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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT AND
CO-OPERATIVES

Rural Development and Co-operatives Division

NOTIFICATION

Dhaka, the 20th January, 1987

No. S.R.O. 6-L/87.—In exercise of the powers conferred by section 139 of the Co-operative Societies Ordinance, 1984 (I of 1985), the Government is pleased to make the following rules, namely:—

THE CO-OPERATIVE SOCIETIES RULES, 1987

CHAPTER I

PRELIMINARY

1. **Short title.**—These rules may be called the Co-operative Societies Rules, 1987.
2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context,—
 - (a) "auto-driver" means a person whose principal source of livelihood is driving of auto-rickshaw but does not include a part-time driver of auto-rickshaw;
 - (b) "borrowed capital" means the total of loans, deposits and other borrowing of a co-operative society;

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- (c) "distrainer" means a person who is empowered by the Registrar to distrain and sell the crop or other produce of the mortgaged land including the standing crop of a debtor member, or any crop or other produce belonging to, or in the possession of, a debtor member in accordance with the provisions of sections 100 and 130;
- (d) "fisherman" means a person whose principal source of livelihood is catching and selling of fish but does not include a person who—
- (i) is a trader of fish, or
 - (ii) is a owner of fishing trawler;
- (e) "labour" means a person who earns his livelihood by physical labour or by employing himself physically in machinery works in mills and factories;
- (f) "Ordinance" means the Co-operative Societies Ordinance, 1984 (I of 1985);
- (g) "owned capital" means the total paid-up share capital and accumulated reserve fund and other funds created out of profits of a co-operative society;
- (h) "potter" means a person whose principal source of livelihood is making of all kinds of earthen pots but does not include a trader in pottery;
- (i) "principal officer" means the chief executive officer of a co-operative society, such as, Chief Executive Officer, Executive Officer, Managing Director, General Manager, Secretary;
- (j) "Schedule" means a Schedule annexed to these rules;
- (k) "section" means a section of the Ordinance;
- (l) "weaver" means a person who actually works on his own loom or on a loom owned by any other person;
- (m) "working capital" means the total capital of a co-operative society consisting of borrowed capital and owned capital actually used by the society in a co-operative year for carrying out the activities of the society.
- (2) There shall be the following classes of co-operative societies, namely:—
- (i) "agricultural co-operative society" means a co-operative society of which the majority of members are agriculturists;
 - (ii) "auto-drivers co-operative society" means a co-operative society the members of which are auto-drivers and the object of which is to encourage and provide facilities to auto-drivers;
 - (iii) "bittaheen samabaya samity" means a co-operative society the members of which have no sources of livelihood and the object which is to encourage and provide facilities to its members;
 - (iv) "central co-operative bank" means a co-operative society, the principal object of which is to create funds to be lent to other co-operative societies which are its members;

- (v) "consumers co-operative society" means a co-operative society the members of which are consumers and the object of which is to encourage and provide facilities to the consumers;
- (vi) "credit co-operative society" means a co-operative society the primary object of which is to create funds to be lent to its members;
- (vii) "employees co-operative society" means a co-operative society the members of which are employees and the object of which is to encourage and provide facilities to the employees;
- (viii) "fishermen co-operative society" means a co-operative society the members of which are fishermen and the object of which is to encourage and provide facilities to the fishermen;
- (ix) "general purposes co-operative society" means a co-operative society the primary object of which is to provide facilities for its members other than those specified in clauses (iii), (vi) and (ix) to (xi);
- (x) "hawkers co-operative society" means a co-operative society the members of which are hawkers and the object of which is to encourage and provide facilities to the hawkers;
- (xi) "housing co-operative society" means a co-operative society the object of which is to solve the housing problem of its members;
- (xii) "industrial co-operative society" means a co-operative society which consists of artisans or workers and persons who want to promote industry and industrial enterprises for improvement of their socio-economic condition;
- (xiii) "labourers co-operative society" means a co-operative society the members of which are labourers and the object of which is to encourage and provide facilities to labourers;
- (xiv) "landless co-operative society" means a co-operative society the members of which has less than 40 decimal (0.4 acre) of land and the object of which is to encourage and provide facilities to the landless members;
- (xv) "krishi samabaya samity" or "krishak samabaya samity" means a co-operative society the members of which are mainly farmers including bargadars but excluding agricultural labourers and the object of which is to encourage and provide facilities to the farmers;
- (xvi) "mahila samabaya samity" means a co-operative society the members of which are women and the object of which is to encourage and provide facilities to its members;
- (xvii) "mahila bitaheen samabaya samity" means a co-operative society the members of which are women and have no sources of livelihood and the object of which is to encourage and provide facilities to its members;
- (xviii) "multi-purpose co-operative society" means a co-operative society which includes amongst its objects two or more of the primary objects specified in clauses (ii), (iv) and (ix) to (xi);

