



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ६, अंक ६५]

शनिवार, ऑगस्ट ३०, २०१४/भाद्र ८, शके १९३६

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असाधारण क्रमांक १८२

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांन्वयतिरिक्त) नियम व आदेश.

CO-OPERATION, MARKETING AND TEXTILES DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 30th August 2014.

NOTIFICATION

MAHARASHTRA CO-OPERATIVE SOCIETIES ACT, 1960.

No. CSL-2014/697/C.R.04/13C.—Whereas, by Government Notification, Co-operation, Marketing and Textiles Department, No. CSL – 2013 / C.R. No. 697 / 13 C, dated the 22nd November 2013, published in the *Maharashtra Government Gazette*, at pages 1 to 86, dated the 22nd November 2013, the Government of Maharashtra has invited objections and suggestions to its proposal to amend the Maharashtra Co-operative Societies Rules, 1961 as contained in the draft rules appended to the said notification ;

And, whereas, after considering the objections received pursuant to the said draft notification dated 22nd November 2013, the Government of Maharashtra considers it expedient to amend the said rules;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 165 of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961) and of all other powers enabling it in that behalf, the Government of Maharashtra, is hereby pleased to make the following rules, further to amend the Maharashtra Co-operative Societies Rules, 1961, as follows, namely :—

1. These rules may be called the Maharashtra Co-operative Societies (1st Amendment) Rules, 2014.

2. In rule 2 of the Maharashtra Co-operative Societies Rules, 1961 (hereinafter referred to as “the principal Rules”),—

(a) after clause (b), the following clause shall be inserted, namely :—

“(b-1) “Auditor” means an auditor or auditing firm from a panel approved by the State Government or the authority authorised by the State Government and appointed by the annual general body of the society or by the Registrar;”;

(b) in clause (c), for the words and figures “ ending on the 30th day of June ”, the words and figures “ending on the date of close of financial year as specified in section 81 of the Act” shall be substituted

(c) clause (j) shall be deleted;

(d) after clause (k), the following clauses shall be inserted, namely :—

“(l) “State Apex Training Institute” means an Institute notified by the State Government under section 24 A;

(m) “Upset Price” means a price approved by the Registrar, and such price may be a minimum price at which an item of property may be auctioned or sold or transferred by public sale;

(n) words and expressions used, but not defined herein shall have the respective meaning as assigned to them in the Act.”.

3. In rule 4 of the principal Rules, in sub-rule (4), the following shall be added at the end, namely :—

“or by electronic mode.”.

4. In rule 7 of the principal Rules, for the words “or these Rules”, the words “the rules or the norms and conditions for registration of societies or class of societies as specified by the Registrar,” shall be substituted.

5. In rule 8 of the principal Rules, in sub-rule (1),—

(a) in clause (f), for the words “nominal, associate and sympathizer members”, the words “nominal and associate members” shall be substituted;

(b) after clause (g), the following clause shall be inserted, namely :—

“(g-1) norms for participation in the affairs of the society and also minimum level of utilization of services of the society by a member being active member;”

(c) in clause (w), for the words “general meeting”, the words “general body meetings” shall be substituted.;

(d) after clause (x), the following clauses shall be inserted, namely :—

“(x-1) provisions regarding co-operative education and training as per section 24 A ;

(x-2) furnishing of returns as per section 79 ;

(x-3) appointment of an Auditor;

(x-4) Classification of active and non-active member as per Section 26.”;

(e) for clause (y), the following clause shall be substituted, namely :—

“(y) the constitution of the committee and other bodies of the society as provided in the Act, the Rules and the Bye-laws.”.

6. In rule 10 of the principal Rules, in sub-rule (1), in the table,—

(i) in entry (3), in column (3), for the words “District Central Banks”, the words “District Central Co-operative Banks” shall be substituted;

(ii) in entry (3A) in column (1), for the words “Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank” shall be substituted;

(iii) after entry (9), the following entry shall be added, namely:—

“10. Apex Societies	-	The Maharashtra State Co-operative Bank.”.
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7. In Rule 11 of the principal Rules, in sub-rule (3), the words “and the societies shall be registered from the dates specified by him” shall be deleted.

8. In Rule 12 of the principal Rules,—

(a) in sub-rule (1), for the words “general meeting”, the words “general body meetings” shall be substituted;

(b) in sub-rule (3), for the words “general meeting”, the words “general body meetings” shall be substituted;

9. In Rule 13 of the principal Rules,—

(a) in sub-rule (1), after the words “or desirable in its interest,”, the words “or as the provisions in bye-laws are inconsistent with the provisions of this Act and rules” shall be inserted;

(b) in sub-rule (2),—

(i) for the words “such time as may be specified by him.”, the words “forty-five days from the date of receipt of communication” shall be substituted;

(ii) for the words “the specified time”, the words “forty-five days” shall be substituted;

(c) in sub-rules (2), (3) and (4), the word “State” shall be deleted.

10. In Rule 15 of the principal Rules,—

(a) in sub-rule (1), for the words “general meeting”, the words “general body meeting” shall be substituted;

(b) in sub-rule (2), for the words “under certificate of posting ”; the words “Registered Post Acknowledgement Due, Speed Post, Public Notice, Hand Delivery, E-mail” shall be substituted.

11. In Rule 16 of the principal Rules, in sub-rule (3), for the words “special general meeting”, the words “special general body meeting” shall be substituted;

12. In Rule 17 of the principal Rules, in sub-rule (1), after the words “by the State Government in the *Official Gazette*” the words “the notified Federal Society shall offer its remarks within forty-five days from the date of receipt of communication. If such Federal Society does not offer remarks within forty-five days, or” shall be inserted.

13. In Rule 18 A of the principal Rules, in sub-rule (2), in clause (d), after sub-clause (xx), the following sub-clause shall be added, namely :—

“(xxi) other dues, if any.”

14. In Rule 19 of the principal Rules, in clause (ii), for the words “nominal, associate or sympathizer”, the words “nominal or associate” shall be substituted.

15. In Rule 20 of the principal Rules,—

(a) in sub-rule (1), for the words “joint members”, the words “associate members” shall be substituted ;

(b) in the marginal note, for the words “joint members”, the words “associate members” shall be substituted.

16. After Rule 20 of the principal Rules, the following Rules shall be inserted, namely:—

“20 A. Mode of communication of classification of non- active member.

If a member is classified as non-active member, the society shall communicate such classification in Form ‘W’, to the concerned member within thirty days from the date of close of the financial year by Registered Post Acknowledgement Due, by Speed Post, by hand delivery, by email or otherwise and also by publishing name or names of such members on notice board of the concerned society:

Provided that, on fulfillment of conditions, the member shall be reclassified as active member.

20 B. Co-operative Education and Training to members, officers and employees, etc.—

(1) Every society shall organize education and training programmes for its members, officers and employees through the Federal Societies or State Apex Training Institutes, as notified by the State Government under section 24 A of the Act.

(2) As far as possible the period of education and training for members of committee shall be minimum three days in aggregate during their tenure.

(3) As far as possible all the members, may be covered in five consecutive years.

(4) The rates of contribution towards Cooperative education and training to be made by the society shall be as notified by the State Government from time to time.

(5) Every year the society shall make a provision in its annual budget at such rates as may be notified by the State Government from time to time.

(6) The society shall make payment for Co-operative education and training to the concerned State Federal Societies or to the concerned State Apex Training Institutes from such budgetary provision.

(7) The State Government shall notify rates of contribution towards Co-operative education and training for society or class of societies considering turnover, working capital, number of members, area of operation, number of officers, net worth, or otherwise.”

17. In Rule 22 of the principal Rules, in sub-rule (1),—

(i) for clause (a), the following clause shall be substituted, namely :—

“(a) Immediately after the close of financial year and as soon as possible before the annual general body meeting, individual members admitted to membership and those who are classified as active member up to the close of the preceding financial year (hereinafter referred to as “the relevant date”), shall elect delegates equal to one-fourth of the number of societies admitted to membership up to the relevant date or one delegate for every twenty-five individual members (fractions being neglected) whichever is less. The delegates so elected shall continue in office till their successors are elected before close of every financial year.”;

(ii) in clause (b), for the words “general meeting”, the words “general body meeting” shall be substituted.

18. In Rule 23 of the principal Rules,—

(a) in sub-rule (1), in clause (ii), after the words “amount arrived at by a valuation”, the words “of shares by dividing net worth of the society by number of shares” shall be inserted;

(b) after sub-rule (3), the following “Explanation” shall be inserted.—

“*Explanation.*— For the purpose of this rule, net worth means the figure arrived at after including paid-up share capital and the amount of reserves (Reserve fund, unutilized building fund, dividend equalization fund, carried forward balance net profit, any other fund which is not marked specifically for any liability) and deducting there from accumulated loss, short fall in provision. In case of society doing banking business guidelines of the Reserve Bank of India or National Bank as the case may be, shall apply in this behalf.”

19. In Rule 27 of the principal Rules,—

in sub-rule (1), for the words and figures “for every 200 words or less— English 40 paise Regional Language-50 paise” the words and figures “up to A4 Size paper-per page Rs. 2, larger than A4 Size paper-per page Rs. 3.” shall be substituted.

20. In Rule 28 of the principal Rules, after the words “or proper working of the society”, the words “or for the reasons mentioned in section 26 of the Act,” shall be inserted ;

21. In Rule 29 of the principal Rules,—

(a) in sub-rule (1), for the words “general meeting”, at both the places where they occur, the words “general body meetings” shall be substituted;

(b) in sub-rule (2), for the words “or otherwise brought to his notice along with application, the Registrar may consider the resolution and after making such enquiries as he may deem fit, give his approval and communicate the same to the society and member concerned or otherwise brought to his notice along with application, the Registrar may consider the resolution and after making such enquiries as he may deem fit, give his approval and communicate the same to the society and member concerned.”, the words “along with application, the Registrar may consider the resolution and after due inquiry and giving reasonable opportunity of being heard to such member give his decision within ninety days from the date of receipt of application and communicate the same to the society and the member concerned.” shall be substituted;

22. For rule 30 of the principal Rules, the following rule shall be substituted, namely:—

“ 30. Inspection of documents in the Registrar’s office by members of societies and the scale of fees for supply of copies of documents.—

A member of a society may inspect the following documents in the office of the Registrar free of charge, and may obtain certified copies thereof on payment of the fees, namely :—

Document	Fees
(i) Application for registration of society,	Up to A 4 Size paper per page Rs. 2, Larger than A4 Size paper per page Rs.3
(ii) Certificate of registration,	-do-
(iii) Bye-laws of societies,	-do-
(iv) Amendment of bye-laws of a society,	-do-
(v) Order of cancellation of the registration of a society, if any,	-do-
(vi) Audit report of a society,	-do-
(vii) Annual balance sheet,	-do-
(viii) Order under section 88,	-do-
(ix) Order of suspension or supersession of a committee or removal of any member thereof, if any,	-do-
(x) Any other order against which an appeal or revision is provided.	-do-

23. After Rule 30 of the principal Rules, the following Rule shall be inserted, namely:—

“30 A. Co-operative Education and Training to members, officers and employees, etc.—

(1) Every society shall organize education and training programmes for its members, officers and employees every year through the State Federal Societies or State Apex Training Institutes which are notified by the State Government under section 24 A of the Act.

(2) As far as possible period of education and training shall be,—

(a) for members at least one day and maximum up to three days ;

(b) for members of committee at least one day and maximum up to three days;

(c) for officers of the society minimum two days;

(d) for employees at least two days and maximum up to seven days ;

(3) As far as possible the members, may be covered in five consecutive years.

(4) Committee members and employees shall be covered at least once in five years or as specified in bye-laws of the society.

(5) The State Federal Societies or the State Apex Training Institutes which may be notified by State Government shall, arrange to cater the co-operative education and training to the members, officers and employees of the respective societies, at their request to arrange for the same.

(6) The State Federal Societies or State Apex Training Institutes to be notified by the State Government shall have,—

(a) registration under the provisions of the Act or any other Act ;

(b) area of operation shall be the State Maharashtra;

(c) provision in their bye-laws to impart cooperative education and training to the members, officers and employees of the societies ;

(d) adequate infrastructure to provide cooperative education and training to the societies ;

(e) qualified Teaching and non-Teaching staff on their establishment or panel;

(f) adequate experience in the field of imparting Co-operative Education and Training to the societies ;

(7) The State Federal Societies or State Apex Training Institutes shall have liberty to engage other societies having infrastructure and experience for catering Co-operative education and training as their agents for imparting Co-operative education and training.

(8) The societies shall, every year make provision and contribute to Cooperative education and training fund of the notified State Federal Societies or State Apex Training Institutes.

(9) The rates of contribution to the Cooperative education and training fund to be made every year by the societies to the State Federal Societies or State Apex Training Institutes shall be as notified by the State Government from time to time and different rates may be notified for different societies or classes of societies.

(10) The education and training fund shall be managed by the State Federal Societies or the State Apex Training Institutes as the case may be for achieving the objects as specified in their bye-laws.”.

24. In Rule 33 of the principal Rules, the following shall be added at the end, namely:—

“The society, at the close of every financial year, shall prepare the list of active members in Form “J - 1” and the list of non-active members in Form “J - 2” as per the provisions of section 26 of the Act. ”.

25. In Rule 37 of the principal Rules,—

(a) for the words “Land Development Bank”, the words “ Co-operative Agriculture and Rural Multipurpose Development Bank” shall be substituted.

(b) in the marginal note, for the words “ Land Development Bank ”, the words “ Co-operative Agriculture and Rural Multipurpose Development Bank” shall be substituted.

26. In Rule 38 of the principal Rules, for the words “ general meeting ”, the words “general body meeting” shall be substituted.

27. In Rule 45 of the principal Rules, in sub-rule (1), for the words “ Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank” shall be substituted;

28. In Rule 46 A of the principal Rules, for the words “ the Registrar ”, the words “the Co-operative court ” shall be substituted.

29. In Rule 46 B of the principal Rules, for the words “the Registrar ” the words “ the Co-operative court” shall be substituted.

30. In Rule 49 of the principal Rules,—

(a) in the first proviso, in clause (1), for the words “ sanction of the General Body; ”, the words “prior approval of the General Body Meeting having such subject on agenda of the meeting” shall be substituted;

(b) in the second proviso, after the words “impose such conditions as to”, the words “writing off and” shall be inserted.

