

NATIONAL COOPERATIVE UNION OF INDIA

Amendment of Bye Laws of NCUI as per MSCS (Amendment) Act 2023

Bye-Law No.	Title	Sub - Clause No.	Existing Provisions	Proposed amendment	Reason
2	Definition	(m)	NIL	“Cooperative Information Officer” means the Cooperative Information Officer (CIO) to be appointed by the Union to provide the information relating to affairs and management of the society to its members under section 106 of the MSCS (Amendment) Act, 2023	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
3	Objects	(xviii) (a)	To maintain the following funds: Cooperative Education Fund	(a) To be deleted	As the Cooperative Education Fund is being maintained by the Govt. of India under the MSCS (Amendment) Act 2023
8	Funds	(v)	Money / income from the cooperative education fund created as per Act and Rules and maintained by the Union	Funds from the Cooperative Education Fund maintained by the Govt. of India under the MSCS (Amendment) Act 2023	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
9	Annual Membership Subscription	(ii)	Annual subscription from members shall fall due at the commencement of each cooperative year, i.e. on the 1 st day of April every year and shall be payable by 1 st July of the year	Annual subscription from members shall fall due at the commencement of each financial year , i.e. on the 1st day of April every year and shall be payable by 1st July of the year	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
14	Governing Council	a (i)	The Union shall have Governing Council consisting of the following: Eight members from State Cooperative Unions and Cooperative Unions of Union Territories 1. Jammu & Kashmir, Ladakh , Punjab, Himachal Pradesh, Uttarakhand 2. Haryana, Rajasthan, Gujarat	(a) The Union shall have Governing Council consisting of the following Four (4) Groups a (i) Group – I: State Cooperative Unions & Cooperative Unions of Union Territories Seven (7) members shall be elected from each of the following 7 constituencies of State Cooperative Unions / Cooperative Unions of Union Territories out of the delegates representing these Unions and who are members of NCUI	Restructure of the constituencies for providing adequate representation to all the member institutions

			<ol style="list-style-type: none"> 3. Maharashtra, Andhra Pradesh, Goa, Telangana 4. Tamil Nadu, Kerala, Karnataka 5. Uttar Pradesh, West Bengal, Bihar, Jharkhand 6. Madhya Pradesh, Chhattisgarh, Odisha 7. Assam, Meghalaya, Manipur, Tripura, Nagaland, Arunachal Pradesh, Mizoram, Sikkim, 8. Delhi, Chandigarh, Andaman & Nicobar Islands, Dadra Nagar Haveli and Daman and Diu, Puducherry, Lakshadweep, 	<ol style="list-style-type: none"> 1. Punjab, Himachal Pradesh, Uttarakhand, Uttar Pradesh, 2. Haryana, Rajasthan, Gujarat 3. Maharashtra, Goa, Madhya Pradesh, Chhattisgarh 4. Tamil Nadu, Kerala, Karnataka, Andhra Pradesh, Telangana 5. West Bengal, Bihar, Jharkhand, Odisha 6. Assam, Meghalaya, Manipur, Tripura, Nagaland, Arunachal Pradesh, Mizoram, Sikkim, 7. Delhi, Chandigarh, Andaman & Nicobar Islands, Dadra Nagar Haveli and Daman and Diu, Puducherry, Lakshadweep, Jammu & Kashmir, Ladakh 	
		a (ii)	<p>Four (4) members from the National level Cooperative Societies / Federations who have contributed more than Rupees 25 Lakh to Cooperative Education Fund maintained by Govt. of India under the Act during the last tenure of the Governing Council</p>	<p>a (ii) Group – II: National Level Cooperative Societies / Federations</p> <p>Five (5) members shall be elected from the National Level Cooperative Societies/Federations, as specified in the second Schedule appendix to MSCS Act 2023 and as notified by the GOI and who are members of NCUI</p>	Restructure of the constituencies for providing adequate representation to all the member institutions
		a (iii)	<p>National Level/State Level Cooperative Federations / Associations</p> <p>One member shall be elected from each of the following constituencies:</p> <ol style="list-style-type: none"> 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; 	<p>a(iii) Group–III: State Level Cooperative Federations / Societies / Associations</p> <p>Six (6) members shall be elected from State Level Cooperative Federations / Societies / Associations from each of the following 6 constituencies and who are the members of NCUI:</p> <ol style="list-style-type: none"> 1. State Cooperative Banks 2. State Cooperative Agriculture and Rural Development Banks 3. State Urban Cooperative Banks & Credit Societies / Federations/Associations 4. State Cooperative Marketing Federations. 5. One member to be elected from the constituency comprising of the following: 	Restructure of the constituencies for providing adequate representation to all the member institutions

