



BYE-LAWS OF Cooperative Urban Thrift & Credit Society Ltd.

I. PRELIMINARY

1. The name of the Society is MEEBARKSH
COOPERATIVE URBAN THRIFT & CREDIT SOCIETY LTD. and its registered address is OFFICE
UNIT NO 1 NEAR BEHAR ZAIRI MARKET
MOTI BAGH - I NEW DELHI - 110021

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Any change in the address shall be notified to the Registrar within 14 days.

2. In these bye-laws unless there is anything repugnant to the subject or context, the expression "the Act" means the Delhi Cooperative Societies Act, 1972 (No. 35 of 1972) and its words and expression defined in the Act and used in these bye-laws shall have the same meaning as assigned to them in the said Act and the "Rules", "the Rules" means the Delhi Cooperative Societies Rules, 1973.

II. OBJECTS

3. The Objects of the Society are to promote the economic interest of the members and more particularly to arrange:

- i) The creation of funds to be lent to its members for necessary purposes;
- ii) To undertake Thrift and Credit Business;
- iii) To undertake welfare activities particularly for the members and employees and their children for the promotion of their moral, educational and physical improvements;
- iv) To own lands and building or take them on lease or rent for the business of the society;
- v) To undertake other measures designed to encourage in the members the spirit and practice of thrift, self help and mutual help; and
- vi) To do all such things as are incidental or conducive to the attainment of any or all of the above objects.

III. MEMBERSHIP

4. The members shall consist of :

- i) The persons joining in the application for registration.
- ii) Persons admitted in accordance with these bye-laws.
- iii) Nominal or associate members subject to conditions as laid down in Rule 26.

5. No person shall be a member unless :

- a) He is ordinarily resident of MOTI BAGH AND R. GUARMA or has a place of business in MOTI BAGH AND R. GUARMA
- b) His written application for membership has been approved by the Managing Committee.
- c) He is competent to contract under section 11 of the India Contract Act, 1872.
- d) He is not a member of any other primary society dispensing credit with limited or unlimited liability unless general or special permission is granted by the Registrar, Cooperative Societies, Delhi.

e) (1) The Society may admit joint members provided they make a declaration in writing that the person whose name stands first in the share certificate shall have the right to vote and all the liabilities will be borne jointly and severally by them as provided in the Act, Rules and Bye-laws

(2) In accordance with the procedure laid down in the bye-laws and the Rules for admission of any member, the society may admit minors and persons of unsound mind in heriting share or interest of deceased members as its members through their legal representatives or guardians respectively. The members so admitted will enjoy such rights and liabilities as are laid down in these bye-laws and which are consistent with the Act and Rules.

f) (i) He has carried out the provisions of bye-law 11

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(ii) Every member on admission shall pay Rs. Twenty as admission fee which shall not be refunded in any case.

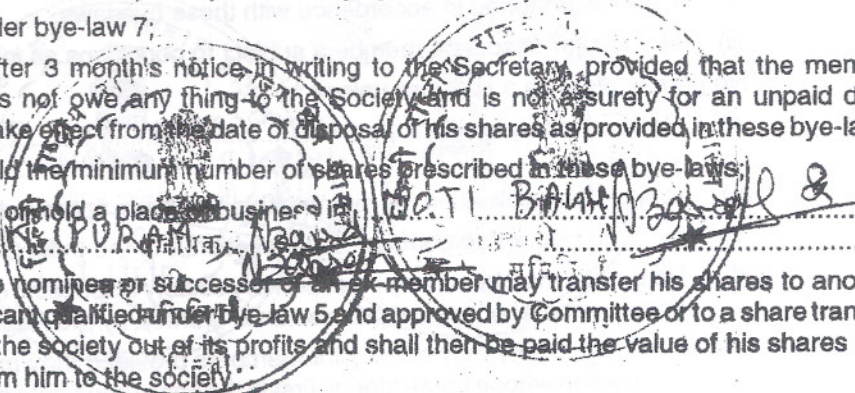
(iii) When a person's application has been accepted by the committee and he has paid his admission fee and share money of one share, he shall be deemed to have acquired all the rights and incurred all the obligations and liabilities of the member of the society as laid down cooperative societies Act, the Rules made there under and these bye-laws.

