

BY-LAWS OF he <u>Marketing</u> <u>Co-operative Marketing</u> Marketing Cum-Processing Society Limited., 1: 4The society shall be called the men may a comparative market is and the called the men may compare the mental of the shall be referred to here after as the society. The 2. The registered address of the society shall be ... Compare the man and the society shall be ... Compare the society shall be ... n-after as the society. District publice 3. The area of operation of the society shall extend over . Jul ... The bail WALKY ... 4. The objects of the society shall be :--(i) to make arrangements for the storage and marketing of agricultural produce primarily of its members (ii) to supply seed; manure, agricultural implements and other requirements of the members; x (iii) to arrange grading and processing of agricultural produce primarily of its members and purchase or hire and instal suitable machinery for this purpose; (iv) to hire or own godown and cold storages and to establish and undertake running of warehouses for (v) to act as agent of the Government for the procine-. (vi) to act as agent of the member credit societies for ment of agricultural produce; the recovery of loans given by them to their members; (viii) to grant advances to members on the security of ARY with to undertake measures to spread knowledge of cooperative principles and practices;

(ix) to disseminate among its members knowled e of latest improvement in agriculture and to provide a news service to members about the market rates and allied matters; and (xi) to undertake such other activities as are conducive to the attainment of above objects. auria. MEMBERSHIP " (a) Membership of the society shall be open to persone who are .:-(i) over 18 years in age and of sound mind; (ii) of good character; (iii) ordinarily residing in the area of operation of society; and (iv) growers of agricultural produce; • (b) The following shall also be eligible for admission as member of the society. (i) agricultural credit societies including agricultura multipurpose societies; (ii) such other type cooperative societies as are (iii) Central or State Warehousing corporation;
(c) Assistant Registrar Cooperative Societies. Assistant Registrar without incurring any liability ling any shall be an ex-there of member without incurring any liability approved by the system. or holding any share, Notwithstanding the provisions of any other bylaw, the State: Government may contribute to the share capital of the society. The share capital so contributed shall be retired in such period and manner as may be determined by the State Government. 7. No individual shall be eligible for admission as a member of the society if :---(i) he has applied for bankruptcy, or, (ii) he has been declared as an insolvent, or, (iii) he has been, sentanced for any offence involving dishonesty or moral turpitude within 5 years pre-ceding the date of his admission as member, or, (iv) he is a trader in the relevant agricultural produce on S. Application for admission as inclubers shall be addressed to the Manager off the society. Every such application shall be disposed of by the Managing 'Committee.' If the committee disposed of by the Managing is reasons for such refusal refuses to admit a person, it shall record its reasons for such refusal and communicate them to the persons concerned. Any person has been refused admission shall have the right of an appeal to the Registrar within one month of the date of communication of refusal. The decision of the Registrar on such appeal shall be

binding on the society and the appellant. 9. No Member shall be admitted during 15 days preceding the date fixed for any general body meeting of the society at

which office-bearers are to be elected. 10." Every individual member on admission shall sign or make his thumb-mark in the register of members or on a form specially

provided for the purpose.

Every member shall, on admission pay an admission 11.

12. (i) Every member of the society shall nominate a person fee of Rs. 5/-1-2/ 2/ or persons to whom his share or interest or such

sums out of share or interest as may be specified by the member, shall, on the death of the member, be transferred or paid as laid down in these bylaws.

such nomination may, from time to time be revoked

- or modified by the mend (ii)
- (iii) The number of persents who may be nominated by a. member shall not exceed the number of shares held

(iv) When a member of the society nominates more than

one person, he shall, as far as practicable, specify the amount to be paid or transferred to each nominee in the terms of whole shares and the interest.

(v) The record of nomination shall be kept by the society in such manner as may be laid down by: the.

Registrar from time to time.-

(vi) The value of the share or interest transferred or paid

to a nominee or nominees shall be determined on the basis of the sum actually paid by the member to acquire such share or interest.