31. In Rule 49 A of the principal Rules, in sub-rule (1),—

(a) in clause (v), after the words “including repairs” the words “and maintenance,” shall be inserted ;

(b) in clause (ix) of sub-rule (1), for the words “paid as contribution to the Education Fund at the State Federal Society ”, the words “earmarked as contribution to the co-operative education and training in terms of fees” shall be substituted ;

(c) for clause (x), the following clause shall be substituted, namely :—

“(x) provision for Election Fund for payment of election expenses; ”

(d) after clause (xvi), the following clause shall be inserted, namely :—

“(xvii) expenses on advertisement, propaganda and publicity relating to activities and the business of the society not exceeding the ceiling limit as specified by the Registrar or State Government from time to time.”

(e) the proviso after clause (xvi), shall be deleted.

32. In Rule 49 B of the principal Rules, for the words “and Adequacy Ratio”, the words “Ratio, Capital Adequacy Ratio and Statutory Liquidity Ratio” shall be substituted.

33. After Rule 49 B of the principal Rules, the following Rule shall be inserted, namely :—

“49C. Compliance of prudential norms by Credit Resource Society.—

The Co-operative Credit Resource Society shall follow the financial prudential norms including provisioning, Cash Reserve Ratio, Statutory Liquidity Ratio, Credit-Deposit Ratio and such other norms as are specified by the Registrar, from time to time.”

34. In Rule 50 of the principal Rules, in sub-rule (1), for the figures “10”, the word “twenty” shall be substituted.

35. In Rule 53 of the principal Rules, for the words, brackets and figures, “The rates at which the classes of societies specified under column (2) of the Table below shall contribute annually towards the education fund of the State Federal Society which may be notified in this behalf by the State Government, shall be respectively specified against them in column (3) of the said Table-”, the words, brackets and figures “Amount due on the date of commencement of the Maharashtra Co-operative Societies (Amendment) Act, 2013 (XVI of 2013) shall be contributed to such State Federal Society as is notified by the State Government under section 68. The rates at which the classes of societies specified under column (2) of the Table below shall contribute towards the education fund specified against them in column (3) of the said Table-” shall be substituted.

36. Rules 53 A and 53 B of the principal Rules, shall be deleted.

37. In Rule 53 C of the principal Rules,- in the marginal note, for the words “District Level Committee:—” the words “State and District Level Committees:—” shall be substituted.

38. In Rule 54 of the principal Rules,—

(a) in sub-rule (1),—

(i) clause (i) and (ii), shall be deleted.

(ii) in clause (iii), for the words “Land Development Bank”, the words “Co-operative Agricultural and Rural Multipurpose Development Bank or State or Central Government” shall be substituted.

(iii) in clause (iv), the words “specified by” shall be deleted.

(iv) for the first proviso, the following proviso shall be substituted, namely :—

“Provided that, in the case of a society whose reserve fund is equal to or more than its paid-up share capital, such society may invest that portion of the reserve fund which

is in excess of its paid-up share capital, or a portion thereof, in its business decided by general body meeting with prior approval of the Registrar.”

(v) in the second proviso, for the word “and” the word “or” shall be substituted;

(b) in sub-rule (4), for the word “and machinery” the words “and development of lands, buildings and machinery as decided in the general body meeting with prior approval of the Registrar.” shall be substituted;

(c) after sub-rule (4), the following sub-rule shall be inserted, namely :—

“(5) Where no bank is eligible as prescribed under sub-clause (a) of section 70, the society may invest its funds in a mode permitted by the State Government or the Registrar as authorised by the State Government in this behalf.”.

39. In Rule 55 of the principal Rules,—

(a) in sub-rule (5), for the word, bracket and letters “clause (e)”, the word, bracket and letter “clause (d)” shall be substituted.

(b) after sub-rule (5), after the second proviso, the following sub-rule shall be added, namely:—

“(6) Where no bank is eligible as prescribed under sub-clause (a) of section 70, the society may invest its funds in a mode permitted by the State Government or the Registrar as authorised by the State Government in this behalf.”.

40. In Rule 56 of the principal Rules,—

(a) for the words “Registrar”, the words “ general body meeting ” shall be substituted.

(b) after the words “utilisation of the provident fund for its employees ”, the words “subject to the provision of the Employees Provident Funds and Miscellaneous Provisions Act, 1952.” shall be inserted.

41. Rules 56 A to 56 Z and 56 A-1 to 56 A-35 of the principal Rules, shall be deleted.

42. In Rule 57 A of the principal Rules,—

(a) in sub-rule (2), in clause (d),—

(i) for the words “ under certificate of posting ” the words “by registered post acknowledgement due, speed post, courier or hand delivery, as he may deem fit” shall be substituted ;

(ii) for the words “residence”, the words “his ordinary residence or address as provided by him in the office record of the society.” shall be substituted.

(iii) for the words “place of the”, the words “ place of his” shall be substituted.

(b) in sub-rule (3), for the words “the Presiding Officer and”, the words “ the Presiding Officer or” shall be substituted ;

(c) in sub-rule (4), - for the words “sub-section (1) of section 78.— the words “sub-section (1) of section 78 or sub-section (1) of 78A as the case may be. “ shall be substituted ;

(d) in sub-rule (7), in clause (g), in sub-clause (iii), for the bracket and letter “(i)” the words “and if” shall be substituted.

43. For Rule 58 of the principal Rules, the following Rule shall be substituted, namely :—

“58. Disqualification of committee and its members.—

When on communication by the Chief Executive Officer of society or otherwise, the Registrar comes to know that any member of the committee incurs disqualification as mentioned in section 73 CA and the Bye-laws, the Registrar shall, after giving an opportunity of being heard, issue an order of cessation of membership of such member from the committee of the society:

Provided that, the Registrar shall decide the matter within sixty days from the date of such communication or otherwise.”

44. Rule 58 A of the principal Rules, shall be deleted.

45. In Rule 59 of the principal Rules,—

(a) in sub-rule (1), for the words “ general meeting ”, the words “ general body meeting ” shall be substituted.

(b) in sub-rule (2),—

(i) for the words “ general meeting”, the words “general body meeting” shall be substituted.

(ii) after the words “ the by-laws”, at both the places where they occur, the words “and under the provisions of the Act” shall be inserted.

(c) in the marginal note, for the words “ First general meeting”, the words “First general body meeting” shall be substituted.

46. In Rule 60 of the principal Rules,—

(a) in sub-rule (1),—

(i) after the words “shall be convened”, the words, brackets and figures “within the period as specified in sub-section (1) of section 75” shall be inserted.

(ii) for the words “member elected by the ”, the words “an active member elected by the active” shall be substituted.

(b) in sub-rule (3),—

(i) after the words “for the meeting”, the words, brackets and figures “which shall be in accordance with the provisions of sub-sections (2), (2A) and (4) of section 75 of the Act, as specified in Form “X” shall be inserted.

(ii) for the words “members present. The President of the meeting will have a”, the words “active members present. The President of the meeting shall have a power of” shall be substituted.

(c) in sub-rule (4), for the words “When members”, the words “When the active members” shall be substituted.

(d) in sub-rule (5), for the words and figures “members present at the meeting, unless otherwise specified in the by-laws. Notwithstanding anything contained in the by-laws, election of office bearers of a Society having members share capital in excess of Rs. 10,000, including Government share capital, if any, shall be by ballot.”, the words “President of the meeting, unless otherwise specified in the bye-laws. ” shall be substituted.

47. In Rule 61 of the principal Rules,—

(a) the words “or within such extended period as may be specified by the Registrar, in the case of any society or class of societies,” shall be deleted.

(b) after the words “to the auditor appointed”, the words “by the society or” shall be inserted.

48. In Rule 62 of the principal Rules,—

(a) in sub-rule (1), for the words “annual general meeting, ” the words “annual general body meeting” shall be substituted.

(b) in sub-rule (2), for the words, brackets and figures “to be presented at the annual general meeting under sub-section (2) of section 75 and a copy of the report of the committee under sub-section (3) of section 75 shall be fixed” the words, brackets and figures “and a copy of the report of the committee under sub-section (4) of section 75 shall be displayed ” shall be substituted.

49. After Rule 63 of the principal Rules, the following Rule shall be inserted, namely :—

“63 A Procedure for suspension of committee.—

(1) Notwithstanding anything contained in the bye-laws of a society but subject to the provisions of section 78, the Registrar may by an order stating the reasons there for,—

(a) suspend the committee of a society and appoint an Administrator or committee of Administrators consisting of three or more active members of the society to take remedial measures within the period specified in the order or;

(b) suspend the committee and appoint one or more Administrators, who need not be the members of the society to take remedial measures within the period specified in the order :

Provided that, no person shall be eligible to be appointed as administrator or member of the committee of administrator, who has incurred disqualification under the provisions of the Act, the Rules and bye-laws of the society.

Provided further that, the Administrator or Committee of Administrators shall not hold office for more than six months from the date of assuming charge.

(2) Before making an order under sub-rule (1), the Registrar shall consult the Federal society and give an opportunity to the committee to show cause by serving the notice by

registered post acknowledgement due or by speed post or by hand delivery, within fifteen days from the date of receipt of notice, as to why such an order shall not be made :

Provided that, if the Federal society fails to communicate its opinion to the Registrar within forty - five days from the date of receipt of communication, the Registrar shall be at liberty to proceed further to take action accordingly.

Provided further that, if resignation is tendered by the committee or a member of the committee, the decision shall be made by the Registrar within the time specified under sub-section (3) of the section 78 of the Act.

(3) Immediately after the appointment of an Administrator or Administrators under sub-rule (1), the committee in whose place such appointment is made and officers of the society shall give the Administrator or Administrators, as the case may be, charge of the property, books of accounts and documents of the society.

(4) Administrator or Administrators if required, shall call special general body meeting of the society to review or reconsider the decisions or the resolutions taken or passed at general body meeting called by the previous committee or to endorse the action taken by it and shall submit report of remedial measures taken within time to the Registrar as specified by the Registrar in the order under sub-rule (1) and if the Registrar is satisfied that the charges mentioned in the notice are made good or remedied, he shall, by order, revoke the order of suspension and direct the Administrator or Administrators to hand over the management to the suspended committee with immediate effect.”

50. In Rule 64 of the principal Rules,—

(a) in sub-rule (1),—

(i) for the words and figures “section 78” the words and figures “section 78 A” shall be substituted.

(ii) after clause (c), the following four provisos shall be inserted, namely :—

“Provided that, no person shall be eligible to be appointed as administrator or member of the committee of administrator, who has incurred disqualification under the provisions of the Act, the Rules and bye-laws of the society :

Provided further that, authorised officers or committee of members appointed under sub-section (1) of section 77 A, shall make necessary arrangements for constituting new committee before expiry of their period.

Provided also that, the period of Administrator or Committee of Administrators shall not be more than six months from the date of assuming charge :

Provided also that, no member of the committee so removed shall be eligible to be re-elected, re-co-opted or re-nominated as a member of any committee of any society till the expiry of period of next one term of the committee from the date on which he has been so superseded or removed.”

(b) in sub-rule (2), after first proviso, the following proviso shall be inserted, namely :

“Provided further that, if the Federal Society fails to communicate its opinion to the Registrar within forty - five days from the date of receipt of communication, the Registrar shall be at liberty to proceed further to take action accordingly.”

(c) for sub-rule (3) the following sub-rule shall be substituted, namely :—

“(3) The Administrator or Administrators shall make arrangement for conduct of elections of the committee before expiry of the period specified in the order under sub-rule (1).”

(c) for sub-rule (4) the following sub-rule shall be substituted, namely :—

“(4) Administrator or Administrators if required, shall call special general body meeting of the society to review or reconsider the decisions or the resolutions taken or passed at general body meeting called by the previous committee or to endorse the action taken by it.”

(d) in sub-rule (5),—

the words “new committee or” shall be deleted.

the words “the new committee or” shall be deleted.

51. In Rule 65 of the principal Rules, in sub-rule (1),—

(i) after the words “the following accounts and books,” the words “registers, documents, lists, forms, returns, in such form including electronic or any other form, namely:—” shall be inserted.

(ii) after clause (1), the following clauses shall be inserted, namely :—

“(1-a) A list of active members in Form J-1 ;

(1-b) A list of non-active members in Form J-2 ;”

(iii) after clause (4), the following clause shall be inserted, namely :—

“(4-a) Record of attendance of general body meetings ;”

(iv) in clause (5), after the words “proceedings of committee meetings”, the words “and sub-committee meetings if any ;” shall be inserted.

(v) after clause (6), the following clauses shall be inserted, namely:-

“(6-a) Day book ;

(6-b) Bank book;”

(vi) in clause (9), after the words “Property register”, the words and figures “in Form “X-1”;” shall be inserted.

(vii) after clause (9), the following clause shall be inserted, namely :—

“(9-a) Register of auditors appointed and their written consent ;”

(viii) after clause (10), the following clause shall be inserted, namely :—

“(10-a) Returns of the Society, in Form “ Y ”; and”

52. In Rule 67 of the principal Rules,—

(a) in sub-rule (1),—

(i) for the words “the Registrar may, by special or general order, require any society to furnish to him”, the words “the society shall furnish to the Registrar” shall be substituted.

(ii) after the words “specified by him, in the order”, the words “and the returns specified in Form “Y” to the Registrar and in electronic form as specified by the Registrar within six months of the close of the financial year.” shall be inserted.

53. In Rule 67A of the principal Rules,

(a) in sub-rule (1), for the words “or before after”, the words “before or after ” shall be substituted.

(b) in sub-rule (5), in clause (b), the words “ and willful disobedience of instructions issued by the Registrar as contemplated in sub-section (1) of section 78” shall be deleted.

54. In Rule 68 of the principal Rules, in sub-rule (2),—

(i) after the words “Registrar as a Liquidator”, the words “, administrator or authorized officer under section 88 of the Act” shall be inserted.

(ii) for the words “under section 84 ”, the words “under section 84 or section 89A” shall be substituted.

