Government of West Bengal
Cooperation Department
Writers‟ Buildings, Kolkata – 700001

NOTIFICATION

No. 179-Coop/H/2R-1/2006 (Pt.) Dated, Kolkata, the 18th January, 20011 - WHEREAS the State Government, may after previous publication in the Official Gazette, make rules as required under sub-section (1) of section 157 of the West Bengal Cooperative Societies Act, 2006 (West Ben. Act XL of 2006) (hereinafter referred to as the said Act);

AND WHEREAS the State Government is of the opinion that in the public interest, such rules may be made without previous publication and should be brought into force at once;

NOW, THEREFORE, the Governor in exercise of the power conferred to the proviso to sub-section (1) of section 157 of the said Act, is pleased hereby to make the following rules, namely:-

RULES

CHAPTER - I

P R E L I M I N A R Y

1. **Short title and commencement**

(1) These rules may be called the West Bengal Cooperative Societies Rules,2011;

(2) Theseshall come into force on such date as the State Government may, by

provisions of these rules.

2. **Definitions**

(1) In these rules, unless there is anything repugnant in the subject or context –

(a) the „Act‟ means, the West Bengal Cooperative Societies Act, 2006(West Ben.Act XLof 2006**);**

(b) „Additional Registrar of Cooperative Societies‟, „Joint Registrar of Cooperative Societies‟, „Deputy Registrar of Cooperative Societies‟, „Assistant Registrar of Cooperative Societies‟ and „Cooperative Development Officer‟ mean, respectively, persons appointed by those designations by the State Government to assist the Registrar of Cooperative Societies;

(c) „Additional Director of Cooperative Audit‟, „Deputy Director of Cooperative Audit‟, Assistant Director of Cooperative Audit‟ and „Senior Auditor of Cooperative Audit‟ mean, respectively, persons appointed by those designations by the State Government to assist the Director of Cooperative Audit;

(d) „Applicant‟ or „Chief Promoter‟ shall mean the first signatory in the application for registration;

(e) „Collector‟ means in case of Kolkata, the Collector of Kolkata and in a district, the Collector of the district in charge of revenue administration;

(f) „Distrainer‟ means a person who is empowered by the Registrar to distrain and sell the produce of mortgaged land including the standing crops thereon, in accordance with the provision of section 120;

(g) „Form‟ means a form appended to these rules;

(h) „Member‟ includes delegates of members‟ referred to section 28 of the Act and Joint Liability Group (JLG);

(i) 'Manager‟ includes an officer as defined in clause (47) of section 4;

(j) „Section‟ means a section of the Act;

(k) „Family‟ referred to in clause (a) of sub section (2) of section 93 shall include adult son and adult daughter irrespective of marital status in addition to the members of the family as defined under „Explanation‟ of sub section (3) of section 16;

(l) „Forum of Arbitrators‟ shall be constituted as per section 104;

(m) „Area of operation‟ as mentioned under sub-section (5) of section 134 C means any area where a society covered under Cooperative Credit Structure Entity may raise deposit, make investment, issue loans and advances to members and nominal members and also carry on different types of business as permitted by its bye-laws.

(2) Words and expressions used in these rules but not defined in the Act shall have the same meaning as are respectively assigned to them in t

3. **Determination of one-half, one third, etc.**

When any rule requires the determination of one-half, one-third or any other fraction of a number and that number is not evenly divisible by 2, 3 or such other figure as may be required, the number next above which is evenly divisible by 2, 3 or such other figure shall be taken for the original number.

4. **Forms**

The forms appended to these rules or forms as near thereto as circumstances admit shall be used in all matters to which these forms relate :

5. **Net Profit**

The „net profit‟ of a cooperative society shall be the net profit specified in clause (44) of section 4 .

6. Definition of Cooperative

Cooperatives are autonomous associations of persons united voluntarily to meet their common needs and aspirations through a jointly owned and democratically – controlled enterprise and adhering to the cooperative principles and values.

7. **Exemption of Cooperative Societies from provisions of this Act**

Before issuing any order under section 11 of the Act, the State Government may obtain a report from the Registrar and before preparing such report the Registrar shall cause an inquiry under section 100 or inspection under section 99 to satisfy himself for offering his views in connection to such exemption.

C H A P T E R - II
R E G I S T R A T I O N

8. Restriction to formation of certain cooperative societies

(1) No Primary Cooperative Credit Society shall be registered unless applicants – (i) reside or hold landed property in the same town or village or in the same group of villages; or

(ii) are members of the same class or occupation.

(2) No apex or central society shall be registered unless it has, among its applicants, at leastten cooperative societies. No federal cooperative shall be registered unless it has among its applicant at least ten cooperative societies.

(3) Not more than three number of Block Level Mahila Self-Help Group Cooperative Societies shall be registered.

9. Application for registration

(1) An application for registration of a cooperative society shall be submitted to the Registrar in

Form I and shall be signed by the applicants.

(2) Where a cooperative society is the applicant, the application shall be signed by an officer of the society duly empowered to sign documents on its behalf.

(3) With every application there shall be submitted, duly signed by the applicants, four copies of the bye-laws which the society proposes to adopt.

10. Registration of Society

(1) On receipt of the application, the Registrar shall satisfy himself that the application and the bye-laws are in conformity with the provision of the Act, the Rules and the bye-laws are suitable for –

(a) carrying out the objects of the society, and

(b) ensuring the safe conduct of the business of the society.

(2) When a society is registered, the Registrar shall grant Certificate of Registration in

Form II.

(3) On the registration of a society, four copies of its approved bye-laws as specified under section 20 shall be stamped with the official seal of the Registrar, one of the said copies shall be retained in the office of the Registrar, one copy together with Certificate of Registration in

Form II shall be communicated by hand or by registered post with acknowledgement due to the society or the Chief Promoter of the society. A copy of the Certificate of Registration in Form II shall be sent to the District Cooperative Union or the State Cooperative Union as the case may be.

(4) If the society intends to be a member of a Central Society, a Federal Society or an Apex Society, another copy of the approved bye-laws shall be sent to such Central **or F**ederal or Apex society.

11. Affiliation of Societies

After registration, all the societies shall affiliate with Central, Federation, Apex and National Societies, as the case may be;

Provided that in case of societies covered under sub section (4) of section 134C shall have the freedom of Choice of affiliation.

12. **Amendment of bye-laws**

A cooperative society may amend its bye-laws under section 19 and each such amendment shall be submitted to the Registrar for registration in

Form VIII

13. **Making of Bye-laws**

(1) Every Cooperative society shall make bye-laws in conformity with section 20.

(2) Bye Laws of Cooperative Society shall also include -

Where it is a consumers‟ society, declaration of periodical rebates in appropriate cases on the purchase made from the society by the member, making provision for the issue of shares against the rebates so declared

3) Where there is conflict between the rules and the bye-laws, the provision of the rules shall prevail.

C H A P T E R – III

Transfer of Assets and Change of Liabilities and Division and Amalgamation of Cooperative Societies

14. Consultation with Apex Society

For the purpose of consultation envisaged in sub-section (1) of section 22, the Registrar shall inform the Apex Society concerned about the necessity to order division, amalgamation or reorganization requesting such Apex Society to give its views within thirty days from the date of such communication.

15. **Issue of order for division, amalgamation or re-organisation**

(1) The draft of an order shallbe sent to each of the concerned cooperative societies a by registered post with acknowledgement due.

(2) After considering the suggestions or objections as per clause (b) of sub-section (2) of section 22, the Registrar after giving an opportunity of being heardshall pass a final order under sub-section (1) of section 22 and shall publish such order in the Official Gazette and send copies thereof to the concerned Cooperative Societies and the concerned Apex Societies and where the Cooperative societies are concerned with dispensing of agricultural credit, to the Reserve Bank of India and the National Bank for Agricultural and Rural Development. (3)

Every Cooperative Society receiving a copy of the order as per sub-rule (2) shall within thirty days of the receipt thereof, communicate, in writing, the substance thereof of its members and creditors either by delivery by hand on taking proper receipt or by registered post with acknowledgement due.

16. Promotion of subsidiary organization

Before promoting any subsidiary organization under section 25, each Cooperative Society will be required to fix terms and conditions on the basis of which such subsidiary organization is promoted and terms and conditions such fixed shall be placed before the general body for its approval.

17. Audit of subsidiary organization and the partnership contract so entered by the cooperative societies

Account of every subsidiary organization promoted by the cooperative societies as provided under sub-section (1) of section 25 and account of each partnership contract entered into by two or more societies as per provision of section 26 shall at least **once** in each cooperative year, be audited at the expense of the cooperative society by the Director of Cooperative Audit or by a person appointed or authorized by Director of Cooperative Audit to act as Audit Officer provided under sub-section (1)(b) of section 97.

CHAPTER IV

STATUS AND MANAGEMENT OF THE COOPERATIVE SOCIETY

18. Prohibition of admission of members and transfer of shares on the eve of General Meeting

No Cooperative Society shall admit a member or transfer shares of members within thirty days prior to the date of the annual general meeting in which election of the Directors of the Board is to be held and till assumption of charge by the new board.

19. Notice of General Meetings

(1) A Half-yearly General Meeting shall be convened by the Secretary or any other officer authorized by the Board in accordance with the direction of the Board.

(2) When the Apex Cooperative Society or the Federal Cooperative Society or the Central Cooperative Society or where there is no such society the Registrar or the officer authorized by him, calls the annual general meeting under sub-section (6) of section 29 or a half-yearly general meeting under sub-section (2) of section 30 or special general meeting under sub-section (2) of Section 31, the Secretary or any other officer authorized under these rules to call annual general meeting, half-yearly general meeting and special general meeting shall arrange to issue and dispatch the notices of the meetings as may be required by the Apex Cooperative Society or the federal society or the central society or the Registrar where there is no such society or officers authorized by them as the case may

20. Annual General Meeting

(1) The first Annual General Meeting of every cooperative society shall be held within fifteen months from the date of its registration and thereafter Annual General Meetings shall be held as provided in section 29.

(2) If the Board fails to take steps or does not give direction to convene any Annual General Meeting at least two months before the expiry of the period referred to in sub-rule (1), the Chairman or in his absence the Vice-Chairman or in the absence of both, the highest designated employee shall convene the meeting.

(3) Where an Annual General Meeting is required to be held by convoking representatives, the election of delegates shall be completed before the period of two months referred to in sub rule (1);

Provided that in case of failure of the Board to take steps or to give directions well in advance towards the holding of such election within the prescribed period, the Chairman or in his absence Vice Chairmanor in the absence of both, the highest designated employee shall perform such duties on behalf of the Board;

Provided further that where an Annual General Meeting is called by the Apex or the Federal or the Central Cooperative Society or the Registrar, any officer of the concerned cooperative society shall be authorized to hold election of delegates within the time specified by the Apex or the Federal or the Central Cooperative Society or by the Registrar or by the officer or person authorized by him as the case may be.

(4) No person shall be qualified to be chosen as a representative or elected as a delegate to join the general meeting of an Apex or Federal or Central society, if he is not a member of any Cooperative Society affiliated to such society.

21. Special General Meeting

(1) The rules pertaining to Annual General Meeting shall apply, mutatis mutandis to a Special General Meeting called under section 31.

(2) At a Special General Meeting, no business other than that specified in the relevant notice shall be considered.

22. Requisition of Special General Meeting

A requisition for a Special General meeting to be convened under clause (b) of sub-section (1) of section 31 shall state the object of the meeting, shall be signed by the members requisitioning it and shall be sent to the registered office of the society.

23. Half-yearly General Meeting

On the failure of the Board to call the Half-yearly General Meeting within the period as mentioned in section 30, the Apex Cooperative Society or the Federal Cooperative Society or the Central Cooperative Society, as the case may be or where there is no such society, Registrar shall call or authorize any of his officer to call the Half-yearly General Meeting within a period of **two months** from the date of expiry of the period so mentioned.

24. Power of General Meeting

(1) The General Meeting of a Cooperative Society shall examine, in addition to those mentioned in

section 29, the annual report regarding working of the society and, in particular, the work of the Board and shall be competent to take all steps that may be necessary in the interest of the society.

(2) Every resolution at a meeting shall be decided by a majority of votes and if the votes be equal, the matter shall be decided by the casting vote of the Chairman of the meeting.

25. Chairman of General Meeting

(1) (a) The Chairman, or in his absence the Vice-Chairman shall preside over Annual or Special General Meetingor Half-yearly General Meeting and in the absence of the both, one of the Directors in the panel mentioned in sub-rule (1) of rule 36 in the order of their names in the panel, shall preside over the meeting. And in absence of all in the panel, the members present shall elect one from amongst themselves to be the Chairman of the meeting.

(b) Where there is no Board or the Board cannot function for any reason the members present shall elect one from amongst themselves to be the Chairman of the meeting.

(c) If the Chairman of the meeting is a candidate for election, that item of agenda of the meeting shall be presided over in terms of clause (a) as if the Chairman is absent.

(d) After completion of discussion on every agendum, the Chairman shall declare the resolution adopted or decision taken in the meeting before taking up the next agendum.

(e) At the conclusion of the meeting the proceedings shall be signed by the Chairman or Chairmen within three working days from the time the meeting concluded and entered in the book kept for the purpose;

Provided that if an election officer is appointed by the Election Commission or by the Registrar, the meeting dealing with the election agendum shall be presided over by the election officer who shall sign the portion of the proceedings of the election.

(2) The Chairman shall maintain order in the meeting. He shall conduct the proceedings in such manner as may be conducive to expeditious and effective disposal of business and shall decide all points of order and his decision thereon shall be final. The Chairman may direct any member to withdraw for improper conduct and the member so directed shall immediately withdraw and shall not participate in the deliberations of the meeting and shall not be entitled to vote without the permission of the Chairman. In the event of disorder the Chairman may adjourn the meeting to a date not later than one month from the date of adjournment. He shall declare simultaneously in the meeting the place, date and hour of adjourned meeting and the remaining agenda to be discussed in such meeting. Notice for such meeting shall be issued only to the absentee members and shall also be fixed in the
Notice Board of such cooperative society.The meeting shall not be adjourned for the second time.

(3) Where the business of the general meeting cannot be completed in course of one sitting, the meeting shall be adjourned by the Chairman to the same day in the next week at the same place and time. No notice for the adjourned meeting is required to be issued. The meeting shall not be adjourned for the second time.

(4) The Board may by resolution invite any person whose expert opinion may be beneficial to the society to remain present at any meeting for expressing his opinion if called for by the Chairman.

26. **Quorum of Annual or Half-yearly and/or Special General Meeting**

(1) Unless a larger proportion is provided in the bye-law, the quorum of an Annual or Half- yearly orSpecial General Meeting shall be one-fifth of total number of members or delegates or representativessubsisting on the date of notice of the meeting. No business shall be transacted at any meeting unless there is a quorum and the meeting shall be adjourned.

(2) If within half-an-hour from the time appointed for the meeting a quorum is not present, the meeting shall be adjourned ordinarily to the same day in the next week at the same place and time. The meeting shall not be adjourned for the second time.

(3) The business to be transacted in the adjourned meeting shall be the same as in the agenda of the original meeting and no fresh notice is n meeting : Provided that no quorum

shall be necessary at an Annual or Half-yearly or Special General Meeting which had been adjourned under sub-rule(2):

Provided further that a Special Generalmeeting which had been called on requisition under clause (b) of sub-section (1) of section 31 shall not be adjourned but be dissolved.

27. Minutes of Annual General Meeting/ and other General Meetings

(1) Every Cooperative society shall cause minutes of proceedings of general meeting to be entered in a book kept for that purpose.

(2) The minutes shall be drawn up and signed by the Chairman or Chairmen of the meeting within three working days from the time when the meeting terminates.

(3) A general meeting of a society of which the proceedings have been so recorded, shall be deemed to have been duly called and held.

28. Voting in Annual or Half-yearly or Special General Meeting

(1) Every member present at the meeting shall have only one vote. All voting excepting in the case of an election shall be by show of hands. For the purpose of election a „poll" or a vote by ballotsshall be held if demanded by at least 20 per centum of the members or delegates, as on the date of notice of such election. A decision by the Chairman that a resolution has been carried or lost and the entry to that effect in the minutes of the proceedings shall be conclusive proof of whether the resolution has been carried or lost. (2) A vote by ballot shall be taken in such manner as the election officer or the board in absence of election officer may decide and the election shall be the first item in the list of agenda of the meeting in which the election is held.

(3) When vote is taken, the number of members voting for or against the resolution shall be recorded in the minutes of the proceedings. A member or delegate or representative shall have no right to vote from outside the premises of the general or half-yearly or special generalmeeting as the case may be, by post or any of his authorized person or by proxy or in any other manner such as by way of circulation.

29. Chairman, Quorum, Minutes and voting in Half-yearly General Meeting

The rules pertaining to notice of Annual General Meeting, quorum of Annual General Meeting, Minutes of Annual General Meeting and voting in Annual General Meeting shall apply, mutatis mutandis, to a Half-yearly General Meeting.

30. Adjourned Annual, Half yearly and Special General Meeting

No quorum is required for any adjourned Annual, Half-yearly and Special General Meeting.

31. General Meeting by delegates

(1) A Primary Cooperative Society with a membership of 1000or more shall hold its general meetings by convoking representatives (hereinafter referred to as delegates) of areas, sections, constituencies as the case may be, instead of summoning all the members in person on the basis that One delegate for every 25 members or major fraction thereof for a society having a membership of 1000 and above.

(2) Notwithstanding anything contained in sub-rule (1) the West Bengal State Cooperative Bank Limited, the West Bengal State Cooperative Agriculture And Rural Development Bank Limited, the Central Cooperative Banks and other apex and central cooperative societies shall hold their respective general meetings by convoking representatives (hereinafter referred to as the delegates) of section or categories, as the case may be, instead of summoning all members in person on the following basis, namely: -

(a) **in the case of West Bengal State Cooperative Bank Limited**

(i) one delegate for every member Central CooperativeBank and one delegate from the area of operation of each Central Cooperative Bank (if any) amalgamated with the State Cooperative Bank in terms of the scheme drawn by the State Government;

(ii) one delegate for every member apex Cooperative society; (iii) one delegate for every category of other member Cooperative s at there shall be one delegate for

every twentyor a majorfraction thereof; and

(iv) one representative from the State Government where the State Government is a shareholder;

(b) **in the case of West Bengal State Cooperative Agriculture And Rural Development Bank Limited**

(i) one delegate for every member PrimaryCooperative Agriculture and Rural Development Bank ltd;

(ii) one delegate to be elected from the area of operation of each branch of the West Bengal State Cooperative Agriculture AndRural Development Bank Limited by the members in that area;

(iii) one delegate for every class of the other members; and

(iv) one representative of the State Government where the State Government is a shareholder;

(c)

in the case of Central Cooperative Banks or Central Cooperative Societies (i) one delegate for every Cooperative Society affiliated to the central cooperative Bank or the central cooperative society concerned;

(ii) one representative of the State Government where the State Government is a shareholder;

(d)

in the case of other apex cooperative societies **(**i) one delegate from every member cooperative society;

(ii) one representative from the State Government where the State Government is a shareholder.

(3) No person shall be qualified to be elected as a delegate who is not a member of the society or the concerned affiliated society and who has not the qualification of being a Director of a Cooperative Society.

(4) The delegate shall hold office and attend all general meetings till fresh delegates are elected in their place:

Provided that fresh delegates shall be elected before each Annual General Meeting in which election of Directors is to be held under sub-section (1) of section 29.

(5) Each delegate shall have one vote in the general meeting.

(6) A member shall cease to be a delegate, if he –

(a)ceases to be a member of the society or of the affiliated society, or (b) resigns his office as a delegate or expires; or

(c) where the member society withdraws from the membership of the cooperative society to which the delegate has been sent.

(7) A casual vacancy in the office of a delegate in any area, section, constituency or category shall be filled by election within six months from the date of such vacancy by members in the area, section, constituency or category concerned:

Provided that a casual vacancy caused in the office of a delegate from any affiliated society shall be filled up in the manner in which the delegate had been elected;

Provided further that failure to fill a casual vacancy shall not invalidate the proceedings in a general meeting.

32. **Division of area of a society for election of delegates**

(1) The Board shall divide the area of membership of the society into convenient areas, sections, constituencies or categories for the purpose of election of delegates.

(2) The division of area of membership of a society under sub-rule (1) shall be duly notified to all the members and a member of a particular area, section, constituency or category shall be entitled to vote in the election of delegate only for that part ency or category.

33. **Framing of regulation by the Board for election of delegates**

The Board shall make regulation to provide for all matters relating to :

(i) the manner of nomination and election of delegates;

(ii) the total number of delegates to be elected and area, section, constituency or category in accordance with rule 31.

34. Constitution of Board

(1) Selection among the employees of a Cooperative Society for being elected as the member of the Board shall be held by ballot.

(2) A member nominated by the State Government to the Board of a Cooperative Society under section 32 shall hold office until a fresh nomination is made in his place and the State Government may nominate a new member to fill up any casual vacancy of a nominated member.

(3) Selection amongst the members of the Self Help Groups formed under a Cooperative Society under clause (h) of sub-section (1) of section 32 of the Act for being elected as the member of the Board, shall be held by show of hand or by ballot as the Board may decide.

35. Election of Directors at an Annual General Meeting

(1) Where the number of candidates exceeds the number of Directors to be elected, the election of Directors shall be on the basis of number of votes secured by each candidates. (2) In case of equality of votes secured by two or more candidates, lots shall be drawn in such manner as the Chairman may decide.

36. Election of office bearers

(1) The Board of Directors constitutedunder rule 34 shall, within a period not exceeding thirty days after the general meeting elect a Chairman, a Vice-Chairman, a Secretary, where applicable anda panel of Chairman not exceeding three for presiding over its meeting in absence of the Chairman and the Vice-Chairman and other necessary office bearers from amongst themselves.

(2) In the case of equality of votes in the matter of such elections, the result shall be determined by lot.

(3) When the meeting of the Board is not held within the period of thirty days as required by subrule (1), the Registrar or any person authorized by him shall as early as possible arrange a meeting in exercise of the powers conferred under section 37.

(4) The outgoing Board shall stand dissolved when the new office bearers are elected under sub-rule (1) or the apex cooperative society or the federal cooperative society or the central cooperative society, as the case may be orwhere there is no such society, the Registrar shall take steps under sub-section (7) of section 29.

(5) A meeting under sub rule (1) shall be called within the thirty days after the general meeting by the Secretary of the outgoing Board or by the Election Officer or the Presiding Officer, as the case may be.

37. Filling up of casual vacancy

Any casual vacancy in the office of Director elected underclause (a) of sub-section (5) of section 29 shall be filled up by cooption by the remaining Directors within two months from the date of such vacancy and if they fail to do so, the vacancy shall be filled up by appointment by the Registrar from amongst eligible members or delegates or representatives of the cooperative society excepting those who ceased to be the directors under sub section (7) of section 32 and sub rule (6) of rule 31. and the Director so co-opted or appointed shall retire at the Annual General Meeting where election is to be held next.

Provided that if such casual vacancy is not filled up, anything done or suffered or any action taken by the Board during the continuance of such vacancy shall not be invalidated by reason only of such vacancy having not been filled up.

38. Filling up of vacancy in the Board where requisite number of Directors cannot be elected due to disqualification or otherwise

If at the Annual General Meeting of a Cooperative Society requisite number of Directors cannot be elected as required under the bye-laws due to disqualification, non-receipt of requisite number of

nomination papers or any other reason, the vacancy shall be filled up by appointment by the Registrar from amongst eligible members or delegates or representatives of the cooperative society excepting those who cease to be the directors under sub-section (7) of section 32 and sub- rule (6) of rule 31. to complete the Board. The Directors so appointed, shall continue till fresh election which shall ordinarily be held within one year from the date of appointment by the Registrar.

39. Reservation of seats on the Board

As provided under section 38 the seats mentioned here below shall be reserved in the Board of Directors:

(a) one seat for scheduled caste members, if any;

(b) one seat for scheduled tribe members, if any;

(c) one seat for other backward class members, if any;

(d) one seat for women members, if any, other than members from self-help groups as provided under sub section (i)(h) of section 32.

(e) Number of directors reserved under sub-rule (a) , (b), (c) and (d) shall be in addition to the number of elected directors provided under clause (a) of sub section (1) of section 32.

(f) The seats reserved under sub section (a), (b) (c) and (d) shall be filled up by election amongst the members of respective communities by ballot. If the seats cannot be filled up thus, the same shall be filled by co-option from amongst the members ofrespective communities.

(g) The members elected or nominated under sub rule (f) shall have the full rights to vote in any meeting of the Board including election of office bearers.

(h) A director elected or nominated under sub-rule (a) , (b) (c) and (d) shall hold office for a term of five years of the Board or till the Board is dissolved under section 34 or 35 or 36 whichever is earlier.

40. Procedure for holding election in a General Meeting in some cases

(1) Unless the State Government constitutes the Cooperative Election Commission under the provision of Section 96, the election of Directors and office bearers of all Cooperative Societies under the Fifth schedule of the Actshall be held in the manner specified in this rule.

(2) Every Society may for the purpose of election of directors, divide its membership into different convenient groups, specify in its bye-laws the number of proportion of the members of the board who may be elected to represent each such group in the board and specify further that such representative may be elected (a) by all the members of the society, or (b) by only particular group of members if the society to which the representative vacating the office belonged.

(3) The election of the members of the board shall be held at an annual general meeting of the members or of the delegates of such members for which not less than twenty-one days‟ notice shall be sent to each member.

(4) The Chairman of the said meeting (hereinafter in this rule referred to as the “Presiding Officer”) shall conduct the election. No member seeking election shall act “Presiding Officer” to conduct the election.

(5) (i) Notice of the general meeting shall be affixed on the Notice Board of the Society and published at such conspicuous place as the board may decide. The notice of the general meeting shall be sent to the members or to the delegates in one or more of the following modes, namely –

(a) by local delivery under proper receipt or

(b)

by post under certificate of posting, or (c) by publication through press.

(ii) The notice shall contain information regarding –

(a) the number of vacancies to be filled up by election;

(b) the area or constituency specified in the bye-law from which the member is to be elected;

(c) the qualification, if any, prescribed in the rules and by-law for eligibility for membership of the board;

(d) the date on which, the place at which and the hours between which the nomination papers shall be filed by a member, such date being not less that ten clear working days before the date fixed for election;

(e)the date on which, the place at which, and the hour when the nomination papers will be scrutinized; and

(f) the date on which, the place at which and hours between which the polling will take place.

(6) The Board shall prepare a list of the members or of the delegates who are on the date of the notice referred to in sub-rule (5) qualified in accordance with the provisions of the Act and the rules and the bye laws of the society to vote at election and publish copies of such list by affixing the same to the Notice Board at the Head Office of the society and all its branches not less than fifteen days prior to the date fixed for election. The list shall specify the name of each eligible member or delegate, the name of father (or husband in case of married woman), the address of such member or delegate including the name of the society, if any, he or she represents and his/her number in the register of members.

(7) (i) The nomination of a candidate for election shall be made in

Form x as far as practicable.

(ii) Every nomination paper shall be signed by any two members whose names are included in the list referred to in sub-rule (6). One of the members shall sign the form as proposer and the other as seconder for the nomination. The nomination paper shall also contain a declaration signed by the candidate to the effect that he is agreeable to the nomination.

(iii) Every nomination paper shall be presented in person or through authorized agent or by registered post to the Chairman of the society or any other officer duly authorized in this behalf by the Board of such society. If the Chairman himself is a candidate, the Board of the society shall authorize some other officer, who is not a candidate, to receive the nomination paper.

(iv)(a) The person who receives the nomination paper shall enter in the nomination paper its serial number certify the date and hour at which the nomination paper is received by him and also immediately acknowledge the receipt of the nomination paper.

(b) The nomination papers received after the date and hour fixed under Sub-clause (d) of sub-rule (5) shall be rejected**.**

(8) (i) (a) On the day following next the date fixed as the last date for the receipt of nomination papers, the Board shall take up the scrutiny of the nomination paper at a special meeting convened only for the purpose. No quorum shall be necessary in

such a meeting. The proposer and the seconder, besides the candidate, may be present at the time of scrutiny.

(b) The Board shall examine the nomination papers and decide all objection which may be made at the time of scrutiny and may, either on such objection or on its own motion, after such summary enquiry, if any, as the Board thinks necessary, reject any nomination paper on sufficient grounds; Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars in regard to the candidate or his proposer or the seconder as entered in the list of members or delegates referred to in sub-rule (6) if the identity of the candidate, proposeror seconder, as the case may be, is established.

(ii) The Board shall give all reasonable facilities to the contesting candidates or their representatives to examine all the nomination papers for satisfying themselves about the correctness of their scrutiny.

(iii) The Board shall endorse on each nomination paper its decision and if the nomination paper is rejected, shall record in writing the reasons for such rejection.

(9) The list of valid nominations, as decided by the Board, shall be published on the notice board of the society on the same day on which the scrutiny of the nomination paper is completed but not later than one hundred and sixty eight hours before the time of election.

(10) Any candidate may withdraw his candidature by notice in writing signed by him and delivered in person or through authorized agent at any time after the presentation of his nomination paper but before 3 P.M. on the day following the day on which the list of valid nominations is published under sub-rule (9) to the Chairman of the society or any other officer authorized for the purpose under clause (iii) of sub-rule (7) . A notice of withdrawal of a candidate once given shall be final.

Provided that after the close of date and hour of withdrawal of candidates, the list of valid candidates shall be published on the Notice Board of the Society on the same day. (11) If for any area or constituency for which election is to be held the number of candidates in respect of whom valid nomination papers have been filed does not exceed the number of members to be elected for that area or constituency, the candidates in respect of whom valid nominations have been received shall be deemed to have been duly elected for the area or constituency, as the case may be, and the Presiding Officer shall make an announcement to this effect at the commencement of the meeting convened for election. The

names of such candidates shall immediately thereafter be published in the Notice Board of the Society.

(12) If the number of candidates for any area or constituency exceeds the number of members to be elected, the election shall be held by ballot. The Presiding Officer shall arrange a poll, if necessary, on the date fixed for the general meeting or in an adjourned meeting and may appoint one or more polling officers or may himself function as Polling Officer. The provisions of sub-rule (13) to sub-rule (21) of this rule shall apply when the election is required to be held by ballot.

(13) The Presiding Officer shall provide the Polling Officer with ballot papers, copy of list of members or of delegates referred to in Sub-rule (6) and such other papers and articles as may be necessary for conducting the election.

(14) The ballot paper shall contain the names of candidates and where so decided by the Board the symbol of the candidate and shall bear the seal of the society.

NOTE: Symbols specified in the Third Schedule shall ordinarily be used. In case the number of candidates exceeds the number of symbols, so specified, the Board may add to the symbols other than accredited symbols of the Election Commission of India.

(15) No ballot paper shall be issued to a voter unless the polling officer is satisfied about identity of such voter.

(16) If owing to blindness or other physical infirmity, a voter is unable to mark the ballot paper the polling officer shall allow a companion as chosen by the voter who will mark the ballot paper on his behalf.

Provided that no person shall be allowed as companion twice.

(17) The counting of votes shall commence immediately after the polling is declared over by the Presiding Officer.

Votes shall be counted by or under the direct supervision of the Presiding Officer. Each candidate and his authorized agent shall have right to be present at the time of counting.

(18) (i) A Ballot paper shall be rejected –

(a) if it bears any mark by which the member, who voted can be identified; or (b) if it does not bear the seal of the society; or

(c) if the mark indicating the vote is made in such manner that it is doubtful to ascertain in whose favour the vote has been cast.

(ii) The Presiding Officer shall be the final authority to decide in the matter of rejection of ballot papers.

(19) (i) Soon after the counting of votes is over, the Presiding Officer shall prepare and certify a return setting forth –

(a) total number of ballot papers issued;

(b) the number of valid votes given to each candidates; and

(c) the number of ballot papers declared to be invalid or rejected.

(ii) On the basis of the return, the candidates who have secured the largest number of valid votes shall be declared elected at the general meeting and their names shall be immediately published on the Notice Board of the Society under the signature of the Presiding Officer, and in case of equality of votes polled by two or more candidates, lots shall be drawn in such manner as the Presiding Officer may fix, to determine the names of the successful candidate or candidates.

(20) The Chairman, or any other officer of the society duly authorized by the board in the event of the Chairman failing to attend shall immediately take custody of the ballot papers and shall preserve them for six months from the date of the poll. The ballot papers and other records relating to the election shall immediately, in presence of the candidates or their authorized agents as may be available, be secured in a container which shall be affixed with the seal of the society and of candidates who desire to affix their

seals, if any. They shall, unless otherwise directed by the Registrar, be destroyed after the said period of six months, if no dispute relating to, in connection with that election is pending.

(21) The results of the election shall be immediately recorded in the minute book of the society and attested by the Presiding Officer.

(22) The Registrar may, in respect of any primary cooperative society coming within the purview of these rules, either on an application from the board of such society or from one-third of the total number of its members or of fifty members, whichever is less, or on his own motion after anenquiry into the affairs of the society under section 100 or an inspection under section 99 by an order in writing recording reasons thereof, appoint any person as an Election Officer to conduct the election if, in the opinion of the Registrar, such an action is necessary for the proper conduct of the election.

(23) In the societies coming under the Fifth Schedule of the Act, the Registrar may, by an order in writing, appoint any person as an Election Officer to conduct the election.

(24) Where an Election Officer is so appointed under sub-rule (22) or sub-rule (23) all reference to Chairman, Presiding Officer or the board, as the case may be, occurring in this chapter shall be construed as reference to such Election Officer.

(25) (i) The election of Chairman, Vice-Chairman and other office bearers of the board shall be conducted by the Presiding Officer or by the Election Officer, as the case may be, at a meeting to be, called by him within thirty days and in the manner as may be laid down in the by-laws of the society or if there is no bye laws in the manner as may be decided by the Presiding Officer or the Election Officer:

Provided that the Presiding Officer or the Election Officer, as the case may be shall, before calling the meeting, ascertain from the appropriate authority whether such authority proposes to nominate any member of the board of the society, and if the Presiding Officer or the Election Officer does not receive any reply to his aforesaid enquiry, within fifteen days from the date of such enquiry, he shall proceed with the election as provided in the rules:

Provided further that not less than seven clear working days‟ notice in writing shall be sent by the Presiding Officer or the ElectionOfficer, as the case may be, by registered post with acknowledgement due or by hand delivery under proper receipt to the members of the newly constituted board for such a meeting.

(ii) As soon as the election is over, the result shall be immediately declared in the meeting, published in the Notice Board of the Society and recorded in the minute book of the board under the attestation of the Presiding Officer or the Election Officer, as the case may be.

(iii) The outgoing Board shall stand dissolved when the new office bearers are elected under sub-rule (25) of this rule and the new board shall be deemed to have assumed charge of the office of the society.

41. First Board of Directors

(1) Except where the first Directors are named in the bye-laws or in the application for registration of the society, the first Directors including the Chairman and the Vice-Chairman shall be appointed by the Registrar.

(2) The Directors appointed under sub-rule (1) may not be members of the Society. (3) The first Board shall hold office till a new Board is constituted under sub-rule (1) of rule 34 and sub section (9) of section 16:

Provided that any Director appointed by the Registrar may be removed by him before expiry of the terms of his office, if the Registrar is, for reasons to be recorded by him in writing of the opinion that continuance in office of such Director is not desirable in the interest of the Society.

(4) If a vacancy occurs in the office of an appointed Director, the vacancy may be filled up by the Registrar by a member.

(5) Where the first Directors are named in the bye-laws or in the application for registration of a society, a casual vacancy occurring in the office of such „Director" may be filled up by co-option by the remaining Directors.

42. Qualification for membership of Board

(1) No member of a Cooperative Society, other than that of a Students" Cooperative Society, shall be qualified to be elected or appointed as Director unless he has attained the age of eighteen years on the first date of filing nomination.

(2) No member of a Cooperative Society shall be eligible to stand for election as a Director unless he is a member of the society for a continuous period of twelve months before the first date of filing nomination.

43. Nomination by a Cooperative Society to another Cooperative Society

(1) The Board of a Cooperative Society may, in a meeting with specific agenda nominate a member of such society as its representative to another Cooperative Society to which the first named society is affiliated and may also recall such representative by a similar resolution of the Board with specific agenda.

(2) The board at the same meeting where resolution for recall is passed may also make a fresh nomination of another representative and no one shall be nominated as representative of the cooperative if he is individually a member of the other cooperative.

(3) In case of such recall and fresh nomination by an affiliated cooperative in a single member constituency, the freshly nominated representative shall automatically be a director of the other cooperative.

44. Cessation of membership of a Board

(1) (a) dies, or

(b) resigns his office, or

(c) is removed by the general meeting from Directorship, or (d) loses membership of the society which he represents in the Board or the Society whose representative he is, loses membership of the other society, or (e) becomes subject to any disqualification which debars him from seeking election as a Director, or

(f) if he fails to attend six consecutive meetings of the Board:

Provided that these provisions shall also be applicable in case of a nominated and co-opted director.

(2) The cessation of Directorship shall be deemed to occur at, and be effective from the time when the disability concerned, refer to in sub-rule (1), occurs.

