**Annexure- I**

LIST OF ALL APPLICATIONS FOR GETTING A COOPERATIVE SOCIETY REGISTERED

AND OBTAINING OF NOC BY THE MULTI STATE COOPERATIVES FOR OPERATING IN ASSAM.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Check List** | | | | | | | |  |
| Sl No | LIST | FEE | | TIME FRAME | | REMARK | | ANNEXURE |
| 1 | 1ST Application for organizing a state level cooperative society. | Nil | | Nil | | The application is to be signed by at least 10 citizens above the age of 18 years detailing the name, address objects and the area of operation of the proposed society along with a Business Plan and promoters’ contact details as per the standard procedures at Annexure-VI | | **Ann-I** |
| 2 | 2nd Application for getting a cooperative society registered. | 1% of the Authorized Share Capital | | 60 Days | | The application is to be submitted along with:   1. The original declaration signed by the promoters/applicants expressing commitments to the cooperative principles specified in Schedule-A of the Assam Cooperative Societies Act,2007 (Annexure-VII) 2. Four copies of the proposed Bye-laws duly signed by the Chairman of the Promoters’ Meeting prepared as per the provisions detailed under section-9 & Schedule-B of the Assam Cooperative Societies Act,2007. (Annexure-VIII) 3. a true copy of the resolution passed at the Promoters’ Meeting by the promoters adopting the bye-laws (Sample format at Annexure- IV) 4. List of names of all the applicants with their complete address, occupation, equity participation and other details. (Annexure-IX) 5. a scheme regarding the viability of the proposed society economically, financially, technically and cooperatively. 6. A copy of the Treasury Challan in support of payment of registration fees (non-refundable) calculated in accordance with Sec/17 of the Act i.e. @1% of the authorized share capital. | | **Ann-II** |
|  | | | | | | | |  |
| Sl No | LIST | | FEE | | TIME FRAME | | REMARK | ANNEXURE |
| 2. | For obtaining NOC for Multi-State Multipurpose & Credit societies to operate in the state of Assam | | Nil | | 45 Days | | Information required:   * 1. Self attested photographs of the applicants to operate in the state   2. Complete postal address of the applicants with PS and phone numbers.   3. Certificate from 2 prominent personalities of the state on the antecedence/ credentials/character of the applicants.   (GOI circular No.R.11017/10/2013- L&M dated 22.7.2015) | **Ann-VI** |

**Standard Procedure for Registration of a Cooperative Society**

1. Initial application for registration of Coop: Society may be addressed to the Registering Authority\* signed by at least 10 promoters above the age of 18 years detailing the name, address, objectives and area of operation of the proposed society along with business plan and promoters’ contact details.
2. The registering authority shall depute an officer within 3 (three) days from the date of receipt of the application for verifying the feasibility of formation of the proposed Cooperative & assess its sustainability after due discussion with the promoters.
3. The officer so deputed shall submit the feasibility report within 7(Seven) working days with specific comments on
4. Whether the applicants are in a position to avail the services to be provided by the proposed society to fulfill their common needs.
5. Whether the objects of the proposed society are meant for economic & social betterment of its members & whether the objects are attainable.
6. Justification regarding the area of operation of the proposed society and possibility of any unhealthy competition with other similar cooperatives within the area of operation.
7. Level of participation of the promoters members and their awareness about the cooperative principles and the objects of the proposed society.
8. In case the feasibility for organization of the Coop: Society is verified by the departmental officer, the Registering Authority shall send a copy of the Prescribed Form for Registration of Coop: Society to the person concerned with a direction to adopt their Bye-laws to convene the inaugural General Meeting & depute an officer to facilitate holding of the same.
9. The promoters may also collect the prescribed form from the office of the Registering Authority any day after 7 days from the date of submission of the feasibility report.
10. The promoters then shall submit the application in prescribed form along-with (1) the original declaration signed by the promoters/applicants expressing commitments to the cooperative principles specified in Schedule-A of the Assam Cooperative Societies Act,2007 (2) 4 copies of the proposed bye-laws duly signed by the Chairman of of the Inaugural General Meeting, (3) a true copy of the resolution passed at a meeting by the applicants adopting the bye-laws (4) a list of names of the applicants with their complete address, occupation, equity participation and other details (5) a scheme regarding the viability of the proposed society economically, financially, technically and cooperatively and (5) a copy of the treasury challan in support of the payment of registration fees calculated in accordance with the provisions of sub section (1) of Section 17 of the Assam Cooperative Societies Act, 2007, i.e. @1% of the authorized share capital
11. The Registering Authority\* shall register the Society after receipt of the formal application / registration fee & issue the Registration Certificate accordingly subject to the following:
12. The application is in conformity with the requirements laid down under the Assam Cooperative Societies Act,2007.
13. The object of the proposed cooperative society is the economic and social betterment of its members through the provision of services to fulfill such common needs as specified in the bye-laws.
14. The proposed bye-laws are not inconsistent with the provision of the Act and are not against the aims and objects of the cooperative society.
15. No society shall be registered if in the opinion of the \*Registering Authority its declared objects are not likely to be achieved or if it is economically unviable, technically and cooperatively unsound or if it may have an adverse effect upon any registered cooperative society or the cooperative movement as a whole or if the members or the applicants do not need the services or are not in a position to use the services of the cooperative society.
16. In case it is found by the Registering authority that the proposed cooperative society cannot be registered for some reasons, the same shall be communicated to the promoters in written citing the reasons within 5 (five) days from the date of receipt of the ‘Feasibility Report’ from the officer concerned.
17. The entire process of registration shall preferably be completed within 2 (two) months from the date of receipt of the formal application and the proposed society will be deemed to be registered after the expiry of 60 (sixty) days from the date of receipt of the formal application/registration fees if the matter is not disposed of within the stipulated period otherwise.