55. In Rule 69 of the principal Rules,—

(a) for sub-rule (1) the following sub-rule shall be substituted, namely :—

“(1) (a) The audit of accounts of the societies shall be conducted by the auditor or auditing firm appointed by the society in its annual general body meeting within the period specified in the Act, from the panel of auditing firms or auditors whose names are listed as on the date of annual general body meeting and is approved by the State Government or authority authorized in this behalf.

*Explanation .—*For the purpose of this rule, Audit shall include annual, test, cost or performance, special and re-audit.

(b) Audit of the society shall be completed within four months from the close of the financial year and the report, also in Compact Disc shall be submitted to the society and the Registrar as specified in sub-section (5B) of section 81 of the Act, and also Part A of audit report, audit certificate and audited financial statements shall be uploaded by auditor on official website of Co-operation Department :

Provided that, Apex Societies shall submit copies of audit report as specified by the Registrar to be laid before the State Legislature.

(c) Every apex society shall submit to the Registrar, required copies of audit memorandum in both Marathi and English, in print and compact disk form within sixty days

from receipt of audit memorandum from the auditor of the society for each financial year. The Registrar shall submit these copies of audit memorandum received from such society to the State Government to be laid before the State Legislature :

Provided that, if any apex society fails to submit required copies of audit memorandum as mentioned in clause (c) of this sub-rule in due time, the said society shall submit reasons thereof in writing to the Registrar. The Registrar shall submit reasons in writing received from the said society to the State Government to be laid before the State Legislature.

(d) Before appointing the auditor or the auditing firm, the society shall ensure that, the auditor or the auditing firm proposed to be appointed for conducting its audit has not accepted the societies for audit exceeding the limit prescribed under the Act.

(e) Qualifications and experience of the auditor shall be as specified in *Explanation - I* to sub-section (1) of section 81.

(f) The Registrar shall prepare, declare and maintain the panel of auditors and auditing firms from time to time in the following manner,—

(i) the Registrar shall call applications before the specified date as declared in the notice for empanelment from eligible auditors and auditing firms by a public notice to be displayed on the official website of the State Government and in any other mode, if required. Such notice shall also be published on the notice board of the office of the Registrar and District Deputy Registrars.

(ii) Every applicant shall submit only one application to the office of the concerned District Deputy Registrar of the District, where he ordinarily resides.

Applications received shall be scrutinized by the Committee presided over by the District Deputy Registrar consisting of the District Special Auditor of the District, representative of the Chartered Accountants of the District, representative of the Certified Auditors of the District as members and the Assistant Registrar (Administration) of the District shall function as Member Secretary of the said committee.

(iv) After scrutiny, the District Deputy Registrar shall submit list of eligible applicants to the Registrar alongwith their applications and documents. The Registrar may scrutinize the applications recommended by the District Committee.

(v) Any aggrieved applicant may approach to the Grievance Redressal Committee headed by the Divisional Joint Registrar, Divisional Joint Registrar (Audit), as member and Divisional Deputy Registrar of the Division shall function as Member Secretary of the said Committee and the decision of the Committee shall be final.

(vi) The Registrar shall cause to display a approved list of auditors and auditing firms panel on the official website of the Government.

(vii) the Registrar shall classify the societies and auditors for the purpose of audit in the following manner, namely :—

Classification of Auditors and Societies

[under section 81 and Rule 69 (1) (f) (vii)]

TABLE - A

Class (1)	Discriptions of Auditors (2)	Societies to be Audited (3)
A	Chartered Accountant Firm Chartered Accountant having at least 5 years experience in audit of co-operative Societies. Joint Registrar (Audit) and Special Auditor Class-I who was completed probation period successfully.	(1) Maharashtra State Co-operative Bank * (2) District Central Co-operative Bank (3) Urban Co-operative Banks having Deposits more than Rs. 25 Crores. (4) Salary Earners Co-op. Banks (5) Maharashtra State Co-operative Marketing Federation * (6) Maharashtra State Co-operative Cotton Grover's Federation.* (7) Maharashtra Rajya Dudh Sangh (Mahananda) * (8) Maharashtra State Co-operative Agriculture and Rural Multipurpose Development Bank (9) Maharashtra State Co-operative Housing Finance Corporation. (10) Maharashtra State Tribal Development Corporation (11) Maharashtra Rajya Sahakari Sangh and Divisional Co-operative Board. (12) Maharashtra State Co-operative Fisheries Federation (13) Maharashtra State Co-operative Consumer Federation (14) Maharashtra State Co-operative Spinning Mill Federation. (15) Maharashtra State Co-operative Power loom Federation (16) Maharashtra State Co-operative Textile Federation

(1)

(2)

(3)

-
- (17) Maharashtra State Co-operative Handloom Federation
- (18) Maharashtra State Co-operative Cotton Grovers Processing Societies.
- (19) Maharashtra State Co-operative Labour Societies Federation.
- (20) Maharashtra State Co-operative Bank Association
- (21) Maharashtra State Co-operative Credit Societies Federation.
- (22) Maharashtra State Co-operative Jungal Kamgar Federation.
- (23) Maharashtra State Co-operative Sugar Factories Federation.
- (24) Maharashtra State Co-operative Sugar Industries Development Societies.
- (25) Maharashtra State Co-op. Cadre Federation and District Coop Cadre Board.
- (26) Maharashtra State Co-op. Industrial Societies Federation.
- (27) Other National and State level Co-op. Federation not mentioning above.
- (28) Co-operative Spinning Mill/ Weaving Mills
- (29) Co-operative Sugar Factories
- (30) District Co-operative Milk Union
- (31) District Co-operative Agriculture and Rural Multipurpose Development Bank.
- (32) Any other society specified by Registrar from time to time.

* *Note* : Societies at Sr. Nos. 1, 5, 6 and 7 shall be audited only by Chartered Accountant Firm or a Chartered Accountant or Joint Registrar (Audit) categorized in 'A' Class. Auditors categorized in 'B' Class and 'C' Class are not eligible to audit societies categorized under Table – A. In case of Co-operative Bank, the Government Auditor may conduct re-audit, test-audit or special audit only.

TABLE - B

Class	Discriptions of Auditors	Societies to be Audited
(1)	(2)	(3)
B	<p>Chartered Accountant having at least one year experience in audit of Co-operative Societies.</p> <hr/> <p>Special Auditor Class – 2, Auditor Grade - I who was completed probation period successfully.</p> <hr/> <p>Certified Auditor having at least 10 years experience in audit of Co-operative Societies.</p>	<p>(1) Urban Co-operative Bank having deposits up to Rs. 25 Crores.</p> <p>(2) Urban Co-operative Credit Society and Rural non-agricultural credit society having deposit 10 crores and above.</p> <p>(3) Salary earners Co-operative Credit Society having working capital 10 crores and above.</p> <p>(4) Co-operative Starch Factories</p> <p>(5) Co-operative Industrial estates.</p> <p>(6) District Co-operative Labour Federation</p> <p>(7) Sales and Purchase Co-operative Unions (District and Taluka).</p> <p>(8) Housing societies having 100 and more members</p> <p>(9) Co-operative Jinning and Pressing Societies /Rice Mills and Oil Mills.</p> <p>(10) Primary Co-operative Dairy Societies having turnover above Rs. 50 lacs.</p> <p>(11) Primary Co-operative Poultry and piggery and livestock Societies having turnover above Rs. 25 lacs.</p> <p>(12) Primary Co-operative Fisheries Societies having turnover above Rs. 50 lacs.</p> <p>(13) District / Central Weavers Co-op. Societies.</p> <p>(14) District and Central Co-op. Consumers stores</p> <p>(15) Co-operative Hospital</p> <p>(16) Mula Pravara Electric Society and Other Elec. Societies.</p> <p>(17) District Co-operative Board</p> <p>(18) District Housing Federation</p> <p>(19) Other District Federal Societies not mentioned above</p> <p>(20) Any other society specified by Registrar from time to time.</p>

* *Note* : Societies at Sr. Nos. 1 and 2 shall be audited only by a Chartered Accountant and Special Auditor Class- II Categorized in 'B' Class. Auditors categorized in 'A' Class above are also eligible to audit societies categorized under Table - B. Auditors categorized in 'C' Class are not eligible to audit societies categorized under Table – B.

TABLE - C

Class	Discriptions of Auditors	Societies to be Audited
(1)	(2)	(3)
C	Certified Auditor having at least 3 years experience in audit of Co-operative Societies. Auditor Grade - 2 and Sub - Auditor who was completed probation period successfully.	(1) Primary Agricultural and Co-operative Credit Societies (PACs) and Primary Krushak and Adiwasi Seva / Grain Bank. (2) Urban Co-operative Credit Societies and Rural non-agricultural credit societies having deposits less than Rs. 10 crores. (3) Salary earners societies having working capital less than Rs.10 crores. (4) Primary Co-operative Dairy Societies having turnover less than Rs. 50 lacs. (5) Primary Co-operative Poultry, Piggery and Livestock Societies having turn over less than Rs. 25 lacs. (6) Primary Co-operative Fisheries Societies having turnover less than Rs. 50 lacs. (7) Sugarcane supply cooperative societies / Transport Coop. societies. (8) All Farming Co-operative Societies (9) Housing societies having less than 100 members (10) Lift irrigation societies (11) Labour contract societies (12) Forest Labour Co-operative Societies

(1)	(2)	(3)
		(13) All types of Primary Marketing Societies and Food Processing Societies.
		(14) Primary Weavers Co-op. Societies (Handloom and Power loom).
		(15) Primary Industrial Co-op. Societies.
		(16) BLVA societies
		(17) Primary consumers Co-operative Societies.
		(18) Social service societies and unemployed youth co-operative Societies.
		(19) Taluka supervisory unions.
		(20) Any other society specified by Registrar from time to time.

* *Note* : Auditors categorized in 'A' Class and 'B' Class above are also eligible to audit societies categorized under Table - 'C'.

(g) The criteria for removal of the name of auditor and auditing firms from the panel shall be as follows, namely :—

(i) non-submission of audit report as specified in sub-section (5B) of section 81, to the society and the Registrar within the period of one month from the date of completion and in any case before the issuance of notice of the general body meeting ;

(ii) not-disclosure the true and correct picture of accounts as specified in clause (c) of sub-section (3) of section 81 ;

(iii) after giving consent for audit by the auditor or auditing firm and after issuance of order of appointment of auditor or auditing firm, audit is not completed within stipulated period as specified in sub-section (1) of section 81 ;

(iv) non-submission of specific report stating that, any person is guilty of any offence relating to the accounts or any other offences within a period of fifteen days from the date of submission of audit report to the society and the Registrar ;

(v) failure to file special report to the Registrar if any ;

(vi) failure to file the First Information Report, if required thereof;

(vii) non-submission of scrutiny of audit rectification report within six months to the society ;

(viii) if in the test audit or re-audit of the society it is found that, the auditor or auditing firm is responsible for any commissions and omissions ;

(ix) if the auditor is borrower of the society and has conducted the audit of the same society without disclosing the said fact to the society ;

(x) if the auditor or his family member is employee or ex-employee of the concerned Co-operative society ;

(xi) if the auditor is an auditor or a partner of an auditing firm which is also conducting internal or concurrent audit of concerned Co-operative society ;

(xii) if the auditor or his family member, as specified under explanation (I) of sub-section (2) of section 75 of the Act, is committee member of the concerned co-operative society ;

(xiii) if the auditor has conducted audit, without appointment order issued by the society with the prior approval of general body or the Registrar, if any, as the case may be ;

(xiv) if the auditor is family member of a employee of the department of co-operation:”

(b) sub-rule (2) shall be deleted.

(c) for sub-rule (3), the following sub-rule shall be substituted, namely :—

“(3) The auditor shall submit in respect of Co-operative Banks in Form N-1 and in other cases in Form N-2 an audit memorandum to the society and to the Registrar with regards to the accounts, balance sheet and profit and loss accounts or statement of income and expenditure examined by him as on the date and for the period up to which the accounts have been audited, and shall state whether in his opinion and to the best of his information, and according to the explanation given to him, accounting policies adopted by the society as per accounting standards laid down by the State Government or the Institute of Chartered Accountants of India as the case may be, the said accounts give all the information required by the Act in the manner so required and give true and fair view,—

(i) in the case of the balance sheet, the state of society’s affairs as at the end of the financial year or any other subsequent date up to which the accounts are made up and examined by him, and

(ii) in the case of the profit and loss account of the profit or loss for the financial year or the period covered by the audit, as the case may be. While certifying the profit or loss of the society, Auditor shall quantify the effect of shortfall in various provisions, like Non Performing Assets, overdue interest, depreciation and any other provisions relating to expenses over profit or loss and state clearly that, after considering effect of all provisions, whether there is profit or loss to the society.”

(d) in sub-rule (4),—

(i) in clause (iii), after the words “returns of the society,”, the words “and give true and fair view of state of affairs.”, shall be inserted;

(ii) after clause (iii), the following clause shall be inserted, namely :--

“(iv) whether the accounting standards adopted by the society are consistent with, those laid down by the State Government or the Institute of Chartered Accountants of India, as the case may be, and has no adverse effect on the accounts and financial status of the society.”

56. In Rule 71 of the principal Rules,— in sub-rule (3), after the words “ grant such extension of time ”, the words “not exceeding time limit as specified in clause (c) of sub-section (3) of section 83 ;”, shall be inserted;

57. In Rule 72 of the principal Rules, in sub-rule (1), after the words “in relation to the society.”, the words “In case of deceased person, the society shall furnish information regarding his representative who inherits his estate. ”, shall be inserted;

58. In Rule 73 of the principal Rules, after the words “to the Registrar” occurred at two places, the words “and the auditor concerned ”, shall be inserted;

59. For Rule 74, of the principal Rules, the following Rule 74 shall be substituted, namely :—

“74. Remuneration of the auditor.—

(1) Remuneration of the auditor or auditing firm who has conducted audit of a society shall be borne by the society and shall be at such rates as may be notified by the State Government from time to time depending upon the class of societies and their financial parameters.

(2) When auditor or auditing firm is appointed by the Registrar on his own, remuneration of auditor or auditing firm shall be at rates as per sub-rule (1) above.

(3) If the Registrar, orders re-audit of a society after recording reasons thereof, shall specify remuneration payable to such auditors as per sub-rule (1) above.

