

# **BYE-LAWS**

**(Incorporating amendments as on 24.05.2012)**

**NATIONAL COOPERATIVE UNION OF INDIA**

**3,Siri Institutional Area,  
August Kranti Marg,  
New Delhi - 110 016**

# **NATIONAL COOPERATIVE UNION OF INDIA**

## **BYE-LAWS OF NCUI**

Bye  
Law  
No.

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### **Name and area of operation**

The Union shall be called the “National Cooperative Union of India Limited” (NCUI)

The headquarters of the Union shall be at 3, Siri Institutional Area, August Kranti Marg, New Delhi – 110016.

The area of operation of the NCUI shall extend to the whole of India.

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### **Definition**

The words/expressions appearing in these bye-laws shall have the following meaning unless otherwise provided:

- (a) “Act” means the Multi-State Cooperative Societies Act, 2002.
- (b) “Delegate” means a person who is duly nominated by a member society in accordance with the provision of section 38 (3) of the Act as its representative to the general body of the Union.
- (c) “Member” means a society and an institution defined in bye-law no. 4 (vii) who for the time being is a member or is admitted as a member of the Union.
- (d) “Multi-State Cooperative Society” means a society registered or deemed to be registered under the Act and includes a national cooperative society.
- (e) “National Cooperative Society” means a multi-state cooperative society specified in the second schedule to the Multi-State Cooperative Societies Act, 2002.
- (f) “Rules” means the Multi-State Cooperative Societies Rules framed under the Act.
- (g) “Society” means a cooperative society registered or deemed to be registered under any law relating to cooperative societies for the time being in force in any state or union territory in which it is established.
- (h) “Union” means the National Cooperative Union of India Ltd.
- (i) “Defaulter” means a member society, which has not paid the membership subscription under Bye-law No. 9 for the consecutive period of two years.
- (j) “Relative” means father, mother, spouse, sons and daughters.

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### **Objects**

The objects of the Union shall be to promote and to develop the cooperative movement in India, to educate, guide and assist the people in their efforts to build up and expand the cooperative sector and to serve as an exponent of cooperative opinion in accordance with

cooperative principles as enunciated in the first schedule to the Act.

In furtherance of these objects, the Union may either by itself or in collaboration with other cooperative institutions:

- (i) organise cooperative education and training programmes and popularise the principles and practices of cooperation;
- (ii) develop inter-cooperative relations and help the coordinated functioning of the cooperative movement in various sectors;
- (iii) organise, conduct, collaborate and assist in carrying out research, investigation of cooperative problems and formulation of projects for cooperative development;
- (iv) arrange for the production and publication of literature and audio-visual and other aids including films, filmstrips on cooperation and allied subjects;
- (v) give publicity to the achievements of cooperatives through periodicals, journals, newspapers, pamphlets, brochures, books, films, broadcasts, T.V. and the like for creating favourable atmosphere for the development of the cooperative movement;
- (vi) maintain an information bureau and a library;
- (vii) express opinion on matters of cooperative policy and act as the accredited representative of the Indian Cooperative Movement in the national and international spheres;
- (viii) convene and hold the National Cooperative Congress and cooperative seminars, meetings, conferences, exhibitions etc;
- (ix) select delegates, representatives and observers on behalf of the Union for participation in the international, national and state conferences;
- (x) facilitate the promotion of cooperative institutions and assist the member societies in resolving their problems and difficulties and formulation of programmes and their implementation and preserve and safeguard the democratic character of the cooperative movement in the country;
- (xi) to confer honour on the eminent cooperators;
- (xii) acquire, hire, purchase, own or dispose off immovable property by way of sale, lease or otherwise for the furtherance of the objects of the Union;
- (xiii) promote international cooperative relations through active collaboration with ICA, UNO, FAO, ILO, UNDP, UNIDO and other international agencies involved in cooperative development;
- (xiv) establish effective liaison and relations with ICA member-organisations and national cooperative organizations of other countries;
- (xv) help, promote international marketing on cooperative to cooperative basis by

documenting necessary information and to act as nodal agency for the benefit of Indian Cooperative Movement;