- (xix) "mutual benefit co-operative society" means a co-operative society the primary object of which is to create funds by raising contributions from its members by accepting grants and donations or otherwise and to employ such funds for the benefit of its members or their nominees;
- (xx) "national co-operative bank" means the principal co-operative society in Bangladesh the primary object of which is to finance and facilitate the working of central banks and other societies in Bangladesh;
- (xxi) "non-agricultural co-operative society" means a co-operative society of which the majority of members are not agriculturists;
- (xxii) "potters co-operative society" means a co-operative society the members of which are potters and the object of which is to encourage and provide facilities to potters;
- (xxiii) "production and sale co-operative society" means a co-operative society the primary object of which is the collective production or disposal of goods of its members;
- (xxiv) "purchase and sale co-operative society" means a co-operative society the primary object of which is to purchase and distribute goods of its members;
- (xxv) "thrift and savings co-operative society" means a co-operative society the primary object of which is to encourage and provide facilities for the exercise of thrift among its members;
- (xxvi) "transport co-operative society" means a co-operative society which consists of either employees of transport or owners of transport and the object of which is to encourage and provide facilities to either the employees of transport or the owners of transport;
- (xxvii) "weavers co-operative society" means a co-operative society the members of which are weavers and the object of which is to encourage and provide facilities to the weavers.

3. **Ineligibility to become a member.**—(1) Any person who does not fulfil the requirement of membership of a co-operative society shall not be eligible to be a member or to continue as a member of such co-operative society.

(2) Any controversy as to whether a person is eligible to be or to continue as a member of a co-operative society shall be decided by the Registrar whose decision thereon shall be final.

4. **Determination of one-half, one-third, etc.**—When any rule requires the determination of one-half, one-third or any other fraction of a number and that a number is not evenly divisible by 2, 3 or such other figure as may be required, the number next below, which is evenly divisible by 2, 3 or such other figure shall be taken for the original number.

5. **Net profits.**—The "net profits" of a co-operative society shall be the profits remaining after allowing for the following charges in addition to those specified in clause (1) of section 2, namely:—

- (a) all other usual working charges, such as, repairs, rent, taxes and the like, bounties or subsidies received; depreciation and irrecoverable book debts written off;

- (b) capital expenditure written off either wholly or in part;
- (c) capital loss actually incurred and not adjusted against any fund created out of profits; and
- (d) provision for estimated bad debts, if any.

CHAPTER II REGISTRATION

6. **Formation of co-operative societies.**—(1) No primary society shall be registered unless it consists of at least 10 members.

(2) No national society shall be registered unless it has at least ten central societies as its members.

7. **Division and amalgamation of co-operative societies.**—(1) In a special general meeting of which at least fifteen clear days' notice shall be given to members, a co-operative society may, by a resolution (hereinafter referred to as the preliminary resolution), resolve—

- (a) to divide itself into two or more societies; or
- (b) to amalgamate with one or more other societies into one society.