45. Removal and recall of a member of a Board and an office-bearer

(1) (a) A member of a Board elected or nominated or coopted under sub section (1) of section 32 of the Act may be removed from the office by a general meeting with due agendum, if the Board recommends by a majority of the directors to do so.

(b) A nominated member in the Board may be recalled by the authority nominating him and another person may be nominated in his place at the same time.

Explanation : The word „nominated` shall include Directors coming within the ambit of clauses (b) (e) and (f)of sub-section (1) of section 32.

Provided that a co-opted director may also be recalled by the authority co-opted him as provided under sub-rule (2) of rule 43.

(2) An office-bearer may be removed from office by a resolution of the Board at a meeting specially convened for the purpose.

Provided that any Director against whom petition for removal under this rule has been moved shall not preside over such meeting when such agenda will be carried.

46. Notice of Board Meeting

Notice of a meeting of the Board in respect of any society or class of societies shall be given in writing, subject to the provisions of section 37, by the Secretary or any officer performing the duties of Secretary including Managing Director or the General Manager or the Chief Executive by whatever name it is called toevery Director specifying the place, date and hour of the meeting together with a statement of the business to be transacted thereat, not less than seven clear workingdays before the date of the meeting. In case of urgency, the Chairman may convene a meeting of the Board with three clearworking days‟ notice. Where there is an officer deputed under section 33 or deputed to function asGeneral Manager or Chief Executive by whatever name it is called, such officer shall call Board meetings in consultation with the Chairman.

Provided that any urgent business, not included in the statement accompanying the notice, may be brought up and considered with the consent of the Chairman.

47. Meeting of Board

The Board meetings for the transaction of the business of the society shall be heldat least once in every two months and the minutes shall be drawn up and signed by the Chairman within three clear working days from the time when the meeting terminated.

48. Voting at the meeting of Board

A proposal at a meeting of the Board passed by majority of votes shall be adopted and if the votes be equally divided, the matter shall be decided by the casting vote of the Chairman of the meeting if he thinks proper to exercise it, otherwise the proposal will fail.

49. Chairman of meeting

The Chairman shall preside over all the meetings of the Board 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 one of the Directors in the panel in order of their names in the panel, shall preside over the meeting.

50. Quorum of meeting

(1) Unless a larger proportion is provided in the bye-laws, the quorum at the meeting of the Board shall be one-third of the total number of Directors subsisting on the date of issue of the notice for the meeting.

(2) No business shall be transacted at any meeting including an adjourned meeting of the Board unless there is quorum at the time when the business of the meeting is scheduled to commence within half-an-hour from the time appointed for the meeting.

51. Requisition meeting

(1) One third of the Directors may requisition a special meeting of the Board by giving seven clear working day‟s notice.

(2) The requisition shall specify the object of the meeting and shall be signed by the Directors requisitioning and shall be delivered at the office of the society.

(3) If the Secretary or any other person performing the duties of the Secretary does not convene the meeting within seven clear working days from the date of receipt of the requisition, a notice of seven clear working days signed by the Directors requisitioning specifying the object and the date, time and place of the meeting shall be sent to all the Directors and accordingly the meeting shall be held. The Secretary or the person performing the duties of the Secretary or the Chief Executive in whatever name is called or any person under whose custody the books, documents, papers etc. in respect of the meetings or the Board are kept, shall place those books documents etc. in the requisition meeting.

(4) At such requisition meeting no business other than that specified in the requisition

shall be transacted and if there is no quorum within half-an-hour from the time appointed,

the meeting shall stand dissolved.

52. Powers of the Board

The Board of a Cooperative Society shall have full control over the administration and the business of the society and shall exercise all such powers as may be necessary or expedient for the purpose of carrying out its functions under this Act, Rules and the provisions contained in the bye laws.

53. Duties of the Board

The Board shall observe, in all their transactions the provisions of the Act, rules and bye-laws and shall cause to perform the following duties, namely –

(a) to receive and disburse money;

(b) to maintain true accounts of money received and expended and accounts of the assets and liabilities;

(c) to prepare for submission to the Annual General Meeting

(i) an annual report on the working of the society;

(ii) an annual statement of accounts including a Balance Sheet;

(iii) a statement of loans and defaults and appointments as required under clauses (g) and (h) of sub-section (5) of section 29.

(d) to prepare the statements of accounts required for audit and to place those along with relevant vouchers and other connected papers before the auditors;

(e) to prepare and submit all statements and returns in prescribed forms and in such other forms as may be required by the Registrar or the federal societies and other appropriate authorities;

(f) to enter accounts of the society regularly in proper books;

(g) to maintain register of members up-to-date;

h) to facilitate the inspection of books by those entitled to inspect them;

(i) to watch that the loans and advances are utilized for the purposes for which those are meant and that those are duly repaid;

(j) to take prompt action for realization of loans and advances;

(k) to create awareness amongst the members in the affairs of the society;

(l) to conduct business with utmost transparency;

(m) to prepare data base of the society;

(n) to prepare Business Development or Development Action Plan;

(o) to prepare code of conduct of the members of the Board;

(p) to prepare Loan Policy on all types of loans, Asset Liability Management Policy, Investment Policy and other policies required to formulate in the interest of the society; and

(q) to perform such other duties as may be entrusted by the general meeting subject to the provisions of the Act, Rules and bye -laws made thereunder.

54. **Powers and duties of the Chairman and the Vice-Chairman of the Soci**

The Chairman, or in his absence, the Vice-Chairman, shall, for the transaction of the business of a society in cases of urgency, exercise all powers and perform all duties required to be exercised and performed under the Act, the Rules or the Bye-Laws by the Board except the power of sanctioning loans, bonus or ex-gratia payments. The Chairman or in his absence the Vice-Chairman shall have the full control over the administration and business of the society and shall supervise the functions of the society on behalf of the Board and shall have power to call for any record of the society or any report from Chief Executive Officer or the Secretary to satisfy himself that the affairs of the society are being managed in accordance with the resolutions of the Board;

Provided that the Chairman or the Vice-Chairman, as the case may be, shall not act in contravention of any order given or decision taken by the Board at its meeting.

55. Orders of the Chairman and the Vice-Chairman to be placed before the meeting

All orders passed and all acts done by the Chairman, or by the Vice-Chairman in the absence of the Chairman, in exercise of his powers and in the performance of his duties under rule 54 shall be placed for confirmation before the Board in its next meeting.

56. Designation and power of the Government Officer on deputation

(1) Government Officer, when deputed to the service of a Cooperative Society under section 33, shall be called the Chief Executive Officer or whatever designation it is called. (2) Subject to such conditions as the State Government may impose, the Chief Executive Officer under control of the Board and the Chairman shall in the conduct of the business of the society, exercise the following powers, namely –

(i) have control over the employees of the society, to sanction leave, to impose any punishment upon or to suspend them;

Provided that no punishment or suspension shall be imposed without the approval of the Board.

(ii) institute, defend and conduct legal proceedings and enter into compromise or arbitration with creditors and debtors of the society.

57. Duties of the Chief Executive Officer

(i) The Chief Executive Officer shall discharge the following duties:-

(a) to receive all moneys on behalf of the society and issue receipts, other than receipts likely to create fresh obligations on the part of the society in effectual discharge if the money stated to have been received therein;

(b) to operate Bank Accounts subject to such conditions as may be laid down in bye-laws or in absence thereof as the Board may direct; (c) to draw, accept, make endorse or negotiate all bills of exchange, promissory notes, debentures, securities and other documents standing in the name of, or held by the society;

(ii) to pay all costs of management and working expenses out of the fund of the society; (iii) to deposit all receipts including securities and other effects received on behalf of the society;

(iv) to maintain proper and accurate records and accounts of the society;

(v) to take measures for proper custody of stocks and maintenance of stock accounts; (vi) to call general meetings of the society and meetings of the Board where there is no Secretary;

(vii) to remain present in all meetings of the Board including meetings of the committees and shall produce all relevant papers required at such meeting and sign, alongwith the Chairman, the minutes of such meetings; and

(viii) to place, from time to time, before the Chairman or such other authority as the Board may direct, statement of receipts and disbursements for inspection, examination or approval as the case may be.

Provided that the current routine duties of the Chief Executive Officer shall, in his absence, be performed by the Officer next below him.

Provided further that where there is no Chief Executive Officer, the Secretary shall perform the above duties.

58. **Administrator**

The Administrator appointed under section 35 of the Act shall discharge the functions as provided in the said section.

59. **Procedure in case of difference of opinion**

In case of any difference of opinion between the Board and the Chief Executive Officer on any matter concerning the affairs of the society, the Chief Executive Officer may record his views in the minute book and may refer the matter to the Registrar, but the decision of the Board shall be final and binding upon him.

60. **Indemnification of the Chief Executive Officer**

(1) The Chief Executive Officer shall be indemnified out of the funds of the society for all costs, charges, travelling and other expenses incurred by him in the conduct of the society‟ business or in the discharge of his duties.

(2) The society shall make such contribution towards the costs of deputation of the officer as the State Government may direct.

61. **Conditions of deputation under Section 33**

The following shall be the conditions of deputation of a Government Officer to the service of a Co-operative Society .

(i) a Government Officer shall ordinarily be deputed to the service of a Co- operative Society for a period not exceeding two years, such period may be so extended by the State Government or by the Registrar, as may be considered expedient. Provided that the total period of deputation shall not exceed four years.

(ii) they shall be governed by the rules of deputation as the State Government may make from time to time;

(iii) a Government Officer deputed by the State Government or the Registrar to the service of the society may be withdrawn from such service by the State Government or the Registrar, as the case may be, on three months‟ notice to the society by the State Government or the Registrar, as the case may be, or on a request, made by the society to the State Government or the Registrar, as the case may be, to withdraw such officers;

(iv) unless the State Government otherwise directs, the salary of a deputationist shall be reimbursed to the State Government by the society concerned.

62. **Emoluments, allowances or honorarium**

No Director shall be entitled to receive any kind of hotel charge.

63. Duties of the State nominee

The following shall be duties of the nominees of the State Government nominated under clause (b) of sub-section (1) of section 32:

(a) to attend meeting of the Board;

(b) to watch that the Government policies are properly implemented; (c) to register their notes of dissent in all matters in which, according to their best judgement, the resolution sought to be carried in the Board meetings are not in the interests of the society or the Co-operative movement or are likely to be prejudicial to the interests of the society or of the Co-operative movement;

(d) to keep the Registrar and the Government apprised of such resolution; if adopted by majority votes; and

(e) to register their note of dissent when the meeting of the Board seeks to pass a resolution contravening any express order of the State Government or of the Registrar of any provisions of the Act or the Rules or the Bye-laws of the society.

64. Meaning of “relative”

For the purpose of clauses (g) and (h) of sub-section (5) of section 29 the word “relative” shall mean the following: -

Father, mother, brother, sister, wife, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, nephew, niece, maternal uncle, paternal uncle, son‟s wife, grandson and grand daughter.

CHAPTER – V

Duties and obligations of Cooperative Societies

65. Address of cooperativesociety

(1) The address of the cooperative society shall be as specified in section 39 of the Act.

(2) A change of the registered office shall be reported by the cooperative society in

Form XI alongwith a resolution of the board by registered post with acknowledgement due or by hand delivery with acknowledgement to the authorities as specified in section 39 of the Act.

66. Change of name and its effect

The provisions of section 24 shall be taken into consideration regarding change of name of the cooperative society and its effect.

67. Books, Registers and Documents

(1) Every Cooperative society shall maintain such books and registers as may be necessary for proper conduct of its business and shall, in particular, maintain corrected upto date the following books, registers and documents : -

(i) minute books for recording the proceedings of the general meetings and the meetings of the board;

(ii) register of members and their nominees if any, in

Form XII;

(iii) register of affiliated societies, in Form XIII;

(iv) register of directors in Form XIV;

(v) share ledger; (vi) ledger of deposits and other borrowings, if any;

(vii) cash book showing the balance at the end of each day;

(viii) receipt book containing forms for issue of receipts in carbon process;

(ix) voucher file containing all vouchers for contingent and other expenditure incurred by the society;

(x) loan ledger, showing disbursement of each loan issued to members, the amount of loan, the purpose for which it is granted and the date or dates of repayment, distinguishing principal and interest;

(xi) in the case of a society with unlimited liability register containing property and debt statements of members showing the assets and liabilities of each individual member on the date of his admission with full particulars of property to identify (to be revised in every three years);

(xii) in case of a society with working capital exceeding one lakh of rupees, general ledger showing receipts disbursements and the outstandings under various heads from day to day;

(xiii) stock books and registers showing sales and purchases of goods by the society, where applicable;

(xiv) such other books, registers, documents and in such form, asthe Board may decide subject to the provisions of the Act.

67A. Books and documents to be open to inspection by members

(1) Every cooperative society shall keep open to inspection by its members, free of charge, during a specific period in office hours at its registered office the following books and documents, namely :-

(i) a copy of the Act;

(ii) a copy of the by laws;

(iii) register of members and their nominees;

(iv) register of affiliated cooperatives, if any;

(v) register of directors

(vi) share ledger;

(vii) cash book;

(viii) register containing property and debt statements of member, if any;

(ix) general ledger, if any;

(x) registers showing sales and purchases of goods, if any;

(xi) minute books in respect of general meeting and board meetings;

(xii) latest audited balance sheet.

(2) A member seeking inspection shall submit an application to the cooperative society

specifying the documents concerning himself to be inspected and the purpose thereof.

(3) The cooperative society shall arrange inspection of the documents by the member within one week from the date of application.

(4) Certified copies of the books and documents mentioned in sub-rule (1) shall be supplied to a member on foolscap page typed in double space or photo copied.

68. Functions of the State Cooperative Union

(1) The State Cooperative Union may discharge the following functions, in addition to those specified in clause (63) of section 4 namely :-

(i) to promote and develop the cooperative movement in the State, to educate, guide and assist the people in their efforts to build up and expand the cooperative sector and to serve as an exponent of cooperative principles and ideas;

(ii) to organize and promote new cooperatives;

(iii) to organize cooperative training programmes and run training centers;

(iv) to develop inter cooperative relationship and help the cooperative movement in various sectors;

(v) to organize, conduct, collaborate and assist in carrying out research and investigation on important cooperative problems;

(vi) to maintain an information bureau and library and to publish journal;

(vii) to express and organize opinion on matters of cooperative policy and act as the accredited representative movement in the State and in the national spheres; (viii) to convene, organize and hold cooperative seminars, meetings, conferences and exhibitions, to spread the message and ideals of cooperative movement in the state and to mould public opinion in respect thereof;

(ix) to facilitate the promotion of cooperative society and assist the affiliated societies in resolving their problems and difficulties;

(x) to select delegates, representative or observers on behalf of the State Cooperative Union for participation in conferences;

(xi) to organize, promote or undertake such other activities or functions as are considered beneficial or conducive towards the attainment of the objects of the Union in accordance with the bye-laws thereof;

(xii) to nominate three representatives in the Board of the District Cooperative Union; and

(xiii) to organize, promote and undertake such other activities or functions as are considered beneficial or conducive towards the attainment of the objects of the Union in accordance with the Bye Laws thereof.

69. **Functions of the District Cooperative Unions**

The functions of the District Cooperative Union shall be as specified in clause (26) of section 4 of the Act.

70. Affiliation of Cooperative with the West Bengal State Cooperative Union and District Cooperative Unions

(1) The Cooperatives shown in column (1) of Table A below on payment of the affiliation fee specified in column (2) of the Table shall be the members of the state cooperative union and such membership shall be renewed annually on payment of a renewal fee at the rate specified in column (3) of that Table before the expiry of every cooperative year.

(2) The cooperatives shown in column (1) of Table B below on payment of the affiliation fees specified in column (2) of the Table shall be the members of the concerned district cooperative union and such membership shall be renewed annually on payment of renewal fees at the rate specified in column (3) of that Table before the expiry of every cooperative year.

(3) Non-compliance of the provisions of sub-rule (1) by any cooperative mentioned in the Table (A) shall make it liable to penalty of rupees five hundred for the default.

(4) Non-compliance of the provisions of sub-rule (2) by any cooperative mentioned in the table (B) shall make it liable to a penalty of rupees two hundred.

Provided that notwithstanding anything contained in these rules there shall be no compulsion on contribution to any fund otherwise those required for improving the net worth/own funds of societies under Cooperative Credit structure Entity as per sub-section (9) of section 134 C .

TABLE – A

Fees to be paid for membership of the State Cooperative Union

Sl. No.	Name of cooperative (1)	Affiliation Fee(Rs.) (2)	Renewal Fee (Rs.) (3)
(a)	An apex cooperative engaged in business	5000	5000
(b)	Any other apex cooperative	1000	1000
(c)	A central cooperative bank	1000	1000
(d)	An urban cooperative bank	1000	1000
(e)	An agriculture and rural development bank	500	500
(f)	A district cooperative union	500	500
(g)	An employees‟ credit cooperative having working capital of Rs.25 lakhs & above	500	500
(h)	A non-agriculture credit cooperative having working capital of Rs.25 lakhs and above	500	500
(i)	Any other service cooperative having working capital of Rs.25 lakhs and above	500	500
(j)	A cooperative in the State coming under the purview of the Multi State Cooperative Societies Act, 2002(39 of 2002)	1000	1000
(k)	A cooperative society having area of membership extending over more than one cooperative range	700	700

Table – B

Fees to be paid for membership of the District Cooperative Union

Sl. No.	Name of cooperative (1)	Affiliation Fee Rs. (2)	Renewal Fee Rs. (3)
(a)	A Central Cooperative Bank	2000	2000
(b)	Any other Central Cooperative	500	500
(c)	An agriculture and rural development bank	700	700
(d)	A primary marketing cooperative	200	200
(e)	A service, employees‟ credit, handloom, weavers‟, industrial transport, cold storage and fishermen‟s cooperative‟	100	100
(f)	An urban cooperative bank	700	700
(g)	A cooperative other than those mentioned at (c) to (f)	50	50

71. Annual Return

Every co-operative society shall send to the Registrar and the federal cooperative society such statements and returns and in such form as he may from time to time direct, and shall send, within four months from the expiry of a co-operative year or within such time as the Registrar may direct, an annual return in

72. Additional Returns

(1) In addition to the annual returns prescribed in rule 71, the apex societies, the central co-operative banks and such other societies shall, if the Registrar so directs, furnish a quarterly return in

Form XVI showing their working and transactions and such other returns as the Registrar may from time to time require.

(2) The returns and statements required by sub-rule (1) shall be furnished within three months from the expiry of the period to which they relate or within such further time as may be allowed by the Registrar.

73. Persons who will maintain accounts, books etc

The Board subject to the provision of rule 74 shall specify which of the officers and employees of a society shall :

(a) keep books of accounts.

(b) Keep other books and registers; and

(c) Prepare returns and statements;

Provided that a person in charge of accounts shall not be in charge of cash.

74. Custody of accounts, books and records

(1) The books and records of a society shall be kept in the custody of the Secretary or any other person exercising the powers and performing the duties of the Secretary.

(2) No member or employee of a society shall prevent the Secretary or any other person exercising the powers or performing the duties of the Secretary from having custody of the books and records of the society.

(3) Any member or employee of a society who commits a breach of sub-rule (2) shall, on conviction by a court, be punishable with fine which may extend to five hundred rupees and, where the breach is a continuing one, with further fine which may extend to ten rupees for every day during which the breach continues.

(4) Any person who fails or refuses to produce the books and registers when required by the Registrar or any person authorized by him in this behalf shall be punishable with a fine of five hundred rupees and thereafter with a further fine of fifty rupees for every day during which the failure or refusal continues.

75. Preservation and destruction of Books, Records etc.

The books and records of a society shall be preserved for such period as is set forth in the Second Schedule unless otherwise directed by the Registrar.

76. Preparation of Statements, etc., at the cost of Society and recovery of such cost

(1) If a co-operative society fails to send to the Registrar within the time allowed any statement or return required by the Act or the rules the Registrar may

cause such statement or return to be prepared by employing such persons as he may deem necessary and may assess upon the society the cost thereof.

(2) The cost assessed under sub-rule (1) shall be recoverable from the society by the collector as a public demand up to requisition by the Registrar, and the society may recover such cost from the person or persons responsible for the neglect.

77. Publication of Balance sheet

Every co-operative society shall publish its audited balance sheet within one month from the date on which it is adopted by the Board by displaying it in any conspicuous place in the registered office of the society and in every branch office where the business of the society is carried on and in a daily newspaper as per instruction of National Bank for Agriculture and Rural Development or the Reserve Bank of India in case of societies regulated under the Banking Regulation Act, 1949.

78. Borrowings

(1) The maximum amount which a society may borrow shall be determined annually at a general meeting of the society and no society shall borrow exceedingmaximum amount so determined.

Provided that the Registrar, in case of any exigency**,** may at any time revise the limit fixed by the general meeting.

(2) Save as is provided in rule 80, a society shall not incur liabilities from persons who are not members in excess of a maximum limit fixed from time to time in general meeting.

79. Borrowings and Deposits of Primary Agricultural Credit Cooperative Society

A primary agricultural credit cooperative society, which is a member of a central bank, shall be guided by the provisions of sub-sections (6) and (7) of section 134C in respect of its borrowings and deposits;

Provided that a society which is indebted to any other society shall repay all the outstanding dues before availing loan from any other organization provided under sub section (7) of section 134 C .

80. Restriction on borrowings of limited liability society

No society with limited liability shall, by accepting deposits or loans or in any other way, incur liabilities exceeding 25 times of the sum of the paid up share capital and the reserve fund for the time being separately invested outside the business of the society :

Provided that –

(a) the West Bengal State Cooperative Agriculture and Rural Development Bank or the State Co-operative Bank or a Central Co-operative Bank for the purpose of financing a Cooperative Agriculture and Rural Development Bank for the purpose of financing its members, may incur liabilities to the extent of thirty times of the value of paid up share capital and the reserve fund for the time being separately invested;

(b) with the permission of the Registrar and under such conditions as he may impose, the West Bengal State Cooperative Agriculture and Rural Development Bank or the state co-operative bank or a central co- operative bank, or a central or a primary society may incur liabilities irrespective of the amount of its paid-up share capital and reserve fund separately invested outside the business, for the purpose of providing loans to its members for production, marketing and processing of any agricultural or industrial commodity and also for hypothecation or pledging of produce of the members;

(c) with the permission of the Registrar and under such conditions as he may impose, a co-operative society may incur liabilities by way of loan or deposits from another co-operative society, repayable within a period of fifteen months irrespective of the amount of its paid-up share capital and reserve fund separately invested, if such liabilities are incurred on pledge or hypothecation of marketable security or goods or both and the amount of such liabilities does not exceed eighty per cent of the market value of such security or goods or both, offered for pledge or hypothecation.

81. Fluid resources or liquid cover

(1) A credit society other than the Agricultural Credit Cooperatives and the co-operative banks coming within the purview of the Banking Regulation Act, 1949 (10 of 1949) shall keep a minimum liquid cover against deposits held by it according to the following scale :-

(i) forty per cent of deposits at call or on current account and cash credit and overdrafts sanctioned but not drawn;

(ii) twenty-five per cent of the savings deposits;

(iii) twenty-five per cent of the fixed deposits maturing within the next three months;

(iv) twelve and a half per cent of fixed deposits maturing after next three months but within the next six months;

Provided that subject to the provisions of the Banking Regulation Act, 1949 (10 of 1949) when the reserve fund of a society is invested in a co-operative bank and cannot be drawn except with the permission of the General Body, no fluid resources need be maintained by the bank concerned against such investment.

Explanation - "Liquid cover" means any asset which can be converted into ready cash at once and which are maintained in one or more of the following forms :-

(i) cash in hand or with Central and State Cooperative Bank or with such banks as the General Body may approve.

(ii) Post office savings bank account,

(iii) Government securities including National Savings Certificate or National Plan Certificate or Kisan Vikas Patra or in other approved investment by the Reserve Bank of India in case of societies controlled under the Banking Regulation Act, 1949 as the case may be, and (iv) Other investments as may be approved by the Board.

(2) The extent to which the assets in the above forms shall be utilized for the purpose of calculation of fluid resources shall be as follows :-

(i) ninety per cent of the market value of government securities including National Savings Certificate or National Plan Certificate or Kisan Bikash Patra;

(ii) Cent per cent of cash in hand, balance with banks and Post office Savings Bank;

(iii) Eighty per cent of the market value of the debentures of agricultural and rural development banks and also of other trustee securities and

(iv) Eighty per cent of the fixed deposits with other banks.

(3) Under special circumstances the board may, decrease the proportion of the liquid cover as mentioned in sub-rule (1).

82. Issue of Debentures

A co-operative society may receive loans by issue or re-issue of debentures of one or more denominations repayable within twenty-five years in terms of the provisions contained in section 45 of the Act.

82.A. Vesting of assets of cooperative in the trustees upon issue ofdebentures Vesting of assets of cooperative society in the Trustees upon issue of debentures shall be such as specified in section 46 of the Act.

82.B. Issue of bonds

The provisions relating to issue of bonds of a cooperative society shall be such as specified in section 47 of the Act.

83. Financial assistance by the State Government

The State Government may grant loans, to take share in, or give any other financial assistance including grants to, any co-operative society which makes an application in this behalf, for any of the following purposes, namely :-

(a) facilitating the production of commodities or disposal thereof by the members;

(b) conducting and developing agriculture or industry undertaken by a society;

(c) redemption of prior debts of members, purchases and improvement of funds by members, or construction of any project for providing irrigation facilities for the benefit of the members;

(d) construction of office building/godown by the society or dwelling house by its members;

(e) repayment of money previously borrowed by a society in accordance with its bye-laws;

(f) maintenance of staff for efficient management of the society;

(g) recouping any loss in part or in whole sustained due to circumstances over which the society had no control;

(h) providing infrastructure facilities to societies and its members; and

(i) providing fund for starting of new business or augmentation of old business; **84. Application for Loan**

(1)

An application for loan shall be in such form as may be required by the board and shall state the purpose for which the loan is required.

(2) A member of a primary society applying for loan shall furnish a full statement of his –

(i) property and debts;

(ii) a scheme in case of medium term or long term loan;

(iii) annual expenditure including instalment of principal incurred and proposed to be incurred; and

(iv) surplus available for repayment of the loan applied for.

84A. Loans and advances to members and non members

A cooperative may grant loan to a member thereof belonging to economically weaker sections, this is to say, persons (including scheduled castes, scheduled tribes, marginal farmers, share croppers known as adhiars, bargadars or bhagchasis or by any other local terminology, agricultural labourers and physically or mentally handicapped persons) belonging to families having total annual income not exceeding eight thousand rupees, at a concessional rate of interest and against a lower scale of securities irrespective of the value of shares held by them.

85. Security for Loan

For every loan a member shall furnish such security as may be required under the bye-laws or by the board.

86. Security for financial assistance to be granted by Primary Co-operative Credit Society

No financial assistance shall be granted by a primary co-operative Credit Society to a member thereof unless such member furnishes the following security :-

(a) such surety as may be provided in the byelaws;

(b)

where the financial assistance has been applied for the purpose or procurement of tangible assets, hypothecation of assets; or

(c) security of other valuable assets as may be approved by the Board.

87. Period of Repayment -

(1) The period of repayment of loan shall be such as may be provided in the bye-laws.

88. Maximum Credit -

The board shall determine the maximum credit of its members in such manner as it think fit.

89. Restriction on issue of Loan

(1) In any co-operative society in which the liability of the members is limited by shares, no loan shall be granted to a member exceeding twenty times the amount of share capital paid up by him :

Provided that -

(a)the West Bengal State Cooperative Agriculture and Rural Development Bank, the state co-operative bank or a central co- operative bank may grant loans to a co-operative agriculture and rural development bank or a central co-operative bank upto 30 (thirty) times the amount of share capital paid up by the said banks; (b)a primary agriculture and rural development bank or a primary co-operative bank may grant loans to a member upto thirty times the amount of share capital paid up by him;

(c)the state co-operative bank may advance loan to a society engaged in purchase, production and disposal of goods of its members in excess of twenty times the share capital paid up by such society; (d)the state co-operative bank or any other financing bank may grant loan to its member-societies upto thirty times the amount of share capital paid up by the member societies;

(e)With the permi der such conditions as he may

impose, an agricultural society may grant loan to a member, repayable within a period of eighteen months, for facilitating production or disposal of crop, irrespective of the amount of the share capital paid up by such member;

(f)an agricultural society may grant loan to a member, repayable within a period exceeding eighteen months but not exceeding sixty months for promotion of irrigation facilities and such other purposes as may from time to tine be determined by it irrespective of the amount of share capital paid up by such member;

(g)a Primary Agriculture and Rural Development Bank may grant loan to a member for promotion of irrigation facilities and for such other purposes as may from time to time be determined by it irrespective of the amount of share capital paid up by such member;

(h)the state co-operative bank or any other co-operative bank may grant loan to a member against pledge or hypothecation of marketable security or goods or both upto a maximum ,limit of eighty per cent of the market value of such security or goods or both or against the guarantee of the employer of the member of the

society concerned, irrespective of the amount of share capital paid up by such member;

(i)with the permission of the Registrar and under such conditions as he may impose, a co-operative society composed solely of displaced persons and recommended by the department dealing with the displaced persons may grant loan to a member irrespective of the amount of share capital paid up by such member;

(j)the state co-operative bank or any other co-operative bank may grant loan to a member against mortgage of immovable property upto a maximum limit of eighty per cent of the market value of such property, irrespective of the amount of share capital paid up by such member.

(2) A cooperative society may, in terms of section 50, grant loan to a member thereof belonging to economically weaker sections, that is to say, persons (including scheduled castes, scheduled tribes, marginal farmers, share-croppers known as Adhiars, Bargadars or by any other local terminology, agricultural labourers, and physically or mentally handicapped persons) belonging to families having total annual income not exceeding eight thousand rupees, at a concessional rate of interest and against a lower scale of security irrespective of the value of shares held by them.

Explanations :-

(1) A marginal farmer means a person who owns land not more than one hectare.

(2) For the purpose of this sub-rule “family” shall have the same meaning as appearing under Explanation of sub-section (3) of section 16.

(3) Any cooperative society may give by way of loan to any depositor a sum not exceeding eighty-five per centum of his deposits.

90. **Form of declaration creating charge on Immovable Property of Members**

(1) A declaration to be made under section 54 shall be in Form XVII;

(2) A register of such declaration shall be kept by the society in Form XVIII. 91. **Form of declaration for creating Gehan on land or other Immovable property or interest therein**

(1) A declaration to be made under sub-section (1) of section 55 shall be in Form XIX;

(2) A register of such declaration shall be kept by the society in Form XX.

92. **Levy of water rate and embankment protection rate of non-members**

(1) A cooperative society, object of which is to provide irrigation facilities to the cultivable land of its members, may in

Form XXI apply to the Collector for the demarcation of the area irrigable from any source of irrigation other than a tank which has been declared to be derelict tank under section 4 of the Bengal Tanks Improvement Act, 1939 (Ben. Act XV of 1939).

(2) Such area shall be termed as “irrigable area”.

(3) On receipt of such application, the Collector shall, after publishing notice in

Form XXII, by way of hanging on the land adjoining the source of irrigation and affixing on the notice board of the Collectorate or the Anchal Panchayat and the registered office of the cooperative society, prepare and publish in the same way a map of the irrigable area and a statement in Form XXIII of the cultivable land included therein.

(4) If the land possessed by persons who are not members of the society comprising of not less than forty per cent of the cultivable land included in the irrigable area, such society may levy water rate as is fixed by it upon any person who is not a member of the society possessing within such area cultivable land which is benefited by such irrigation facilities.

(5) A cooperative society, an object of which is to provide embankment protection facilities to the land of its members, may apply in

Form XXIV to the Collector for demarcation of the area protection by any embankment.

(6) Such area shall be termed “protected area”.

(7) On receipt of such application, the Collector shall, after publishing in the same form and in the same manner a notice as laid down in sub-rule (3), prepare and publish in the same form and in the same manner as laid down in the said sub-rule a map and a statement of the land included in the protected area.

(8) If the land possessed by persons who are not members of the society comprising of not less than forty per cent of the land included in protected area, such society may levy embankment protection rate fixed by itupon any person who is not a member of the society possessing within such protected area land which is benefited by the project or scheme.
(9) The water-rate and the embankment protection rate shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913 (Ben.

Act III of 1913).

(10) (a) A cooperative society, an object of which is agricultural farming on cooperative basis through consolidation of land holdings, may, in Form XXV, apply to the Collector for demarcation of the area proposed to be brought under the land consolidation scheme.

(b) Such area shall be termed “Cooperative Farming Area” or “Samabay Krishi Kshetra”.

(c) On receipt of such application, the Collector shall, after publishing the same form and in the same manner, a notice as laid down in sub-rule (3), shall prepare and publisha map and a statement of land included in the “Samabaya Krishi Kshetra”.

(d) If the land possessed by the persons who are not members of the society comprising of not less than forty per cent of the cultivable lands included in the Samabaya Krishi Kshetra, such society may, direct in

Form XXVI the persons who are not members to join the society and the value of one or more shares in terms of the bye-laws of the society and such member shall thereupon within forty-five days from the receipt of the direction join the society.

(e) If a person who is not a member, referred to in clause (d), after being called upon, by the concerned society so to do, refuses to join the said society, the said society may apply to the Collector for requisition of the lands owned or possessed by such person within the "Samabaya Krishi Kshetra" and if the Collector, after hearing such person and the board and after making such enquiry as he thinks necessary is of the opinion-

(i) that the aforesaid land or a part thereof owned or possessed by the said person is essentially necessary in the interest of the concerned cooperative farming scheme and the cooperative movement in general;

(ii) that but for such land or part thereof the said cooperative farming scheme is likely to fail; and

(iii) that the said society is in a position to pay compensation that may be awarded for acquisition of such land or part thereof, under the Land Acquisition Act, 1894(1 of 1894), shall acquire such land or part thereof for the society and hand over possession of the same to the society if the society deposits the required compensation as fixed by the collector; (f) In case of a cooperative society, referred to in foregoing clause, all lands, excluding homesteads, belonging to members thereof and situated within the Samabaya Krishi Kshetra, whether owned by them at the time when they became such members or acquired by them subsequently, shall become property of the society, and no member shall be entitled to hold in his personal capacity in the Samabaya Krishi Kshetra any cultivable land or any land which can be made cultivable.

93. Map of the irrigable area

The map of the irrigable area, the protected area or the Samabaya Krishi Kshetra shall be drawn upon a scale showing the boundaries of the concerned area and the settlement plot numbers of the lands included in such area.

94. Levy of water-rate and embankment protection rate

The Board of a cooperative society may decide and fix the water rate per acre per year for supplying water to the lands for irrigation purpose.

95. The period within which and the manner in which mortgage deed is to be sent to the registering office

A copy of the mortgage deed referred to in sub-section (2)of section 60 duly certified by the Manager or the Branch Manager shall be sent to the registering officer through a messenger or by registered post with acknowledgement due within thirty days from the date of its execution.

96. Grant of preference and exemption by the state Government under sub-section (3) of section 60

In respect of any cooperative society or class of cooperative societies in the interest of promotion of cooperative movement in the state, the state government may, by general or special order, grant –

(i) preference in the matter of settlement of lands and fisheries owned by the State Government;

(ii) preference in the matter of making purchases and fixing prices thereof;

(iii) preference in the matter of placing contractors for Government work without inviting open tenders;

(iv) exemption from deposit of earnest money required to be made alongwith the permission of tenders for Government contract work.

(v) exemption from deposit of security money required to be made before being allowed to take up government contract work for execution; and (vi) exemption from payment of licence fees, if any, required to be paid for dealing in any commodity.

97. Compromise or arrangement between Cooperative Society and its creditor

Where a compromise or arrangement is proposed by a cooperative society or its creditor or any class of creditors as referred to in section 62, the Board will decide the matter in a meeting or meetings convened for the purpose and the settlement made between the parties shall be placed before the General Body for ratification.

98. **Conduct of sale by the Sale Officer**

The sale officer shall conduct the sale as prescribed under the Act and rules.

99. Power of State Government to Guarantee

(1) In case of any debenture or of any class or series or issue of debentures issued under the Act, the State Government shall guarantee repayment of the principal and the payment of the interest thereon, subject to such maximum amount of principal or such rate of interest and such other conditions, as the State Government may decide.

(2) Such debentures shall not be issued by a cooperative society save with the express authority of the State Government.

100. Liability to furnish information

Every officer and every member of a cooperative society shall furnish such information in regard to the transactions or working of the society, as may be required of him by the Registrar, an audit officer, arbitrator, liquidator or any person conducting an inspection or enquiry under Chapter – X of the Act.

101. Change of Liability

(1) A cooperative society may, by amendment of the bye-laws, change the form or extent of its liability.

(2) When a cooperative society passed a resolution to change the form or extent of its liability, the society shall give notice thereof in writing to all its members and creditors and notwithstanding any bye law or contract to the contrary, any member or creditor shall, within one month of the service of the notice upon him, have the option of withdrawing his shares, deposits or loans. Any member or creditor, who does not exercise his option within the period aforesaid, shall be deemed to have assented to the change.

(3) The change shall not take effect until –

(a) the assent thereto of all members and creditors has been secured, or

(b) all claims of members and creditors who exercise the option referred to in sub-rule (2) have been met in full.