6. (a) Original members are exempted from the provisions of bye-law 5 (b).
(b) The society shall not admit members within one month prior to the date of the meeting of the General Body.

7. (a) A member of the society may be expelled by a vote of General Meeting.
(1) if he makes default in the payment of his shares; or
(2) if he has applied to be adjudicated in insolvent or is an undischarged insolvent; or
(3) if he has been sentenced for any offence other than an offence of political character or an offence involving moral turpitude and dishonesty; or
(4) if he undertakes any profession similar to the objects of the society or
(5) if he intentionally does any act likely to injure the credit of the society or fails to observe proper discipline in regard to the work of the society; or
(6) for any action which may be held by the the Managing Committee or the General meeting to be dishonest or contrary to the stated objects of the society or to the interest of cooperation;
(7) incurs any of the disqualifications as contained in Rule 25.
(b) Opportunity shall be given to a member before expulsion from membership to represent his case to the General Body and expulsion shall not be effective unless it is approved by the Registrar.

8. A person ceases to be member :
(i) on death;
(ii) for lack of confirmation of membership as per bye-laws 5(iii);
(iii) when his resignation is accepted by the Managing Committee;
(iv) on expulsion under bye-law 7;
(v) on withdrawal after 3 month's notice in writing to the Secretary, provided that the member withdrawing does not owe any thing to the Society and is not a surety for an unpaid debt. Withdrawal will take effect from the date of disposal of his shares as provided in these bye-laws;
(vi) on ceasing to hold the minimum number of shares prescribed in these bye-laws;
(vii) ceases to reside or hold a place of business in WETI BAHU AZAMAL &

9. (1) A member or the nominee or successor of an ex-member may transfer his shares to another member or applicant qualified under bye-law 5 and approved by Committee or to a share transfer fund created by the society out of its profits and shall then be paid the value of his shares less any sum due from him to the society.
(2) With the previous sanction of the Registrar, shares may be returned in special cases to an extent permitted by rules made by Registrar in this behalf provided he is not indebted to the society and is not surety for an unpaid loan.
(3) No transfer of shares or interest shall, however, be made unless a member has held shares or interest for not less than one year.
(4) The value of share shall in no case be more than the sum received by the society in payment thereof.
(5) A member on withdrawal, whether voluntarily or through the action of the society shall, subject however, to the rules of the society, have no claim on the funds or property of the society of any kind.



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IV. CAPITAL

10. The capital shall be composed of:

- undetermined number of shares of the value of Rs. 100/- each;
- deposits from members;
- loans from non-members;
- donations and grants; and
- realised profits.

Provided that the acceptance of loans from non. members shall be subject to any restrictions which the Registrar may impose.

11. Every member shall purchase at least one share and no member shall hold shares of which the nominal value exceeds Rs. 10,000/- or exceeds 1/5th of the total shares capital actually subscribed. If any member may 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 buy them on behalf of the society and to hold proceeds at his disposal. A member shall not be entitled to pay towards his second and subsequent share until the first previous one has been paid in full.

12. Share may be paid up in a single payment or in monthly instalments of not less Rs. 50/- The first instalment shall be paid within 7 days from the admission of a member by the Committee and the subsequent instalments on or before the 15th day of each calendar month.

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

- that all arrears, together with such penal interest as the Committee may demand are paid up; and
- that ordinarily such payment be made within three months of the date of forfeiture.

14. Share shall not be withdrawn, repaid or transferred otherwise than provided in these bye-laws.

15. Every member may nominate a person to whom on his death, his share shall be transferred, but no member may nominate more than one person unless he holds more than one share and in any case unless the amount to be paid to such nominee whether by way of whole shares or by fixed proportion of the amount available for transfer, as the case may be, is duly specified when the nominee is appointed, and he shall attest the nomination by his signature or thumb impression in the register of members. If not admitted to membership the nominee or nominees shall be paid the value of the shares or interest subject to the provisions of bye-law 9. If any deduction has to be made from the shares of the deceased, and there are more than one nominee, amount to be deducted shall be set off against the amount due to each nominee in proportion to his interest.