(4) When re-audit is requisitioned by society or any member of society, the remuneration of auditor or auditing firm shall be as per sub-rule (1) above :

Provided that, when such re-audit is requisitioned by the society or any member of the society, the remuneration of auditor or auditing firm shall be deposited by such society or member, as the case may be, with the Registrar prior to commencement of such audit :

Provided further that, if it is found in the re-audit, that the appointed auditor has not conducted audit as per the auditing standards and norms as notified from time to time and if it is proved that he is negligent in performing audit of the society and he has not detected fraud, mis-utilisation of funds, inadequate provisioning, resulting into loss or profit to the society, then audit fees shall be recoverable as per sub-section (1) of section 156 of the Act, from the said auditor who had conducted the audit and same shall be refundable, to the society and remuneration of re-audit shall be refundable to the society or any member demanding re-audit. The said auditor shall also be subject to action under sub clause (viii) of clause (g) of sub - rule (1) of rule 69 :

Provided also that, nothing in the preceding proviso shall apply to the Government Auditors.

(5) When cost or performance audit of any society is ordered by the State Government as per the provision of sub-section (2A) of section 81, the remuneration of auditor or auditing firm shall

be notified by the State Government and the amount shall be deposited by the society with the Registrar prior to the commencement of such audit by him.

(6) For the audit of the society which is under liquidation or the society on which official assignee is appointed, under the provisions of the Act, the remuneration of auditor or auditing firm to conduct audit of such society shall be specified by the Registrar.”

60. Rules 75 and 76 of the principal Rules, shall be deleted.

61. For Rule 77, of the principal Rules, the following Rule shall be substituted, namely:—

“ 77. Disposal of a dispute by Co-operative Court,—

The Co-operative Court shall not take up for consideration any dispute, unless the parties concerned comply with the conditions of payment of the necessary Court fees for determining the dispute.”

62. In Rule 77 C of the principal Rules, in sub-rule (1), for the words “Bombay ”, the word “Maharashtra ”shall be substituted;

63. In Rule 77E of the principal Rules,—

(a) the words "Registrar or the" shall be deleted, wherever such words occurred.

(b) in sub-rule (1), the words "him or" shall be deleted.

(c) in sub-rule (6), for the words and figures "50 paise per 100 words", the words, alphabets and figures "upto A 4 size paper per page Rs.2, larger than A 4 size paper per page Rs.3 " shall be substituted.

64. In Rule 77 F of the principal Rules,—

(a) clause (d) of sub-rule (1), shall be deleted.

(b) in sub-rules (2), (3) and (4), the words "Registrar or the" shall be deleted, wherever such words occurred.

65. After Rule 77 F of the principal Rules, the following Rule shall be inserted, namely :—

“77 G. Procedure for transfer of disputes for mediation.—

Where under the provision in clause (iv) of sub-section (3) of the section 93 the Co-operative Court has referred the dispute for mediation, the compromise may be effected between the parties to the dispute and in the matter the provisions of Civil Procedure Mediation Rules, 2006 shall apply."

66. In Rule 78 of the principal Rules,—

(a) In sub-rule (1), the words " Registrar or as the case may be, the ", shall be deleted.

(b) In sub-rule (2),—

(i) the words “ the Registrar or ” shall be deleted;

(ii) after the words “registered post with acknowledgment due”, the words “, speed post or courier.” shall be inserted;

67. In Rule 83 of the principal Rules, in sub-rule (2), after the words “by a civil”, the word “court” shall be inserted.

68. In Rule 84 of the principal Rules,- after the words “or any officer” the words “of the concerned society or,”, shall be inserted.

69. In Rule 85 of the principal Rules,-

(a) in sub-rule (1),-

(i) for the words and figures “under section 98,” the words and figures “under sections 98, 101 and 137”, shall be substituted;

(ii) the words " under clause (a) or (b) of the said section," shall be deleted.

(b) In sub-rule (4), for the words and figures “under section 98,” the words and figures “or as the case may be, under sections 98, 101 and 137”, shall be substituted;

(c) in sub-rule (8), in clause (ii),—

(i) in sub-clause (b), for the words and figures “under section 98,” the words and figures “or as the case may be, under sections 98, 101 and 137”, shall be substituted.

(ii) in sub-clause (c), for the words and figures “under section 98,” the words and figures “or as the case may be, under sections 98, 101 and 137”, shall be substituted.

(c) In sub-rule (13), for the words “as soon as practicable” the words “by following due procedure as provided in rule 107, as soon as practicable within such period but not more than period of three years from the date of entering the name of the society in the record of rights of the transferred property, ”, shall be substituted;

70. For Rule 86 of the principal Rules, the following Rule shall be substituted, namely:—

"86. Payment of fees for decisions of disputes, appeal, revision, application, etc. :—

(1) The Registrar or the Co-operative Court, as the case may be, may take a dispute, appeal, revision, etc. on file only if the application for such dispute in Form ‘P’ is affixed with the court-fees stamps at the rates, in the following categories, namely:—

Proper Court Fee Rs.

(i) **Simple money claims**

(a) When the amount of the claim in Dispute does not exceed Rs. 1,00,000/- Two percent or Rs. 100/- whichever is higher.

(b) When such amount exceeds Rs. 1,00,000/-but does not exceed Rs. 5,00,000/- Rs. 2000/- plus one percent of the amount of claim in dispute exceeds Rs. 1,00,000/-, subject to the maximum of Rs. 6,000/-

(c) When such amount exceeds Rs. 5,00,000/- Rs. 6,000/- plus ½ percent of the amount of claim in dispute exceeds Rs. 5,00,000/- subject to the maximum of Rs. 25,000/-

(ii) **Complicated money claims .-**

(a) When the amount of the claim in Dispute does not exceed Rs. 1,00,000/- Two and half percent or Rs. 200/- whichever is higher.

(b) When such amount exceeds Rs. 1,00,000/- but does not exceeds Rs. 5,00,000/- Rs. 2500/- plus two percent of the amount of claim in dispute exceeds Rs. 1,00,000/- subject to the maximum of Rs. 10500/-

(c) When such amount exceeds Rs. 5,00,000/- Rs. 10500/- plus one percent of the amount of claim in dispute exceeds Rs. 5,00,000/- subject to the maximum of Rs. 40,000/-

(i) Application, appeal, review and revision application presented before the concerned authority or Court under the Act and the Rules Rs. 100/-

(ii) Any other dispute under section 91 (excluding money claim) Rs. 5,000

Explanation.—For the purposes of this sub-rule, “Simple money claim” means the claim of a society for sanction of credit to its members, based on loan bonds, promissory notes, admissions or an acknowledgments and “Complicated money claims” means all money claims other than simple money claims. The question regarding the classification of a dispute, appeal, revision, etc. for the purpose of this sub-rule shall be decided by the Registrar or the Co-operative Court deciding the dispute, appeal, revision, etc. and the decision of the Registrar or the Co-operative Court, as the case may be shall, be final.

(2) No document of any of the kinds specified below shall be filed before the Registrar or the Co-operative Court, unless it is affixed with the proper court fee stamp as specified against it :—

	Proper Court Fees Rs.
(i) Vakalatnama	10
(ii) Application for adjournment	25
(iii) Application for interim stay of relief	100

(3) (a) The Registrar or the Co-operative Court deciding any dispute, appeal, revision, etc. may require the party or parties to the dispute, appeal, revision, etc. to deposit such sum as may,

in its opinion, be necessary to meet the expenses, including payment of fees to the Registrar or the Court, as the case may be.

(b) The Registrar shall have power to order the fees and expenses of determining the dispute, appeal, revision, etc. to be paid by the society out of its funds or by such party, or parties to the dispute, appeal, revision, etc., according to the following scales :---

Fee Rs.

(i) Application, appeal, review and revision application presented before the concerned authority the Act and the Rules. Rs. 100/-

(ii) Processing Fee for respondent in respect of application appeal, petition, review and revision, application, etc. presented before the concerned authority. Rs. 100/- per respondent

(c) The State Government may, by general or special order, specify the scale of fees and expenses to be paid to the Registrar or the Co-operative Court."

71. In Rule 86 A of the principal Rules, in sub-rule (4), in clause (v), after the words "copies of the relevant documents" the words "copies of the loan documents such as loan application, promissory note, loan agreement, etc." shall be inserted.

72. In Rule 88 of the principal Rules,—

(a) for the letters and figures "Rs.25", the words "rupees one hundred" shall be substituted.

(b) for the letters and figures "Rs.500", the words "rupees two thousand five hundred" shall be substituted.

73. In Rule 89 of the principal Rules,- after sub-rule (16) the following sub-rules shall be added, namely:—

"(17) At the conclusion of the liquidation proceedings, unrealized assets and unrealized actionable claims, if any shall vest in the Registrar, who may appoint a custodian or receiver, to realize such remaining assets and actionable claims as above and credit the same to the surplus. A custodian or receiver may sue or defend any disputes arising out of such proceedings thereunder :

Provided that, unrealized actionable claims shall be realized by the Registrar or custodian as the case may be and expenditure incurred for realization if any may be met out of the surplus kept at his disposal."

74. For Rule 93 of the principal Rules, the following Rule shall be substituted, namely:—

"93. Procedure for submission and consideration of applications for loans from Co-operative Agriculture and Rural Multipurpose Development Bank.—

(1) All applications for loans from a Co-operative Agriculture and Rural Multipurpose Development Bank shall be made in the form as specified by the State Co-operative Agriculture and Rural multipurpose Development Bank with the approval of the Registrar. The form shall among other things contain a list of documents which are required to be submitted for purposes of dealing with the application.

(2) Every Co-operative Agriculture and Rural Multipurpose Development Bank shall keep sufficient stock of printed copies of the forms of loan applications and shall supply them to the intending borrower on payment of a fee of one rupee per form.

(3) Every Co-operative Agriculture and Rural Multipurpose Development Bank shall specify, from time to time, the name, designation and address of the officer (hereinafter in this chapter referred to as "the Receiving Officer"), who shall receive all loan applications from the intending borrowers.

(4) The application together with copies of necessary documents, deposit equivalent to value of one share of the Bank and fees specified below, shall be submitted by the applicant to the Receiving Officer as follows, namely:—

Loan amount	Fees to be paid in Rs.
Up to Rs. 5,000	5
Rs.5,001 to Rs.15,000	20
Rs.15,001 to Rs.30,000	30
Rs.30,001 to Rs.50,000	50
Rs.50,001 and above	100

(5) On receipt of an application for loan, the Receiving Officer shall put his initials on the application and mention his designation and the date of receipt of the application.

(6) After an application for loan has been received, the Receiving Officer shall verify whether it contains all the necessary particulars and is accompanied by the necessary documents. If any details are lacking, he shall get the application completed by the applicant.

(7) Each application shall be entered in the chronological order in the register of application for loans from the Land Development Bank to be maintained by the Receiving Officer and shall be dealt with in the same order.

(8) Immediately after the application is entered in the register of applications for loans from the Co-operative Agriculture and Rural Multipurpose Development Bank, the Public Enquiry Officer of the Bank shall give at least eight clear days public notice in Form "S" calling upon all persons interested to present their objections to the loan, if any. The notice shall also be given by beat of drum and shall be affixed at the chavdi of the village or villages where the applicant resides and in the limits of which the land or lands proposed to be improved or offered as security for the loan is or are situated. A copy of the notice shall be exhibited in the head office and relevant branch office, if any, of the Co-operative Agriculture and Rural Multipurpose Development Bank concerned and in the office, if any, of the person giving the notice. If any persons interested fail to appear as stated as required by the aforesaid notice, the questions at issue will be decided in their absence and such persons will have no claim whatsoever against the property for which the loan applied for will be

sanctioned till such time as the loan together with interest thereon or any other dues arising out of the loan are paid in full by the loanee.

(9) The Public Enquiry Officer shall consider every objection so received.

(10) The Public Enquiry Officer shall then forward the application within two days of their disposal to the Co-operative Agriculture and Rural Multipurpose Development Bank concerned. The Co-operative Agriculture and Rural Multipurpose Development Bank may appoint an enquiry officer (hereinafter in this chapter referred to as “the Enquiry Officer”) to enquire into the applications. The Enquiry Officer shall make inquiry by actually visiting the land in which the improvement is proposed to be effected and the lands and other property offered as security. He shall conduct his enquiry in accordance with the form specified by the State Co-operative Agriculture and Rural Multipurpose Development Bank, with the approval of the Registrar. In case the Public Enquiry Officer is unable to forward the application within two days, he shall make a report to the Registrar, stating there under the reasons therefor and he shall, thereafter act in accordance with such directions as may be issued to him by the Registrar.

(11) The Enquiry Officer may make such other enquiries as may be necessary and shall value the lands according to such formulae as may be laid down by the State Co-operative Agriculture and Rural Multipurpose Development Bank, estimate the repaying capacity of the applicant and examine the feasibility and the utility of the proposed improvement. He shall then submit his report stating what amount of loan may be granted to the applicant against what security and for what purpose and the period within which it may be recovered from him. The Enquiry Officer shall complete his inquiry within fifteen days of the date of the receipt of the application by him. If the Enquiry Officer is unable to complete his enquiry within fifteen days, he shall make a report to the Co-operative Agriculture and Rural Multipurpose Development Bank stating therein the reasons therefor and he shall thereafter act in accordance with such directions as may be issued to him by the Co-operative Agriculture and Rural Multipurpose Development Bank.

(12) After completion of the enquiry, the application together with his report shall be submitted by the Enquiry Officer to the Co-operative Agriculture and Rural Multipurpose Development Bank together with the following certificates, namely:—

(a) Certificate regarding outstanding Government dues;

(b) Any other relevant certificate.

(13) On receipt of the report of the Enquiry Officer under sub-rule (12), the Co-operative Agriculture and Rural Multipurpose Development Bank shall satisfy itself that, the inquiry has been properly conducted. If there are any deficiencies, the Bank shall get them completed immediately.

(14) The Co-operative Agriculture and Rural Multipurpose Development Bank may then undertake such further scrutiny as may be necessary and pass final orders within 30 days. Decision shall be communicated to the applicant within 7 days thereafter.

(15) All the applications received by the Co-operative Agriculture and Rural Multipurpose Development Bank shall be disposed of by the Bank within a maximum period of four months.

