**MODEL BYE-LAWS OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COOPERATIVE**

**COLLECTIVE FARMING SOCIETY LTD;**

1. **SHORT TITLE AND COMMENCEMENT** :
2. These Bye-laws shall be called the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Cooperative Collective Farming Society Ltd; \_\_\_\_\_\_\_\_\_\_\_\_ .

1. They shall come into force from the date of registration of the bye-laws under the Goa Co-operative Societies Act, 2001 as applied to the State of Goa.
2. **DEFINITION:**

**IN THESE BYE-LAWS UNLESS THE OTHERWISE REQUIRES**.

1. “ACT” means the Goa Co-operative Societies Act, 2001 as applied to the State of Goa.
2. “RULES” means the Goa Co-operative Societies Rules, 2003 for the State of Goa.
3. “REGISTRAR” means the Registrar of Co-operative Societies-GOA.
4. “SOCIETY” means the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Cooperative Collective

Farming Society Ltd;

1. “SECRETARY” means any person discharging the duties of the SECRETARY irrespective of the designation.
2. **PRELIMINARY:**
3. **NAME, ADDRESS AND AREA OF OPERATION:**

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Cooperative Collective Farming Society Ltd; is registered as a Cooperative Society under the Act and its registered address shall be\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ . Its Area of operation shall extend to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

1. **OBJECTS OF THE SOCIETY SHALL BE:**
2. To pool and hold or purchase/sell or take on lease lands of the members for cultivation.
3. To take up schemes for land improvement, irrigation, soil conservation, consolidation of land, land protection, plantations, floriculture etc.
4. To purchase and maintain or hire cattle machinery vehicles implements etc.
5. To purchase stock and utilize manures, fertilizers, seeds and other agricultural requisites.
6. To purchase or procure otherwise stock and distribute the domestic requirements of the members.
7. To arrange for the storage, processing and sale of farm produce.
8. To purchase, erect/build hire or acquire otherwise Farm houses, office building, cattle sheds godowns etc. necessary to facilitate its activities.
9. To promote the social, recreational and cultural activities for the benefit of the members.
10. To raise funds from members and others for the fulfillment of its objects.
11. **FUNDS:**
12. **FUNDS MAY BE RAISED:-**
13. By issue of shares.
14. By entrance fees.
15. By receiving deposits from members.
16. By raising loans from State Co-operative Bank and other financial Institutions.
17. By way of Donations.
18. By loans and subsidies from Government.
19. The borrowing power of the society, at any time shall not be more than 10 times of the share capital, plus reserve fund, building fund, minus accumulated losses if any and shall be subject to the Act and Rules in force at the time.
20. The funds of the society shall be utilized in the business of the Society. However, such funds as are not needed for use by a society may be invested or deposited outside its business as per section 55 of the Act and Rule 39.
21. To Authorized share capital of the society shall be Rs. \_\_\_\_\_\_\_\_\_ divided into \_\_\_\_\_ shares, the value of each share being Rupees 100/- .
22. **MEMBERSHIP:**
23. The membership of the society shall be purely on application and on payment of Rupees Ten as entrance fee and full amount of the share subscribed by the following:-
24. Persons residing and /or having cultivable land as an owner or tenant or cultivator or otherwise in the area of operation of the society.
25. State Government.
26. A person shall not be admitted as a member unless:
27. He has attained 18 years of age and is competent to make a contract.
28. He has pooled such lands as he occupies in the area of operation of the society for joint cultivation for a period of six years.
29. A member shall be expelled from membership by a majority vote of three-fourth members of the society who are present at a General Meeting after complying with the provisions of Section 26 of the Act and Rule 26 of the Rules.
30. On the death of a member, the value of shares held by such a member together with the dividend, if any, after deducting the dues of the society, if any, shall on application be paid within one year of his death to the nominee and if there is no person so nominated, to such other person who in the opinion of the managing committee appeared to be the heir or legal representatives of the deceased member and where such managing committee is unable to decide the heir, on production of a succession certificate or a probate or letters of administration from a competent court of law. In any case such refund of the share capital shall not exceed 10% of the total paid up share capital as it stood as at 31st March of the year immediately preceding as provided under Section 29 of the Act.
31. If any application for membership is rejected, he shall be informed about it within 15 days of such decision or within three months of the date of application, whichever is earlier.
32. Any member who has pooled his land in the society may resign his membership after a period of six years from the date of admission by giving three months notice to the secretary of the society, provided he must have paid all his dues to the society or must be free from all liabilities. However such member shall get the same land pooled by him in the society.
33. A share certificate bearing a distinct number shall be issued for every share or shares held by the member.
34. The liability of a member shall be limited to his share holdings in the society as well as the expenditure the society has made on the development of his land pooled in the society.
35. The shares held for not less than one year may with the approval of the Managing Committee be transferred from one member to another or to a non member who is eligible for admission or whose application for membership is accepted by the Managing Committee. The transfer is not complete until the name of the transferee has been entered in the register of members and payment of such fees as prescribed the Managing Committee may prescribe has been paid.
36. The membership of a member in the society ceases on:-