(2) Where the resolution adopted is for division of a society into two or more societies, the preliminary resolution shall also contain proposals for division of—

- (a) the assets and liabilities;
- (b) the area of operation; and
- (c) the members;

of the society amongst the new societies into which it is proposed to divide the society.

(3) Within fourteen days from the date of the meeting at which any society adopts a preliminary resolution, a copy of such resolution shall be sent to all members and creditors of the society.

(4) Within one month from the date of sending a copy of the preliminary resolution under sub-rule (3),—

- (a) any member who is not a debtor or surety may, notwithstanding any bye-law to the contrary, intimate in writing his intention not to become a member of any of the new societies; and
- (b) any creditor of the society may, notwithstanding any agreement to the contrary, intimate in writing his intention to demand a return of the amount due to him.

(5) After the expiry of two months from the date of sending a copy of the preliminary resolution under sub-rule (3), a second general meeting (which shall be a joint meeting of all the societies where the proposal is for amalgamation) shall, after giving at least fifteen clear days' notice to the members, be convened for considering the preliminary resolution.

(6) At the meeting referred to in sub-rule (5), if the preliminary resolution is confirmed by a majority of two-thirds of the members present without change or with changes approved by the Registrar, provision shall be made by a resolution for—

- (a) repayment of the share money of any member who has given notice under clause (a) of sub-rule (4); and
- (b) satisfaction of claims of any creditor who has given notice under clause (b) of sub-rule (4); within such time as may be fixed in the meeting or by the Registrar on application from the society or societies concerned.

(7) If the societies have duly repaid the share money of the members and satisfied the claims of the creditors, the Registrar shall on receipt of an application, unless for reasons to be recorded in writing he thinks fit to refuse, register the new society or societies and the bye-laws thereof, and thereupon the registration of the old society or societies shall be deemed to have been cancelled.

(8) The registration under sub-rule (7) shall be sufficient conveyance to vest the assets and liabilities of the original society or societies in the new society or societies in the manner specified in the preliminary resolution as confirmed or modified in the general meeting convened under sub-rule (5).

8. Application for registration.—(1) An application for registration of a co-operative society shall be submitted to the Registrar in the form set forth in the Schedule.

(2) Where a co-operative society is an applicant, the application shall be signed by an officer of the co-operative society duly empowered to sign document on its behalf.

(3) With every application, there shall be submitted two copies of the bye-laws which the co-operative society proposes to adopt duly signed by the applicants, and a third copy if the society intends to be a member of a financing bank:

Provided that the following conditions shall be fulfilled before registration of a housing co-operative society, namely:—

- (a) the promoters of a proposed housing co-operative society shall submit along with the application for registration a project plan with the cost estimate duly prepared by an Architect or Engineer;
- (b) 10% of the estimated cost of the project shall be collected from the members and deposited in a scheduled bank in the name of the proposed society and shall state in the application the source of the remaining 90% of the estimated cost;
- (c) the proposed society shall submit application for registration through the Bangladesh Co-operative Housing Federation;
- (d) there shall be a provision in the bye-laws of the proposed housing co-operative society, that no member shall be allotted more than 5 kathas of land within the limits of the Dhaka and the Chittagong Municipal Corporations and more than 7 kathas of land in other places.

9. **Registration of co-operative society and refusal to register.**—(1) On receipt of the application, the Registrar shall satisfy himself that the bye-laws are—

- (a) in conformity with the Ordinance and the rules ;
- (b) suitable for carrying out the objects of the co-operative society ; and
- (c) suitable for ensuring the safe conduct of the business of the co-operative society.

(2) The applicants for registration of a co-operative society shall satisfy the Registrar as to the manner in which they will meet the cost of running the proposed co-operative society, including the source of funds, for the next two co-operative years.

(3) When a co-operative society is registered, the Registrar shall grant a certificate of registration in the form set forth in the Schedule.