- (xvi) to provide consultancy services to the cooperatives;
- (xvii) to undertake such economic activities, directly or through strategically collaborative joint ventures or partnerships with cooperative and other organisations including insurance business as may be considered necessary for consolidation of financial position of NCUI or for furtherance of any or all of the above stated objects.
- (xviii) to maintain the following funds:
  - (a) Cooperative Education Fund,
  - (a) National Cooperative Training Fund,
  - (b) Corpus Fund,
  - (c) Reserve Fund,
  - (d) Building Fund,
  - (e) Any other fund as decided by the governing council from time to time.
- (xix) to generally undertake such activities or functions as are considered incidental or conducive to the attainment of the objects of the Union.

#### 4 (a) Membership

The membership of the Union shall be open to :

- (i) State Cooperative Unions or by whatever names they are called;
- (ii) National Cooperative Societies/Federations;
- (iii) Cooperative Unions of union territories;
- (iv) Cooperative business and non-business federations/apex societies of state and union territories;
- (v) State Tribal Development Cooperative Federations/ Corporations registered under the cooperative law;
- (vi) Multi-State Cooperative Societies not included in (ii) above;
- (vii) National Cooperative Development Corporation, National Bank of Agriculture and rural Development, National Dairy Development Board, and Rural Electrification Corporation.

No individual shall be eligible for the membership of NCUI.

#### (b) Procedure for obtaining the membership of NCUI

The application for membership of NCUI shall be submitted by the person authorised by the **Competent Body** of the Society seeking membership of NCUI. The application shall be submitted

in the prescribed form and accompanied by following documents :

- a) an attested copy of the Bye-laws of the Society;
- b) an attested copy of the Resolution passed by the **Competent Body** of the Society deciding to obtain the membership of NCUI and authorising the person for submitting the application;
- c) a copy each of the latest Annual Report, Audit Report of the Society;
- d) an attested copy of the registration certificate of the Society;
- e) bank draft towards membership subscription as per the NCUI Bye-law No. 9;

The application found complete in all respects will be placed before the Governing Council for its approval.

Every application for membership shall be disposed off within a period of 4 months from the date of receipt of the application and the same shall be communicated to the applicant society within 15 days of the decision by Registered Post.

#### **( c ) Rights of members:**

Every member of NCUI, otherwise eligible, shall have the following rights as per Bye-laws of NCUI:

- a) right to vote;
- b) right to receive notice and attend the general body meetings;
- c) right to attend and take active part in the proceedings of the committee of which he is a member;
- d) right to take part in elections and contest for any post as per provision of the Act, Rules and Bye-laws of NCUI.

#### **5 Liability**

The liability of the members to meet the deficit in the event of winding up of the Union shall be limited to the amount of subscription payable by them on the date of winding up.

#### **6 Cessation of Membership**

The membership of a cooperative society shall cease:

- (i) on the cancellation of the registration or winding up of the member society;
- (ii) on a member society deciding to withdraw from the membership of the Union provided that such a decision is taken by a competent body of the society and is duly communicated to the Union. The withdrawal in such cases shall take effect after three months from the date of receipt of such a resolution by the Union subject to the payment of arrears, if any;

- (iii) on expulsion of the members and on incurring disqualifications as provided in the Act and Rules.

## 7 **Termination of Membership**

For reasons to be recorded in writing, the membership in the Union may be terminated by a resolution of the general body passed by two-third majority present and voting, if :

- (i) activities of the member society are in conflict or competitive with the activities of NCUI, or
- (ii) member society fails to represent in three consecutive meetings of the General Body Meetings and such absence has not been condoned by the majority of the members present and voting.
- (iii) member society is in default of any payments to NCUI and such payments have been due and payable for a period of more than two years.

Provided that concerned member society shall be given an opportunity of making a representation in the matter before removal from membership.

## 8 **Funds**

The funds of the Union may be raised from the following;

- (i) annual membership subscription;
- (ii) contribution or donations;
- (iii) grants from government;
- (iv) moneys/income from the cooperative education fund created as per Act and Rules and maintained by the Union;
- (v) sale proceeds of publications, journals, text books, films etc.
- (vi) loans and advances; and
- (vii) income from exhibitions, projects, consultancy services or any other activities undertaken by the Union as per its bye-laws.
- (viii) Profits from economic activities.

