep books of accounts, other books and registers, shall prepare, returns and statement and shall keep the cash.
  - (c) to enter the accounts of the society in proper books timely and regular
  - (d) to maintain true accounts of the money received and expended and the accounts of assets and liabilities
  - (e) to prepare and submit to the annual general meeting annual report, the annual audit, statement of accounts, the proposals for distribution of profits if any, and the annual budget estimates
  - (f) to prepare the statements of accounts including detailed lists of assets and liabilities required at audit and to place them before the auditors
  - (g) to prepare and submit all statements accounts and returns required by the Registrar in such forms as may be direct
  - (h) to facilitate inspections of books and accounts and other books of accounts entitled to inspect them
  - (i) to convene general meeting on requisition
  - (j) to maintain the register of members and other books and accounts up-to-date
  - (k) to convene general meeting in due time



- (l) to watch the loans and advances are applied for the purpose for which they are made and that they are promptly repaid
- (m) to examine and take prompt action in case of all arrears and defaults in re-payment of loans and advances; and
- (n) to remove and rectify all defects and irregularities pointed out at audit.

### **MEETING OF THE MANAGING COMMITTEE**

39. (i) The Managing Committee shall meet for the transaction of the business of the society at least once in every.....month/ months and as more often as may be necessary. Provided that if there be no business to be laid down before the managing committee at any such meeting, the secretary with the approval of the chairman instead of calling the meeting shall give notice of the cast to cast director.
- (ii) The Chairman of the society shall preside over the meeting at which he is present. In the absence of the Chairman, the Vice-Chairman shall take the chair and in absence of the Vice-Chairman the directors present shall elect one of their members to be the Chairman of the meeting.
- (iii) The chairman of the committee shall preside over all meetings at which he is present. In the absence of the Chairman, Vice-chairman shall preside or in his absence the director present shall elect one of their members to be the chairman of the meeting.
- (iv) The quorum at the meeting shall be one-half of the total number of directors.
- (v) Every resolution at a meeting shall be decided by a majority of votes and if the votes are equal the Chairman shall have a second or casting vote.
- (vi) Any three directors may requisition a special meeting of the Managing Committee. The requisition shall specify the objects of the meeting and shall be signed by the requisitioner and shall be delivered at the office of the society.
- (vii) As such special meeting no business other than that specified in the notice shall be transacted.
- (viii) Minutes, in which shall be recorded the names of the Directors present at, and the proceedings of each meeting of the managing committee, shall be drawn up fairly entered in a book to be kept for that purpose, and shall laid before the next ensuing meeting of the Managing Committee and signed at such meeting by the Chairman thereof.
- (ix) If the Registrar so directs a copy of the minutes of the proceedings shall be forwarded to him within 10 days from the days on which the minutes of the proceedings of such meeting are signed by the Chairman as aforesaid.

(x) Every director present at the meeting shall sign his name in a book kept for that purpose.

### **CHAIRMAN AND VICE-CHAIRMAN**

40. (i) The Managing Committee consists of the elected directors and those, if any, appointed by the Registrar shall immediately after the general meeting elect a Chairman and Vice-Chairman and other office-bearers from amongst themselves.
- (ii) If so casual vacancy occurs in the office of the Chairman or Vice-Chairman, the Managing Committee shall elect a director to fill such vacancy, and the Chairman or Vice-Chairman so appointed shall continue in office so long only as the person in whose place he is appointed would have been entitled to continue in office.

### **POWERS AND DUTIES OF CHAIRMAN & VICE-CHAIRMAN**

41. (i) The Chairman and the Vice-Chairman shall exercise such powers and perform such duties as are conferred or imposed on him by the Act, the Rules and these bye-laws and may from time to time conferred is required by the General Meeting of the Managing Committee.
- (ii) The Chairman or the Vice-Chairman in the absence of Chairman, may in cases of urgency exercise all the powers and perform all the duties required to exercise and perform under the Act, the Rules and these bye-laws by the Managing Committee. All orders passed and all acts done by Chairman, Vice-Chairman in the absence of the Chairman shall be placed before the Managing Committee in the next meeting immediately following such passing of orders or performance of duties. Provided that the Chairman or the Vice-Chairman as the case may be shall act in opposition to or in contravention of any order given or decision taken by the Managing Committee at a meeting to be exercised or performed by the Managing Committee in meetings.