(4) On the registration of a co-operative society, two copies of its approved bye-laws shall be stamped with the official seal of the Registrar of which one copy shall be retained in the office of the Registrar and the other copy, together with the certificate of registration, shall be forwarded to the co-operative society.

(5) If the co-operative society intends to be a member of a financing bank, a third copy shall be authenticated and sent to the financing bank.

(6) In every case in which the Registrar refuses to register a proposed co-operative society, he shall record in writing the reasons for his refusal and shall communicate his decision to the applicants.

10. **Restriction on membership.**—(1) No person qualified under the bye-laws to be a member of the co-operative society shall be excluded from membership without sufficient cause.

(2) No person who is a member of any primary society shall be admitted to membership of any other such society than a co-operative land mortgage bank.

(3) No person shall be eligible for membership of a co-operative society unless such person,—

- (a) has attained 18 years of age ;
- (b) belongs to the same class or occupation ;
- (c) resides in the same town, village or union; and
- (d) has deposited in the savings account opened with the society an amount equivalent to the paid up value of at least one share :

Provided that, in the case of an agricultural cooperative society, Krishi Samabaya Samity or Krishak Samabaya Samity, such person has in his possession more than 40 decimal of cultivable land within the area of the society's operation :

Provided further that the provisions of clause (a) shall not apply in the case of a person below the age of 18 years whose legal guardian stands surety and takes full responsibility on his behalf till such person attains his majority, to be a member of the cooperative society.

(4) No person, who signs the application for registration of a cooperative society, shall be eligible for membership unless such person, within two months from the date of registration of the society, purchases at least one share.

11. **Making of bye-laws.**—(1) Every cooperative society shall make bye-laws in respect of the following matters, namely:—

- (a) the name and registered address of the cooperative society;
- (b) the area of its operation;
- (c) the objects for which the cooperative society is established and the purposes to which its funds may be applied;
- (d) the qualifications required for membership and the terms of admission of members;
- (e) the rights and liabilities of membership;
- (f) the manner in which the capital may be raised;
- (g) the mode of appointment and removal of the officers of the cooperative society and the duties and powers of the managing committee;
- (h) the mode of summoning and conducting meetings and the right of voting;
- (i) the general conduct of the business of the cooperative society;
- (j) the disposal of profits;
- (k) the manner in which charge may be made over by the managing committee.

(2) Every cooperative society shall, if the Registrar by a general or special order so directs, make bye-laws in respect of all or any of the following matters, namely:—

- (a) withdrawal, removal and expulsion of members and the payment, if any, to be made to such members;
- (b) transfer of share or interest of a member;
- (c) general meetings and the procedure and powers of such meetings;
- (d) the powers and duties of the several officers;
- (e) authorisation of an officer or officers to sign documents on behalf of the co-operative society;
- (f) inspection of the books of the co-operative society by members;
- (g) inspection of the books of the co-operative society by the public and the conditions for the supply of certified copies;
- (h) mode of custody and of investment of funds outside the business;
- (i) mode of keeping the accounts;

- (j) settlement of disputes ;
- (k) formation and use of reserve fund and the maximum rate of dividend ;
- (l) manner of making, altering and abrogating bye-laws ;
- (m) manner of sending notices ;
- (n) in the case of a credit co-operative society—
 - (i) conditions of granting loans, determination of the maximum and normal credit of members and maximum loan admissible to a member ;
 - (ii) rate of interest on loans ;
 - (iii) purposes for which loans may be granted ;
 - (iv) security for repayment of loans ;
 - (v) period of repayment and recovery of loan ;
 - (vi) extension of the period of repayment and renewals of loans ;
 - (vii) promotion of thrift and savings deposit of the members.

(3) In addition, a co-operative society may make bye-laws on any other matter incidental to the management of the business including—

- (a) imposition of fines and penalties on members and consequences of the failure of any member to pay any sum due;
- (b) internal supervision and audit of accounts;
- (c) supply of copies of bye-laws and of the annual balance sheet to members.