## 9 **Annual Membership Subscription**

- (i) each member society shall pay subscription to the Union at the rates specified in Schedule I which may be revised by the Governing Council from time to time.
- (ii) annual subscription from members shall fall due at the commencement of each cooperative year, i.e. on the 1<sup>st</sup> day of April every year and shall be payable by 1<sup>st</sup> July of the year.
- (iii) in case of default in payment of membership subscription, the member society shall be liable to pay penal interest at the rate as may be decided by the Governing Council from time to time.

10 **General Body**

- (i) the general body of the Union shall consist of delegates of member societies.
- (ii) the tenure of the delegates of member society shall be co-terminus with the term of the Managing Committee / Board of the member society.
- (iii) in case of change of delegate of any member cooperative, 30 days notice shall be given to NCUI and new delegate shall function for the unexpired term of the original delegate.

11 **Representation on the General Body**

- (a) Each member society shall send one delegate to the general body of the Union.
- (b) Every delegate shall have one vote, provided that in the case of equality of votes the Chairman/Presiding Officer shall have an additional casting vote.
- (c) (i) the delegates of a member society which has not been a member of the Union for at least 30 days before the date of the general body may attend the general body meeting but shall not be eligible either to exercise the right of vote, participate in the election or to hold office.
- (ii) the delegates from defaulting member societies shall not be entitled to exercise the right to vote or to seek election to any office. The delegates of defaulting societies, if holding any office of the Union shall forfeit their right to hold such office with effect from the date on which the society becomes defaulter under these bye-laws, provided notice is given to the defaulting society and it fails to pay its dues within 30 days after the receipt of notice.

12 **Meetings of the general body**

- (i) The meetings of the General Body shall be of the following types :
  - (a) annual general meeting;
  - (b) special general meeting;
- (ii) The annual general meeting of the Union shall be held within six months of the close of the cooperative year.
- (iii) Special general meeting may be convened by the Chief Executive on the direction of the governing council;
  - (a) for transacting any urgent business and; or
  - (b) on requisition in writing from 1/5<sup>th</sup> of the total delegates of the general body or 50 members whichever is less.
- (i) Notice for general meeting
  - (a) Annual general meeting of the Union may be called by giving not less than 14 days notice in writing.
  - (b) Special general meeting of the Union may be called by giving not less than seven days notice in writing. The notice of annual general meeting shall be accompanied by a copy each of the audited balance sheet, profit and loss account together with the auditor's report

thereon, relating to the preceding year, the report of the Governing Council, proposals of amendment in the Bye-laws, if any, and elections of members of Governing Council, if any

13 **(a) Functions of the General Body**

The authority of the Union shall vest in the general body, which shall perform the following functions:

- a) consideration of the audited statement of accounts;
- b) consideration of the audit report and annual report ;
- c) consideration of audit compliance report;
- d) disposal of net profits;
- e) review of operational deficit, if any;
- f) creation of specific reserves and other funds;
- g) approval of the annual budget;
- h) review of actual utilisation of reserve and other funds;
- i) approval of the long-term perspective plan and the annual operational plan;
- j) review of annual report and accounts of subsidiary institution, if any;
- k) expulsion of members;
- l) list of employees who are relatives of members of the Governing Council or of the Chief Executive;
- m) amendment of bye-laws, if any;
- n) formulation of code of conduct for the members of the Governing Council and officers;
- o) election of members of the Governing Council, if any;
- p) To appoint an auditor or auditors out of the panel approved by the Governing Council who will function up to the conclusion of the next annual general meeting.

**(b) Quorum at a general meeting**

- (i) the quorum for the general meeting shall be one fifth of the total number of delegates of the general body;
- (ii) no business shall be transacted at any general meeting unless there is a quorum at the time when the business of the meeting is due to commence;
- (iii) if within half an hour from the time appointed for the meeting quorum is not present, the meeting shall stand adjourned provided that a meeting which has been called on requisition of the members shall not be adjourned but dissolved;
- (iv) if at any time during the meeting sufficient number of members are not present to form the quorum, the chairman or the member presiding over the meeting on his own, or on his attention being drawn to this fact, shall adjourn the meeting and the business that remains to be transacted at this meeting, if any, shall be disposed of in the usual manner at the adjourned meeting;



- (v) where a meeting is adjourned under sub-rule (iii) or (iv) the adjourned meeting shall be held either on the same day or on such date, time and place as may be decided by the chairman or the member presiding over the meeting;
- (vi) no business shall be transacted at any adjourned meeting other than the business on the agenda of the adjourned meeting.

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#### **Governing Council**

- a) The Union shall have Governing Council consisting of the following:
  - (i) Nine members from State Cooperative Unions and Cooperative Unions of Union Territories.
  - (ii) Four members from the National level Cooperative Societies / Federations who are contributors to Cooperative Education Fund maintained by NCUI under the Act.
  - (iii) Four members from National level Cooperative Federations having at least 10 State level Cooperative Federations/Associations as members of NCUI.
  - (iv) One member from among the following:
    - a. National Cooperative Federations having more than five and less than ten state cooperative federations/associations as members of NCUI, and
    - b. State Coop. Federations/Associations covered under sub-clause (a) above.
  - (v) One member from among the following:
    - a. National Cooperative Federations having less than six state cooperative federations/associations as members of NCUI, and
    - b. State Coop. Federations/Associations covered under sub-clause (a) above.
  - (vi) One member from other State Cooperative Federations not included in (ii), (iii), (iv) and (v) above and Multi-State Cooperative Societies not included above.
  - (vii) One nominee of the Central Govt, if grant in aid provided to NCUI.
  - (viii) Chief Executive, NCUI.
  - (ix) Two eminent Cooperators who may be co-opted by the Governing Council.

(The constituencies and the election procedure for the constitution of Governing Council shall be as per **Schedule II** which may be revised/amended from time to time by the Governing Council.).

- b) The governing council shall meet at least once in every quarter.
- c) The meeting of the governing council shall ordinarily be held at Union's registered office at New Delhi.
- d) Except under the special circumstances 14 days notice for the meeting shall be necessary.
- e) The quorum for a meeting of the Governing Council shall be seven members.
- f) The term of the Governing Council shall be five years.

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#### **Functions of the Governing Council**

- (i) The Governing Council shall elect President of the Union and two Vice-Presidents of the Union from among the duly elected members of the Governing Council of NCUI.
- (ii) To admit members;

- (iii) To interpret the organisational objectives and set-up specific goals to be achieved towards these objectives;
- (iv) To make periodic appraisal of operations;
- (v) To appoint a Chief Executive and such other employees of the Union as may be prescribed;
- (vi) To make provisions for regulating the appointment of employees of the Union and the scales of pay, allowances and other conditions of service of, including disciplinary action against such employees;
- (vii) To approve annual and supplementary budget;
- (viii) To acquire or dispose of immovable property;
- (ix) To raise funds;
- (x) To take such other measures or to do such other acts as may be prescribed or required under this Act;
- (xi) To delegate powers to Executive Committee, President, Vice-President and Chief Executive subject to the provisions of Act and Rules;
- (xii) To consider and accept the resignation of the president, vice-president or any other member of the governing council, executive committee or other committees;
- (xiii) To call the meeting of the general body and fix agendas for the same;
- (xiv) To convene the national cooperative congress;
- (xv) To institute provident fund, gratuity and such other funds for the employees of the Union as might be considered desirable and frame rules for their administration;
- (xvi) To consider quarterly statement of receipts and payments and quarterly progress report;
- (xvii) Generally do all acts as are necessary to give effect to the objects of the Union;
- (xviii) To prepare budget and consider audited statements of accounts and administrative report;
- (xix) To make rules regarding T.A. & D.A. for the members of the governing council.
- (xx) To recommend for the disposal of net profit, if any for approval of General Body.
- (xxi) To decide the investment of NCUI's funds in accordance with the provisions of the Act and Rules.
- (xxii) To fill up mid-term vacancies in the Governing Council caused by whatsoever reason through election/co-option from the respective constituency.
- (xxiii) To decide the terms on which the National Cooperative Union of India may deal/associate with members, non-members, cooperative societies and other organizations.
- (xxiv) To decide the payment of ex-gratia to be paid to the employees of NCUI from time to time.
- (xxv) To prepare the panel of Auditors of NCUI for consideration of the AGM.
- (xxvi) To decide the formation and other details regarding election procedure for constitution of Governing Council.
- (xxvii) To determine the rates of Membership Subscription.
- (xxviii) To co-opt two members to the Governing Council as per the provision of section 47(3) of the Act.”

## 16. **Committees**

The Governing Council shall constitute following committees :

- (i) the Executive Committee which shall comprise of the President, Vice-Presidents and 10 other members.

Provided that there will not be more than one member on the Executive Committee from one state.

Provided further that member representing a National Cooperative Federation will not deemed to represent a State;

- (ii) Committee on Cooperative Education;

- (iii) any other committee deemed necessary by the Governing Council, subject to section 53(I) of the Act.

## 16 A **National Council for Cooperative Training**

- 1) NCCT shall be constituted by the NCUI with the approval of Government of India so long as government provides grant to NCCT.
- 2) While selecting the representatives/nominees, there shall not be more than one representative from any state. This shall not apply to representatives of Central Government and National Institutions.
- 3) The chief executive NCUI shall be the director general of NCCT
- 4) NCCT shall have the following functions and responsibilities;
  - (i) to formulate overall policies and plans relating to cooperative training;
  - (ii) to organise and direct arrangements in regard to the training of personnel employed in the cooperative departments and cooperative institutions in the country;
  - (iii) to assess periodically the needs of training for cooperative personnel to facilitate planning and designing of training arrangements (such assessment may preferably be for the Five Year Plan periods);
  - (iv) to keep effective liaison with and coordinate the activities of Government of India, financing institutions, universities including agricultural universities; University Grants Commission, international agencies like the International Cooperative Alliance etc., in matters relating to cooperative training;
  - (v) to establish and manage cooperative training institutions;
  - (vi) to identify problem areas of cooperatives requiring research and organise research studies, to establish and manage cooperative research institutions;
  - (vii) to arrange for training of teaching staff of cooperative training institutions;
  - (viii) to ensure maintenance of high academic standards in cooperative education and training in various institutes in the country and suggest syllabii and standards of examinations for different courses;
  - (ix) to promote education in cooperation in schools and colleges and for this purpose to suggest syllabii and standards of examination and arrange publication of standard text-books on cooperation;
  - (x) to explore the possibility of obtaining recognition for Vaikunth Mehta National Institute of Cooperative Management as an institution of national importance or explore the possibility of its recognition as deemed to be university;

- (xi) to evaluate the various courses in cooperative training and suggest measures for improvement;
  - (xii) to arrange for provision on consultancy services to cooperatives, particularly on problems of management; and
  - (xiii) to raise funds by way of grants, fees subscriptions and contributions from central government, cooperatives and other institutions.
- 5) The term of National Council for Cooperative Training shall be co-terminus with that of the Governing Council of NCUI.
  - 6) There shall be a separate fund to be known as the National Cooperative Training Fund. All grants, contributions, etc., received for the aforesaid purposes, shall be credited to this fund and all expenses met from the fund. This fund will be subject to audit.
  - 7) The National Council for Cooperative Training shall be a successor to the erstwhile Committee for Cooperative Training for the purpose of the letters assets and liabilities.

## 17 **Powers and functions of the Executive Committee**

The functions of the Executive Committee shall be as follows :

- (i) to prepare annual report, balance sheet and budget of the National Cooperative Union of India;
- (ii) to arrange for carrying on the administration of the Union and initiate such actions as may be necessary for the execution of the decisions and resolutions passed by the General Body, Governing Council and Executive Committee;
- (iii) to raise funds for the Union and control its finances;
- (iv) to authorise person/persons to sign the bills, notes, receipts, acceptances, enter into contract and documents on behalf of the Union and operate bank account etc.
- (v) to appoint trustees, attorneys and agents for the Union to defend and institute legal proceedings on behalf of the Union;
- (vi) to organise conferences and National Cooperative Congress as decided by the Governing Council;
- (vii) to arrange publication of cooperative journals and other literature;
- (viii) to acquire, purchase, own or dispose of immovable property by way of sale, lease or otherwise for the furtherance of the objects of the Union subject to the approval of the Governing Council.
- (ix) to take action on all administrative matters and also to arrange for the custody of cash;
- (x) to deal with all staff matters, except class III & IV including promotion/disciplinary action, suspension or removal etc., as per rules framed by the Governing Council;
- (xi) to delegate powers to the President, Vice-President and Chief Executive or any other officer of the Union;
- (xii) any other duty or function entrusted by the Governing Council;
- (xiii) the Executive Committee may meet as often as possible and at least once in a quarter. An interim vacancy of the Executive Committee may be filled up by the Governing Council.

## 18 **Powers and functions of the President**

The President shall have the following powers and functions :

- (i) the President shall be the spokesman of the policy of the NCUI. The President of NCUI will have

- general supervision over the affairs of the NCUI. He shall preside over the meetings of the General Body, Governing Council, Executive Committee and National Cooperative Congress;
- (ii) he shall be the Chairman of the National Council for Cooperative Training and Committee on Cooperative Education;
  - (iii) he will approve and sanction expenditure on any one item as approved in the budget and such other expenditure as approved and sanctioned by the Governing Council and Executive Committee as the case may be;
  - (iv) notwithstanding anything contained in the bye-laws it shall be competent for the President to empower the Chief Executive, to ascertain the opinion of the Governing Council or Executive Committee on any matter he might consider urgent or expedient by circulation of paper to the members. On receipt of such formation, the President may decide the question as per the opinion of the majority of the members. The decision taken shall be placed before the next meeting of the Governing Council for information;
  - (v) the President shall sign the proceedings of all the meetings presided by him;
  - (vi) in the event of equality of votes on a resolution the President shall have an additional casting vote in the meeting;
  - (vii) to convene the meetings of the Governing Council, Executive Committee and other sub-committees of which he is the President/Chairman;
  - (viii) the President may delegate any of his powers and functions to the Vice-Presidents;
  - (ix) the President shall be competent to take decisions as are of urgent and emergent nature affecting the policy of the Union on behalf of the Governing Council, Executive Committee and any other committees. The matter will be placed before the next meeting convened for ratification.

## 19 **Powers and functions of the Vice-Presidents**

The Vice-Presidents shall have the following powers and functions :

- (i) In the absence of the President, either of them will preside over the meetings of the General Body, Governing Council, Executive Committee and exercise such other powers of the President in the execution of the duties of the President;
- (ii) one of the Vice-Presidents shall be member of the National Council for Cooperative Training subject to approval of Government of India.
- (iii) the other Vice-President shall be member of the National Council for Cooperative Education.

## 20 **Powers and functions of the Chief Executive**

As provided in section 52 of the Act and subject to overall control and general supervision of the Governing Council, the Chief Executive shall have the following powers, functions and responsibilities :

- (i) assisting the Governing Council in the formulation of policies, objectives and planning;
- (ii) furnishing to the Governing Council periodical information necessary for appraising the operations and functions of the Union;

- (iii) to summon meetings of various committees including the General Body and Governing Council under the instructions of the President.
- (iv) To maintain proper records of the Union;
- (v) to manage the funds of the Union, cause proper accounts to be maintained and audited;
- (vi) to attend to all correspondence of the Union;
- (vii) to be responsible for collection and safety of the funds;
- (viii) to execute the policies and programmes of the Union and take such action as is necessary to give effect to the resolutions of the General Body, Governing Council or any other committee constituted under bye-laws;
- (ix) to sign all deposit receipts of the Union with banks in accordance with the resolution of the Executive Committee;
- (x) to endorse and transfer promissory notes and other securities and to endorse, sign, encash cheques and negotiate instruments on behalf of the Union;
- (xi) to be the officer of the Union to sue or to be sued on behalf of the Union and sign all books and documents;
- (xii) to appoint such personnel in the Union as may be prescribed by the Governing Council and in accordance with the bye-laws of the NCUI and its service rules.
- (xiii) to determine powers, functions and responsibilities of the employees of the Union of all categories;
- (xiv) to maintain a list of members correct and up-to-date;
- (xv) to exercise administrative control in respect of all officers and staff, including granting of leave, granting of annual increments and other matters relating to the service conditions of the employees;
- (xvi) to delegate powers to other officers of the Union;
- (xvii) to sanction contingent expenditure in so far as the amount involved is upto Rs. 40,000/-;
- (xviii) to sign on behalf of the National Cooperative Union of India and conduct its correspondence;
- (xix) to record proceedings of meeting and have duly signed;
- (xx) to present the draft Annual Report and Financial Statements for approval of the Governing Council within thirty days of closure of the financial year;
- (xxi) to perform all duties entrusted to him and to exercise such other powers as may be delegated to him by the Governing Council, Executive Committee and President.

## 21 **Amendment**

The amendment of these bye-laws shall only be passed by a resolution of the meeting of the General Body in which a quorum is present by a vote of not less than two thirds of the members present there and due notice of the considering of such amendment has been previously given.

## 22 **Service Rule**

The National Cooperative Union of India shall have service rules for regulating the service conditions of its employees as formulated and amended by the competent authority from time to time.

23        **Provident Fund/Pension Fund**

The National Cooperative Union of India shall maintain Contributory Provident Fund/General Provident Fund and Pension Fund for its employees in accordance with the rules framed from time to time in this respect.

24        In the event of conflict between the bye-laws of the Union and the affiliated societies, the bye-laws of the Union shall prevail.

25        No act of the General Body, Governing Council or other committee shall be deemed invalid by reason of defect in the election of the member thereof or by reasons of any vacancy therein not having been filled in accordance with these bye-laws.

26        All questions at the meetings shall be decided by a majority of votes. Presiding officer shall have a casting vote.

## NATIONAL COOPERATIVE UNION OF INDIA

Membership subscription to be paid by Member Societies of NCUI w.e.f. 01.04.2012

| Sr. No. | Category                                                                                                                                                                      | Amount in Rs.                |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 1.      | National level Coop. Business Societies/ Federations/ associations                                                                                                            | Rs. 75,000/-                 |
| 2.      | National level coop. non-business federations / associations                                                                                                                  | Rs. 30,000/-                 |
| 3.      | State Coop. Unions and Coop. Unions of Union Territories                                                                                                                      | Rs. 19,500/-                 |
| 4.      | State Urban Coop. Banks/Credit Associations                                                                                                                                   | Rs. 12,500/-                 |
| 5.      | State level Coop. Business Federations/societies including those of Union Territories<br>i. Profit making<br>ii. Not in profit                                                | Rs. 30,000/-<br>Rs. 12,500/- |
| 6.      | State level Coop. Non-Business Federations/ Societies including those of Union Territories                                                                                    | Rs. 12,500/-                 |
| 7.      | State Tribal Coop. Development Corp./Associations                                                                                                                             | Rs. 15,000/-                 |
| 8.      | 1.Scheduled Urban Coop. Banks registered under Multi-State Coop. Societies Act.<br>2.Multi State Coop. Societies not included above including non Scheduled Urban Coop. Banks | Rs. 20,000/-<br>Rs. 12,000/- |
| 9.      | Member organizations specified under Bye-law No. 4 (vii)                                                                                                                      | Rs. 3.00 lacs                |



**NATIONAL COOPERATIVE UNION OF INDIA**

**FORMATION OF CONSTITUENCIES FOR ELECTION OF THE GOVERNING COUNCIL OF NCUI**

**(i) State Cooperative Unions**

One member shall be elected from each of the following constituencies of State Coop. Unions/Coop. Unions of Union Territories out of the delegates representing these Unions:

1. Jammu & Kashmir, Punjab, Himachal Pradesh
2. Haryana, Rajasthan, Gujarat
3. Maharashtra, Andhra Pradesh, Goa
4. Tamil Nadu, Kerala, Karnataka
5. West Bengal, Bihar, Jharkhand, Sikkim
6. Madhya Pradesh, Chhattisgarh, Orissa
7. Uttar Pradesh, Uttaranchal
8. Assam, Meghalaya, Manipur, Tripura, Nagaland, Arunachal Pradesh, Mizoram
9. Delhi, Chandigarh, Andaman & Nicobar Islands, Dadra Nagar Haveli, Pondicherry, Lakshadweep, Daman and Diu

**(ii) Highest contributors to Cooperative Education Fund**

Delegates representing four National Level. Cooperative Societies/ Federations which are the highest contributors to the Cooperative Education Fund maintained by NCUI under the Act during the last tenure of the Governing Council shall become members of the Governing Council and shall be deemed to be duly elected members.

**(iii) National level/State level Cooperative Federations/Associations**

One member shall be elected from each of the following constituencies:

1. National Federation of State cooperative Banks Ltd. and State cooperative Banks which are members of NCUI;
2. National Cooperative Agriculture and Rural Development Banks Federation Ltd. and State Cooperative Agriculture and Rural Development Banks which are members of NCUI;
3. National Federation of Urban Cooperative Banks and Credit Societies and State Urban Cooperative Banks Federations/Associations which are members of NCUI.
4. National Cooperative Housing Federation of India Ltd. and State Cooperative Housing Federations/ State Housing Finance Societies which are members of NCUI.

**(iv) One member to be elected from the constituency comprising of the following;**

1. National Cooperative Dairy Federation of India Ltd.
2. National Federation of Cooperative Sugar Factories Ltd.

3. State Level Cooperative Dairy Federations/Associations
  4. State Cooperative Sugar Federations/Associations
- (v) **One member to be elected from the constituency comprising of the following;**
1. All India Federation of Cooperative Spinning Mills Ltd.
  2. National Federation of Fisherman's Cooperative Ltd.(FISHCOPFED)
  3. National Federation of Labour Cooperatives Ltd.(NFLC)
  4. National Heavy Engineering Cooperative Ltd.(NHEC)
  5. Tribal Cooperative Marketing Development Federation of India Ltd.(TRIFED)
  6. State Federation/Associations of Cooperative Spinning Mills
  7. State Cooperative Fisheries Federation/Associations
  8. State Level Cooperative Labour Federations/Associations
- (vi) One member to be elected from the constituency comprising of delegates of the other State Cooperative Federations/Associations and Multi State Cooperative Societies not included above.
- (vii) One member to be nominated by the Government of India under section 48 (second proviso) of the Multi State Cooperative Societies Act, 2002.
- (viii) The Chief Executive, NCUI.
- (ix) Two eminent cooperators to be co-opted by the Governing Council.

#### **ELECTION PROCEDURE (SUBSIDIARY RULES) FOR CONSTITUTION OF THE GOVERNING COUNCIL**

- (i) The election of the members of the Governing Council shall be held in accordance with the provisions of the Multi-State Cooperative Societies Act 2002, Rules made thereunder and **Subsidiary Rules frames by the Governing Council mentioned in the schedule of the Bye-laws of NCUI".**
- (ii) The elections of the members of the Governing Council shall be held in a meeting of the General Body convened for this purpose.
- (iii) Subject to the qualifications/disqualification as envisaged in the Multi-State Cooperative Societies Act 2002, Rules made thereunder and Bye-laws of the NCUI, every delegate shall have one vote.
- (iv) Members of the Governing Council shall be elected by and from among the delegates from the respective constituency. **However, in respect of constituencies related to Coop. Unions of State and Union Territories, the proposer and seconder in the nomination of the candidate may be from any constituency. Nevertheless, the contesting candidate must be from the concerned constituency only.**
- (v) Only elected and duly authorised delegates shall be eligible to contest the election of the members of the Governing Council. **Along with the nomination form the candidate shall furnish a declaration that he is a duly authorised delegate by an elected board of the member organisation to represent the society.**
- (vi) These rules would be valid until amended by the Governing Council.