(16) In the case of rejection of applications for loan, the reasons therefor shall be communicated by the Bank to the applicant. When the loan has been sanctioned, the Bank shall lay down the terms and conditions regarding grant of the loan, regarding payment of installments, submission of report on the progress of improvement of land and release of subsequent installments. The applicant shall be asked by the Co-operative Agriculture and Rural Multipurpose Development Bank to remain present at the head office or branch office of the Bank on a date to be fixed for execution of the mortgage deed and for receiving loan or the first installment thereof. Such date shall not ordinarily be later than 15 days from the date of communication of sanction of loan to the applicant.

(17) The applicant, while receiving the amount of the loan or the first installment of the loan, shall purchase shares of the Bank to such extent as may be required under the by-laws of the Bank. The Co-operative Agriculture and Rural Multipurpose Development Bank shall issue a receipt to the applicant giving full particulars of the amounts paid by him from time to time.

(18) Failure to comply with any time-limit specified in this rule shall not in any manner affect the validity of the sanction of the loans by a Co-operative Agriculture and Rural Multipurpose Development Bank or by the State Co-operative Agriculture and Rural Multipurpose Development Bank.”

75. In Rule 94 of the principal Rules, for the words “Land Development Bank” at both the places where they occurs the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

76. In Rule 95 of the principal Rules,—

(i) for the words “Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

(ii) in the marginal note, for the words “Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

77. In Rule 96 of the principal Rules,-

(i) for the words “State Land Development Bank”, wherever they occurs the words “ State Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(ii) for the words “ Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

78. In Rule 97 of the principal Rules,—

(a) for the words “ Land Development Bank”, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

(b) for the words, “sale officer” wherever they occure including the marginal note, the words “recovery officer” shall be substituted.

79. In Rule 99 of the principal Rules,—

(i) for the words “State Land Development Bank”, wherever they occur, the words “ State Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(ii) for the words “ Land Development Bank” at both the places where they occurs the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(iii) in the marginal note, for the words “State Land Development Bank”, the words “State Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

80. In Rule 100 of the principal Rules,—

(a) in sub-rules (1), (2) and (4),—

(i) for the words “State Land Development Bank” wherever they occur the words “ State Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(ii) for the words “ Land Development Bank”, wherever they occur, the words “Cooperative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

(b) In sub rule (3) in clause (d) of, for the words “sale officer” the words “recovery officer” shall be substituted.

81. In Rule 101 of the principal Rules,—

(i) for the words “ Land Development Bank”, wherever they occur, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

82. In Rule 102 of the principal Rules,—

(i) for the words “State Land Development Bank” at both the places where they occur, the words “ State Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(ii) for the words “ Land Development Bank”, at both the places where they occur, the words “Co-operative Agriculture and Rural Multipurpose Development Bank”, shall be substituted;

(iii) in the marginal note, for the words “Land Development Bank”, the words “Cooperative Agriculture and Rural Multipurpose Development Bank”, shall be substituted.

83. In Rule 106 of the principal Rules,—

(a) in sub-rule (5), for the words “by it”, the words “and shall duly acknowledge the same”, shall be substituted;

(b) in sub-rule (9), after the words “or his agent”, the words “and the respondent.” shall be inserted.

84. After Rule 106, the following Rule shall be inserted—

“106A. Procedure for presentation to and disposal of revisions by state Government and the Registrar under Section 154.—

The provisions of rule-106 shall apply *mutatis-mutandis* for presentation to and disposal of revisions by state Government and the Registrar under section 152 of the Act. ”

85. In Rule 107 of the principal Rules,—

(a) in clause (e) of sub-rule (1), after the words “ granted by the Registrar ” the words “ under section 98 ”, shall be inserted.

(b) in sub-rule (2),—

(i) for the letters and figures “Rs.2”, the words “rupees fifty” shall be substituted.

(ii) for the letters and figures “Rs.5”, the words “rupees one hundred” shall be substituted.

(c) in sub-rule (3), the words “ and forward it to the sale Officer ”, shall be deleted.

(d) in sub-rule (5),—

(i) after the words “ In the seizure” the word “ and”, shall be inserted.

(ii) in clauses (a) and (b), after the words “ the village ” the word, “ town or city”, shall be inserted.

(iii) in clauses (a) to (n), for the words “ Sale Officer” wherever it occurs the words “ Recovery Officer” shall be substituted.

(iv) in second proviso to clause (j), the words “ or the sale officer ” shall be deleted.

(e) in sub-rule (6), for the words “ Sale Officer ” the words "Recovery Officer" shall be substituted.

(f) in sub-rule (11),—

(i) for the words “ Sale Officer ” wherever it occurs the words, “ Recovery Officer” shall be substituted.

(ii) in clause (d), the words “ A copy shall be sent to the applicant. Where the Sale Officer so directs, the attachment shall also be notified by public proclamation in the *Official Gazette*. ” shall be deleted.

(iii) after clause (d), the following clause shall be inserted, namely-

“(d-1) (i) No sale of immovable property under these rules shall take place unless possession of the property is taken or caused to be taken.

(ii) For sale of attached immovable property, the Recovery officer shall take or cause to be taken possession, by delivering a possession notice prepared as nearly as possible in Form “ Z ” to these rules, to the judgment debtor and by affixing the possession notice on the outer door or at such conspicuous place of the property.

(iii) The possession notice as referred to in sub-rule (2) shall also be published in two leading newspapers, one in vernacular language having sufficient circulation in that locality, by the Recovery officer.

(iv) In the event of possession of immovable property is taken by the Recovery officer, such property shall be kept in his own custody or in the custody of any person authorised or appointed by him, who shall take as much care of the property in his custody as an owner of ordinary prudence would, under the similar circumstances, take care of such property.

(v) The Recovery officer shall take steps for preservation and protection of such property and insure it, if necessary, till it is sold or otherwise disposed of.

(vi) (a) Where the possession of the any property is required to be taken by the Recovery Officer under the provisions of this rule , the Recovery Officer may, for the purpose of taking possession, request, in writing, the Chief Metropolitan Magistrate or the District Magistrate within whose jurisdiction such property is situate to take possession thereof, and the Chief Metropolitan Magistrate or, as the case may be, the District Magistrate shall, on such request being made to him take possession of such property and forward such property to the Recovery Officer.

(b) For the purpose of securing compliance of this sub-rule, the Chief Metropolitan Magistrate or the District Magistrate may take or cause to be taken such steps and use, or cause to be used, such force, as may, in his opinion, be necessary.

(c) No act of the Chief Metropolitan Magistrate or the District Magistrate done in pursuance of this sub-rule shall be questioned in any court or before any authority. ”

(iv) in second proviso to clause (f), the words “or the sale officer ” shall be deleted.

(v) after first proviso to clause (f), the following provisos shall be inserted, namely—

“Provided further that, the Recovery Officer shall obtain prior approval of the Registrar to the upset price of movable and immovable property before publication of proclamation of sale.

Provided also that, upset price shall be approved by the Registrar by considering the comparative prevailing prices in the market, ready recokner rates, by obtaining valuation from the approved valuer within one month from the date of receipt of proposal from the Recovery Officer, after hearing the judgment debtor. Such approved upset price shall be valid for six months from the date of approval. ”

(vi) in clause (h) for the word “ fifteen ”, the word “ thirty ” shall be substituted.

(vii) in first proviso to clause (h) for the word “ thirty ”, the word “ forty-five ” shall be substituted.

(g) in sub-rule (13),—

(i) for the words “ Sale Officer ” the words “ Recovery Officer ” shall be substituted.

(ii) after clause (iii), the following provisos shall be inserted, namely—

“ Provided that, in case the Recovery Officer fails to handover possession of the property for any reason within six months from the date of confirmation of the sale to the purchaser, amount deposited by the purchaser may be refunded to him on his demand. ”

(h) in sub-rule (14),—

(i) for the words “ Recovery Officer ” wherever it occurs the words, “ District Deputy Registrar ” shall be substituted.

(ii) in clause (ii), after the words “ may direct a fresh one. ” the words, “ Expenses of the such set aside sale shall be borne by the society. ” shall be added.

(iii) first proviso to clause (iii), shall be deleted.

(i) in sub-rule (15), for the words “ Sale Officer ” the words “ Recovery Officer ” shall be substituted.

(j) in sub-rule (18), for the words “ Sale Officer ” the words “ Recovery Officer ” shall be substituted.

(k) in sub-rule (19), for the words “ Sale Officer ” wherever it occurs the words, “ Recovery Officer ” shall be substituted.

(l) in clause (i) of sub-rule (20), the words “ the Sale officer to ” shall be deleted.

(m) in sub-rule (22), for the words “ Sale Officer ” at two places the words, “ Recovery Officer ” shall be substituted.

86. For Rule 107 C of the principal Rules, the following Rule shall be substituted, namely—

“ 107C. Maximum amount of cash which may be handled at a time and who may be authorized:

(1) In the case of the following societies, only the Secretary or a paid employee of the society duly authorized in this behalf by a resolution of the Committee, shall handle or keep cash on hand to the extent shown below at the end of each working day, the excess being credited within three days in the nearest Branch of the District Central Co-operative Bank or any other approved Bank.

	I- Primary Societies	Rs.
(1)	Agricultural Processing Societies, the paid up share Capital of which is more than Rs. 5 lakhs	50000
(2)	Spinning Mills	100000
(3)	Sugar factories	500000
(4)	Consumers Societies	50000
(5)	Dairy Societies	5000
(6)	Agricultural Credit Societies	10000
(7)	Fisheries Societies	10000
(8)	Industrial Estate	10000
(9)	Forest Labour Societies	10000
(10)	Labour Contract Societies	1,000

(11)	Salary Earners or other Urban Credit Societies	25000
(12)	Farming Societies	10000
(13)	Lift Irrigation Societies	10000
(14)	Industrial Societies	10000
(15)	Weavers Societies	10000
(16)	Housing Societies	10000
(17)	All other societies excluding above	10000
II- Societies at Taluka level		
(1)	Taluka co-operative Purchase and sale Societies	10,000
(2)	Taluka Co-operative Supervising Unions	500
(3)	Taluka level federal societies	10000
III- District Level Federal Societies		
(1)	District Marketing Societies	50000
(2)	District Wholesale Consumers Stores	100000
(3)	District and Divisional Level Federal Societies other than District Central Co-operative Banks and District Cooperative Agricultural and Rural Multipurpose Development Banks.	10000
III-State Level Federal Societies		50000

(2) Any contravention of this rule shall be an offence under clause (q) of section 146 and the person concerned shall, on conviction, be punished under clause (q) of section 147."

87. For Rule 107 D of the principal Rules, the following Rule shall be substituted, namely:—

“107D. Payments to be made by cheque.—

All payments by or on behalf of a society or class of societies shall be made only by means of a crossed cheques drawn on a bank subject to provisions of the Income Tax Act, 1961 (43 of 1961).”

88. For Rule 108 of the principal Rules, the following Rule shall be substituted, namely—

“108. Contributions, fees and charges to be credited to Government. —

When Government auditor is appointed by the society, all contributions made under sub-section (2) of section 90, all fees paid under sub-section (3) of section 108, charges levied under rule 74, shall be credited to the State Government.”

89. In Rule 109 of the principal Rules,—

(i) for the word “posted’ the word “sent” shall be substituted.

(ii) the words “under the certificate of posting” shall be deleted.

90. For Form No. A to J of the principal Rules, the following forms are substituted, namely:--

FORM 'A'

[See section 8 and Rule 4(1)]

Application for Registration of Society

Place :.

Date :

To,

The Special /Additional/Divisional Joint / Dist. Deputy/ Deputy/Assistant/Registrar,*

Co-operative Societies,

We submit herewith a proposal for registration of the following society along with enclosures as indicated herein;

2. We also declare that the information given herewith, including that in the enclosures, is correct to the best of our knowledge:-

(1) Name of the proposed society**;

(2) Address to be registered;

(3) Whether liability is limited or unlimited;

(4) Area of operation;

(5) Objects of the society;

(6) The amount of preliminary expenditure incurred by the promoters till the date of application, and estimate of expenditure likely to be incurred by them thereafter with a view to getting the society registered.

(7) Language in which the books and accounts of the society will be kept.

Footnotes:

* Strike off whichever is not applicable

** The name of the society should not have any reference to any caste or religious denomination

3. We are sending four copies of the proposed by-laws signed by the applicants (not less than 10).

Serial No.	Full Name	Whether individual or corporate body	Age	Nationality	Profession
(1)	(2)	(3)	(4)	(5)	(6)
1.	Chief Promoter				
2.					
3.					
4.					
5.					

(1)	(2)	(3)	(4)	(5)	(6)
6.					
7.					
8.					
9.					
10.					

Place of residence, Ward/ village taluka and District	Amount subscribed to entrance fees	Amount subscribed to share capital	Whether signatory of the application is a member of his family	In the case of society, whether he is a member of the committee of that society
(7)	(8)	(9)	(10)	(11)

Name and address of the person to whom correspondence regarding registration or otherwise should be addressed

Signature

- | | |
|-------------------------|----------|
| 1. Chief Promoter | 6. |
| 2. | 7. |
| 3..... | 8. |
| 4. | 9. |
| 5. | 10. |

Note :

(1) In the case of a representative of society, a copy of the resolution of the committee of that society authorising him to sign on its behalf, this application and by-laws should be enclosed with this application.

(2) In the case of a corporate body, representative status of the signatory on behalf of the corporate body should be indicated.

(3) The expression "Member of family" means a wife, husband, father, mother, son, daughter, son-in-law, and daughter-in-law.

Enclosures :-

(1) Bank balance certificate.

(2) List of persons who have contributed to the share capital together with the amount contributed by each of them and the entrance fee to be paid by them.

(3) The scheme showing the details as to how the working of the society will be economically sound, and where the scheme envisages the holding of immovable property by the society, giving description of immovable property proposed to be purchased, acquired or transferred to the society.

* (4) A copy of the resolution authorising a member of the committee of the registered society to sign the application on behalf of the society.

** (5) A copy of the document authorising any person to sign the application on its behalf issued by a firm, company or other corporate body, a society registered under the Societies Registration Act, 1860 or a public trust registered under any law for the time being in force relating to registration of public trusts.

Sent by registered post on /Delivered by hand by to/in the office of the Assistant Registrar/Deputy Registrar/District Deputy Registrar/Divisional Joint Registrar/Additional/Special Registrar/Registrar,

under the Societies Registration Act, 1860 or a public trust registered under and law for the time being in force relating to registration of public trusts.