### **SECRETARY**

42. The Managing Committee shall appoint a person to the secretary for the conduct of the affairs of the society.

### **POWERS AND DUTIES OF SECRETARY**

43. Subject to the General direction of the managing committee, the secretary shall conduct the business of the society and for this purpose.
- (i) a) to control the staff of the society;

- (b) institute, defend and conduct legal proceedings in law courts and other place ;
- (c) to call the general meetings and the meetings of the Managing Committee and attend such meeting ; and
- (d) he shall perform the following duties; namely prepare and place before the managing committee an estimate.
- (ii) Of the expenditure which should in his opinion be incurred by the society in the ensuing year, and
- (iii) Of the receipts from all sources during the said year, in such from and at such time as the managing committee may direct;
- (a) receive all money on behalf of the society and to issue receipts (other than contractual receipts) in effectual discharge of the money stated to have been received therein.
- (b) pay all costs of management and working expenses out of the funds of the society, such as salaries of staff, legal expenses, charges on account of postage, telegram printing, advertisement, traveling, lighting, rent and the like expenses,
- (c) deposits all moneys and other properties received on behalf of the society in such bank as the managing committee may direct,
- (d) Maintain proper and accurate record of the working of the society and its accounts.

#### **REMOVAL OF AN OFFICER**

- 44. (i) Any officer appointed by the general meeting may be removed from his office by a resolution of a general meeting specially convened for the purpose.
- (ii) Any director who fails to attend six consecutive meeting without previous permission of the chairman obtained in writing may be removed from his office by the managing committee.
- (iii) Any other officer appointed by the managing committee may be removed from his office by the managing committee.

#### **CEASATION OF MEMBERSHIP OF MANAGING COMMITTEE**

- 45. A director shall cease to hold if
  - a) he becomes subject to any disqualification, as to membership of the society or any disqualification, or
  - b) he resigns his office, or
  - c) he dies.

#### **DISPOSAL OF PROFITS**

- 46. i) Subject to the provisions of the Act. and the Rules, the Net profits of the society shall be distributed in the following; order, namely

- a) Twenty five percent or such higher proportion as the general meeting may decide shall be carried to the Reserve Fund; and
- b) an amount not exceeding five percent of the balance shall be contributed to the Co-operative Development Fund.
- ii) the balance of the realized profits may in accordance with the decision of the general meeting be applied to any of the following purposes; namely
  - a) to the payment of dividend on shares subject to a maximum of 10 percent per annum on the amount paid up on share,
  - b) to any charitable institutions or purpose subject to a maximum of 10 percent, on the balance of net profits lefts carrying to the Reserve Fund.
  - c) with the sanction of the Registrar to grant a bonus of a member or employee of the society at such rate, not exceeding 10 percent of the net profits as may be recommended by the managing committee and approved by the general meeting for any specific revise to the society; and
  - d) to carry forward to next year's account or to carry to such special fund or to distribute in such manner as the general meeting may determined.

#### **UNCLAIMED AMOUNTS TO BE CARRIED TO RESERVED FUND**

- 47. Any amount due by the society and not claimed within the period of limitation allowed by the Indian Limitation Act, shall be added to the reserve fund.

#### **LOSSES WHEN WRITE OFF**

- 48. If any sum belonging to the society is either stolen or otherwise lost, found irrecoverable, or if any loan due to the society is found otherwise irrecoverable either wholly or in part, it shall be opened to the general meeting to write off such amount after obtaining the sanction of the Registrar.

#### **ANNUAL STATEMENTS**

- 49. (i) The society shall prepare annually in such form as may be specified registrar.
  - a) a statement showing the receipts and disbursement for the year,
  - b) a profit and loss account,
  - c) balance sheet and
  - d) such other statement as may required by the registrar.

ii) these statements shall made upto 31<sup>st</sup> March and a copy of each shall be sent to the registrar within fifteen days after the close of the Cooperative year ending 31<sup>st</sup> March after the Registrar or Auditor authorized by him has verified the statements and granted his audit certificate, the society shall publish such of the statement as he may direct in the manner specified by him.

#### **LIST OF MEMBERS**

50. The society shall prepare all list of its member with addresses as on the last day of such cooperative year. The list shall be kept at the office of the society during the office hours for inspection by any member in the society and it shall be the duty of the secretary to supply copies of the list to such of the members as desires to have them on payment of such fee as may be specified by the managing committee on its behalf.

#### **USE OF PREMISES**

51. Should any doubt arise as to construction of the shed used for its business or portion thereof for any purpose other than such business may refer to the Registrar of cooperative societies.

#### **INTERPRETATION OF BYE-LAWS**

52. Should any doubt arises as to construction of the article of any Bye-Law the Managing committee shall refer the same to the Registrar for advice and act according to his advice.

#### **SOCIETY TO KEEP COPY OF THE ACT, RULES AND BYE-LAWS**

53. The society shall keep a copy of the Act and the Rules governing the society and of its bye-laws open to inspection free of charge at all reasonable time at the registered address of the society.

**President of Inaugural  
General Meeting**