16. The society shall have the right to set off any money due on account from the society to a member or past member or person claiming through him in payment of any sum which he owes to the society or for which he stands surety.

17. The liability of the members for any deficit in the assets of the society on liquidation shall be limited to EIGHT times the face value of their subscribed shares.

18. The first General Meeting of the members shall have the same powers as are herein given to Annual Meeting.

19. (a) The preliminary General Meeting shall be called within a period of not less than one month and not more than three months from the date of its registration. In this meeting the following business shall be discussed and decided.

- Approval of allotment of shares, amount collected and amount spent in connection with the registration of the society before registration.
- Election of members of the Managing Committee.

(iii) Programme of activities and the budget estimates for the ensuing year.

19.(b) The society shall within a period of six months next after the date fixed for making of its accounts for the year under the rules for the time being inforce, call a general meeting of its members for the purpose of:

- (i) approval of the programme of the activities of the society prepared by the committee for the ensuing year;
- (ii) election, if any, of the members of the committee other than nominated members, subject to the provisions of section 31(1).
- (iii) consideration of the Audit report and the Annual report;
- (iv) disposal of the net profit; and
- (v) consideration of any other matter which may be brought forward in accordance with the bye-laws.

Provided that the Registrar may, by general or special orders, extend the period for holding such meeting for a further period not exceeding 3 months.

Provided further that if such meeting is not held by the society within the extended period, if any, granted by the Registrar, he or any person authorised by him may call such meeting in the manner prescribed and that meeting shall be deemed to be a general meeting duly called by the society and the Registrar may order that the expenditure incurred in calling such a meeting shall be paid out of the funds of the society or by such persons who in the opinion of the Registrar, were responsible for the refusal or failure to convene the general meeting.

19.(c) If within an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned for one hour and shall be held without any quorum at the same place with same Agenda but if the meeting is called upon the requisition of the members not the (Registrar) it shall stand dissolved Provided that at the adjourned meeting, no quorum shall be necessary.

19.(d) The presence of the 1/3rd of the total number of the members subsisting as such on the date on Notice of the meeting subject to a minimum of 10 members shall be necessary for the disposal of any business at General meeting. Each members shall have one vote irrespective of the shares held by him. The chairman shall have a casting vote in addition. No proxy shall be allowed. No person shall be allowed to vote who is in arrear with his share instalment or against whom there is a Award.

19.(e) The President or the Vice-President or in their absence one of the other members elected for the purpose shall preside over the meetings.

20. The duties and powers of the General Meeting are :

- (1) To elect, suspend or remove members of the Managing Committee including a President and one or more Vice-Presidents;
- (2) To receive from the Committee a Report on the preceding year's working of the society together with a statement showing the receipts & expenditure, assets & liabilities and profit & loss for the year;
- (3) To consider the audit note, inspection note of the Registrar, or Financing Agency or Inspector and any other communication from the Registrar;
- (4) To dispose off profit in accordance with the Act, Rules and bye-laws;
- (5) To lay down for the guidance of the Managing Committee a general policy for the conduct of business and activities to be undertaken by the society.
- (6) To determine the nature and extent of the welfare activities to be undertaken by the society;
- (7) To fix the maximum credit limit of the members of the committee and to approve a maximum credit for each member for loans on personal security provided that such maximum limit shall not be more than that laid down in the Registrar's instructions on the subject;
- (8) To fix, subject to the approval of the Registrar, the maximum liability to be incurred, during the following year in loans from non-members;
- (9) To amend the bye-laws, subject to the sanction of the Registrar;
- (10) To expel members subject to the approval of the Registrar;

- (11) The fix the terms and the rates at which penal interest shall be charged by the Managing Committee on overdue instalments which shall not exceed 3% over the normal rate of interest;
- (12) To consider any other business brought forward for which the Managing Committee is not authorised or is unable to transact.

21. All Business discussed or decided at a General Meeting shall be recorded in a proceeding book which shall be signed by the Chairman of the meeting.

22. Amendments to the bye-laws shall only be carried out by a majority of not less than 2/3rd of the members present in a General Meeting in which due notice of the intention to discuss such amendments has been previously given. Such amendments shall be forwarded to the Registrar for registration within a period of 3 months from the date of meeting.

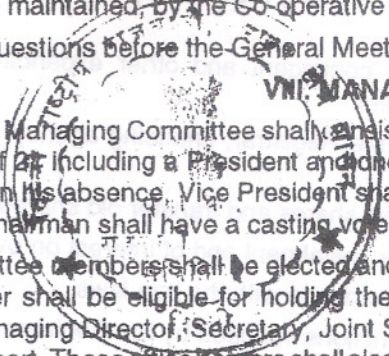
22.(a) If appears to the registrar that an amendment of a bye-laws of a cooperative society is necessary or desirable in the interest of such cooperative society, he may call upon the cooperative society to make the amendment.

(b) The registrar may by serving a notice call upon a society to make an amendment within a period not exceeding sixty days.

(c) After the expiry of the period specified in the notice if the society fails to make the amendment, the Registrar after giving the cooperative society a opportunity of being heard, may register the amendment and issue to the cooperative society a copy of such amendment certified by him with a certificate signed by him. With effect from the date of Registration, the amendment is binding on the cooperative society and its members subject to appeal, if any.

(d) All amendments of the bye-laws relating to the same Cooperative Society when registered by the Registrar shall be assigned a consecutive number in chronological order and shall be noted in index to the bye-laws to be maintained, by the Co-operative Society in the registration file.

All other questions before the General Meeting shall be decided by a majority of votes.



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23.(a) The Managing Committee shall consist of ~~at least 9~~ ^{at least 5} members of the society and not more than 15 over the age of 21, including a President and ~~one or more~~ ^{one} Vice-President. President shall preside over the meetings and in his absence, Vice President shall preside. Each member of the Committee shall have one vote but the Chairman shall have a casting vote, in addition.

(b) Committee members shall be elected and hold office for 3 years and shall be eligible for re-election, but no member shall be eligible for holding the office of the President, Vice-President, Chairman, Vice-Chairman, Managing Director, Secretary, Joint Secretary and Treasurer more than two consecutive terms whether full or part. These office bearers shall also not be eligible to hold such office on a Committee of another cooperative society of the same type or on the Committee of more than three different type of the societies. The Election of 1/3rd members of the Committee shall be held every year by rotation through draw of lots.

(c) The election of the Managing Committee shall be by show of hands in the manner given in schedule(iii) of the Delhi Cooperative Societies Rules, 1973 unless a poll is demanded in which case it shall be held by secret ballot. In case the membership of the society exceeds two hundred, the election shall be held by secret ballot in the manner given in Schedule (ii) of the Delhi Cooperative Societies Rules, 1973.

(d) The meeting of the Committee shall be held when necessary and shall be called by the Secretary on receipt of a requisition from three or 1/3rd members of the Managing Committee, whichever is more or from the Registrar Cooperative Societies, or any person authorised by him. The Managing Committee shall cause minutes of all proceeding of its meetings to be entered in the book for the purpose in hand written at the spot in the presence of members present and voting. The minute of each meeting shall contain the name of the members it any, dissenting from or not concurring in any resolution. At the end of the minutes, each members present and voting shall sign them. If the minutes are not made and recorded in this manner, they shall not be considered valid and it shall be deemed that no such meeting was duly called and held. The Notice for the Managing Committee shall be given of 5 days and for emergent meeting 24 hours Notice is sufficient by personal service.

(e) The meeting shall be held as often as required but a meeting shall be held atleast once in every month.

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24. The member of the Committee shall cease to hold office if he:

1. ceases to be a member of the society;
2. applies for insolvency and is declared insolvent;
3. becomes of unsound mind;
4. is convicted of any offence involving dishonesty of moral turpitude;
5. lends money on his own account;
6. carries on business on his own account similar to that as specified in bye-law 3(iii).
7. resigns and his resignation is accepted by the Committee;
8. fails without showing satisfactory reasons to the Committee to attend three consecutive committee meetings;
9. default in the payment of his share or loan instalment for 3 consecutive months;
10. holds any place of profit under the society or receives any honorarium.

