

Active Societies, Union
THE BYELAWS of Cooperative Societies
Chandigarh. Sec-32

The Chandigarh Weatherman Work Shop
Co-operative Industrial Society Ltd.

NAME, ADDRESS AREA OF OPERATION
The CHD Dhobi Ghat - sec-32 weatherman w. shop.

1. The society shall be called the Co-op. Ind. Socy Ltd. workshop Co-operative Industrial Society Limited. It shall be referred to here-in-after as the society.
2. The registered address of the society shall be Dhobi Ghat
Sec. 32 chd Post Office Sec-47
Tehsil UIT chd District chd
3. The area of operation of the society shall be Sec-32
CHD

21/11/82

OBJECTS

10/11/82

4. Its objects shall be:
 - (a) to make the arrangements for raising funds required for its own business or for lending to its members;
 - (b) purchase of raw material and appliances for its own use or supply to members;
 - (c) make arrangements for the marketing of the finished goods of the society or its members;
 - (d) provision of business and technical training to its members;
 - (e) to carry on production or finished products on co-operative basis;
 - (f) to acquire and hold in common or let on hire to members improved appliances with the industry;

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INDER KUMAR
Inspector, Grade-I
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- (g) to do such other acts as may be conducive to the attainment of the general objects of the society and create a spirit of thrift mutual help and help amongst members;

MEMBERSHIP

5 Subject to the provisions of bye-laws 6, any individual shall be eligible for admission as member of the society if he is :-

- (i) over 18 years in age and of sound mind;
- (ii) ordinarily resident in the area of operation of the society;
- (iii) of good character;
- (iv) artisans including technicians actually engaged in the washing industry as well as in the Allied Industries, namely pres

- 2th house and 1st/1st
- (v) other washing persons interested in the washing industry as well as in the allied industries, namely pres, provided that the strength of such non-artisan members shall not at any time exceed 50 percent of the total membership of the society, Provided further that the society must enrol as full fledged members, at least 51 percent of the total regular workers engaged at any time by the society in its business;

- (vi) Notwithstanding the provision of any other bye-law the merchant, trader and commission agents who are engaged in business in industrial products and have dealing with the society may be admitted as nominal members on payment of admission fee but without holding any share. Such member shall have no right to vote or to participate in the management of the society and shall have no share in the dividend or bonus distributed by the society.

6. No individual shall be eligible for admission as members of the society, if :-

- (i) he had applied for bankruptcy.
- or
- (ii) he has been declared as an insolvent.
- (iii) he has been sentenced for any offence involving dishonesty of moral turpitude within 5 years preceding the date of his admission as a member :

7. Members other than those who joined in the application for registration shall be admitted by the managing committee.

8. 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.

9. Every member on admission shall sign his name or make his thumb-mark in the register of members and shall pay an admission fee of Rs. 10/-

10. राम मोहन
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- (i) Every member of the society shall nominate a person or persons or whom his share or interest or such sum 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 bye-laws.
- (ii) Such nominations may, from time to time, be revoked or modified by the member.
- (iii) The number of persons who may be nominated by a member shall not exceed the number of shares held by the member.
- (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 accruing thereon.

- (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 of interest.

11. 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.

12. The value of the shares transferred shall in no case be more than the sum received by the society in payment thereof.

13.

- (a) A member may be expelled for one or more of the following reasons:
 - (i) ceasing to reside in the area of operation of the society;
 - (ii) failure to pay the share-money or amounts due from him to the society;
 - (iii) conviction of a criminal offence involving dishonesty or moral turpitude;
 - (iv) application for bankruptcy;
 - (v) an action which may be held by the general Body to be dishonest or contrary to the interests reputation and stated object of the society, such as misapplying a loan, incurring serious outside liability without the society's knowledge or refusing to give information as to his debts etc;

- (b) No member shall be expelled except by a resolution passed by 2/3 majority in the general meeting at which not less than half the members are present and vote. The member so expelled shall have the right of appeal to the Registrar against the decision of the general body within one month of the date of such decision. The order of the Registrar on appeal shall be binding on the society and the appellant.