No share shall be withdrawn, but shares may be transferred to a member or to a person duly qualified for membership.

and approved by the managing committee. 14. Any money due on any account from the society to a member or past member or persons claiming. through him may be

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15. (a) A member of the society may be expelled by the Managing Committee subject to the confirmation of General Body (i) ceasing to reside in the area of operation of the for one or more of the following reasons :-

- failure to pay the amounts due from him to the
- conviction of a criminal offence involving dishonesty (ii)
- or moral turpitude ; (iii) (iv) application for bankruptcy;
- (v) ceasing to be a grower of agricultural produce or wilful ommission to sell produce through the society becoming a trader in such produce;
 - during two consecutive harvests; (iv)
 - action which may be held by the general body to he dishonest or contrary to the interest reputation (vii)
 - and stated objects of the society, such as adulter-

(b) In the case of a member society, the membership shall be terminated by cancellation of registration of a member society.
(c) No member shall be expanded except by a resolution passed by two-third majority in a general meeting in which at least the right of appeal to the Registrar against the decision of the general body within one month of the date of such decision. The

general body within one month of the date of such decision. The

order of the Registrar on such appeal shall be binding on the 16. A person shall cease to be a member of the society in society and appellant. one or more of the following circumstances

withdrawal after 6 months notice to the Manager of ceasing to hold atleast one share; the society provided ... that the member withdrawing is not indebted to the society and is not surety for (i)unpaid amount and provided further that the share (ii) shares held by the member are disposed of in (iii)

accordance with bylaw 12;

(iv) permanent insanity (v) declaration of bankruptcy. 17. The liability of a member for deficit in the assests of the society, in the event of its being wound up, shall be limited to 5

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under the directions of the Managing Committee, A general meeting shall also be convened if the requisition for such a meeting signed by not less than one-fourth of the total members, is received by the managing committee, If on the receipt of the requisition, the managing committee fails, within a reasonable time, to convene

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the general meeting, the signatories to the requisition may refer the matter to the Registrar, who may, if he thinks fit, summon the general meeting. The Registrar may, on his own motion, at any time, summon a general meeting of the society.

At least a fortnight's notice, specifying the date. place and time and agenda of the general meeting, shall be given to all members. The notice of a general meeting may be given in the

following modes :--

Affixing a copy of the notice at the society's office or at some conspicuous place in the area of operation

of the society.

The quorum for the general meeting shall be one-third of the total number of members or 30, whichever is less. If at the hour fixed for a general meeting, the quorum is not forthcoming, the Chairman of the meeting shall, if the meeting has been called on the requisition of the members, adjourn it and no further general meeting shall be convened on the strength, of the requisition. If the general meeting is concered of the strength, of the requisition, the Chairman shall postpore the meeting to a further date. A fresh notice for the subsequent general meeting shall be given to all members. The business at the subsequent general meeting may be transacted with the number of members

The President or, in his absence, the Vice-President present. shall preside over meeting of the General Body. When, both of them are absent, the members present shall elect a Chairman for

26. Every member of the General Body shall have one vote the meeting. irrespective of the number of shares held by him." Member societies shall be represented by one of its members. No other proxies shall be allowed. Unless otherwise provided in these by-laws, all questions shall be decided by a majority of votes of the members present. When the votes are equal, the Chairman of the general body shall have a casting vote. Unless otherwise provided in these by-laws the ultimate authority in all matters relating to the administration of the society shall vest in the general body. Without prejudice to the general provisions of the preceding by-law, the General Body shall have the following (i) the election, suspension, and removal of the elected powers and duties :-members of the Managing Committee

(ii) the consideration of the annual report of the society, its audited balance sheet and profit and loss account

and the inspection notes ;

(iii) disposal of profits ;

(iv) the fixing of maximum credit limit of the society consistent with these by-laws, subject to the

approval of the Registrar ;

(v) amendment of by-laws;

(vi) expulsion of members :

(vii) transaction of any other business with the permission of the Chairman of the General Body.

29. All business discussed or decided at a general meeting shall be recorded in a proceedings book which shall be signed by the Chairman of the meeting.

MANAGING COMMITTEE

.30. The Managing Committee of the society shall be constituted in the following manner :-

(i) Assistant Registrar ex-onco,

(ii) Three committee members to be elected by general meeting out of individual shareholders.

(iii) Three committee members to be elected by general body out the representatives of societies.