*\* (1) The Registrar of Coop: Societies, Assam (RCS) in case of State level*

*Cooperatives,*

*(2) Addl. Registrar/ Zonal Jt. Registrar in case the proposed cooperative covers*

*the areas of 2 or more districts*

*(3) Dy. Registrar of Coop: Societies (DRCS) in case of district level cooperatives.*

*(4) Asstt. Registrar of Coop: Societies (ARCS) for other primary level cooperatives.*

**Annexure-I**

INITIAL APPLICATION FORM FOR REGISTRATION OF A STATE

/ZONAL/DISTRICT/PRIMARY LEVEL COOPERATIVE SOCIETY

To,

\*The Registering Authority

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date...........................

Sir/ Madam,

We the undersigned, do hereby apply for formation of a \_\_\_\_\_\_\_\_\_\_\_ level cooperative society mentioned herein :

1. Name of the proposed society..........................................................................................
2. The address of the proposed society:

House No./Bye lane........................................... Locality..................................................

Post office..........................................................P.S...........................................................

Vill/ Town.............................................................Mouza..................................................

Circle................................................................Constituency............................................

Sub-division........................................................ District...................................................

1. Proposed area of operation of the society..........................................................................
2. Objective of the society.....................................................................................................

...........................................................................................................................................

Yours faithfully,

Name of promoter Address Age Occupation Phone No. Signature

1.

2.

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\* Registering Authority

*(1) The Registrar of Coop: Societies, Assam (RCS, Khanapara, Guwahati-22 in case*

*of State level Cooperatives,*

*(2) Addl. Registrar/ Zonal Jt. Registrar in case the proposed cooperative covers*

*the areas of 2 or more districts*

*(3) Dy. Registrar of Coop: Societies (DRCS) in case of district level cooperatives.*

*(4) Asstt. Registrar of Coop: Societies (ARCS) for other primary level cooperatives.*

**Annexure-II**

**FORM FOR REGISTRATION OF A STATE/ZONAL/DISTRICT/PRIMARY LEVEL COOPERATIVE SOCIETY WITH LIMITED LIABILITY UNDER THE ASSAM COOPERATIVE SOCIETIES ACT, 2007 (ACT 4 OF 2012)**

To,

The \*Registering Authority Place..........................

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date...........................

Sir/ Madam,

We the undersigned, do hereby apply for registration of a cooperative society mentioned herein with limited liability under Section 10 (1) of the Assam Cooperative Societies Act, 2007 (Act 4 of 2012)

1. Name of the proposed society..........................................................................................
2. The registered address of the proposed society:

House No./Bye lane........................................... Locality..................................................

Post office..........................................................P.S.......................................................

Vill/ Town.............................................................Mouza...............................................

Circle................................................................Constituency............................................

Sub-division........................................................ District...................................................

1. Area of operation of the proposed society..................................................................................
2. Objects of the proposed society..................................................................................................