25. The Committee shall exercise all the powers of the society except THOSE reserved for the General Meeting, subject to any regulations or restrictions laid down by the society in a General Meeting or in the bye-laws and in particular shall have the following powers and duties:

1. To observe in all their transactions, the Act, Notified Rules and these bye-laws.
2. To maintain true and accurate account of all money received, expended and all stock brought or sold.
3. To keep a Register of members correct and up-to-date.
4. To keep true account of assets and liabilities of the society.
5. To prepare and lay before the general Meeting the annual profit and loss account and audited balance sheet.
6. To examine the accounts, sanction contingent and other expenditure and supervise the maintenance of the prescribed registers.
7. To consider the inspection notes of the Registrar; financing agency and inspector and take necessary action.
8. To admit new members and issue new shares and transfer old shares.
9. To arrange for the recovery of shares, instalment and of interest on over due instalments.
10. To summon General Meeting in accordance with the bye-laws.
11. To contract loans subject to any restrictions imposed by the Registrar or General Meeting.
12. To decide the terms on and the periods for which loans are to be given, to approve or reject the security, to arrange for the recovery of loans and to impose and recover penal interest on over due instalments as laid down by the General meeting.
13. To decide the terms and the periods for and the rate of interest at which deposits are to be received and to arrange for the payment of such deposits.
14. To watch that the loans are applied to the approved purposes for which they were made.
15. To assist in the inspection of the books by any person authorised to see them.
16. To appoint, suspend, punish and dismiss employees.
17. Through any member or officer or employee of the society or any other person specially authorised, to institute, conduct, defend, compromise, refer to arbitration or abandon legal proceedings by or against the society or committee or the officer or employees concerning the affairs of the society.
18. To acquire on behalf of the society, shares in other Regd. Cooperative Societies.
19. To arrange for the custody of books and to appoint one of the members or one of the officer of the society, resident in the area of operation; to take charge of all the registers and papers prescribed in the bye-laws.

20. To invest the surplus funds of the society in accordance with section 49 of the Cooperative Societies Act and Rules.
21. To acquire and hold property and to enter into contracts on behalf of the society.
22. To fix the maximum credit for each member in accordance with instructions of the Registrar subject to the approval of the General Meeting. The limit will be fixed only when a member has made a declaration giving the amount of his debts secured and unsecured with the rate of interest. The proposal for maximum credit limit of members of the committee shall be brought in the General Meeting in separate detailed resolution and shall not be included in the proposal of maximum credit limit of other members.
23. To fix the scale or wages to be paid to employees.
24. To appoint a treasurer to keep money of the society and to require him to give such security as it may be sufficient.
25. To elect a secretary from amongst the members of Managing Committee and to entrust him with such duties as deemed necessary.
26. To distribute the duties between the Secretary and Manager, if necessary.
27. To fix the rate of interest on loans, with the previous sanction of the Registrar.
28. To arrange for the safe custody of the property of the society and to maintain it in a good state of affairs and where necessary to arrange for its insurance.
29. To arrange for the internal checking of the accounts at least once in every quarter.
30. To co-opt members against the vacancy caused by the resignation or disqualification of any member from the Managing Committee.
31. Generally to carry on the business of the society.

In their conduct of the affairs of the society the committee shall exercise the prudence and diligence of ordinary man of Business and shall be responsible for any loss sustained through acts contrary to Law, the Notified Rules and these bye-laws.

26. No member of the Committee shall receive any remuneration for his work as a member of the Committee. No member of the Committee shall vote in any application for a loan in which he himself is interested as a borrower, nor shall be stand surety of a new loan to another member of the committee.

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

IX. SECRETARY

28.(1) The Committee of the society shall specify which of the officers of a society shall:

- (a) keep the books of accounts ;
- (b) keep other books and registers; and
- (c) prepare returns and statements.