- (iv), Not more than two committee members to be co-opted by the Managing Committee. While co-opting such members, the Managing Committee may provide representation to agriculture or marketing experts.
 - (v) Not more than three committee members to be nominated by Government so long as the Government is a share-holder of the society ...

31: No member shall be eligible for election as a member

of the committee if he is :--

- below 21 years of age; or (a)
- a paid employee of the society or the financing (b)bank ; or
- (c) is convicted of any offence involving dishonesty or moral turpitude ; or has applied for insolvency ; or is declared insolvent : or
 - (d) is of unsound mind ; or
 - is in default in the payment of the amount due to (:)

ar from an the society for a period exceeding 3 months from the date on which the payment fell due ; or necessal "(f) holds any office of profit under the society or to Comu form a absence has during the harvest preceding his election sold receives any honorarium; or preside his agricultural produce through an agency other shall b than the society after the society has commenced one ve custin (g) 32. The elected members of the Managing Committee shall hold office for a period of 3 years from the date of their election. and d 1 14 Que-third of the committee members shall be retired annually. Or 3 For the first two years the selection of retiring members shall be huid nade by lots. The religing members shall be eligible for re-election. 1111) If there is a vacancy during a year, it shall be filled up by co. 11011 33. A member of the committee shall cease to hold office option by the Managing Committee. ceases to be a share-holder of the society; or (ii) applies for insolvency of is declared insolvent; or
 (iii) is convicted to any offence involving dishonesty or if he :--holds any office or place of profit under the society. resigns and his resignation is accepted by the or receives any honorarium (1).) except in case of nominated Director, absents himself from three consecutive meetings of the Managing committee, or (v) (vii) defaults in the payment of the amount due to the (1:1) society for a period exceeding 3 months from the date on which the payment fell due ; or becomes a paid employee of the society of the fluancing Bank. sells his agricultural produce through un agency PUR other than the society ; or UI. ceases to be a member of the primary society, he represents. (22)

34.

The members of the Managing Committee shall elect From amongst themselves the President and the Vice President. 35. Meeting of the Managing Committee shall be held when necessary. At least 7 days notice of the meeting shall be given to Committee members before a meeting is held. 3 members shall form a quorum. The President or the Vice-President or in his absence a member elected by those present in a meeting shall preside. Unless otherwise provided in these bylaws, all questions shall be decided by a majority of votes. Each member shall have one vote. In case of equality of votes, the Chairman shall have a

36. The Managing Committee shall exercise all the powers and discharge all the duties of the society except those reserved casting vote. for general body subject to any regulations or restrictions duly laid down by the society in a general meeting or in the bylaws. In particular, the Managing Committee shall have the following

(i) to observe in all their transactions, the provisions of powers and duties :--

- the Act, the notified rules and the bylaws ;
- (ii) to maintain true and accorate accounts of all money received and expanded and all stock bought and sold"; (iii) to keep a true count of the assess and liabilities of the socious
- (iv) to keep a register of members estrect and up to

(v) to prepare and lay before the annual general meeting, a profit and loss account and audited balance sheet;

/(vi) to examine the accounts, sanction contingent expenditure and supervise the maintenance of the pres-

(vii) to consider the inspection, notes of the Registrar or his staff and the Audit notes of Chief Auditor or his

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staff and to take necessary action. (viii) to cleat new members, to issue any ted transfer

- (ix) to give directions to Manager to summon general
- meetings in accordance with these by laws ; (x) to contract bans subject to any restrictions imposed.
- by the general body or by the Registrar (xi) to decide the terms of the purchase and sale of agricultural implements, seed. aunure lousehold

requirements and other requirements connected with armienters' production and to arrange the sale and Sentag of sgricultural produce of its members ; If surveyise the sales conducted by the Managers .

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It was ar bay land required for the business of the . (===) ENGLET and to lease or erect godowns of warehouses (IIII) and an office with the previous sanction of the maiera meeting;

(ITT) I fix the rates of the charity and other cesses paynue orsales over and above the society's commission; a urrange for the safe custody of all produce and

IIT.

The fuence the terms and the period for which the arvanes are to be given against the security of the (ISI) umicutural produce, and to arrange for the recovery if advances and interest.