1) Death of a member.

2) Acceptance of resignation by the Managing Committee.

3) Expulsion.

4)Permanent insanity.

5) Transfer or forfeiture of all the shares held by him.

k) Each member shall have only one vote and the voting by proxy shall

not be allowed.

1. Every member shall have a right to inspect the records of the society as provided under Section 32 and Rule 27 during office hours, after giving at least three days notice to the secretary and can obtain certified copies there of by paying fees as prescribed by the Managing Committee from time to time.

**6. GENERAL BODY MEETINGS**:

a) The Supreme Authority shall vest in the General Meeting of the Members of the Society and shall be exercised in consonance with the provisions of the Act, Rules and bye-laws of the Society.

b) The first General Meeting of the members after registration shall be convened as per provisions of Rule 45 and it shall transact business as provided therein.

c) The Annual General Meeting shall be held at least once in every year within nine months from the close of the Cooperative year as per provisions of Section 72 of the Act and Rule 46. The Society shall lay down its profit and loss account, balance sheet for the year and report of the auditor before the Annual General Meeting in Form L-1 and L-2 as specified under Rule 50.

d) In the case of Annual General Meeting, a clear notice of fourteen days and in case of a special general meeting a clear seven days notice shall be given by ordinary post or hand delivery and by publishing a copy of it on the notice board of the society and other prominent places within the area of operation of the society and by any other means as considered proper by the Managing Committee to give due publicity to the notice.

The notice shall specify the date, hour and place of the meeting and the business to be transacted there at.

1. A special General Meeting may be summoned for the consideration of a specified business, by the Chairman of the Managing Committee and shall be summoned on a written requisition from 1/10th of the total number of members or at the instance of the Registrar. It shall be the duty of the chairman to call or arrange to call such a meeting within 30 days of the receipt of such a request or requisition as per section 72(3) of the Act.
2. Voting shall be by show of hands and all questions shall be decided in favour of a majority. Except in case of election of the Managing Committee of the society the voting shall be by Ballot.
3. One fourth of the total number of members shall constitute a quorum at a General Meeting. if there is no quorum at the time fixed for holding the meeting, the meeting shall be adjourned for half an hour on the same day as may have been specified in the notice calling the meeting or otherwise to a subsequent date not earlier than seven days but not later than 30 days and at such adjourned meeting the business on the agenda of the original meeting shall be transacted whether there is a quorum or not. If the meeting is adjourned to any day other than the same day the date of the adjourned meeting shall be fixed and declared there only and no separate notice shall be necessary.
4. Unless approved by the Registrar, a resolution disturbing the election of the Managing Committee or cancelling any subject previously decided upon at a general meeting cannot be brought forward for consideration at a General Meeting within a period of six months from the date of its passing.
5. **DUTIES OF THE GENERAL BODY :**

The following shall be the main duties of the General Body:

(1)The declaration of the results of the members of the Managing

Committee for the ensuing term.

(2)The discussion on the annual statement of accounts to be submitted

to the Registrar and Auditor concerned.

1. The consider and adopt the audit report issued by the Statutory

Auditor.

(4) To approve the annual budget of the income and expenditure.

(5) Amendment to or repeal of any of the existing bye-laws or

enactment of new bye-laws.

(6) Expulsion and removal of a member subject to the provisions of

Act and Rules.

(7) Consideration of any complaints by members against the

Managing Committee.

(8) Submission of accounts and returns that may be prescribed by the

Act and Rules.

(9)Consideration of the plans for agricultural production and subsidiary

prepared by the Managing Committee.

(10) Approval of the schemes for land development and employment.

(12) Fixing the returns of the lands pooled.

(13) Approval of the valuation of the lands made by the Managing

Committee.

(14) Disposal of applications for withdrawal of the lands pooled.

(15) Distribution of net profits as per provisions of Act, Rules and

Bye-laws.

(16) To appoint Internal Auditor/Statutory Auditor and fix the

remuneration of the Internal Auditor.

(17) Any other business duly brought forward with the permission of the

chair.

**8. MANAGING COMMITTEE**:

(a) The Managing Committee shall consist of \_\_\_ elected members.

(b) The quorum for the meeting of the Managing Committee shall

be \_\_\_\_\_

(c) The Managing Committee so elected shall hold office for a period of five years.

(d) The Managing Committee shall elect from amongst its members, a Chairman and Vice-Chairman for five years. The Chairman Shall preside at the meeting of the Managing Committee. In his absence, the Vice-Chairman shall perform the duties of the Chairman at the Meeting. The person in the chair shall have a casting vote in case of equality of votes in any such meeting.

(e) Non-attendance at three consecutive meetings without the prior permissions of the Managing Committee shall disqualify an elected Managing Committee member to be on the Managing Committee.

(f) Vacancies caused in the Managing Committee due to death, resignation, not attendance at certain meetings of the Managing Committee, removal from office as a Managing Committee member or for any other reason, may be provisionally filled in by Co-option by the remaining Managing Committee members by appointing a person possessing the requisite qualifications to hold office till the remaining of period of the member on account of whom vacancy is caused.

(g) The members present will not be allowed to participate and vote on any matter in which he is personally interested.

(h) The Managing Committee members shall meet as often as it may be considered necessary for the transaction of business but not less than once in a calendar month.

(i) The Managing Committee may authorize any employee and/or any one member of the Managing Committee to perform any specified function on behalf of the society.

(j) All the acts done in good faith by the Managing Committee or by a person acting as a member of Managing Committee shall be, not with standing the fact that it is afterwards discovered that there was some defect in the election or appointment of such a committee member, will be treated valid as of the Managing Committee had been duly elected or appointed .

(k) The duties and responsibilities of the Managing Committee shall be**:-**

(1) To dispose of applications for membership and allotment of shares or transfer and withdrawals of shares.

(2) To raise funds by way of loans and deposits required to achieve the objects of the society.

(3) To prepare agricultural production plans and schemes for the utilization of the resources and manpower.

(4) To prepare schemes to introduce subsidiary industries in order to augment the income of the members.

(5) To prepare land development programmes and minor irrigation schemes to be undertaken by the Society to step up agricultural production.

(6) To arrange for the storage, sale and processing of agricultural and other farm products.

(7) To buy seeds, manures, agricultural implements and other requisites for agricultural operations and domestic needs of the members.

(8) Sale of lands or other immovable property or build farm houses and place such proposals before the General Body with the permission of the competent Authority.

(9) To appoint the secretary and other employees of the society and to fix their remuneration.

(10) To determine the service conditions of the employees and to take security from them.

(11) To sanction loans to members in cash or in kind.

(12) To open the accounts for investing the funds of the society.

(13) To keep accounts and registers of the society.

(14) To prepare and place before the General Body annual reports, profit and loss statements, balance sheet and budget.

(15) To place before the General Body the audit and inspection notes alongwith Rectification Report.

(16) To frame subsidiary rules consistent with the act, rules and bye-laws for the proper conduct of the business of the society.

(17) To classify and value the lands pooled by the members for just cultivation and place such valuation for the approval of the General Body.

(18) To call the meetings of the General Body.

(19) To fix the limit of cash to be kept in hand .

(20) To conduct all other business of the society as laid down in the bye-laws.

**9. SECRETARY:**

The duties of the Secretary shall be:-

1. To be the custodian of the records, common seals, dead stock and such other property of the society as may be received.
2. To issue notice, to call the Annual Special General Meeting of the society and meetings of the Managing Committee/s and sub-committee/s at the instance of the Chairman or the Managing Committee.
3. To attend all the meetings of the society and to record proceedings.
4. To manage office correspondence on behalf of the society.
5. To receive and disburse money on behalf of the society subject to the restrictions laid down by the Managing Committee.
6. To keep such amount in his charge as the Managing Committee may permit by a special or general Order.
7. To maintain proper accounts.
8. To manage, supervise and guide the business of the society for the fulfillment of its objects, subject to the instructions of the Managing Committee, if any.
9. To supervise the work of the salaried staff.