14. A person shall cease to be a member of the society in one or more of the following circumstances:

- (i) death;
- (ii) ceasing to hold atleast one share;
- (iii) withdrawal after six months notice to the secretary of the society provided that the member withdrawing is not indebted to the society and is no surety for an unpaid debt and provided further that the share/shares held by the member are disposed of in accordance with these bye-law 11;
- (iv) Permanent insanity ;
- (v) Declaration of bankruptcy.

LIABILITY

15. The liability of a member for deficit in the assets of the society, in the event of being wound up, shall be limited to five times the value of the share-capital subscribed by him.

FUNDS

16. The society may raise funds by :-

- (i) issuing of shares of value of Rs. 100/- each;
- (ii) acceptance of deposits from members and non-members;

- (iii) raising of deposits and loans from non-members
- (iv) accumulation of profits.
- (v) Grants advance and loan from Government.
- (v) subsidy-grants and loans from Government, or other institutions.

17.

राममनोहर शर्मा

- (i) Each member shall take atleast one share of the value of Rs. 100/- not less than 50 percent of the value of shares shall be payable at the time of admission and shall be paid in a period not exceeding 12 months from the date of the admission of the member, provided that in case a member applies for loan for purchase of Government or any other agency, he shall pay at the time of admission an amount equal to the matching contribution payable by him under the provision of the said scheme.
- (ii) Nothing in the above clause shall prevent a member from payment of the value of share in lump sum.

18. No member shall hold shares of which the nominal value exceeds Rs. 10,000/- or 1/5th of the total share capital actually subscribed whichever be less. If any member by inheritance or otherwise becomes possessed of more than the maximum holding permitted by this rule, the managing committee shall have power to sell the excess number or by them on behalf of the society and to hold the proceeds at his disposal.

- (i) "Provided that in case a member applies for loan for purchase of share (s) under an approved scheme by government or any other agency he shall pay at the time of admission an amount equal to the matching contribution payable by him under the provision of the said scheme."

19. If the payment due on account of shares remains unpaid, for more than 3 months, the managing committee may declare such shares forfeited together with all payments made thereon and the rights of membership attaching to those shares shall thereupon be extinguished. The committee may allow such shares to be restored provided :-

- (i) that all arrears together with such interests as the committee may demand are paid up, and
- (ii) that such payment is made within three months of the date of forfeiture.

MAXIMUM CREDIT LIMIT

20. The maximum credit limit of the society shall be fixed by the General Body in accordance with the instructions laid down by the Registrar from time to time. The limit thus fixed shall be subject to the approval of the Registrar who may, at any time, reduce it.

21. The General Body of members of the society shall meet from time to time and at least once a year. A meeting of the General Body shall be convened by the Secretary of the Society under the direction of the Managing Committee. A general meeting shall also be convened if the requisition for such a meeting signed by not less than one-fifth of the total members is received by the Managing Committee. If on the receipt of the requisition the Managing Committee fails, within reasonable time to convene 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.

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

INDEX NUMBER
Date
The notice of a general meeting may be given in one or more of the following modes.

- (i) Affixing a copy of the notice at the society's office or at some conspicuous place in the area of operation of the society.
- (ii) By circulation of the notice book and getting signatures of members on it.
- (iii) By post
- (iv) By beat of drum.

The quorum for the general meeting shall be one-fourth of the total number of members of 3. 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 convened otherwise than on requisition of the Chairman shall postpone 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 present.

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

24. Every member of General body shall have one vote. Voting by proxies shall not be allowed at the General Body unless otherwise provided in these bye-laws, all questions shall be decided, by a majority of votes of the members present. When the votes are equal, the Chairman for the general body shall have a casting vote.

25. Unless otherwise provided in these bye-laws the ultimate authority in all matters relating to the administration of the society shall vest in the General body.