(XVIE) It water for, and guard against the adulteration of incide sold through the society, and the evasion. If the intro of members to set through the society (XVIII) of ASSIS in the inspection of the books by any person

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(mx) a normant, suspende dismiss or punish employee suivies to any conditions laid down by the Registrar iron time to time and to take proper securities from them as determined by the Registrar ;

(IX turoun any member, or officer, or employee of the Speier, or any other persons specially authorised nstitute, conduct, defend, compromise, refer The arbitration, or abandon legal proceedings by nr against the society or committee or officers empirees concerning the affairs of the society ; (IN ID armire on behalf of the society shares in other

regizered co-operative societies ; (stai) to arrange for the safe custody of books and to appoint one of its members or one of the officers mi the society resident in the village, to take charge of all the registers and papers prescribed in these UB

appoint one of the members of the committee states: in the charge of all money received and generally still arry on the duties of a treasurer in the absence the treasurer. The person thus appointed shall

hand over the money thus received to the treasurer immediately on his return :

- (xxiv) to accept or reject the resignation from the committee member and in case of acceptance, to coopt another member till the election of a committee member by the general body in his place;
 - (xxv) to invest the surplus funds of the society in accordance with the Co-operative Societies Act or Rules framed thereunder;

(xxvi) to purchase, sell, hire or otherwise acquire or dispose of property on behalf of the society ;

(xxvii) to open branches and to appoint Branch Advisory Committees;

(xxviii) generally to carry on the business of the society.

37. It shall be competent for the Manizing Committee to frame subsidiary rules for the conduct of the business of the society consistent with these by-laws. Such subsidiary rules shall be entered in the minute book of the sound; and shall take effect only after their approval by the Registre.

28. The Managing Committee any constitute an executive committee and delegate to it such pover and function as it consider fit.

39. In the conduct of the affair of the strictly, the members of Managing or Executive Committe shall energies the prudence and diligence of ordinary men of business and shall be responsible for any loss sustained through acts contrary to the law, the bylaws and the stated objects of the society.

40. All business discussed or decided at a meeting of the Managing or Executive Committee shall be recorded in a proceedings book which shall be signed by the Chairman of the meeting and all the members of the Committee present

MANAGER AND MUNIM

41. The Managing Committee shill appoint a Manager or Munim, Assistant Munim (if necessary) subject to the approval of the Registrar. The Manager, the Munim and Assistant Munim (if any) shall work under the general control of the Managing Committee. The Manager shall also perform the duties of a Treasurer if no one else has been appointed in this capacity.

MANAGER

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42. The powers and duties of the Manager shall be as

(i) to maintain correctly and up to date the prescribe (papers and registers ;

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- (ii) to procure from borrowers the due execution of bonds with security when required under these
 - (iii) to prepare all receipts, vouchers and documents required by the Rules or by-laws or called for by the
 - (iv) to sign on behali on the society and to conduct its
 - (v) to summon and attend all meetings of General correspondence :
 - Body and the Managing Committee ; (vi) to record the proceedings of such meetings and have
 - (va) to prepare the annual statements and submit them them duly signed. to the Registrar within the period prescribed by
 - (vini) to control the staff under him (ix) to certify copies of entries in the books under the Co-operative Societies Ava.
 (x) to incur <u>contingent</u> expenditure within limits fixed by the Managing committee :]

 - sxi) to sell agricultural produce and to buy agricultural implements and other requirements as directed by

the committee of the executive committee : axii) to receive money due to the society and give receipts:

- (xiii) to pay money due from the society , Exiv: generally to conduct the current business of the society and perform all duties entrusted to him by

the committee.

43. The powers and duties of Munim shall be :---

(i) To keep all accounts and registers, and to prepare all receipt vouchers and other documents required for the transaction of the business of the society, to conduct the correspondence, to supply all needful information to members and to perform all duties resigned to him by the executive committee or the managing committee or the Manager;

(ii) to procure from buyers and sellers the due execution of tecepts and other acknowledgement,

TREASURER

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44. Treasurer shall be elected by the Mamaging Committee and he shall take charge of all money received by the society iron any source and shall make disbursements in accordance with the directions of the Committee. He shall sign the cash book in token of its correctness and produce the cash balance whenever called upon to do so by the President, Committee or auditor or any officer of the Co-operative Department.