102. Cooperative Society"s power to call for Statement of claims

(1) When a member of a cooperative society, which includes among its objects the advance of loans to its members, applies for a loan or when a person applies for membership of such a society, the society may serve a notice on any creditor named in the application or ascertained after enquiry, and may also publish a general notice on all creditors, requiring him in

Form XXVII and within the time specified in the notice, to furnish a written statement of his claim in Form XXVII A.

(2) When a member of a cooperative society, which includes among its objects the advance of loans to its member, intends to apply for a loan from any person other than the society, such member shall send to the society a notice in writing, stating – (a) his intention to apply for such loan,

(b) the amount of the loan for which he intends to apply, and

(c) the object of taking the loan.

103. **Cooperative Society"s power to call for notice of suits or proceedings against members**

A cooperative society the objects of which includes advance of loan to its members and the financing bank, if any, of which such society is a member, may where revenue or loan or advance realizable as public demand is payable by any member of such society to the State Government, by a notice served upon the collector, require the collector to furnish to such society or the financing bank or both, notice of any suit or proceedings for recovery of arrear of revenue or loan or advance instituted or commenced, by him against such member.

104. Restrictions on transactions with non-members

On the application of a member of any society or of his own motion, when it appears to the Registrar that it is necessary in the interest of the working of any particular society, to regulate or restrict transactions of such society, with any non-member, the Registrar shall, after giving the society an opportunity of being heard, issue such directions as he may consider necessary regulating or restricting such transactions.

104A. Creation of Posts

(1) The Board of a cooperative society may from time to time create posts of different categories of employees and officers subject to the provisions of section 43, to assist the cooperative in the performance of its duties and discharge of its function and such creation of posts shall only be made with the approval of the General Body.

(2) The Board of a cooperative society shall appoint subject to sub-section (5) of section 94, such officers and other employees created under sub-rule (1).

105. Procedure for direct recruitment of staff by cooperative societies

(1) Subject to the provisions of rule 104A, all cooperative societies shall notify their vacancies, other than those required to be reported to the Cooperative Service Commission, through publication of advertisement at least in one national daily newspaper, and to the Local Employment Exchange or to the Director, National Employment Exchange, as the case may be, and ask for names of suitable candidates in terms of the qualifications required of such candidates.

(2) For selecting the candidates, the selection committee for selection of staff other than Group D staff may hold such test and interview or Viva Voce tests as it may consider expedient.

(3) In cases where the local Employment Exchange or the Director, National Employment Exchange, will not be in a position to furnish suitable names within two months from the date of notification of the vacancies, the concerned cooperative society may start recruitment process of applications received on the basis of advertisement in the newspaper.

(4) All cooperative societies shall maintain the same percentage of vacancies reserved for candidates of scheduled castes, scheduled tribes and other backward classes as may be specified by the State Government by general or special order from time to time.

(5) While calculating the vacancies to be filled up, all cooperative societies shall give due consideration to the principles regarding absorption of casual and seasonal workers as enunciated by the Labour Department of the State Government.

105A. Constitution of Selection Committee

Societies other than mentioned in the Fifth Schedule of the Act and in regard to selection of Managing Director or the Chief Executive Officer of the West Bengal State Cooperative Bank Ltd. and all Central Cooperative Banks, the Selection Committee for assisting the cooperative societies in the matter of selection of candidates under rule 105 shall be constituted as follows :-

(a) **Apex societies**

(i) The Chairman and the Vice-Chairman or in their absence any two Directors of the concerned society as decided by the board;

(ii) The Managing Director or the Chief Executive Officer of the society;

(iii) Registrar or his nominee;

(iv) One expert selected by the Society;

(v) The Chairman of the State Cooperative Union or his nominee

The Managing Director or the Chief Executive Officer or the Manager of the Cooperative Society shall be the convener of the meeting and its Chairman or in absence of the Chairman, the Vice-Chairman or in absence of both any of the two nominees of the concerned society as decided by the board shall be the Chairman of the Selection Committee.

(b) **Central Societies**

(i) The Chairman and the Vice-Chairman, or in their absence, two Directors of the concerned society as decided by its board;

(ii) A nominee of the Registrar**;**

(iii) The Chief Executive Officer of the concerned cooperative society or the Manager as the board of the society may decide;

(iv) A representative of the concerned apex society;

(v) One expert selected by the Society.

The Chief Executive Officer or the Manager of the Cooperative Society shall be the convener of the meeting and its Chairman or in absence of the Chairman, the Vice-Chairman or in absence of both any of the two nominees of the concerned society as decided by the board shall be the Chairman of the Selection Committee.

(c) **Primary Society**

(i) The Chairman and the Secretary, or in their absence, two Directors of the concerned society as the board may decide;

(ii) The Chief Executive Officer or the Manager, as the board may decide;

(iii) A nominee of the Registrar;

(iv) A representative of the concerned central society or the concerned Apex Society where there is no central society;

(v) The Secretary, or in his absence, the Chief Executive Officer or the Manager,

as the case may be shall be the convener of the meeting and the Chairman, or in his absence, the Chairman elected amongst the members of the Selection Committee shall be the Chairman of the meeting.

106. Method of recruitment and Conditions of service of the officers and employees of cooperative societies

The method of recruitment and conditions of service of the officers and employees of cooperative societies shall, subject to the terms of specific contract enforceable by law and the provisions of any law for the time being in force, be as enunciated in the Appendix to this Chapter.

Provided that if any particular matter is not covered in the specific contract, the matter shall be guided by the method of recruitment and conditions of service as indicated in the Appendix to this chapter

APPENDIX TO CHAPTER V

Method of recruitment and Conditions of Service 1.Groupings

The employees of cooperative societies shall be grouped as follows: - Group A – Top Level Management.

Group B – Medium Level Management.

Group C - Clerical and Operative.

Group D - Subordinate Staff

2.Status of employees

The employees shall be temporary, on probation and permanent.

3.The minimum qualifications for appointment

(1)The minimum qualifications for appointment to different posts of co-operative societies shall be as follows: -

GROUP A: Bachelor‟s degree of a recognized universitywith knowledge in computer science

GROUP B: Bachelor‟s degree of a recognized university with knowledge in computer science

GROUP C: Madhyamik pass certificate with knowledge in computer science

GROUP D: Must have passed the annual examination of Class VIII of a Madhyamik School, recognized by the West Bengal Board of Secondary Education.

Provided that for appointment to the post of Accountant a degree in commerce or a diploma in Chartered or Cost Accountancy along with knowledge in computer science shall be essential;

Provided that the board may prescribe higher qualifications and may also prescribe marks or division in the qualification.

(2)(a) An Officer in Group A shall have to undertake when deputed by the society, training of the Vaikunth Mehta National Institute of Co-operative Management, Pune, Maharashtra and pass such examination, if any as end of course examination.

(b) An office in Group B shall have to obtain, when deputed by the society, the Higher diploma in Co-operation from Netaji Subhas Co-operative Training College Kalyani, Nadia, West Bengal or from any such college or institute as may be ordered by the State Government.

(c)An employee in Group C when deputed by the society, shall have to undertake training at any of the Co-operative training institutes run by the West Bengal State Co-operative Union.

(3)Employees mentioned in Sub-rule (2) shall have to obtain diploma in cooperation or undertake training as the case may be , pass the examination within three years from the date of joining the service failing which he shall not be confirmed and shall cease to earn increment of pay.

Provided that when the employee is not deputed by the employer society and he fails to be so qualified for no fault of him, his increments of pay shall not be stopped but he shall not be confirmed.

(4)Employees of the society already in service shall not be liable to be discharged or removed from service or be reduced in rank for want of qualification prescribed in these rules or for want of training, but if such employees undertake the training or pass the examination, they shall be entitled to one advance increment from the first day of the month following the date acquiring the qualification but the date of increment of pay shall remain the same.

4. The age for recruitment

(1)The minimum age for direct recruitment to a post in the society shall be 18 years on the first day of January of the year in which the vacancies are advertised.

(2)The maximum age for recruitment to the posts in Groups A and B shall be 40 years and in Groups C and D 35 years on the first day of January of the year in which the vacancies are advertised.

Provided that the scheduled castes, scheduled tribes and other backward classes candidates the maximum age limit shall be relaxed by five years.

(3)The maximum age limit for a person already in service of another cooperative society or physically handicapped or ex-service man shall be decided by the Board.

(4)Not more than 30 per cent of the sanctioned posts in the establishment of an apex or central society shall be filled up by promotion of fit and suitable employees of the societies affiliated to it.

(5)All appointments shall be temporary for a period of two years. Thereafter if there is any permanent post the appointment shall be on probation for one year. On satisfactory completion of probation and on completion of training or passing the examination, if any, an employee may be confirmed against any permanent post.

5. **MEDICAL FITNESS**

No person other than person appointed on deputation from another cooperative society shall be appointed to any post under any cooperative society without medical certificate of fitness being granted by a Registered Medical Practitioner of such standing as the board may approve.

6. **APPOINTING AUTHORITY**

The board shall be the appointing authority of its employees and may, from time to time, delegate its powers in this regard to such authority as it may decide by a resolution in meeting.

7. **APPOINTMENT**

(1) All appointments by direct recruitment excepting the deputation shall be made on the basis of the result of a written examination and interview.

(2) Appointment in Group D shall be made by selection in such manner as the board may decide.

(3) Appointment by promotion shall be made on the basis of seniority-cum-fitness or in such manner as the board may decide.

(4) All appointments shall be temporary for a period of two years. Thereafter if there is any permanent post the appointment shall be on probation for one year. On satisfactory completion of probation and on completion of training or passing the examination, if any, an employee may be confirmed against any permanent post.

8**. COMMENCEMENT OF SERVICE**

The service shall commence from the date of joining the service provided that, if a person joins in the afternoon of a day, his service shall be deemed to have commenced from the forenoon of the next day.

9. SENIORITY

Seniority in a particular cadre of employees shall be determined according to the date of their joining the cadre. If in case of any two or more employees the date of joining is the same their inter se seniority shall be determined according to the seniority in age and in the case of such employees the date of birth of any two or more employees is also the same, the inter se seniority shall be decided by the board on a lot. In case of employees appointed or promoted to a post in one batch, the seniority shall be determined in accordance with the order of seniority to be specified by the appointing authority on the basis of results of the test taken. If one or more promotees and one or more direct recruit join on the same date, the promotees shall be placed above the direct recruit.

10. PAY, ALLOWANCES AND OTHER CONCESSIONS

(a)The board shall be the competent authority to determine and create the post of different levels of management as provided in paragraph 1 of the Appendix to Chapter V, to frame scale of pay, dearness allowance and other allowances in respect of each category of employees of the society. The board shall also be the competent authority to revise the same from time to time if circumstances so demand.

Provided that where any co-operative society has incurred loss in the previous year, or has accumulated losses in its account the board shall not increase the scale of pay or any allowances in respect of any category of its employees without the approval of the Registrar.

(b)If any employee is promoted from a post to higher post his initial pay in the higher post shall be fixed at the stage in the new pay scale next above the stage in the pay scale of the lower post from which he is promoted.

(c)The annual increment in the pay scale shall accrue normally to an employee after he has completed one year‟s continuous service in the Pay scale, unless it is withheld for reasons of unsatisfactory performance of duties.

(d)Travelling allowance admissible to all categories of employees of the societies for journeys and halts on duty as also on transfer shall be guided by the rules of the society concerned.

(e)All wholetime employees of the societies shall be entitled to the benefits of employee‟s contributory provident fund in rule 122.

(f)The employees of the Co-operative societies shall be entitled to bonus if admissible under the provisions of the Payment of Bonus Act, 1965 (21 of 1965).

11. TRANSFER AND TRAINING

(1)Every employee shall be liable to be transferred from one post to another and/or from one station to another in the interest of the business of a co-operative society.

Every employee shall be liable to join any training course as may be decided by the board and will be entitled to full pay and allowances during the training period including period of journey to and from the training centre. A society shall be under obligation to send an employee for training when that benefit the employee.

(2)On transfer from one station to another or for joining a training centre or return therefrom, every employee shall be entitled to six days‟ joining time, in addition to the time required for the journey, provided that when there is no change of residence, joining time shall not be more than twenty four hours.

12.. LEAVE

(a)The following categories of leave shall be admissible to an employee of a co-operative society to the extent noted against each: -

(i) Casual leave on full pay – 14 days in a calendar year.

(ii) Compensatory leave on full pay – An employee required to perform duties on any holiday shall be eligible for compensatory leave.

(iii) Earned leave on full pay – 30 days in a calendar year.

(iv) Medical leave on half pay – 15 days in a calendar year.

(v) Maternity leave - 135 days at a time with full pay and not more than two times during the entire period of service for a married female employee.

(vi) Extraordinary leave - This may be granted to any employee in special circumstances when no other leave is, by rule, admissible. This kind of leave shall be sanctioned as leave without pay. It shall be at the discretion of the sanctioning authority to fix the amount of extraordinary leave to be granted in each case.

Provided that the period of extra ordinary leave shall not be counted for increment in the scale of pay and shall not be included in the total period of service.

(b)No leave of any kind can be claimed as of right and the grant of leave shall be subject to the exigencies of service and work and the circumstances of each case.

(c)An employee shall be liable to be recalled from leave other than medical/maternity leave if the exigencies of service so require, provided the society bears the actual travel fare of the employee recalled from leave it at the time of recall he is spending his leave at a place other than his head quarters.

(d)An employee shall before proceeding on leave state in writing any change in his address while on leave and shall keep the society informed of subsequent change in such address.

(e)The society shall maintain leave account in respect of every employee and on request he may be intimated of the amount of leave due to him.

(f)Casual leave and compensatory leave shall not be granted for more than seven days at a time nor shall be accumulated or carried forward from one year to the next year and shall lapse if not availed of during the year. Earned leave and medical leave due shall be carried forward up to 180 days and 450 days respectively.

13. CONDUCT AND DISCIPLINE

(a)Every employee of a co-operative society shall at all times:

(i) maintain absolute integrity;

(ii) maintain devotion to duty;

(iii) abide by and comply with the rules of the society and/or order-s and directions of the superior authorities;

(iv) discharge his duty to the best of his ability in the interest of the society.

(b)All employee shall so manage the private affairs as to avoid habitual indebtedness of insolvency; and an employee against whom legal proceedings are instituted for recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report (to the society) the full facts of the legal proceedings.

(c)No employee shall, except in accordance with any general or special order of the board or of his superior or in the performance in good faith of the duties assigned to him, communicate directly or indirectly the contents of any official documents or any part thereof or other information to any other employee or any person to whom he is not authorized to communicate such contents or information:

Provided that nothing in this rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

(d)No employee shall accept or permit any member of his family or any person acting on his behalf to accept any illegal gratification or pecuniary advantage or gifts etc., from any person or agent who have or may have dealing with the society.

(e)No employee shall, except for unavoidable reasons absent himself from without taking prior sanction of leave nor shall overstay the period of sanctioned leave.

14. Misconduct and disciplinary action

(a)The following acts, among others, shall constitute misconduct of an employee, namely –

(i) willful insubordination or disobedience, whether in alliance with a co-employee or not, of any lawful and reasonable order of superior;

(ii) willful avoidance of work abetment or instigation thereof;

(iii) theft, fraud, misappropriation or dishonesty in connection with employer‟s business or property or otherwise;

(iv) habitual absence without leave, overstaying the sanctioned leave without sufficient ground or proper and satisfactory explanation of habitual late attendance;

(v) commission of any act subversive of discipline or good behaviour in any public place such as

drunkenness, riotous disorderly or indecent behaviour, gambling or taking or giving bribes or any illegal gratification of any kind whatsoever; (vi) gross or habitual negligence of duty.

Explanation – For the purpose of this clause „gross or habitual negligence of duty" shall include, in the case of an employee of a co-operative society whose function or duty" includes recovery of dues, inadequate recovery of such dues unless he can prove that there was no negligence whatsoever in this respect on his part; (vii) disclosing to a person any information with regard to the society which be detrimental to the interest of the society;

(viii)

willful damage to any property of the society; (ix) indulging in scurrilous attacks against the management and other superiors (b) any of the following penalties may be imposed on an employee for such misconduct by the Disciplinary Authority, namely -

(i) censure;

(ii)

recovery from a pay of the whole or part of ay pecuniary loss caused to the society by negligence or breach of order;

(iii) withholding of increments with or without cumulative effect;

(iv) withholding of promotion;

(v) reduction to lower stage in the time scale of pay or reduction to a lower time scale of pay, grade, post or service;

(vi) removal from service which shall not be a disqualification for future employment under the society;

(vii) dismissal from service which shall ordinarily be a disqualification for future employment under the society.

Explanation: - The following shall not amount to penalty within the meaning of this rule, namely:-

(i) reversion to lower grade or post of an employee officiating in a higher grade or post for want of vacancy or on administrative grounds unconnected with his conduct;

(ii) reversion to permanent service, grade or post of an employee appointed on deputation to another service, grade or post during or at the end of the period of deputation.

(iii) termination of service: -

(a)of an employee appointed on probation during or at the end of the period of probation; or

(b)of any employee employed temporarily or under an agreement in accordance with the terms of such agreement on one month"s notice, for abolition of the post or otherwise.

15. Disciplinary and Appellate Authorities

(1)For the purpose of imposing any penalty under paragraph 14, the Board which is the appointing authority, shall be the „disciplinary authority", and the general body of members in the general meeting shall be the appellate authority.

(2)An employee aggrieved by an order of the disciplinary authority shall have a right to appeal against such order. An appeal shall lie (1) against any order passed by the Chief Executive Officer to the Chairman of the board, (2) against the order passed by the Chairman or the Vice-Chairman of the Board, to the Board, (3) against the order of the Board, to the general body of the society, every appeal shall comply with the following conditions. It shall contain all material statements and arguments relied on and shall be complete in itself. It shall specify the relief desired. It shall be submitted through proper channel. The appellate authority shall decide the appeal within three months from the date of submission of the application except where the general body is the authority.

16. Suspension

(a)An employee of a co-operative so s investigation on a charge

of misconduct enumerated in clause (a) of paragraph 14 may be placed under suspension pending enquiry, if in the opinion of the disciplinary authority the attendance of such employee on duty during the period of investigation into such charge is likely to vitiate the proceedings.

(b)An employee of a co-operative society may be placed under suspension where a case against him in respect of any criminal offence is under investigation or trial.

(c)An employee who has been suspended shall not be entitled to absent himself from his ordinary place of residence during the period of his suspension, except without permission of the authority by whom he has been suspended.

(d)During the period of suspension, an employee shall be entitled to subsistence grant equal to 50 per cent of his pay on the date of suspension and dearness allowance at the rate at which it was drawn by him on the date of suspension:
Provided that if the period of suspension exceeds one year, the board may enhance the subsistence grant by 50 per cent if in the opinion of the suspending authority the
period of suspension has been prolonged for reasons not directly attributable to the employee:
Provided further that such order shall continue to remain in force until it is modified or revoked by the appropriate authority.

(e)When the charge against the suspended employee is not established or is held to have been unjustifiable or not wholly justifiable and he is reinstated, he shall be entitled to the full pay and allowances to which he could have been entitled if he had not been suspended; and, the period of suspension shall be treated as period on duty.

17. Removal from service on criminal conviction

Am employee of a co-operative society shall be removed from service on criminal conviction by a competent court.

18.Resignation

(a)(i) A permanent employee may resign from the service of a society on giving three months‟ notice to the society in writing, failing which he shall be liable to pay an amount equal to three month‟s salary;

(ii) A probationary or a temporary employee may resign from the service of the society on giving one month‟s notice to the society in writing, failing which he shall be liable to pay an amount equal to one month‟s salary:
Provided that the board may, in exceptional circumstances, dispense with the requirement of notice or reduce the requisite period of notice.

(b) (i) Except with the sanction of the board resignation will not be permitted while the conduct of an employee is under investigation or until all claims against him are settled. While placing before the board an application for resignation, it should be stated whether there is any adverse report against the applicant or whether anything is due from him to the society.

(ii) The authority receiving an application for resignation from an employee shall at once adjust all claims of the society outstanding against the applicant, and his resignation shall not be accepted until his accounts are fully adjusted and charge of his office is formally made over.

(iii) If without formally tendering resignation or having sent his resignation, and employee quits his post before receiving intimation of acceptance or before expiry of the requisite period of notice, there or one month‟s salary as my be decided by the board, will be recovered from dues payable to him.

19. Retirement and Retirement benefits

(1)Every employee of a Co-operative society shall retire on superannuation s.

(2)Employees of a co-operative society shall be eligible to payment of gratuity as per the provisions of the payment of Gratuity Act, 1972 (39 of 1972).

(3) An employee of a cooperative society who retires on superannuation or otherwise shall be eligible to receive cash equivalent of pay in respect of earned leave standing to his credit provided that the quantum of leave encashable under this sub-section shall not exceed three hundred days.

(4)If the employee dies before superannuation, the benefits under sub rule **(**2) and (3) and all other dues shall be payable to his heirs or nominees, as the case may be.

20. Appointment on Compassionate grounds

Rules as applicable to the employees of the State Government shall apply to the employees of cooperative societies in respect of appointment on compassionate grounds.

21. Formulation of other conditions, if any

Besides the conditions of service as mentioned under these rules, the board may formulate other conditions of service as may be required from time to time.

CHAPTER VI

Members of Co-operative societies and their duties, rights, accountability, privileges and liabilities

107. Eligibility for Membership

No person, qualified to be a member of a co-operative society under the Act, or the Rules or the Bye-laws shall be excluded from membership:

Provided that without the permission of the Registrar : -

(i) no person shall be entitled to membership of any society with unlimited liability who is or has been at any time during the two preceding years, a member of any other society with unlimited liabilities.

(ii) no person shall be entitled to membership of any credit society even with limited liability if he is a member of or is indebted to, any other such society until he has obtained in writing the consent of the society of which he is already a member.

108. Form and Manner of Admission to Membership

A person intending to be a member of a Co-operative society shall apply to such co-operative society in Form **XXVIII** and such application shall be addressed to the Chief Executive Officer of the society by whatever designation he may be called.

109. Disposal of Objection

Where an objection is received against any such application for membership, the objection shall be placed in the next meeting of the Board for decision:

Provided that the Board shall before coming to a decision afford the applicant and the objector an opportunity of being heard.

110.Appeal against refusal to admit any Applicant as Member of a Society

(1)On receipt of an appeal under sub-section (3) of section 64 the Registrar shall issue clear seven days‟ notice to the appellant, to the society concerned and to the objector, if any, fixing the date, time and place of hearing and after affording the parties an opportunity of being heard, the Registrar shall make appropriate order and the order sh with effect from the date of receipt of

the same. No resolution of the Board admitting the appellant as member shall be necessary if the Registrar decides in favour of the admission.

(2) The appeal shall be preferred within 30 days from the date of communication of the decision .

111. Exercise of Rights of Membership and Liability of Members

(1) Before a member may exercise rights of membership, he shall: -

(i) sign a declaration in such form, as may be required by the Board, undertaking that he shall be bound by the bye-laws of the society.

(ii) sign the register of members; and

(iii) make payment of share money wherever necessary;

Provided that the requirement of the provisions of this clause shall be communicated to a member within fifteen days from the date of enrolment of such member.

(2) Liability of members -

The members of a cooperative society shall, upon the dissolution of the cooperative society, be jointly and severally liable to contribute towards any deficiency in the assets of the cooperative society :-

(a) if the cooperative society is a society with unlimited liability, without limit; and

(b) if the cooperative society is a society with limited liability, subject to such limitation as may be provided in the by –laws.

112. Appeal against order of Expulsion or Suspension

Where the Board of a Co-operative Society expels or suspends a member, such decision shall be communicated to the member within fifteen days from the date of such decision. The member such expelled or suspended shall have a right of appeal to the immediate next general meeting and the decision of the general meeting on such appeal shall be final.

Provided that no such expulsion or suspension shall be made after publication of notice of the general meeting.

113. Cessation of Membership of a Co-operative Society

A member of a co-operative society shall cease to be such member, if he: -

(i) dies, or

(ii) resigns in accordance with the Act, the Rules and Bye-laws; or

(iii) transfers his share in favour of some other person in full with the permission of the Board; or

(iv) is adjudged an insolvent; or

(v) is adjudged bankrupt; or

(vi) turns a lunatic.

Provided that the cessation of membership shall be deemed to be effective from the date when cause of cessation arises.

114. An association or body of persons as a member of a co-operative society

When any association or body of persons or a cooperative society is admitted as a member of a cooperative society, it shall appoint any one of its directors or officers, by an instrument in writing, to exercise its rights and perform its duties in relation to such society.

115. Manner of recalling a loan not utilized for proper purpose

(1)Where the Board of a society has reasonable cause to believe that a member has not utilized a loan for the purpose for which it was advanced, the society may, by a notice, direct the member to show cause, within such time as may be specified in the notice, why the loan shall not be recalled, and where no cause is shown to the satisfaction of the society within the time specified, the society:-

(a)may recall the loan; and

(b)if the loan is not refunded immediately on recall shall apply to the Registrar for an award under section 139 in order to recover the loan.

(2)where cause is shown, the society may after holding an enquiry and giving such member an opportunity of being heard, take such decision as it may consider expedient.

116. Restriction on interest of a Member of a Society with Limited liability and shares

Where the liability of a member of a co-operative society is limited by shares, no member other than the State Government or another co-operative society shall hold more than such portion of the share capital, of the cooperative society as may, subject to the maximum of one fifth of the share capital of the society be prescribed in the bye-laws of the cooperative society.

116A. Disposal of deceased Member‟s share or interest and procedure for calculation of value of shares

(1) Where a co-operative society has to make a refund of the value of a share, the value of the share shall be deemed to be equal to the amount paid upon the share;

Provided that where a portion of the asses is estimated to be bad or doubtful in the latest audited balance sheet, and is not covered by funds created out of profits, the Board may, for the purpose of such payment, reduce the value of the share, in the same proportions as the aggregate amount of assets which are not bad or doubtful, less the amount of outside liabilities, bears to the paid-up share capital.

(2) Where a transfer of share or interest is made, the value of the share or interest shall be deemed to be the sum actually paid by the member for the acquisition of such share or interest.

117. **Nomination of transferee**

(1)A member of a co-operative society may in accordance with the provision of section 76 nominate in writing any person belonging to his family to whom the share or interest or the value of such share or interest shall, on his death, be paid or transferred under the provision of the Act; nomination shall be made in

Form XXVIIIB.

Provided that if a member has no family he may nominate any person to whom such share or interest or the value of such share or interest shall be paid or transferred; Provided further that such member may, from time to time, revoke such nomination and make a fresh nomination.

(2)Every co-operative society shall keep a register of all persons so nominated.

(3)In case the nominee of a member dies, the member shall report the death of such nominee to the society and make a fresh nomination if he so desires.

Explanation – For the purpose of this rule a family shall have the same meaning as given in the Explanation to sub-section (3) of section 16 and shall include major sons and daughters irrespective of marital status.

118. **Refund of share value**

Where a member of a co-operative society ceases to be a member due to any reason, the shares held by him in the society may be refunded in accordance with the provisions of sub-rule (1) of rule 116A.

CHAPTER VII

Properties and funds of co-operative societies

119. **Investment of Funds**

In addition to the manner specified in section 79 a Co-operative society may invest or deposit its funds in any other manner permitted by the Registrar and in the manner in case of societies under cooperative credit structure entity as provided under sub section (6) of section 134 C.

120. **Utilization of Bad Debt Fund**

A Co-operative society may, subject to the provisions of section 81 invest or deposit the bad debt fund

(a)with the West Bengal State Co-operative Bank Limited;

(b)with any Central Co-operative Bank operating in the area of the society within which its registered office lies/situated;

(c)in any Government Savings Bank;

(d)in any other manner permitted by the Registrar.

121. **Use of Reserve fund and other funds in the business of a society**

A co-operative society may, with prior approval of the general body and on such conditions as it may impose, use in its business –

(i) Upto one-fourth of its reserve fund, when the owned capital is less than the borrowed capital;

(ii) Upto one-half of its reserve fund, when the owned capital is equal to or exceeds the borrowed capital; and

(iii) the entire reserve fund, when there is no borrowed capital.

122. Employees‟ Provident Fund

(1) A cooperative society establishing Employees‟ Contributory Provident Fund under section 83 shall make regulations for its management, particularly with regard to

(i) authority to administer the fund;

(ii) amount of employees contribution to be deducted from the employee‟s salary; (iii) mode of nomination for payment of the amount of the fund in case of the employee‟s death;

(iv) The purpose for which, extent to which, and the period after which advance may be made from such fund, and the number of monthly instalments in which the advance is to be repaid;

(v) Final payment of the amount standing in the fund on the employee‟s retirement, resignation or otherwise;

(vi) Maintenance of accounts of such fund.

(2) An employee‟s contribution to the fund in a month shall be eight and one-third per cent of his basic salary.

(3)The co-operative society may make such contribution every year to the Employees‟ Contributory Provident Fund, as may be approved by the Board, but such contribution shall not be less than the annual contribution made by the employee concerned.

(4)Such Provident Fund shall not be used in the business of the society, but shall be invested or deposited in one or more of the following ways –

(a)In Government Savings Bank;

(b)In any of the securities mentioned in section 20 of the Indian Trusts Act, 1882, other than those specified in clause (e) of that section; or

(c)In any co-operative bank or any other bank approved by the General Body.

123. **Declaration of Dividend, Bonus, Rebate, etc**

(1)In every co-operative society with shares, dividend may be declared upto a maximum of 12 per cent per annum, on the amount paid up on shares as laid down in clause (a) of sub-section (1) of section 86.

Provided that a Primary Agricultural Credit Cooperative Society or a Cooperative Agriculture and Rural Development Bank may pay dividend in accordance with the guidelines framed by the Registrar in consultation with the National Bank as provided under sub -section (8) of section 134C.

(2) In any co-operative society dealing in goods, rebate may be allowed on the total amount of payments made by a member during a co-operative year towards his purchase of goods from the society during that year.

(b) In case of credit societies, rebate on interest may be allowed to members making timely repayment.

3)No dividend shall be paid in any co-operative society unless recommended by the Board and approved by the general meeting and no bonus or rebate shall be allowed without approval of the Board in a meeting.

4)A co-operative society incurring loss or having accumulated loss on its account shall not without prior approval of the Registrar, make any ex-gratia payment or payment of bonus at a rate more than the minimum prescribed under the Payment of Bonus Act, 1965 (21 of 1965).

124. **Co-operative Education Fund**

(1)Every co-operative society shall, after the close of each co-operative year contribute five per cent of its net profit subject to a maximum of rupees fifteen thousand to the co-operative Education Fund. Such contribution shall be remitted to the West Bengal State Co-operative Bank Limited or to the Central co-operative Bank of the area concerned within three months from the date of receipt of the audited accounts.

The Central Co-operative Bank on receipt of the amount shall transfer the same to the West Bengal State Co-operative Bank Limited within a period of thirty days from the date of the receipt:

Provided that the societies under Cooperative Credit Structure Entity may contribute as per this sub- rule to the Cooperative Education Fund but they shall have no compulsion in the matter as provided undersub-section (9) of section 134C .

(2) (i) The fund shall be administered by the Co-operative Education Fund Committee to be set up by the State Government, with the following persons, namely : -

(a) Chairman of the State Co-operative Union – Chairman;

(b) Four representatives of Agricultural Societies, namely, two from societies dispensing short-term credit, one from societies dispensing Long-term credit, and one from Marketing Societies to be nominated by the State Government – Members;

(c) Three representatives of non-agricultural societies, namely, one from non-agricultural credit societies and two from non-agricultural non-credit societies, to be nominated by the State Government - Members;

(d)One nominee of the Registrar – Member;

(e)One nominee of the Federal Co-operatives – Member.

(ii) The Executive Officer of the West Bengal State Cooperative Union, and in the absence of such Executive Officer, the Senior Cooperative Education Officer of the said Union shall be the Secretary of the committee.

(iii) The members of the committee shall hold office for a period of three years from the date of their appointment.

(iv) A casual vacancy in the membership of the committee shall be filled up by the nominating authority, as early as possible for the remaining period of the term.

(3) Subject to such direction, if any, as the State Government may give from time to time, the fund may be utilized for any of the following purposes, namely :

(a) education of members, office bearers, employees and general public in cooperative principles and practice;

(b) development of new types of cooperative societies;

(c) Improvement of cooperative societies;

(d) Development of cooperative movement in general;

(e) Cooperative publicity;

(f) Publication of the books and journals relating to cooperative movement;

(g) Conduct of research, case studies and evaluation in the field of cooperative movement;

(h) Award of prize or honorarium for rendering meritorious service to the cause of the cooperative movement of the state.

(4) The fund shall be audited by the Director of Audit or by an Audit Officer authorized by him in this behalf by an order in writing, annually within a period of six months from the close of each co-operative year, and the copies of the audit report shall be submitted to the committee and to the State Government.

123. **Contribution for Charitable purposes**

A co-operative society may make contributions under clause (b) of sub-section (1) of Section 86 for any charitable purpose as defined in section 2 of the Charitable Endowment Act, 1890.

CHAPTER - VIII

Special provisions for Housing Co-operative Societies

124. **Functions of promoters**

For the purpose of registration of a housing co-operative society all the promoters intending to join the application for registration shall hold meeting for –

(a)adoption of name of the proposed society and of its bye-laws,

(b)election of the Chief Promoter and the first board including the Chairman, the Vice-Chairman and the Treasurer from amongst the promoters,

(c)vesting the Chief Promoter, the Chairman, the Vice-Chairman and the Treasurer with powers and function as laid down in these rules,

(d)consideration and adoption of the scheme of the project to be undertaken by the proposed society.

(e)Consideration and approval of the agreement to be entered into with the vendor or lessor of the land, building or tenement, as the case may be.

125. **Functions of the Chief Promoter, the Chairman, the Vice-Chairman and the Treasurer**

The Chief Promoter of a housing co-operative society shall take steps, as may be necessary, under the provisions of the Act and Chapter II of these rules to get the society registered and shall –

(a)open a bank account to be operated by him jointly with the Chairman or, in absence of any of them, the Vice-Chairman and the Treasurer together with the other available and submit such document alongwith updated statement of accounts (receipts and payments) to the Registrar alongwith the application for registration.

(b)negotiate with the approval of the Chairman to purchase or get land, building or tenement.

128.Holding of the first meeting of the board of a Housing Cooperative Society

After registration of a housing cooperative society the Chairman or, in his absence, the Vice-Chairman shall, within three months from the date of such registration, convene the first meeting of the board for the purpose of election of office bearers other than the 70 Chairman, the Vice-Chairman and the Treasurer and for such other purposes as the Chief Promoter, may, with the approval of the Chairman determined.

129. Report to the first general meeting and commencement of work

(1) The report under clause (b) of sub-section (1) of section 89 shall, besides report about progress of the work, contain particulars of (a) funds raised from members (b) expenses incurred under various heads prior to and after registration, (c) how many members resigned and how many enrolled after registration of the society and (d) the latest estimate regarding the project cost.

(2) Where the society decides to have the work executed by architects and contractors, in first meeting a panel of architects and contractors not exceeding three in each case, shall be prepared after giving due publication of notice, in at least one daily newspaper having wide circulation:

Provided that when the total cost of the project of a cooperative housing society exceeds rupeesfifty lakhs, the society shall, in a meeting, decide to have the project executed by architects and contractors.

(3) In the first meeting a panel of five valuers shall be prepared according to procedure prescribed in sub-rule (2)

(4) No person acting as an architect shall also act as a contractor and vice-versa.

130.Allotment of plots or houses or apartments

(1)Allotment of plots, houses or apartments by the board shall be made strictly on the basis of the principles and policies adopted in its first meeting and shall be communicated to each member within seven days from such decision about allotment or otherwise. Any person dissatisfied by the decision of the board may appeal to the general body of members whose decision shall be final.

(2)The member intending to prefer such appeal shall within fifteen days from date of receipt of the communication of the decision of the board express his intension in writing to the board to prefer an appeal, and the board shall within forty-five days of receipt of such intimation arrange to hold a meeting of the general body.

131.Membership

(1)Every applicant for membership of a co-operative housing society shall submit at the time of registration of the society or admission as member after registration shall submit the following documents to the Registrar or to the society, as the case may be:- (i) Declaration in the form of an Affidavit in prescribed form (ii) Two recent passport

size photographs duly attested by the Chief Promoter and in case of Chief Promoter by an M.P./M.L.A./ local Municipal Commissioner/Pradhan of GP/any Gazetted Officer of the State or the Central Government/Headmaster/ Principal of any Government recognized educational Institution. (iii) Copy of salary certificate or copy of

Form – 16 showing deduction of P. Tax (in case of salaried persons), (iv) Copy of Professional Tax Registration Certificate or Professional Tax Enrolment Certificate or Professional Tax Clearance Certificate, as the case may be, (in case of professionals), (v) Copy of PAN Card or PPO or P.Tax Clearance Certificate in case of other category (vi) Application for nomination in prescribed form.

(2)In a co-operative housing society the number of members shall not exceed the total number of plots, houses or apartments proposed by a society to be allotted to members under any scheme or project of such society:

Provided that member shall be eligible for allotment of only one plot, house or apartment in a housing co-operative society.