....................................................................................................................................

1. Language in which the books & records will be maintained....................................................
2. Each member shall pay an admission fee of Rs..............................and subscribe at least one share of the value of Rs.........................................
3. The original declaration signed by the promoters/applicants expressing commitments to the cooperative principles specified in Schedule-A of the Assam Cooperative Societies Act,2007 is enclosed herewith.
4. Four copies of the Bye-laws duly signed by the Chairman of the Inaugural General Meeting are enclosed herewith.
5. A true copy of the resolution passed at a meeting by the applicants adopting the bye-laws is enclosed herewith.
6. A list of names of the applicants with their complete address, occupation and equity participation and other details is enclosed herewith.
7. A scheme regarding the viability of the proposed society economically, financially, technically and cooperatively is enclosed herewith.
8. A Copy of the treasury challan in support of the payment of registration fees calculated in accordance with the provisions of sub section (1) of Section 17 which is non-refundable is enclosed herewith.

CHAIRMAN

Inaugural General Meeting

\*Registering Authority:

*(1) The Registrar of Coop: Societies, Assam, Khanapara, Guwahati-22 in case of State level*

*Cooperatives,*

*(2) Addl. Registrar/ Zonal Jt. Registrar in case the proposed cooperative covers*

*the areas of 2 or more districts*

*(3) Deputy Registrar of Coop: Societies (DRCS) in case of district level cooperatives.*

*(4) Asstt. Registrar of Coop: Societies (ARCS) for other primary level cooperatives.*

List of the applicants/ promoter members of the proposed .................................................................................................... Cooperative Society Ltd. **Annexure-III**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Sl No.** | **Name** | **Father’s/ Husband’s name** | **Age** | **Postal address** | **Phone No** | **Occupation** | **Equity participation** | **Signature** |
|  |  |  |  |  |  |  |  |  |
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**Annexure-IV**

SCHEDULE-A

ASSAM COOPERATIVE SOCIETIES ACT, 2007 (ACT-IV OF 2012)

**COOPERATIVE PRINCIPLES**

The cooperative principles are guidelines by which cooperative societies put their values into practice.

1st Principle: *Voluntary and open membership:*

Cooperative societies are voluntary organization, open to all person able to use their service and willing to accept the responsibilities of membership, without gender, social, racial, political or religious discrimination.

2nd Principle: *Democratic member control:*

Cooperative societies are democratic organization controlled by their members, to actively participate in setting their policies and making decisions. Men and women serving as elected representative are accountable to the members. In primary cooperative, members have equal voting rights. (one member, one vote) and cooperative society at other levels are also organized in a democratic manner.

3rd Principle: *Members’ economic participation:*

Members contribute equitably to and democratically control, the capital of their cooperative societies. At least part of that capital is usually the common property of the cooperative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any or all of the following purposes:

developing their cooperative societies, possibly by setting up reserves, part of which at least would be invisible, benefitting members in proportion to their transaction with the cooperative society, and supporting other activities approved by the members.

4th Principle: *Autonomy and independence:*

Cooperative societies are autonomous, self help organization controlled by their members. If they enter into agreements with other organizations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their cooperative autonomy.

5th Principle: *Education, Training and Information:*

Cooperative societies provide education and training for their members, elected representatives, managers, and employees so that they can contribute effectively to the development of their cooperative societies. They inform the general public-particularly young people and opinion leaders – about the nature and benefits of cooperation.

6th Principle: *Cooperation among cooperative societies:*

Cooperative societies serve their members most effectively and strengthen the cooperative movement by working together through local, national, regional and international structures.

7th Principle: *Concern for community:*

Cooperative societies work for the sustainable development of their community through policies approved by their members.

8th Principle: *Professional Management:*

Cooperative societies are managed in a professional manner in running their affairs

**DECLARATION:**

I, Sri/Smti…………………………………………………………………………………………………………… one of the applicants of the proposed ..................................................................................................Coop: Society Ltd., do hereby express my commitment to the 8 Cooperative Principles specified above.

Date: Place: Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ann-V

UNDERTAKING TO BE SUBMITTED ALONG WITH THE 2nd APPLICATION FOR REGISTRATION OF A COOPERATIVE SOCIETY

We the following promoters of the proposed …………………………………………………………………………….. Cooperative Society Ltd. do hereby declare that we have gone through the provisions of Section-63 of the Assam Cooperative Societies Act,2007 and that we will not accept deposits from Nominal Members or Non-Members in any manner whatsoever.