Provided that a person charged with the keeping of accounts shall not be the incharge of cash.

(2) If the committee of a cooperative society has not specified the officers required to be specified in sub-rule (1) notwithstanding anything contained in the bye-laws of the society, the following officer shall be responsible for keeping accounts record etc. indicated against each namely.

(a) Treasurer :

He shall keep or cause to be kept all the books of accounts and vouchers and shall prepare or cause to be prepared annual profit and loss account. Receipts and disbursement Account and the Balance Sheet, whosoever may be writing these books of accounts, they shall always be deemed to be in his custody, possession, power and control. He shall be responsible for their safe delivery to his successor after making a list of documents handed and taken over.

(b) Secretary :

He shall keep or cause to be kept all other records of the society and shall be responsible for preparation and submission of various returns to the Registrar. Whosoever may be keeping these records, these shall always be deemed to be in his custody, possession, power and control. He



shall be responsible for making over the charge of this records to his successor under proper charge. report to be signed by the relieving officers.

(c) **Cash :**

Cash balance in hand shall always remain in the hand of the Treasurer or any other officer appointed by the committee.

- 29.(1) Every cooperative society shall from time to time determine at a meeting of the committee, the minimum members of paid staff required for its business. The committee shall prescribe their qualifications and experience and emoluments. The committee shall be competent to appoint, dismiss or remove any paid staff.
- (2) The minimum paid staff for a cooperative banks and any cooperative society with working capital or annual transaction of rupees five lakhs or over shall be :
- (i) One Secretary or Manager;
 - (ii) One Accountant;
 - (iii) One Cashier.

X. REGISTERS

30. The following registers and papers shall be maintained and shall be open to the inspection of any one interested in its funds, except that no one shall be allowed to see the deposit account of any person without person's consent in writing:

- (1) a register of members, showing the name, address and occupation of every member, the number of shares held by him, the date of his admission to membership, date of termination of membership and the nominee appointed under bye-laws;
- (2) a cash book showing the income, expenditure and balance on each day on which business is done;
- (3) a ledger account for each member, depositor creditor, miscellaneous and contingent income and expenditure incurred by the society.
- (4) a register showing the maximum credit of each member;
- (5) an account showing monthly instalment of shares and deposits;
- (6) a minute book;
- (7) a register showing the monthly instalment for payment of loans.
- (8) a book of bonds for all loans issued;
- (9) a share allotment register;
- (10) a surety Register;
- (11) a pass book for each member and depositor;
- (12) a register for stock and securities;
- (13) register of application for membership containing the name and address of the applicant, the date of receipt of application, the number of shares applied for and in case of refusal, the date of communication of the decision refusing admission to applicants; and
- (14) any other register prescribed by the Registrar.

31. Copies of bye-laws and balance sheet shall be supplied free on demand to any member. The last

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(1) Every member shall make monthly savings deposits with the society Rs. 10/- (Rupees ten only) per month and withdraw from the same as he may desire (less than one of the following objects provided that an amount equal to 15% of the deposit shall be maintained, at all times. This will be applicable for the first three years of membership of the society.

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(Secretary)

(iii) provident fund deposits;

(iv) home saving deposit.

(2) Such deposits shall be governed by rules to be framed by the society subject to approval of the Registrar.

(3) With the sanction of the Committee a member may be exempted from the obligation to deposit, for any period during which his circumstances do not permit of such payment.

XII. LOANS

34. Loans may be granted to a member for any necessary purpose but they shall not be granted for extra vagant or speculative purpose. Loans for productive purposes shall receive preference over others. No loans shall be made to a member within a month of his admission but this does not apply to the transfer of an existing loans of a past member to his nominee on his admission or other successor in interest who is or is admitted as member of a society. No loan shall be advanced to a member not making monthly saving deposit. All applications for loans shall be submitted to the Secretary with a clear and true statement of the purposes for which they are required, and they shall be deal with by the committee at their next meeting according to their discretion. The committee is not bound to give any reason for rejecting a loan application.

The borrower shall execute a bond and shall furnish surety or sureties as laid down in subsequent bye-laws.

All sureties must be members of the society and must have furnished the declaration required in bye-law 25(22).

35.(1) All loans shall be granted within the maximum credit limit of member at the discretion of the committee on security of one or more sureties and shall not exceed ... FIVE ... times the value of a member's paid up shares or Rs. 10,000/- whichever is less.

(2) Ordinary not more than 1/2 of the capital of the society shall at any time be invested in loans or collateral security and such loans shall be subject to rules framed by the society and approved by the Registrar, and subject to any other instructions issued by him from time to time.

(3) In emergent cases, the Committee may grant to any member a loan, within his maximum credit limit without security not exceeding Rs. 10,000/- in aggregate provided the amount thus advanced is covered by the amount of shares and savings deposits on the member's credit. Such loans shall be repaid within ... FIVE ... months.

(4) Special loans irrespective of a member maximum credit limit and without personal security may be granted at the discretion of the committee against:

[a] fixed deposit of a member with the society upto 90 per cent of the deposits at a rate at least one per cent above his deposit rate.

(5) Cash credit loans may be granted to selected members. Such loans shall be subject to rules framed by the Society and approved by the Registrar.

(6) Valuation of property mortgaged or pledged with the society shall be revised annually by the Committee. All such property shall be insured to its market value against fire and theft.

36. Loans shall be repaid in such number of monthly instalments as may be fixed by the committee upto maximum of THIRTY. The Committee may suspend repayment of any instalments for one or more months on sufficient cause being shown and may there by extend the time of total payment by a period not exceeding six months.

Loans granted for a period of less than three months may be repaid in ... 3 ... instalments.

37. If the Committee find that the security for an outstanding loan has become in-sufficient or that the borrowers material position has weakened, they shall call in the borrower to provide satisfactory security and in default shall call in the loan at once, the loan shall also be called of the Committee find that it has not been applied to the purpose for which it was taken.

38. A member's commitment as surety shall not exceed an, additional amount equal to his maximum credit limit. Unavailed portion of a member's credit limit may be added to increase the limit upto which he may stand as surety. When a member has stood surety for an additional amount owing to his maximum credit limit, not being fully drawn, he may not draw further against his maximum credit limit until his liability as a surety has correspondingly decreased.

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Permanent sureties may be taken subject to rules and regulations approved by the Registrar but the provisions regarding unavailed portion of maximum credit limit as mentioned above shall not apply in such cases.

The limit to which a member can stand as surety in accordance with this bye-law may be exceeded at the direction of the Committee in cases where collateral security is also taken.

39. Interest on loans from members shall be charged at a rate or rates to be fixed by the Committee with the previous sanction of the Registrar. In case of default, penal rate shall be charged as may be prescribed by the General Meeting vide bye-laws 25(12). Which shall not exceed 3% above normal rate of interest.

40. The society may undertake bills of Collection or Demand draft Business for its members with the previous sanction of the Registrar.

41. All documents creating a charge or obligation of the society shall be signed by the President/Secretary and Treasurer provided that in the case of receipt and cheques upto Rs. 200/- and receipt for the deposits and repayments of loans. President or Secretary or Treasurer may sign. All important documents of the society shall be sealed with the Society's seal. The seal shall be kept in the custody of the Secretary/President.

42. The accounts of the society shall be audited at least once a year by an Auditor appointed by the Registrar. The society shall pay such contribution to the Delhi Audit Fund as may be fixed by the Registrar, Cooperative Societies, Delhi from time to time.

XIII. DISTRIBUTION OF PROFITS

43. The following shall be the first charge on profit:

- (i) contribution to the Delhi Audit Fund as may be fixed from time to time by the Registrar;
- (ii) any losses undergone by the society;
- (iii) necessary deduction for depreciation of machinery, building etc.;
- (iv) all payment of salaries, provident fund and working expenses;
- (v) interest on loan, deposits etc.

44.(i) Not less than 25% of the net profit shall be carried to the Reserve Fund which shall be indivisible and no member shall be entitled to any share in it.

(ii) The society shall credit a sum calculated at two per cent of its net profit subject to maximum of Rs. 10,000/- every year for contribution to the Cooperative Education Fund to be administered by the Registrar who may frame regulations for the utilisation and the administration of the Fund. This fund shall be kept with the State Bank of India. Any such amount payable by the society, shall be a charge on the funds of the society.

(iii) Dividend on shares be paid not exceeding 12% per annum.

(iv) Not less than 5 per cent of the balance shall be credited to the Bad Debt Fund.

(v) The remaining amount if any may be allotted to any or all of the purposes detailed below or may be carried over:

- (a) building fund;
- (b) investment depreciation fund;
- (c) common good fund according to section 47 of the Act. Expenditure out of this fund shall be incurred with the approval of the Registrar;
- (d) dividend equalisation fund;
- (e) share transfer fund;
- (f) any other fund for the business of the society;

(vi) Dividend may also be paid to members on loans borrowed from and the deposit made with the society by each member.

(vii) Members shall have no right to the dividend unless declared and approved by the General Body. The dividend shall be paid to all members within three months of the approval by the General Body.

45. If no dividend is claimed for a period of three years from the date of declaration a notice be issued by the society at the registered address of the member and calling upon him to take the amount within one month of the receipt of the notice. If the dividend is not claimed during this period it shall be credited to the Reserve Fund.

46. Rebates on business shall be paid according to the rules approved by General Meeting and subject to any restrictions imposed by the Registrar.

47. No bonus, in addition to the dividend shall be distributed to members on shares.

48. No dividend shall be paid while any claim due from the society to a depositor or creditor remains unsatisfied.

49. Allocation and distribution of profits shall be made only after the Annual Audit.

XIV. RESERVE FUND

50. The reserve fund is indivisible and no member is entitled to claim a specified share in it. It shall be invested in Govt. Securities or otherwise as directed by the Registrar under Section 49 of the Act and Rules.

XV. DISPUTES

51. If any dispute touching the constitution or business of the society arises between members or past members of the society or persons claiming through a member or past member or between members or past members persons so claiming and any officer, agent or servant of the society (past or present) or between the society or its Committee, any officer, agent, member or servant of the society (past or present) it shall be referred to the Registrar as provided in the Cooperative Societies Act, and the Rules framed there under.

XVI. GENERAL

52. All matters not specially provided for, are to be decided in accordance with the Cooperative Societies Act and the Rules framed thereunder.

53. The Managing Committee with the approval of the General Meeting may frame rules of business not inconsistent with the Cooperative Societies Act, the Rules and these bye-laws for carrying on the work of the Society and make additions or alterations in them from time to time.

54. In case of any dispute about the meaning or interpretation of any provision of the Cooperative Societies Act, Rules and these bye-laws, the decision of the Registrar shall be final.

XVII. LIQUIDATION

55. The society shall be wound up and dissolved only by order of the Registrar under Section 63 of the Cooperative Societies Act.


After all the liabilities including the paid up share capital have been met, the surplus assets shall not be divided among the members but shall be devoted to an object of public utility determined by the General Meeting of the society within three months of the date of final liquidation and approved by the Registrar in whole or in part to any or all of the followings:

- (a) a subject of public utility of local interest ;
- (b) A Charitable purpose as defined in Section (2) of the Charitable Endowment Act;
- (c) or may be placed on deposit with the Delhi State Cooperative Bank Ltd. until such time a new society with similar conditions is registered when with the consent of the Registrar, such surplus may be credited to the Reserve Fund of such new society.

LIST OF PROMOTER MEMBERS TO BE APPENDED WITH THE BYE-LAWS AT THE TIME OF REGISTRATION

(See Rule 13)

We the following promoters were present in the General Body Meeting of the MEENAKSHI
URBAN T/C Cooperative Society Ltd. MOTI BAGH
held on 1-12-1996 at 10.00 AM in the presence of Shri N. S. TANWAR
Inspector/Sub-Inspector of Cooperative Department, Delhi Government, Delhi and have gone through the
bye-laws and the same were adopted unanimously.

S.No.	Name of Promoter Member	Father's/Husband's Name	Signature
			
	<p>List attached</p>		

Azharul