Sent by registered post on /Delivered by hand by to/in the office of the Assistant Registrar/Deputy Registrar/District Deputy Registrar/Divisional Joint Registrar/Additional/Special Registrar/Registrar,

(Chief Promoter)

Received by registered post/hand delivery on by in the office of the Assistant Registrar/Deputy Registrar/District Deputy Registrar/Divisional Joint Registrar/Additional/Special Registrar/Registrar, Entered in the register of registration proposals at Serial No

.....
(Signature of the officer receiving
the application)

FOOTNOTES:

* To be forwarded when any member of the society to be registered is itself a registered society

** To be forwarded when any member of the society to be registered is a firm, company or other corporate body, a society registered under the Societies Registration Act, 1860 or a public trust registered under any law for the time being in force relating to registration of public trusts.

Acknowledgement

Received Registration proposal No. onfor the registration of..... Society from the Chief Promoter Shri

Place :

Date :

.....
(Assistant Registrar / Deputy Registrar

/ District Deputy Registrar / Divisional Joint Registrar /
Additional Registrar / Special Registrar/ Registrar)

FORM 'B'

[See section 9 and Rule 5(1)]

Register of applications for registration received in the office
of the Registrar /Special/Additional/Joint/Deputy/Assistant Registrar

Serial No.	Name of the proposed society	Place village, Ward/ Taluka and District	Date of Receipt	Date of acknowledge ment	How received (by post/ hand delivery)	No. and date on which additional information is called
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Prescribed date by which information is called	Date on which information received	No. and date of the report, if any, sent Government if the society is not registered within two months	No. and date of registrati on	No. and date of order which registrati on is refused	Initials	Remarks
(8)	(9)	(10)	(11)	(12)	(13)	(14)

Report to Government

To

The Additional Chief / Principal / Secretary to Government.

.....Department, Mumbai.

Registration proposal

Subject: -----

Report regarding,

I have received a proposal for registration of.....society, ward / village.....taluka.....districton

It may not be possible to dispose of this registration proposal within a period of two months as laid down under section 9 (i) of the Maharashtra Co-operative Societies Act,1960 for the following reasons, that is to say:—

(1) The promoter have not given in formation called for from them within the specified time.

(2) The promoters have not been able to collect the share capital which is necessary for the successful working of the society.

(3) Details regarding immovable property proposed to be purchased/acquired/transferred to the society are not given by the promoters.

(4) The concurrence of other departments regarding the feasibility of the scheme has not been received.

(5) The promoters have not been able to give detailed working of the scheme which they propose to implement.

(6) Any other reasons.

2. In the circumstances, I would request that Government may please be moved to allow me to register the society after the above requirements is /are fulfilled within a further period up to.

.....

Assistant / Deputy / District Deputy / Divisional

Joint/ Addition/ Special Registrar of

Co-operative Societies.

Submitted through the District Deputy/Divisional Joint/Additional/Special Registrar/ Registrar of Co-operative Societies for onward transmission to Government.

NOTE :

The reasons for delay to be given in the body of the letter should be self-explanatory. Any other reasons, if any, for the delay in registering of the society should also be mentioned.

FORM 'D'

[See section 9 and rule11(1)]

**Register of Co-operative Societies registered or deemed to be registered
under the Act**

Part..... District.....

Registered Serial No.	Full name and address of the Society	Ward/ Taluka /District	Date of registration	File No.	Class of society as per Section	Sub- classes	Page No. and date of Government Gazette notifying registration
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Initials of Registrar	Date of winding-up by the Registrar	Page No. and date of Government Gazette notifying winding up	No. and date of cancellation	Initial of the officer authorised by the Registrar to keep the register	Remarks
(9)	(10)	(11)	(12)	(13)	(14)

[See section 14 and rule13(1)]

Notice under rule13(1)

Registered Post A.D.

To,

The Chairman,

.....Co-operative Society,

Sir,

It appears to me that an amendment / amendments of the by-laws of your society as indicated in the attached statement in Annexure-1 is / are necessary and that it / those is /are desirable in the interest of your society.

I am to request you to consider this / these amendment / amendments in the interest of your society and to call upon you by this notice under Rule 13 (1) of the Maharashtra Co-operative Societies Rules,1961, to take necessary steps to make the amendments to the by-laws of your society within ... days from the date of receipt of this notice, failing which action will be taken as provided under Section 14 (2)of the Maharashtra Co-operative Societies Act,1960.

Yours faithfully,

No.

Date.....

----- Registrar of
Co-operative Societies.



ANNEXURE – '1'

Statement accompanying notice under section 14 and rule 13(1)

Serial No.	The exact wording of existing by-laws	By-law as it would read after amendment	Exact wording of by-law, if it is a new one	Reasons why amendment is considered necessary
(1)	(2)	(3)	(4)	(5)

----- Registrar of Co-operative Societies,

[See section 14 and rule13(3)]

Notice under rule13(3)

To,

The Chairman,

..... Co-operative Society,

Sir,

Whereas you were called upon to make amendment to the by-laws of your society as per this office notice No. dated and whereas you have failed to make the amendment within the time specified therein, you are hereby called upon to show cause in writing within ... days from the receipt of this notice as to why the proposed amendment of your by-laws as indicated in this office notice referred to above should not be registered. If you desire to be heard in person, you may attend or send your representative duly authorised on at a.m. / p.m. in my office and put your defence before me, if any.

If you fail to send your written statement or your representative on the date specified above or if your statement is found unsatisfactory, necessary further action according to the provisions of Section14 (2) of the Maharashtra Co-operative Societies Act, 1960 will be taken.



Yours faithfully,

..... Registrar of

Co-operative Societies,

Copy to : The Chief Executive Officer/ Managing Director/ Manager/ Secretary
Co-operative Society Ltd.,

No.

Date

Place

FORM 'G'

[See section 14 and rule16(3)]

Notice to members, creditors and other persons whose interests will be affected by the amalgamation / transfer of assets and liabilities / conversion / division

Notice is hereby given as required by clause (o) of the proviso to sub-section (j) of Section 17 of the Maharashtra Co-operative Societies Act, 1960, by the..... Society registered under No., dated and having its registered office at to all members / creditors / persons interested that the society, after obtaining the approval of the Registrar and a preliminary resolution to that effect having been passed by a special general meeting of the society held on has decided to amalgamate itself with society; convert itself into society; divide itself into (1).. (2).....societies, transfer its assets and liabilities to..... society. The details regarding the transfer of liabilities of the society to be amalgamated, transferred, converted or divided are given in the Schedule given below:---

I. applicable to societies amalgamating, transferring assets and liabilities or converting:---

- (1) Name of the society or societies;
- (2) Statement showing the assets and liabilities of the society (to be enclosed);
- (3) Names of members and creditors.

N.B :--- Information should be given separately in respect of each society which is affected by the amalgamation, transfer of assets and liabilities or conversion.

II. Applicable to societies to be divided-

Particulars of (1).....Society

- (1) Name of the society;
- (2) Present area of operation;
- (3) Statement showing assets and liabilities(to be enclosed);
- (4) Names of members;
- (5) Names of creditors.

III. Applicable to societies which will stand divided:-

(a) Particulars of (1).....Society

- (i) Assets and liabilities which will remain with the society after division (statement to be enclosed)

(ii) Proposed area of operation

(iii) Names of members who will remain with the society

(iv) Names of creditors who will remain with the society

(b) Particulars of (2).....Society

(i) Assets and liabilities which will remain with the society after division (statement to be enclosed)

(ii) Proposed area of operation

(iii) Names of members who will remain with the society

(iv) Names of creditors who will remain with the society

Any person whose interest is affected by the proposed amalgamation, transfer of assets and liabilities, division or conversion may send his objections, if any, and give intimation of his option to become a member of any of the new societies / to continue his membership in the amalgamated or converted society / to demand payment of share or interest or dues, to the office of the society within one month from the date of this notice.

2. If no option is exercised and if no objection is received within one month, it will be assumed that the interested persons have assented to the decision.

Place :

Board Secretary / Honorary Secretary/

Date :

Chief Executive Officer

By order of the Board/ Managing Committee

.....

Co-operative Society Ltd.

FORM 'H'

[See section 19 and rule 18 (1)]

Application for reconstruction of a society

To

TheRegistrar of Co-operative Societies,

In the special general meeting of Society
at.....Taluka.....District.....called for the purpose of reconstruction of
the society, the society has approved a compromise / arrangement with its creditors and / or
members on the following lines :---

- (1) By reducing the claims of creditors ;
- (2) By reducing the value of the share capital ;
- (3) By revaluation of assets.

A detailed scheme worked out on the above lines is enclosed with a copy of the resolution
passed by the special general meeting of the society referred to above.

We would request that the scheme of reconstruction of the society may please be approved
and orders issued to that effect.

Chairman/Member/Creditor/Liquidator,

..... Co-operative Society

(See section 23 and rule19A)

**Form to be used by the eligible person for giving application for
membership of a society under sub-section 23 (1A) of the
Maharashtra Co-operative Societies Act, 1960**

To

The Chairman,

----- Co-operative Society,

(Through: the Special / Additional Registrar/ Divisional Joint Registrar / District Deputy Registrar/ Deputy Registrar/ Assistant Registrar, Co-operative Societies).

Sir.

I, the undersigned Shri/Smt.....(Full name of the applicant), hereby apply for the membership of your society, I furnish below the following particulars about me:—

1. Full name beginning with Surname
2. Address (Residential)
3. Occupation/Service/Business/Profession.
4. Address (Service/Business/Profession).
5. Age on date of application.
6. Class of membership applied for (associate, nominal).
7. Nationality.

8. Amount of share money and entrance fee tendered with the application (cross cheque, pay order and Demand Draft).

9. Particulars of agricultural land / Non-agricultural land held by family as owner or as tenant (whatever it is applicable).

10. Particulars as to membership of other Co- operative Society/Societies, if any, together with information about outstanding dues or overdues, if any, in the society/societies.

11. Date of making application to the society and reason if any for not accepting the application by the society if known.

12. I undertake to furnish any other information as may be required under the bye-laws of the society.

I hereby state that I need the services of the society and further state that I have made myself aware of the provision of the bye-laws of the society, and I agree to be bound by them in all matters relating to my transactions with the society.

Name of the Applicant and Signature

FORM 'T'

[See section 38 and rules 32 and 65(1)]

Register of Members

[Section 38 (1) of the Maharashtra Co-operative Societies Act, 1960]

1. Serial Number
2. Date of admission
3. Date of payment of entrance fee and share amount
4. Full name (surname first)
5. Postal Address, mobile number and email address
6. Occupation
7. Age on the date of admission
8. Full name and address of the person nominated by the member under section 30(1)
9. Date of nomination
10. Date of cessation of membership
11. Reasons for cessation
12. Remarks

Date	Cash book folio	Particulars of shares held				Total amount received	No. of shares held	Serial No. of share certificate
		Application	Allotment	Amount received on				
				1 st call	2 nd call			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Date	Cash book folio	Date	Cash Book folio or shares transfer register No.	Particulars of shares transferred or surrendered					Signature	
				No. of shares trans-ferred	Serial No. of share certificates	No. of shares trans-ferred or refunded	Balances			
							No. of shares held	Serial No. of share certificates		Amount
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, ऑगस्ट ३०, २०१४/भाद्र ८, शके १९३६
FORM 'J'

(See section 39 and rule 33)

List of Members of Society Limited/Unlimited

Serial No.	Full name of the Member	Address	Class of Member
(1)	(2)	(3)	(4)

Signature

91. After FORM- J of the Principal Rules, the following FORM Nos. J-1 to J-2 shall be inserted, namely :---

FORM J - 1

(See section 26 and rule 33)

List of Active members of ----- Society Limited/ Unlimited.

Sr. No.	Full name of the Member (surname first)	Postal Address and email address	Date of Classification as Active- member
(1)	(2)	(3)	(4)

Signature

Note.—All pages of list shall have seal and signature of the competent authority of the society.

FORM J - 2

(See section 26 and rule 33)

List of Non-active members of ----- Society Limited/ Unlimited.

Sr. No.	Full name of the Member (surname first)	Postal Address and e-mail address	Date of Classification as Non-active member
(1)	(2)	(3)	(4)

Signature

Note :- All pages of list shall have seal and signature of the competent authority of the society.

92. For Form No. K to L of the principal Rules, the following forms shall be substituted, namely-

FORM 'K'

[See rule 45(1)]

Declaration under rule 45(1)

I.....of..... am / have become a member of more than one credit society, names of which are given below :-

*(1)

*(2)

*(3)

*(4)

I do hereby declare as required by Rule 45 of the Maharashtra Co-operative Societies Rules, 1961 that I shall borrow only from..... Society Ltd.,.....

Place.....

Date.....

Witness to Signature

Signature

Footnotes:

*Here insert the name of the society.

Assessment		Approximate value	Encumbrances, if any		Remarks, if any
Rupees	Naye Paise		Nature	Amount	
(10)	(11)	(12)	(13)	(14)	(15)

In witness whereof. I. Shri.....hereunder set my hand this
.....day of.....,in the year one thousand nine hundred and.....

Witnesses

Signed and delivered by the above named in the presence of:-

(1)

(2)

Applicants -----

Signature Borrowers

Attested by

Forwarded with compliments to the Village Officer with a request to include the particulars of the charge created under the declaration in the Record of Rights and to return to the society for its record.

Chairman, Secretary,

.....Society

Returned with compliments to the Chairman.....Society,
Limited/Unlimited. The charge created under the declaration is duly included in the Record of
Rights on the.....day of.....20

Village Officer.

93. For Form No. M-18 of the principal Rules, the following form shall be substituted, namely-

FORM-18

[See rule 57A(1)]

Form of Requisition to call Special Meeting of the
Committee to consider Motion of No Confidence

Place :

Date :

To

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

We, the undersigned members of the Managing Committee of the..... Society Limited, hereby request you under sub-section(2) of Section 73ID of the Maharashtra Co-operative Societies Act, 1960 to call a special meeting of the Managing Committee of the said Society to consider the motion of No Confidence against Shri/Smt President / Vice President / Chairman / ViceChairman /Secretary / Treasurer / any other Officer of the said Society.