12. Withdrawal, removal or expulsion of member.—(1) A member of any co-operative society may, if he is not indebted to the society or is not surety, withdraw from the society after giving one month's notice in writing to the secretary.

(2) A member may be removed or expelled from a co-operative society only for such causes and in accordance with such procedure as may be provided in the bye-laws.

(3) A member who ceases to be qualified under the bye-laws may be removed by the managing committee.

13. Amendment of bye-laws.—(1) After the bye-laws have been registered, a co-operative society may amend them but no such amendment shall be made save in accordance with a resolution passed at a general meeting:

Provided that, subject to sub-rule (2), no such resolution shall be valid unless such meeting is attended by at least one-half of the total number of members subsisting on the date of issue of the notice of the general meeting and passed by two-thirds of the members present at such meeting.

(2) In special cases, the Registrar may register an amendment which has been passed by two-thirds of the members present at the meeting but by less than half of the total number of members, if he is satisfied for reasons to be recorded in writing—

- (a) that it is impossible for the co-operative society to secure the attendance of half of the total number of members at a general meeting;
- (b) that the adoption of the proposed amendment is in the interests of the co-operative society; and
- (c) that such amendment is likely to meet with the approval of the general body of members.

(3) In every case in which the bye-laws of a co-operative society are amended, and application in the form set forth in the Schedule for the registration of the new or altered bye-laws or for the rescission of an existing bye-law shall be submitted to the Registrar, signed by the secretary and three other officers.

(4) The application referred to in sub-rule (3) shall show—

- (a) the date of the general meeting at which the amendment was passed;
- (b) the number of members on the roll of the co-operative society on the date of giving of the notice of the general meeting;
- (c) the number of members present at the meeting; and
- (d) the number of members who voted in support of the amendment.

(5) With the application shall be submitted two copies of the new or altered bye-law, or in the case of the rescinding of a bye-law, two copies of the resolution approving the rescission and a third copy of such bye-law or resolution if the society is a member of a financing bank.

(6) When the Registrar registers an amendment of bye-laws, he shall retain one copy of the new or altered bye-law or resolution, as the case may be, and send another copy to the co-operative society together with a certificate of registration in the form set forth in the Schedule; and if the society is a member of a financing bank, the third copy duly authenticated by the Registrar shall be sent to such bank.

(7) In every case in which the Registrar refuses to register an amendment of bye-laws, he shall record in writing the reasons for his refusal and shall communicate his decision to the co-operative society.

14. Amendment of bye-laws at the direction of the financing bank.—

(1) When it appears to a financing bank to be necessary or desirable in the interest of any co-operative society affiliated and indebted to it to amend the bye-laws of such society in respect of any of the following matters, namely:—

- (a) the constitution of its managing committee;
- (b) the investments of funds; and
- (c) recovery of investment; the financing bank may, by a resolution of the managing committee, direct the society to make the amendment within such time as it may specify.

(2) The financing bank shall forward to the co-operative society by registered post—

- (a) a copy of the proposed amendment of the bye-laws ; and
- (c) a copy of the resolution approving such amendment.

(3) On receipt of the direction for such amendment, the co-operative society shall proceed in the manner provided in rule 13.

(4) If, within three months, or such longer period as may be specified by the financing bank, from the date of receipt of the direction, the co-operative society—

- (a) fails to make the amendment in its bye-laws, or
- (b) files any objection to such amendment, the financing bank, after considering the objections of the co-operative society, if any, may—
 - (i) withdraw the direction for amendment of the bye-laws ; or
 - (ii) forward the amendment together with the objections, if any, filed by the society and its comments thereon to the Registrar for registration.

(5) A copy of the amendment registered under section 13(2) or (3) together with a certificate signed by the Registrar shall be forwarded to the co-operative society by registered post.