The proposed cooperative society will provide only those services to the members through which the cooperative society intends to meet the common need of all the members for fulfillment of which the cooperative society is being formed.

We also declare that the proposed cooperative society shall not indulge in Banking business in any form in any point of time without the permission from the competent authority.

We sign this declaration on this………… day of…………………….(month) …………………………..(year)

S.No Name of promoter Address Age Signature

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**Annexure-VI**

Application for seeking NOC by Multi-State Multipurpose Cooperative Societies and Credit Cooperatives societies to operate in the state of Assam

To The Registrar of Cooperative Societies, Assam Application No:

Khanapara: Guwahati-22

* Name of the Cooperative society:
* Registration No.:
* Registered address:
* Address for communication:
* Present area of operation :
* Complete postal address of the chief promoters with PS and phone numbers.

Name Address with PS

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

\* Certificate from 2 prominent personalities of the state on the antecedence/credentials/character of the chief promoter/promoters of the state.

\*A copy of the approved Bye-laws

\* A copy of Business Plan/ scheme regarding the viability of the proposed activities of the society; economically, financially, technically and cooperatively

**Annexure-VII**

**Provisions under Section-9 of the Assam Cooperative Societies Act,2007 for framing of Bye-laws by the cooperative societies:**

**Sec9: Byelaws-** (1) A cooperative society shall frame their own bye-laws and the affairs of the cooperative society shall be managed in accordance with the terms, conditions and procedure specified in the bye- -laws

(2) Subject to the provisions of this Act, the functioning of every cooperative society shall be regulated by its bye- -laws.

(3) The bye-laws may contain such matters as decided by the General Assembly and shall be specific and confined only to the matters provided in Schedule B. However, the bye-laws of a society shall in no case supersede the provisions of the Act.

**SCHEDULE – B**

(See Section 9)

Subject matter for specific consideration when framing of Bye-laws.

**1. Identity of the cooperative society:**

(a) the name of the cooperative;

(b) the village/town/city where the Head Office of the Cooperative society is to be located;

(c) the custody and use of the common seal;

(d) the area of operation from where the membership is to be draw.

**2. Aim and services:**

(a) the aim of the cooperative society explicitly stated as a common need of the members which the cooperative society aims at fulfilling;

(b) key service and support services to members to fulfill the common need stated in the aim;

(c) the conditions under which—services may be provided to non-membership.

**3. Membership :**

(a) eligibility, ineligibility for obtaining membership;

(b) eligibility, ineligibility for continuing membership;

(c) procedure for obtaining membership;

(d) procedure for withdrawing membership;

(e) procedure for termination of membership;

(f) circumstances under which membership ceases;

(g) procedure for cessation of membership.

**4. Member rights and obligations :**

(a) the rights of members;

(b) manner of fixation of minimum performance expected annually of each member vis-a-vis use of services, financial commitment, participation in meetings and adherence to bye—laws, in order to be eligible to exercise the rights of membership including the right to vote;

(c) the consequences of performing below the minimum level fixed;

d) the consequences of default in payment of any sum due by a member.

**5. General Body:**

(a) the role of the general body and of the delegate General body, if any,. and subjects which must be dealt with by the general body, and by the representative general body, if any;

(b) the manner and frequency of convening general meetings, the mode of communication of the intimation of these meetings and quorum required;

(c) the minutes of proceedings of general meetings.

**6. Board of Directors:**

(a) The size and composition of the Board of Directors;

(b) Eligibility, ineligibility for becoming Director;

(c) Eligibility, ineligibility for retaining Directorship;

(d) The procedure for election including the appointment of election officer, removal of Directors, the election of the President, Vice4President, and representative and filling of casual vacancy;

(e) The terms of office of the Directors;

(f) The frequency of board meetings;

(g) The manner of convening board meetings, and quorum;

(h) The functions, responsibilities and powers of the-Board;

(i) The minutes of proceedings of Board meetings;

(j) The functions, responsibilities and powers of Directors.

**7. Chief Executive and staff:**

(a) the person to sue or be sued on behalf of the cooperative society;

(b) the manner of appointment and removal of Chief Executive;

(c) the functions, responsibilities and powers of the Chief Executive.