REGISTERS

45. The following books and papers shall be insintained ---

(i) A register of members.

- (iii) Ledger account for each member. Acpositor, creditor, miscellaneous and contingent mecome expenditure and the purchase and sale of any goods etc.

(v) Share list of register of chares.
(vi) A stock register.
(vii) Register of purchase, and sale.
(viii) A pass book for each member and depositor.
(viii) A pass book for each member and depositor.
(ix) Any other register prescribed by the Registration required by the society for its business.

The books of the society shall be open to inspection t any one interested in the funds of the society except that month shall be allowed to see the deposit account of any person without that person's consent in writing. Copies of by-laws and the balance sheet shall be supplied free on demand to any member.

The Managing Committee may give advances to U members subject to the following conditions :-(i) No advance shall be given except on the sector of agricultural produce stocked with the society in

pledged in favour society. to 66% of the mark as date of grant of t Vis " Staball & ro per alle

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quired for society, tol Il neciful all duties ittee or the would reduce the amount of advance so as to bring it within the limit specified at (ii) above or shall direct the borrowers to pledge additional quantity of the produce as would make up the deficiency in the value of the produce pledged. If the borrower fails to pay up the amount of advance or furnish additional security of the produce, the Managing Committee shall be competent to sell the produce pledged with the scriety and recover the amount due to it, without giving any further notice to the

(ir) Advances sanctioned to an individual member shall not exceed such amount as may be specified in the rules of business of the society.

(v) The amount advanced shall generally be repayable in a period of not exceeding 3 months and in no

case a period exceeding 6 months.

A(vi) The advances shall carry such rate of interest as would be fixed by the Manuging Committee. (vii) Notwithstanding anythics provided in this bylaw, the Managing Committee may advance loan to a member equal 6 his paid up share capital or Rs. 100/- whitever be less as clean loan.

OUCCALLT PURCHASE

The Managing Committee shall not generally purchase outright the agricultural produce. Outright purchases, however, may be made whenever necessary subject to the following conditions :---

(i) Outright purchases shall be confined to such commo-

dities as shall find ready market.

(ii) The funds invested in outright purchases shall not exceed the owned capital of the society.

DISTRIBUTION OF PROFITS

49. The net profits of the society as per audited balance

sheet shall be distributed as follows :-(i) At least 10% shall be carried to the Reserve Fund : (ii) Such proportion. not exceeding 5 per cent of the net profits as may be determined by the Registrar by a general or special order shall be carried to Co-operative Education Fund to be administered in accordance with the instructions from the Registrar issued from time to time.

- (iii) Not less than 250's shall be distributed as rebate to members in proportion to their purchase from and sales to the society.
 - (iv) The remainder may be utilised for one or more of the following purposes :--
 - (a) distribution of dividend amongst medibers at a rate not exceeding 10% per annum on the value of the shares actually paid up ;
 - (b) distribution of bonus to deserving employees subject to a maximum of one month's salary
 - (c) creation of building fund, loss adjustment fund and any other fund required by the society ;
 - (d) a sum not exceeding 9 per cent of the net profits may be spent on any charitable purpose as defined in section 2 of the Charitable Endowment Act. . 1890 or be allocated to a Common Good Fund devoted to any of these purposes ;
 - (e) any surplus may be credited to Reserve Fund or carried over to the profits of the next year.

Allocation of net profits shall be weided upon by the General

Body on the recommendation of the managing committee. 50. It shall be competent for the society to incur expenditure on such measures as are confusive to the imparting of knowledge of co-operative principles and practices. For this -purpose, the society shall contribute to the Punjab Co-operative Union every year such amount not exceeding Rs. 10/- as may be directed by the Registrar.

The Reserve Fund shall be indivisible and no member shall be entitled to claim a specific share in it, provided that, in exceptional circumstances, with the prior approval of Registrar, the Reserve Fund may be utilized in meeting losses.