(10)To do such other work as the Managing Committee may assign from

time to time.

(11)To attend to Government audits, inspection and visits.

(12) To rectify defects pointed out in audit report and to prepare audit

rectification report.

**10. CULTIVATION PROFIT:**

Cultivation profit will be arrived at after deducting from the gross income the following expenditure meant for raising the crops.

1. Cost of seeds, fertilizers and other production requisites.
2. Wages on the labour put in by non members engaged or members at the prevailing rates.
3. Interest on the loan utilized for purchase of requisites mentioned at 4(a) and also for payment of wages.

**11. NET PROFIT:**

The net profit of the society is arrived at after deducting from the cultivation profit the following expenditure:-

1. Land revenue if any.
2. Rent on land if any.
3. Interest on loans for management expenses.
4. Management and other expenses.
5. Depreciation on land and machinery.
6. Installments of the long term loans, if any.
7. Return of the land pooled by members.
8. Other items as per Act and Rules.

**12. DISTRIBUTION OF PROFITS:**

The net profit shall be distributed in accordance with the provisions of section 52 of the Act and Rule 41 of the Rules.

**13. BUSINESS:**

(a) The Managing Committee may take up the business of construction of Farm houses, purchase of agricultural requisites, improvement/development of the lands.

(b) The members shall be paid the wages as per the prevailing rates which have been approved by the General Body. The wages will be paid in kind.

(c ) The Managing Committee shall decide the production programme and shall issue instructions to the secretary or the person appointed for the purpose to execute the same. However periodical inspection shall be carried out by the Managing Committee.

(d) The labourers required for any operations will be called firstly from the members family in proportion to the heads in respective families and if the labourers amongst the members are inadequate, then the non-members may be employed. The mode of payment of labour charges to non-members will be decided as per the prevailing conditions.

(e) The society shall be represented in the courts, Government offices, statutory bodies by its chairman, vice chairman or secretary and in the absence of the aforesaid persons, by any member of the Managing Committee appointed in this behalf.

(f) The following books of account and records shall be maintained by

the society:-

(1) Member list.

(2) Member Register.

(3) Share Register.

(4) Cash Book.

(5) Minute books separately for Managing Committee meetings and Annual

General Meetings.

(6) General Ledger.

(7) Borrowing Register.

(8) Deposit Register.

(9) Register of Lands Pooled

(10) Cultivation Register.

(11) Production Register.

(12) Muster roll and wage register for members.

(13) Muster roll and wage register for no. members.

(14) Register of other resources pooled by the members.

(15) Stock Register (Feed, Fertiliser, etc.).

(16) Live stock Register.

(17) Equipment Register.

(18) In addition to these books it shall maintain books as deemed fit by the

Managing Committee.

(g) All important documents such as cheques, drafts, contracts bonds etc. having money value shall be signed by any two out of the Chairman, vice Chairman and Secretary. In respect of signing other documents this shall be determined by the Managing Committee from time to time.

(h) Separate minute books for the General Body Meetings and the Managing Committee meetings shall be maintained by the Secretary in which the names of the members present, the proceedings and the resolutions passed at such meetings shall be recorded.

All the records of the society shall be maintained and written in English.

1. Before the 15th May every year the Managing Committee shall draw up a statement showing receipt and expenditure, profit and loss and balance sheet for the previous year, copy of this statement shall be sent to the auditor appointed before 31st May.
2. The Bye-laws may be amended by two third majority present and voting at a Special General Meeting called for the purpose, provided that at least 14 days notice of the amendment has been given to the Registrar and to the members of the Society. The amendment shall be effective only after it is registered with the Registrar.

14. **AFFILIATION TO FEDERAL BODIES:**

(i) The society shall take at least one share in the State Cooperative Bank

after its registration.

(ii) The Society shall become a member of the State Cooperative Union.

(iii)The society may become a member of any other Cooperative

Institutions which deem fit.

15. **LIQUIDATION** :-

In the event, the society is liquidated as per Section 92 and Rule 127, 80% of the surplus assets shown as available in the final report of the liquidator shall be divided amongst the members as per the provisions of section 100 and Rule 130 and the remaining shall be placed at the disposal of the Registrar of Co-operative Societies for utilization in a suitable manner.

**Sr. No. Name of Board of Directors Designation Signature**

01 Shri Smt.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

02 Shri/Smt. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

03 Shri/Smt. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

04 Shri/Smt. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_