		a(iv)	<p>3. National Federation of Urban Cooperative Banks and Credit Societies and State Urban Cooperative Banks Federations/Associations which are members of NCUI;</p> <p>4. National Agriculture Cooperative Marketing Federation of India & State Cooperative Marketing Federations, which are members of NCUI.</p> <p>Two members to be elected from the constituency comprising of the following (One from each group)</p> <p>Group – I</p> <p>1. National Cooperative Housing Federation of India Ltd. and State Coop. Housing Federations/ State Housing Finance Societies;</p> <p>2. National Cooperative Dairy Federation of India Ltd. and State Level Cooperative Dairy Federations/Associations;</p> <p>3. National Federation of Cooperative Sugar Factories Ltd. and State Cooperative Sugar / Cane Federations / Associations;</p> <p>4. National Cooperative Consumer's Federation of India Ltd. and State Cooperative Consumer's Federations / Associations.</p> <p>Group – II</p> <p>1. All India Federation of Cooperative Spinning Mills Ltd. And State Federation/ Associations of Cooperative Spinning Mills;</p>	<p>(a) State Coop. Housing Federations/ State Housing Finance Societies;</p> <p>(b) State Level Cooperative Dairy Federations/Associations;</p> <p>(c) State Cooperative Sugar/Cane Federations/ Associations;</p> <p>(d) State Cooperative Consumer's Federations / Associations.</p> <p>(e) Other State Cooperative Federations / Associations from North & Eastern States & Union Territories comprising of Himachal Pradesh, Punjab, Uttarakhand, Haryana, Uttar Pradesh, Bihar, Jharkhand, Odisha, West Bengal, Sikkim, Arunachal Pradesh, Assam, Meghalaya, Manipur, Mizoram, Nagaland, Tripura and Union Territories of Delhi, Chandigarh, Jammu & Kashmir, Ladakh, Andaman & Nicobar Islands,</p> <p>6. One member to be elected from the constituency comprising of the following:</p> <p>(a) State Federation/ Associations of Cooperative Spinning Mills;</p> <p>(b) State Cooperative Fisheries Federation /Associations;</p> <p>(c) State Level Cooperative Labour Federations/Associations;</p> <p>(d) State Tribal Development Federations;</p> <p>(e) State Level Federations of Handloom/ Industrial Cooperatives.</p> <p>(f) Other State Cooperative Federations / Associations from West and Southern States & Union Territories comprising of Gujarat, Maharashtra, Goa, Madhya Pradesh, Chhattisgarh, Rajasthan, Andhra Pradesh, Telangana, Karnataka, Kerala, Tamil Nadu and Union Territory of Puducherry, Lakshadweep Dadra Nagar Haveli & Daman Diu</p>	
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	a(v)	<p>Two members to be elected from the constituency comprising of delegates of the other State Cooperative Federations/Associations and Multi State Cooperative Societies not included above (One member to be elected from West and South States comprising of Gujarat, Maharashtra, Goa, Madhya Pradesh, Rajasthan, Union Territory of Dadra and Nagar Haveli and Daman and Diu, Andhra Pradesh, Telangana, Karnataka, Kerala, and Tamil Nadu, Union Territories of Puducherry, and Lakshadweep And one member from North & Eastern States comprising of Himachal Pradesh, Punjab, Uttarakhand, Haryana, Delhi, Rajasthan, Uttar Pradesh, UT of Chandigarh, Jammu & Kashmir, Ladakh, Bihar, Jharkhand, Odisha, West Bengal, Sikkim, Union Territory of the Andaman and Nicobar Islands, Arunachal Pradesh, Assam,</p>	<p>a (iv) Group – IV: Multi State Cooperative Societies</p> <p>Two (2) members to be elected from the constituency comprising of delegates from the Multi State Cooperative Societies not included above and who are members of NCUI as per the following:</p> <ol style="list-style-type: none"> One (1) member to be elected from North & Eastern States & Union Territories comprising of Himachal Pradesh, Punjab, Uttarakhand, Haryana, Uttar Pradesh, Bihar, Jharkhand, Odisha, West Bengal, Sikkim, Arunachal Pradesh, Assam, Meghalaya, Manipur, Mizoram, Nagaland and Tripura. And Union Territories the Delhi, Chandigarh, Jammu & Kashmir, Ladakh, Andaman & Nicobar Islands One (1) member from West and Southern States & Union Territories comprising of Gujarat, Maharashtra, Goa, Madhya 	<p>Restructure of the constituencies for providing adequate representation to all the member institutions</p>

			Meghalaya, Manipur, Mizoram, Nagaland and Tripura).	<p>Pradesh, Chhattisgarh, Rajasthan Andhra Pradesh, Telangana, Karnataka, Kerala, Tamil Nadu and Union Territories of Puducherry, Lakshadweep, Dadra Nagar Haveli & Daman Diu</p> <p>Note: 1. The Proposer and Secunder in the nomination of the candidate will be from the respective Group only.</p> <p>2. The member organisation will not be eligible to participate in the election, if its membership subscription is not fully paid up to preceding financial year from the year of election.</p> <p>3. The member organization who has not attended the three consecutive general body meetings during the period of present board and such absence has not been condoned by the general body will not eligible to participate in the election.</p> <p>4. All the delegates of each group will vote for all the constituencies in their respective group to elect the member of the Governing Council.</p>	
15	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.	The Governing Council shall elect President and Vice-President of the Union from among the duly elected members of the Governing Council of NCUI.	In concurrence with the provisions of the MSCS (Amendment) Act, 2002
		(xxvii)	To determine the rates of Membership Subscription and admission fee	To determine the rates of Membership Subscription and admission fee as prescribed in Schedule – I	Modified
16	Committees	(i)	The Executive Committee which shall comprise of the President, Vice-Presidents and 10 other members.	The Executive Committee which shall comprise of the President, Vice-President and 11 other members.	In concurrence with the provisions of the MSCS (Amendment) Act, 2023

	Functions of Committee on prevention of sexual harassment	New	NIL	<ul style="list-style-type: none"> • Provide updates to the board or leadership on audit findings and ethical issues. • Propose improvements in financial management and ethical governance. <p>17 C Functions of Committee on prevention of sexual harassment:</p> <ul style="list-style-type: none"> • Conduct workshops and training programs for employees to raise awareness about sexual harassment and the provisions of the POSH Act. • Ensure that any aggrieved person can easily report an incident of sexual harassment. • Maintain confidential while receiving and handling complaints. • Conduct a fair, unbiased, and time-bound inquiry into the complaints received. • Gather necessary evidence and interview witnesses to ascertain facts. • Provide equal opportunities to the complainant and the respondent to present their case. • Create safe and secure environment to deter any act of sexual harassment. • Recommend appropriate disciplinary actions against the respondent if the allegations are proven. • Maintain records of all complaints and actions taken for future reference. • Ensure all activities of the committee adhere strictly to the guidelines of the POSH Act. 	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
18	Powers and Functions of the President	(viii)	The President may delegate any of his powers and functions to the Vice-Presidents	The President may delegate any of his powers and functions to the Vice-President	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
19	Power and Function of the Vice-Presidents	(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	<p>Power and Functions of the Vice-President</p> <p>(i) In the absence of the President, the Vice-President will preside over the meetings of the General Body, Governing Council, Executive</p>	In concurrence with the provisions of the MSCS (Amendment) Act, 2023

		(ii) (iii)	<p>other powers of the President in the execution of the duties of the President</p> <p>one of the Vice-Presidents shall be member of the National Council for Cooperative Training subject to approval of Government of India.</p> <p>the other Vice-President shall be member of the National Council for Cooperative Education.</p>	<p>Committee and exercise such other powers of the President in the execution of the duties of the President</p> <p>(ii) The Vice-President shall be member of the National Council for Cooperative Training subject to approval of Government of India and shall also be member of the National Centre for Cooperative Education.</p>	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
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	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 at least fifteen days' notice for considering of such amendment has been previously given	In concurrence with the provisions of the MSCS (Amendment) Act, 2023
27		New	NIL	Any document, notice, communication or intimation as may be required to be served to the members of the General Body, Governing Council and other Committees shall be served or delivered in the electronic form and / or by post	In concurrence with the provisions of the MSCS (Amendment) Act, 2023

SCHEDULE - I

NATIOANL COOPERATIVE UNION OF INDIA
Membership subscription to be paid by
Member Societies of NCUI

Sr. No.	Category	Amount * (in Rs.)
1.	National level Coop. Business Societies/ Federations / associations	Rs. 2,00,000/-
2.	National level Coop. non—business federations/associations	Rs. 40,000/-
3.	a) State Coop. Unions	Rs. 25,000/-
	b) State Coop. Unions of North East region and Union Territories.	Rs. 20,000/-
4.	State Urban Coop. Banks/Credit Associations	Rs. 20,000/-
5.	State level Coop. business Federations /Societies including those of Union Territories	
	i. Profit making	Rs. 40,000/-
	ii. Not in profit	Rs. 20,000/-
6.	State level Coop. non—business Federations/Societies including those of Union Territories	Rs. 20,000/-
7.	State Tribal Coop. Development Corporation /Associations	Rs. 20,000/-
8.	1. Scheduled Urban Coop. Banks registered under Multi-State Coop Societies Act.	Rs. 30,000/-
	2. Multi-State Coop. Societies not included above including non-Scheduled Urban Coop. Banks	Rs. 20,000/-
9.	Member organizations specified under Bye-law No. 4(vii)	Rs.3.00 lacs
10.	Nominal or Associate Member	Rs. 25,000/-

In addition to the above following one time amount as admission fee is also payable at the time of admission of the society:

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| A. National Coop. Federations/Societies | Rs.1,00,000/- |
| B. State Coop Business Federations, Multi State Coop Societies & Nominal or Associate Members | Rs.50,000/- |
| C. State Coop. Federations/Associations/Unions & others | Rs.25,000/- |

*** Plus GST as applicable**