(3)(a) For the transfer of land or house or apartment a member shall obtain a written consent of the society and before giving such consent the society shall satisfy itself that –

(i) the transferee is eligible for being a member of the society;

(ii) the transferee has genuine need for residential accommodation;

(iii)

the transferor has paid off his outstanding liabilities to the society or, the

transferee undertaken to take over such liabilities of the transferor; (iv) the transferee formally applies for membership of the society with requisite documents like copy of bipartite agreement of the proposed deal of transfer and a declaration to the effect that he will submit a certified copy of the registered sale deed to the society.

(b) where a society refuses or fails to give consent to the transfer referred to in clause (a) and the member intends to appeal to the Registrar against such refusal by or failure of the society, an appeal may be preferred within thirty days from the date of communication of the refusal or within sixty days from the date of receipt of the proposal by the society.

(4)A person who does not own a house or apartment in his own name or in the name of a member of his family but possesses a plot of land in his own name, shall be eligible to be a member of a co-operative housing society comprising plot holders, if he

intends to build a house thereon with the assistance of such society and if his plot stands adjacent to a plot within the jurisdiction of the society.

(5)No person shall be admitted as a member of a co-operative housing society who is not considered by a board thereof as one having genuine need for housing or additional accommodation from such society.

(6)A person who has entered or intends to enter into any contract with a co-operative housing society in the matter of any work, constructional or otherwise, relating to a project of the society shall not be eligible to be a member:

Provided that where a person conveying a plot of land in favour of a co-operative housing society intends to become a member of such society without any additional consideration and is otherwise eligible for such membership, he may be admitted as a member of such society.

132. Cessation of Membership

(1)A person shall cease to be a member, if –

(i) he incurs any of the disqualifications to be a member;

(ii) he fails to accept any allotment of land or house or apartment within a period of ninety days from the date of allotment; or

(iii) he or any member of his family establishes any business relationship with the society or acts as an advocate or solicitor against the society, unless otherwise directed y the Registrar.

(2)The cessation of membership shall be deemed to be effective from the date when the cause of cessation referred to above first arises.

(3)Notwithstanding anything contained in clause (i) of sub-rule (1), membership of a person shall not cease if he or any member of of any land or house or apartment by

inheritance and still continues to have a genuine need for accommodation in the project of the society.

133. Expulsion of Members

(1)Any member who continues to default in payment of his dues towards cost of land or house or apartment allotted to him by the society for more than six months without a break continues to default in payment of his maintenance charges formore than three months without break may be expelled from the society by the vote of two-thirds of the members of the board present and voting at a meeting after he has

been given an opportunity of being heard and no resolution of the board shall be effective unless it is submitted to the Registrar for approval and approved by him: Provided that the order of expulsion shall take effect only from the date of communication of the decision of the board to the concerned members after the approval of the Registrar, as aforesaid, has been duly obtained: Provided further that the approval or disapproval of the Registrar shall be communicated to the society within a period of six weeks and in the absence of such communication the resolution of the board shall be effective.

Explanation - The power of approval conferred under this rule shall vest in the Registrar exclusively and shall not be capable of being delegated to any other officer. (2)A member may be expelled in the same manner as laid down in Sub-rule (1) if, in the opinion of the board, he has done any act prejudicial to the interest of the society or has violated a lawful decision of the board despite warning.

(3)The member so expelled shall have a right to appeal to the State Government for which purpose he shall submit a written representation to the State Government within a fortnight from the date of communication of the order of expulsion.

134. Recovery of dues from member, after his entitlement to title or interest in land or house or apartment

Where a member, after his entitlement to title or interest in any land, house or apartment continues to default in payment to the society for a period of more than six months, the board may take steps for recovery of the dues laid down against serial 4 of the Second Schedule to the Act.

135. Powers and duties of the Board of Housing Co-operative Society

Subject to the powers and duties conferred and imposed by these rules, the board of a housing co-operative society shall exercise the following powers and perform the following duties, namely –

(a)to appoint, suspend, remove or discharge all persons engaged on payment of fees or on the basis of contract, such as contractors, solicitors, supervisors, engineers, valuers, architects and surveyors;

(b)to invite tenders and to enter into contracts for and on behalf of the society and to settle the terms thereof:

Provided that the terms and conditions of contracts once settled shall not be altered without a resolution passed by two-thirds of the members present and voting at a meeting of the board;

(c) to authorise by name one of the members of the board other than the person in-charge of cash or account to verify the cash balance as shown in the books of the society at least once a month and other assets of the society once in a quarter and to report to the board the result of such verification in the next following meeting. If any shortage of cash balance or any other asset is reported, the board shall take prompt steps for the recovery of the shortage failing which the members of the board shall be jointly and severally responsible for making good the shortage; (d) to take such steps as may be necessary for obtaining loan from the West Bengal State Co-operative Housing Federation Limited on behalf of the members or to assist the members in all possible manners including supply of papers and documents in the matter of their obtaining loans from any source;

(e) to inform the members the full particulars of loan sanctioned and issued by the West Bengal State Cooperative Housing Federation Limited along with the terms and conditions thereof as and when such loans are sanctioned and issued by such Federation;

(f) to issue periodical demand notice to the members for paying instalments towards cost of land, house or apartment:

Provided that the number of such instalments shall be fixed in consideration of the actual progress of the work of the project;

(g) to ensure that the name of a nominee of a member is entered in the appropriate register and also to inform the member of the same in an appropriate manner;

(h) to arrange timely repayment of loans to the West Bengal State Co-operative Housing Federation Limited on collection of instalments of loans from members; and

(i) to place report for consideration of the members in the annual general meeting.

136. Escalation of Project Cost

The Board shall endeavour to avoid any escalation of project cost. However, if there is any escalation, the board shall bring the fact to the notice of the general body in the annual general meeting or special general meeting forthwith.

137. Financial transactions and maintenance of accounts in a housing co-operative society

(1)All financial transactions in a co-operative housing society involving an amount exceeding one thousand rupees shall be made by Account Payee cheques only.

(2)All payments to a co-operative housing society shall be made against serially machine-numbered receipts duly signed by the secretary and bearing the common seal of the society.

(3)All payments by a co-operative housing society shall be made against proper receipt duly signed and dated by the payee concerned.

(4)All receipts and payments by a co-operative housing society shall be immediately entered in the cash book of the society making corresponding entries in the relevant ledgers.

138. Transfer and letting out by members of a housing co-operative society

(1)In all cases of transfer and letting out of land, house or apartment written consent of the society shall be required.

(2)A member of a housing co-operative society in whose favour a plot of land or a house or an apartment in a multistoried building has been allotted may transfer by way of sale or usufructuary Mortgage as defined in the Transfer of Property Act, 1882 (4 of 1882) such plot or house apartment, as the case may be, on one or more of the following grounds –

(i) that the member has been involved in debts and the transfer by way of sale or usufructuary mortgage is necessary to pay off his creditors;

(ii) that the member is compelled to shift from the locality due to unavoidable circumstances beyond the control of the member;

(iii) that the members is in urgent need of money to meet the expenses of marriage or of education of his son or daughter or that the member is in urgent need of money to meet urgent medical expenses of any of the members of his family or any person fully dependent on him;

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(iv) such other grounds analogous to those mentioned above as the „Board‟ might consider reasonable and justifiable;

(v) for obtaining written consent of the Housing Co-operative Society in terms of sub-section (3) of section 92, the member shall apply in duplicate to the Co-operative Society with credential of the transferee and with evidence of circumstances under which he/she is compelled to transfer the flat;

(vi) the decision of the Housing Co-operative Society, on any application under clause (v) shall be communicated to the member within 30 (thirty) days from the date of receipt of the application. If the Housing Co-operative Society refuses to give its written consent to such application, it shall record the reasons for such refusal and communicate the same to the member within 15 (fifteen) days from taking such decision;

(vii) where a housing cooperative society refuses or fails to give the written consent under clause (vi) and if the member intends to prefer an appeal to the Registrar against such refusal by or failure of the Housing Co-operative society, he may prefer such appeal within 30(thirty) days from the date of communication of the refusal or within 60 (sixty) days from the date of receipt of the application of the member by the Housing Co-operative society, but after expiry of 30 (thirty) days from the said date in the case of failure of the Housing Co-operative society to give such consent; and

(viii) the Registrar shall, after hearing the applicant and hearing the co-operative society, dispose of the appeal within 30 (thirty) days from the date of preferring the appeal.

139. Refund of deposits to a member or his nominee in the event of his resignation or expulsion or death

Deposits made by a member of a housing co-operative society towards cost of project shall, in the event of termination of his membership by resignation, expulsion, death or otherwise be refunded to him or his nominee or his legal heir, as the case may be, within six months from the date of such termination.

140. Annual General Meeting of a Housing Co-operative Society

In the annual general meeting of a co-operative housing society held in terms of section 29, the board shall submit a comprehensive report in terms of section 90 of the Act.

141. Jurisdiction of the West Bengal State Co-operative Housing Federation Limited.

(1)The West Bengal State Co-operative Housing Federation Limited may, upon a scheme being drawn up by it duly approved by the Registrar at any time, undertake construction of houses anywhere within the State of West Bengal under its supervision and control, and simultaneously sponsor co-operative housing societies and transfer the houses to those societies on terms and conditions agreed upon by the sponsoring and the sponsored society.

(2) In the case of a co-operative housing society sponsored by the West Bengal State Co-operative Housing Federation Limited the expression „Chief Promoter‟ , wherever it occurs in these rules, shall mean the Chief Executive Officer of the said housing federation.

142. Restriction on borrowing

Notwithstanding anything contained elsewhere in these rules, the West Bengal State co-operative Housing Federation Limited or any co-operative housing society may incur liabilities by way of loan from any other co-operative society, theGovernment or any other financing institution against adequate security irrespective of the amount of paid-up share capital and reserve fund separately invested outside the business of the society.

143. Restriction on issue of loan

Notwithstanding anything contained elsewhere in these rules, the West Bengal State Co-operative Housing Federation Limited or any other co-operative housing society may grant loan to a member upto fifty times the amount of Share Capital paid-up by such member so, however, that the amount of loan to be granted to the member shall not exceed ninety per cent of value of the land acquired or taken possession of by such member or where possession of by such member or where building has been constructed or proposed to be constructed on such land, or both land and building.

144. Valuation of land

(1) The value of land for the purpose of clause (c) of section 72 shall be determined by the society - (a) by arriving at an average sale value with reference to recorded sales of similar land in the locality within the last three years, or (b) if no such record of sale is available, by having the value of the

land assessed by the Land Acquisition Collector within the local limits of whose jurisdiction the land is located.

(2) The valuation of house or apartment shall be made by an empanelled valuer. **145. Restriction on change in the scheme of the project and number of projects in a Housing Co-operative Society**

(1) No primary housing co-operative society shall undertake any housing project other than one decided upon in the promoters‟ meeting for the purpose of registration of the society without the approval of the general body and concurrence of the Registrar;

Provided that in the Calcutta Metropolitan Area; as defined in Calcutta Metropolitan Development Authority Act, 1972, no Primary co-operative housing society shall sponsor more than one housing project.

Explanation - "Housing Project" means multistoried buildings or a cluster of houses in a compact area,

(2) No primary co-operative housing society shall make any change in the project or the project site without the approval of the general body with 3/4th majority and prior approval of the Registrar.

146. Creation of second mortgage on a co-operative land, house or apartment in favour of the employer by a member employed in the public sector

Any member of a housing co-operative society, who is an employee of the central or the state government or any public undertaking or government sponsored institution, may on being formally allotted land, house or apartment by the society of which he is a member, obtain loan from his employer on such terms and conditions as may be imposed by the employer and such loan, either in lump or in suitable instalments, as the case may be, shall be paid to him or on his authority to the housing co-operative society of which he is a member or the West Bengal State Co-operative Housing Federation Limited as may be decided by the employer upon an agreement by the Loanee member to assign the right with the co-operative housing society upon a further agreement to pledge his gratuity or deposits or interest. He shall also be required to execute a second mortgage in favour of his employer after completion of the house or the apartment. **147. Mode of communication by members to a Housing Co-operative Society in certain matters**

(1) When a member intends to vacate the possession of the plot, house or apartment he shall communicate such intention to the board in writing

explaining the reasons thereof and intimating the period by which he intends to vacate.

(2) Whenever a member intends to make any addition or alternation or repair of any house or apartment in his possession, he shall communicate such intention to the board in writing explaining the purpose of such addition or alternation or repair proposed and furnishing such information as may be necessary.

148. Apportionment of cost of land, house or apartment in Housing Co-operative Society

(1) The cost of any land (including its development cost) or the cost of any house or apartment on such land built by a housing co-operative society shall be apportioned in such manner as may be decided by the board.

(2) The cost of maintenance, repair or replacement of common areas and facilities shall be apportioned according to carpet area :

Provided that where apportionment of cost according to carpet area is not considered, equitable the society may with the approval of the Registrar, realise the cost in such manner as it may consider fit.

Explanation : **Common areas**

Common areas shall mean staircase, stair cover, stair room, lift or any other easement and its connected areas, lobby, open terrace, roof, external wall, lawn, garden, play ground, water tank, boundary wall, parapet, driveway, residual area of car parking, security room,

generator room, fire fighting tank and similar other service areas as would be decided by the general body.

Explanation : Facilities

Facility shall mean water supply arrangement, lighting arrangement in common areas, security arrangement, intercom arrangement, generator arrangement, fire fighting arrangement, lift service, roof treatment, safety tank treatment and similar other facilities as would be decided by the general body.

149. Entitlement by a member of a Housing Co-operative Society to title or interest in any land, house or apartment

A member of a housing cooperative society shall not be entitled to any title or interest in any land, house or apartment unless he has made full payment towards the cost of such land, house or apartment as may be finally apportioned by the society.

150. Circumstances under which a member of a Housing Co-operative Society may reside outside the house or apartment allotted to him

A member of a housing co-operative society may under the following circumstances be allowed to reside outside the house or apartment allotted in his favour by a housing co-operative society:-

(a) if the member is transferred by his employer to any other place:

(b) if the member is under the conditions of his service compelled to stay outside such as in a government quarter;

(c) if the member is compelled to reside elsewhere due to reasons of his business or avocations;

(d) if the member is compelled to reside elsewhere under such other circumstances as the board may approve.

151. **Quarterly statement to be furnished**

Form XXIX.

CHAPTER IX

Co-operative Service Commission, Co-operative Registration Council and Co-operative Election Commission

152. **West Bengal Co-operative Service commission**

(1) The Chairman of the Co-operative Service commission appointed under section 94 shall be paid in respect of time spent on actual service, salary and allowances, last drawn by him where he is a retired officer and his usual salary and allowance where he is a serving officer :

Provided that if the person appointed as Chairman of the commission is in receipt of pension (Other than disability or wound pension), his salary shall be reduced by the amount of that pension and if he has, before such appointment received any such sum in lieu of a portion of the pension, his salary shall be reduced by the amount of that portion of the pension and the pension equivalent to gratuity.

(2) A member of the Commission shall be paid salary of Rs.5000/- (Rupees five thousand) per month provided under sub-section (3) of section 94.

(3) The Commission shall have the following staff –

(a) One Secretary

(b) One Deputy Secretary in the rank of Deputy Registrar of Cooperative Societies.

(c) One Assistant Secretary in the rank of Assistant Registrar of Cooperative Societies.

(d) One Stenographer with knowledge in computer science.

(e) One Typist with knowledge in computer science.

(f) Two Upper Division Assistants

(g) Two Lower Division Assistants

(h) Four Peons

Provided that the State Government shall have the power to increase or decrease the number of the officers and other employees of the Commission at any time in consultation with the Chairman of the Commission.

(4) The salaries, allowances, retirement benefits and the terms and conditions of service (including conduct, discipline and control) of officers and other employees of the Commission shall be such as the officers and employees of 82

the Public Service Commission, West Bengal, are entitled to. The expenses of the Commission including the expenses under sub rule (2) and (3) shall be defrayed out of the consolidated fund of the State.

(5) The Commission shall hold meetings for the purpose of fixing general; or particular guidelines and Rules of business including Recruitment Rules for selection of persons for appointment in co-operative Societies for its smooth functioning. The Chairman shall preside over all such meetings to be convened by the Secretary.

(6)(a) The Chairman or any member of the Commission, may by writing under his hand addressed to the Secretary, Department of Co-operation, Government of West Bengal resign his office.

(b) The Chairman of the Commission may be removed by the State Government in the manner provided for removal of the Chairman of the Public Service Commission, West Bengal.

(c) A Member of the Commission may be removed by the State Government if he fails to attend six consecutive meetings of the Commission including the Selection Committees.

(7) No employee who has been appointed in a Co-operative Society on the recommendation of the Commission shall be dismissed from service without prior approval of the Commission. The Commission shall give its decision in this regard within two months from the date of receipt of any request in writing from the co-operative society for such approval.

(8) Any appointment made by a Co-operative Society covered under the fifth schedule of this Act in violation of sub-section (5) of section 94 shall be void.

153. **Co-operative Registration Council**

(1) The Cooperative Registration Council referred to sub-section (1) of section 95 shall have a Secretary to be appointed by the State Government by Notification in the Official Gazette. Such Co-operative Registration Council (hereinafter referred to as the Council) shall discharge its functions in the following manner –

(a) On receipt of the memorandum sent by the Registrar under sub-section (8) of section 16 transferring therewith the papers pertaining to the registration proposal, the Secretary of the Council shall convene by a written notice meeting of the Council within ten days from the date of such receipt. Seven clear days" notice shall be given for such meeting.

Alongwith such notice shall be sent a statement containing the following particulars –

(i) name of the proposed society and the proposed address thereof; (ii) area of membership of the society and its class;

(iii) grounds on which or reasons due to which the Registrar refused registration of the society under sub section (6) of section 16 or did not or could not dispose of the application within the period mentioned in sub-section (7) of section 16

(b) Copies of such notices shall be sent to the applicant or the Chief Promoter affording him an opportunity of being heard before the Council.

(c) Two members of the Council will form a quorum for holding its meeting. If the Chairman be absent the members present shall select one from amongst themselves to be the Chairman of the meeting.

(d) The meeting of the Council shall examine the case and decide. The proceedings of such meeting including the decision shall be recorded in the minute book to be maintained by the Council for such purpose.

Provided that the Council shall have the right to call for any additional documents for ends of justice.

(e) Where the Council decides that the proposed society shall not be registered, the Secretary of the Council shall communicate the decision to all concerned by registered post and return the relevant papers to the applicant or the Chief Promoter.

(f) Where the Council decides that the proposed society should be registered, the Secretary of the Council shall send back the papers to the Registrar for registration of the society. The Secretary shall also communicate the fact to the applicant or the Chief Promoter.

Provided that the Registrar shall register the cooperative society within one month from the date of receipt of such papers.

(g) Where the applicant or the Chief Promoter for registration of a Co-operative Society and its bye-laws wishes to appeal to the Council under Sub-section (7) of section 16 it shall prepare a memorandum of appeal which shall –

(i) be either typewritten or written legibly by hand;

(ii) state the name and address of the appellant clearly;

(iii) state the date and mode in which the application for registration was sent or submitted to the Registrar or the date of receipt of the order of refusal, as the case may be;

(iv) state the name of the society and all particulars about it including address, area of membership and the object.

(2) The Secretary shall maintain the following registers -

(i) Register of references received from the Registrar under sub-section (8) of Section 16 in

Form III.

(ii) Register appeals received from applicants or Chief Promoters, as the case may be, under Sub-section (7) of Section 16 in

form IV.

(iii) Register of appeals presented under sub-section (7) of Section 16 in Form V.

(v) Register of miscellaneous letters received, in Form VI.

(vi) Minute book for the meetings of the Council.

154. Co-operative Election Commission

(1) The Co-operative Election commission shall hold meetings for the purpose of fixing general or particular guidelines and rules of business for holding of elections of all registered co-operative societies in West Bengal;

Provided that the Board of all registered cooperative societies shall furnish the commission such papers, information which the Commission may require from time to time.

(2) The Co-operative Election commissioner appointed under section 96 shall be paid in respect of time spent on actual service, salary and allowances, last drawn by him where he is a retired officer and his usual salary and allowances where he is a serving officer, provided that if the person appointed as the Co-operative Election Commissioner is in receipt of pension (other than disability or wound pension), his salary shall be reduced by the amount of that pension and if he has, before such appointment received any sum in lieu of a portion of the pension, his salary shall be reduced by the amount of that portion of the pension, and the pension equivalent to gratuity.

(3) The salaries, allowances, retirement benefits and the terms and conditions of service (including conduct, discipline and control) of officers and other employees of the Commission shall be such as that of the employees of the State

Government. Such salaries, allowances etc. and expenses of the Commission

shall be defrayed out of the consolidated fund of the State.

(4) As provided under sub-section (7) of section 96, the Cooperative Election Commission shall have the following staff

(a) One Secretary in the rank of Joint Registrar of Cooperative Societies;

(b) One Deputy Secretary in the rank of Deputy Registrar of Cooperative Societies;

(c) One Assistant Secretary in the rank of Assistant Registrar of Cooperative Societies;

(d) One officer in the rank of Cooperative Development Officer;

(e) One officer in the rank of Cooperative Inspector;

(f) One Upper Division Assistant;

(g) Two Lower Division Assistants with knowledge in computer science;

(h) One Stenographer with knowledge in computer science;

(i) One Typist with knowledge in computer science; and

(j) Two peons:

Provided that the State Government shall have the power toincrease or decrease the number of the officers and other employees of the commission in consultation with the Chairman of the Commission and expenses of the commission shall be defrayed out of the Consolidated Fund of the State.

(5) (a) The Zonal Joint Registrar or the Deputy Registrar and all officers of

his office shall respectively be ex-officio Returning Officer and Assistant Returning Officer in the case of election of all Apex and Central Cooperative Societies.

(b) The range officer of the Directorate of Cooperation and all officers of his range shall respectively be ex-officioReturning Officer and Assistant Returning Officer in the case of election of all Primary Cooperative Societies.

(c) The Commission shall issue order appointing Returning Officer, Assistant Returning Officer and such other Polling Personnel as may be required to conduct election of cooperatives from the officers and employees of the Directorate of Cooperation.

CHAPTER X

Audit Inspection and Inquiry

155. Preparation of Panel of Auditors

For preparation of panel of Auditors under section 97. the State Government or the Director of Co-operative Audit with the approval of the State Government shall invite application from amongst the eligible persons which shall include the members of the Institute of Cost and Works Accountant of India constituted under the Cost and Works Accountant Act 1959, and members of the Institute of Chartered Accountants of India both having Certificate of Practice issued by the respective Institutions. Such panel of auditors shall be prepared from the members of above named two Institutions by obtaining applications from them as provided under sub-section (1)(b) of section 97 through advertisement in at least one State level daily newspaper on such terms and conditions as may be decided by the State Government and upon receiving such applications, such panel shall be finalized by a Committee constituted by the State Government from time to time.

155A. Audit under clause (b) of sub-section (1) of section 97 of the Act

Audit under clause (b) of sub-section (1) of section 97 of the Act shall include the following:-

(a) examination of over due debts, if any;

(b) verification of cash balance, securities and fund investment;

(c) valuation of assets and liabilities of the cooperative and calculation of depreciation of assets;

(d)
verification of the balance at the credit of the depositors and creditors and the amount due from the debtors of the cooperative;

(e) examination of the statements of accounts to be prepared by the cooperative society in

Form XXX or in such other form as may be provided by any law;; (f) examination of the stocks and purchases and checking of the entries in the stock register, purchase register and godown register with challans, invoices and deliveryorders etc.;

(g) checking of the entry of the cash book with all vouchers and checking of the propriety of the vouchers;

(h) verification of closing balance together with reconciliation between stock balance as per stock registers and figures found on physical verification; (i)

ascertainment of overdue loans and overdue interest together with year wise classification of overdue loan at the end of the cooperative year;

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(j) examination of the provisions of overdue interest in suspense;

(k) examination of the non-performing assets and year wise classification of the same;

(l) examination of the provisions made in account in regard to the non-performing assets as per directive of the Reserve Bank of India;

(m) examination of proper appropriation and investment of different statutory funds;

(n) An examination of the monitory transactions including the propriety of the transactions; and

(o) any other matter as the Director of Cooperative Audit may by order specify.

155B. Annual Audit, Monthly Running Audit, Concurrent Audit, Re-Audit etc An audit under clause (b) of sub-section (1) of section 97 of the Act, shall include annual audit, monthly running audit, concurrent audit, re-audit and other matters as decided by the State Government.

156. Audit Fees

(1) A Co-operative Society shall pay audit fee calculated on the working capital on the last day of the co-operative year for which the audit fee will be due.

(2) The fees for annual audit shall be calculated at the following rates, namely: -

(i)	Where the working capital does not exceed one lakh rupees	At the rate of five rupees for every one thousand rupees or part thereof subject to a minimum of one hundred rupees.
(ii)	Where the working capital exceeds one lakh but does not exceed fifty lakh rupees	five hundred rupees plus at the rate of eighty rupees for every one lakh rupees or part thereof on the amount exceeding one lakh rupees.
(iii)	Where the working capital exceeds fifty lakhs rupees but does not exceed one crore rupees	Four thousand five hundred rupees plus at the rate of eighty rupees for every one lakh rupees or part thereof on the amount exceeding fifty lakh rupees.
(iv)	Where the working capital exceeds one crore rupees but does not exceed one hundred crore rupees	Nine thousand four hundred rupees plus at the rate of one hundred rupees for every one crore rupees or part thereof on the amount exceeding one crore rupees.
(v)	Where the working capital exceeds one hundred crore rupees	Nineteen thousand three hundred rupees plus at the rate of seventy five rupees for every one crore rupees or part thereof on the amount exceeding one hundred crore rupees.

(3) In the case of a Housing Co-operative, the audit fee shall be assessed at the rate of rupees thirty per member subject to a minimum of five hundred rupees.

(4) In the case of a Co-operative which is under process of being dissolved, the audit fee shall be assessed at the rate of one percent of the realised assets of the co-operative during the co-operative year for which the accounts are audited.

(5) In the case of West Bengal State Co-operative Union and all of district co-operative Unions and other non-trading promotional bodies, audit fee shall be five paise for every one hundred rupees of annual subscription received during the co-operative year from the members subject to minimum of the hundred rupees.

(6) In addition to audit fees mentioned under this rule, an additional amount of twenty five percent of audit fees shall be payable for monthly running audit in the case of the co-operative society mentioned in clause (a) of sub-section (2) of section 97 and an additional amount of ten percent for each branch of the co-operative.

Provided that the audit fee payable for concurrent audit, cost and performance audit and internal audit shall be determined by settlement between the audit Officer and the Director of Co-operative Audit or the co-operative society, as the case may be.

157. **Payment of audit Fees**

(1) Where the audit of the accounts of a co-operative society is conducted by a Departmental Officer, the audit fees shall be deposited, within a period of three months from the date of submission of the audit report, in the nearest Treasury or the sub-treasury, as the case may be, under the appropriate receipt head of the State Government and one copy of receipted challan shall be submitted to the Director of Cooperative Audit by the cooperative society.

(2) Where the accounts of a society are audited by an Audit Officer, not being a Departmental Officer, the audit fee shall be paid, within a period of three months from the date of submission of the audit report, direct to such audit officer upon proper receipt, if no objection is filed before the Registrar about audit report in the meantime.

(3) Audit fees payable by a society shall be recoverable as Government dues and, if not paid within the time fixed, may be recovered as an arrear of land revenue .

Provided that immediately after the audit report has been received by the society, the Audit Officer shall get a sum not exceeding fifty percent of the audit fee payable under sub-rule (2) of rule 156.

158. **Audit Report**

(1) The audit report referred to in sub-section (1) of section 98 shall state – (a) Whether any of the transactions appears to him to be contrary to law or any direction of the Registrar;

(b) Whether every sum which ought to have been but has not been brought into account;

(c) Whether the amount of any deficiency or loss which appears to have resulted from any negligence or misconduct, requires further investigation;

(d) Whether any money or property (including stock) belonging to the society appears to have been misappropriated or fraudulently retained by any person;

(e) Whether any asset appears to him to be a non-performing asset or bad or doubtful;

(f) Whether or not the Audit Officer has obtained all the information and explanations required by him;

(g) Whether or not, in his opinion, the balance sheet and the profit and loss account referred to in the report are drawn up in conformity with the law; (h) Whether or not such balance sheet exhibits a fair account of the state of the society‟s affairs according to the best of his information and the explanation given to him and as shown by the books of the society;

(i)Whether, in his opinion, books and accounts have been kept by the society as required under the Act, the rules, the bye-laws and the directions of the Registrar (if any);

(j)Whether there has been any material impropriety or irregularity in the expenditure or in the realization of moneys due to the society.

(2) Where any of the matters referred to in sub-rule (1) is answered in the negative or in the affirmative with any remarks, the report shall state the reason for such answer with facts and figures in support of such reason.

(3) The audit report shall also include (a) certification of realized profits, (b) merit rating of Co-operative Societies in such form as the Director may approve and (c) his suggestions for improvement of the working of the society.

159. Assessment of Audit Fee on Co-operative Society

Audit fee shall be assessed by the Director of Co-operative Audit –

(i) In the case of a working Primary Agricultural Co-operative which is a member of a Central Co-operative Bank or is financed by a nationalized Commercial Bank or Gramin Bank upon such Bank;

(ii) In the case of any other Co-operative, upon the Co-operative Society.

160. Exemption and Remission of Audit Fees

(1)All Students‟ Consumers Co-operative and Students‟ Health Co-operative shall be exempted from payment of audit fees.

(2)All types of Women Co-operative shall be exempted for five years after registration of the Co-operative from payment of audit fees.

(3)The Director of Co-operative Audit may, at his discretion, remit by order either wholly or in part audit fee payable by non-working co-operative and the co-operative having no income at all during the co-operative year.

(4)Audit of Co-operative Education Fund shall be conducted by Departmental Audit Officer and audit fees shall be two thousand five hundred rupees.

161. Procedure of Audit

(1)Unless the Director of Cooperative Audit directs otherwise, the audit of a Co- operative society shall be conducted in the registered office of the society and at the branches and pay offices, if any.

(2)Previous intimation shall be given to the cooperative society before the audit is commenced: Provided that verification of cash balance, and securities may be carried out without any previous intimation to the society.

(3)The officers and other employees of the society shall give the Audit Officers all assistance necessary for the completion of the audit, and for this purpose in particular, prepare such statements and take such action with regard to the verification or examination of its accounts, as he may require.

162. Audit objections

While conducting the statutory audit of a co-operative society under sub- section (12) of section 97 of the Act, the Audit officer may issue, from time to time during audit, interim objections to the Secretary of the society or to the officer performing the duties of the Secretary for compliance or explaining the defects and irregularities pointed out in such objections within a period not exceeding seven days. The secretary or the officer performing the duties of the Secretary, as the case may be, shall return the interim objection sheets with the compliance report to the Audit Officer within the time specified by the Audit Officer.

The Audit Officer shall review the compliance report and waive such objections which, in his opinion, have been complied with satisfactorily and shall incorporate the remaining objections in the audit report.

163. Writing off Assets and Bad Debts

(1)Subject to approval of the Registrar, any debt or dues or any asset considered bad shall be written off by the general meeting in the order below against -

(a)the bad debt fund, or any fund created out of profits as provision for non-performing assets or bad debts, as certified by the audit officer;

(b)any other fund created out of profits but not earmarked for any specific purpose; and

(c)the reserve fund constituted under the Act.

(2)Where the society is a member of a financing Bank and is indebted to it, the Registrar shall consult the financing bank before sanctioning the writing off of any debt or amount due.

164. Submission of special report by Audit Officer

When an Audit Officer notices in course of his audit that there exist a case of serious irregularity such as misappropriation, embezzlement of funds or pilferage of stocks, violation of provisions of law, he shall intimate such irregularities to the concerned society and to the Registrar through Proper Channel in a sealed cover marked to the concerned society and "confidential" as expeditiously as possible for such action as the Registrar may consider expedient.

165. Form of Audit Statements

The statements of accounts shall be prepared by the Board in

Form XXX or in such other form as the Registrar may approve.

165A. Seizure of books and documents by the Inspecting Officer or Inquiring Officer

As provided under sections 99 and 100 of the Act, an Inspecting Officer or Inquiry Officer, as the case may be, during inspection or inquiry, may seize any book or document of the cooperative society from its office as may be required by him in the interest of the inspection or inquiry by preparing two copies of seizure list taking at least one witness and hand over one copy to an officer or employee of the cooperative society obtaining a receipt.

CHAPTER XI

Settlement of Disputes

166. Reference of a dispute

A dispute to be filed before the Registrar shall be made in writing to be called the plaint and shall, inter alia, contain –

(a)the names, description and addresses of the parties,

(b)a statement of the subject of disputes alongwith copies of documents to be relied upon,

(c)the facts constituting the cause of action and when it arose,

(d)the relief prayed for, and

(e)in a dispute relating to recovery of money, a statement of the subject matter of the dispute for the purpose of determination of fees for filing a dispute:

Provided that the plaint shall be accompanied by as many its copies as the number of defendants.

167. Filing of dispute

For filing a dispute under section 102 the petitioner shall in addition to the provision contained under rule 166 have to follow the procedure under that section.

168.Persons qualified to be appointed as Arbitrators

(1)An arbitrator or Arbitrators may be nominated or appointed from –

(a)officers and retired officers of Department of Cooperation, Government of West Bengal,

(b)officers of apex and Central Co-operatives,

(c)members of local body,

(d)chartered engineers,

(e)chartered accounts or cost accounts,

(f)advocates,

(g)any Co-operator having experience of holding office of the Director of any Apex or Central Co-operative Society.

169. Disposal of Disputes

The disputes required to be disposed of under chapter XI of the Act shall be decided as per the provisions contained in these rules subject to the provisions contained in the Act.

170. Procedure for disposal of disputes

(1)For settlement of a dispute, under sub-sections (1), (2) and (3) of section 103, the Board of Arbitrators or the forum of Arbitrators or the arbitrator, as the case may be, shall – (a)fix the date, hour and place of hearing of the dispute and

(b)have power to allow representation by agent, guardian or next friends.

(2)The Board of Arbitrators, forum of Arbitrators or the Arbitrator, as the case may be, shall issue summons or notice, at least, 15 (fifteen) days before the date fixed for hearing of the dispute to the plaintiff and the defendant requiring them to attend with all relevant books, documents, witnesses and evidence relating to the dispute.

Provided that the summons or notice which shall be served upon the defendant shall contain a copy of the plaint.

(3)First and subsequent summonses or notices may be served on a party to the dispute or his agent or any, adult member of the family -

(a)by registered post with acknowledgement due or

(b)by affixing a copy of the summons or notice on the outer door or some other conspicuous part of the last known place of residence or business of the party, when he refuses to sign the acknowledgement or he cannot be traced out even after adequate search.

(4)Service of summon or notice on the Chairman, the Secretary or the Chief Executive of the Co-operative Society by whatever designation known, shall be regarded as service on the Co-operative.

(5)Where the serving officer delivers or tenders a copy of the summons or notice personally to the addressee or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, endorsed on the original summons or notice as an acknowledgement of service.

(6)The serving officer shall, in all cases in which the summons or notice has been served under clause (b) of sub-rule (3), cause to be endorsed on, or annexed to, the original summons or notice, return stating the time when and the manner in which the summons or notice, was served, and the name, signature and address of the person, if

any, identifying the person concerned and witnessing the delivery or tender of the summons or notice.

(7)The sufficiency of proof of service of the summons or notice shall be decided by the person who issued the same.

(8)(a) After summons or notice has been duly served, if on the date of hearing the plaintiff is absent, the case shall be dismissed for default and if the defendant is absent, the case may be decided ex parte.

(b) Where both the parties are present, the case shall proceed and the defendant shall submit on the first date of hearing a written statement alongwith copies of documents to be relied upon. A copy of the written statement shall be served upon the plaintiff on or before the date of appearance and hearing.

(9)Each party may inspect the documents of the other party for verification with the original.

(10)The Board of Arbitrators or forum of Arbitrators or the Arbitrator as the case may be, may, at any time, during pendency of the dispute, order the production by any party of such of the documents in his possession or power relating to any matter in question in such dispute.

(11)The Board of Arbitrators or forum of Arbitrators or the Arbitrator, as the case may be, may permit to call, either by summoning or otherwise, any witness to give evidence or produce documents. A party may cross-examine witnesses of the other party.

Provided that the Board of Arbitrators or forum of Arbitrators or Arbitrators shall also have power to recall any witness to give further evidence or to produce any specific documents.

(12)The Board of Arbitrators or Forum of Arbitrators or the Arbitrator, as the case may be, may invite any technical expert or any Audit officer to give opinion on any technical matter.

(13)Where an Arbitrator, due to transfer, retirement or other cause is prevented to conclude the settlement of a dispute, the Successor-Arbitrator may deal with the case from the stage at which his predecessor left it.

(14)The Board of Arbitrators or Forum of Arbitrators or the Arbitrator, as the case may be, shall give the parties to the dispute due opportunity of hearing and shall make a

memorandum of the statements of parties who attend and such witnesses as are examined and cross examined and such opinion of the technical experts and record the proceeding in writing.