**8. Finance:**

(a) the financial year which the cooperative society wishes to adopt;

(b) the manner of appointment of auditors and their duties;

(c) the manner of appointment of internal auditors and their duties;

(d) the nature and amount of equity capital, if any, of the cooperative society;

(e) the maximum capital which a single member can hold;

(f) the types and extent of funds to be raised;

(g) the purposes for which the funds raised by the cooperative society may be applied;

(h) the debt-equity ratio that the cooperative society wishes to maintain at all times, and the maximum external debt that a cooperative society wishes to permit itself at any point of time;

(i) procedure for transfer of shares or interest by a member;

(j) procedure for redemption of shares by the cooperative society;

(k) procedure for transfer or payment of interest on death of member;

(l) the nature and extent of the liability of the members for the debts contracted by the cooperative society;

(m) the nature and extent of the liability of the Directors for the debts contracted by the cooperative society;

(n) the manner of disposal of funds if under liquidation.

**9. Secondary cooperative societies:**

(a) the rights, if any, which the cooperative society wishes to confer on any secondary cooperative society of which it is a member, and the circumstances under which these rights may be exercised by such secondary cooperative society;

(b) the procedure of appointing and changing representative to secondary cooperative society.

**10. Other matters:**

(a) the manner of making or amending bye-laws;

(b) the manner of constitution and functioning of arbitration council along with the qualification of the members for settlement of disputes;

(c) the manner of dissolution of the cooperative society;

(d) the language in which the affairs of the cooperative society are to be conducted;

(e) refunding of loan, guarantee, share capital, grant or subsidy received from Government;

(f) other matters which the provisions of this Act requires to be provided by bye-laws.

**ANNEXURE-VIII**

(Model Format for recording the minutes of the **Promoters’ Meeting** for registration of a new

cooperative society)

The Proceedings of the **Promoters’ Meeting** of the proposed ………………………………………………………..Cooperative Society Ltd.

Held on………………………..at …………………………..A.M./P.M.

at……………………………………………………………………..

*No. of promoters present*……………………………………(list enclosed at Annexure-A)

*Objective of the Meeting* : Organization of …………………………………………….Coop Society Ltd.

and adoption of the Bye-laws.

1. Sri…………………………………………………………………………………………………………….was selected to preside over the meeting.
2. Sri………………………………………………………………………………………………………......explained the objective of the meeting and the provisions of the draft bye-laws.
3. Resolved that a Cooperative Society be formed in the name and style of…………………………………………………………………………………………………………….Society Ltd.
4. Resolved that the area of operation of the society shall be …………………………………………………………………………………………………………………………….
5. Resolved that the Bye-laws of the society prepared is adopted unanimously.
6. Resolved to appoint Sri/Smti……………………………………………………………………….. as the Secretary of the society temporarily. He/she shall be the custodian of the Cash, Stock, Records of the society. The regular BOD of the society shall decide the continuation of the services of the secretary thus appointed, as per the provision of the Act and the Bye-laws.
7. Resolved that the promoter Board of Directors of the Society was constituted with the following persons as per provision of Sec-35(1)
8. ……………………………………………………………………..
9. ……………………………………………………………………..
10. ………………………………………………………………………
11. ………………………………………………………………………
12. ………………………………………………………………………
13. ………………………………………………………………………
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15. ………………………………………………………………………
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17. …………………………………………………………………
18. …………………………………………………………………
19. ………………………………………………………………….
20. …………………………………………………………………
21. …………………………………………………………………
22. …………………………………………………………………
23. The members of the promoter Board shall elect/select a Chairman and Vice Chairman from amongst themselves in the first meeting of the promoter BOD.

The promoter Board of Directors shall constitute a regular Board of Directors by electing Directors in accordance with the provisions of the Bye laws and the Assam Cooperative Societies Act, 2007 within one year from the date of registration of the society.

1. Resolved that a true copy of the proceeding of this meeting together with the application for registration of …………………………………………………………………….. cooperative society in quadruplicate and the Bye-Laws (Four copies) be forwarded to the Registrar/ Addl. Registrar/ Joint Registrar/ Deputy Registrar/ Asstt. Registrar of Cooperative Societies,………………………………………………… for early registration.

Date:………………………………

Place:……………………………..

Chairman of the

Office Seal:…………………….. Promoters’ Meeting

Seal: