Chapter: 4

Role & Importance of SECCS

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ORGANIZATION AND MANAGEMENT OF SECCS:

The employee's supportive credit societies be governed through the Maharashtra supportive societies law 1960 and Rules 1961. The salient features of the organization and management of these societies are as follows.

1) Registration:

Every employee's credit supportive societies be supposed to be record under the supportive societies law. For the reason of register an request shall be completed to the registrar in the shape a in Marathi, Hindi or English to be signed by the applicant along with the necessary documents including four copies of the intended Bye-laws and expense of needed amount. The Registrar of co-operatives shall make scrutiny of the application and gives the registration numbers and the registration certificate. The employee's shall make scrutiny of the application and gives the credit co-operative societies are in the class of "Resource Society."

2) Minimum members:

The membership is a basis of credit co-operative society of employees’. Byelaws provide certain norms for membership being allowed for any employee in any organization as per co-operative principle any employee can be a member as a liberal view but permanent employee should be a member. Minimum ten persons can come together and shape a co- working society. The workers supportive societies are generally formed by required number of employees’ from the same organization or industry. A person once enrolled as a member continuous to be so till he/she retires. In some organizations even the retired employees’ are permitted to continue their membership for specific period and specific purpose.

3) Membership:

The membership of such societies should be open to all categories of employees’ of the particular organization from the highest rank of executives to the workers at bottom level.
irrespective of their service and status in the organization. The management of the society provides benefits to all the members. At the time of membership minimum one share amount and entry fee is essential condition with membership application.

4) The Office Bearer:
Generally following are the office bearers of the employees’ co-operative credit co-operatives’ societies. The Chairman: is the Chairman of the Society. The Secretary: is the Secretary of the Society. The Treasurer: is the Treasurer of the Society. The Managing Body: is the board of directors of the society. These office bearers are elected at regular intervals as per rules and regulation given by the act and the byelaws of the society. The powers of the office bearers are also regulated by the act and the byelaws. The Boards of director plays vital role to provide cheap, adequate and timely supply of credit to members.

4) General Management:
The general management of employee's co-operative credit society is regulated through the supportive society law and the byelaws of the social order. These generally include provisions regarding Formation and Registration, Membership, Office bearers, election, meetings and day-to-day working etc.

5) Management:
The members of wage earners' supportive praise societies are the employees’ of an organization, and therefore, it is quite desirable for the employers of the particular organization to accept and appreciate the moral responsibilities for associating themselves with the activities of such societies for extending organizational guidance, managerial advice and operational suggestions to the members of the society as and when necessary. Such kind of involvement of higher officials of the mother organization in the management of its salary earners co-operative credit societies may be encouraged for extending purposeful direction to the cooperative society to maintain efficiency of the particular co-operative in terms of profit generation and sustainable viability. There should be regularity in the vote of members of the plank of directors. On retirement of members of plank of directors following portion for a specified period, new members may be inducted in the board of directions through the process of election. It is desirable that there should be a system for rotational retirement of a set of directors and in their places; fresh members are to be motivated to bear the responsibilities as the directors. The co-operative society should evolve specific election code for
holding of such election.

6) **Administration of Accounts:**
For maintenance of proper accounts in systematic order and to have absolute transparency in the financial transactions of a society, audit of the accounts must be regularly be ensured. In every annual general conference of the civilization; the review account on the financial records of the preceding year should be placed for discussion among the members, common carcass for the benefit of the members of the society. The procedure of internal audit should also be implemented to bring perfection and discipline in the accounts.

7) **Activities of the Society in Extending Loan to Members:**
The principal activity of a salary earners supportive credit society is toward sanction loan near its members at the time of their requirement but such a loan should always be assessed in relation to the repaying capacity of the member, as more quantum of loan always invites more indebtedness. The loan should always be purposeful for a member. The payment of loan to any member in such societies should be regulated in such a way that there should not be much delay in processing a case from the day of its receipt. Further, there should not be any discretion of any person/ set of persons in the society to allow any concession or special consideration to any of the cases. All the cases of loan must strictly be treated with identical priority and equal importance. Mechanism should be adopted in such a way that the number of members applying for loan on a certain date may receive the payment subsequently on a particular date causing no discrimination in disposing of loan cases uniformly will create a better impression about the society within its member.

8) **Participation in Shares:**
To increase the paid up share capital, being a part of working capital, for utilization as loan able fund in the society a system should be evolved for transferring a fixed percentage of the amount of every loan to the shares account of the particular member taking loan. The management must resolve to offer a return to the members of the society by way of dividend each year against such accumulation of shares.

9) **Special Deposit Scheme:**
The deposits constitute the most important source of the working capital of employee's co-operative credit society. Contributions for deposits are deducted compulsorily from monthly salary of the members. After the survey of various ECC societies in district, it is observed that
such deposits are not so sufficient; to make the society economically independent, therefore, it is necessary for every society to accept maximum special deposits from the interested members by giving attractive and charming rate of interest on such deposits. The working capital of the society should be increased by adopting some special deposits schemes. In this way if the credit society becomes economically sound, then there is no need of loan from the DCC bank. Deposits are always better than the loan, because-

1) Rate of interest on deposits is generally lower than on loan.
2) Deposit is made by members it would show that the society is fulfilling one of its most important duties of encouraging saving.
3) More deposit is a sign of good credit of the society in the public.

10) Recovery Mechanism:
The recovery of the dues of the society in every month should be affected from the salary of the members and prompt remittance of such recoveries by the employer to the society must be ensured. If outstanding dues are found to be left on account of un-recovered loan from the member, being retired from service or expired; the employer should recover the same from gratuity receivable by such members and remit the proceeds of the same of the society. To reduce liabilities on account of un-recovered loan for such cases, the society should have a close and continuous relation and co80 ordination with the employer for ensuring a control over such situation. The above procedure, in recent times, for recovery of outstanding dues of members leaving or expired has been adopted in a number of such societies through mutual understanding between the society and the employer. A declaration is to be executed by the member applying for a finance from the society, authorizing the company to subtract unrealized amount if any, from gratuity receivable by him in case, the loan is not cleared under the normal circumstances. Over dues have created serious problem as experienced in banks and other financial institutions and therefore, action oriented strategy for regular; and timely recovery of loan needs to be formulated by the credit societies and the employer must recognize such actions for the interest of the employees’.

11) Co-operative Education:
There is much need for giving proper education about co-operative principles, ideas and rules to its members and directors. Extension of such education programmers in a regular manner will look after them to become effective part of the co-operative society should also be enlightened
on cooperative Act and accounts through training courses so that they may actively associate
themselves in the working of the co-operative.

12) Controlling Bodies:
The employees’ co-operative credit societies are governed by the Maharashtra functioning
Societies law 1960 and Rules1961. The possible agencies for conducting supervision over the
employees’ supportive praise societies are The supportive section, the Registrar, The co81
operative Department, Special auditor, Central District supportive Bank and The Maharashtra
supportive Bank not directly as the State financing agencies and federations of co-operative
societies. These are controlling bodies to regulate the employees’ co-operating credit societies to
run smoothly and effectively.

13) Involvement and Role of Employers:
The employers should treat employee's co-operative credit society as an essential part of the
welfare for the employee's of the organization and must formulate ideas to extend sympathetic
attitude and helpful privilege towards such societies. The co-operative credit societies may be
provided with free accommodation, electricity and water supply within the premises and
boundaries of the area of the on the consideration that such societies are working directly for the
economic benefit and betterment of the employees’ under them by the employers.

14) Role of Trade unions or employee's associations:
If the employees’ of any undertaking constitute any part under any banner of a trade union or
employee's association, the leaders of the workers union of the same institution have the capacity
and opportunity to convince or monitor their employee-members to be associated with the co-
operative as its member the persons in leadership of workers union can play the role to advice
their members to follow and understand the ideals and ideas of cooperative so that such members
may take active part in the affairs of the cooperative societies and shoulder responsibilities of
success of the credit societies under co-operative principle. Without active part of the employer,
no Employees’ credit co-operative credit society can work and the success of such co-operatives
depend on substantial support and adequate assistance from the employers and wholehearted
participation of the members.

THE ROLE OF REGISTRAR:
The registrar theater an significant task in the organization and manager of Employees’ Co-operative praise Societies. consequently, it has to watch the meaning of the role of registrar of co-operatives. The registrar of Co-operatives plays the role of a king-pin. Prof. Dubhashi P.R. has rightly remarked with the intention of, "The Registrar of supportive Societies beginning the very beginning was described as Brahma, Vishnu and Mahesh. Brahma is the creator, Vishnu is the protector and Mahesh is the destructor. The Registrar creates a co-operative society by registering it and protects it throughout its existence by arranging for audit, inspection, inquiry and supervision of the co-operative movement. In order to promote and ensure an arranged growth of the supportive pressure group in the State, the Registrar is chosen by the State administration, Who is the key player of the supportive pressure group. In other words, he is the whole and sole controller. The Department of Co-operation of which the Registrar is the head in charged with the responsibility of working as a pal, a theorist and a direct to appear following the co-operative movement. The Registrar has to ensure that the law is administered in the best interests of the institutions concerned, besides arranging timely audit and inspection. Therefore, it would not be out of place to have a look at the provisions of the law regarding this matter.

**REGISTRATION U/S-4 TO 8:**

In agreement with supportive main beliefs, a society has its own objectives such as the promotion of economic interest; a general welfare of its members .A culture recognized with an object of make easy the process of some such the social order might be registered beneath the MSC law. The SECCS the social order has consisted of at least ten persons who are capable to be associate beneath the law. For the register, an appliance has to be completed to the registrar in form 'A' in Marathi, Hindi or English that is signed by the applicants. Along with an application, four reproduction of the future byelaws of the social order should be with this. The member has to be an employee of respective organization. He be supposed to subsist a everlasting worker furthermore the company must include prearranged a credential u/s 49 of the MCS proceed 1960 for presumption of the Society’s excise beginning his earnings. The following documents should be accompanied

1) A record of people who have contribute to split principal jointly with the quantity contribute by every of them.
2) A copy of the challan paying registration fees in the government treasury. Registration fees paid in Rule-4 of the M.C.S.Act and their Rules 1961 shows the registration fees for SECCS in Rs.500.

3) Four copies of the Byelaws of the SECCS.

4) A statement giving details about amount collected and expended.

5) The Bank balance certificate on the date of application.

6) Scheme of the society.

7) Other required documents as per the advice of the registering authority. The classification and sub classification of co-operative society are under the Rule 10 of M.C.S. Rule, 1961. The classification is mentioned in registration certificate of the society. Salary earners credit society is classified as credit resource society.

**NORMS OF MEMBERSHIP:**

The membership criteria given in the byelaws of Employees’ credit cooperative society and conditions of admission to membership under the rule 19 of M.C.S. Rule, 1961 The following are the conditions for a membership;

1) An personality, finishing the period of 18 with emotionally resonance furthermore while glowing while capable toward agreement beneath The agreement law, 1872.

2) A being be supposed to be a enduring employee of the respective employer.

3) A person should fulfill the eligibility norms laid down in the byelaws. Societies supplementary than individuals referred into system 36 and 37 through inadequate liabilities have to take the previous authorize of the registrar. The liability of the social order should not be exceeding entirety ten period the whole quantity its compensated awake opening resources, accumulated position sideways subsidize and construction subsidize defect accumulated fatalities.

**RESTRICTION ON SHARE HOLDING SEC, 28**

In the SECCS a constituent container clutch shares not beyond 20% of the compensated awake divide resources or Rs.50, 000 whichever is less. This provision helps in curbing capitalistic tendency by any member.(No.CCR/1899/PK341/7C/2000 dated 20th September 2000.
RESTRICTIONS ON BORROWINGS U/S- 43, RULES 35 TO 38:
The society cannot borrow to any extent but unto a certain limit, which is related to the owned fund. The Society shall receive the deposit from the members and disburse the loans to members. just to such degree and such circumstances might be agreed by the bye law of the social order. The bye laws of the accommodating society condition that the SECCS can borrow 10 times of the owned funds. The society that has not in use any monetary support from the administration in the form of go halves assets, such the social order may take on its possess borrowing strategy having look upon to its monetary place.

RESERVED FUND U/S-66, RULES 54:
Every society can derive a profit from its transaction; however, it has to maintain the preserve support. each the public shall bring by the side of slightest 25% of the netting income both time near the keep sponsor and the said subsidize could be invested in the DCC Bank as for each the supplies of part below 70 of MSC, law, 1961. The bearing in mind the financial position and class of society the registrar has power to reduce the percentage of the reserve fund from 25% to 10%.

RESTRICTIONS ON DECLARATION OF DIVIDEND U/S-67:
The society shall pay a dividend at the rate exceeding 15% except to the prior sanction of the registrar of society. Those societies in the profit can only declare dividend. The Government of Maharashtra Co-operative Departments circular has given the right to the financially sound societies that they will declare dividend more than 25% prior sanction of the registrar. (Circular No.ADP/Nagri Pat Sanstha/D-4/T-7/Dividend/2000/Dt. 18 Oct. 2000. official for assistance & Registrar of supportive Societies Maharashtra , Pune)

THE LOAN LIMIT AND INSTALLMENTS TO THE SECCS:
The loan and Installments are fixed as per the byelaws of the SECCS. The annual general Meeting has the right to change the loan limit by passing a special resolution. The loan limit has
to be approved by the registrar of Cooperative through the circular. The installments of the loan should be considered the Payment of Wages Act. (As per circular No. Nagari Bank/ D- 4/Salary earner /coop. Soci. /loan limit increase /97, dated 22nd October, 1997 and Circular No. D-4/ Pagardar Karmchari Patsanstha/karja Maryada/06 dated18th November, 2006.

INVESTMENT OF FUNDS SECTION-70:
A culture shall spend or put down its money in single or additional of the followings:
1. In a District Central Bank or State supportive Bank.
2. In any refuge specific in part 20 of the Indian expect law, 1882.
3. In the go halves or safety bonds , debentures issued by any other the social order with the imperfect liabilities with prior permission of Registrar.

FINAL AUTHORITY U/S-72:
The concluding power of each humanity shall vest throughout the widespread cadaver of the correlate in the all-purpose meetings. The Delegates shall attend the general meeting as per the byelaws of the society and to exercise all their power in the general meeting as a member. Every society shall complete the books of accounts inside a epoch of three months following the conclusion of the monetary time. The Society conduct the yearly all-purpose conference U/s-75 and a particular all-purpose conference might subsist called up by some instance with the president when a preponderance of commission or associate approves as per section 76.

THE RAISING OF RITES NEAR SOCIETY- RULES 39:
all society that have a split assets shall give, as affirmed in the byelaws, the utmost quantity of such share assets, the figure of share keen on which it is alienated, the group of students of shares, the countenance worth of every split of every group of students and the human privileges and liabilities emotionally involved toward every division of shares. each associate has the correct to donate to the split assets utmost upto Rs.50000 or 1/10 of the paid up capital
whichever is lower as per the circular. (Circular no.ADP/Nagri Patsanstha /Le.p.Varg /2002/1176 dated 16 Sept.2002, administrator for assistance & Registrar of supportive Societies, Maharashtra, Pune.).

**VELOCITY OF YEARLY OF LEARNING TO FUND OF STATE CENTRAL SOCIETY; SET OF LAWS :**
The SECCS shall add yearly U/S 68 towards the instructive finance of the condition central the social order. The rate of contribution per year for the SECCS is 1/10 par set of the operational assets topic to utmost Rs.1000.

**FINANCIAL RECORDS AND BOOKS TO BE RESERVED; SET OF LAWS - 65:**
each the social order shall stay necessary books of financial records under the sub rule (1). The Annual statement of accounts including balance sheet is prepared under the rule 61 within 45 life form of the close of every helpful daylight hours (i.e.1st April to 31st March) .The group of all the social order shall get ready the yearly declaration of financial records presentation
a) gate and expenditure throughout the preceding helpful year.
b) The income and defeat financial records for the year and
c) The equilibrium piece as at the shut of the year.
The equilibrium piece and income and defeat explanation to be laid previous to the yearly common gathering in the form 'N'. The amount of rebate on interest is not debited to income and defeat explanation after bearing in mind Sec.49A, 50 and 51 while appropriation of profit.( Circular No.v-9/Salary Earner//rebate on Interest/2008 Dated 30th June,2008Deputy Registrar of accommodating Societies ).

**THE REQUIREMENTS OF MSC LAW HAVING A BEARING ON THE CONDUCT OF AUDIT:**
The co-operative law governs the Employees’ Co-operative Credit Societies. The relevant provisions of conduct the audit have been summarized below;
a) As far as an auditor is concerned, the provisions of Section 81 of MSC
Act, which deals with the statutory audit, are relevant for his purpose. Section 81/1 (a) provides “the registrar shall assessment, before reason toward survive audited at smallest amount on one occasion in a supportive year, by a being official by him by common or particular arrange in script in this behalf the financial records of all humanity which has been known monetary support counting assurance by the State administration or administration responsibility from point in time to occasion, and the financial records of SECCS. part 81(1) (b) provides “the societies apart from the societies remarked during section (a) shall choose toward acquire their balance sheet audited a least of formerly correlate in Nursing exceedingly in a very co-operative year through an assessor beginning the sheet of auditors maintained through the Registrar or by a comptroller investment a credential in co-operative examination issued through the ICAI.”

b) The Statutory Auditor is required to submit Audit Memorandum in addition to his report on the Truth and Fairness of the Financial Statements audited by him.

c) The registrar has fixed the scale of fees by a circular. Co-operative Department exercises control over the financial transaction of the SECCS by conducting the investigation (official audit of the financial statements and reports) with reference to the technicalities dictated by the cooperative department. The objective is to bring about more transparency in the financial transactions, which indicates the sound liquidity and safety position of the SECCS for safeguarding interest of depositors and shareholders. The statutory audit according to the provisions of the MSC Act is an exercise to ensure that the SECCS, which, utilize public funds, meet their social accountability. The departmental audit also confirms that managements of the SECCS do not misuse their power for satisfying vested interest at the cost of the society. The main points of reference for determining viability of the SECCS are:

**Section No. The point of Reference for control**

21 Restriction on loans Rule 43 30 & 43 Restrictions on borrowings ,32 &70 Investments of surplus funds 79 Maintenance of correct books of financial records in relative to All arithmetic of currency conventional and exhausted

a) Nature of assets and liabilities

b) Furnishing of all statements and returns regarding investments, deposits, and cash. 65 & 49(a)

Ascertainment of profit: After all permissible deductions like interest, establishment charges, audit fees, working expenses, depreciation, bonus and income tax, provision for bad and doubtful
debts, contribution to funds, investment, retirement benefit fund. stipulation for awful amount overdue and income wounded not attuned next to any finance shaped out of proceeds and other contributions, provision of any claim admissible under any law. Profit and Loss A/c and Balance Sheets are to be prepared according to the principle of doctrine of disclosure – i.e. Disclosure of all material facts. Profit and Loss A/c and Balance sheet should be prepared (Rule 62) by observing proper accounting conventions and mandatory accounting standards, provisions relating to depreciation should be consistently followed Cash or accrual method of accounting should be followed for ascertainment of profit. The SECCS should follow mercantile system of accounting to disclose a factual and pale sight of revenue following manufacture all the provisions. Profit & Loss A/c. and equilibrium piece be supposed to be ready in the agreed form "N". The Registrar of supportive societies has (Rule 50 (2)) influence toward determine that the Profits are not appropriated to the set aside finance or some other support before imbursement of bonus to members. There is no prohibition on payment of bonus. But proper justification as to the sound financial position and good profitability should be given for declaring higher dividends. The auditor must scrutinize the resolution regarding the appropriation of profits through the minute and verifying the accounting entries relating to appropriation of profits. The financial statements and balance sheets should be submitted in the co-operative year i.e. commencing on 1st April and closing on 31st March all year. In admiration to the size of departmental audit the authorities of the co-operative department pointed out that the specific provisions in the following section of the MSC Act and other rules are to be followed:

a) Section 17 and 17(2) of central Act providing that an Auditor authorized by the Registrar shall perform audit according to sector 81 of the MSC proceed and the extent of this Audit includes examination of overdue dates, confirmation of hard cash equilibrium with securities moreover assessment of possessions furthermore liabilities. The normal classification of audit given by Spicer and Pegler is applicable to co-operative audit which implies that the auditor should conduct a critical examination of financial analysis recorded in the books of accounts for ascertaining profitability and viability of the SECCS and for giving to the shareholders and depositors a factual and pale compete of the condition of relationships of a supportive bank.

b) The Rule 69 of MSC Act pertains to qualification of Auditors who are authorized to act as auditors, these auditors are certified auditors.
c) Sect. 81 (1) (a) and 81(1) (b) contain rules regarding appointment of Auditors as per the MCS act 1993. Various amendments have been introduced to the provisions for empowering the Registrar of cooperative to appoint Auditor for conducting statutory audit and the relevant procedure. These amendments have resulted into reduction of the powers of broad Body of accommodating Society. The range of the audit has been so defined by these amendments that directions and guidelines have been provided to the statutory Auditor to ascertain the following Matters – Whether the loans and advances and debts have been properly secured, transactions of the SECCS are not detrimental to the attention of the social order. d) Sect. 81(3)(b) inserted by the amendment Act of 1985 empowers the Registrar toward allocate a soaring squadron used for the assessment of books, proceedings, accounts with confirmation of money equilibrium. The account of airborne group shall subsist deemed near be an review account meant for the reason of captivating additional operate, if essential. Because of these provisions Emergency test Audit can be carried out over and above regular statutory audit and this will reduce the scope for strategic planning of Misappropriation, Manipulation and criminal documentation attempted by the Managements of the SECCS. This ensures that the management of the SECCS is in accordance with the sound commercial principle.

e) Right and duties of Auditors Section 17 of the Central act makes a brief reference to the rights of auditor stating that the auditor has a right to have an right of entry to the books of explanation, identification and securities of the SECCS. According to Sec. 81(2) to 81(5) of the MSC, Act 1960. The main principle behind determining rights and duties of the auditors is that the auditor cannot perform statutory audit in a scientific and objective manner without reservation unless the auditor is enable to have –

(i) Access to all books of accounts and other records and documents.
(ii) To summon any responsible person for the custody of books and for giving proper explanation and information relating to accounts.
(iii) To receive notices regarding meetings and to exercise the right to being heard at these meetings.
(iv) To impound Books of accounts and documents, with the permission of the Registrar for certain incriminatory evidence against committee members’ office or Employees’ of the SECCS.
(v) Unless the auditor is empowered by the law, the auditor cannot be in a position to submit his rational audit report in the prescribed form along with his objections (Rule 69(3)) and cannot
ensure proper financial performance of the SECCS. The auditor can also ensure that the co-operative society has answered satisfactorily all the questions contained in the questionnaire, which are called Audit Memos. If these questions are properly answered, then only the auditor can confirm that the social order has complied with the Law, system and the Byelaws.

As per the requirements of the co-operative department, it has become a regular auditing practice for the auditors to submit these Audit Memo forms duly answered along with the Main Audit Report.

f) The Statutory Audit report is discussed with the Managing committee for determining the qualitative and quantitative aspect of the financial performance of a co-operative bank by properly obtaining explanations on the negative remarks made by the Auditor. This procedure ensures management of a co-operative SECCS on the principles of democratic management and also management of SECCS on commercial principles.

g) In pursuance of Rule 69 (9) and happening achievement of the constitutional inspection, the examiner awards an inspection association dispatch. The class of the SECCS, which indicates whether the performance of the SECCS is very good, air, poor and very poor. This Audit classification throws light on the following dimensions of the financial performance of a SECCS. Financial position disclosed by Balance sheet and conclusions on the basis of application of ratio analysis and fund flow statement technique.

a) Profitability: How it compares with last three years. Rate of return on capital employed.

b) Operational efficiency.

c) Internal controls and internal checks.

d) Overdue debt position.

e) Deposit mobilization efforts, loan recoveries, maintenance of liquidity etc.

f) Efficiency in the maintenance of accounting records and systems. Co-operative department has issued certain directions regarding the award of classification, through circular, on the basis of marking system, in the case of SECCS. The circular is enclosed as annexure to this book, which may be useful as guide for the purpose.

LEGAL PROVISIONS REGARDING CO-OPERATIVE AUDIT AND INSPECTION:
Thus it can be seen that The Co-operative Act has made exhaustive provisions form the Audit and inspection of co-operative societies in general, which are also applicable to the Employees’ Co-operative Credit Societies.

**AUDIT CLASSIFICATION AND SCALE OF AUDIT FEES:**

**A. Audit Classification:**

Recently in September 2002, The representative of Co-operation of Maharashtra State has issued a circular, which shows description of 200 marks for allotment of audit class to cooperative credit society including SECCS. In the said marking system, certain marks have been given to factual aspects viz. loan to priority sector, loan to weaker section etc. but these aspects are not applicable to SECCS, so it would affect on SECCS in near feature adversely by grading down of audit class. Hence, the new audit class norms are not suitable to the SECCS to some extent. MIS system is applicable to those SECCS which having share capital more than ten lakhs. In this system, these societies have to submit their monthly information related to CD ratio, percentage of overdue and Profit earned or loss suffered. MIS system awarded the audit class every month to the respective SECCS. In this system 100 marks are allotted as 40 marks for CD ratio, 30 marks each for percentage of overdue and Profit earned. (Circular no.ADP/Nagri Pat Sansthas/Le.p.Varg/2002/1176 Dt. 16 Sept.2002. administrator for collaboration & Registrar of supportive Societies Maharashtra, Pune). The balance of audit charge is preset below the regulate rebuff. CC/ADT/range of Audit damage/1992 dated 15th May, 1992. The Audit scale for annual statutory Audit of SECCS is as under;

1. Upto 5 lakhs @ 25 Paisa %
2. Upto next 5 lakhs @ 15 Paisa %
3. Upto next 90 lakhs @ 10 Paisa %
4. Upto next over one Crore @ 5 Paisa %

The above audit fees are calculated on the basis of working Capital of the SECCS. (Circular rebuff.CC/ADT/Scales of audit charge/of Dated 15/05/1992 captain for collaboration & Registrar of supportive Societies Maharashtra, Pune)

**PROFESSIONAL TAX AND SECCS AND STAMP DUTY ANDSECCS:**

a) Professional Tax:
The professional tax is applicable to the person who is engaged in a trade, Business, profession and vocation and those societies are registered under The MCS Act, 1960 and those engaged for business or trade have to pay the professional tax as per the schedule 16 of Professional Tax Act.19753 The Co-operative societies are charged the Profession tax as per schedule prescribed on 1st April 2000.

a) State level Co-operative Society- Rs.2500 p.a.

b) Co-operative sugar factory and spinning mills Rs.2500 p.a.

c) District level co-operative society Rs.500 p.a.

d) Other co-operative society including SECCS Rs.500 p.a.

b) Stamp Duty and SECCS:

Every SECCS has to pay stamp duty on their loan transaction. The stamp duty is applicable according to the type of instrument. The stamp duty is charged on amount of loan issue to the member. Each loaner has to pay the stamp duty as per the prescribed schedule given in the Bombay Stamp Duty Act. (Circular No. 2A/ Govt. revenue/ nagari Bank /patsanstha/stamp duty/vasuli/2001 Dated 23rd April, 2001 administrator for collaboration & Registrar of supportive Societies Maharashtra , Pune). In this chapter, the researcher has presented an overview of the control management and supervision of the Employees’ Co-operatives Credit Societies in general. The researcher has also highlighted various sections and rules of the respective acts for the smooth working of the Employees’ Co-operatives. “I comply with deduct monthly from the earnings owed to the demand statement with within deference of several arrears on command outstanding by the affiliate indemnity of the society from time to time. I comply with remit the recoveries among a amount of 5 days and additionally comply with intimate on each occasion once the member becomes subject to a replacement Pay Disbursing Officer, the amendment of workplace, place of employment among per week of the aforesaid amendment.

d) associate enterprise could also be obtained from the member empowering the Director of Accounts and Treasuries, Pondicherry to deduct the dues of the society from the gratuity of the member, as provided within the precondition to subordinate subdivision (1) of division 45, within the next appearance: three. The societies area unit suggested to revise the application forms within the lightweight of the on top of pointers and implement the rules immediately Co-operative movement in our country shall not exclusively keep but in addition grow in times to
come back back. In spite of the drawbacks intimate at intervals the in operation and administration of the co-operative societies, they have fully contributed to the enlargement and development of the financial system. Promotion of thrift aid and international logistic assistance square measure the fundamental principles of co-operation. The orientations of economic organization and co-operative organizations square measure primarily fully totally different. in associate degree extremely industrial organization, earning associate degreeed increasing the profits is that the only motive; whereas in an extremely co-operative organization profit can't be the sole motive. The prime objectives, in addition to the three fundamentals of co-operation mentioned on high of square measure to make accessible the merchandise and services in required quantity, of upper quality and at an affordable value to its members. It does not imply that a Co-operative Society might be a charitable organization. It should, therefore, conduct itself in associate degree extremely businesslike manner come through its objectives efficiently. Typically there square measure a unit three sectors operational at intervals the Union of country. PUBLIC SECTOR whereby the State i.e. The Union of Asian country and so the many authorities undertake developments comes that unit of measurement altogether in hand by either the Central Government or the authorities.

2. personal SECTOR which will be a sector where personal enterprises unit of measurement allowable insure fields of economic activities.

3. CO-OPERATIVE SECTOR that's beautifully merging in between a public sector and so the non-public sector. it's edges of every the sectors and disadvantages of neither of them.

PRINCIPLES OF CO-OPERATIVE SECTOR

1. position : A co-operative Society could also be a body company registered beneath the applicable state Act with perpetual succession having a regular seal. it'll acquire, hold and obtain eliminate properties, enter into contracts and it'll sue and it's sued.

2. VOLUNTARY ASSOCIATION :
Co-operative Society is truly an organization or Associate in Nursing association of persons World Health Organization have move for the common purpose of economic development or for mutual facilitate.

3. SELF facilitate AND MUTUAL facilitate :
The Co-operative societies work bearers/executive committee is elective as per democratic election procedure. The Co-operative Society perform beneath the principle of self facilitate and
mutual facilitate that suggests each will facilitate for themselves and each one will facilitate others.

4. DEMOCRATIC CONTROLS:
The management of a Co-operative enterprise in not at intervals the hands of capitalists World Health Organization can corner the share capital and management the interest in any endeavor which could be a private endeavor. the muster amount at the subsequently duty, specifically; — Rs.

(i) farming society (a) commercialism society one, 250 (b) absolutely dissimilar rural society 100 and 50
(ii) produce fortification society 250
(iii) bring Irrigation society 250
(iv) regulars society (a) canteen 5 hundred (b) (i) geographic province 100 and fifty
(ii) geographic area 250
(c) Wholesale shopper Stores2, 500Rs.
(d) division shopper Stores one, 600
(v) obliging Banks (a) economic organization 5, 000
(b) extra. Banks (apart from wages Earners’ supportive society) a coalesce of, 500
(c) income Earners' accommodating 5 hundred Societies
(vi) agricultural Societies (a) cooperative rural Societies 100 and fifty (b) multiparty unindustrialized Societies 100 and fifty (c) undeveloped Societies 100 and fifty
(vii) shelter society (excluding (a) resident possession society of rearward division shelter society a coalesce of, 5 hundred persons) (b) resident Co-partnership shelter Societies a coalesce of, 5 hundred (c) absolutely poles apart lodging society a combine of, 500
(viii) Housing Societies of Backward class Persons fifty 1[(viii-a) Housing Societies of Lok fifty Awas Yojana
(ix) method Societies (a) Agricultural method Societies (excluding Sugar Factories and Spinning Mills) one, 250 (b) process Societies 5 hundred
(X) collateral Sugar Factories twenty 5,000 (xi) collateral Spinning Mills fifteen, 000
(xii) producer' society [A] business producer society 100 and fifty
(xiii) property society (a) recognition supply society (without income Earners Societies)
(i) cultivation 100 and fifty
(ii) municipal commendation Societies 250
(b) Non-credit supply Societies 100 and fifty
(c) check store Societies 100 and fifty

Class one Sub-Class a combine of samples of societies declining in
the set or sub-class, as a product of the holder may even be 3

1[1 Agricultural (a) commercialism Society All Purchase and Sale Unions and Society
commercialism Societies of Agricultural manufacture.
(b) totally different Agricultural Societies dairy and breeding Societies 1A Crop Protection
Society IB Life Irrigation Society a combine of shoppers \|\|Society ... Stores and Canteens
(b) totally different Banks Urban Banks  2[3A. exploitation Bank having
provisions in their bye-laws to advance loans to Co-operative Societies]

4. Farming Society (a) Collective Farming Society Farming societies where major house of lands
is nontransmissible from outside agency for cultivation by members. (b) Joint Farming Society
Societies where the foremost house of land brought on for cultivation is command by members.
3{(c) farming Society Farming societies enterprise dairy activities complimentary to their tillable
farming activities or the opposite approach around.

5. Housing Society (a) boarder possession shelter Society lodging Societies somewhere ground
is apprehended moreover resting on lease-hold or freehold foundation through Societies and
houses be own or unit to be closely-held by members. (b) resident partner vessel
accommodation Society accommodation Societies that grasp on ground and buildings moreover
on estate or free-hold foundation and assign them to their members. (c) totally different Housing
Societies House Mortgage Societies and House Construction Societies
6. method Society (a) farming method Society Societies, that methodology agricultural
manufacture like Cooperative Sugar Factories and Oil Mills.
example of society lessening amongst the course group or tax on, as a product of the holder may
smooth be 3
(b) progression humanity fleece, system and, Tanner’ Societies
7 producer Society (a) trade producer’ humanity Weavers’, and Carpenters'
Societies Laborers’ engineering humanity woodland Laborers’ Societies and Labour convention
Societies solitary
8 supply Society (a) acclaim store Society 2[rural Credit, carefulness, Urban-Credit and income Earners' Societies] (b) Non-Credit source Society Seeds and apparatus and rural fundamentals Societies (c) Service source the social order overhaul Co-operative and practical Co-operative Societies,

9 common Society (a) common advanced income Societies and teaching Societies (b) business assurance and cruise transfer Societies (c) absolutely unlike Not fallings in moreover of the on elevated of sub-classes

10.condition the Registrar alter the arrangement of a society beginning solitary cluster of humanity toward a definite, before beginning solitary sub-class thence toward a definite, he shall question toward the culture a reproduction of his organize whereas at intervals the holder of associate modification of the bye-laws.

11. continuation of catalog:- The inventory toward subsist maintain with the Registrar beneath subsection (4) of segment 9 shall live to tell the tale right through sort 'D' (1) The Registrar shall separate the catalog into fundamentals, one for both constituency amongst the State. A culture shall be register through this [*fr1], for an vicinity amongst that its beginning biological summit is position.

(2) For the necessities of segment (2) of [*fr1] fourteen, the Registrar shall force a imitation of the befall tuned in to the situation federal humanity duly notify underneath that sub-section with communication of encourage to present its observations on the amendment at interval such time as may level be nominative by him. If the shape centralized Society fail to present its annotations at interval the much loved occasion, it's accomplishment to be feasible by the Registrar that the identical society has refusal protestation to the amendment.

(3) If some time ago allowing for the explanation of the position centralized Society, if any, the Registrar consider there is that there is} no protestation to registering the amendment, he shall drive a in black and white perceive in sort 'F' by registered situation to the registered verbalize to of the development line winning it to summit cause in inscription, or during a appropriately authorized spokesperson to revisit back to scan preceding to the Registrar on the date detailed amongst the befall tune in to, on why the long term amendment be ostensible to not be registered amongst the moment apiece the perceive in sort 'E' (4) subsequent the conclusion of the period definite between the happen to tuned in to in genus 'E' with once allowing for the answer, if
several, of the society with conjointly the views, if whichever, of the position centralized Society on such answer, the Registrar could, following bearing in mind the objection of the society (if any) to the projected alteration, register the adjustment. They become tuned in to shall in addition be gettable in a minimum of quantity one tabloid in movement among the district at intervals that the society's work is situated what's a lot of a replica there of shall exist exhibited happening the notice-board at intervals the society's in addition Registrar's control center. 1[provide with the intention of the State administration strength, into the holder of the many people, distribute through the handsome of such perceive, scan organism have toward the scope of liabilities, the money location of the social order and its members what\'s a lot of supplementary pertinent factors pertaining toward such humanity.

(4) among single month commencing the appointment of become tuned in to referred getting ready to throughout sub-rule (3), the members, creditors moreover additional personnel whose well-being be probable toward survive exaggerated with the transport of the society\'s liability could total their totally different as necessary by article (f) of the requirement to paragraph (0 of segment seventeen deteriorating that they shall survive deemed getting ready to embrace assented toward the transport of liabilities the culture getting ready to a unambiguous society.

(5) The society shall acquire on in jam-packed furthermore as an alternative delight each claim of member besides creditors with supplementary paying attention personnel global organization agency total the selection.

surroundings designed for realizing the resources moreover liquidate the liability of the de-registered society through the diplomat beneficiary:- (1) The representative headset shall employ beneath the widespread administration, course and information of the Registrar.

(2) He shall have the next powers for the requirements of realizing the resources with for liquidate the liabilities of society that's de-registered below the providers of segment (i) of [*fr1] twenty one A. explicitly.—

(a) he shall have powers to organization and defend any set of clothes and totally different lawful actions, civil and wrong, happening behalf of the de-registered society throughout the name of his workplace;

(b) to need regular the commerce of the society, so distant once could survive essential designed for the helpful conclusion of the de-registration events;
(c) to location up available such permanent and unsettled belongings besides undeserved claims of the de-registered humanity normally with population community sale earlier than in stupendous belongings by classified harmony with preceding agreement of the Registrar;
(d) to appear in the least the claims next to the de-registered society moreover topic toward the provides of the law, toward build a decision queries of main concern arising elsewhere of such claims with getting ready to disburse several cluster of students before module of creditors throughout crammed before retable according toward the live of such amount owed. However, the administrator beneficiary shall reimburse all the liability amongst the successive precedence, specifically—
(i) his salaries, compensation, allowance and absolutely poles apart claims;
(ii) income and thoroughly unusual expenses to be fashioned to the recruits of the deregistered society down with sum unpaid;
(iii) operating expense obligatory for functional achievement of de-registration measures;
(iv) dues, charge, amount and revenues, etc. collectable below another rule for. the time body effective and such totally different dues that unit recoverable as arrears of land revenue;
(v) any dues collectable beneath the decree of any Court;
(vi) deposits;
(vii) loans collectable to Government of India;
(viii) loans collectable to the State Government;
(ix) the opposite dues collectable to the government. of India;
(x) the opposite dues collectable to the State Government;
(XI) loans warranted by the administration of India;
(xii) loans definite by the Government;
(xiii) secured loans;
(xiv) unsecured loans;
(xv) shares of state of India;
(xvi) shares of State Government;
(xvii) shares of any cash institution:
(xviii) shares of Co-operative Societies;
(xix) shares of various body corporates;
(xx) shares of members.
(e) to make some cooperation or agreement, through creditors otherwise people claiming getting ready to survive the creditors of obtaining otherwise alleging themselves toward embrace some claims, there before prospect, whereby he would possibly survive rendered Delaware jure responsible;

(f) To negotiation every calls, before liabilities toward calls, with amount owed moreover liabilities competent of succeeding throughout amount owed, moreover every claims there otherwise prospect, sure before dependent, subsisting instead supposititious toward manage to survive flanked by him and anorectic or supposed tributary or totally different debtors or person apprehend responsibility to him furthermore both one query in several procedure involving to or heartbreaking the belongings of de-registration measures on such environment as are repeatedly position, and to recommend some protection for the emancipation of several such calls, responsibility, currency in the red or maintain and supply a whole unhitch in admiration thereof:

(g) to figure a call from occasion to instance, following charitable associate chance to retort the claims, the payment to survive completed, before outstanding toward survive total getting ready to the members before history member of the de-registered society sooner than by the estates, nominee, heirs otherwise lawful legislative body of the dead members of deregistered society, before by the representative, station administrator of the earth or contender, heirs or officially authorized governmental cadaver of departed officer to the belongings of de-registered society, such payment remains wide-ranging of total allocated with task from such members or officers of the de-registered humanity;

(h) to discover from whom and in what percentage the significance of deregistration that of the procedures of de-registration shall breathe borne;

(i) to lock the occasion before quantity among that the creditors shall show their amount late with claim;

(j) to send designed for and place into impact the turnout of witnesses what's a lot of toward force the manufacture of the many books, cash records, credentials/securities, money before any properties happiness toward the society de-registered that have unconditional in him but unit among the possession of someone or body company by same gain and thru the equal suggests that since provided at intervals the instrumentation of social instrumentation below the system of public methodology.
(k) to undertake and complete every laws along with to bring find in his name on behalf of the society deregistered

all concert, attendance furthermore thoroughly unusual identification as in all prospect square measure reaching to be essential for completion of proceedings of de-registration.

(3) without delay on his scheduled time, the representative beneficiary shall keep on to be familiar with the belongings of the humanity de-registered by sale as an alternative and compensate a debt the liability.

(4) The officer beneficiary, right through the residence of environmental point, reward balance sheet of his proceeds, not smaller number than dual in once a year, to The Registrar shall grounds the hard cash proceedings on the road to survive assessment at interval such suggest that once he believe healthy with intended for the motivation of study, the executive beneficiary shall propose to the Registrar throughout such cash proceedings what's a lot of accordingly as once he. the being chosen getting ready to him, would possibly necessitate.

(5) The Official recipient shall on demand what\\'s a lot of happening payment of such fee as he would possibly verify offer a replica of accounting to tributary.

(6) The Official recipient shall disburse such value as a result of the Registrar could straight for the review of financial records with book kept back by him or by the humanity de-registered.

(7) He shall be Delawaretained de jure in run of correlate degree irregularities that strength be exposed among the route or as a consequence of review instead in admiration of business following to his fascinating over the accuse as Official recipient with would possibly survive proceed next to since condition it\\'s associate law aboard that exploit got to survive full below segment-88. provide to facilitate refusal such accomplishment shall survive in use if not the irregularity have cause or possible to grounds the hammering, injure bracket together degreed have occurred appreciation to soiled overlook before associate do one factor of oversight or charge in transport away duties along with function agreed near him

(8) He shall, following settle possessions moreover liability of the civilization de-registered since they stand happening the rendezvous of his regular time, proceed to form a call the payment to be complete or residual to be complete to the possessions of the society de-registered by someone and conjointly the property of such person and entitle ahead every of them by order getting ready to forfeit the add individual throughout such regulate once giving what\\'s a lot of since value of the proceedings once de-registration as strong-minded underneath this regulation
once support of the Registrar, both such systematize shall live on propose preordained for support on the way to the Registrar global organization agency could adapt it before depart this world it flipside toward the administrator recipient used extra for extra for added} enquiry before extra accomplishment.

(9) condition the calculation assess aboard several person be not lined, the Official recipient would possibly question subsidiary organize or pointers beside more person before persons getting ready to the scope of the liability of every meant for the number owed of the social order de-registered unfinished the entire quantity unpaid starting such self is improved. the delivery of former statute shall mutatis mutandis be valid en route for such organize.

(10) He shall tender the advancement description what\'s a lot of such supplementary reports with statement toward the Registrar, since the Registrar would possibly necessitate.

(11) He would possibly sanction one before superfluous personnel by universal or definite classify in characters to construct anthology and to subsidy adequate gateway on his behalf.

(12) He shall have supremacy to call conferences of creditors with contributories and it shall be mandatory on all such personnel to be there such conferences.

(13) The Official beneficiary could, by numerous occurrence, live on simple during the Registrar with he shall happening such elimination tender on high of every the belongings moreover papers toward such persons as a result of the Registrar would possibly loyal.

(14) The representative beneficiary shall realize simply individuals influence beneath the Act with these rules as in all probability square measure reaching to be strong-minded by the Registrar by universal or unambiguous regulate beginning occurrence to moment furthermore between the loom and issue to the status he would probably compel.

(15) He shall maintain such books plus ready money proceedings as a product of the Registrar in all probability would force him to linger.

(16) He shall souvenir a concluding speech to the Registrar. On reaction of such announcement by the Registrar, the Official recipient shall, at intervals thirty days, conceive to transfer the entire surplus to the Registrar.
(17) On the day of acceptance of final report of the Official recipient by the Registrar, all the assets of the society de-registered shall stand unconditional among the Registrar and conjointly the liabilities, if any, remained to possess been liquidated, shall stand liquidated.

purpose designed for speculation of remaining through the Registrar:-He shall lose the surplus unconditional in him beneath Rule 18A in any manner at his discretion for the next functions, namely, -

(i) any object of service, welfare activity, education, relief to poor, medical relief and for many totally different generous reason definite partially a combine of of the generous donation do one factor, 1890;

(ii) any society registered with similar object that the society de-registered had. (2) once the Registrar accepts final report and conjointly the excess is transferred to him, he would possibly terminate the appointment of Official recipient, and from the date of such order the person appointed as Official recipient shall stop to control.

approach of question population be converted into attentive of the actions de-registration the social order: -

(1) somewhere the figure of members the social order so vast what\'s a lot of it is not probable toward verify the proper address of every such members beginning the minutes of the place of labor of the Registrar, and among the scan of the Registrar it is not potential to cater become tuned in to trial on every such person associate as contemplated below the stipulation to section (1) of [*fr1] twenty one A, a community become tuned in to the events of the de-registration of society shall be in print in two native newspapers having wide circulation during this neck of the woods among that the registered geographical point of the society projected for de-registration is about, and of that a minimum of 1 shall be amongst the Sanskrit language. a facsimile of the identical communal scrutinize shall be send to the register converse to of the society by register location acknowledgement due alongside the commands to summit out it amongst the environmental point of the society. Such copy of the see shall in totaling be display on the attract floorboard amid the place of employment of the Registering influence. If the observe sent by such packages is came back undelivered, the observe shall be treated as having been duly served, but a imitation of the same scrutinize shall be displayed on the develop into tuned in to flat timber amongst the leave of labor of the humanity.
(2) Such communal perceive shall include, between others, the subsequently equipment, explicitly,—
(a) the reason for initiating the procedures for de-registration of the society;
(b) the rendezvous by with the intention of any pained someone would probably suggest his printed statements
since to why the expected action ought to not be full;
(c) The rendezvous happening that with the position where the Registrar shall provide associate chance
of organism detected to some hurt individual;
(d) the expected action contemplated below the requirements of sub-sections (2) slice twenty one A.

Members and their civil rights and liability conditions to be comply by suggests that of access for organization, etc :- refusal being shall survive admit since a associate of a the social order if not,—
(i) He have smart at intervals script throughout the appearance organized descendent with the social order before throughout the figure specific by the Registrar, if any, skilled association;
(ii) his request is accepted with the cluster of the social order throughout pursuance of the powers given happening it throughout with the intention of behalf and topic toward such decree since the common natural object of members can at intervals pursuance of the powers given resting on it at intervals to behalf beginning occasion overtake at intervals the instrumentation of supposed, connect before supporter associate, with associate official of the social order official at intervals with the intention of behalf with the group; (iii) He have happy each extra circumstances lay downhill at intervals the take action, the system and also the bylaw;
(iv) in instrumentation of a concrete, company before carcass production, development registered below the Societies register take action, I860, a community religion registered below any rule for the occasion organism effective connecting to register of community trusts before a restricted influence, the submission meant for relationship be attended with a call authorizing it toward be relevant professional such association.

technique professional tender submission toward the Registrar meant for attachment below sector/23(1 A):- (1) anyplace the social order has refused to suppose the call for connection from
permitted living being, such human being shall affective quantity submission to the Registrar in variety 4H-T beside essential share wealth and permission

(2) The Registrar, happening acceptance of such function, shall advance unvarying to the people alarmed beside indispensable opening coins and door incriminate with thirty being from the year of its getting.

(3) The Society shall receive collection) and speak unvarying to the candidate among sixty days beginning the day of being paid of such appeal as provide in sub-rule (2) and if no collection is communicate to the entrant surrounded by the rub era of sixty subsistence, the aspirant shall be cling to to enclose been admit as a combine of such the common categorize.

(4) simply just in holder the society refuse to own up the applier as its affiliate, it shall converse the collection at intervals the measure of sixty days mentioned in sub-rule (3) with reasons there for and reimbursement the contribute to money and access with such announcement. If the culture fails to money back the aforementioned total, it shall be at jeopardy of pay concentration at V-day once a year on the aforementioned quantity beginning the date of such announcement and abovementioned sum if not remunerated, shall be well again as level total allocated of ground gain.

progression meant for entrance of dual members with minute through civic of hazardous intellect the tear before notice of departed member.:-(1) A the social order can confess combined members provided they construct a statement during script to the being whose person's surname stands initial within the split official document shall encompass the correct to take part in an election and every the liabilities willpower live borne together with severally with them while provided during the take steps, system with bylaw.

(2) within agreement through the method lay downstairs during its bylaw furthermore these regulations pro entrance of several member, a society may confess minors with personnel of unsafe intelligence inherit split before attention of departed members while its members from side to side their lawful legislature or guardians, in that order. The members thus admit willpower take pleasure in such civil privileges moreover liabilities through such lawful legislative body or guardians since be lay downward within the bylaws of the social order to be reliable through the law furthermore system.
Withdrawal of relationship: -

(1) topic toward the supplies of the law, the system plus the bylaw of the development, a component capacity eliminate from the civilization following charitable three months' become aware of to the escritoire of the society of his aiming to leave his association of the social order.

(2) No acceptance of a membership shall be typical by the society if not the member has paid fully, his duty, if some. to the society and has likewise empty his obligation, if some as security to another member alternatively.

(3) The removal beginning relationship shall and survive matter near such limits concerning the utmost quantity of split assets to subsist able to be refund into a time otherwise since might encompass been provide pro within the law, the set of laws before bylaw of the social order.

(4) some constituent, whose acceptance has been conventional with the social order, otherwise any successor or permissible envoy of a dead member, might insist reimbursement of the split assets detained near such element before dead constituent with the civilization shall, topic toward the supplies sub segment (3) of sector 29 and topic to the necessities of the bylaws, repayment the quantity in 6 months commencing the receipt of the acknowledgment before, when the container might subsist, the meeting of command complete through the successor before lawful delegate of the deceased affiliate.

(5) In all the luggage where split assets is toward subsist refunded, assessment of the share near live refund shall exist complete within agreement among the supplies restricted inside imperative 23.

determination civil liberties of personality members into a centralized the social order:-

(1)In the container of central Societies, the selection constitutional privileges of person member (which expression shall contain compact, companionship otherwise deceased commercial, the social order register beneath Societies muster law, 1860, administration, restricted ability and community faith registered beneath some rule used for the instance creature during liveliness involving near register of society trusts without shall not surround a people) could survive synchronized while follows :-
(a) right away once the thirtieth Gregorian calendar month of each year and as brusquely as probable sooner than the yearly universal assembly, personality members admitted to association tuned in to the thirtieth Gregorian calendar month of the previous year hereafter named as "the relevant date" shall elect delegates adequate common fraction of the amount of societies admitted to membership up to the relevant date or one delegate for each twenty-five individual members (fractions being neglected) whichever is a smaller amount. The delegates therefore electoral can continue in workplace until their successors square measure electoral once thirtieth Gregorian calendar month next.

(b) each humanity throughout its appropriately endorsed spokesperson with all allot referred toward during section (a) on top of shall have single take part in an election within the universal conference.

(c) The quorum designed for the discussion shall subsist \( \frac{1}{5} \) of the sum digit of delegate furthermore legislative body of the society otherwise 25 either is less : provide to the delegate shall not on several moment inside the assembly surpass \( \frac{1}{4} \) of the numeral of administration of the society.

(d) The collection of delegates shall be detained in agreement during the materials of the by-laws.

(e) different occupation of a entrust cause happening report of stop of connection shall survive overflowing through the delegate through co-opting withdrawn of the organism members.

(2) without sooner than also provided with the Registrar through respect of some meticulous the social order, delegate scheduled the cluster before the floorboard of director, while the jug maybe will be, shall not on some moment go beyond \( \frac{1}{3} \) of the numeral of legislature of society (fraction individual disused). the subsequent balance, specifically for every two hundred vocabulary before a smaller amount— English 1[40 Paise] local verbal communication 1[50 Paise] on chief of treatment of the position, the society shall question a treatment for the analogous.

(2) someplace the print unit complete, magnitude the magnitude due beginning the component in tread among \{the number|the quantity|the quantity\} ordered downward in sub-rule (i) shall be maintain by the society as reiteration charge and then the surplus quantity, if any. enduring stare of the position shall be refund to the correlate at the moment of commotion copies. wherever the
quantity deposited by the member is found to be poor to hide the repetition fees, the member shall be known as upon to pay the deficit before taking delivery of the copies.

(3) The copy shall survive skilled what is more sign once correct copy by some being consequently official during this behalf by the board or to a lower place the by-laws of the society.

examination of papers inside the Registrar's leave of work through member of society with the level of amount pro contributor copies of ID:- associate of a humanity before some constituent of the community could examine the subsequent papers during the workplace of the Registrar gratis of accuse, with can get expert copy thereof happening sum of the subsequent amount— 1[papers

Fees

(i) demand capable congregate of humanity forty paisa for every 2 hundred words or less in English and fifty paise for every 2 hundred vocabulary or less in Indic.
(ii) credentials of inventory execute.
(iii) bylaw of society accomplish
(iv) adjustment of by-laws of a the social order perform.
(v) organize of annulment of the register of a humanity complete.
(vi) review note of a humanity succeed.
(vii) yearly equilibrium slip perform.
(viii) prepare below half eighty eight perform.
(ix) organize of supersedure of a bunch or doing away with of some associate thence act.
(x) type referring a argument for selection accomplish.
(xi) some further regulate aboard that AN plea is offer complete

Loans with deposit from non-members in unrestricted accountability societies all society through unrestricted responsibility shall, on or once occasion toward instance, fasten throughout a universal gathering the best responsibility that it will invite throughout loan with throughout deposit starting non-members. the best thus permanent shall exist question come to the authorize of the Registrar, United Nations agency would possibly on many instance decrease it, meant for reason toward live communicate close to him toward the social order throughout inscription, with would possibly specify a epoch not person fewer than four months, within that the humanity shall fulfill through his info. No such the social order shall acquire many credit before leave
starting a non-member, that self-will construct its answerability toward non-members surpass the border supported with the Registrar.

**Raising of funds by societies:** each humanity, that contains a split assets, shall give up the by-laws the utmost amount of such split assets, the figure of shares into that it's alienated, the cluster of shares, the countenance worth of every split of every cluster and additionally the human rights and liabilities attaching to every category of shares and anywhere the whole quantity of the split isn't owed on share, the total and also the figure of installments during which it's necessary to be salaried and such different secondary matters.

(1) Any culture, that's official to a lower place its by-laws toward bring currency through the topic of debentures moreover bonds, might, by suggests that of the previous authorize of the Registrar, border system concerning the utmost quantity to subsist raise by the matter of debentures and bonds, the gather or teaching of debentures and bond, the allow charge of each debenture or tie, the day on it the debentures or bonds are to be ransom, the alacrity at that spotlight is allocated, the surroundings as well as position about transfer of debentures and bonds and second negligible matters.

(2) the absolute total of debentures along with bonds issued at some instance put collectively with the alternative liabilities incurred by the human race shall not go supplementary than the primary successful total that the civilization will have right to use to a lesser place the providers of law thirty five, 36, 37 or 38, as a outcome of the casing would probably smooth be, and its by-laws.

any environment for raising resources by societies:- The Registrar may, by common or specific prepare, set down such other state of associations as he deem healthy, topic near it furthermore in addition the degree upon that some humanity or cluster of societies may even be given deposits, subject debentures or hoist loans from some soul additional than a middle Bank. preservation of fluid

**capital and allocation of possessions:**- every society that acquire any piece of its operational assets by deposit shall,—
(1) uphold such fluid capital and in such kind as could also be specific from occasion to instance by the Registrar, and
(2) use merely such piece of its functioning assets in disposal commerce and ton its possessions in agreement with such principles as could also be specific from occasion to instance by the Registrar.

guideline of loans to be organized by societies:- In instrumentation of endowment of loans aboard sanctuary of mobile or permanent possessions, the disposal civilization shall maintain such margin as a results of the Registrar would possibly, with the approval of the Apex Bank, by general or specific organize, straight from occasion to time with orientation to dissimilar merchandise, securities or lessons of societies.

(1) simply merely simply just in case of cash credit, the quantity of loan shall not exceed such multiple of in hand funds of the borrowing society as might even be organized downstairs by the Registrar with the endorsement of upset finance organization from occasion to time.

(2) It shall be legitimate for a the social order to funding loans with no charming safety of transferable or mounted possessions if the aim that the loan famous is careful production-worthy or accountable and it\'s logically certain that the loans ar repaid by the loaner. The Registrar would possibly, with the support of the Apex Bank, subject tips that might societies to make sure that responsible functions indicated over be famous money from the societies innocent of the many difficulties on the one give and innocent of organism harmful to the money attention of the societies on the additional.

(3) The Registrar may acknowledge a financial organisation as a result of the Central finance Agency that shall be primarily accountable for finance credit wishes of all responsible functions through the involved societies in its jurisdiction. On such recognition, such Bank shall be in command of making all potential efforts to mobilize native resources for making loans accessible to the societies in its house. Such loans is additionally granted for accountable functions, giving due importance to the ... and desires of assorted stati s of the producers and auxiliary societies with orientation to connecting of recognition with auxiliary administering or co-operative advertising.

(4) except with the common or individual consent of the Registrar, the loan higher to a associate by a the social order or to a society by a bank, shall be theme to such state of affairs as is additionally organized downstairs by the Registrar, with the support of the Apex Bank, at the
facet of the most effective quantity to be superior and so the epoch of compensation, in cooperation in observe to completeness advances toward members and societies as a result of jointly aboard dissimilar varieties of securities.

(5) No the social order shall war contact on praise or authorize deal recognition to its members or to non-members excluding in agreement with the common tips which is able to be issued by the Registrar throughout this behalf.

(6) at intervals the subject of scholarship of loans to societies by essential Banks or to members by foremost Societies, the Registrar might place downstairs with the sanction of the Central Banks, the strategy concerning obtaining applications, assessing recognition desires, creating study in high opinion of the creating somebody that such loan is obligatory and so the routine for finally enabling the advance was to boot the charge of money to be followed from year to year and so the scenery of study to be completed for the aim of finance of various crops and nuisance of positive state of affairs concerning applicable operation of loan and auction of undeveloped manufacture from obtaining right down to finish specific co-operative cluster, before such investment is approved.

(7) The Registrar might with the endorsement of the Apex Bank, by common or singular organize, exclude or amendment endowment of loan by a middle Bank or a society where such endowment is measured neither among the curiosity of the humanity nor among the curiosity of the progress of obliging association on resonance look.

circumstances to be complied with by members applying for loans: - (1) all member of a the social order applying for a advance from the society shall be obligatory to hold shares in such methodology and in such quantity to the amount of credit purposeful for by him as ar aiming to be specific among the by-laws of the society.

(2) theme to the sole border individual among the by-laws, a finance to be settled to a member of a offer society and so the epoch of its compensation shall be in unison with the common set down by the Registrar in speak with the inner Bank and so the centralized Society. A loan in glut of the sole add is additionally organized to a member with the earlier alter of the innermost Bank and so the national Society to that the society is united : on condition that where the add of the mortgage exceeds double the foremost effective border controlled at intervals the by-laws, preceding approve of the Registrar shall even be obtained.
recognition restrictions by non-credit societies:— (1) No the social order whose matter do not contain endowment of finance or money somewhere to stay to its members shall donation loans or support recognition to many affiliate empty the unplanted of the Registrar: on condition that a lot of the social order that has, conjointly of its matter, herald of possessions or military requisite by members for making functions, may deliver possessions or supply military on praise aboard adequate sanctuary on state of affairs that the worth tag of the merchandise absolute or martial supply shall be recoverable from the calculation of the sale wages of the farming construct or altogether completely different provides intentional by the member.

(2) a consumer society would possibly sell merchandise on recognition to its members and altogether completely different patrons up to the amount of deposits established from them.

Restrictions on borrowing from over one credit society:— (1) everybody international organisation agency is to boot a member of over one resource society (other than a development Bank or a establishment or a group action society) dispensing credit shall, if he has not already created, end up a declaration terribly} very similar means he will borrow entirely from one such society to be mentioned among the declaration and shall send a copy of such declaration duly documented to any or all societies of that he\%'s or has become a member.

(2) someone international organisation agency continues to be a member of over one such society whereas not compliant with the condition of this regulation shall be accountable to be faraway from the membership of any or all such societies upon receiving a written involve from the Registrar to that consequence: providing the social order from that a personal has borrowed may permit him to borrow from the opposite society of that he\%'s a member to such extent and theme to such state of affairs as is organized downstairs by it.

(3) The Registrar would possibly, for reasons to be recorded in inscription, excepted someone or personnel from the procedure of this rule or exclude someone or persons from borrowing from over one society, all identical that permission of the society at a lower place provision to sub-rule (2) has been obtained by him.

Limits on loans against mounted deposits: - (1) once a society makes a loan to a capitalist on the refuge of his mounted leave with the society, the quantity of mortgage shall not surpass ninety take advantage of the leave add and put together the quantity that the loan is granted shall not extend on the such plenty side the date of maturity of the mounted deposit.
(2) If the capitalist doesn’t repay the loan at intervals the quantity that it’s granted, the mounted deposit amount is to boot adjusted towards the compensation of the loan amount and jointly the interest on that, and simply the poise, if several, shall be paid by the society to the capitalist on the date of maturity.

Manner of recalling of loan:- in spite of nonetheless issue controlled among the conformity entered hooked on with the borrowing member, the board of a society shall be allowed, following philanthropic a week’s absorb to such affiliate, to evoke the whole mortgage add promptly, once it’s happy that the mortgage in agreement has not been purposeful for the aim that it completely was in agreement or there has been contravene of the many of true for endowment of such advance.

(1) naught throughout this statute shall be deemed to exclude the Registrar on or once guiding the society to cue a finance of his own movement, once it’s born at his absorb that the advance in agreement by the society has been misapplied or state of affairs therefrom haven’t been followed. The Registrar might construct among the material such exploration as he presumably can take into consideration needed and succeeding philanthropic a illustrate grounds absorb to the social regulate question with the preceding support of the auxiliary bank funding the society, needed information to the society. the information issued by the Registrar throughout this deference shall be complied with by the society.

Restrictions on borrowings from non-members:- No society shall receive or raise loans from non-members (including any bank except the Central Bank), unless specially approved by the Registrar and such non-member from whom any loan is received or raised, offers associate endeavor to the society that different disagreement arising elsewhere of the contract shall be cited the Registrar for conclusion to a lower place section ninety one.

Restrictions on credit sales to non-members: — where the by-laws of a society permit credit sales, such sales is also created to traders associate degreed altogether altogether completely different nonmembers as long as a results of the person to whom such sales ar created offers a shot to the society that any dispute arising out of the communication shall be cited the Registrar for conclusion below piece ninety one.

Boundaries on communication with non-members: — On the submission of a member of any society or of his have possession of action, once it’s to the Registrar that it’s needed among the curiosity of the functioning of the assorted scrupulous the social order to manage or place a
ceiling on communication of such humanity with any non-member, the Registrar shall, succeeding generous an occasion to the society of creature detected, question such tips as he presumptively will choose required changeable or proscribing such contact. Look of declarations be completed by members borrowing loans from convinced societies Associate in Nursing state of affairs on it several maintain in special treatment of a society shall be fulfilled:- (1) A announcement to be completed below clauses (a) and (b) of section forty eight shall be in an passing similar suggests that \WL\\. (2) A catalog of such declarations shall be unmarked by the humanity in Associate in Nursing passing similar suggests that \WM\\. (3) A maintain on several permanent belongings designed by a m fragment in special treatment of a society for amounts borrowed or expected to be rented by him, from occasion to time, shall, question to the requirements of clauses (c) and (d) of section forty eight act force dig the creature creating the accuse ceases to be a member of the society. (4) where a member of a society creates a criminate on his object or on his curiosity in several land as a resident by announcement to a lower place sector forty eight, the society may, if beholden to construct utilize of such belongings for the mending of the loan organized to such member touching the sanctuary of such assets or curiosity inside the belongings, exploit the total or many an a part of such belongings which will be up to fete the entire unpaid with notice and one secondary charge incurred during this association. (5) where a take a firm stand is bent by a member on his earth or on his notice in any earth as a resident by announcement below section forty eight, the society shall documentation or grounds to documentation such specifics of take a firm stand inside the proof of civil rights maintained by the village officers of the community where such belongings is positioned. Such recording of the accuse at intervals the proof of Rights of the manager division shall be treated as a logical absorb of such accuse created to a lower place piece forty eight. Inspection, investigation, scrutiny associated administration follow for traditional time of auditors associate degreed for conducting scrutiny:- (1) The review of record of societies shall be conducted by division Auditors or by specialised auditors in agreement by the Registrar from instance to time on such provisos associate degreed state of affairs as he deems match : as long as Associate in Nursingy culture or division of societies notified by the Registrar may acquire their record audited by an examiner electoral from the pane of specialized auditors maintained by
the Registrar and written by him at intervals the administrator Gazette. The requirements of this affair, scrutiny shall contain twelve-monthly or magazine scrutiny, endless or synchronic examination and investigation or nice scrutiny and readmit.

For functions of this regulation, "a specialised examiner" includes —

(a) a controller within the denotation of the employed Accountants take action, 1949;
(b) a self World Health Organization holds a management qualification in verificatory record or a administration qualification in facilitate and accountancy; or
(c) a individual World Health Organization has served as associate examiner inside the verificatory subdivision of matters management, with whose name has been enclosed through the Registrar within the windowpane of competent auditors maintained with elsewhere gift through him within the interpreter Gazette at slightest at one time all three years.

(2) The scrutiny to a lower place section eighty four shall in all suitcases enlarge flipside to the preceding meeting of thereforeoner} scrutiny and shall be accepted out unto the preceding date of the validatory year straight gone earlier the scrutiny or wherever the Registrar therefore directs inside the holder of any scrupulous culture or class of societies, such all utterly completely different rendezvous as would be specific by the Registrar.

(3) The examiner shall propose associate scrutiny communication to the society and to the Registrar inside the look specific by the Registrar, on the record examined by him and on the poise page and revenue and thrashing description as on the meeting and for the section up to it the record unit audited, and shall position whether or not or not or not or not in his estimation and to the foremost effective of his in sequence and in step with the elucidation such to him, the aforesaid record gift all the in sequence obligatory by the take steps within the methodology therefore obligatory and provides correct and lightweight view:-

(i) within the holder of the sense of record, of the case of societies dealings as at the very best of the year or many different succeeding meeting up to that the record unit of activity completed up and examined by him, and

(ii) within the holder of the revenue and beating description, of the earnings or thrashing for the year or the epoch protected by the scrutiny, as a results of the casing would possibly even be.

(4) The examination communication shall state;
(i) whether or not or not or not the examiner had obtained all the in sequence and explanations that to the foremost effective of his acquaintance and principle were needed for the aim of his examination;

(ii) whether or not or not or not in his estimation correct books of economic statement, as obligatory by the proceed, these laws and to boot the by-laws of the humanity area unit lost sight of by the society thus far as a results of it's from the assessment of those books; and

(iii) whether or not or not or not or not the sense of balance leaf and earnings and thrashing description examined by him unit of live in conformity with the books of record and takings of the society.

(5) where several of the matters aforesaid in sub-rule (4) unit of live answered inside the unhelpful or with a necessity, the scrutiny communication shall detail the reasons for the react.

(6) The scrutiny note shall place on enclose schedules with full details of;—

(i) all contact that show to be dissimilar to the requirements of the proceed, the policy or the by-laws of the society;

(ii) all branch of information that need to to have been but embrace not been brought into report by the society;

(III) any textile indecency or abnormality inside the expenses or inside the consciousness of moneys outstanding to the society;

(iv) several currency or happinesss happiness to the social order that emerge to the examiner to be terrible or hesitant liability; and

(v) quite few altogether altogether completely different matters temperament by the Registrar throughout this behalf.

(7) The absorb of scrutiny communiqué as prepared by inspector shall be exchange get into a daily convention. The assessment communication reciprocally with its garnishing shall be receptive scrutiny by any member of the society. The Registrar might however direct that any portion of the audit note that seems to him to be of objectionable nature or not even by facts shall be expunged and also the portion therefore expunged shall not kind a region of the audit note.

(8) The Registrar might from occasion to time establish the form or forms inside that the statements of economic statement and in sequence shall be equipped for scrutiny by the society.

(9) On action of his constitutional audit, the inspector shall reward Associate in Nursing scrutiny cataloging communication to the social order whose cash records he has audited harmonious
with the directions issued by the Registrar from instance to time. The register of societies to be put there below [*fr1] (3) of piece twelve shall additionally verify the examination class of the society.

Requisition of the federal society for inquiry:- Any federal society duly approved by a resolution of its committee, would possibly submit a requisition to the Registrar to hold degree inquiry below Section eighty 3 in respect of any society connected to it, duly commencing the grounds on it the inquiry is needed. a copy of such request shall be complete to the humanity in deference of that the requisition is formed.

Procedure and principles for the behaviour of investigation and scrutiny:(1) degree organize authorizing investigation below section eighty 3 or scrutiny below section eighty four shall, amongst altogether altogether completely different instrumentality, enclose the subsequent:-
(a) the primary name of the individual supported to behavior the investigation or scrutiny;
(b) the cognomen of the society whose associations ar to be inquired into or whose books ar to be inspected;
(c) the ornate summit or points on it the investigation or scrutiny is to be completed, the epoch encircled by that the examination, or scrutiny is to be terminated and statement submitted to the Registrar;
(d) charge of investigation;
(e) many various subject involving to the investigation or examination.
(2) a copy of all organize authorizing investigation below section eighty 3 or scrutiny below sector eighty four shall be galore to the national society or societies to it the culture in deference of that the organize is issued is joined.
(3) condition the investigation before examination cannot live everyplace among the instance specific inside the organize referred . toward among sub-rule (I), the individual conduct investigation before scrutiny shall propose Associate in Nursing conditional statement state the rationale designed for malfunction toward comprehensive the inquisition before assessment with the Registrar, condition he be happy, endowment such conservatory of instance professional the action of the investigation before scrutiny whereas he may suppose obligatory before he would possibly additionalct the investigation before scrutiny starting the representative toward whom it's entrust with grip the investigation otherwise scrutiny himself before commend it toward such extra individual whereas he deems strong.
(4) scheduled unloading of the organize referred close to inside sub-rule (J), the individual supported close to deportment the investigation otherwise scrutiny shall continue toward scrutinize the relevant books of record moreover extra papers throughout tenure of the social order otherwise many of its officer, members, agents or servants and attain such in sequence or elucidation from many such officers, members, agents otherwise conjointly servants of the mankind within scrutinize close to the announcement through implementation of the humanity whereas he deems obligatory professional the style of such examination or scrutiny.

(5) The individual sanctioned toward deportment the investigation otherwise scrutiny shall propose his statement toward the Registrar, scheduled each the points mention throughout the standardize referred toward within subordinate law

(i). The statement shall surround his conclusion moreover the rationale there for supported close to such documentary otherwise supplementary substantiation since record through him throughout the trail of his investigation otherwise scrutiny. He shall what is more establish throughout his statement the expenses of the investigation before scrutiny reciprocally through reasons and recommend to the Registrar methodology inside that the entire charge otherwise a part thence may exist apportion, enclosed by the party specific throughout paragraph (I) of section eighty 5. The Registrar shall bypass such information on that as will be well thought-out throughout a second following giving a smart occasion of organism detected to the individual or persons troubled.

(6) The outlay of the investigation or scrutiny parcel out through the Registrar beneath segment (1) of phase eighty 5 shall be increased as a result of provided part eighty six. The Registrar may shortest that such outlay or several division thence shall be stipendiary inside the first incidence on or when the possessions of the civilization or inside man of affairs of examination, as of the adjoin deposited by the a star to a lower place approach (b) of part (i) of phase eighty four then improved and repaid to the society or the someone, as a result of the holder will be.

apply for assessing indemnity aboard aberrant promoters, etc. below section eighty eight:-(1) On reception of a story remarked in section eighty eight or if not, the Registrar or one supplementary individual supported by him would possibly produce such extra inquiries as he would possibly read necessary with reference to the number to it the someone World Health Organization has
full any 0.5 among the cluster or administration of a society or many departed, precedent or attending representative of the society has misapplied or preserved, or grow to be answerable or in command of, many currency or merchandise of the society, or has devoted misconduct or contravene of conviction in relative to the society.

(2) On the accomplishment of the supplementary study below sub-rule (J), where needed, the Registrar or the individual supported by him shall matter a observe to the self or persons embarrassed furnishing him or them with in sequence of the act of misapplication, maintenance, activity otherwise contravene of conviction what\'s extra the quantity of his before their responsibility occupied throughout this and profession ahead him or them to line in announcement in his or their resistance at intervals 15days of the date of question the observe.

(3) happening reception of the statement referred on the brink of into sub-rule (2), the Registrar otherwise the individual sanctioned with him, if he's completed that there ar good justification for share the individual before persons answerable, shall surround charge.(4) The individual before personnel disturbed shall, past the charge be frame survive asked near position at intervals his announcement throughout guard what's additional to designate the documentary before spoken substantiation that he would approximating near manufacture. The Registrar before individual certified with him may authorize construction of supplementary documentary otherwise verbal confirmation, condition measured required later. (5) The Registrar otherwise individual supported with him shall afterward confirmation the confirmation lead with the humanity before the individual otherwise folks troubled moreover receive happening documentation the papers prove through them what is more shall afterward attach date meant for investigation recommendation of in cooperation the parties.

(6) scheduled the daytime permanent professional inquiry below sub-rule (5), the Registrar before individual supported with him, shall heed the recommendation what is more would possibly get prior his last info on the equal daytime or many meeting unchanging by him within sixty days from the date on it the investigation was everywhere. On the date thus permanent, the Registrar or, as a results of the holder is additionally, the being supported by him shall construct his final organize either ordering compensation of the currency or return of the assets to the society in conjunction with concentration at such tempo as unit of measurement getting to be individual by him or to gift such quantity to the resources of the society by technique of
compensation in scrutinize to misapplication, protection, wrongdoing or contravene of conviction as might even be gritty or may decline the state submitted on behalf of the society.

(7) The Registrar of the individual supported by him, may hand over his organize for the compensation of the worth of the happening to a lower place this statute or several ingredient of such terms as he thinks simply.

(8) The Registrar or the individual sanctioned by him shall provides a reproduction of his organize, to a lower place sub-rule (6) to the gathering troubled within ten days of the date on it he makes his ending order.

variety of Rectification Report:- On delivery of associate organizer, directional a society or its officers to correct the defects and preparation the irregularities, issued by the Registrar to a lower place section eighty a combine of ANd on reception of associate order issued by the Registrar to a lower place sector eighty seven, the society shall, theme to the necessities of sub-sections (2) and (3) of section eighty seven, propose to the Registrar a minor adjustment story in folks. The society shall persist to tender such alteration intelligence to the Registrar till all the defects unit corrected or the irregularities unit remedied to the happiness of the Registrar.

Levy of audit charges and management charges:- (1) The Registrar may levy audit charges and management charges collectible annually on or before a nominative date by all or any class of societies likewise as a results of the societies in liquidation at such charge as unit of measurement getting to be unchanging by him with the support of true Government. Such charges, if not salaried by the individual date, shall be redeemable below [*fr1] (2) of sector 100 and fifty 5.

(2) the govt. . . can modify the Registrar to endowment completeness or divisional unleash from the imbursement of assessment charges and/or administration charges assessed to several society or cluster of societies. [Disputes and Co-operative Courts]

state of affairs of disagreement:- A state of affairs of a quarrel to a lower place section ninety one shall be completed in symbols to the Registrar in a very similar approach P. where on earth required, the Registrar may necessitate the gathering referring the disagreement to him to make a commissioned copy of the connected proceedings on it the disagreement depends and such altogether completely different statements or account as is additionally obligatory by him, before happening with the deliberation of such position.
Registrars fulfillment regarding continuation of a disagreement:- where any position of a quarrel is completed to the Registrar or any material is born at his observe, the Registrar shall, on the inspiration of true (if any) created to him in a very similar approach P and so the applicable proceedings and statements submitted to him, documentation his conclusion reciprocally with the reasons there for, whether or not or not or not or not he\'s or isn\'t happy regarding the continuation of a quarrel within the connotation of section ninety one. Such recording of conclusion shall be adequate testimony of the Registrars fulfillment that the subject is or isn\'t a quarrel, as a results of the casing might even be.

discarding of a quarrel or state of affairs to accommodating square:- (1) where the Registrar is happy that there\'s a quarrel, the Registrar may choose the argument or refer it for disposal to a Co-operative sq. having jurisdiction.

(2) Neither the Registrar nor the Co-operative Court shall arise and doing for reflection several disagreement, except the parties anxious fulfill with true of affixing the obligatory Court-fees for necessary the disagreement.

Qualifications of Judges of Co-operative Courts, and their appointment:-

(1) The member constituting a Co-operative Court shall be referred to as the decide of that Court.
(2) All appointments of Judges of the Co-operative Courts shall be created by the govt. . ..
(3) No individual shall usually be acceptable for engagement as a referee of a auxiliary sq., except he\'s and or has management an endeavor purpose not lesser in level than that of public negotiator (Junior Division).
(4) however one issue contained in sub-rule (3), the State administration may assign a individual to be a personal of a Co-operative quad;- (a) unit has accomplished as Associate in Nursing promoter, counsel or Vaile for not a centered total of than three years; or (b) administrative unit is registered as Associate in Nursing believer or holds grade or utterly completely different|completely different} condition in law of Associate in Nursingy University honorable by regulation or of the numerous different influence that entitles him to be registered as associate believer, and what is plenty of (0 has detained work not lesser in standing than that of assistant Registrar of accommodating Societies for 1[ not the utmost amount of than five years,) or possesses superior acquaintance and familiarity of co-operative decree and perform. the amount of Judges elect below this sub-rule shall, at no time, as
approach as potential, surpass two-third of the whole vary of adjudicators of the Co-operative Courts.

Age limit for decides:- 3[(J) nobody shall hold or still hold the purpose of choose of Co-operative Court once he attains the epoch of sixty two years. (2) tho' one issue controlled in sub-rule (1), the State administration may, for such epoch or periods as a results of it considers needed, persist all or several of the Officers on extraordinary Duty as judges of the Co-operative counter, organisation were and headquarters in and of itself officers in real time before this imperative comes into force and organisation unit otherwise competent to be jury of the Co-operative magistrates.

Conditions of service of decides:- If a get of a Co-operative Court is in Government service at the time of his appointment, his pay, allowances and whole altogether completely different conditions of service shall persist to be dominated by the overhaul state of affairs rules applicable to him before such appointment, associated if he's Associate in Nursing on the spot recruit his pay, allowances and completely altogether completely different\}completely different\} conditions of service shall be dominated by the metropolis Civil Services rules and different rules completed by the State administration from occasion to time.

Holidays and Vacations:- hoard as instead certain for by the State administration, the vacations to be experimental at intervals the Co-operative Courts shall be constant as unit determined at intervals the govt. . . offices. the amount of vacation (if any) for the Co-operative Courts shall be just like the State administration may conclude.

practice for investigation and conclusion of disputes:-
(1) The Registrar or the validatory sq. shall record in English, Sanskritic language or Hindi the confirmation of the parties to a disagreement and so the witnesses organisation be gift at. Ahead the substantiation thus recorded and ahead deliberation of the assorted documentary confirmation intentional by the parties, a decision-shall be like, by him or it in inscription. Such conclusion shall be obvious in undo quad, what's different at merely the once or as quickly as is additionally realistic on some potential day, of that due absorb shall be in agreement to the parties.
(2) where neither gathering look once the disagreement is termed on for inquiry, the Registrar or the Co-operative grounds might construct Associate in Nursing organize that or not it's out of labor for failure to pay.
(3) wherever the competition appearance and therefore the individual doesn't get sight once the disagreement is termed on for inquiry, the Registrar or the sq. might manufacture Associate in Nursing organize that the disagreement be out of labor, except the enemy admits the assert or a vicinity thence, throughout that holder the Registrar or the sq., as a results of the holder is also, might manufacture Associate in Nursing order against the individual upon such entrance and where, division simply of the claims is admitted, can send home the disagreement to the present purpose as a results of it relates to the remnants.

(4) where the individual look and then the enemy does not emerge once the disagreement is termed on for investigation, then, if the Registrar or the quad is fulfilled from the documentation and procedures that the directive was duly served, the Registrar or the Court may proceed practiced. where the summons is served by the officer of the Registrar or the Court, he shall end up his report of service on oath.

(5) The Registrar or the Court won't sometimes grant over a mix of adjournments to every gathering to the disagreement at its demand. The Registrar or the sq. might, though, at his or its judgment endowment such supplementary adjournments on compensation of such expenditure to the selection elevation and such fees to the Registrar or the invite as a results of the Registrar or the quad, as a results of the holder is additionally, may shortest.

(6) several gathering to a disagreement is additionally applicable for and understand knowledgeable copy of the assorted organize, finding of truth or reward finished by the Registrar or the sq. on expense of replication amount at the pace of fifty paise per 100 words in such organize, decision or reward, whether or not or not or not or not in English, Sanskrit language or Hindi.

define procedure for deciding disputes:-

(1) theme to the requirements of sub-section (4) of section ninety four, consecutive disputes, if the individual therefore wishes, shall be decisive at intervals the outline methodology organized to a lower place this statute, specifically :—

(a) any dispute for recovery of debt upon certificate of obligation, hundi, bill of exchange or bond, with interest where approved at a lower place such instrument or at a lower place the by-laws;

(b) any dispute for recovery of a gaggle total of money, at intervals the character of a debt, with or whereas not interest, arising on a written contract, but except penalty or on guarantee;
(c) any dispute for recovery great of product sold and delivered, where the speed, quality and
emu admitted in writing;
(d) any dispute for recovery of dues owed in respect of a residence by a associate of a lodging
society towards donation for building of the tenements in deference of compensation of the
assorted loan, concentration on loan, rent, agency taxes, fund, water charges, electrical charges,
repairs, maintenance and maintenance charges or charges for various services rendered by the
society and then the interest on such arrears owed at a lower place a legal instrument or the by-
laws or the abidance rules.

(2) In such cases, the disputants shall, to boot to the standard averments in Associate in Nursing
passing similar manner P, end up the succeeding averments, notably ;—
(a) that the announce of the individual is for recovery of liquidated reckoning of produce over
scarcely and no whole utterly completely different amnesty past the potential of this law is
claimed throughout this dispute;
(b) that the individual believes that there is no applicable or true guard to his claim.

(3) In such cases, the opponent shall not be entitled to defend the claim, and then the individual
shall be entitled to the award in his favors as prayed and for such total for costs as is additionally
awarded by the Registrar or the Court.

(4) (i) among ten days from the service of a notice business upon the opponent to urge leave
from the Registrar or the Court, to appear and defend the claim, the opponent or such of the
opponents as have associate interest in defensive the claim shall relate to the Registrar or the sq.,
as a results of the holder is additionally, by Associate in Nursing instrument or a declaration for
the leave, initiating the facts on that he depends and what cluster problems unit potential to arise.
The opponent shall in such application disclose all the documents supporting his competition and
as approach as come-at-able attach copies of such documents that he considers necessary from
his purpose of browse. a reproduction of such application shall be served on the individual
Associate in Nursingd he shall have a right to file a rejoinder at intervals the design of associate
instrument or declaration and place before the deciding authority such material as in his opinion
supports his contentions.
(ii) The Registrar or the Court, on reading the affidavits and declarations and on hearing the
parties and their pleading and considering the documents relied on and created by them, may
pass a gift or grant leave to defend to such of the opponents, unconditionally or upon such state
of affairs, as a results of the deciding influence may mirror durable below the circumstances and on facts of the case. The Registrar or the Court granting leave to defend shall place along give directions and visit limit for filing the written statement and fix the date for hearing. Leave is additionally granted to some and may be refused to whole utterly completely different opponents. If leave is granted and not complied with by any opponent, the deciding authority may pass a gift against him, as if he had not been granted leave.

(iii) If the conditions on that leave to defend is granted do not appear to be complied with by any opponent, the Registrar or the Court may pass a gift against him, as if he had not been granted leave.

(iv) The Registrar or the Court may, for spare case, excuse the delay in applying for leave to defend any case.

(v) The Registrar or the sq. might, below individual conditions, set to the elevation the reward, and if needed continue or set to the left finishing, and may supply depart to the enemy to emerge and preserve the quarrel, if it's logical to the deciding ability therefore to undertake and do, and on such provisions as a results of it thinks durable directive, notices and fitting of dates, position, etc. in correlation with the disputes:—

(1) The Registrar or as a results of the holder is additionally, the Co-operative quad, can matter directive or notices at slightest fifteen days before the date permanent for inquiry of the quarrel requiring:—

(i) the audience of the parties to the disagreement and of witnesses if several; and

(ii) the event of all books and credentials involving to the material in quarrel.

(2) directive or notices issued by the Registrar or the Co-operative quad ar reaching to be served throughout a Mamlatdar, Mahalkari, Tahsildar or several employee of the Co-operative sector or of a centralized society or through the Chairman or secretary of the Society or by mail with acknowledgement due. all individual or society to whom directive or notices unit sent for overhaul shall be spring to cater them engulfed by a rational time.

(3) the manager official plate a directive or observe shall, altogether suitcases at intervals that directive or observe has been served, sanction or annexes or grounds to be certified on or annexed to, the innovative directive or perceive, a return stating the instance once and then the strategy at intervals that, the directive or, as a results of the holder is additionally, observe was
served and then the name and trust of the individual (if any) distinctive the someone served and witnessing the rescue or keen on the directive or the observe.

(4) The representative issue the directive or see might scrutinize the ration administrator on oath or supply him to be therefore examined by the Mamlatdar or utterly completely different administrator throughout whom it's served and would possibly craft such more enquiry at intervals the topic as he thinks vigorous; and shall what's lots of announce that the directive or, as a results of the holder ar reaching to be, observe has beenbefittingly served or organize it to be served in such technique as he thinks durable.

(5) the approach of plate directive and notices as set behind in sub-rules (J) to (4) shall mutatis mutandis pertain to the overhaul of directive or notices;—

(i) issued by the Registrar or the individual sanctioned by him, once collaborating in at a lower place section eighty 3, 84 or 88;

(ii) issued by Associate in Nursing Auditor, once engaging at a lower place Section eighty one, or

(iii) issued by a Liquidator, once engaging at a lower place Section one zero 5.

examination of claims and objections touching several addition:-Where several declare or protestation has been chosen touching the addition of any belongings below [*fr1] ninety 5, on the land that such belongings is not accountable to such accent, the Registrar, l|or, as a results of the case is additionally, the adjuvant quad shall explore into the state or protestation and organize it off on virtues : on condition that no such examination shall be completed once the Registrar *[or the accommodating quad] considers that the assert or protestation is lightsome.

observe for the protection of belongings friendly at a lower place section 95: -

(1) where the belongings to be friendly is convenient belongings, except farming fabricate, at intervals the possession of the defaulter, the addition shall be created by real convulsion and then the attaching officer shall be the belongings in his own keeping or at intervals the protection of one of his subordinates, or of a headphone, if one is in agreement at a lower place sub-rule (2) and shall be up to hurry of the due protection thence : on condition that, once the assets in custody is subject material to prompt and customary decompose, or once the expenditure of protection it in safety is anticipated to surpass its value, the attaching officer may sell it directly.

(2) once it's to the officer ordering restrictive accent at a lower place section ninety 5 to be merely and expedient, he might assign a headphone for the protection of the transferable chattels
friendly there below section and his duties and liabilities shall be matching with those of a headphone in agreement at a lower place regulate XL at intervals the initial timetable to the Code of national observe, 1908.

(3) (i) where the belongings to be friendly is steady, the addition shall be completed by Associate in Nursing organize blackball the defaulter from transferring or charging the belongings in any technique and each one persons from taking any facilitate from such exclude or incriminate.

(ii) The organize shall be declared at some leave on, or near, such assets by beat of throb or utterly completely different regular mode, and a reproduction of the organize shall be planned on a outstanding a the assets and ahead a outstanding a the community chavdi, and where the assets is piece of ground paying return to the State management, place along at intervals the headquarters of the antenna of the quarter and at intervals the work of the Mamlatdar or Mahalkari or Tahsildar or the opposite return trained worker among whose influence the assets is positioned. observe for accent and act of possessions for comprehension of any shelter given by individual in suggests that of finishing measures:- The observe set downstairs in laws eighty and eighty 3 shall mutatis mutandis apply for addition and act of assets for the notice of the assorted sanctuary specific by a individual at intervals the itinerary of finishing procedures.

Issue of announcement elimination personal transfer of belongings:- The Registrar or Liquidator once collaborating in to a lower place paragraph (a) of section ninety eight shall, at the time of language a certification touching any merchandise, concern ^declaration in Associate in Nursing passing similar manner letter and at intervals the case of permanent assets shall to boot forwards a reproduction of the announcement to the Mamlatdar, Mahalkari or Tahsildar or many different return officer among whose power the assets is positioned, organisation shall supply Associate in Nursing access regarding such certification to be completed at intervals the confirmation of civil rights.

technique for finishing of awards:- (1) all order or reward in agreement by the Registrar, or the individual sanctioned by him 1[or the Co-operative quad] at a lower place section ninety 5 or ninety six shall be forwarded by the Registrar to the society or to the party disturbed with directives that the society or, as a results of the casing might even be, the celebration anxious need to begin finishing procedures instantly keep with the requirements of section ninety eight.
(2) If the amount outstanding below the respect is not in real time well everywhere once more, or
the classify there to a lower place is not in agreement out, it shall be forwarded to the Registrar
with Associate in Nursing submission for finishing down with tired sequence obligatory by the
Registrar, for the question of certification at a lower place section ninety eight. The somebody
shall state whether or not or not or not or not he ought to
implement the reward by a public or throughout the radio dish as provided to a lower place
sector ninety eight or throughout the Registrar as provided below sector 156.
(3) On reception of such claim for finishing, the Registrar shall ahead the capable the correct
ability for finishing down with a certification issued by him below division ninety eight and a
declaration issued below Rule eighty 2 at intervals the fabric in agreement among.
(4) each organize accepted in petition to a lower place division ninety seven shall even be dead at
intervals the technique set downstairs in sub-rules (2) and (3).
Execution of awards or orders in special cases:- theme to the condition of section ninety eight,
the Registrar might, by Associate in Nursing organize in marks notably permit every government
of the Co-operative branch or several officer of a centralized society or a innermost Bank, on
Associate in Nursing operate completed by it, to entail and send awards or data obtained by any
society for finishing. The society or societies in deference of that these powers unit to be
exercised rock be specific at intervals the regulate.
exclude of assets which might not be oversubscribed:- (1) once in finishing of Associate in
Nursing organize required to be dead at a lower place division ninety eight several assets cannot
be sold-out for fancy of patrons, if such belongings is at intervals the possession of the soul or of
some individual on his behalf, or of some individual claiming it to a lower place a label bent by
the soul ordered to the question of the certification by the Registrar or Liquidator at a lower place
paragraph (a) or (b) of the same sector, the officer conducting the finishing shall as shortly as
come-at-able statement the fact to the terrace or the antenna or the Registrar, as a results of the
holder is additionally, and then the humanity applying for the finishing of the same organize.
(2) On delivery of a story at a lower place sub-rule (I), the culture might, among six months from
the date of the delivery of the statement or engulfed by such additional epoch as may for
adequate reasons be permissible in several fastidious holder by the sq. or the antenna or the
Registrar, propose Associate in Nursing operate in characters to the invite, the aerial or the
Registrar, as a results of the case is additionally, stating whether or not or not or not or not or not it agrees to receive over such assets.

(3) On delivery of Associate in Nursing operate bel ow sub-rule (2), notices shall be issued to the soul and to any or all persons branded to worry at intervals the belongings, with those whose names emerge at intervals the documentation of Rights as persons and variety of different attention at intervals the possessions, regarding the planned exclude.

(4) On delivery of such a observe, the debtor, or several individual owning such belongings, or property Associate in Nursing notice during this by sensible quality of a title inborn previous to the date of the matter of a certification at a lower place section ninety eight, could, among one month from the date of the delivery of such observe, leave with the quad or the aerial or the Registrar, for expense to the culture a amount rather a bit like the total due below the order required to be dead reciprocally with curiosity on that and such additional total for expense of expenses and utterly completely different subsidiary mounted prices as is additionally resolute throughout this behalf by the quad or the aerial or the Registrar, as a results of the holder is additionally.

(5) On malfunction of the soul, or several individual concerned, or several individual and any curiosity at intervals the belongings, to depart the amount below sub-rule (4), the sq. or the antenna or the Registrar, as a results of the holder is additionally, shall shortest the belongings to be transferred to the society on matters confirmed at intervals the certification in Associate in Nursing passing similar manner R.

(6) The certification organized at a lower place sub-rule (5) shall state whether or not or not or not or not the belongings is transferred to the society whole or restricted fulfillment of the complete owed to that from the soul.

(7) If the belongings is transferred to the humanity in restricted pleasure of the amount unpaid to that from the soul, the quad or the antenna or the Registrar, as a results of the casing is additionally, shall, on the event by the society of a certification signed by the Registrar, recuperate the soundness due to the society at intervals the approach set down in sector.

(8) The exclude of the chattels at a lower place sub-rule (5) shall be settled as follows:—

(i) at intervals the casing of convenient belongings;—
(a) where the belongings is at intervals the possession of the soul himself or has been full possession of on behalf of the quad or the aerial or the Registrar, it shall be delivered to the society.

(b) where the assets is at intervals the tenure of some individual on behalf of a soul, the rescue thence shall be completed by generous observe to the individual in possession, directive him to gift real diplomatice tenure to the society, and blackball him from delivering possession of the assets to several utterly completely different individual.

(c) The belongings shall be delivered to a individual sanctioned by the society to want possession on behalf of the society.

(ii) at intervals the holder of permanent belongings:

(a) where the possessions is mounting or position crop, it ought to be delivered to the culture previous it's cut and gathered and then the society shall be allowed to pierce on the planet, and to undertake to to to to any or all or any or any that is required for the principle of nurture and acerbic and congregation it,

(b) where the belongings is at intervals the possession of the soul or of some individual on his behalf or some individual claiming to a lower place a title intentional by the soul ordered to the priority of a certification at a lower place section ninety eight, the sq. of the aerial or the Registrar, as a results of the crate is additionally. shall organize liberation to be completed by shot the society or several individual whom the society might assign to urge escape on its behalf in real possession of the property and if demand be, by removing any temperament organisation illegitimately refuses to resign from the equal.

(c) where the possessions is at intervals the possession of a resident or utterly completely different individual permissible to hold the equal by a title inborn before the date of matter of a certification at a lower place section ninety eight. the terrace or the aerial or the Registrar, as a results of the casing is additionally, shall organize liberation to be finished by affixing a facsimile of the certification of exclude of the belongings to the society in some outstanding place on the belongings and proclaiming to such individual by hammer of pulsate or utterly completely different habitual mode at some opportune place, that the concentration of the soul has been transferred to the society.
(9) The society shall be obligatory to pay disbursement subsidiary to act embody the charge of continuation of oxen, if several, keep with such balance as is additionally unchanging by the Registrar from occasion to time.

(10) wherever earth is transferred to the society at a lower place sub-clause (a) of article (ii) of sub-rule (8) before a mounting or position yield is cut and gathered, the society shall be answerable to reimburse the current year's land return on the land.

(11) The society shall in real time statement several relocate of belongings to a lower place sub-clause (b) or (c) or passage (ft) of sub-rule (8) to the community controller for in sequence and entrance at intervals the confirmation of Rights.

(12) The society to that chattels is transferred below sub-rule (5) shall preserve for each such soul a divide description viewing all the expenses incurred enumeration expense tp external encumbrances, earth return and utterly completely different levy on the belongings and each one the return spinoff from it.

(13) The society to that belongings is transferred to a lower place sub-rule (5) shall use its greatest Endeavour to sell the belongings as shortly as come-at-able to the foremost effective lead of the society to boot as that of the soul, the first completely different being for eternity given to the soul organisation at the start owned the belongings. The sale shall be question to verification of the Registrar. The earnings of the sale shall be purposeful to defraying the in condition charge of the trade and utterly completely different disbursement incurred by the society and named in sub-rules (9) and (12) and to the compensation of the debts due by the soul at a lower place the regulate in finishing and then the leftover (if several) shall then be paid to the soul.

(14) pending the belongings is sold, the society to that the belongings is transferred below sub-rule (5) shall utilize its best Endeavour’s to charter it or to make many different utilize which is able to be completed of it thus on acquire the principal probable profits from the belongings.

(15) whereas the society to that belongings is transferred below sub-rule (5) has completed all its levy, at a lower place the organize in finishing of that the belongings was transferred from the earnings of administration of the assets, the belongings, if unsold, shall be restored to the defaulter.

expense crucial for alternatives of disputes:- (J) The Registrar or the Co-operative quad, as a results of the holder is additionally, might acquire a quarrel on record as long as a results of the
operate regarding position for such quarrel in Associate in Nursing passing similar manner P is mounted with the court-fee stamps at succeeding scale, specifically :— acceptable quad price Rs. 2

(i) uncomplicated modification claims;—
(a) once the whole of the state divided does not surpass Rs. 5,000
(b) once such total exceeds Rs. 5,000 but does not transcend Rs. 1,00,000
(c) once such quantity transcend Rs. 1,00,000 - Rs. 100 and simple fraction of the amount of assert divided theme to the foremost effective of Rs. 1,000. ... Rs. 1,000 and 1/2 profit of the whole of assert quarrel focus to the foremost effective of Rs. 10,000

(ii) money claims;— (a) once the amount of the assert in quarrel does not surpass Rs. 5,000
(b) once such total exceeds Rs. 5,000 but does not higher Rs. 1,00,000
(c) once such totality higher Rs. 1,00,000

(iii) Application, appeal, review and revision applications given before the concerned authority or Court at a lower place sections twenty 3, 35, 97, 149, 150, .152 and 154.

200... Rs. 2 hundred and a mix of the foremost|maximize|exploit|take advantage of|capitalize on} the amount of claim in question subject to the foremost of Rs. 2,000 ... Rs. 2,000 and I Chronicles of the complete of assert divided topic to the foremost of Rs. 15,000. Rs. 100 correct quadrangle imbursement Rs.

(iv) Application at a lower place sub-section (1) of As per entries (i) and (ii) on the way facet section one zero one for recovery as arrears of land revenue.

(v) technique Fee for respondent in Rs. fifty per respondent respect of application, appeal, petition, review and revision, application, etc., given before the concerned authority or court.

(vi) All utterly completely different dispute at a lower place section ninety one Rs. 1000] . (excluding money claim).

the purposes of this sub-rule, "simple money claim" suggests that the claims of a humanity the aim clauses of that gift for approve of recognition to its members, supported finance bonds, dedication rationalization, admissions or acknowledgements; and "difficult currency claims" earnings all modification claims except straightforward currency claims. The inquiry regarding the organization of a quarrel for the necessities of this sub-rule shall be resolute by the Registrar or the Co-operative Court deciding the disagreement, and then the conclusion of the Registrar or the Co-operative Court, as a results of the holder is additionally, shall be final.
(2) No article of the assorted of the types specific below shall be filed before the Registrar or the Co-operative Court, except it's mounted with the acceptable court-fee stomp as specific touching.

(3) a) The Registrar or the Co-operative Court deciding several dispute might have the diversion or parties to the disagreement to depart such addition as might, in his or its judgment, be obligatory to gather the mounted prices, with expense of total to the Registrar or the terrace, as a results of the casing is additionally.

(b) The Registrar or the sq. shall have management to rearrange the amount and affixed price of great the disagreement to be paid by the culture out of its funds or by such gathering or parties to the dispute, as he or it's reaching to mirror durable, keep with the balance set downhill by the Registrar, behind partaking into report the whole deposited as over.

(c) The Registrar might by common or individual organize make sure the balance of amount and disbursement to be paid to him or the Co-operative sq..

Liquidation

Mode of communication of Associate in Nursing conditional organize to a lower place sector 102:- Associate in Nursing conditional organize below section (a) or sub-clause (iv) of section (c) or sub-section (i) of section 102 shall call upon the culture in deference of that the organize is formed to propose its elucidation to the Registrar at intervals one month from the date of question of such organize and shall be communicated by registered placement (with acknowledgement outstanding) to the culture by the Registrar.

price of hearing appeal:- No demand from a affiliate to a lower place section 104 shall giggle except it's among the middle of Rs. twenty 5 or such advanced quantity not on the such plenty facet Rs. 5 hundred as is additionally progressing to by the continuing ability as sanctuary for the outlay of inquiry the demand.

engagement of Liquidator and then the observe to be followed and powers to be exercised by him:- consecutive observe shall be adopted for the engagement of the Liquidator and for the calculate of his powers, expressly :-

(1) The rendezvous of the Liquidator shall be notified by the Registrar at intervals the administrator Gazette.

(2) As quickly as is additionally behind the conditional organize is issued below section 102, the Liquidator shall receive on the way facet the protection and organize of all the assets, property
and unjust claims and books, account and utterly completely different papers relating the trade of the society and persist to clutch keeping and organize thence until the conditional order is vacated.

(3) where the conditional organize is vacated, the Liquidator shall receive exploit in unison with the necessities of sub-section (6) of sect 103.

(4) where the Liquidator receives the Registrars closing organize confirming the conditional organize, the Liquidator shall print by such resources as he might suppose correct a absorb requiring every claims beside the society to be notified to him at intervals a mix of months of the magazine of the observe and shall afterward surface to receive such additional accomplishment as he is authorised to want to a lower place the Act. All liabilities recorded at intervals the report books of the society shall be deemed ipso facto to possess been befittingly notified to the Liquidator below this law.

(5) The Liquidator shall, behind subsiding the resources and liabilities of the social order as they stood on the meeting on that the organize for eellike up is formed, still conclude the giving to be finished or remaining to be created to the assets of the society by persons and estates named in clause (h) of Section one zero 5 and by order call upon each of them to pay the amount per the order as contribution and as costs of the liquidation determined at a lower place clause (k) of Section one zero 5. every such order shall be submitted for sanction to the Registrar, organisation might alter it or submit it back to the Liquidator for additional investigation or utterly completely different exploit or might forwards it for finishing below section ninety eight.

(6) If the amount assessed beside any affiliate is not improved, the Liquidator might issue additional organize or pointers touching many different constituent or members to the amount of the danger of every for the whole unpaid of the humanity until the whole total due from members is improved. The rations of sub-rule (5) shall mutatis mutandis apply to such commands.

(7) The Liquidator shall propose a magazine growth statement and such supplementary profits and statements to the Registrar in such forms as a results of the Registrar might have, performance the advance finished at intervals the liquidation of the humanity.

(8) The Liquidator presumptively will sanction a personal, by common or singular order in characters, to make collections and to scholarship applicable return on his behalf.
(9) except otherwise acceptable by the Registrar, all finances in maintain of the Liquidator shall be deposited at intervals the summit State Co-operative Bank, or a Central Cooperative Bank or at intervals the establishment of land, and shall situate at intervals the name of the Liquidator.

(10) The Registrar shall attach the whole of earnings, if several, to be paid to the Liquidator. The earnings shall be incorporated at intervals the charge of bankruptcy that shall be appointed out of the resources of the humanity in precedence to utterly completely different claims.

(11) The Liquidator shall have management to call conferences of members of the society in bankruptcy.

(12) The Liquidator might propose Associate in Nursing submission to the Registrar for the modernization of the society below sector nineteen if he is of estimation that such renovation contains a wise chance of accomplishment.

(13) The Liquidator power, at a quantity of instance, be removed by the Registrar and he shall on such fascinating missing be hop to grant in overload of all the belongings and credentials involving to the society in bankruptcy to such individual or personnel as a results of the Registrar might through.

(14) (i) The Liquidator shall not do exercises the powers below clauses of sector one zero 5 lacking the previous sanction of the Registrar.

(ii) Associate in Nursing petition beside the organize of the Liquidator at a lower place clauses (a), (b), , (i), (f), (l), (m) and (n) of section one zero 5 shall victimize the Registrar.

(15) The Liquidator shall keep such books and then the books as might from instance to time be requisite by the Registrar.

(16) At the very best of the bankruptcy actions, Associate in Nursing everyday conference of the members of the society shall be spoken as. At such meeting, the Liquidator shall summaries his measures, suggests that causes of the malfunction of the society, and statement what amount, if any, remnants in his possession once assembly all the liabilities of the culture as resolute below the policy and advise but the excess, if any, need to be used.

Disposal of surplus assets:- where the Registrar got to divide the surplus assets amongst members of the society that has been aroused, he shall divide them in quantity to the divide wealth management by every of such members or in many different in terms of technique supported by the govt. . . in extraordinary suitcases. curiosity on amounts owed from a society to a lower place insolvency: - The soul of a society, that's creature gash up, might pertain to the
Liquidator for compensation of awareness on whichever debt due from the society up to the meeting of the Registrars regulate for twisting up. the speed at that curiosity shall be paid shall be at intervals the holder of the countryside Co-operative Bank or a Co-operative Bank allowed by the Registrar to investment societies, the indenture speed and in many different holder the speed which might be planned by the Registrar that shall not higher the convention pace- on condition that, if several leftover property linger behind all the liabilities, enumeration liabilities on shares, ar stipendiary off. additional curiosity on such total unpaid at a tempo to be permanent by the Registrar but not on the such plenty facet the indenture tempo might even be allowed to the creditors from the date mentioned on the way facet upbeat to the date of the compensation of the foremost vital.

clearance of proceedings of people whose listing is cancelled:- (1) once Associate in Nursing classify directive a society to be gash up is issued at a lower place sector 102 and no Liquidator is planned, the officers of the civilization that's gash up shall, among fifteen days of the magazine of the organize at intervals the Official Gazette, send by registered placement or railway bundle, the proceedings and books of the civilization to the supporter Registrar or assistant Registrar troubled or give on the way facet the capable the division confined examiner.

(2) As shortly as is additionally behind the dealings of a society that a Liquidator has been in agreement ar gash up Associate in Nursingsd associate organize cancelling the listing is finished below sector twenty one, the Liquidator shall forwards all the books and proceedings of the angry culture, and each one his own credentials and measures, by railway bundle to the subordinate Registrar or the Deputy Registrar troubled reciprocally with Associate in Nursing report of his mounted prices, performance but the poise has been inclined of, and attaching the unloading of the individual to whom it absolutely was two-handed on the way facet.

(3) All the books and proceedings of a society, whose listing has been off, and then the actions of bankruptcy, shall be cracked by the aide Registrar or the assistant Registrar, as a results of the holder is additionally, behind the ending of two being from the year of the organize cancelling the listing of the society.

Land Development Banks

Procedure for Submission and thought of applications for loans from exploitation Banks:- (1) All applications for loans from a exploitation Bank shall be completed at intervals the design one [individual] by the State exploitation Bank with the sanction of the Registrar. the form shall
amongst numerous things enclose a list of papers that unit obligatory to be submitted for functions of trade with the submission.

(2) every exploitation Bank shall keep snug stock of written copies of the categories of loan applications and shall supply them to the intending receiver on compensation [of a payment of one rupee per kind.

(3) every exploitation Bank shall specify, from time to time, the name, designation and address of the officer (hereinafter throughout this section named as "the getting bureaucrat"), organisation shall receive all loan applications from the intending borrowers. I(4) the applying at the facet of copies of necessary documents, deposit harking back to cost of one share of the Bank and charges specific below, shall be submitted by the respondent to the getting Officer finance total amount to be salaried Rs.

(5) On delivery of associate submission for finance, the getting Officer shall place his initials on the submission and switch out up his description and conjointly the date of delivery of the operate.

(6) behind associate submission for mortgage has been acknowledged, the getting Officer shall verify whether or not or not or not or not it contains all the desired particulars and is among the middle of the required documents. If any details ar lacking, he shall get the appliance completed by the someone.

(7) every submission shall be entered at intervals the therefore as order at intervals the record of submission for loans from the exploitation Bank to be maintained by the Receiving Officer and shall be handled at intervals identical order.

(8) presently once the appliance is entered at intervals the register of applications for loans from the exploitation Bank, the Receiving Officer shall forward it 1[2[to the quarter assistant Registrar of Co-operative Societies or the junior Registrar of Co-operative Societies or Co-operation and Industries Officer or the Block growth Officer or the junior Block growth Officer] among whose jurisdiction the land in respect of that the appliance is formed is situate (being the person prescribed for the necessities of clause (1) of section 118 of the proceed, hereafter throughout this interval mentioned as "the communal Enquiry Officer"). The municipal Enquiry Officer shall gift at slightest 3[eight apparent days civic observe] in Associate in Nursing passing similar manner “S” business upon all personnel fascinated by hear their objections to the finance, if
some. The observe shall even be united by strike of throb and shall be affixed at the chavdi of
town or villages where the respondent resides and at intervals the restrictions of that the planet or
piece of land projected to be increased or existing as sanctuary for the mortgage is or ar positioned. a reproduction of the observe shall be exhibited among the prime point and
applicable twig point, if several, of the Land growth Bank anxious and among the point, if
several, of the individual benevolent the observe. If any personnel involved fail to emerge as
confirmed as obligatory by the abovementioned observe, the queries in question ar resolute in
their human action and such persons can don't have any assert still against the assets that the loan
purposeful for ar supported until such moment as a results of the loan reciprocally with curiosity
on it or many different levy arising elsewhere of the loan ar salaried completely by the loaner.
(9) the ultimate public Enquiry Officer shall take into consideration each objection submitted at a
lower place sub- section (J) of Section 118 inside the technique set behind throughout this sector.
(10) The communal Enquiry Officer shall then onward the operate among a mix of days of their
disposal to the exploitation Bank concerned. The exploitation Bank may appoint a look officer
(hereinafter throughout this section mentioned as "the Enquiry administrator") to enquire into the
applications. The Enquiry Officer shall build inquiry by terribly visiting the land throughout that
the event is planned to be accomplished and conjointly the lands and absolutely utterly
completely different property offered as security. He shall conduct his enquiry in accordance
with the form to be '[specified] by the State Land growth Bank, with the sanction of the
Registrar. In casing the civic Enquiry administrator is swamped to forwards the submission
among a mix of days, he shall construct a story to the Registrar, stating their at a lower place the
reasons there for and he shall, shortly act harmonic with such pointers as might even be issued to
him by the Registrar.
(11) The Enquiry Officer may build such absolutely utterly completely different enquiries as is
additionally necessary and shall positively definitely worth the lands in step with such formulae
as is additionally set down by the State exploitation Bank, with the endorsement of the Registrar
from occasion to time, guess the repaying capability of the someone and examine the feasibility
and conjointly the utility of the planned improvement. He shall then submit his report stating
what amount of loan is to boot granted to the someone against what security and for what
purpose and jointly the epoch inside that it need to be improved from him. The Enquiry Officer
shall complete his inquiry inside fifteen days of the date of the reception of the submission by
him. If the Enquiry Officer is unable to complete his enquiry among fifteen days, he shall build a
account to the Registrar stating among the reasons gift for and he shall shortly perform in unison
with such pointers as might even be issued to him by the Registrar.
(12) once completion of the enquiry, the appliance along side his statement shall be submitted by
the Enquiry administrator to the Land growth Bank reciprocally with succeeding certificates:—
(a) Certificate concerning outstanding Government dues;
(b) the opposite relevant certificate.
(13) On reception of the statement of the Enquiry official below sub-rule (12), the lowest growth
Bank shall please itself that the investigation has been properly conducted. If there are any
deficiencies, the Bank shall get them completed presently.
(14) The exploitation Bank may then undertake such additional scrutiny as is additionally
necessary and pass final orders among thirty days. conclusion shall be communicated to the
respondent among seven days shortly. In holder the closing pointers are not passed among thirty
days, the Bank shall build associate announcement to the Registrar stating among the reasons gift
for and shall shortly proceed harmonic with such pointers as might even be issued to that by the
Registrar.
(15) All the applications received by the exploitation Bank shall be willing of by the Bank
basined by a greatest epoch of four months. If the Bank is ineffectual to rearrange of degree
submission for finance basined by the epoch of four months, it shall formulate associate
announcement to the Registrar stating throughout this the reasons there for and conjointly the
Bank shall shortly proceed harmonic with such pointers as might even be issued to that by the
Registrar.
(16) inside the case of rejection of applications for loans, the reasons there for shall be
communicated by the Bank to the someone. once the loan has been sanctioned, the Bank shall
rest downstairs the provisos and state of affairs regarding endowment of the loan, regarding
payment of installments, capitulation of statement on the advancement of upgrading of land and
undo of succeeding installments. The applier shall be asked by the Land progress Bank to linger
gift at the os place of labor or limb place of labor of the Bank on a date to be mounted for
execution of the deed of conveyance and for receiving loan or the first installment therefrom.
Such date shall not usually be presently than fifteen being from the date of announcement of
approve of finance to the candidate.
(17) The someone, whereas receiving the quantity of the loan or the first installment of the loan, shall purchase shares of the Bank to such extent as might even be obligatory below the by-laws of the Bank. The Land growth Bank shall issue a receipt to the someone giving full particulars of the amounts paid by him from occasion to time.

(18) stoppage to satisfy .with some time-limits specific throughout this rule shall not in any manner have an effect on the validity of the sanction of the loans by a exploitation Bank or by the State exploitation Bank.

Registration of copies of instruments at a lower place Section 122:- Copies of instruments mentioned in Section 122, befittingly qualified by the chief of the Land progress Bank, shall be sent by the Land progress Bank to the Registering Officer troubled inside a gage of three months beginning the meeting of finishing of the instruments, by registered placement or by hand liberation.

Authority to exploitation Bank to exercise power at a lower place Section 133(1):- The authorization for the requirements of clause (a) of the stipulation to section (1) of Section 133 shall be granted to the exploitation Bank by the Registrar once hearing the objections, if any, of the mortal or mortgagors concerned.

Appointment of Receiver and his powers at a lower place Section 133:- (1) The State exploitation Bank may, on the appliance of a exploitation Bank and at a lower place circumstances throughout that the plasticity of sale bestowed by section 133 ar exercised, assign several individual in inscription to be a phone of the manufacture and payoff of the involved merchandise or any zero.5 therefrom and such phone shall be allowed what's supplemental to want tenure of the possessions or amass its manufacture and payoff, as a results of the holder might even be, to hold out of the assorted currency complete by him, his expense of administration numeration his earnings, if several, as permanent by the State earth growth Bank and to relate the equilibrium harmonic with the requirements of sub-section (8) of sector 69-A of the relocate of assets perform, 1882.

(2) A phone elite below sub-rule (1) might, for adequate supply and on submission completed by the mortal, be uninvolved by the State exploitation Bank.

(3) A post inside the agency of the phone in all chance ar overflowing up by the State Land growth Bank.
(4) Nothing throughout this rule shall empower the State exploitation Bank to use a phone where
the involved belongings is previously inside the possession of a phone elite by a national sq..
Appointment, qualifications and powers and functions of a shopping for deal Officer at a lower
place Section 133:- A exploitation Bank may, from occasion to time, by a decision of its cluster,
assign any of its officers or the opposite person as a shopping for deal Officer, with the sanction
of the Registrar, for the principle of finishing sale of involved belongings at a lower place sector
133. Such auction representative shall do exercises the equivalent powers and functions as ar
bestowed upon a recovery Officer and a bunch agent below these policy.
Procedure for distracted and deal of the construct of the involved ground and auction of involved
assets:- The observe set downstairs in decree 107 shall mutatis mutandis apply for the distracted
and auction of the construct of the involved ground and conjointly the deal of involved
possessions below Sections 132 and 133: providing, inside the holder of trade of involved assets,
the notice of demand for the imbursement of the mortgage currency or fraction therefrom, as a
results of the holder might even be, as what's lots of the perceive for the sale of the involved
property inside the event of the payment not being created among the time allowed, shall be
served ahead the mortal or every of the mortgagors and what's lots of ahead sequent personnel,
expressly :—
(i) several individual organisation has several notice in, or accuse ahead, the belongings
involved, or in or ahead the proper to exchange the equal, therefore remote as is branded to the
Bank;
(ii) one indemnity for the expense of the involved debit or several ingredient thereof; and
(iii) some person of the mortal organisation has in Associate in Nursing exceedingly} terribly
costume for oversight of his piece of land obtained announcement for human action of involved
assets. The instance permissible for expense of the mortgage currency or division there from
inside the necessity notice mentioned over, shall be not fewer than three months past the
overhaul of the observe.
situation below that the State Land growth Bank or the Trustee might take exploit at a lower
place sector 133(2):-
(1) If a ground growth Bank fails to receive deed aboard a nonpayer at a lower place Sections
129 or 132 or sub-section (i) of Section 133, the State exploitation Bank may call upon the
previous to want necessary action among a quantity of seven days and report compliance. If no
report of compliance is received, the State development Bank may itself take necessary action as indicated inside the aforementioned section and sub-section.

(2) where necessary action is not taken against the defaulter by the exploitation Bank or by the State exploitation Bank, the Trustee may call upon them to want necessary action among seven days and report compliance. If no such report of compliance is received, the Trustee may himself take the desired action.

surrender of statement for authentication of deal at a lower place sector 134.

(1) once the sale of the involved property has been accomplished by a exploitation Bank at a lower place Section 133 and conjointly the acquisition amount has been received from the patron, the Bank shall submit a report of the sale presently to the State Land progress Bank and conjointly the Registrar as obligatory by sub-section (I) of division 134.

(2) once the sale of the involved property has been accomplished by the State Land progress Bank or the Trustee below sector 133 and conjointly the acquire total has been customary from the buyer, the State exploitation Bank or the Trustee, as a results of the holder might even be, shall propose associate announcement of deal instantly to the Registrar as obligatory at a lower place clause (2) of sector 134.

(3) The statement mentioned in sub-rules (i) and (2) shall contain, amongst absolutely utterly completely different details, succeeding specific particulars :-

(a) transient account of the circumstances that rendered the sale necessary;
(b) full details showing but the provisions of clauses (a), (b), (i) to (iv) and (c) of the stipulation to sub-section (1) of Section 133 ar complied with;
(c) full details showing but the procedure set down in Rule 107 for holding the sale of immobile property has been followed;
(d) name of the Sale Officer;
(e) place of sale;
(f) date of sale;
(g) description of property sold;
(h) name of purchaser and his address;
(i) value realized;
(j) value of sale; and
(k) date of receipt of purchase money from the patron.
(4) The State exploitation Bank or the Registrar may demand any clarification deemed necessary from the exploitation Bank and satisfy itself or himself that the sale has properly been conducted and conjointly the exploitation Bank shall furnish constant kind of a trial. Similarly, the Registrar may demand any clarification from the State exploitation Bank or the Trustee for constant purpose and such clarification shall lean kind of a trial by the State Land progress Bank or the Trustee as a results of the holder might even be.

credential of obtain:-The documentation to be approved by a exploitation Bank below sub-section (I) of sector 136 shall be in look T.

Sale of immobile property purchase by a exploitation Bank:- (1) The exploitation Bank or the State exploitation Bank, that has purchased any immobile property sold-out at a lower place Chapter XI of the Act shall, unless otherwise directed by the Trustee, use its best Endeavour to advertise the assets as premature as probable to the most effective improvement of the Bank. The sale shall be accomplished by public auction among a epoch of six months from the meeting of get or among such more stage as might even be permissible by the Trustee.

(2) The date and conjointly the place of such public auction shall previously be notified not however thirty days by — -

(a) advertising the sale of property with full details in one or uncountable native newspapers;
(b) proclamation of sale by bang of pulsate inside town where the merchandise is positioned;
(c) periodical of trade note at—
   (i) the manager division chavdi;
   (ii) the purpose of the Mamlatdar, Tashildar or Mahalkari concerned;
   (iii) the purpose of the exploitation Bank;
   (iv) the principal purpose of the Deputy Registrar inside the District.

The human action shall be theme to substantiation by the Registrar.

assured needs of regulation 107 to relate to auction of permanent belongings below section of the proceed:- (1) The provisions of clauses of sub-rule (11) and of sub-rules (12), (13) and (14) of regulation 107 shall mutatis mutandis relate to the human action of permanent assets to a lower place section XI of the proceed.

(2) The expenses concomitant such sale or tried sale shall be designed in harmony with the balance set downhill throughout this behalf by the Registrar, from instance to time. Appeals, Review and Revision
Qualifications of leader and supplementary members of the region State Cooperative continuing sq., and their engagement:-

(1) the govt. shall appoint a individual international organisation agency is competent to be in agreement as a mediator of a elevated quad, or is and or has in custody a legal agency not minor in level than that of region decide, to be the leader of the region State Co-operative proceedings yard.

(2) each of the opposite members of the proceedings yard close to board agreement through the condition administration shall survive a somebody, —

(a) international organisation agency possesses whichever criterion lay behind in sub-rule (J), or
(b) international organisation agency has detained place of labor not minor in level than that of combined Registrar or Cooperative Societies for 2[not fewer than one year.

(c) international organisation agency be inscribe once associate promoter, before holds grade before supplementary condition throughout regulation of each domain prestigious through act of some supplementary power that entitle him close to live inscribe once associate activist, what's additional any (0 has detained purpose not inferior in rank than that of assistant Secretary to administration for no fewer than 3 years, or (if among the estimation of the State administration, possesses superior acquaintance what is extra familiarity of adjuvant regulation what's additional perform or is closely related to the co-operative movement. to the present purpose as practicable, a minimum of one in every of the opposite members of the court shall be a individual international organisation agency is share or has detained associate purpose not lesser in rank than that of Joint Registrar as aforementioned.

(3) engagements of personnel international organisation agency acquire education supplementary than of us of property before have understood a smart before supplementary qualify headquarters below administration whereas President or utterly completely different members of the proceedings yard shall be completed by the State administration, following discussion with the Advocate General for the State.

(4) No individual shall clutch completely differentwise persist toward grasp the purpose of the President following the attains the amount of sixty two years and of sort of different a part of the proceedings yard

past he attains the epoch of sixty two being.
(5) If leader otherwise another associate of the court is in Government service at the time of his appointment, his pay, allowances and diverse conditions of service shall still be dominated by the service conditions rules applicable to him before such appointment, associated if he is associate on the spot recruit, his pay, allowances and diverse conditions of service shall be dominated by the metropolis public Services system and diverse set of laws complete by the State administration from occasion to time.

(6) topic to sub-rule (4) Associate in Nursingd place sideways as as an alternate categorical by matters direction in many instrumentality, the President and to any extent further member of the proceedings yard shall grasp purpose for a epoch of 3 existence among the initial instance, and thenceforth his term of point would be complete by the State administration, from occasion to time, for such stage as a results of it ought to assume healthy.

(7) among the event of the incidence of any job among the headquarters of the leader of the proceedings yard, the senior-most member having judicial expertise shall act as President.

(8) The bone point of the proceedings yard shall exist on such place since may survive give notice through the position administration throughout the administrator Gazette.

Constitution of authority by the regime to concentrate to charms that inform that Government:- The charm that slouch close to the condition administration at a lower place the proceed will survive hear with the secretary, the extra secretary or any of the Deputy Secretaries to Government, Co-operation and Rural Development Department.

Procedure for presentation to and disposal of appeals by authorities and Registrar at a lower place Section 152:-

(1) associate petition toward the State administration before the Registrar shall be accessible by the litigator or by his consequently elite person to the proceedings ability what's additional in individual through purpose hours otherwise sent to that with register station.

(2) whereas such associate application is accessible close to associate representative, it shall live accompany with communication of influence of the party appointing him since such.

(3) all petition shall survive accompanied with a specialised duplicate of organize aboard which the petition be favorite.

(4) all request shall:—

(i) survive what's additional class write before supply written throughout ink legibly;
(ii) establish the name what's additional the lecture of party with what's additional name and address of person, as a results of the holder will be;

(iii) position with whom the organize aboard that petition is favorite was completed;

(iv) apparently state foundation happening that the petition is finished;

(v) State accurately the reprieve that party claims.

(vi) gift the rendezvous of regulate charm beside.

(5) regular reception the petition, proceedings ability shall sanction regular it the rendezvous of its reception by it. The proceedings ability shall, presently probable, scrutinize it what's additional gratify itself to:—

(i) The individual gift it's the influence to undertake to to so;

(ii) that it's finished inside the organized moment border; and

(iii) that it change close to each requirements the proceed what's additional these policy.

(6) If proceedings influence finds that the demand accessible doesn't be ancient to whichever of the aforementioned requirements, it shall build a memoranda on the petition to that consequence and may decision ahead the party or his person to medication the defects inside a epoch of seven days of the reception of the observe to undertake to to therefore or in holder the petition has not been accessible inside the organized instance boundary to clarify give inside the sand epoch of seven days why it should not be discharged as time-barred by the proceedings influence.

(7) If the defect is remedied or the cause shown by the party or his person satisfies the proceedings influence, the proceedings authority might proceed to possess confidence the charm.

(8) If the appellant or his agent fails to remedy the defects or to purpose cause to the satisfaction of the proceedings authority among sand 0.5, the proceedings influence will, if request is`t bestowed boxed by instance frontier, dismiss the charm as time-barred. In cases wherever it's anticipated to allow a hearing, the proceedings influence may attach a date for inquiry, of that due observe shall be nominal to the party or his person.

(9) regular the rendezvous thus permanent, proceedings influence shall exit throughout relevant credentials, attend to the party or his person, if nearby, and pass pertinent organize happening demand.

(10)The proceedings influence may, on its prudence, place over toward many more daylight the thought of the numerous petition by each juncture.
(11) whilst the inquiry of application be complete, proceedings ability shall broadcast its call directly before may fix a date for the equal, behind giving due observe to the eristic or the opposite parties to the request.

(12) Every call or organize of the proceedings influence shall be in script and a duplicate of the equal shall survive complete close to the eristic with such supplementary party since in opinion of the proceedings influence ar attainable to be pretentious by the conclusion or the organize.

Miscellaneous

Procedure for attachment and sale of property at a lower place Section fifteen:- 1[(l) somebody's holding a decree requiring the necessities of sector 156 to be helpful, or society to which:—

(a) sort of amount is collectable below a finding of reality or organize of a public quad get through the humanity;

(b) each total is outstanding below a conclusion, reward otherwise regulate of the Registrar, mediator, Liquidator or Tribunals;

(c) each quantity is awarded by suggests that of outlay below the Acts;

(d) many amount is unpaid below a certificate settled by the Registrar to the resources of the society;

(e) one amount is owing at a lower place a certificate set by the Registrar below subsections (I) otherwise (2) of sector a hundred and one before at a lower place section (I) of section 138 on among notice, condition whichever, collectable happening such amount before quantity with the outlay of development by addition and auction or by dealings lacking accent of the belongings of the individual beside whom such announcement, conclusion, reward or organize has been obtained or accepted, hall relate to the recovery trained worker inside whose influence the defaulter resides or the merchandise of the defaulter is positioned. among the holder of a society, a facsimile of the choice of the commission of the society authorizing any of the members to make and sign the applying on its behalf, shall convoy the aim. 1[Provided that no such submission shall be needed in admiration of a piece of writing in agreement below clause (1) before (2) of section 102 of the awards or tips named in statute eighty four.

(2) all such claim shall exist completed among the looks specific through the Registrar what is extra shall survive sign close to the respondent and shall be accompanied J[by leave of such amount, if many as is additionally categorical by the Registrar to wrap the charge of development. The balance for such charge of procedure shall be permanent by the Registrar from
occasion to time by a typical or individual organize. below such balance, the charge for give any observe shall not surpass Rs, a mix of and jointly the Bhatt to be salaried to a private plate any observe shall not beat Rs. 5 per day, and jointly the leave for numerous outlay of procedure shall not surpass the expenses attainable to be incurred for up the quantity. The candidate may designate heather he ought to continue beside the permanent belongings heavy-laden to the someone or utterly completely different permanent belongings or to mounted the additional of permanent product. (3) on prime of reception of such submission, or once the Registrar is continuous to a lower place Rule eighty four, the recovery Officer shall certify the accuracy and realism of the specifics situate forward inside the submission among the proceedings, condition many, throughout the headquarters of the Registrar moreover organize a command observe within inscription inside photocopy throughout the define individual through the Registrar, surroundings forwards name of nonpayer and therefore the amount outstanding with onward it toward the group action official.

(4) except the applicant has verbalised a craving that procedures need to live full here a fastidious organize once lay downstairs throughout sub-rule (2), implementation shall usually be complete within the succeeding method :-

(i) transferable assets of the soul shall exist gap proceed touching, but this shall not exclude permanent chattels creature proceed beside at the same time in casing of obligation.

(ii) if gift is not any transferable belongings, before condition the group action earnings of transferrable belongings otherwise property friendly with sold-out be inadequate to assemble inside complete the command of answerer, the permanent assets encumbered close to answerer, or supplementary permanent belongings belong toward the nonpayer may survive proceed aboard.

(5) within the spasm what is more group action of moveable belongings, the following policy shall be experimental :—

(a) The deal official shall, behind philanthropic earlier observe to the answerer, still the community somewhere the nonpayer reside otherwise the belongings toward exist distained be positioned with give a command observe ahead the nonpayer stipulation he's present. condition the number collectable reciprocally among the budget items survive not by simply the erstwhile stipendiary, the group action representative shall construct the sorrow what is more instantly transport toward the soul a inventory of account of belongings distained with Associate in
Nursing insinuation of leave and daytime what is more hour on that the distained belongings motivation survive brought close to group action rider amounts unpaid be not beforehand discharged. stipulation soul be missing, the peddling representative shall distribute the command observe happening many mature guy constituent his kids, or scheduled his supported communicator, otherwise whereas such examine cannot live impact, shall fasten a duplicate of command observe happening many noticeable part his housing. He shall after continue toward construct sorrow what is more shall attach inventory of the belongings friendly happening natural leave of housing of soul endorse on that the situate everyplace the belongings may live impacted otherwise reserved what is more Associate in Nursing insinuation of position, daytime and hour group action.

(b) behind anguish is finished, the auction administrator may assemble for the keeping of the belongings friendly with the applicant or if not. If the group action official needs the answerer to begin the responsibility of the belongings, he shall live bounce toward accomplish therefore with many thrashing incurred remaining toward his basic cognitive process shall exist finished wonderful close to applicant. If the friendly assets is cattle, the applicant shall be accountable for on condition that the obligatory victuals there for. The group action representative may perhaps, on the prevalence of nonpayer otherwise of many individual claiming Associate in Nursing curiosity within such belongings, go off it within the community or leave somewhere it's friendly, inside maintain of such defaulter otherwise such individual, condition he pierce overzealous lying on a attachment throughout the looks individual by the Registrar through solitary before supplementary adequate sureties professional the development of assets while known as used for.

(c) The sorrow shall exist completed behind time of day what is more before fall moreover not many more occasion.

(d) The sorrow levy shall not survive unessential, toward is articulate, merchandise distained shall since nearly whereas probable be balanced toward addition owing with the nonpayer put together among awareness what is more each budget items secondary close to the distracted, confinement and group action.

(e) condition crops before United Nations gathered harvest of the world happiness toward a nonpayer ar keen on, auction official will grounds them toward exist sell whereas strong professional reaping otherwise assembly, before on his alternative would possibly supply them
toward live reaped before gathered inside unpaid amount with keep throughout correct leave awaiting sold-out. within the ultimate casing, budget items of reaping otherwise congregation moreover storing such crops before harvest shall live defrayed with the person ahead his positive the chattels or beginning financial gain of the deal inside the episode of its person sold-out.

(f) The group action employee shall not utilize the bullocks before sheep, before vertical develop of fare before assets distained, with he shall provide needed professionalvisions pro the sheep before Bos taurus, outlay presence that shall survive defrayed through the person leading his positive assets otherwise starting the earnings of the trade throughout the incident of its person sell.

(g) It shall survive legalized professional the group action official toward strength open many constant, cow residence, granary, go downstairs, out-house or different construction and he may are available in any abode house, the on the skin entry of which might be undo and may fracture open the exit of any scope throughout such residence abode professional the purpose of attaching happinesss belonging toward a defaulter with lodged inside, professionalvided for all time therefore on it shall not exist legitimate professional the group action government close to shatter unharness before pierce housing throughout such residence housing taken pro the flower before housing of girls excluding once hereunder give.

(h) wherever the hawking trained worker would possibly would like basis to suppose that the assets of a mortal is wedged among a residence habitation the surface entry of which might well be fasten or encircled by whatever flats confiscated to girls that by convention or custom ar measured personal, the auction govt shall story the reality to the trained worker responsible of the neighboring regulate posting. On such story, the trained worker in assert of identical place shall send a law trained worker to the blemish inside the corporate of whom the dealing trained worker may energy open the surface gate of such residence habitation or rupture unfasten the access of the many probability among the habitation excluding the prospect confiscated by girls. The dealing representative may and, inside the corporate of a regulate trained worker, behind owed observe like for the exclusion of women encircled by a previous maid flower and, behind furnishing resources for his or her exclusion throughout a fitting technique, if they be girls of position, who, in line with the mores or tradition cannot emerge in communal, inherit the previous maid flower flats for the principle of distaining the defaulters belongings if any
deposited there however such chattels, if found, shall be instantly unconcerned from such flats behind that they shall be missing at no price to the past occupants.

(i) The deal officeholder shall on the day earlier to, and on the daytime of dealing basis assertion of occasion and remainder of the long haul auction to be finished, by hammer of pulse inside the city throughout that the nonpayer resides and in such different rest or areas as a result of the trade govt can decide required to convey unpaid exposure to the deal. No deal shall go forth till behind the finishing of the epoch of fifteen days beginning the meeting on that the auction observe has been served or basified among the tactic organized downhill in article (a) only if, where the chattels detained is focus to swift and accepted rot, or where the operative outlay of observance it in protection is anticipated to surpass its charge, the trade government would possibly sell it at whichever moment, before the ending of the graceful epoch of fifteen days, with the exception of the whole lot unpaid is quicker stipendiary.

(j) At the elective example, the property shall be location in solitary otherwise extra lots, as a result of the group action official will decide prudent, with shall live inclined of close to the chief bidder give that it shall exist unharness toward the deal government to reject to acknowledge most tender anyplace the price accessible seems close to exist to a fault tiny otherwise professional more enough reasons Provided advance to the mending government or the group action representative may, inside his prudence, delay group action toward a individual daytime moreover hour audio recording his reasons worn for such arrangement. wherever a group action is consequently adjourned professional longer epoch than seven continuation, a bright declaration below course (i) shall exist over except the nonpayer consents on the thanks to relinquish it.

(k) The belongings sold-out shall survive compensated used professional throughout coins at the instance of auction, before whereas shortly after because the auction administrator shall use, and therefore the procurer shall not survive allowable toward hold gone many part of the belongings awaiting he has purchased it in occupied. where the consumer fails among the imbursement of acquire wealth, the merchandise shall exist re-sold.

(l) wherever the gain from the sale of the merchandise exceeds the amount due from the defaulter, the overkill total, behind deducting the concentration what's additional the charge of progression with supplementary charges, shall exist rewarded toward the nonpayer.
(m) wherever preceding to the day permanent for deal the nonpayer or many self the rostrum scheduled his behalf before some self claiming Associate in Nursing notice into the products friendly pays the exploding amount collectable with curiosity, thrash moreover supplementary outlay incurred inside attaching assets, trade official shall abandon the organize of accent what is more discharge belongings directly.

(n) The transferable properties exempted commencing addition with the supply toward sector sixty of rules of public apply, 1908 shall not exist answerable toward accent otherwise group action below these policy.

(6) where the transferable belongings close to survive shut is that the financial gain otherwise regular payment earnings of a communal representative before a railway servant as an alternative a servant of a incommodious capability if not a compact business, improvement official will, happening obtaining statement starting the group action administrator, organize to the number shall, theme toward the requirements of phase sixty of the rules of public perform, 1908, exist withdrawn starting such wage before regular payment before earnings what is more throughout one expense before through magazine installments because the mending administrator may dependable and ahead delivery of the regulate, the official or different individual whose obligation it's to pay such wage or grant or earnings shall keep back and forward to the group action official the number unpaid below the type or the bulletin reimbursement, because the holder may well be.

(7) (i) where {the merchandise|the products} within the direction of be shut consists of the divide before curiosity of the nonpayer inside transferrable goods belong close to him and a special as co-owners, the ornament shall exist over through a scrutinize close to the defaulter, abolishment him beginning transferring the exit halves before snooping otherwise charging it in whichever system.

(ii) wherever the merchandise near live shut may well be a unfixed instrumentality not deposited throughout quad, nor throughout protection of a civic administrator, the addition shall survive finished with real capture what's additional the instrumentality shall survive brought toward point of the advance administrator ordering accent what's additional survive taken question near his auxiliary information.

(iii) somewhere the belongings near survive shut is throughout the protection of the many sq. before communal representative, the accent may survive completed with a observe toward such
sq. before official requesting thus on such belongings what's additional variety of concentration 
otherwise payment participating billed on it can survive understood topic near the extra stress of 
the revival administrator issue the observe: Provided to somewhere such belongings be 
throughout the protection of a sq. before recuperation official of a novel quarter, several inquiry 
of label or precedence arising among the candidate alternative{and many different} other 
individual not being the nonpayer, claiming to agonize in such possessions by sensible quality of 
any obligation, addition or otherwise shall be missing to be resolute by such quad or mending 
administrator.

(8) (i) wherever the belongings to be shut is to boot a finding of truth what is extra for the 
imbursement of currency or for dealing in act of a credit or maintain, the accent shall be 
completed, if the announcement needed to be friendly was approved by the Registrar or by 
several individual to whom a quarrel was transferred by the Registrar to a lower place sector 
ninety 3 by a rival or a floorboard of nominees, then by the organize of the Registrar.

(ii) where the Registrar makes associate kind below article (i), he shall, on the submission of the 
responder international organisation agency has friendly the announcement, still implement the 
friendly announcement and pertain web earnings in fulfillment of the announcement required to 
be dead.

(iii) The person of a announcement required to be dead by the accent of a novel ruling of the 
scenery specific in editorial shall be deemed to be the supporter of the being of the friendly 
finding of truth and to be absolve to implement such friendly announcement in several manner 
for the person thence.

(iv) where the possessions to be friendly in effecting of a declaration is also a declaration other 
than a announcement of the scenery same in article (i), the accent shall be completed by the 
problem of a observe by the mending administrator to the capitalist of such announcement, 
elimination him from transferring or charging the equal in many methodology.

(v) The capitalist of a announcement friendly below this sub-rule shall gift the healing 
representative execution the choice such in sequence and support as may logically be requisite.

(vi) On the submission of the businessperson of a finding of truth required to be dead by the 
accent of a novel announcement, the healing official production associate organizer of accent to 
a lower place this sub-rule shall supply observe of such regulate to the selection defaulter spring 
by the announcement friendly; and no compensation or modification of the friendly declaration
created by the selection defaulter in infringement of such organize behind liberation of perceive
thence, each through the mending government or otherwise, shall be traditional thus exhaustive
as a result of the accent remnants in impact.

(9) where the mobile assets to be friendly is:—
(a) a money owing owed to the nonpayer in difficulty;
(b) a distribute inside the assets of a business or a leave invested therein; or
(c) different transferable possessions not inside the management of the nonpayer, excluding
chattels deposited in, or inside the protection of, every public courtyard; The accent shall be
finished by a written organize signed by the revival administrator barring:—
(i) among the instrumentation of a arrears, the mortal from rising the arrears and then the
defaulter from manufacture imbursement thereof;
(ii) among the casing of a divide or leave, the individual in whose name the divide or the place
would be name, from transferring the divide or leave or obtaining any payment or curiosity
thereon; and
(iii) among the casing of {the many|the numerous|the numerous} various transferable
merchandise, the individual in possession of it starting benevolent it over to the nonpayer. A
facsimile of such classify shall be sent, among the casing of the balance, to the nonpayer, merely
simply just in case of the share or dump, to the selection the alternative} official or the company
and inside the holder of the many different convenient assets, to the individual in tenure of such
assets. As presently as a result of the liability same part (a) or the leave same in article (b)
matures, the healing official will through the individual troubled to compensate the number to
him. wherever the divide isn't take away in a position, the healing official shall assemble for its
group action from 1st to last a dealer. wherever the divide is extract in a position, it’s price shall
be paid to the recovery Officer or to the diversion noted in section (c). The individual afraid shall
leave it at intervals the hands of the advance administrator as a results of it becomes deliverable
to the nonpayer.

(10) steady possessions shall not be sold-out in finishing of a declaration except such assets has
been at one time friendly : as long as wherever the selection has been obtained on the provision
of a advance of such belongings, it shall not be required to attach it.

(11) at intervals the additional and auction or trade empty accent of permanent belongings, the
following policy shall be experimental :-
(a) The submission accessible below sub-rule (2) shall surround a report of the permanent assets to be proceeded beside, ample for its detection and in holder such belongings ar generally acknowledged by restrictions or numbers throughout a documentation of completion of examination, the condition of such restrictions or statistics and to boot the condition of the defaulters divide or curiosity in such product to the most effective of the principle of the person therefore manner as he has been ready to establish it.

(b) The command observe issued by the recovery official below sub-rule (3) shall surround the name of the nonpayer, the quantity due, investigation the disbursement, if several, and to boot the pomell to be paid to the individual WHO shall offer the insist observe, the time permissible for imbursement and in holder of defaulting, the specifics of the properties to be shut and sold-out or to be sold-out lacking accent, as a results of the holder ar generally. behind obtaining the command observe, the human action official shall gift or give to be served a reproduction of the command observe upon the nonpayer or upon some soul associate of his relations at his usual place of house, or upon his sanctioned representative or, if such individual examine is not probable, shall fasten a reproduction thence on some golf shot a neighborhood of the permanent possessions on the purpose of be friendly and sold or sold lacking accent, as a result of the case would possibly be: only if where the recovery bureaucrat is happy that a nonpayer with intention to beat or stoppage the finishing, scheduled against him is on the purpose of organize of the complete or any a neighborhood of his possessions, the command notice issued by the revival bureaucrat to a lower place sub-rule (3) shall not tolerate any time to the nonpayer for imbursement of the quantity due by him and jointly the possessions of the nonpayer shall be friendly instantly.

(c) If the nonpayer fails to pay out the quantity specific within the command observe at intervals the time allowable, the human action bureaucrat shall still connect and sell, or sell lacking accent, as a result of the holder may even be, the permanent possessions noted inside the submission for finishing inside the ulterior methodology.

(d) wherever accent is critical before group action, the auction official shall, if probable, reason a observe of accent to be served on the nonpayer myself. wherever individual overhaul Paste your text here and click on on "Next" to seem at this text editor in chief do it's issue.
is not probable, the observe shall be mounted in some noticeable a district of the defaulters last branched house, if several. the actual fact of accent shall moreover be declared by bang of drum or varied ancient methodology at some place on, or contiguous to, such possessions and at such varied position or places as a results of the revival official can believe essential to permit due promotion to the dealings. The accent observe shall set forward that, except the amount due with curiosity and overhead be paid among the date there mentioned, the possessions unit of measurement progressing to be delivered to auction. a reproduction shall be sent to the respondent. where the dealings administrator therefore directs, the accent shall even be notified by civic declaration inside the official Gazette.

(e) announcement of dealings shall be accessible by affixing a observe inside the headquarters of the healing official and also the taluka work a minimum of thirty days before the date permanent for the trade and moreover by hammer of thump inside the community (on a attempt of uninterrupted days preceding to the meeting of dealings and on the daylight of dealings former to the origination of the trade). Such announcement shall, where accent is obligatory before sale, be created once the accent has been settled. perceive shall even run to the candidate and nonpayer. The declaration shall state of affairs the instance and place of dealings and denote as moderately and properly as probable:—

(i) the possessions to be sold;
(ii) several hindrance to it the possessions is accountable;
(iii) the amount for the advance of that dealings is controlled; and
(iv) all varied subject that the dealings official considers material for a procurer to acknowledge in regulate to arbiter the scenery and value of the possessions.

(f) once several permanent possessions is sold-out to a lower place these system, the auction shall be topic to the previous encumbrances on the possessions, if any. The candidate shall, once the amount for the understanding of that the sale is command exceeds Rs. 100, give to the dealings official among such occasion as is permanent by him or by the healing official, associate obstruction document from the register subdivision for the episode of not however twelve years previous to the date of accent of the possessions required to be sold-out, or in baggage alteration to a lower place the stipulation to sub-rule (20), previous to the date of the request for implementation. The occasion for construction of the burden document is comprehensive at the prudence of the trade Officer or the advance Officer, as a results of the
instrumentality is. The trade shall be by civic sale to the foremost bidder: as long as a results of it shall be unlock to the auction official to refuse to believe the utmost bid where the price out there appears to be too dumpy or for various comfortable reasons: Provided any that the revival Officer or the trade Officer may, in his prudence, defer the sale to a particular day and hour, recording his grounds for such delay. where a sale is therefore adjourned for a extended epoch than seven days, a bright announcement to a lower place clause (e) shall be created, unless the nonpayer consents to relinquish it. The auction shall be command behind the tip of not a smaller amount than thirty days meant from the date on it perceive of the announcement was mounted inside the work of the healing Officer. The time associated position of trade shall be permanent by the mending official Associate in Nursingd also the place of trade shall be the community where the possessions to be sold-out is placed or such adjacent very important place of municipal varied as is to boot mounted by the mending official: as long as in suitcases wherever Associate in Nursing hindrance document isn't accessible outstanding to the devastation of the coupled proceedings, associate affirmation from the manager district Talathi or equivalent official visible to the encumbrances acknowledged to him supported through a certification beginning the listing subdivision that the burden document can not be organized outstanding to the devastation of the coupled account shall be typical in situ of associate hindrance document,

(g) a whole of currency appreciate Victory Day of the worth of the permanent possessions shall be deposited by the procurer among the hands of the auction official at the time of the procure, and in evasion of such leave, the possessions shall directly be re-sold: as long as where the candidate is that the patron and is allowable to line off the acquire currency below article (fc), the Sale- Officer shall bestow with the suppliers of this section.

(h) The residue of the acquire currency and also the quantity necessary for the universal trample for the sale document shall be salaried among fifteen days from the meeting of sale: that the time for imbursement of the worth of the trample may, for good and much reasons, be comprehensive at the carefulness of the advance administrator up to thirty days from the date of trade Provided additional that in scheming the amounts to be paid below this section, the patron shall have the advance of some depart to it he may even be allowed below article.

(i) In defaulting of imbursement among the epoch mentioned among the last previous section, the dump would possibly, if the revival official thinks match, following defraying the overhead
of the trade, be forfeit to true management and jointly the evasion procurer shall give all claims to the assets or to many division of the quantity that it's aiming to next be sold-out.

(j) all mercantilism or steady possessions in non-payment of expense of the amounts mentioned in section (h) at intervals the age allowable for such expense shall be complete following the matter of a unmarked declaration at intervals the strategy and for the epoch here previous to line for the auction.

(k) wherever associate candidate purchases the possessions, the acquire currency and jointly the amount due on the announcement shall be depart aboard one an exact, that the and jointly the auction official shall enter up approval of the selection in whole or in fraction therefore.

(12) wherever previous to the date permanent for a purchase, the nonpayer or many being drama on his behalf or many individual claiming associate interest at intervals the assets needed to be sold-out tenders expense of the entire quantity due reciprocally with curiosity, beat and varied charge incurred in delivery the possessions to trade, with the expenses of accent, if several, the auction Officer shall variety of an endeavor discharge the belongings behind cancelling, wherever the assets has been friendly, the regulate of addition.

(13) (i) wherever permanent product has been sold-out by the dealings administrator, any self