2. A copy of the motion proposed to be moved is enclosed.

3. The motion will be moved by Shri / Smt.....

Names

(Signatures)

1.

2.

3.

4.

5.

and further if required.

Yours,

Name

Signature

1)

.....

2)

.....

3)

.....

4)

.....

5)

.....

94. For Form No. M-20 of the principal Rules, shall be deleted.

95. For Form Nos. N to T of the principal Rules, the following Forms shall be substituted, namely-

FORM N

[See section 75 and rule 62(1)]

Balance Sheet

Instructions in accordance with which liabilities should be made out	Figures for the previous year	Liabilities	Figures for the current year
(1)	(2)	(3)	(4)
	Rs.		Rs.
I. Contributed by Government and by Co-operative Societies and different classes of individual members shall be shown separately. Terms of redemption or conversion of any redeemable preference shares should be mentioned.		<i>I. Share Capital –</i> Authorised: shares of Rs.....each Subscribed: (distinguishing between the various classes of capital and stating the particulars specified below, in respect of each class). Shares of..... each <i>Less:</i> Calls in arrears <i>Add:</i> Calls in advances I-A. Subscription towards shares	
II. (a) Statutory Reserve Fund and other reserves and funds shall be shown separately. (b) Additions and deductions since last Balance Sheet to be shown under each of the specified head. (c) Funds in the nature of reserves and funds created out of any profits for specific purposes should be		II. <i>Reserve Funds and other Funds:</i> (a) Statutory Reserve Funds (b) Building Funds (c) Special Development Fund (d) Bad and Doubtful Debts Reserve (e) Investment Depreciation Fund (f) Dividend Equalisation Fund (g) Bonus Equalisation	

shown separately,

Fund

(h) Reserve for overdue interest

(i) Other Funds

III. Staff Provident Funds and any other insurance or Bonus funds maintained for the benefit of the employees should be shown separately.

III. *Staff Provident Fund:*

Assets		Instructions in accordance with which assets should be made out	
Figures for the previous year			
(5)	(6)	(7)	(8)

Rs.

Rs.

I. *Cash and Bank balances:*

- (a) Cash on hand
- (b) Cash in banks :
 - (i) Current Account
 - (ii) Savings Banks Account
 - (iii) Call Deposits on Banks

II. *Investments:*

- (a) Government Securities
- (b) Other Trustee Securities
- (c) Non-Trustee Securities
- (d) Shares of other co-operative Societies
- (e) Shares, Debentures or Bonds of companies registered under the Companies Act.
- (f) Fixed Deposits.

III. (1) Investment of Staff Provident Fund

- (2) Advances against Staff Provident Fund.

I. Fixed deposits and call deposits with Central Banks and other approved bankers should be shown under the heading "Investments** and not under the heading "Cash and bank balances".

II. The nature of each investment and the mode of valuation (cost of market value) should be mentioned. If, the book value of any security is less than the market value, a remark to that effect should be made against each item.

III. Quoted and unquoted securities should be shown separately.

Instructions in accordance with which liabilities should be made out	Liabilities		
	Figures for the previous year		Figures for the current year
(1)	(2)	(3)	(4)
	Rs.		Rs.
IV. The nature of the security should be specified in each case. Where loans have been guaranteed by Government or State Co-operative or Central Banks, a mention hereof should also be made together with the maximum amount of such guarantee. Loans from (1)Government, (2) State Co-operative Bank or Central Bank, State Bank of India and other Banks should be shown separately.		IV. <i>Secured Loans:</i> (a) Debentures (b) Loans, overdrafts and cash credits from banks. (c) Loans from Government (d) Other secured loans	
V.		V. <i>Unsecured Loans :</i> (a) Loans, cash credits and overdrafts from Central Banks (b) From Government (c) From others (d) Bills payable	
VI. Deposits from societies and individuals should be shown separately.		VI. <i>Deposits :</i> (a) Fixed Deposits (b) Recurring Deposits (c) Thrift or Saving Deposits (d) Current deposits (e) Deposits at call (f) Other deposits	

VII.	(g) Credit balance in cash credit and overdraft accounts VII. <i>Current Liabilities and Provisions:</i> (a) Sundry creditors (b) Outstanding creditors
------	--

Assets		Instructions in accordance with which assets should be made out	
Figures for the previous year		Figures for the current year	
(5)	(6)	(7)	(8)
Rs.		Rs.	

IV. *Loans and Advances:*

1. (a) Loans
- (b) Overdrafts
- (c) Cash credits
 - (i) against pledge of goods
 - (ii) against hypothecation of goods
 - (iii) clean
 (of which overdue)
2. Loans due by Managing Committee Members
 Rs..... Loans due by Secretary and other employees Rs.

IV. In case of Central Banks and other federal society's loans due by societies and individual members should be shown separately.

V. *Sundry Debtors:*

- (1) Credit sales
- (2) Advances
- (3) Others

VI. *Current Assets:*

- (1) Stores and spare parts
- (2) Loose tools
- (3) Stock-in-trade
- (4) Works in progress

VII. *Fixed Assets:*

- (a) land and building
- (b) Lease holds
- (c) Railway siding

VI. Mode of valuation and stock

shall be stated and the amount in respect of raw materials partly finished and finished goods and stores required or consumption should be stated separately. Mode of valuation of works in progress shall be stated.

VII. Under each head of the original cost and the additions thereto and deductions there from made during the year and total

Instructions in accordance with which liabilities should be made out	Liabilities		
	Figures for the previous year		Figures for the current year
(1)	(2)	(3)	(4)
	Rs.		Rs.

- (i) for purchases
- (ii) for expenses including salaries of staff, rent, taxes, etc.
- (c) Advance, recoveries for the portion for which value has still to be given, viz. unexpired subscriptions, premiums, commission, etc.

VIII.

VIII. *Unpaid Dividends:*

IX.

IX. *Interest accrued due but not paid:*

X.

X. *Other Liabilities (to be specified)*

XI. Contingent liabilities which have not been provided for should also be mentioned in the Balance Sheet by way of a foot note.

XI. *Profit and Loss Account Profit for last year:*
Less: Appropriations
Add: Current profits

Assets			Instructions in accordance with which assets should be made out
Figures for the previous year		Figures for the current year	
(5)	(6)	(7)	(8)

Rs.

Rs.

- (d)Plants and Machinery
- (e)Loose tools, tackles and other equipments
- (f) Dead stock
- (g)Furniture and fittings
- (h)Livestock
- (i) Vehicles

depreciation on written of or provided up to the end of the year should be stated.

VIII. *Miscellaneous expenses and losses:*

- (1)Goodwill
- (2)Preliminary expenses
- (3)Expenses connected with the issue of shares and debentures, including underwriting charges, brokerage, etc.
- (4)Deferred revenue expenditure

IX. *Other items:*

- (a)Prepaid expenses
- (b)Interest accrued but not due
- (c)Other items(to be specified)

X. <i>Profit and Loss Account:</i>	-----
Accumulated losses not written off from the reserve or any other fund.	
XI. <i>Current losses</i>	-----

Signature,

Chairman,

Vice-Chairman,

Managing Director

..... Co-operative Society, Ltd.....

=====

FORM 'N'

Profit and Loss Account
[See section 75 and rule 62(1)]

Last year's figures	Expenditure	This year's figures	Last year's figures	This year's figures
Rs.nP		Rs.nP	Rs.nP	Rs.nP
	(1) <i>Interest:</i>		(1) <i>Interest Received:</i>	
	(a) Paid. Rs.		(a) On loans and advances	
	(b) Payable Rs.		(b) On investments	
	(2) Bank Charges		(2) Dividend received on shares	
	(3) Salaries and Allowances ... of Staff		(3) Commission	
	(4) Contribution to Staff Provident Fund		(4) <i>Miscellaneous income:</i>	
	(5) Salary and Allowances of ... Managing Director			

(6) Attendance fees and travelling expenses of Directors and Committee Members	(a) Share Transfer fees (b) Rent (c) Rebate in interest
(7) Travelling expenses of staff...	(d) Sale of forms (e) Other items
(8) Rent, rates and taxes	
(9) Postage,Telegram and Telephone charges	(5) Land Income and Expenditure accounts
(10) Printing and Stationery	
(11) Audit fees	
(12)(Contingencies) General expenses	
(13) Bad Debts written off or ... provision made for bad debts	
(14) Depreciation on fixed assets...	
(15) Land Income and Expenditure account	
(16) Other items	
(17) Net Profit carried to Balance Sheet	

Note- In the case of marketing societies, consumers' societies and similar other societies which have undertaken trading activities, the Profit and Loss Account shall be divided into two parts showing separately the trading account and the Profit and Loss Account. In case of producers' societies, processing societies / forest labourer's societies and offer societies which have undertaken production activities, the manufacturing account shall also be prepared in addition.-

Signature,

Chairman,

Vice-Chairman,

Managing Director

..... Co-operative Society, Ltd.....

FORM No. N-1.

[See section 81 and rule 69 (3)]

**An Illustrative Format of Report of the Auditor of Co-operative Bank
INDEPENDENT AUDITOR'S REPORT**

To,

The Chairman/Secretary/Chief Executive Officer

The _____ Urban Co-operative Bank Ltd. / DCCB / SCB,

Address, City Name

Ref. :- Appointment Letter Reference No.----- Dated -----

Report on the Financial Statements as a Statutory Auditor

1. We have audited the accompanying financial statements of the ----- Urban Co-operative Bank Ltd. / DCCB / SCB, which comprise the Balance Sheet as at 31st March 20XX and the Statement of Profit and Loss for the year ended, and a summary of significant accounting policies and other explanatory information incorporated in these financial statements of the Bank along with its Branches and Extension counters audited by us for the period 1st April 20YY to 31st March 20XX. *

Management's Responsibility for the Financial Statements

2. Management is responsible for the preparation of these financial statements in accordance with Maharashtra Co-operative societies Act, 1960, Banking Regulation Act, 1949 (A.A.C.S.) and RBI / NABARD Guidelines. This responsibility includes the design, implementation and maintenance of internal control relevant to the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

3. Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with the applicable Standards by The Institute of Chartered Accountants of India and under the MCS Act / BR Act / RBI guidelines. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to fraud or error.

4. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Bank's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of the accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

5. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

6. In our opinion and to the best of our information and according to the explanations given to us, the said accounts together with the notes thereon give the information required by the Banking Regulation Act, 1949 (A.A.C.S.) as well as the Maharashtra Co-operative Societies Act, 1960, the Maharashtra Co-operative Societies Rules 1961, and any other applicable Acts, and or circulars issued by the Registrar, in the manner so required for the bank and give a true and fair view in conformity with the accounting principles generally accepted in India:

(i) in the case of the Balance Sheet, of the state of affairs of the Bank as at 31st March, 2__;

(ii) in the case of the Statement of profit and loss of the profit/loss for the year ended on that date; and

Report on Other Legal and Regulatory Matters

7. The Balance Sheet and the Profit and Loss Account have been drawn up in accordance with the provisions of Section 29 of the Banking Regulation Act, 1949 read with provisions of the Maharashtra Co-operative Societies Act, 1960 & Maharashtra Co-operative Societies Rules 1961.

8. We report that :

(a) We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purpose of our audit and have found them to be satisfactory.

(b) The transactions of the Bank, which have come to our notice, have been within the powers of the Bank.

(c) The returns received from the offices and branches of the Bank have been found adequate for the purposes of our audit.

9. In our opinion, the Balance Sheet and Profit and Loss Account comply with applicable Accounting Standards.

10. We further report that :

(i) The Balance Sheet and Profit and Loss Account dealt with by this report, are in agreement with the books of account and the returns.

(ii) In our opinion, proper books of account as required by law have been kept by the Bank so far as appears from our examination of those books.

(iii) The reports on the accounts of the branches audited by us / branch auditors have been dealt with in preparing our report in the manner considered necessary by us.

(iv) for the year under audit, the bank has been awarded “__” classification.

Signature**(Name of the Member Signing the Audit Report / Name of Auditor)****(Designation)****Membership Number****Firm Registration Number**

Audit Panel Number

Place of Signature :**Date of Report :**

Note :- In case the auditor have not audited all branches or taken assistance of other auditor or branches are audited by another auditor appointed by bank, following lines should be inserted in above report.

*These unaudited branches account for _____ per cent of advances, _____ per cent of deposits, _____ per cent of interest income and _____ per cent of interest expense.

FORM No. N-2

[See Section 81 and rule 69 (3)]

**An Illustrative Format of Report of the Auditor of Co-operative Society
INDEPENDENT AUDITOR'S REPORT**

To

The Chairman/Secretary/Chief Executive Officer

The _____ Co-operative Society Ltd,

Address, City Name

Ref. :- Appointment Letter Reference No. _____ Dated _____

Report on the Financial Statements as a Statutory Auditor

1. We have audited the accompanying financial statements of The _____ Co-operative Society Ltd., which comprise the Balance Sheet as at 31st March 20XX and the Statement of Profit and Loss / Income & Expenditure for the year ended, and a summary of significant accounting policies and other explanatory information incorporated in these financial statements of the Society alongwith its Branches audited by us for the period 1st April 20YY to 31st March 20XX. *

Management's Responsibility for the Financial Statements

2. Management is responsible for the preparation of these financial statements in accordance with Maharashtra Co-operative Societies Act, 1960 & Rules there under. This responsibility includes the design, implementation and maintenance of internal control relevant to the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

3. Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with the applicable Standards by The Institute of Chartered Accountants of India and under the MCS Act. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

4. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Society's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of the accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

5. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

6. In our opinion and to the best of our information and according to the explanations given to us, the said accounts together with the notes thereon give the information required as per the Maharashtra Co-operative Societies Act 1960 and the Maharashtra Co-operative Societies Rules 1961, and any other applicable Acts, and or circulars issued by the Registrar, in the manner so required for the society gives a true and fair view in conformity with the accounting principles generally accepted in India:

(i) in the case of the Balance Sheet, of the state of affairs of the society as at 31st March 2___;

(ii) in the case of the Statement of profit and loss / Income & Expenditure of the profit/loss for the year ended on that date; and

Report on Other Legal and Regulatory Matters

7. The Balance Sheet and the Profit and Loss Account have been drawn up in accordance with the provisions of the Maharashtra State Co-operative Act.

8. We report that :

(a) We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purpose of our audit and have found them to be satisfactory.

(b) The transactions of the Society, which have come to our notice, have been within the powers of the Society.

(c) The returns received from the offices and branches of the Society have been found adequate for the purposes of our audit.

9. In our opinion, the Balance Sheet and Profit and Loss / Income & Expenditure Account comply with applicable Accounting Standards.

10. We further report that :

(i) The Balance Sheet and Profit and Loss / Income & Expenditure Account dealt with by this report, are in agreement with the books of account and the returns.

(ii) In our opinion, proper books of account as required by law have been kept by the Society so far as appears from our examination of these books.

(iii) The reports on the accounts of the branches audited by branch auditors have been dealt with in preparing our report in the manner considered necessary by us.

(iv) for the year under audit, the society has been awarded “__” classification.

Signature

(Name of the Member Signing the Audit Report / Name of Auditor)

(Designation)

Membership Number

Firm Registration Number

Audit Panel Number

Place of Signature:

Date of Report:

Note :- in case the auditor have not audited all branches or taken assistance of other auditor or branches are audited by another auditor appointed by bank, following lines should be inserted in above report.

*These unaudited branches account for _____ per cent of advances,
_____ per cent of deposits, _____ per cent of interest income and
_____ per cent of interest expense.

FORM 'O'

(See sections 81, 82, 87 and rule73)

Rectification report under section 82/87

Date of Audit : Period covered :

No. and date of order under section 81/83 :

Name and designation of person carrying out audit, inquiry or inspection:
 Co-operative Society, for the year

Serial No. of the objection in the Audit Memo or report of the Officer carrying out inquiry or inspection	Observations made by the Auditor or officer carrying out inquiry or inspection	Explanation of the society and remarks regarding action taken by it to rectify the irregularities and implement the suggestion made by the Auditor or Officer carrying out inquiry or inspection	No. and date of the resolution of the committee approving the report	Remarks of the auditor
(1)	(2)	(3)	(4)	(5)

FORM 'Q'

(See section 98 and rule 82)

Proclamation to be issued at the time of issue of a certificate under section 98

A. In the case of immovable property:

Whereas.....(judgment-creditor) has obtained an award or awards under Section 96 or an order or orders of the Liquidator under Section 105 of the Maharashtra Co-operative Societies Act 1960, for an amount of Rs against.....(Judgment-debt or) and proposes to execute the same by sale of the under mentioned property of the said judgment-debt or and where as the said judgment-creditor has obtained a certificate dated..... for execution of the award / awards or the order / orders under Section 98 of the said Act.

Notice is hereby given that any private transfer or delivery of, or encumbrance or charge on, the property made or created after the issue of the certificate shall be null and void against the said judgment-creditor under section 99 of the Act aforesaid.

Description of the property

Date of award or order	Names of the parties against whom award or order has been passed and certificate under section 98 has been issued	Survey No. or House No.	Name of the Village Area or Town, etc.	Assessment or other taxes	Other description of the property such as boundaries etc.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

The notice shall be proclaimed at some place on or adjacent to such property by beat of drum or other customary mode and a copy of the said notice shall be fixed on a conspicuous part of the property and up on a conspicuous part of the village chavdi and also where the property is land paying revenue to the State Government, in the office of the Collector of the District in which the land is situated.

Place:

Date :

Registrar of Co-operative Societies

Liquidator

B. In the case of moveable property, a similar notice may be given with necessary changes as to the description of the property. A copy of the notice shall be delivered to the judgment-debtor.

Copy to :-Tahsildar

FORM 'R'

[See section 100 and rule 85(5)]

Certificate for Transfer of Property under Section 100

In the case of immovable property :

Whereas in execution of the award or order or awards or orders passed under section 96 or an order or orders made by a Liquidator under section 105 of the Maharashtra Co-operative Societies Act, 1960, in favour of the society, an order was made on the day of. 20 , for sale of the under mentioned property of the person or persons (debtor or debtors) ;

And whereas the Court/the Collector/the Registrar is satisfied that the said property cannot be sold for want of buyers:

It is hereby ordered under section 100 of the said Act that the right, title and interest of the debtor in the said property shall vest in the..... Co-operative society and shall be delivered to the society subject to the terms and conditions laid down in the Schedule hereto annexed.

Description of the property

Survey No.	Area and assessment	Nature of right title and interest of the defaulter	Details of encumbrances to which property is subject
(1)	(2)	(3)	(4)

Schedule

(Note : The terms and conditions agreed upon between the court or the collector or the Registrar and the society, if any, shall be incorporated in the schedule)

The said property is transferred to the society in full/partial satisfaction of the amount due to it from the debtor.

Given under my hand and seal of the Court/Collector/Registrar this.....day of.....20

Court/Collector/Registrar of
Co-operative Societies.

In the case of moveable property :

(The form shall be similar with necessary changes as regards the description and to be delivery of the property).

FORM 'S'

[See section 111 and rule 93(8)]

Public Notice under Rule 93

Whereas Shri:.....resident of.....has applied for loan for the purpose of (specify purpose).....,.....a purpose mentioned in Section 111 of the Maharashtra Co-operative Societies Act, 1960 from

I the.....Co-operative Agriculture and Rural Multipurpose Development Bank Ltd. and has proposed to offer as a security for the loan the lands mentioned in the margin.

Lands in which improvement is proposed to be effected

Name of Village	Survey No.	Assessment
.....
.....
Lands proposed to be offered as security		

Name of Village	Survey No.	Assessment
.....
.....

Notice is hereby given that objections, if any, to the grant of loan from all persons interested will be heard by the undersigned at.....O'clock on 20.....at

Any person wishing to submit any objection should appear in person at the above mentioned time and place before the undersigned together with any documents he wants to produce in support of his objections.

It is hereby notified for the information of all persons interested that according to the provisions of Section 119 of the Maharashtra Co-operative Societies Act, 1960, a written order by the Co-operative Agriculture and Rural Multipurpose Development Bank or person or committees authorised under the by-laws of the Bank to make loans for all or any of the purposes specified in Section 111, granting either before or after the commencement of the said Act, a loan to or with the consent of person mentioned therein, for the purpose of carrying out the work specified therein for the benefit of the land or for the productive purpose mentioned therein shall, for purposes of the said Act, be conclusive of the following matters, that is to say :-

(a) that the work described or the purpose for which the loan is granted, is an improvement or productive purpose, as the case may be, within the meaning of Section 111 ;

(b) that the person had at the date of ; he order a right to make such improvement or incur expenditure for productive purpose, as the case may be; and

(c) that the improvement is one benefitting the land specified and productive purpose concerns the land offered in security, or any part thereof as may be relevant.

If any persons interested fail to appear as stated as required by this notice, the questions at issue will be decided in their absence and such persons will have no claim whatsoever against the property for which the loan applied for will be sanctioned till such time as the loans together with interest thereon or any other dues arising out of the loan are paid in full by the loanee.

Dated this..... day of 20

(Signed)

Designation of Officer.

Copy forwarded with compliments to.—The Talathi or other corresponding officer.....village and the.....Co-operative Agriculture and Rural multipurpose Development Bank..... with are quest to affix this notice at the village chavdi and head office and relevant branch office of the Bank immediately and inform the undersigned accordingly by

Dated this..... day of 20

(Signed)

Designation of Officer.

FORM 'T'

(See section 136 and rule101)

**Certificate to be granted to the purchaser of the property under section
136(1) of the Maharashtra Co-operative Societies Act, 1960**

This is to certify that the following property:-

Serial No.	Survey number	Boundaries	Village	Taluka	District	Name of the mortgagor who held the land
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

has been sold to.....at.....in public auction of the property held under section 133(1) of the Maharashtra Co-operative Societies Act, 1960 on..... for Rs.....and the said.....,has been declared to be the purchaser of the said property at the time of the sale. The sale price of the said property was received on.....by the.....Co-operative Agriculture and Rural multipurpose Development Bank..... The sale was confirmed under Section 134 of the Act and become absolute on.....

(Signature).....

Secretary/Manager, Co-operative Agriculture
and Rural Multipurpose Development Bank

96. After Form- V of the principal Rules, the following Form Nos. W to Z shall be inserted, namely:-

FORM 'W'

[See section 26 and rule 20A (2)]

To,

As per Section 26 (2) (b) of The Maharashtra Co-operative Societies Act and by rule 20 A of The Maharashtra Co-operative Societies Rules, 1961, and bye-laws No.----- of the society, you are classified as non-active member by resolution No.----- in the managing committee meeting dated ----/---/----- . Due to non-compliance of the provisions of the said bye-laws you are hereby informed that you are non-active member since date ----/-----/----- and your name is enrolled in list of non-active members.

2. In case you have any grievances against your classification as non-active member you may file an appeal to the Registrar within a period of sixty days from the date of this communication.

3. On fulfillment of the eligibility criteria as provided in section 26 (a) and (b) you may be reclassified as active member. For such reclassification, you have to attend the next general body meeting and you will have to utilise minimum level of services as specified in the by-laws of the society.

Chief Executive Officer,
-----Co-operative Society.

FORM 'X'

[See section 75 and rule 60(3)]

Agenda for the Annual General Meeting

- 1) Reviewing of the loans given to any of the members of the committee or any member of the family of any committee member, including a society or firm or company of which such member or members of his family is a member, partner or director;
- 2) reviewing of repayment of loan made during preceding year, amount outstanding and overdue at the end of the year -----;
- 3) Placing annual report of the activities of the society for the year -----.
 - a) Statement of state of the affairs of the society;
 - b) amount proposed to be carried to the reserve fund;
 - c) amount recommended by the committee to be paid as dividend, bonus which should include, to the share holders and honorarium to the employees;
 - d) changes occurred if any, in the society business during the accounting year -----.
- 4) Plan for disposal of surplus for the year -----;
- 5) amendments made to the bye-laws of the society, (if any);
- 6) Declaration regarding date and conduct of election of committee, (if due);
- 7) Audit report of the preceding financial year (year -----)
- 8) Rectification report of earlier audit (year -----)
- 9) Annual budget for next year (year -----);
- 10) The information required by the Registrar in persuasion of the provisions of Act and Rules (give details);
- 11) Appointment of auditor for the audit of the accounts of the society for the year -----.
- 12) Audited Profit and Loss Account, Balance sheet for the year -----.
- 13) Other subjects (if any).
 - a)
 - b)
 - c)

FORM – ' X-1 '

(See rule 65)

Maintenance of Property Register

(Circular No. ADM/184/64, dated 3rd October 1970 from the Commissioner for Co-operation, M. S., Pune)

The form may be kept ledger wise allotting one or two pages of the register to each property when buildings or other constructions are constructed through contractors or construction is by the Society itself, necessary details in brief to the same may be given in the remark column regarding the name of the contractor, the terms of contract etc.

Form of Property Register

Place			Description of the property				
Village Town	Taluka	District	Survey Nos.	Lands		House and buildings	
				Acres	Land revenue to be paid	City Survey No.	Taxes to be paid
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Purchase price of property	From whom purchased	If constructed actual cost of construction	Date of purchase or completion of construction as per completion certificate	Valuation after depreciation		
				Year	Amount of depreciation	Value after depreciation every year
(9)	(10)	(11)	(12)	(13)	(14)	(15)

Amount for which insured	Encumbrances if any	If sold, Process date and amount of sale		Remarks
		Date	Amount	
(16)	(17)	(18)	(19)	(20)

FORM - 'Y'

[See section 79, rule 67]


Submission of returns by the Society to the Registrar

To,

The Registrar/ special/ Adl./DJR/ DDR/ Dy. R/ ARCs

As provided under Rule 67 of the M.C.S. Rules, 1961, following returns are enclosed herewith:

- 1) Annual Report of activities of the Society for the year -----.
- 2) Audited statements of accounts of the society for the year -----.
A) Balance Sheet ;
B) Profit and Loss Accounts ; or
C) Income and Expenditure Statement.
- 3) A Statement of disposal of surplus assets as approved by General Body Meeting date -----
---- for the year -----.
- 4) A copy of the amendments to the bye-laws made by the society or proposed amendments to the bye-laws duly approved by the General Body Meeting.
- 5) Declaration regarding date of conduct of election of the society, due in the year-----.
- 6) Declaration regarding date of holding of General Body Meeting of the Society for the year.....
- 7) Statement regarding appointment of auditor, his consent, letter and remuneration fixed, for year -----.
- 8) Statement of rectification of audit for the year -----.
- 9) Statement regarding co-operative education and training of the members, officers and employees of the society organized by the society during the year -----.
- 10) Contribution made to the co-operative education and training fund made by society for the year -----.
- 11) Statement regarding of Provisions made for contribution to be made to the election fund for the year -----.
- 12) Statement showing status of preparation of list of Active and Non- active members of the society.



Seal of the
Society

Place : -----

Date : -----

Chief Executive Officer,

..... Co-operative Society Ltd.

Form ' Z '

[See sub-rule (11(d-1)) of rule 107]

Possession Notice For Immovable Property

Whereas the undersigned being the Recovery officer of the
(name of the applicant) under the Maharashtra Co-operative Societies Rules,1961 issued a demand notice dated calling upon the judgement debtor

Shri/M/s to repay the amount mentioned in the notice being Rs.(in words) with the date of receipt of the said notice and the judgement debtor having failed to repay the amount, the undersigned has issued a notice for attachment dated and attached the property described herein below.

The judgement debtor having failed to repay the amount, notice is hereby given to the judgement debtor and the public in general that the undersigned has taken possession of the property described hereinbelow in exercise of powers conferred on him/her under rule 107 [11(d-1)] of the Maharashtra Co-operative Societies Rules,1961 on this day of of the year

The judgement debtor in particular and the public in general is hereby cautioned not to deal with the property and any dealings with the property will be subject to the charge of the (name of the applicant) for an amount Rs. and interest thereon.

Description of the Immovable Property

All that part and parcel of the property consisting of Flat No. /Plot No. In Survey No. /City or Town Survey No. / Khasra No. within the registration Tahsil and District

Bounded:

On the North by

On the South by

On the East by

On the West by

Sd/ -

Date :

Recovery Officer,

Place :

(Name of the Applicant).

By order and in the name of the Governor of Maharashtra,

RAJAGOPAL DEVARA,
Secretary to Government.