171.Award or decision

(1)After conclusion of hearing of the case, the Board of Arbitrators or Forum of Arbitrators or the Arbitrator, as the case may be, on examination of evidence on record and on consideration of arguments – oral or written, if any, as advanced by the parties, shall make a reasoned award in writing under his signature with date in accordance with justice, equity and good conscience.

(2)The award shall contain the number of the reference, the names and description of the parties and particulars of the dispute, and shall specify –

(a)the relief granted;

(b)the amount decreed;

(c)the interest including future interest, if any, allowed; and

(d)the cost awarded, if any, indicating the party or parties liable to pay the decretal amount or the cost or both and the manner of payment of thereof.

(3)An award may be made at once or on a date to be fixed within 15 (fifteen) days from the date of conclusion of hearing with due notice to the parties,. It shall be communicated to the parties –

(b)by pronouncement of the award before them and taking their signatures on the order sheet as acknowledgement or making endorsement himself about the communication when a party refuses to sign;

(c)by registered post with acknowledgement due to a party who may be absent on such date.

Provided that it shall be sufficient if the particulars at clauses (a), (b), (c) and (d) of sub-rule (2) are read out and it shall not be necessary to read out the whole award.

172. Amendment of award, order, etc.

(1) If there are any clerical or typographical or arithmetical mistakes in the award or any interim order or errors arising therein from any accidental slip or omission, the same

may be corrected by the Board of Arbitrators or forum of Arbitrators or the Arbitrator, as the case may be, either of its or his own motion or on the application of any of the parties. Such application shall be made within 15 days from the date of award or order.

(2)Any amendment made under sub- rule (1) shall be communicated to all parties.

(3)An award once made and signed cannot afterwards be altered or added to save as provided under sub-rule (1) even with the consent of the parties.

173. Withdrawal of reference by the Registrar

The Registrar may withdraw the reference from the Arbitrators and may decide the dispute himself or may make fresh appointment of an arbitrator or arbitrators on one or more of the following grounds :

(a) on an application stating reasons by any party to a pending arbitration proceedings;

(b) on the application of an Arbitrator not being a Government Officer;

(c) in case of transfer of suspension or dismissal or resignation of the arbitrator or any of the arbitrators where he is a Government officer.

174. Execution of decision or award

(1) For sums payable under an award in any dispute, recovery shall be made in the manner specified under section 143 and the Second Schedule as a Public demand upon requisition of the awardees.

(2) Decision of award in a dispute not involving any sum, shall, upon application by the awardee, be enforceable by any civil court having local jurisdiction in the same manner as a decree of such court as if it were a decree of such court.

175. Disposal of record

(1) The original records of a dispute proceedings, after the decision or award has been delivered, shall be kept in such place and manner as the Registrar may direct.

(1)Any document or record filed by a party may, on application, be returned to the party after the disposal of the appeal, if any, or after the expiry of the period of limitation for preferring appeal if no appeal has been preferred.

176. Certified copy

(1) A certified copy of an order, decision or award or evidence of the parties shall, on application, be given to a party by the Registrar dul ouble spaces.

(2) On receipt of an application for certified copy of order, decision or award, the applicant shall forthwith, or on a date to be given to him instantly, be intimated about the requisites required to be supplied by him.

(3) If the requisites are not supplied within seven days from the date of intimation, the application for certified copy shall be rejected and thereafter the party may obtain certified copy of filing fresh application.

(4) The certified copy shall be supplied, as far as practicable, within two weeks from the date on which the requisites are supplied.

(5) It will be for the party applying for certified copy to collect the same and if he wants it to be sent by post, then it shall be deemed to have been delivered to him on the date on which the certified copy is sent by post.

CHAPTER - XII

Dissolution of Co-operative Societies

177. Order for dissolution of a Co-operative Society

(1) When the Registrar passes an order under section 106 directing the dissolution of a Co-operative Society, he shall –

(a) publish the order in such manner in the locality as he may think fit;

(b) communicate the order to the society by registered post with acknowledgement due or through a messenger; and

(c) send a copy of the order to the concerned cooperative society to which it is affiliated and the financing bank, if any, by registered post with acknowledgement due or through a messenger.

Form XXXI.

178. Appointment or removal of Liquidator

(1) Where no liquidator is appointed under section 110, the Registrar shall take appropriate steps for dissolution of the affairs of the society as per the provisions contained in the Act.

Form XXXII.

179. Publication of notice

Immediately after the date on which the order directing the dissolution of the society takes effect, the liquidator shall publish, in such manner as the Registrar may direct, a notice in

Form XXXIII requiring all claims against the society to be forwarded to him within one month of the publication of the notice.

180. Remuneration of Liquidator

The liquidator may be allowed such remuneration not exceeding two and a half percent of the assets of the society as the Registrar may decide. Such remuneration may be fixed to cover all costs incidental to the liquidation and shall be met out of the assets of the society.

181. Issue of summons by a Liquidator

The Liquidator may issue summons to any person to interrogate them as provided under sub-section (13) of section 111.

182. Liquidator to keep notes of deposition

The Liquidator shall keep short notes of the deposition of persons whose evidence he takes.

183. Recovery by Certificates

For recovery of dues, the Liquidator may take steps under the Bengal Public Demands Recovery Act, 1913 (Ben. Act 111 of 1913).

184.Distribution of Assets

(1) Subject to provision of any other law, after calculation of the total realized assets, payment out of these assets shall be made in order of priority as mentioned below :-

(a) costs, charges and expenses of liquidation proceedings and remuneration of the liquidator, if any;

(b) any sum borrowed on the security of the assets of the cooperative society for the purpose of liquidation proceedings;

(c) audit fee due and payable;

(d) debts due to the government, local authority and financing bank;

(e) claims of other creditors including personal debts and deposits of members and non-members. If adequate assets are not available, pro-rata payments shall be made;

(2) After the liabilities under sub-rule (1) are paid off, the assets, if any, left with the liquidator may be applied with the approval of the Registrar for pro-rata refund of share capital to members and pro rata payment of dividend on the shares, if any, at a rate not exceeding six percent per annum for the period of liquidation.

(3) The liquidator, after taking steps under sub-rules (1) and (2), shall deal with the surplus assets, if any, in the following manner :

(a) fifty percent of the surplus assets shall be credited to the Cooperative Education Fund maintained by the Cooperative Education Fund Committee and

(b) fifty percent of the surplus assets shall be paid to the Chief Minister‟s Relief Fund of this State.

185. Final report of Liquidator and termination of proceedings

(1) After the liquidation proceedings including distribution of assets of society have been closed, the Liquidator shall submit a final account and report to the Registrar.

(2) On receipt of the final report from the Liquidator, the Registrar shall terminate the liquidation proceedings, issue a certificate of dissolution, cancel the registration of the society and discharge the liquidator.

186. Disposal of books, etc. by the Liquidator

Upon the termination of liquidation proceedings, all books, registers and accounts belonging to the society and all books, accounts and papers relating to the liquidation proceedings, which are in possession of the Liquidator shall be, along with a list thereof in duplicate, deposited with the Registrar or such person as the Registrar may direct and shall be reserved for six years therefrom.

CHAPTER XIII

Special provisions for State Cooperative Bank, Co-operative Agriculture And Rural Development Bank, Central Co-operative Bank, Primary Co-operative Credit Society, Apex Housing Society and Urban Cooperative Banks

187. Productive purposes for which a Cooperative Agriculture And Rural Development Bank may grant loan

The purposes for which a Co-operative Agriculture And Rural Development Bank may grant loans to its members shall include :-

(i) digging of well and tank, sinking of tube well and to do other work incidental thereto including repairs and additions or alternations for storage, supply or distributions of water for the purpose of agriculture or for the use of man and cattle;

(ii) creation of irrigation facilities;

(iii) construction or repair of drainage or irrigation channels, reclamation of land and measures for protection of agricultural land from flood, soil erosion etc;

(iv) promotion of horticulture, floriculture, arboriculture and orchard plantation;

(v) purchase of oil engine, pump-set, electric motor, tractor or any kind of machinery required for agriculture;

(vi) construction of farm-house, cattle shed or threshing yard, fish curing or drying yard, shed for storing or processing agricultural produce and pump house;

(vii) purchase of machinery for crushing sugarcane or for manufacturing gur, khandsari or sugar or rice;

(viii) purchase of agricultural land for the purpose of consolidation of holdings;

(ix) piggery, poultry, bee-keeping and goat-keeping;

(x) fishery;

(xi) dairy;

(xii) installation of high and low tension lines for energizing electric motors for agricultural purpose; and

(xiii) fencing around agricultural land.

188. Notice under section 114

Form XXXIV and be issued by registered post with acknowledgement due.

189. **Procedure for appointment of distrainer**

On receipt of an application from a Co-operative Agriculture and Rural Development Bank, the State Cooperative Bank, a Central Co-operative Bank or a Primary Co-operative Credit Society, as the case may be, signed and verified by the Secretary or the Manager or any other person duly authorized by the board in this behalf setting forth full particulars of the property required to be distrained, the Registrar shall, if satisfied that the particulars set forth in the application are correct, appoint a distrainer.

190. Powers and functions of the distrainer

(1) The distrainer, on appointment, shall serve upon the defaulter a written demand specifying the amount for which the distraint is made. The demand shall be dated and signed by the distrainer and shall be served on the defaulter by delivering a copy to him or to some adult member of this family at his ordinary place of residence or when such service cannot be effected accordingly, a copy of the demand shall be affixed on some conspicuous part of the residence.

(2) Simultaneously with the service of notice, the distrainer shall cause attachment of the produce specified in the application by affixing the order of attachment in

Form XXXV-

(a)where such produce is standing crop, on the land on which such crop stands, or

(b)where such produce has been cut or gathered on the threshing floor or place for treading out grain or the like or fodder stack or where the same is stored and also in a conspicuous manner on the outer door of the premises where he resides or works for gain or is known to have last resided;

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(c)where the property to be attached is movable property, other than agricultural produce, in the possession of the mortgagor, the attachment shall be made by actual seizure at the identification by the applicant or its agent;

Form – XXXV shall also be affixed in a conspicuous manner on the outer door of the premises where the mortgagor resides or works for gain or is known to have last resided;

(e)where any produce or property is attached, the distrainer, shall make arrangement for custody thereof;

(f)subject to such condition as may be imposed by the distrainer, the defaulter may tend, cut, gather and store the produce and do any other act necessary for maturing or preserving it. If the defaulter fails to do all or any of such acts, the distrainer may do all or any of such acts, either by himself or by any person appointed by him in this behalf and the costs incurred by the distrainer shall be recoverable from the defaulter, as if they were included in or formed part of the order of attachment;

(g)no distrain shall be made before sunrise and after sunset;

(h)in case the custodian appointed by the distrainer fails to produce the crop or the property on the dates specified by the distrainer, the distrainer shall refer the matter to the police station of the area and custodian shall be dealt with in the same manner as that of misappropriation of public funds.

191. Sale of distrained property and appropriation of sale proceeds

(1) As conferred upon under section 120 of the Act, if within seven days from the date of service of the demand notice, the defaulter does not pay the amount for which a distrain has been effected, the distrainer may sell, in auction, the distrained property or such part thereof in one or more lots, as may, in his opinion, be necessary to satisfy the demand together with the expenses of the distrain and the cost of the sale provided that the property which is perishable may be sold at any time depending on the circumstances.

(2) Before sale, the distrainer shall cause proclamation of the time and the place of the intended sale together with the property for sale and the approximate price and quantity thereof by beat of drum in the village where the defaulter resides or the property is kept and 104
at such other place or places as the distrainer may consider necessary to give due publicity to sale.

Provided that such sale may be held in the nearest bazar or other place of public resort, if the distrainer is of opinion that a better price is likely to be obtained thereby.

(3) The property shall be sold to the highest bidder, who shall be required to pay at least fifty percent of the purchase money in cash immediately and the balance within a period of five days and the purchaser shall not be permitted to carry away any part of the property unless the full amount of the purchase money is paid.

(4) If the purchaser fails to pay the balance of the purchase money within the time specified in sub-rule (3), the amount already paid by him shall be forfeited and the property shall be sold again and the proceeds of such sale together with the forefeited amount shall be taken as proceeds of distrain and sale and shall be appropriated in the manner as provided hereunder. Any deficiency of price which may ensue from such sale and the expenses connected therewith shall be certified by the distrainer and shall be recoverable from the defaulter.

(5) No distrainer or his relative or any person employed by or subordinate to him shall purchase, either directly or indirectly, any property distrained and put to sale under this rule.

(6) From the proceeds of such sale, a deduction at the rate not exceeding ten paise in a rupee may be made on account of costs of sale.

(7) If at any time before such sale takes place, the defaulter or any person on his behalf deposits with the distrainer or with the cooperative agriculture and rural development bank or the central cooperative bank or the primary credit cooperative society concerned the amount for which the attachment was made together with such costs as may have been incurred up to the date of deposit for causing the distraints, the property attached shall be released.

(8) Where any written claim is referred by any person other than the defaulter claiming an interest in the distrained property, the distrainer shall after being prima facie satisfied about the claim, refer the claim to the Registrar and shall stay the sale pending decision of the Registrar and shall also inform the concerned bank or society, as the case may be, of the claim:

Provided that if the property distrained is perishable in nature, he may forthwith sell the property with notice to the claimant and keep in his custody the sale proceeds.

(9) The Registrar shall after service of notice on the concerned persons investigate the claim and shall pass such order as he thinks proper and communicate his order to the distrainer who shall act accordingly.

191A. Appointment of Sale Officer

(5) The Registrar may appoint a person as sale officer to conduct sale of property under the provisions of Chapter XIII of the Act.

(6) The appointment of the sale officer shall be notified in the area of operation of the bank or the societies for which he is appointed, in such manner as the Registrar may deem proper

191 B. Notice requiring payment from persons interested

(1) A bank or the society referred to section 122 of the Act in exercise of the power conferred under the said section shall in the form of a written demand for the payment of the amount due to the bank or the society, as the case may be, issue a notice upon -

(a) the mortgagor;

(b) any person who has any interest in or charge upon the property mortgaged or upon the right to redeem the said property and who has previously notified the bank or the society in writing of such interest or charge;

(c) any surety for the payment of the mortgaged debt or any part thereof; and

(c)any creditor of the mortgagor who has, in a suit for the administration of his estate, obtained a decree for sale of the mortgaged property.

Form XXXVI and shall be sent by registered post with acknowledgement due or be delivered by hand taking proper receipt therefor. If notice cannot be served in any of two modes, the same may be served by affixing at the entrance door of the place of residence of all concerned or the last known place of residence.

191C. Application for sale

(1) On the expiry of three months from the date of service of a notice under the rule 191B if the sum under the mortgage has not been paid, the board of the bank or the society, as the case may be, may, after considering any objection made within that period by a person entitled to such notice, apply in accordance with rule 191D to the sale officer and such officer shall proceed to sell such property by public auction and report the result thereof to the bank or the society, as the case may be.

191 D. Procedure for sale

(1) An application to a sale officer for sale of any mortgaged property shall be signed by the Secretary or the Manager of the concerned bank or the society or any person duly authorized by the board to do so and shall -

(a) contain sufficient particulars for identification of the property;

(b) show the names of persons having interest in the property;

(c) contain a report regarding the manner of service of notice;

(d) specify the amount due for recovery and the expenses incurred in the service of the notice;

(e) contain any other particulars which the concerned bank or the society, as the case may be, may consider material for the purchasers in order to know the nature and value of the property; and

(f) accompany a copy of the mortgaged deed.

(2) On receipt of the application for sale of the mortgaged property the sale officer shall give notice by registered post or by personal service under proper receipt to all persons named in the application that he intends to sell the property after the expiry of thirty days from the date of service of such notice unless the amount due (including cost) is paid within that period:

Provided that if the service of the notice cannot be effected in the manner prescribed by this sub-rule for any reason, the same may be affixed at a conspicuous place of his residence.

(3) On the expiry of thirty days from the date of service of the notice the sale officer shall issue a proclamation specifying therein -

(a) date, time and place of sale;

(b) particulars of the property to be sold and approximate value thereof;

(c) the annual rent payable for such property;

(d) the amount of recovery of which the sale is ordered; and

(e) any other particulars which the sale officer considers material for a purchaser in order to know the nature and value of the property.

(4) There shall be a time gap of at least fifteen days between the date of publication of proclamation and date of public auction.

(5) Every proclamation for the sale shall be made at some place on or near such property by beat of drum and a copy of the proclamation shall be affixed on a conspicuous part of the office of the concerned bank or the society, as the case may be.

(6) The sale shall be made by public auction to the highest bidder.

(7) The sale officer shall divide a property into lots, if he thinks it necessary in the interest of the debtor or the bank or the society.

(8) Where the property is divided into lots it shall not be necessary to make separate proclamation for each lot.

(9) The sale shall be held at the village or the ward, where the mortgaged property is situated or at the nearest place of public resort, if the sale officer is of opinion that a better price is likely to be obtained thereby.

(10) All costs for the issue of the sale notice and for the proclamation of such sale shall be initially paid by the concerned bank or the society, as thecase may be.

191 E. Abandonment of sale

(1) Where prior to the actual sale the mortgagor or any person acting on his behalf or any person having interest in the mortgaged property tenders payment of the full amount due including interest and cost incurred inconnection with the sale of the property, the sale officer shall not proceed with the sale.

(2) If the sale officer considers that the price offered for the property is not fair, he may, upon an application or otherwise postpone the sale to some other date not later than fifteen days from the date originally fixed and on such date the sale be completed unless the price offered is in the opinion of the sale officer grossly inadequate in which case he may adjourn the sale for a period of fifteen days more:

Provided that the sale officer shall not postpone the sale more than two times on the ground of inadequacy of price.

191 F. Method of calculating expenses incidental to sale of property

The sale officer shall determine in each case the method of calculating the expenses incidental to the sale of property.

191 G. Procedure for the receipt, deposit, etc.

(1) On every sale of property, the person declared to be the purchaser shall, immediately after such declaration, deposit twenty-five per cent of the amount of his bid money to the sale officer who shall issue a temporary receipt for such deposit, and in default of such deposit, the property shall forthwith be re-auctioned.

(2) The balance of the bid money shall be paid by the purchaser to the sale officer within fifteen days from the date of auction.

(3) On payment of the balance of the bid money, the sale officer shall grant a final receipt for the entire sale price.

(4) All moneys received by the sale officer on the sale of mortgaged property shall, as soon as possible but not later than three days after such receipt, be deposited in the concerned bank or society as the case may be.

191 H. Procedure in default of payment of full amount of the bid money.

(1) If the balance of the bid money is not paid within the period specified in sub-rule (2) of rule 191G the deposit shall be forfeited and the property shall be re-auctioned.

(2) Every re-auction, in default of payment of the purchase money within the period allowed for such payment, shall be made after issue of a fresh proclamation and in the manner prescribed for the sale.

(3) When the amount forfeited together with the amount received on resale exceeds the total claim including interest and cost, the surplus amount shall be paid to the person whose property is sold. The deficiency, if any, will be recoverable from the debtor by further proceedings.

191 I. Application to set aside a sale

When a property has been sold under the provisions of this chapter, the mortgagor or any person interested may within a period of thirty e apply to the board of the bank or the

society, as the case may be, to have the sale set aside, upon his depositing with the bank or the society, as the case may be –

(a) the amount specified in the proclamation of sale together with the subsequent interest and costs, if any, incurred in bringing the property to sale; and

(b) a sum equal to ten per cent of the purchase money for payment to the purchaser as compensation.

191 J. Setting aside or confirmation of sale

(1) After the expiry of the period mentioned in rule 191I for making an application to have the sale set aside, the bank or the society, as the case may be, shall submit to the Registrar a report under sub-rule (4) setting forth the proceedings of the Sale Officer, the result of the sale and details of any application made under rule 191I.

(2) Upon receipt of such report the Registrar shall,

(a) if an application has been made under rule 191I and if the amounts specified in that rule have been deposited by the applicant, make an order setting aside the sale and requiring the bank or the society, as the case may be, to pay to the purchaser the sum deposited under clause (b) of rule 191I and

(b) if no application has been made under rule 191I or an application has been made but the amount specified in that rule has not been deposited by the applicant, make an order confirming the sale.

(3) Where an order confirming a sale is made under sub rule (2) the sale shall become absolute.

(4) The report to the Registrar under sub-rule (1) shall contain the following particulars:-

(1) Name of Sale Officer ;
(2) Date of sale;
(3) Place of sale;
(4) Description of property sold;
(5) Name and address of purchaser;
(6) Value realized;
(7) Amount of claim of the bank or the society including interest;
(8) Cost of sale;
(9) Application, if any, under rule 191I; and
(10) Amount of the sale proceeds deposited to the concerned bank or the society as the case may be.

191 K. Appointment of receiver and his duties, powers, functions and remuneration

(1) On an application by a bank or a society, as the case may be, the Registrar may, by an order in writing, appoint a receiver and fix his remuneration. The receiver shall be entitled to take possession of the property and collect its produce and income, as the case may be, to retain, out of the money realized by him for his expenses of management and his remuneration, and to apply the balance in accordance with the provisions of sub- section (8) of section 69A of the Transfer of Property Act, 1882 (4 of 1882).

(2) The receiver shall open an account with the nearest cooperative bank or nationalized bank or post office.

(3) All moneys received shall be deposited immediately into such account.

(4) The receiver shall duly –

(a) account for all sums of money which he may receive in respect of the property, and

(b) submit his accounts at the end of every month to the concerned bank or the society, as the case may be and at the same time forward a copy thereof to the Registrar.

(5) A receiver may, for just and sufficient cause or on application made by the concerned bank or the society, as the case may be, be removed by the Registrar.

(6) A vacancy in the office of the receiver may be filled up by the Registrar.

191 L. Expenses of a receiver

(1) A receiver shall be entitled to receive such expenses of management as the Registrar may decide.

(2) The provisions of sub-section (8) of section 69A of the Transfer of Property Act, 1882 (4 of 1882), shall apply to a receiver.

191 M. Distribution of sale-proceeds and bar to certain claims

(1) The Registrar shall, in making a sale absolute by an order under rule 191J, direct that the sale proceed shall be apportioned as follows :-

(a) firstly, all costs, charges and expenses properly incurred by the bank or the society, as the case may be, or the Sale Officer incidental to the sale or any attempted sale shall be paid;

(b) secondly, all interest due on account of the mortgage in consequence whereof the mortgaged property was sold shall be paid to the concerned bank or the society, as the case may be;

(c) thirdly, all sums due as principal on account of the mortgage shall be paid to the concerned bank or the society, as the case may be; and

(d) fourthly, the residue, if any, shall be paid to the mortgagor.

(2) All payments of such residue made in accordance with sub-rule (1) shall be valid and effectual against any demand thereto made upon the bank or the society, as the case may be, by the mortgagor or by any other person.

191 N. Return of purchase money and payment of compensation

(1) Where a sale is set aside under rule 191J, the Registrar shall intimate the same to the concerned bank or the society and thereafter the board of the concerned bank or the society shall issue a notice to the purchaser for payment of the purchase money and the compensation.

(2) In the event of dispute regarding the claim to the purchase money and the compensation, the bank or the society concerned shall withhold payment till the dispute is settled.

191 O. Certificate to be issued to purchaser and to be entered by the Registering Officer

(1) Where a sale has become absolute under this chapter the Registrar

Form XXXVII specifying the property sold and the name of the person who, at the time of the sale, is declared to be the purchaser and such certificate shall indicate the date on which the sale was made absolute.

(2) The Registrar shall send a copy of every certificate granted under sub-rule (1) to the registering officer appointed under the Registration Act, 1908 within the local limits of whose jurisdiction the whole or any part of the immovable property is situated, and such registering officer shall enter the contents of such copy in his register of non-testamentory documents relating to immovable property.

Form XXXVIII for service on the collector of the district concerned and the Registrar shall cause the notice serviced by Registered Post with Acknowledgement due at the cost of the purchaser.

191 P. Delivery of possession

(1) Where the mortgaged property sold is in the possession of the mortgagor or of some person on his behalf or of some person claiming under a title created by the mortgagor subsequent to the mortgage and a certificate in respect thereof has been granted under rule 191O, the Registrar shall on the application of the purchaser, for delivery of possession to be made to such purchaser, or any person whom he may appoint to receive delivery on his behalf.

(2) Where the property sold is in the possession of a tenant and a certificate in respect thereof has been granted under rule 191O, the Registrar shall, on the application of the purchaser, and after notice to the tenant, order delivery to be made by affixing a copy of the certificate of sale at some conspicuous place on the property and proclaiming to the possessor by beat of drum at some convenient place that the interest of the mortgagor has been transferred to the purchaser.

(3) The provisions of rules 97 to 103 of order XXI of the First Schedule to the Code of Civil Procedure, 1908 shall apply in the matter.

191 Q. Procedure for the disposal of property purchased

Procedure for the disposal of property purchased by a bank or a society -

(1) Unless otherwise directed by the trustee, a purchasing bank or society concerned shall dispose of the property, purchased by it, by public auction, on a specified date not later than six months from the date of purchase.

(2) The sale shall be advertised at least a month before the date of sale by :-

(a) describing the property with full details in the local newspaper;

(b) proclamation by beat of drum in the village and ward where it is situated; and

(c) publication of the sale notice in the office of –

(i) Junior Land Reforms Officer concerned,

(ii) the Collector of the district,

(iii) the Block Development Officer of the area concerned; and

(iv) Municipal Corporation or Municipality or Panchayat or other local authorities of the area in which the property is situated.

191 R. Notice under section 126

If the mortgaged property is destroyed wholly or in part or if the security for any loan is found to be insufficient, the cooperative society or the bank, as the case may be, shall serve by registered post a notice on the mortgagor asking him to furnish further security within a period to be specified in the notice.

CHAPTER XIV

Enforcement of obligations and recovery of sums due

192. Procedure for conditional attachment of property

(1)An application to the Registrar for a conditional order of attachments shall contain –

(a)full details of the property to be attached, its approximate value and the amount of claim of the society, and

(b)evidence or affidavit in support of the contention that the person or the co-operative society concerned is about to remove or dispose of the property.

(2) (a) Where such person or the cooperative society fails to show cause why he or it should not furnish security or fails to furnish, the security required, within the time fixed by the Registrar, the Registrar may order that the property specified, or such portion thereof as appears sufficient to satisfy the claim, be attached and where an order of conditional attachment has been made under the clause (b) of sub-rule (1) of this rule, the Registrar may pass an order making the conditional attachment absolute.

(b) Where such person or the cooperative society shows sufficient cause or furnishes the required security and the property specified or any portion of it has been attached, the Registrar shall order the attachment to be withdrawn. Where the proceeding in which the order of attachment of property has been passed is dismissed, the Registrar shall also order the attachment to be withdrawn.

(3) Where any claim is preferred to the property attached such claim shall be considered and disposed of by the Registrar in the manner provided for adjudication of claim to property attached in execution of a decree for payment of money.

(4) An order of attachment including conditional attachment as passed by the Registrar shall have the same force and effect, as if, it has been made by civil court and shall continue in force until it is withdrawn or cancelled by the Registrar.

(5) Order of attachment, including conditional attachment, if any, passed by the Registrar shall be served by such person as the Registrar may empower. The person so empowered shall follow, as far as possible, the procedure laid down in order XXI of the First Schedule to the Code of Civil Procedure, 1908.

193. Power to direct payment of dues

Cooperative Development Officers may exercise the power under section 139, when the claim does not exceed one lakh rupees and Inspectors of Co-operative Societies may exercise the said power, when the claim does not exceed fifty thousand rupees. For any amount over and above one lakh rupees, such power shall be exercised by the Registrar.

194. Negligence

The following matters shall be negligence within the meaning of clause (b) of sub-section (1) of section 140 –

(i) investment, custody and employment of funds and use or disposal of store or other assets or properties contrary to the provisions of the Act, these rules or byelaws or written direction of the Registrar given in accordance with law;

(ii) failure to remedy audit defects and irregularities, when directed by the Director of Cooperative Audit under sub-section (3) of section 98.

(iii) failure to file disputes against defaulters and to execute any decree or award within the period of limitation; and

(iv) any other incidence causing loss or damage to any property of a co-operative society.

195. Penalty for certain misdemeanor under section 141

If no cause is shown within a specified time or the cause shown is not considered satisfactory, the Registrar may order a penalty for every contravention referred to in –

(i) clauses (a), (b), (e), (f) and (g) of section 141, a sum not exceeding one thousand rupees;

(ii) clauses (c) and (d) of section 141, a sum not exceeding one-half of the amount of the outstanding loan (in addition to enforcing immediate repayment of the entire outstanding loan to the society or the financing bank concerned).

196. Officer responsible for carrying out the direction of Registrar

(1)In deciding under section 142 which officer is to be held responsible for the carrying out of his directions, the Registrar shall always consider the Secretary or the Chief Executive Officer of the society, by whatever designation he may be

called, to be responsible unless there is anything in the bye-laws or in any resolution of the general meeting or the board by which a particular duty is entrusted to any officer other than the Secretary or the Chief Executive Officer.

(2)The Registrar may call upon the person held responsible under sub-rule (1) to carry out any of his directions within such time as he may specify and on his failure, may take action against him under section 142.

C H A P T E R - XV

Jurisdiction, Appeal And Review

197. Co-operative Tribunal

(1) A co-operative tribunal constituted under section 146, hereafter referred to as tribunal shall have a Secretary to be appointed in the rank of a Joint Registrar of Cooperative Societies by the State Government by notification. The Secretary shall perform such functions as shall be assigned to him by the tribunal or by regulations made by the Tribunal.

(2) The method of disposal of its business by the co-operative tribunal shall till it make regulations with the approval of the State Government, for regulating its procedure and disposal of its business, be as follows -

(a) every memorandum of appeal of application for review shall be presented in person by the appellant or the applicant, as the case may be, by the applicant or Pleader or duly appointed agent to the Secretary within office hours of the tribunal or by registered post;

(b) whether a memorandum of appeal or application for review is presented by the applicant Or Pleader or an agent, it shall be accompanied by a VAKALATNAMA bearing a Court Fee Stamp of Rs. 10/- or a letter of authority as the case may be, appointing him as such and duly signed by the appellant or the applicant, as the case may be;

(c) every memorandum of appeal or application for review shall -

(i) be either typewritten or written in ink in legible handwriting ;

(ii) state the name and address of the applicant or applicant, as the case may be, and also those of respondents or the opposite parties, as the case may be;

(iii) state the date of the order complained of and the authority by which the order was passed;

(iv) state clearly the grounds on which the memorandum of appeal or the application for review is made ;

(v) state precisely the relief that the appellant or the applicant claims;

(vi) bear a court fee stamp of rupees ten in case of memorandum of appeal and or rupees five in case of application for review.

(d) every memorandum of appeal or application for review shall be accompanied by a certified copy of the award or order complained of. The memorandum of appeal or the application for review , as the case may be, shall be further accompanied by as many copies of the memorandum or the application as there are respondents or opposite parties.

(e) on receipt of every memorandum of appeal or application for review, the Secretary shall endorse on it the date of its receipt. The Secretary shall, as soon as practicable, examine -

(i) whether the person presenting it has authority to do so ;

(ii) whether it is made within the period of limitation (if any) laid down in the Act; and

(iii) whether it conforms to the provisions of the Act and these rules.

If the Secretary is satisfied on these points, he shall cause the memorandum of appeal or application to be registered in an appropriate register maintained under clause (f).

If the secretary finds that the memorandum of appeal or application presented to him does not conform to any of the aforesaid provisions he shall make a note to that effect and call upon the party concerned or his advocate or pleader or agent, to remedy the defects within a period of fifteen day from the date of receipt of notice requiring him to do so. If the defects are not removed within the aforesaid ace the matter before the tribunal. If

the defect in the memorandum of appeal or application is remedied, the Secretary shall cause it to be registered in the appropriate register.

(f)The Secretary shall maintain separate registers for –

(i) memorandum of appeal in Form XXXVIII-A;

(ii) applications for review in Form XXXVIII-B;

(iii) miscellaneous applications in Form XXXVIII-C;

(iv) unregistered memorandum of appeals and applications in Form XXXVIII-D; and

(v) court fee received in Form XXXVIII -E.

(g)When a memorandum of appeal or an application has been registered, the Secretary shall, as soon as may be, send an intimation thereof to the Registrar or other officers concerned calling for the records and proceedings relating to such memorandum of appeal or application unless those records and proceedings are already in the office of the tribunal.

(h)After the registration of the memorandum of appeal or application subject to Order XLI, rule 11, of the Code of Civil Procedure the tribunal shall fix a date of hearing of the same. After the date of hearing is fixed a notice in

Form XXXVIII-F shall be served by the Secretary on the parties concerned calling upon them to appeal before the tribunal either in person or through their Advocates or Pleaders or agents on the date specified in the notice or on any subsequent date to which the bearing may be adjourned by the tribunal. On the date fixed for hearing or any other date to which the hearing may be adjourned, the appellant or applicant or his Advocate or Pleader or agent shall ordinarily be heard first in support of his appeal or application.

The respondent or the opposite party or his Advocate or Pleader or agent shall, in case where the respondent or the opposite party or his Advocate or Pleader or agent is heard, be entitled to a right to apply on point of law only.

A certified copy of every judgment or final order of the tribunal shall, as soon as practicable, be forwarded to the Registrar with the appeal or application, as the case may be certified copies of the judgment or final order may also be applied to the parties on application being made in that behalf.

198. Revision

An application under sub-section (1) of section 148 shall be made within two months from the date of the order accompanied by an attested or certified copy of the order complained of duly attested.

199. Review

An application for review under sub-section (2) of section 148 shall be made within a period of thirty days from the date of the order accompanied by a certified or attested copy of the order review of which has been prayed for and stating paragraph-wise the reasons and circumstances for which the review has been prayed for.

200. Memorandum of Appeal and Review

The memorandum of appeal and review shall be in such manner as is prescribed under these rules.

CHAPTER - XVI
PROCEDURE FOR CERTIFICATION

201. Manner of Certification

A copy of any document or entries in the books of a co-operative society shall be certified to be a true copy under the signature of the Chairman, the Secretary, the Chief Executive Officer or any person duly authorized by the board or authorized by any authority exercising the Powers of the board.

CHAPTER - XVII
MISCELLANEOUS

202. Co-operative Societies to get Insured

Every co-operative bank accepting deposits from non-members shall get itself insured under the Deposit Insurance And Credit Guarantee Corporation Act, 1961.

203. Payment of fees

(1) Unless the state government otherwise directs, all fees payable to it under these Act or the rules except audit fees, shall be paid in court-fee stamps or in Treasury Challan under suitable head of account to be notified by the State Government from time to time.

(1) Audit fees payable to government or to an audit officer, not being a government officer and, dues and fees payable to a co-operative society shall be paid in cash, cheque or by bank draft under proper receipt and audit fees payable to the Government shall be deposited in the concerned Treasury by means of challan in TR Form.

204. Inspection of documents in the office of the Registrar

(1) Any person ma ments in the office of the

Registrar or of any person subordinate to him:-

(i) application for registration of societies;

(ii) certificate of registration;

(iii) bye-laws of societies;

(iv) amendment of bye-laws;

(v) order directing dissolution of the society;

(vi) order cancelling the registration of a society;

(vii) annual returns;

(viii) audit certificate;

(ix) annual balance sheet;

(x) order of supersession of board;

(xi) order of approval of membership and removal of a member;

(xii) register of societies;

(xiii) order refusing registration of societies or amendment of bye-laws; and

(xiv) dispute case records;

(2) Certified copies of any document which any person has a right under sub-rule (1) to inspect shall be supplied on foolscap page typed in double spaces.

205. Presumption of service by registered post

The service of a communication shall be deemed to be effected by properly addressing, prepaying and posting by registered post and unless the contrary is proved, to have been effected at the time at which the communication would be delivered in the ordinary course of post.

FORM I

Form of application for the registration of a Co-operative Society with limited liability

[Rule 9 (1)]

PART I

To
The Registrar of Co-operative Societies,

Dated ……. 20….

Sir,

We, the undersigned, agree to the enclosed by-laws and under section 16 of the West Bengal Co-operative Societies Act, 2006 (West Ben. Act XL of 2006) apply to be registered as a co-operative society with limited liability under the
title of …… ……. …….
the registered office being at ……. Post Office …….
…… ……
…… ……...
Thana ……. Town/Panchayat …….. …….. ……..
Sub-division …… …….. District……..

Serial No.	Name of applicant for registration	Father"s Name	Occupation	Age
1 2	3	4	5	

Permanent Address	Present Address	Whether member of any other society, If so, name and address of the societies)	Signature or L.T.I. of applicant
6	7	8	9

PART II

1. Name of the proposed society ……
……..
2. Nature of liability of members ……..
3. On share basis or without shares …….
4. Number of applicants ……..
   (a) Individual :
   (b) Co-operative Societies :
5. Names of the members of the first board (constituted under section 16(2) (c) of the Act.
   (1)…….. Chairman (2)
   …….. Vice-Chairman (3)
   ……..
   (4) ……..
   (5) ……..
   (6) ……..
6. Names and address of the person (Chief Promoter in the case of a housing co-operative society) to whom communications, if any, are to be addressed till registration of the society ……..

7. Certified that each of the applicants belongs to a different family as required under section 16(3) of the Act.

Signatures of three applicants
authorized by the promoters to
sign and certify on their behalf

(1)……..
(2)……..
(3)……..

Date : ……

FORM II

Form of certificate of registration [Rule 10(3)]

Certified of Registration No……. of 20……

In the office of the Registrar of Co-operative Societies (under West Ben. Act XL of 2006).

In the matter of the application for the Registration of a Co-operative Society at …… in the district of ……..

I do hereby certify that pursuant to the West Bengal Co-operative Societies Act, 2006 (West Ben. Act XL of 2006), the said society has been registered in my office as a co- operative society with limited liability under the title of the …… …… and the by-laws filed by the said society have also been duly registered.

The following is the area of membership of the society :

Registrar of Co-operative Societies

Date the …… day of …….. Two thousand, and ……

FORM III

CO-OPERATIVE REGISTRATION COUNCIL,
WEST BENGAL

Register of references received from the Registrar under
Sub-section (8) of section 16

Year ……..20……..

Consecutive Number	Date of receipt in office	From whom received	References No.	Date	Short Subject	Reminders No.	Reminders Date	Where the letter is placed Collection No.	Where the letter is placed File No.	Remarks

FORM IV

CO-OPERATIVE REGISTRATION COUNCIL,
WEST BENGAL

Register of appeals received from the Registrar under
Sub-section (7) of section 16

Year ……..20……..

Consecutive Number	Date of receipt in office	From whom received	Appeals No.	Date	Short Subject	Reminders No.	Reminders Date	Where the letter is placed Collection No.	Where the letter is placed File No.	Remarks

FORM V

CO-OPERATIVE REGISTRATION COUNCIL,
WEST BENGAL

Register of references received from the Registrar under
Sub-section (7) of section 16

Year ……..20……..

Consecutive Number	Date of receipt in office	From whom received	Appeals No.	Date	Short Subject	Reminders No.	Reminders Date	Where the letter is placed Collection No.	Where the letter is placed File No.	Remarks

FORM VI

CO-OPERATIVE REGISTRATION COUNCIL, WEST BENGAL

Register of miscellaneous letters received Year ……..20……..

Consecutive Number	Date of receipt in office	Letters				
		From whom received	No.	Date	Short Subject	Reminders
						Where the letter is placed
						Remarks
						No. Date Collection No. File No.

FORM VII

CO-OPERATIVE REGISTRATION COUNCIL, WEST BENGAL

Register of letter issued

Year ……..20……..

Consecutive Number No. and date is placed	Reminder	Date Value of of reply received	To whom addressed	Short Subject	Where the draft Stamp	Remarks
Collection No.	File No.	No.	Date	Rs.	Paise	

FORM VIII

Form of application for the registration of amendment of by-laws of a co-operative society

[Rule 12] Section 19

To

The Registrar of Co-operative Societies, West Bengal

Dated the …….20……

Sir,

We, the undersigned, enclose herewith in duplicate/triplicate the marginally noted amendment of the by laws of the ……. Co-operative Society in the district of ……..

and to apply for the registration of the amendment under section 19 of the West Bengal Cooperative Societies Act, 2006 (West Ben Act. XL of 2006) in supersession of earlier bye-laws, if any.

The necessary particulars about the general meeting at which the amendment was passed are noted below :-

(1)Date of the meeting

(2)Number of members present in person

(3)Number of members who voted in support of the amendment.

(4)The total number of members of the society on the date of notice of the general meeting.

* 2. Reasons for the number of members adopting resolution being less than one-third of the total number of members.

We certify that the adoption of the proposed amendment would be in the interest of the society and that such amendment is likely to be approved by the general body of members.

(Seal) Secretary/Chief Executive Officer/
Member of the Board

1.

2.

…… Co-operative Society Limited

Paragraph 2 may be struck out when unnecessary.

FORM IX

Certificate of Registration of amendment of by-laws

[Sec. 19]

Certificate of Registration No…… of……. In the Office of the Registrar of Co-operative Societies (under West Ben. Act XL of 2006)

I do hereby certify that pursuant to section 19/20 of the West Bengal Co-operative Societies Act, 2006 (West Ben. Act XL of 2006), the amendments shown in the enclosed document of the by-laws of the ……., a co-operative society registered under the aforesaid Act on the ……day of …… 20……. under No……..

in the district of ……. have been duly registered. The following is the area of membership of the society.

The by-laws amended and registered this day are as follows :-

Complete amendment of the previous by-laws.

Partial amendment of by-law Nos. …… Registrar of Co-operative Societies dated this ……..day of …….Two thousand and ……..

Registrar of Cooperative Societies

FORM IX A

Oath taking Form

Section 32(5)(b)

I, …….. S/O, D/O, W/O …….. residing at …….. having been elected/nominated/co-opted as a member of the Board of Directors of ……. Society do hereby solemnly promise that during my tenure I will take all endeavour for the better functioning of the society/bank in particular and cooperative movement in general in accordance with the West Bengal Cooperative Societies Act – 2006 and Rules framed thereunder, the bye-laws of the society and law of the land.

Member of the Board…….. .. Society/Bank

Date.

FORM X

Nomination Paper

[Rule 40(7)(i)]

(1) Full Name of the Candidate :

(in block letters)

(2) (a) Present Address :

(b) Permanent Address :

(3) Father"s /Husband"s name :

(4) Serial Number of the candidate in the register of members :

(5) Nominated by :

Name and address of the members	Serial number in the register of members
1.	1.
2.	2.

(6) Declaration by members nominating the candidate ……..

We hereby declare that we nominate the candidate named above against serial (1) for election as a member of the Board of the …… Co-operative Society Ltd. for the election due to be held on ……

(I) (Signature with date and address) : Proposer

(II) (Signature with date and address) : Seconder

(7) Declaration by the candidate :

I hereby declare that I agree to this nomination ……

[Signature with date and address]

FORM XI

Notice of change of registered office

[Rule 65(2)]

Notice is hereby given pursuant to section 39 of the West Ben. Co-operative Societies Act 2006 (West Bengal Act XL of 2006), by …… (name of society) registered on …….. of the alteration in the address of the registered office.

Previous address	Present address (2)	Date of change (1) (3)

Signature of Secretary/Chief Executive Officer

Date …….

Signature of three Directors

1.

2.

3.

To

(1) The Assistant Registrar of Co-operative Societies (2) The Secretary, ……. Bank (3) The Secretary, ……Society Ltd.

(Affiliating society)

Date …….

FORM XII
Register of Members
[Rule 67 (1)(ii)]

1.Serial No. ……..
2.Name of member ……
3.Father‟s/Husband‟s Name …….. 4.Age on the date of being member……. 5.Present address …….. 6.Permanent address …… 7.Occupation …….. 8.Date of membership …….. 9.Name of nominee ……..
10.Nominee‟s relationship with the member and address ……..
……..
11.Date and reason of cessation of membership …….
…….
12.Share Register Folio ……
13.Remarks ……
14.Signature or thumb impression of the member …….

FORM XIII

Register of affiliated societies

[Rule 67(1)(iii)]

1.Serial No. …… 2.Share Register Folio …… 3.Name of the Member-Society …… 4.No. and date of registration of the Member-Society …….

…….

5.Registered address of Member-Society …… 6.Area of operation of the Member-Society …… 7.Date of affiliation …… 8.Particulars regarding cessation of membership …….

(a)Date ……

(b)Reason ……

9.Remarks ……

FORM XIV
Register of Directors
[Rule 67(1)(iv)]

1.Serial No……..
2.Name ……
3.Occupation ……..
4.Name of the society which he represents, if any ……..
5.Office, if any, held ……. 6.Address in full …….. 7.Date of election or appointment ……. 8.Appointed by (where necessary) …… 9.Date from which continuing in office ……. 10.Date of cessation and reasons for the same …… 11.Remarks
……

FORM XV
ANNUAL INDEX RETURN
[Rule 71]

Detail indexing of Annual Statistical Statement Format [Both Part A (Sl. 1 to 42) and Part B (Sl. No. 1 to 79)]

** Part A (Sl. No. 1 to 42) of the format applicable to all types of Co-operative Societies excepting State and District Co-operative Unions.

** Part B of the format applicable to individual type of Society only to the extent indicated below :

Type of Society	Serial Numbers in Part B
1. State Co-operative Bank Ltd.	
2. Central Co-operative Bank Ltd.	
3. PCARDB	Sl. No.1 to 6B(ii), 7 to 9, 29A (I – IV) of Part B (Annexure I)
WBSCARD Ltd.	same as above. Sl. Nos. 4 to 5, 6C, 10 to 16, 29A(V) of Part B (Annexure I)
4. Primary PCARDB Ltd	Sl. No.4 to 5, 6C, 10 to 12, 14 to 16 and 29A(VI) of Part B (Annexure I)
5.Primary Agricultural Credit Societies (PACS & FSS & LAMPS)	Sl. No. 2 to 9, 17 to 28 of Part B (Annexure I)

Type of Society	Serial Numbers in Part B
6. Grain Bank	Sl. Nos. 29 of Part B (Annexure I)
7. Primary Co-operative Bank (Urban Bank & Employees‟ Credit under B. R. Act)	Sl. Nos. 30 to 39 of Part B (Annexure I)
8. Primary Non-Agricultural Credit Societies (Urban Bank & Employees‟ Credit)	same as above.
9. General Purpose Marketing (BENFED & Primary Marketing) & Specialised Marketing (TDCC)	Sl. Nos. 40 to 56 of Part B (Annexure II)
10. Processing Society (State & Primary viz. Oil crushing, paddy processing, Rice Mills, Fruits & Vegetables & others which are registered as independent processing society)	Sl. Nos. 57 to 62 of Part B (Annexure II)
10A.	Sugar Factory
11.	Spinning Mills
12. Cold Storage (organized as	Sl. Nos. 87A (i to xv) of Part B (Annexure II) Sl. Nos. 63 to 70 of Part B

(Annexure II)

Sl. Nos. 71 to 76 of Part B

independent society) (Annexure II)

13. Consumers Co-operative Societies

(State, Wholesale, Primary &

Pure Primary)

Sl. Nos. 77 to 87 of Part B

(Annexure II)

14. Farming Society [(a) Joint farming

(i) of ex-servicemen, (ii) of others

(b) Collective farming (i) of ex-servicemen (ii) of others]

Sl. Nos. 88 to 97 of Part B (Annexure III)

15. Irrigation Society[(a) Irrigation for exclusive purposes, (b) Irrigation activities undertaken by other non-credit Society] Sl. Nos. 98 to 104 of Part B (Annexure III)

16. Housing (State & Primary)

Sl. Nos. 105, 106 of Part B (Annexure III)

17. Labour Contract & Construction

Society (Tribal & Non – Tribal)

Sl. Nos. 107 to 116 and 121 of Part B (Annexure III)

18. Engineers‟ Co-operative Society Sl. Nos. 107 to 115 of Part B (Annexure III)

19. Forest Labourers‟ Society

(Tribal and Non-Tribal)

Sl. No. 107,109, 114, 116, 117 to 121 of Part B (Annexure III)

20. Transport Society (Ex servicemen and others) Sl. Nos. 122 to 126 of Part B (Annexure III)

21. Multi Unit Society Sl. Nos. 127 to 138 of Part B (Annexure IV)

22. Other Non-credit Society

[(a) Agricultural Society viz. Land Colonization, Compost Making, Soil conservation, Better living & others (b) Non- agricultural Society viz. Women Rickshaw Puller, Washermen, Hospital, Barbers & others]

Sl. Nos. 139 to 140 of Part B (Annexure IV)

23. Students Co-operative (School, College and University) Sl. No. 141 to 147 of Part B (Annexure IV)

24. Electricity Sl. Nos. 148 to 155 of Part B (Annexure IV)

25. Union (State & District) Sl. Nos. 156 to 161 of Part B (Annexure IV)

26. Milk Society (Union & Primary) Sl. Nos. 162 to 164 of Part B (Annexure IV)

27. Fishery (State & Central & Primary) Sl. Nos. 165 to 171 of Part B (Annexure IV)

28. Other Livestock/Livestock products Society (Ghee, Poultry & other Livestock) Sl. No. 172 of Part B (Annexure IV)

29. Weavers Society (State, Cen

Primary viz. Handloom, Khadi & Powerloom) — Sl. No.173 to 178 of Part B (Annexure IV)

30. Other Industrial Society (State, Central & Primary viz. Flaying & Tannery, Pottery, Hand Pounding of Paddy and cereals, palm gur, cane Gur & Khandsari, other village Industries, handicrafft industries

Sl. Nos. 173 to 178 of Part B (Annexure IV)

General and Chemical Engineering, Leather goods, Construction materials, Sericulture, Coir, Spinners & Misc.)

31. Women Co-operative Society

(i) Weavers — Sl. Nos. 173 to 179 of Part B (Annexure IV)

(ii) Industrial other than weavers (iii) Consumers (iv) Thrift and Credit

same as above.

Sl. Nos. 77 to 87 of Part B (Annexure II)

Sl. Nos. 30 to 39 of Part B (Annexure I)

FORM XVI
FORM OF QUARTERY RETURN
[Rule 72 (1)]
PART A-1 (GENERAL)

Abbreviation used -
S.C. = Scheduled Castes
S.T. = Scheduled Tribes

Applicable to all type of societies (Apex, Central & Primary Level) excepting Co-operative Union.

GENERAL INFORMATION

1.Name of the society with address : (Mentioning Limited/Unlimited) 2.Registration No. and date

3.type/class of society

4.whether the society is active or dormant

5.No. of Offices –

(i) Head Office

(ii) Regional Office

(iii) Branches

(iv) Pay Office/Sub-office.

6.Name of Central financing agency.

7.No. of villages in the area of operation of which (i) Served by the society

(ii) from which Produces /Milk etc. received.

8.Population within the area of operation of which covered by society.

9.Godown No. of Capacity in tones Peak level Godown utilization

(i) Owned

(ii) Hired

10.Dues against societies under liquidation, if any :- Rs.

11. Employment Total number of persons employed (i) Managerial Staff No.

(a) Trained No.

of which S.C. No.

S.T. No.

(a) Untrained No.

of which

S.C. No.

S.T. No.

(c)Out of the above(i) Number of managerial staff on Deputation - No

of which S.T. No.

S. C. No.

Full time Part time

(ii) Other administrative staffs -

(a)No. of trained staff No.

of which S.C.

S.T.

(b)No. of untrained staff – No.

of which S.C. No.

S.T. No.

(c)Out of the above (ii) No. of other administrative Staff on deputation – No.
Of which S. C. No.
S. T. No.

(iii) Number of technical staff and other staff employed for production/processing – No. Full time Part time
of which S.C. No.
S. T. No.

(iv) Number of Menial Staffs - No.
of which S. C. No.
S. T. No.

Full time Part time

(v) Number of other staffs - No.
of which S. C. No.
S. T. NO.

(vi) Number of Casual labours employed – No.
of which S. C. No.
S. T. No.

(Total No. of persons employed in Sl. No.11 should be tallied with the total no. of (i+ii+iii+iv+v+vi)

12. Membership as on
(i) Co-operative Societies
(ii) Individuals –
of which S. C.
S. T.
(iii) Others including Government
(iv) Nominal
of which S. C.
S. T.

13. Year up to which audit has been completed -

14. Audit classification – A/B/C/D/E/Audited but not classified/Not audited
` (Put a tick mark which is applicable)

15. Date of election of M.C. and if superseded/suspended date of supersession/ suspension - 16.

Amount of loans overdue (Societies & individuals)	Against S.C. Rs.	S.T. Rs.	Others Rs.
(a) Short-term			
(i) Loans			
(ii) Unrenewed cash credit & overdrafts			
(b)M. T. Loans			

17. Estimated Bad and Doubtful Debts and Assets
(i) Loans & Advances Rs.
(ii) Other assets Rs.

18. Embezzlement cases during the year :-
No. of cases
Amount Rs.

19. No. of arbitration and execution cases for recovery of loans & advances No. A | Arbitration cases pending before the Arbitrator | Decrees under execution for recovery

		Rs.	Rs.
(a)	Pending at the beginning of the year		
(b)	Referred to arbitration/filed during the year		
(c)	Settled during the year		
(d)	Pending at the end of the year (a+b)-c		

20. Cost of management during the year -

Salaries	Rs.	
Rent paid	Rs.	
Depreciation on Fixed Assets	Rs.	
Others (please specify)	Rs.	

21. Govt. aid received during the year

	Loan	Subsidy
(a)for construction of godown		
(b)for construction of Housing Colonies		
(c)for Managerial subsidies		
(d)for Rebate to Consumers		
(e)for Block capital		
(f)for Fertilizer		
(g)for Price fluctuation fund		
(h)for Marketing and Procurement		
(i)for Purchase of Machinery		
(j)for Administrative purpose		
(k)for other Purpose		

(Strike off which is not applicable)

22. Total Purchase during the year Rs.

23. Total sales during the year Rs.

24. Dividend declared (for Previous year) Rate (%) Amt (in Rs.)

25. Data relating to taxes on income or Profit for the year -

(a)Tax deducted at source (viz. on Interest on Security, Debenture etc. dividend on share, earned during the year) (b)Taxes on Profit earned during the year including income by way of interest, rent, commission etc.

(i)Actually paid for the year under report

(ii)Payable for the year under report (specify Provision made, if any)

(c)Amount of gross profit before tax (a + b)

26. Income & Expenditure (During the year)

A. Expenditure

(i) Interest on deposits, borrowings etc. Rs.

(ii) Salaries and allowances, bonus, Provident Fund and gratuity Rs.

(iii) Directors‟ and local committee members fees and allowances

(iv) Rent Rs.

(v) Taxes, Insurance, Lighting etc. Rs.

(vi) Law charges Rs.

(vii) Postage, Stamps, Telegrams and Telephone charges
Rs.

(viii) Auditor"s fees Rs.

(ix) Depreciation

(a) Properties
Rs.

(b) Other assets such as Plant & Machineries Rs.

(x) Minor repairs to properties etc. Rs.

(xi) Stationery, Printing, Advertisement etc. Rs.

(xii) Loss from sale of or dealing with non assets Rs.

(xiii) Other expenditure Rs.

(xiv) Provision made during the year Rs.

(a) Bad and Doubtful debts Rs.

(b) Overdue Interest Rs.

(c) Income Tax Rs.

(d) Other outstanding expenses Rs.

(xv) Net Profit of the year if any
Rs._____

(xvi) Total (Cols. I to xv) Rs.

(B) Income during the year -

(i) Interest and discount on loans and advances and bills discounted
Rs.

(ii) Interest on loan investments in Government and other trustees securities, debentures etc. and dividend on shares
Rs. (iii) Commission, exchange and brokerage
Rs. (iv) Income from rent
Rs. (v) Subsidies and donations
Rs.

(vi) Income from non-banking assets and profit from sale of or dealing with non-banking assets
Rs.

(vii) Other receipts Rs. (viii)

Loss (if any) Rs. (ix)

Total Rs.

PART A (Financial)

Applicable to all types of Societies (Apex, Central & Primary level excepting Co-operative Union).

		Rs.	Rs.	Rs.
27.	Total paid up Share Capital and Liabilities as at 30th June, June, 20			
	Of which -			
	(i) Government			
	(ii) Societies -			
	District Central Coop. Bank			
	Primary Agriculture And Rural Development Bank.			
Marketing Socs.				
	Credit Socs.			

Wholesale Cons. Stores
Consumers‟ Stores
Other Socs. & Industries
(Please specify)

(iii) Individual, Growers & Others
of which -
S. C.
S. T.

(iv) Others of which -
S. C.
S. T.

28. Reserve and Other Funds
(i) Statutory Reserve
(ii) Spl. Bad Debt Reserve/Risk Fund
(iii) Agril. Credit Stabilisation Fund
(iv) Bad and Doubtful Debt Reserve
(v) O. D. Interest Reserve
(vi) Depreciation Reserve
(vii) Price Fluctuation Fund
(viii) Development Rebate Reserve
(ix) Other Reserves

(Strike off which is not applicable)

29. Deposits

	Current Deposit Rs.	Fixed Deposit Rs.	Savings Deposit Rs.	R.F. Deposits Rs.	Other Deposits Rs.	Total Amount Rs.
(i) Co-operative societies						
(ii) Local Bodies & Others						
(iii) Individuals -						
Members						
Non-members						

30. Other Borrowing

	Last Yrs‟. Outstanding Rs.	During the year Drawn/ sold Rs.	Repaid/ Redeemed Rs.	Total outstanding as at the end of year Rs.
A. Central Financing Agencies (NABARD/SCB/CB etc.)				
(a) Cash – Credit and overdrafts				
(b) Loans				
B. State bank and other Commercial Banks				
C. Government				
(a) Block Capital				
(b) Share capital				
(c) Working Capital				
(d) Block Assets				
(e) Construction of Godown				
(f) Construction of Housing Colonies				
(g) Govt. and other Trustee Securities				
(h) Others				
D. Life Insurance Corporation				

E. Housing and Urban Dev. Corporation
F. State Housing Financing Societies G. Industrial Finance Corporation
H. Regional Rural Banks
I. O.D.B.I.`
J. A.R.D.C.
K. Debenture
(For PARDBS only)
(i) Ordinary
(ii) Rural
(iii) Special
L. Other Sources
(Please specify)
(Strike off item not applicable)

31. All other Liabilities
(Excluding contra item and u/d profit)
Total Liabilities

_____
_____

Property and Assets as at

32.A. Cash in hand Rs. P. Rs.

32.B. Cash at Bank
(i) Current
(ii) Savings
(iii) Fixed
(iv) Call Deposit

34. C Investment (For WBSCARDBonly) Sinking Fund Rs. general & Reserve Fund Rs.

(i) Govt. Securities
(ii) Other Trustee Securities
(iii) Debenture of PARDB
(iv) Fixed Deposit with institution other than Bank
(v) Others

35. D. Loan Outstanding

Last Yrs. outstanding	Advanced/ Discounted During the Yrs	Recovery Retired During the year
	I	II
III	Rs.	Rs.
Rs.		
(i) Banks & Societies		
(a) Short Term		
(b) Medium Term		
(c) Long Term		
(d) Cash Credit/Overdrafts		
(e) Bills		
(f) Outstanding Credit Sales (for Consumer Societies only)		

(ii) Individuals
(a) Short Term
of which
S.C.
S. T.
(b) Medium Term
of which
S.C.
S. T.
(c) Long Term
of which
S.C.
S. T.
(d)Cash Credit
of which
S.C.
S. T.

36. E. Interest on Loans Receivable Rs. Rs.

37. F. Fixed Assets
(i) Land & Buildings
(ii) Plant & Machineries/Equipments/ implements/Appliances
(iii) Mechanical Boats
(iv) Other installation and Machineries
(v) Land improvements/Reclamation
(vi) Processing Machineries
(vii) Others

38. G. Closing Stock

39. H. Stores
(for other Industries/Society/Spinning Mills and Sugar Factories only)

40. I. All other assets
(Excluding Contra items and accumulated loss) _____
Total Assets _____

41. J. Difference between Assets & Liabilities (+) or (-) Rs.

42. Working result Profit Amount Loss Amount
No. of Branches

PART B : Annexure I : Credit Co-operatives

Agricultural Credit

1. Borrowing limits during the year
(For S.C.B. & C.B. only)
(i) Cash Credit & Overdraft limit obtained against -
(a) Govt. and Trustee securities and Fixed Deposits with banks Rs.
(b) Co-operative paper Rs.

2. Loans & Advances
(For S.C.B. C.B., PACS, F.S.S. & LAMPS only)
Cash Credit and Overdrafts

(i) Limit sanctioned Rs.
(ii) Highest outstanding during the year Rs.

3. Conversion/rephasement/rescheduled out of Medium Term Loan –
Of which
S. C.
S. T.

4. Overdue Interest Receivable

5. Demand, Collection, Balance during the year

	Demand	Collection Means (Recovery)	Balance means (Overdue)
	Rs.	Rs.	Rs.
(i) Principal (Loan)			
of which			
S.C.			
S.T.			
(ii) Demand covered by legal action			
(iii) Interest			

6. Classification of Loan advanced during the year and outstanding as at the end of the year (Applicable to S.C.B./C.B./PACS/F.S.S./LAMPS)

6A. Short term Agriculture	Amount Advanced during the year	Amount Advanced as at the end of the Yr. S.C./S.T/Others (Applicable to PACS/ /FSS/LAMPS only)	Amount outstanding (Applicable to SCB & C.B. only) 6A.
I. Agricultural purposes			
(a) Seasonal Agricultural			
(b) operation (including seeds and fertilizer)			
(i) Cash			
(ii) Kind			
(b) Purchase of agricultural implements			
(c)Marketing of Crops (including procurement)			
(d)Processing of agricultural produce (including supply and distribution of inputs)			
(e)Pisciculture –			
(i) Production			
(ii) Marketing			
6A. II. Non-Agricultural purposes			
(a) Industrial purposes			
(b) Other purposes (including supply of consumer goods)			
(c) Consumption Loans			
6B. Medium term			
6B.I. Agricultural purposes			
(a) Sinking of Repair to wells			
(b) Purchase of machinery (Pumpsets for irrigation)			
(c) Purchase of cattle			
(i) Bullocks and carts			
(ii) Camels and carts			
(d) Animal Husbandry Activities			

(i) Poultry Farming
(ii) Milch Cattle
(iii) Sheep rearing
(iv) Goat rearing
(v) Pig breeding
(vi) Pisciculture
(vii) Other Agricultural purpose
(viii) Conversion/rephasement/rescheduled loan

6B. II Non-Agricultural purposes
(i) Purchase of storage bins
(ii) Setting up of Gobar gas plant
(iii) Purchase of shares in processing and industrial societies
(iv) Industrial purposes
(v) Consumption loans
(vi) Others

6C. Long Term Agril. Credit (only for PACS/FSS/LAMPS WBSCARD/PARDB	(only applicable to WBSCARD/PARDB Total	S.C.,S.T.	Amount Advanced (Applicable to all) Total	S.C.,S.T.
(a) For sinking of new wells and construction of Tanks (No.)				
(b) For boring, deepening & repairs to old wells/Tanks (No.)				
(c) For purchase and installation of persian wheels and pump sets and electrification (No.)				
(i) Diesel				
(ii) Electric pump sets				
(iii) Others				
(d) For purchase of machinery and implements (No.)				
(i) Tractor				
(ii) Others				
(e) For construction of godowns, Silos, Farm Houses and sheds and Development of market yards (No.)				
(f) For leveling, bunding, reclamation and Fencing of land (Area in hectares)				
(g) For soil conservation (Area in hectares)				
(h) For preparation of land for orchards and plantation(Area in hectares)				
(i) For debt redemption (No. of borrowers)				
(j) For purchase of land and acquiring ownership rights (No. of borrowers)				
(k) Other purposes (No. of borrowers)				
(l) For development of horticulture plantation crops (Units)				
(m) For purchase of cattle (No.)				
(i) Bullocks & Camels				
(ii) bullock/Camel Carts				
(n) For Animal Husbandry Activities (No.)				
(i) Poultry farming				
(ii) Milch cattle				

(iii) Goat rearing
(iv) Sheep rearing
(v) Pig breeding
(o) For installation of Gobar gas plant (No.)
* If no L.T. loan is issued by the PACS/FSS/LAMPS, Col 6C and sub-col. thereunder should be scored through.

7. Classification of overdues - By period (For SCB, CB, PACS, FSS AND LAMPS)

Total No.of Defaulters Amt. (II+III+IV+V)	Upto 1 yr No. of defaulters Amt.	Between 1 & 2 Yrs No. of defaulters Amt.	Between 2 & 3 Yrs No. of defaulters Amt.	Over 3 Yrs No. of defaulters Amt.
I	II	III	IV	V
(i) Co-op Societies				
(ii) Individuals				
of which				
S.C.				
S.T.				

8. Classification of Loans & Advances Outstanding by Security (For SCB, CB, PACS, FSS and LAMPS)

	Against Coop. Societies	Against Individuals (For SCB & CB only)	
S.C./S.T./Others			(Applicable to all)
Fixed Deposit			
Govt. & Other Trustee Securities			
Anticipated crops			
Co-op. paper			
Agricultural produce			
Merchandise			
Gold and Silver			
Immovable properties			
Surety			
Unsecured			
Others			

9. Classification of Consumption Loans issued during the year (applicable for SCB/ CB/ /PACS/FSS/LAMPS)

	No. of borrower Total of II & III	Short Term SC ST Others	Medium Term SC ST Others
I			
II	III (i) Loan issued		
Landless Labourers & artisans			
(ii) Farmers holding land not more than 0.5 acre			
(iii) Others			
(iv) D.C.T.			
(a) Demand for consumption loan			
(b) Collection			
(c) Balance (overdue)			

(d) Consumption Loans outstanding
as at the end of the year

10. Membership (WBSCARDB & PARDB only)

(i) P.L.D.B.

(ii) Other Coop. Societies

(iii) Individuals

(a) Regular
of which
(i) S. C.
(ii) S. T.

(b) Nominal
of which
(i) S. C.
(ii) S. T.

11. No. of Members indebted at the end of the year -
of which
(i) S. C.
(ii) S. T.

12. No. of Members defaulting at the end of the year -
of which
(i) S. C.
(ii) S. T.

Total

13. Borrowing and Lending Operations - (WBSCARD. only)

	Ordinary	Rural	Special A.
Debenture floated			
(i) Series No.			
(ii) Set			
(iii) Date of issue			
(iv) Date of maturity			
(v) Amount offered for sale			
(vi) Rate of Interest % p.a.			
(vii) Sale price per Rs.100			
B. Debenture Sold			
Total			
(a) L.I.C.			
(b) State Bank of India			
(c) R.B.I.			
(d) NABARD			
(e) Government of India			
(f) State Government			
(g) Commercial Bank			
(h) Co-operative Institution			
(i) Public			
(ii) Sinking Fund Investment			

14. Deposit — Amount
(only for WBSCARD/PARDB)
(i) Last year"s Deposit
(ii) Received during the year

of which in lieu of Rural Debenture

(iii) Repaid during the year

of which in lieu of Rural Debenture

15. Loan Operation

(only for WBSCARD/PARDB)

	Advances	Recovery	Outstanding	Overdue
Total –				
of which				
S.C.				
S.T.				
(i) Primary Banks and Societies :-				
(a) No. of Banks and Societies				
(b) Ordinary lending				
(c) Spl. Lending under the NABARD :				
(I) IDA schemes				
(ii) Other schemes				
(ii) Individual :-				
(a) No. of members				
of which				
(i) S. C.				
(ii) S. T.				
(b) Ordinary lending of which				
lending to/recovered from /O.S. against/O.D. against				
S.C.				
S.T.				
(c) Spl. Lending under the NABARD				
(i) IDA schemes -				
of which lending to/ recovered from/O.S. against/O.D. against				
S.C.				
S.T.				
(ii) Other Schemes -				
of which lending to/ recovered from/O.S. against/ O.D. against				
S.C.				
S.T.				

16. (For WBSCARD/PARDB only) - Classification of loan advanced, recovered outstanding and overdue against individuals – according to size of ownership holdings

	Total	Upto 1 Hec tare	1-2 Hec-tares	2-4 Hec-tares	4-8 Hec-tares	Above 8 Hectares
No. of Borrwers						
Of which						
S.C.						
S.T.						

Amt. advanced Of which S.C. S.T.						
Recovered Of which S.C. S.T.						
Outstanding Of which S.C. S.T.						
Overdue Of which S.C. S.T.						

(Information regarding PACS/FSS/LAMPS) only (Sl. No. 17-28)

17. Name of Society in full

18. Whether the Society is viable/Potentially viable/Defunct/Dormant

N.B. (i) Dormant – which is non-working during the year

(ii) Defunct – marked for Liquidation

19. Membership

(a) Farmers with Land holding

(i) Upto 1 Hectare

(ii) 1-2 Hectares

(iii) 2-4 Hectares

(iv) 4-8 Hectares

(v) Above 8 Hectares

(b) Agricultural Labourer

(c) Rural Artisans

(d) Others

20. Total No. of Borrowing members during the year

of which

(i) S. C.

(ii) S. T.

21. No. of members indebted at the end of the year - of which

(i) S. C. No.

(ii) S. T. No.

22. Whether the society have full-time/part-time/paid Manager.

23. Further information of recoveries in respect of PACS/FSS/LAMPS only

(i) Out of long term loan recovered as reported under head “Loans outstanding col. 35D

(ii) (c) “ of financial information of Part A against Long Term Loans converted from –

(a) Short term Rs.

(b) Medium term Rs.

(ii) Out of total Loan recovered (Short Term, Medium Term & Long Term) as reported under head “Loans Outstanding, col.35L” of financial information of part A, Amount recovered through Sale proceeds of members

No. of members Amount recovered

(i) By Society itself

(ii) Through Marketing & Processing

24. Marketing, Processing & Distribution Activities during the year -

(i) Total value of agricultural produce received

(ii) Total value of produce marketed (Sales) by Societies -

of which

Foodgrains

Others

(iii) Out of total produce marketed as above through Marketing Societies

(iv) Whether society is advancing pledge loans/assisted in marketing of produce (Yes/No)

	Quantity produced In tones	Amount Rs.
(v) Whether society is undertaking processing activity, if so –		
(a)Total		
(b)Of which		
Foodgrains		
(vi) Value of goods (Fertilizer/Seed etc.) received for distribution		

	Quantity In tones	Value Rs.
(a)Total Sales		
of which		
Seeds		
Fertilizer		
Pesticides		
Machinery & Implements		
Others		

(vii) Value of Consumer Goods purchased for distribution Rs.

(viii) Total sale (Consumer goods)

(a) Foodgrains Rs.

(b) Others Rs.

(ix) Value of closing Stock Rs.

(x) Amount due on account of credit sales of consumer goods Rs.

(xi) Industrial Raw Materials supplied

(xii) Out of consumer goods sold during the year in col.(viii)

(a) Sales of consumer goods	Controlled Rs.	Non-controlled in rural areas Rs.
(1)Foodgrains		
(2)Sugar		
(3)Cloth		
(4)Others		
Total		

(xiii) No. of Retail Branches/Shops in

Rural areas

Total No.

Branches No.

Fair Price shops No.

25. Crop wise classification of short-term loan advances made for seasonal agricultural operation during the year
(For PACS/FSS/LAMPS)

A. Total Short term loan advanced Rs.

(i) Foodgrains
(a) Wheat Rs.
(b) Paddy Rs.
(c) Millets Rs.
(Jowar, Bajra, Maize etc.)
(d) Pulses Rs.
(e) Others Rs.

(ii) Non-Foodgrains
(a) Cotton Rs.
(b) Oilseeds Rs.
(c) Sugarcane Rs.
(d) Jute & Mesta
Rs.
(e) Others Rs.

26. Primary Agril. Credit Societies (PACS/FSS/LAMPS only) – Classification of loans issued, Recovered, Outstanding and Overdue – by Amount -
(During 20___ 20___)

_ Grand Total	Total Term	Short Term	Medium Term	Long Term
_ (i) No. of Borrowing members of which S.C. S.T.				
Rs.501 to Rs.1000	Total Term	Short Term	Medium Term	Long Term
_ (i) No. of Borrowing members of which S.C. S.T.				

(ii) Amount of loan issued
of which
S. C.
S. T.

(iii) Amount of loan recovered
of which
S. C.
S. T.

(iv) Amount of loan outstanding
of which
S. C.
S. T.

(v) Overdue -
of which
S.C.
S.T.

_____

Rs.1,001 to Rs.3,000___

(i) No. of Borrowing members
of which
S.C.
S.T.
(ii) Amount of loan issued
of which
S. C.
S. T.
(iii) Amount of loan recovered
of which
S. C.
S. T.
(iv) Amount of loan outstanding
of which
S. C.
S. T.
(v) Overdue -
of which
S.C.
S.T.

Rs.3,001 to Rs.5000 Term	Total Term	Short Term	Medium	Long

(i) No. of Borrowing members
of which
S.C.
S.T.
(ii) Amount of loan issued
of which
S. C.
S. T.
(iii) Amount of loan recovered
of which
S. C.
S. T.
(iv) Amount of loan outstanding
of which
S. C.
S. T.
(v) Overdue -
of which
S.C.

S.T.

Rs.5,001 to Rs.10,000

(i) No. of Borrowing members
of which
S.C.
S.T.

(ii) Amount of loan issued
of which
S. C.
S. T.

(iii) Amount of loan recovered
of which
S. C.
S. T.

(iv) Amount of loan outstanding
of which
S. C.
S. T.

(v) Overdue -
of which
S.C.
S.T.

Over Rs.10,000	Total	Short Term	Medium Term	Long Term
(i) No. of Borrowing members of which S.C. S.T.				
(ii) Amount of loan issued of which S. C. S. T.				
(iii) Amount of loan recovered of which S. C. S. T.				
(iv) Amount of loan outstanding of which S. C. S. T.				
(v) Overdue - of which S.C. S.T.				

27. Primary Agricultural Credit Societies (PACS/FSS/LAMPS) only – classification of Loans issued, Recovered, Outstanding and Overdue -

According to size of Ownership Holdings :

No. of borrowers			Advance Amount in Rs.		Recovered Amt. in Rs.		Outstanding Amt. in Rs.		Overdue Amt. in Rs.	
Short term (ST	Medium term (MT)	Long term (LT)	ST	LT	Short term	LT	Short term	LT	Short term	Long term
(1) Upto 1 Hectre										
(2) 1 –2 Hectares										
(3) 2 – 4 Hectares										
(4) 4 – 8 Hectares										
(5) Above 8 Hectares										
(6) Tenant cultivators										
(7) Agricultural Labourers										
(8) Others										
Total										

Highest Lowest Usual

28. Rate of Interest charged on loans to ultimate borrower -
Short Term
Medium Term
Long Term

29. Information to be supplied by Grain Bank only :

(1) Membership No.
of which
Borrowing during the year No.

	Cash	Kind	Total
(i) Loan advanced during the year			
(ii) Loan recovered during the year			
(iii) Loan outstanding at the end of the year			
(iv) Overdues as at the end of the year			

29A. Interest Rates on Deposits, Borrowings and Advances during ……..

	State Co-op. Bank			Central Co-op. Bank		
	Highest	Lowest	Usual	Highest	Lowest	Usual
(I) Deposits						
(a)Current A/c and deposits upto 14 days						
(b)Savings A/c						
(c)Periodwise deposits (like 15 days to 45 days to above 5 yrs – Please specify)						
(II) Borrowings of Reserve Bank of India (Applicable only for S.C.B.)						

State Co-operative Bank
(Applicable only for Central Co-op. Banks)

Government

Commercial Banks

(III) Loans and Advances

(a)Short Term (Purposewise like Seasonal agricultural operation, purchase Of agricultural implements, Pisciculture, Consumption Loan, etc.) (Please specify)

(b) Medium Term

(i) For agricultural purposes

(ii) For non-agricultural purposes

(IV) Advances to Individuals

(a)Short term

(b)Medium Term

	WBSCARDB		
	Highest	Lowest	Usual
(V) (a) Loans to Primary Agriculture Rural Dev. Bank) Banks			
(b) Loans to individuals (Made directly)			

(VI) Rate of Interest charged on loan by PARDB to the ultimate borrowers –

Urban Co-op. Bank/Employees Co-operative Credit Society Ltd.

30. Name of the Society

31. If enlisted under Banking Regulation Act. If so, date of enlistment 32. No. of borrowing members during the year -

(a)Of which SC

(b)Of which ST

33. No. of members indebted at the end of the year -

(c)Of which SC

(d)Of which ST

34. Interest Rate

(a) Interest rates on Deposits	Highest	Lowest	Usual
(i) Current A/c			
(ii) S.B. A/c			
(iii) Deposits for 15 to 45 days			
(iv) Deposits for 46 to 90 days			
(v) 91 days and above but less than 6 months			
(vi) Deposits beyond 6 months but less than 9 months (vii) Deposits beyond 9 months but less than 1 yr.			
(viii) Deposits beyond 1 year to 3 years			
(ix) Deposits beyond 3 year to 5 years			
(x) Deposits above 5 years			

(b) Interest rates on borrowings from	Short term	Medium term
(i) State Co-op. Bank		
(ii) Central Co-op. Bank		
(iii) Government		
(iv) Commercial Bank		

(c) Rate of interest charged on loans to ultimate borrowers	Short term	Medium term

35. Purposewise details of loans issued during the year

	Short term Amount	Medium term Amount	Long Term Amount
(i) Agricultural purpose			
(ii) Small Scale Industries			
(iii) Trade and Commerce			
(iv) Construction or major repairs to properties or minor repairs			
(v) Repayment of prior debts			
(vi) Consumption loan			
(vii) Others			

36. Amount wise details of loans issued during the year.

	No of borrower	Amount
(i) 500 and less		
(ii) 501 to 1000		
(iii) 1001 to 3000		
(iv) 3,001 to 5,000		
(v) 5,001 to 10,000		
(vi) over Rs.10,000		

37. Details of loans outstanding by Security :

(a)Against Fixed Deposit
(b)Govt. and the Trustee Securities
(c)Agricultural produce
(d)Merchandise
(e)Gold and Silver
(f)Immovable Property
(g)Surety
(h)Unsecured
(i)Others

38. Cash credit limit/overdraft limit sanctioned during the year.

39. Highest outstanding under Cash Credit/Overdraft during the year.

PART B – Annexure II

II. Marketing Societies/processing/Spinning Mills/Consumer/Cold Storage/Sugar Factories)

A. Marketing Society (Marketing Federation/TDCS/Primary Marketing only)

40.No. of markets in the area of operation

(a)Regulated
(b)Others

41. Membership

(i) Cooperative Societies -

(a)Agril Credit
(b)Marketing
(c)Others

(ii) Regular members -

(a)Growers
Of which
S.C.
S.T.
(b)Others (including State Govt.)
Of which
S.C.
S.T.

(iii) Nominal Members

42. Other Borrowings sanctioned (Rs) | Limit of Borrowing of borrower during the | Highest outstanding year (Rs.)

(a)Central Financing Agencies

(b)Commercial Banks

43. Cold Storages -

(a)No. of Storages unit installed

(b)Storage capacity (in tones)

(c)Quantity of produce stored during the year (in tones)

As owners

As agents

(d)Name of the Commodity Stored

(e)No. of packing boxes stored

(f)Weight in tones

44. Rates of interest on -

(i) Deposit

(ii) Other borrowings

(iii) Loans advances to ultimate borrower.

45. Loans of Credit Societies recovered by marketing of produce

(a)Amount of loan recovered

Of which

S.C. Rs.

S.T. Rs.

(b) No. of Credit Societies concerned No.

(c) No. of members concerned

Of which

S.C. No.

S.T. No.

46. Distribution of consumer goods distributed by Marketing Societies in rural areas

(a)No. of Retail Branches/Shop in rural areas

(b)Out of total sales as noted below : Total | Controlled | Non-controlled

Foodgrain | Sugar | Cloth | Others

Sales of Cons. Goods in rural areas

47. Sales of Agril produce | Name of the commodity | Wholesale Quantity/Value in tones | Wholesale in Rs. | Retail Quantity/Value in tones | Retail in Rs.

(a) As owners

(i) Paddy

(ii) Rice

(iii) Wheat

(iv) Other foodgrains

(v) Cotton

(vi) Jute

(vii) Oil seeds

(viii) Pulses

(ix) Others

Total

(b) As agents

As above
such as
(i) Paddy
(ii) Rice etc.

Total

(c) Out of the total Sales of Agricultural Produce as Owners and Agents as reported above the value of sales to be shown separately as mentioned below :-

(i) Through higher level society Rs.
(ii) To Consumers Society Rs.
(iii) To others Rs.
Total Sales as Owners and as Agents Rs.

48.

Sales of Agril requisities (in tonnes)	Name of the requisities (in tonnes)	Wholesale Quantity/ Value in Rs.	Retail Quantity/ Value
	(a) As owners		
(i) Fertiliser			
(ii) Seeds			
(iii) Agril. implements			
(iv) Pesticides/Insecticides			
(v) Others			
Total			
	(b) As agents		
(As above such as) Fertiliser, etc.			
Total			

(c) Out of the total Sales of Agril. requisites as Owners and Agents as reported above the value of sales to be shown separately as mentioned below :-

(i) To Pry. Credit Societies Rs.
(ii) To Individual Growers Rs.
(iii) To others Rs.

Total Sales as Owners and as Agents

49.

Consumer goods	Name of the Consumers" goods	Wholesale value	Retail value
(a)As owners			
(i) Foodgrains			
(ii) Others			
(b) As agents	Name of the Consumers" goods	Wholesale value	Retail value

(i) Consumers‟ goods
(ii) Others

(c) Out of the total sales of Consumers‟ goods as owners and as agents as reported above the value of sales to consumers‟ societies Rs._____

50. Out of total sales value of export outside the country Rs.

51. Number of retail outlets No.

52. Commission earned on agency business Rs.

53. **P U R C H A S E S**

Purchases as Agents/as Owners	On behalf of			Value of		
	Govt. & Govt. Agencies	Apex or higher level Societies	Others	Agril. pro duce	Agril. requi sites	Others consu-mers‟ Foodgrains	Total
(i) Produced/Procured (Foodgrains)							
(ii) Purchases as owners							
(iii) Purchases as agents							
GRAND TOTAL							

54. Closing Stock

	As Owners	As Agents
(a) Agril. produce	Rs.	Rs.
(b) Agril requisites	Rs.	Rs.
(c) Consumer goods	Rs.	Rs.
(d) Others	Rs.	Rs.

N.B. Total stock held as owners to be reported in the assets of the society. Stock held as agents do not form part of the assets of the society and should not be included in the assets. The value of goods/produce held as agents, purchases and sales thereof should be reported here for information only.

55. Amount of loan advanced by the Marketing Society -

(a) To other Societies Rs.

(b) To Individuals & Others Rs.

(i) Purpose wise classification of the loan advanced to Individuals & others at 55(b) above.

Total amount advanced as per item 55	Current Agril purposes	Of col. 2 loans advanced to		Other purposes	Of col.3 loans advanced to	
		SC	ST		SC	ST

(b) above

1	2	2A	2B	3	3A	3B

(ii) Security wise classification of the loan advanced to Individuals & others at 55(b) above.

Total amount advanced as per item 55 (b) above	Pledge of produce	Of col. 2 loans advanced to SC	ST	Hypothecation of produce	of col.3 advanced to SC	ST	Other	of col.4 loans advanced to SC	ST
1	2	2A	2B	3	3A	3B	4	4A	4B

(iii) Loans recovered

Total Form	From Individuals Societies	Of col. 3 loans & others recovered from S.C.	S.T.
1	2	3A	3B

56. No. of Marketing societies undertaking processing of

I. No.	Installed capacity (per shift of 8 hrs. in tones)	Quantity of goods purchased from Member	Non-member	Quantity processed (in tones)	Sales of processed goods (in tonnes)
1	2	3A	3B	4	5

(a)Jute
(b)Paddy
(c)Fruits & Vegetables
(d)Oilseeds
(e)Others
(please specify)

II. Govt. shares for processing activity at the end of the year Rs.

B. Processing Societies :
(Talgur/Oil crushing/Paddy Processing/Rice Mills/Fruits & Vegetables/Others) : Please specify.

57. Installed capacity of processing units (in tonnes per shift of 8 hours)

(a)Quantity processed (in tonnes)
By processing society

(b)Sales of Processing Society Rs.
(i) Processed goods Rs.
(ii) Agril. requisites Rs.
(iii) Consumers goods in rural areas controlled/Non-controlled

(a)Foodgrains
(b)Sugar
(c)Cloth
(d)Others

58. Value of export outside the country Rs.

59. Gross Income for processing Rs.

60. Loans of credit societies recovered from the produce processed –
a) Amount of loan recovered
b) No. of credit societies concerned
c) No. of members concerned
of which
S.C. Rs.
S.T. Rs.

61. Rate of Interest charged on loans to ultimate borrowers
Short Term Rs.
Medium Term Rs.

62. The following additional information of borrowing outstanding may be furnished :
Total outstanding as on Rs.
(i) Short term (for Working Capital) Rs.
(ii) Medium Term (for Block capital) Rs.
(iii) Others Rs.

C. Spinning Mills :

(Separate figure for each type such as (1) Growers of cotton, (2) Consumers of yarn (3) Mixed type to be submitted)

63. Number of Spindles : Licensed
of which working

63A. Cash Credit & Overdraft limit obtained Rs.

64. Out of Total Share Capital :
Capital owned by Individuals :
(i) Out of Govt. loans Rs.
For purchase of Shares
Of which
S.C. Rs.
S.T. Rs.
(ii) Out of their resources Rs.
Of which
S.C. Rs.
S.T. Rs.

65. Closing Stock Rs.
(i) Raw Materials Rs.
(ii) Finished Goods Rs.

66. Raw Materials purchased during the year Rs.
(i) From Co-operative Societies Rs.
(ii) From others Rs.

67. Value of Goods produced Rs.

68. Value of Finished goods sold Rs.
(a) To members Rs.
(b) To Others Rs.

69. Wages Rs.

70. Other Manufacturing Exp. Rs.

D. Cold Storages
(Organised as Independent Societies)

71. Date of Commencing Functioning

72. Membership No.
(a) Individuals & Others
(i) Growers
Of which
S.C.(No.) No.
S.T. (No.) No.
(ii) Others
of which
S.C.(No.) No.
S.T. (No.)
(b) Societies No.
(i) Agricultural Credit (No)
(ii) Marketing (No.)
(iii) Others (No.)

73. Total No. of Units
(a)Installed
(b)Under Installation

74. Storage Capacity or units Installed (in tonnes)

75. Quantity of produce stored during the year (in tonnes)
(a)As Owners
(b)As Agents

76. Name of the Commodity Stored and weight	No. of items Boxes	No. of Packing	Weight in tonnes

E. Consumers‟ Co-operative
(If enrolment is available for departmental Stores that shall have to be furnished separately)

77. Type of Society (Whether Federation, Wholesale, Primary Stores/Pure Primary Stores) 78. Whether doing Processing activities

79. No. of branches as at the end of June	Total Number	of which rural areas
(i) Branches		
(ii) Departmental Stores		
(iii) Fair Price shops		
(iv) Others		

80. Membership	During the year	As at the end of June
(i) Individuals		
Of which		
S.C.		
S.T.		

(ii) Other Co-op. Societies/Institution
(iii) Consumers" Stores

81. Outstanding under Credit Sales
(i) Upto 6 months
(ii) Over 6 months but upto 12 months
(iii) Over 12 months

82. Value of goods on consignment & commission basis

83. Purchase during the year

84. Value of Sales during the year	Controlled Retail	Wholesale/Non-controlled Wholesale/Retail
(i) Foodgrains		
(ii) Sugar		
(iii) Other groceries		
(iv) Textiles		
(v) Cosmetics and Toilet		
(vi) Drugs and medicines		
(vii) Household goods		
(viii) Others		

85. Gross Income (For Departmental Stores only)

86. Whether the Society undertaking distribution (Yes/No)

87. Value of distribution of Consumer Goods in Rural Areas during the year

	Controlled	Non-Controlled
(i) Foodgrains		
(ii) Sugar		
(iii) Cloth		
(iv) Others		

„Pure Primary Consumers" Stores relates to School and College Consumers Stores, Stores organized among industrial and mining works, Railways, other Public and Private Enterprises etc.

Sugar Factories

87A. (i) Name of the Society
(ii) Whether it is under construction (Yes/No)
(iii) Membership
(a)Societies
(b)Growers
Of which
S.C. No.
S.T. No.
(iv) Others …….. No.
Of which
S.C. No.
S.T. No. (v)
Deposit Rs.
Of which Refundable Rs. (vi)
Borrowings Rs. (a)
Short Term Rs.
(Working capital)
(b) Medium Term Rs.
(Block capital)
(c) Others Rs.

(vii) Closing Stock

(a) Sugar Rs.

(b) By-products Rs.

(c) Others Rs.

(viii) Whether the Govt. of India issued licence or not

(ix) (a) Installed capacity (in tonnes per shift of 8 hrs)

(b) Licensed capacity (in tonnes per shift of 8 hrs.) (x) Whether the factory having ancillary unit (Distilleries/confectionery and others)

(xi) Production (Sugar Produced)

(a) Sugarcane crushed tonnes)	Quantity	Value (in Rs.
(i) Of members		
(ii) Of others		
(b) Production of Sugar exported (weight in tonnes)		
(c) Other production (Weight in tonnes)		
(d) Cost of production exported (value)		
(e)Cost of other production (value)		
(f)Sugarcane received from members not crushed by factories but sold to outside	Quantity (in tonnes)	Value Rs.
(g) Production of Ancillary units	Quantity (in proof litres/ or bottles or in tonnes)	Value Rs.
(i) Distilleries		
(ii) Confectionery		
(iii) Others (Please specify)		

(xii) Value of Sales -

(a) Sugar Rs.

(b) By-products Rs.

(c) Products of ancillary units Rs.

(xiii) Distribution of Agricultural Requisites (Value)

	Total Sales	Fertilisers	Seeds	Agricultural implements	Others including Cement Iron and Steel
(a)As Owners					
(b)As Agents					

(xiv) Loans of Credit Societies recovered from the price of cane

(a) amount of loan recovered Rs.

Of which

S.C.

S.T.

(b) No. of credit societies No.

(c) No. of members concerned No.
Of which
S.C.
S.T.
(xv) Compulsory Deposits collected
towards share capital Rs.

PART B – Annexure III

Farming Societies/Irrigation/Housing/Labour Contract/Engineers/Forest Labour/Transport

A.Farming

88. Class of Society
(Joint Farming/Collective Farming)
89. Whether formed by Ex-Servicemen or others
90. Whether the Society undertaking ancillary activities
91. In which areas the society is located
(Gramdan/Bhudan areas/Wastelands/other areas)
92. Membership No.
(i) Land holders No.
Of which
S.C. No.
S.T. No.
(ii) Agril. Labourers No.
Of which
S.C. No.
S.T. No.
(iii) Others No.
Of which
S.C. No.
S.T. No.
(iv) Government No.
93. No. of Working members No.
(i) Full time in Field operation No.
Of which
S.C. No.
S.T. No.
(ii) Part-time in Field operations
Of which
S.C. No.
S.T. No.
(iii) Others No.
Of which
S.C. No.
S.T. No.
94. Coverage in Hectares
(i) Area commanded of which Cultivable land
(a)Irrigated
(b)Unirrigated
95. Land utilization in Hectares
(i) Net area sown

(ii) Gross area cropped (a+b+c)
(a)Food Grains
(b)Commercial crops
(c)Other crops

96. Expenses for cultivation during the year Rs.
(i) Seeds Rs.
(ii) Green manure Rs.
(iii) Chemical Fertilizers Rs.
(iv) Labour Rs.
(v) Irrigation Rs.

97. Particulars of Production and Sales

Name of Commodity	Production during the year	Sales during the year
(i) Foodgrains	Rs.	Rs.
(ii) Cotton	Rs.	Rs.
(iii) Oilseeds	Rs.	Rs.
(iv) Jaggery	Rs.	
Rs. (v) Miscellaneous	Rs.	Rs.
Total	Rs. Rs.	

B.**Irrigation**

[(a) Irrigation Socy. (exclusive purpose), (b) Irrigation activities undertaking by other Non-Credit Socy.]

98. Area commanded
(in hectares)

99. Area irrigated
(in hectares)

100. No. of beneficiaries at the end of the year
(For „b‟ type only)

101. Value of irrigation works executed
(a)at the beginning of the year
(b)during the year
(c)at the end of the year

102. Income from services rendered 103. Borrowings for irrigation projects
(for above „b‟ type only)
(a)During the year
(b)At the end of the year

104. Fixed assets relating to irrigation projects
(for above „B‟ type only)

C. Housing Societies

105.	Construction by Society members No. Value	During the year	At the end of the year
	No. Value	(i) Houses	
	(ii) Tenements		
106.	Construction made by year	During the of the year	At the end
	No. Value	No. Value	(i) Independent Houses

Of which
S.C.
S.T.
(ii) Tenements
Of which
S.C.
S.T.
D. Labour Contract/Engineers and Forest Labourers

107. Name of the Society

108. Whether organized by Unemployed Degree or Diploma Engineers

109. Whether working in
(a)Urban areas
(b)Rural areas
(c)Both Urban and Rural areas

110. Total Membership
Of which
(i) Degree-holders
(ii) Diploma-holders
(iii) Labourers
Of which
S.C.
S.T.
(iv) Other Graduate
(v) Others
Of which
S.C.
S.T.

111. Value of Contract executed during the year (Not applicable to forest labour socs) Rs.
Of which
(i) Work awarding agencies
(a)Govt. Rs.
(b)Local bodies Rs.
(c)Others Rs.

_____

112. Bills Receivable as at the end of the year Rs.
(a) Govt. Rs.
(b) Local bodies Rs.
(c) Others Rs.

_____

113. No. of persons/Labourers Employed
(a) Members
(i) Degree-holders
Of which
S.C.
S.T.
(ii) Diploma-holders
Of which
S.C.

S.T.
(iii) Other Graduates
Of which
S.C.
S.T.
(iv) Labourers
Of which
S.C.
S.T.
(v) Others
Of which
S.C.
S.T.

(b) Non-members & Others No.
Of which
S.C.
S.T.

114 Wages paid
(i) Members
Of which
S.C.
S.T.
(ii) Others
Of which
S.C.
S.T.

115. Income earned during the year

116. Value of Consumers goods distributed (Further information to be furnished for Forest Labourers Societies)

117. Total Membership No.

118. Out of Total membership workers engaged in collection of forest produce
Of which
S.C.
S.T.

119. Value of Forest Contract taken
(i) Of which work awarding Agencies
(a) Govt. Value
(b) Local bodies
(c) Others
(d) Total

120. Value of forest produce collected

121. Value of Sales

E. Transport Society

122. Whether the society organized by Ex-Servicemen (exclusively)

123. Vehicles owned by Society No. Value 124. Business during the year No. of Passengers carried Volume of goods handed in (tonnes)

125. Expenses during the year

Wages
Cost of fuel
Depreciation allowed
Minor replacement

126. Income from Transport charges during the year

PART B – Annexure IV

Multi –Unit Society/Other Non-Credit/Students Co-op./Electricity/Co-op. Unions/Milk Supply /Fishery/Other Livestock/Weavers/Other Industry/Womens Co-operatives

A.Multi-Unit Co-operatives

127. Name of the Society
128. Place and date of Registration
129. No. of offices
130. Area of operation -
(a)Names of States/Union Territories
(b)No. of Districts
131. Type of operation undertaken (specify) (Credit, Consumers, Housing etc.) 132.
(a) Nature of Business (specify)
(b) Value of production/purchases
(c)Value of contracts executed
(d)Value of Sales

133. Value of distribution of	Production/ Purchases Rs.	Sold Rs.
(a)Consumer Goods		
(b)Fertilizer		

134. Capacity of godown owned (in tonnes)
(a)No.
(b)Main Commodity (Specify)
(c)Other Commodity(Specify)
135. Particulars of Cold Storages
(a)No. of Cold Storage units installed
(b)Storage capacity (in M.T.)
(c)Quality of produce stored during the the year (in M.T.)
(i) As owners
(ii) As Agents

(d) Principal commodities	Name of commodity	No. of items	No. of Packing Boxes	Weight
(i) Stored & Weight				

136. Particulars of Supply Service	Nature of services offered	Value	No. of persons trained	Value of Tech services Rendered

137. Other services	Nature of services	Total value
Technical		
Training		
Advisory		
Miscellaneous		

138. Borrowings outstanding at the e

of June (as reported in Part A) Rs.

(i) Short term (working capital) Rs.

(ii) Medium term and long term (Block capital) Rs.

(iii) Others Rs.

(B) Other Non-Credit

139. Membership total -

out of which non-working

140. Income from services rendered

(C) Students Co-operatives

141. Type of Society (School Co-op./College Co-op./University Coop.)

142. Membership

(a)Students

(b)Teachers

(c)Others

143. Paid – up capital Rs.

(a) Govt. Rs.

(b) Individual of which Rs.

(i) Students Rs.

(ii) Teachers Rs.

(iii) Others Rs.

144. Purchases Rs.

145. Sales (Total) of which

(a) Textbooks Rs.

(b) Stationery Rs.

(c) Others Rs.

146. Gross Income

147. Subsidy from

(a)Govt.

(b)N.C.D.C.

(c)Others

(D) Electricity Co-operatives

148. Name of the society

149. No. of villages electrified during the year

150. No. of Services connections at the end of June -

(a)Agriculturists

(b)Industrial

(c)Domestic & Commercial

(d)Others

151. Total connected load (K.W.) during the year

(a)Sales during the year (Units)

152. Operating revenue during the year Amount

(a)Sale of energy

(b)Miscellaneous

(c)Others

153. Operation expenditure

(a)Cost of power

(b)Operational & Maintenance

(c)Others

154. Wages paid during the year -

of which

S.C.
S.T.

155. No. of units of power purchased

(E) Co-operative Unions and Institutions

156. Membership — No.
(a) Societies — No.
(i) Primary — No.
(ii) Central — No.
(b)Individuals and others — No.

157. No. of education and propaganda staff maintained — No.

158. No. of Units functioning — No.

159. Training of Non-officials — No.
(a)4 weeks (Secretaries course)
(i) Secretaries Managers — No.
(ii)Prospective Young Leaders — No.
(b) Managing Committee Members Course — No.
(i) Managing Committee Members — No.
(ii) Prospective Managing Committee Members — No.
(c) Ordinary Members — No.
(d) Non-Members — No.

160. Income — Rs.
(i) Government Grant — Rs.
(ii) Education Fund — Rs.
(iii) Others — Rs.

161. Total Expenditure — Rs.

(F) Milk Supply Co-operatives

162. Milk Purchase from - — Rs.
(a)Members — Rs.
Of which
S.C. — Rs.
S.T. — Rs.
(b) Non-Members — Rs.
Of which
S.C. — Rs.
S.T. — Rs.

163. Processing Activities (Production during the year)

In Tonnes

(i) Butter
(ii) Ghee
(iii) Condensed Milk
(iv) Cheese
(v) Powered Milk
(vi) Baby Food
(vii) Casein
(viii) Lactose
(ix) Cattle Feed
(x) Other products

164. Sales Rs.
(a) Milk Rs.
(b) Milk Products Rs.
(c) Others Rs

(G) Fishery

165. Type of Societies (Marine Fisheries/Inland Fisheries)

166. Membership Total S.C. S.T.
Marine Membership
Inland Membership

167. Stock
(a)Fish
(b)Fishing materials

168. Payments for acquiring fishing rights

169. Catch
(a)Quantity
(in tonnes)
(b) Value

170. Sales Quantity Value
Total in Tonnes
Of which Exports
(a) Fish
(i) Total
(ii) As Agents
(b)Fish Products
(c)Fishing Materials
(d)Others
(Please specify)

171. Cold Storage
(a)No. of Units installed
(b)Storage Capacity
(in tonnes)
(c)Quantity of fish & fish products stored during the year (in tonnes)
(i) As Owners
(ii) As Agents

(H) Other Livestock/Live Products
(Ghee/Other Livestock products/Poultry/other livestock)

172. Number of villages from which agricultural produce/Ghee/Poultry/Other livestock products is received.

(I) Particulars to be furnished by women‟s co-operative, Weavers and Misc. Industrial Co-operatives viz. palm gur, other village industries, handicraft industries, engineering industries, leather, coir, sericulture, tanning & flaying/misc. industries.

173. Type of Societies (as per above groupings)

174. Paid – up capital Total S.C. S.T.
Individual & Others
(a)Out of Govt. loan for
for purchase of shares
(b)Out of their resources

175. Closing Stock
(a)Raw materials

(b)Finished goods
(c)Yarn

176.		Socy. Under taking production & sale other services production & (ii)	Socy. providing supply, sale & services (iii)	Socy. under taking both sale & supply sale & other (i)
	(a)Value of raw materials/ yarn purchased			
	(b)Value of products/cloth products purchased for processing			
	(c)Supply of raw materials :			
	(i) Members			
	(ii) Non-members			
	(d)Supply of Equipments :			
	(i) Members			
	(ii) Non-members			
	(e)Value of cloth/products pur chased for sale			
	(i) From members			
	(ii) From others			
	(f)Sale of products			
	(i) From members			
	(ii) From others			
	(g)Wages paid			
	(h)Other manufacturing expenses			

		Total	S.C.	S.T.
177.	No. of looms			
	of which working			
178.	(a) No. of Sale depots			
	(b) Pattern making factories			
	(c) Dye houses			
	(d) Common facility workshop			
	(i) No. of workshop			
	(ii) Income from services rendered			
179.	Sales (only for Women"s Society)			
	of which			
	(i) Raw materials			
	(ii) Finished Goods			

FORM XVI

[Rule 72(1)]

Form of Quarterly Return showing the working of …….. Co-operative Society for the quarter ending ……20…….. I. Membership

Individual Societies (a)Number at the end of the last quarter :

(b)Number admitted during the quarter :

(c)Number ceased during the quarter :

(d)Total

II. Owned Capital

	Subscribed		Paid up
	Preference	Ordinary	Preference

(1) Share Capital -

(a)Total amount at the end of the last quarter:

(b)Amount subscribed and paid up during the quarter: (c)Total :

(d)Amount refunded during the quarter:

(e)Balance at the end of the quarter:

(2) Reserve and funds -

1. (a) Reserve Fund
   (b) Amount separately invested;
2. (a) Other Funds (to be specified);
   (b) Amount separately invested:

III. Borrowings -

(1) Deposits

(A) Fixed.

1. (a) Total amount outstanding at the end of the last quarter: (b) Amount received during the quarter;

(c) Amount repaid during the quarter;

(d) Balance at the end of the quarter;

(i) Members -

(ii) Non-Members -

Average rate of interest payable :

2. Deposits maturing during each of the next three following quarters –

(i) for quarter ending on …….Rs.

(ii) for quarter ending on …….Rs.

(iii) for quarter ending on …….Rs.

(B) Current :

(a) Total amount outstanding at the end of the last quarter

(b) Amount received during the quarter

(c) Amount repaid during the quarter

(d) Balance at the end of the quarter

(i) Members

(ii) Non-members

Average rate of interest payable :

(C) Savings :

(a) Total amount outstanding at the end of the last quarter

(b) Amount received during the quarter

(c) Amount repaid during the quarter
(d) Balance at the end of the quarter
(i) Members
(ii) Non-members

Average rate of interest payable :

(2) Account with State Co-operative Bank -
(A) Loan Account :
(a)Amount due at the end of the last quarter (b)Loans taken during the quarter

(c)Amount repaid during the quarter
(d)Balance at the end of the quarter
(e)Amount overdue

(B) Cash Credit and Overdraft Account :
(a)Maximum limit of credit sanctioned
(b)Amount drawn up to the end of the last quarter (c)Amount drawn during the quarter
(d)Amount repaid during the quarter.
(e)Amount of overdraft at the end of the last quarter. (f)Balance of undrawn cash credit.

(C) Current Account :
(a)Balance at the end of the last quarter
(b)Amount received during the quarter
(c)Amount repaid during the quarter
(d)Balance at the end of the quarter

(D) Amount with other banks -
(A) Cash Credit and Overdraft Account :
(a)Maximum limit of credit sanctioned
(b)Amount drawn up to the end of the last quarter
(c)Amount drawn during the quarter
(d)Amount repaid during the quarter.
(e)Amount of overdraft at the end of the quarter. (f)Balance of undrawn cash credit.

(B) Current Account :
(e)Balance at the end of the quarter
(f)Amount received during the quarter
(g)Amount repaid during the quarter
(h)Balance at the end of the quarter

(IV) Investments Individual Societies (I) Loans and interest (members)
(A) (a) Balance of loans outstanding at the end of the last quarter
(b) Loans issued during the quarter
(c)Amount recovered during the quarter
(d)Balance at the end of the quarter

Average rate of interest receivable :
(B) Recovery of overdue loans :
(a)(i) Overdue principal at the end of the last quarter
(ii) Amount in respect of which extension has been granted
(iii) Amount collected
(iv) Balance (overdue at the end of the quarter)
(b) (i) Instalment which fell due duri

(ii) Amount in respect of which extension has been granted

(iii) Amount collected

(iv) Balance overdue at the end of the quarter

(c) (i) Total amount of overdue loans remaining unpaid (a) (iv) plus (b) (iv)

(ii) Amount of overdue loans in respect of which extension of time has been granted (a) (ii) plus (b) (ii)

(iii) Amount of loans not yet due

(iv) Total

(C) Realisation of interest from members :

(a)(i) Overdue interest at the end of the last quarter

(ii) Amount collected

(iii) Balance

(b)(i) Interest which fell due for payment during the last quarter

(ii) Amount collected

(iii) Balance

(c)Total overdue interest remaining unrealized at the end of the quarter (a) (iii) plus (b) (iii)

(D) Loans and interest due from societies under order of winding up -

Principal interest

(a)Balance outstanding at the end of the last quarter

(b)Amount due from societies placed under liquidation during the quarter

(c)Total

(d)Amount collected

(e)Balance at the end of the quarter

(2) Investment in Co-operative Societies (fixed savings and current deposits) -

(a)Amount outstanding at the end of the last quarter;

(b)Amount deposited during the quarter

(c)Amount withdrawn during the quarter

(d)Balance at the end of the quarter

Average rate of interest receivable :

(3) Investment in other Banks and societies (fixed savings and current deposits) -

(a)Amount outstanding at the end of the last quarter;

(b)Amount deposited during the quarter

(c)Amount withdrawn during the quarter

(d)Balance at the end of the quarter

(4) Trustee Securities :

(a)Amount outstanding at the end of the last quarter;

(b)Amount deposited during the quarter

(c)Amount withdrawn during the quarter

(d)Balance at the end of the quarter

Average rate of interest receivable :

(5) Cash in hand at the close of the quarter :

For the quarter ending ……. 20……

(a) Revenue

Receipts	Disbursements
Interest received	Interest paid
(a)Cash	(a) Cash

(b)By paper Transactions

Other receipts

(a) Entrance fees …… (b) Commission ……

(b) By paper Transactions Working Expenses

(a) Establishment

(b) Contingency

(c) Discount …… (c) Audit fee

(d) Rent …….. (e) ……..

(d) Provident Fund Contribution

(e) ……..

Total Total

(b) Miscellaneous

Receipts Disbursements

Advance recovered Advance made

(a) Societies‟ audit fees realized (b) …… Suspense and similar accounts (a) Receipts from saleable items (Stock, forms etc.)

(b) ……

(a) Societies‟ audit fees paid

(b) ……

Suspense and similar accounts (a) Purchase of saleable items (stock, forms etc.)

(b) ……

Opening Balance Closing Balance

Total Total

Grand Total Grand Total

Signature of Secretary/ Chief Executive Officer

Date ……

FORM XVII

Form of Declaration under section 54

[Rule 90(1)]

` I, ……., (age ……) residing at ……

having been admitted to the membership of ……Society Ltd./with unlimited liability and being desirous of borrowing from the society make this declaration as required by section 54 of the West Bengal Co-operative Societies Act, 2006 that I own/have interest as a tenant

in land specified in the Schedule, and I hereby create a charge on the said land/interest in favour of the society for the payment of the amount of the loan which the society may make and for all future advances, if any which the society may make to me subject to the maximum amount of Rs…… together with interest on such amount of the loan and advances.

Schedule

Name of village	Name of Thana	Name of District	Khatian No. i.e. J.L. No. C.S. Plot No.
1	2	3	4

Mauza Boundaries				Area Acres or In decimal of an acre
South	East	North	West	
5				6	7

Assessment		Approximate value	Encumbrances, if any		Remarks, if any
Rupees	Paisa		Nature	Amount	
8(a)	8(b)	9	10(a)	10(b)	11

In witness whereof, I, Shri ……. Hereunder set my hands this

…….. day ……..of …… in the year Two thousand and ……..

Signed and delivered by the abovenamed in the presence of –

(1) Applicant‟s/Borrower‟s Signature

(2) Attested by -

FORM XVIII

Form of Register of declarations made under section 54

[Rule 90(2)]

Serial No.	Date of Entry in the register	Name of the members	Date of declaration
1	2	3	4

Name of the Mauza In which land is situated	Amount of maximum loan	Remarks, if any	Initials of the Chairman/ Secretary
5	6		7

–

FORM XIX

Form of declaration under sub section (1) of section 55

[Rule 91(1)]

I, ……., (age ……) residing at …… having been admitted to the membership of ……. Ltd. and being desirous of borrowing loan from the society make this declaration as required by section 55 of the West Bengal Co-operative Societies Act, 2006 that –

(a)I own as tenant the land specified in the Schedule I below,

(b)I have interest as …… in the land specified in Schedule I below.

(c)I am in lawful occupation of the land specified in Schedule I below being a share-cropper.

(d)I own as proprietor the immovable property/I have interest in the immovable property specified in Schedule II below,

and I hereby create GEHAN, that is to say, a special charge on the said land/immovable property or interest in favour of the said society for the payment of the loan to be granted by the society and for all future loans, if any, which the society may grant to me, subject to the maximum limit of Rs…… together with interest on such amount of the loan and I hereby further declare that in default of repayment by me of the loans hereinabove mentioned together with interest thereon, the said society shall have the right of sale of the land/immovable property/interest without intervention of Court.

Schedule I

(1) Name of village
(2) Name of the police station
(3) Name of district
(4) Khatian No., Mauza (J.L. No.) C.S. Plot No.
(5) Boundaries :
  (a)South
  (b)North
  (c)East
  (d)West
(6) Area in acres
(7) Assessment :
Rs.
(8) Approximate value
(9) Encumbrance, if any
  (a)Nature
  (b)Amount
(10) Remarks

Schedule II

(1) Name of village
(2) Name of the police station
(3) Name of district
(4) Particulars of the immovable property -
(a)Description
(b)Location
(c)Approximate value
(d)Encumbrance, if any
(5) Remarks :

In witness whereof, I, Sri ……. Hereunder set my hand this …….. day of …… in the year Two thousand and ……

FORM XX

Form of Register of declarations made under sub-section (1) of section 55

[Rule 91(2)]

Serial No.	Date of Entry in the Register	Name of the applicants	Applicant"s/Borrower"s Serial No. in the Register of members	Date of declaration
1	2	3	4	5

Name of the Mauza In which the property is situated	Amount of loan	Remarks, if any	Signature of the Chief Executive of the society by whatever designation called, with designation
6	7	8	9

FORM XXI

Form of application for demarcation of the irrigable area

[Rule 92(1)]

To

The Collector of …….

The application of …… co-operative society for demarcation of the irrigable area under Rule 92(1) of the West Bengal Co-operative Societies Rules, 2006.

1.Particulars of the Society

(a)Registered name of the society;

(b)Date of establishment (indicating registration No. and date):

(c)Address :

2. Particulars of source of irrigation -

(a)Description with boundaries:

(b)Local name, if any:

3. Particulars of the persons having right of irrigation (Separate lists to be drawn up for members and non-members)

Name and address of the person (member or non-member)	Plot No.	Class of	Boundaries	Area		Remarks
				Acre	Dec.	
1 2	3	4	5	6	7	

Signature of Secretary/Chief Executive Officer

FORM XXII
Form of Notice
[Rule 92 (3)]

Notice is hereby given that an application (copy enclosed) under Rule ……. of the West Bengal Co-operative Societies Act, 2006 has been received from …….Society …… (address) for demarcation of the area, irrigable from the source of irrigation/protected by the embankment /consolidation of land holdings as specified therein …… (designation of officer) has been deputed to prepare a map of the irrigable/protected area/co-operative farming area and also a statement of the cultivable/protected lands/land for consolidation as mentioned therein by …… (date). Persons interested and public are required to appear before him when he visits the locality and help him in respect of preparation of the map and the statement.

Collector

FORM XXIII
Form of Statement
[Rule 92 (3)]

(1) Name and address of the person in possession (member or non-member ……..) (2) Name of Panchayat ……..
(3) Khatian No. ……..
(4) Plot No. ……..
(5) Class of land ……..
(6) Area in acres ……..
(7) Boundaries ……..

Signature ……..
Date ……

FORM XXIV

Form of application for demarcation of the protected area [Rule 92 (5)]

To

The Collector of ……..

The application of …… co-operative society for demarcation of the area protected by embankment under rule 92(5) of the West Bengal Co-operative Societies Rules, 2011.

1.Particulars of the Society

(d)Registered name of the society;

(e)Date of establishment (indicating registration No. and date):

(f)Address :

2. Particulars of the embankment -

(c)Description with boundaries:

(d)Local name, if any:

3. Particulars of the land and persons benefited by the embankment -

Name and address of the person (member or non-member)	Plot No.	Class of Land	Boundaries	Area Acre	Dec.	Remarks
1	2	3	4	5	6	7

Signature of Secretary/Chief Executive Officer

FORM XXV

Form of application for consolidation of land holding

[Rule 92 (10)]

To

The Collector of ……..

The application of …… co-operative society for demarcation of the area protected by embankment under rule 92(10) of the West Bengal Co-operative Societies Rules, 2011.

1.Particulars of the Society

(a) Registered name of the society;

(b)Date of establishment (indicating registration No. and date): (c)

Address :

2. Particulars of the Co-operative farming area -

(a)Description with boundaries;

(b)Names of members holding plots within the area
Indicating plot No. etc. against each

(c)Names of non-members holding plot within the area
Including plot No. etc. against each;

Signature of Secretary/Chief
Executive Officer

FORM XXVI

Form of direction to be given to non-members

[Rule 92 (10)(d)]

In terms of the provisions of clause (d) of sub-rule (10) of rule 92 of the West Bengal Co-operative Societies, Rules 2011, Shri …… owner-possessor of the land particulars of which are furnished below, falling within the "Co-operative farming area" of …… society, is hereby directed to join the society within a period 45 days as a member thereof undergoing necessary formalities in this connection.

Particulars of land ……..

In case of his refusal to do so action will have to be taken under the law.

Signature of Secretary/Chief Executive Officer,
…… Society

To
Shri ……..

Address ……. (all non-members owning/possessing land of the co-operative farming area)

FORM XXVII

Form of Notice calling for statement of claims

[Rule 102 (1)]

NOTICE

In the matter of application of …… son/wife of ……. resident in …….. mauza ……Thana ……. district …….. hereinafter mentioned as a debtor.

To

Son/wife of …….. resident in mauza ……Thana ……. district ……..

Whereas you are reported to be creditor of the said debtor;

Notice is hereby given to you that an application for loan/membership has been received from the said debtor, and that the board of the ……..Co-operative Society will consider the said application at the office of the society on the ……. day of ……. 20…….. at ……..o‟clock.

You are hereby required to submit to the Secretary of the Society a written statement (in the form annexed) giving full particulars of all debts owned to you by the said debtor within one month of the service of the notice upon you.

Seal of the Society

FORM XXVII-A

Form for written statement of claims from creditors

[Rule 102(1)]

Name of debtor …….

Address …….…….

Serial No.	Nature of the debt with description of any bond or/ other document	Khatian and plot Nos. of any land mortgaged	Date when debt was first incurred	Rate of interest shown in each bond
1	2 3	4	5	

Amount paid since the current bond was executed			Amount of principal now due	Total claim as due	Remarks (Note here the amount of any loan given subsequently and amalgamated with the principal)
Date	Principal	Interest			
6a	**6b**	**6c**	**7**	**8**	**9**

I agree to subscribe …… shares of your society.

In this connection the necessary particulars are given below :_

1. Name in full :
2. Actual date of birth and age on :
3. Father‟s name :
4. (a) Permanent address :
   (b) Present address :
   (c) Contact address :
5. Occupation with monthly income :
6. Whether member of any other co-operative society and if so, the particulars thereof :
7. Nationality :
8. Religion :
9. Name and address of nominee and his relationship with the applicant :

I hereby declare that if any information hereinabove recorded be at any time found to be incorrect my membership of your society shall be liable to be terminated.

Yours faithfully,

Signature/Thumb Impression of the Applicant

Full postal address …….

FORM XXVIII

Form of application for membership of a co-operative society

[Rule 108]

To

The Secretary/Manager/Chief Executive Officer/Managing Director

…….Co-operative Society

Dear Sir,

I hereby apply for membership of your society.

I have studied the registered by-laws of your society and the West Bengal Co-operative Societies Act, 2006 and the Rules made thereunder and I hereby declare and undertake to abide by the provisions of the by-laws, the Act and the Rules.

Signature

FORM NO. XXVIIIA
[section 87]
PROFORMA OF THE AFFIDAVIT

Before the Judicial Magistrate/Executive Magistrate _____ I Sri/Smt. _____ s.o/w.o./d.o. _____ by faith _____ by occupation service/business aged about _____ years at present residing at _____ P.O._____ Dist. _____ State _____ Pin Code _____ do hereby solemnly declare affirm as follows :-

1. That I do not own house or flat or a building or building site or land either in my own name or in the name of my family as defined under section 13(2) of the West Bengal Cooperative Societies Act 2006 in the _____ (KMAH area/New Town area/_____ City/Town/ Village) where the proposed cooperative society is located.

2. That I intend to be a member of the proposed _____ Housing Cooperative/ Cooperative Housing Society having its registered office at _____ P.O._____ Dist. _____ Pin _____ for the purpose of owing a flat in the land of the housing project of the said Cooperative Society which is going to be constructed for residential accommodation of myself and members of the family.

3. That I am a permanent resident in the State of _____ and I am a citizen of India and I intend to reside in West Bengal permanently.

4. That I am not a member of any other housing cooperative societies in West Bengal.

That the above statements are true to the best of my knowledge and belief and I swear this affidavit of this _____ day of _____ two thousand _____

Identified by me

ADVOCATE DEPONENT

FORM NO. XXVIIIB
[Section 76]
APPLICATION FOR NOMINATION

To
The Chief Promoter/Secretary
_____ Housing Cooperative Society
P.O. _____
Dist. _____, Pin _____

Dear Sir/Madam,

In terms of Section 76 of the West Bengal Cooperative Societies Act, 2006 read with the relevant provision of the bye-laws of
the society I do hereby nominate my wife/son/daughter Smt./Sri/Kumari _____ as my nominee and to request you to dispose of my share with all interest in favour of my nominee in the event of my death.

The biodata of my nominee are detailed below for your perusal and taking necessary action at your end in terms of the relevant provision of the society.

Name of the Nominee (Block Capital)

Date of Birth of the Nominee

Identification Mark if any of the Nominee

: _____

: _____

: _____

Yours faithfully,

Date : Member

Place : ……Cooperative Society

FORM XXIX

Form of quarterly statement to be submitted by a housing co-operative society under section 91(2)

[Rule 151]

Name of the society ……

Registration No. …….

…… 1.

Project -

(a)site

(b)date of purchase or acquisition of land, house or building for the project :

(c) date of sanction of the building plan :

(d) total number of plots, houses or apartments under the project :

(e) total number of plots, houses, or apartments allotted :

(f) cost of each plot, house or apartment :

2. Membership -

(a) total members :

(b) number of resignation and/or expulsion during the quarter :

(c) admitted during the quarter :

3. Payment by members -

(a)share money

(b)cost of land, house or apartment :

(c)number of defaulters (a list as per Annexure „A‟ furnished) :

4. Borrowings from the West Bengal State Co-operative Housing Federation Ltd. :

(a) total amount sanctioned :

(b) number of members involved :

(c) total amount released (member-wise sanction and release shown in Annexure „A‟ :

5. Repayment against borrowings in (4) -

(a)total amount repayable at the end of the quarter as per quarterly instalment :

(b)total amount repaid to apex society at the end of the quarter : (c) amount of default, if any (member-wise repayment position shown in annexure "B" :

6. Borrowings from any other institutions (including overdraft from Bank) –

(a) name of the lending institution :

(b) amount sanctioned :

(c) amount released :

7. Amount of loan or deposit from non-member individuals -

8. General Meeting -

(a) date of last annual general meeting :

(b) date of special general meeting he

during the quarter :

9. Audit -

(a) year upto which audit report received :

(b) year of which audit is in progress :

10. Deposits in bank -

(a) name of the bank :

(b) amount of deposit -

(i) current :

(ii) savings :

(iii) fixed :

11. Any other deposit or investment :

12. A cash A/c for the quarter :

ANNEXURE „A"

Sl. No.	Name	No. of plot/ house apart ment allotted	Cost of plot/house/ apartment to be paid		Payment against	Release against	Share monthly paid
			Own con- tribution (a)	Loan prayed for or sanctioned (b)	4(a)	4(b)	
1	2	3	4		5	6	7

ANNEXURE „B"

Sl. No.	Name	Total amount paid at the close of last quarter				Total amount paid for and during the the quarter				
		(a) Share apex society	(b) Group Insur- ance	(c) Repay- ment instal ment	(d) Interest in Penal Interest	(a) Share apex society	(b) Group Insura- nce	(c) Repayment of install- ment	Interest including penal interest	
1	2	3			4					

FORM XXX
Audit Statement of Accounts
[Rule 155A(e) and Rule 165

Period of audit from ……..

1. Name and address of the society
2. Class of society
3. Registered No. and date
4. Number of members -
   (a)Individuals
   (b)Societies
5. Working Capital
6. Rate of Interest
   (a)On lending
   (b)On borrowings
   (c)On deposits
7. Rate of dividend declared at the close of the previous working year ……

Form of Trial Balance

Serial No.	Name of accounts	Ledger	Debit	Credit	Total
1.	Office Furniture A/c				
2.	Cash A/c				
3.	Bank A/c				
4.	Stock A/c				
5.	Goods A/c				
6.	Wages A/c				
7.	Freight A/c				
8.	Postage A/c				
9.	Discount A/c				
10.	Interest A/c				
11.	House rent A/c				
12.	Salary A/c				
13.	Advertisement A/c				
14.	Stationery A/c				
15.	Lighting charges A/c				
16.	Printing charges A/c				
17.	Trade expenses A/c				
18.	Bad debt A/c				
19.	Depreciation A/c				
20……	Central Co-operative Bank Ltd. A/c				

Cash Account for the period from …… to ……..

Receipts	Disbursement	Rs.	P.
1. Opening Balance - 2. Share receipts	1. Share capital refunded, if any 2. Debenture repaid		
(1) Ordinary	3. Loans from Government repaid		
(2) Preference	4. Loans repaid to apex bank or		
3. Other capital receipts	central societies		
(i) Block assets, sale proceeds - (1) Land and building	5. Overdraft from other banks repaid 6. Deposits repaid to :		
	(1) Current -		

(2) Furniture
(3) Others
(ii) Sale proceeds of property
taken over in satisfaction of claims
4. Investments withdrawn -
(i) Government Securities
(ii) Other gilt-edged securities
(iii) Shares in co-operative societies (iv) Fixed Deposits
(a) Individuals
(b) Primary societies
(v) Others
5. Deposit received -
(i) Current -
(a) Individuals
(b) Societies
(ii) Savings -
(a) Individuals
(b) Societies
(iii) Fixed -
(a) Individuals
(b) Societies
(iv) Deposit from non-members (v) Deposits from central banks
(vi) Employees Security Deposits
(vii) Employees‟ Provident Fund Deposits
(viii) Others (to be specified)
6. Loans, cash credits and overdrafts received -
(i) Apex society
(ii) Central bank/societies
(iii) Individuals
(iv) Government
7. Loans, cash credits and overdrafts
(i) Members of the Executive Committee (ii) General Members
(iii) Societies
(iv) Liquidated societies
(v) Others (to be specified)

(a) Individuals
(b) Primary societies
(c) Central Bank and unions
(d) Others

_____

Total

_____

(2) Savings - Rs.

(c) Central banks and unions
(d) Others

_____

Total _____

(3) Fixed –
(a) Individuals
(b) Primary societies
(c) Central banks and unions
(d) Others

_____

Total _____

Total current, savings and fixed deposits repaid to
(a) Members –
(b) Non-members –
7. Loans to –
(a) Individuals
(b)Agricultural credit societies
(c) Non-agricultural credit societies (d) Other co-operative societies
(of which by paper transactions Rs…….)
8. Investments and deposits made in –
(e) Apex Bank –
(f) Central Banks
(g) Others (to be specified)

8. Bank withdrawals
(i) State Co-operative Bank (ii) Central Bank
9. Interest paid (of which by paper transaction Rs…….)
10. Other expenses
(iii) Others
(a) Establishment
(b) Contingencies
(c) Audit fee
(d)
(e)
(f)
(g)

9. Revenue Receipts -
(a)Sale of goods
(b)Interest
(i) Loans, cash credit and overdraft
11. Dividend (c)
Dividends
12. Bonus
(d) Commission and discounts
13. Purchase of –
(e) Admission fee
(f) Sale of forms
(a) Members‟ products
(b) Non-members products
(g) Penalty
14. Dead stock purchased (furni-
(h) Others (to be specified)
10. Miscellaneous

Date ……

Signature of Audit Officer

ture, equiptment, etc.)
15. Other items -
(a)
(b)
(c)
(d)

_____ Total –
_____

Closing Balance
Cash in hand
Cash at Bank
Grand total including the
Closing Balance

Date ……
Signature of the Secretary/
Chief Executive Officer

N.B. – “Other items” whether in the cash account, balance sheet or revenue account should always be stated in detail in the overleaf by the Audit Officer if not covered by the items in the prescribed form.

FORM XXX

Balance Sheet as on ……

Liabilities				Assets			
	Rs.	P.	Rs. P.		Rs.P	Rs.	P
I. Capital				II. (a) Cash in hand at Head Office and branches			
Authorized capital -				(b) Cash at Banks on current accounts			
(a) …..Shares of Rs….. each				II. (a) Investments			
(b) ……. Shares of Rs….. each				(1) Government securities - Rs. Face value –			
Subscribed capital -				Market value –			
(a) …….. Shares of Rs….. each				(2) Shares in other co-operative Societies			
(b) …… Shares of Rs……. each				(3) Debentures and other trustee securities			
Amount called and paid up at Rs……. per share -				(4) Post Office Savings Bank Account			
(a) Shares ……..							
(b) Shares ……..							
(of which shares subscribed by the debtors of the Bank may be shown in a footnote)							
(Uncalled capital)							
II. Reserve ……							
				(5) Postal Cash Certificate ……			
				(6)Land and buildings			
				(Less : depreciation … per cent)			
				(7)Other investments - of which Rs… (in items 1,2,3,4)			
(a) Reserve Fund under section 82 of theWest Bengal Coop. Societies Act 2006(West Ben. Act, XL of 2006)				and Rs…. (in items 6 and 7) are on account of reserves)			
(b) Reserve for bad and doubt-ful debts				(b) Deposits in –			
				(1) Apex Bank			
(c) Reserve for overdue interest				(2) Central Bank			
(d) Other reserves and funds -							
(1)General reserve							
(2)Building Fund							
(3)Education Fund							
(4)Dividend Equalization Fund (5)Charity Fund							
				(3) Other Co-operative societies (of which Rs…. on account of Reserves)			
				(4) Other approved Banks (of which Rs…. on account of Reserve).			
(6)							
(7)							
Total							

FORM - XXX

Liabilities	Assets
III. Deposits	III. Sinking Fund investments –
(i) Current –	
(a)Individuals	
(b)Primary societies	
Cash credits and overdrafts to	co-operative societies, Central
(c)Central Banks and Unions	Banks and ARDB's
	Excluding liquidated societies –
_____	
Total _____	
(ii) Savings -	
(a) Individuals	(a) Loans to primary societies of
(b) Primary societies	which –
(c) Central Banks and Unions	(i) Overdue
_____	(ii) Bad and doubtful
Total _____	(b) Long-term loans to ARDB's
	Of which –
	(i) Overdue
	(ii) Bad and doubtful (iii)
Mixed -	
(a) Individuals	(c) Loans to non-agricultural
(b) Primary societies	societies of which –
(c) Central Banks and Union	(i) Overdue
_____	(ii) Bad and doubtful
Total _____	
Total current savings and fund	
Deposit from Rs…	IV. Dues from societies in liquidation
(a)Members	
(b)Non-members	V.
Loans to individuals of	which
–	
(iv) Employees' Provident	
Fund deposits	
(v) Employees' Security	(a) Overdue
Fund deposits	
(vi) Reserve Fund deposits	of societies
(b) Bad and doubtful – (1) Against fixed deposits	
(2) Against Government	
(vii) Others	Securities
	(3) Against produce
IV. Loans, cash credits and overdrafts -	(4) Others
(1) Loans from Government	VI. Interest due –
(2) Loans from State Co-operative	(a) Interest receivable on
Bank	Government securities and
	deposits with Banks –
(3) Loan from other Banks	
Sources	

FORM XXX

Liabilities	Rs. P	Assets	Rs. P.
V. Capital raised by debentures ……. Nature of security against Debenture		(b) Interest recoverable on loans and advances …. of which -- (1) Overdue (2) Bad and doubtful	
VI. Bills for collection (per contract…….)		VII. Land and other fixed assets taken over in satisfaction of	VII. (a)
Dividend unpaid (of which unclaimed Rs.)		claims (at Government or other authenticated valuation)	
(b) Bonus unpaid			
(c)Cost of management unpaid -		VIII. Dead stock -	VIII.
Interest payable (of Which overdue Rs….)		(a) Furniture (Less depreciation)	
		(b) * Others	
IX. Branch adjustments Sundries or other liabilities		IX. Value of stock in hand	
		X. Bills receivable (per contra)	X.
Profit and Loss account - (a) Balance brought forward ….		XI. Branch adjustments	
(b) Net profit (+) or Loss (-) of the year		XII. Sundry assets (to be specified)	
Total		Total	
Contingent Liability			

Details of investments should be furnished separately overleaf.

Date …….. Signature of Secretary/Chief Executive Officer

I report that I have audited the above Balance Sheet as at …… and the annual Profit and Loss Account for the year ended …… ….. and obtained all the informations and explanation I have required. In may opinion the Balance Sheet and the Profit and Loss Account have been drawn up in conformity with the law and subject to my separate report of even date. The Balance Sheet exhibits a true and correct view of the state of the Society's affairs according to the best of information and the explanation given to me and as show by the books of the society. In my opinion the books of accounts have been kept as required under the Act, the Rules and the by-laws.

Date ……

Profit and Loss Account for the year ending 20…….

Loss	Rs. P.	Profit	Rs. P.
I. Gross loss transferred trading account		I. Gross profit transferred from trading account	
II. Interest paid and due		II. Interest received and due	
III. Establishment and contin- charges –		III. Commission and exchange gent	
		IV. Other income …….	
(i) Salaries		(1) (ii)	
Rent, rates and taxes		(2) (iii)	
Printing and stationery			

Postage and telegram fees
(vi) Directors' fees and traveling Allowances
(vii) Travelling expenses
(viii) Insurance
IV. Miscellaneous
(1)
(2)
(3)
V. Depreciation
VI. Bad debts written off
VII. Reserve for bad and doubtful debts

(4) (v) Audit

_____		_____	Total
_____		Total	_____
Net Profit	_____	Net Loss	_____
Grand Total	_____	Grand Total	_____

Signature of Audit Officer …… Signature of Secretary/Executive Officer

Date ……. Date ……

FORM XXX

Profit and Loss Appropriation Account for the year from ……. 20…….

_____ Loss

Profit

_____

Rs. P.	Rs. P.
1. Reserve Fund -	1. Balance brought forward
*(a) Statutory one-fourth	from last year
(b) Entrance fees	
© Forfeited shares	2. Net profit as per Profit
(d) Lapsed dividends	and Loss Account
(e) Additional Interest	
(f) Additional allotment, if any	
2. Dividend at more per cent	
3. Specification of other allotments –	
(a) Contribution to the Co-operative Development Fund	
(b) Contribution to charitable Purpose	
4. Carried to next year	
Total _____	Total _____

_____

Signature of Audit Officer — Signature of Secretary/Chief Executive Officer

Date ……. — Date ……..

_____ * In calculating the statutory one-fourth to be placed to the Reserve Fund entrance fees, forfeited shares, lapsed dividends, additional interest and profits brought forward from last year should be excluded.

Actual Distribution of Profits of the year 20 ……. 20 ……..

(Passed in the general meeting held on …….) Rs.

The year's profit _____

Profit brought forward from last year Total _____

1. Reserve Fund -

(a) Statutory
(b) Entrance Fees
(c) Forfeited shares
(d) Lapsed dividends
(e) Additional Interest
(f) Additional allotment (if any) _____

Total _____

2. To Dividend at …… per cent
3. Specification of other allotments –
(1) Contribution to the Co-operative Development Fund (2) Contribution to charitable purpose
(3) Contribution to Provident Fund of employees
(4)
(5)
(6)
(7)

Carried to next year _____

_____

FORM XXXI

From of notice under sub-section (1) of section 106 of the West Bengal Co-operative Societies Act, 2006

[Rule 177(2)]

To
The ……..
……..
(Address in full)

You are hereby required to report within forty-five days from the date of issue of this notice, whether the …….. Co-operative Society Limited, registered in this office on …… under Registration No…….. has commenced business or whether it is carrying on business or whether the number of members has been reduced to less than the minimum provided in section 16 of the West Bengal Co-operative Societies Act, 2006 for the purpose of registration.

Deputy Registrar
Assistant Registrar

FORM XXXII

Form of Return including account of receipts and payments to be Presented to the Registrar under sub-section (10) of Section 111

[Rule 178(2)]

STATEMENT I

Preliminary Account

Date of order of winding up of the society …….

Number of members ……

Statement of assets and liabilities

Assets	On date of order of winding up	Liabilities	On date of order of winding up
	Rs. P		Rs. P
1. Cash balance - (i) In hand (ii) In bank		1. Loans and deposits from non-members	
2. Value of investment in - (a) Shares (b) Government securities (c) Others*		2. Loans and deposits from co-operative societies	
3. Loan due by individual Members		3. Loans from Government	
4. Loan due by co-operative societies		4. Loans and deposit from members	
5. Interest due from - (a) Members (b) Societies (c) Investments		5. Share capital paid-up – (a) Interest due (b) Dividend due	
6. Value of stock in hand		6. Cost of management due	
7. Other items*		7. Audit fee due	
8. Loss		8. Reserve Fund	
		9. Other items*	
		10. Profit	
Total		Total	

*Please give details.

STATEMENT II

Cash Account

Receipts	Amount Received During the half-year	Progressive total of receipts	Expenditure	Amount paid during the lf-year	Progressive total of expenditure

_

	Rs. P. Rs. P.		Rs. P. Rs. P.
1. Cash balance --		1. Loans & deposits from non-members repaid	
i) In hand			
ii) In Bank		2. Loans & deposits from Co-operative Societies	
2. Investment called in---			
a)Shares			
b)Government Securities c)Others *			
		3. Loans from Government repaid	
		4. Loans & deposits from member repaid	
3. Loans collected from members		5. Share refunded	
4. Loans collected from Co-operative Societies		6. a) Interest paid	
		b) Dividend paid	
		7.Cost of management paid	
5. Interest collected from ----		8. Assets written off with the permission of the Registrar	
i) Members			
ii) Societies		[vide letter no. _____ dt. _____]	
iii) Investment			
6. Stock sold		9. Audit fee paid	
7. Other items *		10. Other items *	
8. Contribution order enforced -----		11. Cost of liquidation	
i) for the assets		12. Cash balance ----	
ii) for the cost of liquidation		i) In hand	
		ii) in Bank	
	_____		_____
Total	_____	Total	_____

* Please give details

STATEMENT III

[Assets & Liabilities as on _____, 20_____]

Assets	**Rs. P.**	**Liabilities**	**Rs. P.**
1. Cash balance -- i) In hand		1. Loans & deposits from non-members	
ii) In Bank		2. Loans & deposits from Co-operative Societies	
2. Value of Investment			
a) Shares			
b)Government Securities c)Others *			
3. Loans due by individual members			
4. Loans due by Co-operative Societies			
		3. Loans from Government	
		4. Loans & deposits from members	
		5. Share Capital paid up	
		6. a) Interest due	
		b)Dividend due	
		7. Cost of management due *	

5. Interest due from ------
   a)Members
   b)Societies
   c)Investments
6. Value of stock in hand
7. Other items*

a)

b)

c)

8. Contribution order to be enforced for ----
   a)Assets
   b)Costs
9. Deficit

8. Audit fee due
9. Reserve fund
10. Other items*
    a)
    b)
    c)
11. Cost of liquidation estimated to be incurred
12. Surplus

_____ _____

Total _____ Total _____

* Please give details

STATEMENT IV

[Note: ---- Revised figures to be given]

Rs. P.

I. Contribution assessed by the liquidator ----
   1.Towards assets of the society
   2.Towards cost of liquidation

Total _____ II. (1) No. of individuals against whom certificate cases have been filed

(2) Amount for which certificates have been filed ----
i) For assets to the society
ii) For cost of liquidation
(3) Amount realised through Certificate Procedure
i) For assets to the society
ii) For cost of liquidation

STATEMENT V

1. Date of last audit _____ 2. Period of last audit _____ 3. Name of the Audit Officer _____ 4. Date of receipt of audit note _____ 5. Date of submission of audit rectification report _____ 6. Dates of visit to the society by the liquidator during the half-year _____

Signature of Liquidator

FORM XXX III

Liquidator's Notice

[Rule 179]

in the matter of _____ Co-operative Society _____ in the district of _____ under orders of winding up.

Notice is hereby given that the above-mentioned Society has been placed under liquidation in notification no. _____ dt. _____ and the undersigned has been appointed a liquidator of the above society under section 110 of the West Bengal Co-operative Societies Act, 2006 [West Ben. Act XL of 2006]. All creditors of the above society are hereby required, within one month from the date of this notice, to send their names and addresses and the particulars of their claims to the undersigned as the liquidator of the said society.

Date: _____

Signature of Liquidator

FORM XXXIV

Form of Notice in respect of prior debt

[Rule 188]

in the matter of _____ WBSCARD/PCARD Bank Ltd. in the district of _____.

Notice is hereby given that Shri _____, son of Shri _____ residing at _____ has applied for a loan from the abovenamed Bank. It is found from his statement that he has prior debts to Shri _____ amounting to for _____ on account of principal and Rs. _____ on account of interest Shri _____ is hereby required to receive payment to the aforesaid debt from the abovenamed Bank in the manner specified below:

In case of his failure to take such payment he shall have no claim whatsoever against the property of Shri _____ [the borrower] for which the loan applied for will be sanctioned by the abovenamed Bank after expiry of the period specified above.

Manager / Chief Executive Officer

_____ Bank Ltd.

FORM XXXV

Form of the order of attachment of property

[Rule 190(2) & Rule 190(2)(d)]

WHEREAS on the _____ day of _____ you borrowed Rs. _____ from the _____ Bank as you have failed to pay the Bank the sum of Rs. _____ [principal] and Rs. _____ as interest, totalling Rs. _____, it is ordered that you, the said _____ be and you are hereby prohibited and restrained until further orders from transferring or charging the property specified in the schedule hereunto annexed, by sale, gift or otherwise and that all persons be and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

Given under my hand and the seal, this _____ day of _____ 20 _____.

Schedule of property_____

No. of plot	**Khatian No.**	**Description of property distrained**
1	**2**	**3**

Distrainer

FORM XXXVI

Form of Notice

[sub rule(2) of Rule 191B]

Notice is hereby given upon Shri _____ [all concerned] Shri _____ mortgagor to the _____

Bank/Central Co-operative Bank/Apex Housing Society has not paid any installment due on _____ or part thereof _____

Agriculture and Rural Development Bank /Central Co-operative Bank/Apex Housing Society therefor propose to bring the mortgaged property, particulars of which are furnished below, to sale under section 122 of the West Bengal Co-operative Societies Act, 2006 [West Ben. Act XL of 2006] unless the payment of the amount of Rs. _____ on account of principal and Rs. _____ on account of interest due to the Bank is made on or before _____

Particulars of the land to be brought to sale : ----

Manager / Chief Executive Officer

_____ **Bank Ltd.**

FORM XXXVII
Form of Certificate
[Rule 191 O]

I certify that _____ has purchased at a sale under section 122 of the West Bengal Co-operative Societies Act, 2006 [West Ben. Act XL of 2006], the property specified below, in the district of _____ and that the purchase took effect on the _____ day of _____20 ___

Registrar of Co-operative Societies/
JRCS/DRCS/ARCS/CDO/CI

Specification of property

1.District
2.Thana
3.Sub-Registry Office
4.Mauza
5.Tauzi
6.Jurisdiction List No.
7.Khatian No. and nature of interest in the property
8.Settlement Plot No. [Cadastral survey]
9.Area _____ 10.Boundaries of land [if portion of a cadastral survey plot is purchased]

_____

Form XXXVII

11. Name of purchaser, father‟s name and his address ……
…….. 12.
Name of seller (mortgagor with father‟s name) and his address …….
…….. 13.
Name of landlord and his address ……...

14 Amount of rent or revenue payable including cess …….

15. Right of others, in the land, if any (name, nature, and extent of right) ……..
…….

FORM XXXVIII

Form of notice to be served on the collector by the purchaser of property

[sub rule (3) of Rule 191 O]

To

The Collector,

……

Take notice that the property specified in the sale certificate hereto annexed has been purchased by me at a sale held under Section 122 of the West Bengal Co-operative Societies Act, 2006 (West Ben. Act XL 2006).

Purchaser of the property …….. Address

…….

FORM XXXVIII-A

West Bengal Co-operative Tribunal (Register of Memoranda of Appeals)

[Rule 197(2)(f)(i)]

Serial No.	Name of parties and their pleaders or agents,	Date of the decision under appeal	Date of filing the appeal	Date of appearance of the respondent pleader or his agent	Final decision of the tribunal	Remarks orders passed if any
1	2	3	4	5	6	7	8

FORM XXXVIII-B

West Bengal Co-operative Tribunal (Register of Application of Review) [Rule 197(2)(f)(ii)]

Serial No.	Name of parties, and order	Date of filing the application	Date of appearance of their pleaders or agents, if any	Date of order sought to be reviewed	Date of order of the opponent, his pleader or agent	The order passed by the Tribunal	Remarks
1	2	3	4	5	6	7	8

FORM XXXVIII-C

West Bengal Co-operative Tribunal (Register of Miscellaneous Application)

[Rule 197 (2)(f)(iii)

Serial No.	Name of parties,	Date of order, if any	Date of filing the pleaders or agents, if any, of which	Substance of the application in respect	Date of the order of the Tribunal passed by the application is made	The order of the Tribunal	Remarks
1	2	3	4	5	6	7	8

FORM XXXVIII-D

West Bengal Co-operative Tribunal (Register of unregistered cases)

[Rule 197(2)(f)(iv)]

Serial No.	Date of receipt	Names of parties	Date and No. of the order complained of	Remarks
1	2	3	4	5

FORM XXXVIII-E

West Bengal Co-operative Tribunal (Register of Court-fee Received) [Rule 197(2)(f)(v)]

Date

Serial number in relation to which the court-fees are received	Number of case, if any, in relation to if any	Nature of document, fees received	Filling fees	Number and date	Remarks
1	2	3	4	5	
		Rs. P.			

Fees for vakalat-nama	Fees for certified copies	All other fees	Total (for each day)	Remarks
6	7	8	9	10
Rs. P	Rs. P.	Rs. P.	Rs. P.	Rs. P.

FORM XXXVIII-F

Before the West Bengal Co-operative Tribunal Appeal/Application for Review No…….. 20 …….. Appellant/Application versus Respondent/Opponent

[Rule 197(2)(h)]

To
The …….

Take notice that the abovenamed appellant/applicant has filed an appeal/ application for review, before this Tribunal against the decision dated …… at ……..…… in …….. Case No……..... of 20 …….. and that the Tribunal has fixed …… a.m. /p.m. on ……. …..... …….. as the time and date for hearing. The Tribunal will hear it on that date or on ……. ……... as subsequent date to which the hearing may be adjourned.

If you do not appear on the above date or dates, personally or through your duly authorized agent, the Tribunal will dispose of the appeal/application ex parte.

Given under my hand and seal of the Tribunal.

SECOND SCHEDULE

Preservation and destruction of accounts, books and registers

[Rule 75]

To be retained permanently

1. Cash Book
2. General Ledger.
3. Loan Ledger-
   (a)Short-term loan
   (b)Long-term loan
4. Ledger of shares or share register
5. Ledger for fixed deposits
6. Ledger for savings deposit
7. Ledger for Provident Fund deposits
8. Ledger for investment
9. Ledger for Provident Fund
10. Ledger for Societies‟ Reserve Fund
11. Ledger for Societies Charity Fund
12. Ledger for Audit Fee
13. Register of Dividend
14. Share Transfer Register
15. Call register of Shares
16. Stock Book of forms and furniture
17. Acquaintance Roll
18. Register of Issuing Cheque Books
19. Register of Issuing Pass Books
20. Register of specimen signature of depositors and their nominees
21. Register of members -
   (a)Register of Preference shareholders
   (b)Register of Ordinary shareholders
22. Register of Directors
23. Minute Book
24. Register of Officers and their services
25. Register of organizations
26. Register of liquidated societies
27. Register of office-bearers of affiliated societies and their specimen Signature
28. Audit Notes and Audit Statements
29. Register of Pronotes
30. Catalogue (Library)
31. Register of letters received
32. Register of letters issued

To be retained for 12 years

1. Register of dispute cases
2. Register of Court-Fees
3. Ledger for suspense deposits
4. Ledger for temporary deposits
5. Ledger for temporary advances
6. Register of bills and contingent register
7. Collection register
8. Register of assessment of normal credit of members
9. Notice Book of Directors‟ Meeting

10. Visitors‟ Book
11. Office Order Book
12. Receipt Books (Containing counterfoils)
13. Vouchers

To be retained for 6 years

1. Budget estimates
2. Returns and Statements
3. Service Books of Officers (six years after one quite service)
4. Register of inspection of affiliated societies
5. Register of Rectification Reports
6. Register of Property and Debt Statements

To be retained for 3 years

1. Casual Leave Register
2. Attendance Register
3. Register of payment of traveling allowance
4. Register of noting dates of withdrawal of deposits

THIRD SCHEDULE
Symbol which may be used by candidates
[Rule 40(14)]

(a) a banyan tree beneath which sits a teacher and a few learners;

(b) two pine trees standing together on a hill-side;

(c) two hands joined together (shaking of hands);

(d) a few children playing together in a meadow;

(e) two country-boats moving on the ripples of the water of a river or stream;

(f) a lotus;

(g) two roses;

(h) conch;

(i) sanchay kumbha that is to say, a small decorated earthenware pot with a small orifice on its top;

(j) two deers standing together;

(k) a mango tree containing fruits;

(l) a fruit bearing plantain tree;

(m) two fish or fishes;

(n) two eucalyptus trees amending side by side

(o) a wheel-hope;

(p) a man, seated on a mat, reading a book;

(q) two little girls dancing merrily;

(r) indradhanu (the seven visible colours of the sunrays);

(s) mangal kalas;

(t) two boys playing flutes;

(u) children playing fireworks happily;

(v) a large bunch of green coconuts;

(w) women labourers transplanting paddy plants in a field;

(x) a farmer irrigating his agricultural land with dome;

(y) women labourers collecting tea-leaves in a tea garden;

(z) a sunflower;

(z.1) a farmer and his spouse standing together holding in their hands the crops grown by them;

(z.2) two peacocks.

By Order of the Governor,

Sd/- Pawan Agarwal

Principal Secretary to the Government of West Bengal

Cooperation Department