26. Without prejudice the general provisions of the proceeding bye-laws, the general body shall have the following powers and duties :-

- (i) The election, suspension, and removal of the elected 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 profit ;
- (iv) the fixation of the maximum credit limit of the society consistent with these bye-laws, subject to the approval of the Registrar;
- (v) The fixing of maximum credit for each member provided that such shall not be more than that laid down in Registrar's instruction, this limit be may exceeded with the special sanction of the Registrar in each case;
- (vi) Amendment of the bye-laws.
- (vii) Transaction of any other business with the permission of the Chairman of the General Body ;
- (viii) Expulsion of members and transfer of shares.

27. Each member present at general meeting shall be entitled to exercise one vote only. The President shall have a casting vote. No member who is in arrears of his share instalments shall be entitled to vote.

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

MANAGING COMMITTEE

29. The Managing Committee shall consist of at least five members of the society including a President and three or more Vice-Presidents. The member shall be elected for one year and shall be eligible for re-election provided that if, for any avoidable reason a general meeting could not be held at a suitable time within a year, the existing committee shall continue to hold office till the election of a new committee, but such election shall ordinarily be held within eighteen months after the election of the previous committee.

30. No person shall be eligible for election as a member of the Managing Committee of the society if he :-

- (a) is below 21 years of age or;
- (b) is convicted of any offence involving dishonesty or moral turpitude ; or
- (c) has applied for insolvency ; or is declared insolvent ; or
- (d) is of unsound mind ; or
- (e) is in default in the payment of the debts due to the society for a period exceeding six months from the date on which the payment fell due ;

31. A member of a Committee shall cease to hold office if he :-

- (i) ceases to be a share-holder of the society ; or
- (ii) applies for insolvency or is declared insolvent ; or

- (iii) is convicted of any offence involving dishonesty or moral turpitude; or
- (iv) resigns and his resignation is accepted by the committee; or
- (v) except in case of nominated Director absents himself from three consecutive meetings of Managing Committee; or
- (vi) defaults in the payments of his debt due to society for a period exceeding six months from the date on which the payment fell due;

32. The members of the Managing Committee shall elect from themselves the President and the Vice-President.

33. Meeting of the Managing Committee shall be held when necessary. Three 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 bye-laws, all questions shall be decided by a majority of votes. Each member shall have one vote. In case of votes, the Chairman shall have a casting vote.

34. The Managing-Committee shall exercise all the powers and discharge all the duties of the society except those reserved for general body subject to any regulations or restrictions duly laid down by the society in general meeting or in the bye-laws. In particular the Managing Committee; shall have the following powers and duties :-

- (i) to observe in all their transactions, the Act the notified rules and the bye-laws;
- (ii) to maintain true and accurate accounts of all money received and expended and stock brought and sold;

- (iii) to keep a true account of the assets and liabilities of the society;
- (iv) to keep a register of members correct and up to date;
- (v) to prepare and lay before the annual general meeting a profit and loss account and audited balance sheet;
- (vi) to examine the account, sanction contingent expenditure and supervise the maintenance of the prescribed register;
- (vii) to consider the inspection notes of the Registrar and the inspector P.W.D. Office and audit report and take necessary action;
- (viii) to admit new members, to issue new and transfer old shares subject to the confirmation of the general body;
- (ix) to arrange for the recovery of shares instalments and interest on overdue instalments;
- (x) to give directions to Secretary to summon general meeting in accordance with these bye-laws;
- (xi) to contract loans subject to any restrictions by general body or by the Registrar;
- (xii) to decide the terms on and the periods for which the loans are to be given to approve or reject the security, to arrange for the recovery of loans and interest and to sanction renewals when necessary ;
- (xiii) to decide the terms on, the period for, and the rates of interest at which deposits are to be received and to arrange for the payment or return to deposits;
- (xv) to decide the terms of the purchase and sale of raw material implements of industry, hand finished goods and to arrange

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for the safe custody of such sets

(xvi) to obtain indents from members for raw material which are to be purchased;

(xvii) to arrange the marketing of finished goods;

(xviii) to watch that loans are applied for the approved purpose for which they are made;

(xix) to appoint, suspend, dismiss or punish employees subject to any conditions laid down by the Registrar from time to time and to take proper securities from them as determined by the Registrar;

(xx) through any member, or officer, or employee of the society or any other persons specially authorised to institute, conduct, defend, compromise, refer to arbitration or abandon legal proceedings by or against the society or committee or officers or employees concerning the affairs of society;

(xxi) to acquire on behalf of the society shares in other registered Cooperative Societies;

(xxii) to arrange for the safe custody of books and appoint one of its members or one of the officers of the society resident in the village to take charge of the registers and papers prescribed in these bye-laws.

(xxiii) to appoint one of the members of the committee to take charge of all money received and generally to carry on the duties of a treasurer in the absence of the treasurer. The person thus appointed shall handover the money thus received to the treasurer immediately on his return;

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(xxiv) to accept or reject the resignation from the Committee members and in case of acceptance, to co-operate with 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) generally to carry on the business of the society;

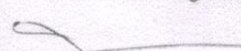
(xxvii) to arrange for the repayment of the Government loans and interest charges thereon. The committee shall regard the recovery of these loans and interest charged as the first charge on the security of that society.

35. (a) to appoint, suspend dismiss or punish employees subject to any condition laid down by the Registrar from time to time, provided that any employee aggrieved with the order of the Managing Committee, dismissing or otherwise punishing him prefer an appeal against such order to the General body of the Society within thirty days of the date of communication of such order to him.

(b) To require the employees to furnish such security or securities as may be prescribed from time to time.

36. It shall be competent for the Managing Committee to frame subsidiary rules for the conduct of the business of the society consistent with these bye-laws. Such subsidiary rules shall be entered in the minute books of the society and shall take effect only after approval by the Registrar.

37. The Managing Committee may constitute an executive committee and delegate to it such powers and functions as it



considers fit.

38. In the conduct of the affairs of the Society, the members of Managing or Executive Committee shall exercise the prudence and diligence of ordinary men of business and shall be responsible for any loss sustained through acts contrary to law, the bye-laws and the stated objects of the society.

39. All business discussed or decided at a meeting of the managing or Executive Committee be recorded in a proceeding book which shall be signed by the Chairman of the meeting and the members of the committee present.

SECRETARY

40. The committee shall appoint a secretary whose powers and duties shall be as follows :-

- (i) to maintain correctly and upto-date the prescribed papers and registers;
- (ii) to procure from borrowers the due execution of bonds with security when required under these bye-laws;
- (iii) to prepare all receipts, vouchers and documents required by the Rules or the bye-laws or called for by the Committee;
- (iv) to sign on behalf of the society and to conduct its correspondence;
- (v) to summon and to attend General meetings and have them duly signed.
- (vi) to prepare the annual statements and submit them to the Registrar within the period prescribed by him;
- (vii) to control the staff under him;

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(viii) to certify copies of entries in the books under the co-operative societies Act;

(ix) to incur contingent expenditure within limits fixed by the Managing Committee;

(x) generally to conduct the current business of the society and perform all duties entrusted to him by the Committee.

TREASURER

41. Treasurer shall be elected by the Managing Committee and he shall take charge of all money received by the society from any source and shall make disbursement 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

42. The following books and papers shall be maintained :-

- (i) A register of members.
- (ii) Cash book.
- (iii) Ledger account for each member, depositor, miscellaneous and contingent income and expenditure and purchase and sale of any goods etc.
- (iv) Kist badi book.
- (v) Proceedings book.
- (vi) Share list or register of shares.
- (vii) A register of sureties.
- (viii) A register showing maximum credit limits of each member.

- (ix) A Stock Register.
- (x) Bond Register.
- (xi) Register for the confirmations of accounts.
- (xii) A pass book for each member and depositor.
- (xiii) Any other register prescribed by the Registrar or required by the society for its business.

43. The books of the society shall be open to inspection to any one interested in the funds of the society except that no one shall be allowed to see the deposit account of any person with that person's consent in writing. Copies of bye-laws and the balance sheet shall be supplied free on demand to any member.

DISTRIBUTION OF PROFITS

44. The net profits of the society, as per audited balance sheet, shall be distributed as follows :-

- (i) Atleast 10 percent shall be carried to the Reserve Fund;
- (ii) Such proportion, not exceeding 5 percent of the net profits, shall be carried to the Co-operative Education Fund to be administered in accordance with the instructions from the Registrar issued from time to time.
- (iii) The remainder may be utilized for one or more of the following purposes;
 - (a) distribution of dividend amongst members at a rate not exceeding 10 percent per annum on the value of the shares actually paid up;
 - (b) distribution of dividend amongst members in proportion to

- the purchase and sale made by them from or to the society
- (c) a sum not exceeding 5 percent of the net profits may be spent on any charitable purpose as defined in section 2 of the Charitable Endorsement Act, 1890 or be allocated to a Common Good Fund devoted to any of these purposes :
 - (d) creation of a Bad Debt Fund, Building Fund, or any other fund, required by the society.
 - (e) any surplus may be created to Reserve Fund or carried to the profits of the next year.

45. It shall be competent for the society to incur expenditure on such measures as are conducive 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.

46. 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 utilised in meeting losses.

AMENDMENT OF BYE-LAWS

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

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

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Cooperative Societies,

O.T., Chandigarh

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

MISCELLANEOUS

48. The society shall purchase at least one share of the District Industrial Co-operative Union within one month of its registration.

49. The Society shall contribute to the funds of the District Industrial Co-operative Union at the rate of 20 ps per sales worth Rs. 100/- effected by the society.

50. The society shall pay such audit fee may be assessed from time to time by the authority competent to do so.

51. The services of the members of the Managing Committee shall be honorary, but he may be paid travelling and daily allowance on a scale fixed by the committee and approved by the Registrar.

52. Should any doubt arise with regard to the interpretation on any of these bye-laws, the matter shall be referred to the Registrar whose decision shall be final.

53. Work relating to execution of awards in favour of the society shall be carried out by an execution union or executive approved by the Registrar and the society shall not with-draw any awards unless the dues of execution union or the execution agents have been paid.

54.

(a) No person shall be employed by the society unless he satisfies the qualifications that may be laid down by the Registrar from time to time.

(b) No person shall be employed by the society without obtaining from him security in such from and according to such standards as may be laid down by the Registrar from time to time.

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Assistant Registrar,

Cooperative Societies, Union Territory,

Chandigarh (exercising the Power

of the Registrar, Cooperative Societies

Chandigarh

55. If any dispute, other than a dispute regarding Disciplinary action taken by the society or its managing committee against a paid servant of the society, touching constriction or business of the society arises between the members and past members of the society or the persons referred to in the relevant provisions of the Punjab Cooperative Societies Act and the Rules framed thereunder, it shall be disposed of in the manner provided in such an act and the rules.

56. The society shall maintain such accounts and other record connected with amounts in such form or manner as may be directed by the authority competent to do under the Co-operative Societies Act.

57. The society shall prepare and submit such returns and statements as Registrar may from time to time specify.

58. The society may, in circumstance specified by the relevant provisions of the Co-operative Societies Act, be wound up and cancelled by the Registrar in accordance with the procedure laid down by such an Act and the Rules framed thereunder.

59. In these bye-laws, unless there is anything repugnant to the context, the Registrar shall include an officer subordinate to him and authorised by him in this behalf.

SPECIMEN

We the undersigned who have been authorized to sign these bye-laws by the General Body which have adopted on behalf of society. Certified that we have carefully read, heard and understand the bye-laws.

YEAR