AMENDMENT OF BYLAWS

No amendment to these by-laws shall be carried out save in accordance with a resolution passed at a general body meeting 52. of which due notice of the intention to discuss the amendments has been given :

Provided that no such resolution be valid unless it is passed by a majority of members present at the general meeting at which not less than two thirds of the members for the time being of the society are present :

Provided further that model by-laws or amendments previously approved by the Registrar may be adopted by a simple majority at a general meeting with an ordinary quorum.

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Ulter Assistant Katig Rycercising The Solicity shall pay such audit fee as may be asser 1 I from time to time by the authority competent to do 54. If the society is indebted to a co-operative central financing institution, it shall be competent for a representative of the latter to inspect the books and record of the society and the

Managing Committee of the society shall arrange the production of books and records before such representatives. The services of the members of the Managing Committee shall be honorary, but they may be paid travelling and daily

allowance on a scale fixed by the committee and approved by the Should any doubt arise with regard to the interpreta-

Registrar.

tion of any of these by-laws, the matter shall be referred to the 57. (a). No person shall be employed by the society unless Registrar whose decision shall be final. he satisfies the qualifications that may be laid down

(b) No person shall be employed by the society without obtaining from him security in such form and

according to such standards us may be laid dog

58. If any dispute, other taken dispute regarding dominary action taken by the Registrar from the dispute regarding dominary action taken by the constitution of the society, touching the constitution of the society, touching the constitution provisions of the Society or other persons referred to in the society of the Punjab?Co-operative Societies Act ar the Rules framed thereunder, it shall be disposed of in the manufacture. the Rules framed thereunder, it shall be disposed of in the manual 50. The society, shall maintain such accounts and other provided in such Act and the Rules. record connected with accounts in such form or manner as may be directed by the authority competent to do so under the

The society shall prepare and submit such returns and · Co-operative Societies Act., statements as the Registrar may from time to time specify. The society may, in the circumstances specified by the relevant provisions of the Punjab Co-operative Societies Act, be wound up and cancelled by the Régistrar in accordance with the procedure laid down by such Act and the Rules framed thereund In these by-laws, unless there is anything repugning * to the context, Registrar shall include an officer subordinate Jullundur Workmen Co-operative Press, Jullundur = P.C.U. 2000 - 29-1-1) 1) Ito Jeitra 6/6/51

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210 Mani Majra Cooperative Marketing Cum Procensiug Society Ltd. (Chandigarh)

(CO.X. OF CALL AL DEPARTY)

The general Meeting of the Mani Majra Coop. Marketing Cum Processing Society Liv, was held on 7-4-1979 at 2 P.M. under the Chairmanabip of Sb. Alaib Sinch Creations. 61 members were present and approved the following agandar-A unded Bye Laws

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The Society shall be called 1. The Mani Majra Coop. Marketing Cus Processing Society Lts, It shall be referred to here in after as the Society.

The Registered address of the C. Society shall be the Mani ---Majra Coop. Matretian Cam -Processing Society Ltd, Post' DErigte Mini Majra Teh. Kunrar plath of Amboln.

3. The Area of operation of Society shall extend over Sab. Tehail Kalka.

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of Res. 24/a physhic in at the time of Adminute The Society shall be called The Mani Majra Coop. Harketing Com-Precessing Society Ltd. It shall be reffered to here in after as the Society.

The Registered Address of the Society shall be the Mani --Majra Coop. Merketing Com--Processia, Society Ltd, Post office Grain Martich Sec. C. Chundley M. Teinil W.T. Chamble ath. platt. Union ferritory Claudigerb.

The Arca Concration of the Society shall extend over Union Territory 10 Chang

number about on exterior par admission fee of the 5/-

19. The Society may raise Funds by 19. The Society may raise funds by:

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Sb. Ajaib Singh President.

Sh. Santokh Signi Vice President. T

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in a dispute regardle or its managing on hety, rouching the constitution istween the members and past the persons referred to in the Co-operative Societies Act of nall be disposed of in the manuel es. ntain such decounts and other is such form or mainer as may competent to do st under the

are and submit such sturns and from time to time specific corcumstances specified by the corcooperative Societies Ast, be degistrar in accordance with the degistrar in accordance with the tand the Rules frames thereunder tand the Rules frames thereunder tand the Rules frames thereunder include an officer moordinate to his behalf.

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