CHAPTER III

MANAGEMENT OF CO-OPERATIVE SOCIETIES

15. **Constituency.**—(1) The managing committee of a co-operative society shall divide the area operation of the society into as many areas as there are number of members of the managing committee excluding the chairman, vice-chairman, other office-bearers as mentioned in the bye-laws of the society and the members to be nominated by the Government or the Registrar, as the case may be, and also the reserved seats for Bittahcen Mahila and Krishak Samabaya Samity, where applicable.

(2) One member from each area shall be elected by the eligible members of that area.

(3) The chairman, vice-chairman and other office-bearers shall be elected by all the eligible members of the co-operative society.

(4) A notice stating the place, date and hour of election shall be sent to every member of the co-operative society and the Registrar sixty clear days before the date of holding election under certificate of posting or in any other manner provided in the bye-laws :

Provided that the aforesaid notice of holding election shall be published in a national newspaper in case of national societies and in a local newspaper or national newspaper in case of central societies; and the primary societies shall give wide publicity through local newspaper or national newspaper or by beating of drum :

Provided further that the period of sixty days in respect of serving notice of holding election may be reduced to the extent of twenty days by the Registrar.

16. **Appointment of Election Committee, etc.**—(1) The managing committee shall, at least thirty days before the expiry of its term, appoint an Election Committee consisting of three members including a chairman from amongst the members of the society and such number of polling officers as may be necessary to conduct the election of the members including the office-bearers of the managing committee of the society:

Provided that the managing committee may, for reasons to be recorded in writing, appoint a person who is not a member of the society to be a member or chairman of the Election Committee.

(2) The Election Committee shall—

- (a) appoint date, time and place for submission of nomination paper of candidates in the form specified in the Schedule;
- (b) appoint date, time and place for scrutiny of nomination papers;
- (c) appoint date and time on or before which candidature may be withdrawn;
- (d) appoint a time for taking of the poll.

(3) A member of the co-operative society appointed in the Election Committee shall not be eligible to contest the election to the managing committee, of that society.

(4) A casual vacancy in the membership of the Election Committee shall be filled up immediately by the managing committee.

(5) The Election Committee shall, on the appointed date, time and place,—

- (a) scrutinise the nomination papers in presence of the candidates or their authorised representatives;
- (b) accept the valid nomination papers;
- (c) notify the names of validly nominated candidates on the notice board of the society;
- (d) allot a symbol as specified in the Schedule to each contesting candidate, but in case of conflict in selecting symbol, the committee shall decide the matter by lot in presence of the disputing candidates and the result of the lot shall be final.

17. **Qualification of candidates for election of the managing committee.**—

(1) An individual member of a primary society shall not be eligible for being elected as, or being, an officer of the society or of another society to which the society is affiliated, if such member—

- (a) is not a permanent resident of the area of operation of the society;
- (b) is less than twenty-one years of age;
- (c) has been a member of the society for less than twelve months preceding the date of election;
- (d) has been punished with imprisonment for an offence involving moral turpitude;

- (e) is a defaulter to the society or any other society in respect of payment of loan, advances, price of goods or any other kind of dues or instalment thereof repayable by him to the society or any other society;
- (f) holds any office or place of profit under the society other than as a technical or legal adviser:

Provided that, in case of industrial co-operative society composed solely of artisans and workers, transport co-operative society composed solely of drivers, conductors and helpers or employees co-operative society composed of employees in receipt of salary from the society shall be eligible to become a member of the managing committee;

- (g) has been adjudged by a competent court to be insolvent or of unsound mind;
- (h) participate in the profits of any contract with the society is not engaged full-time in the pursuits mentioned in the bye-laws of the society.

(2) In the case of central and national societies, a member shall not be eligible for being elected as, or being, an officer of the central or national society, as the case may be, unless—

- (a) such member is qualified under sub-rule (1) to be a member of the managing committee of the society and such society is affiliated to the central or national society, as the case may be, and has been authorised by a resolution of the managing committee of the society which he represents;
- (b) the membership of the society to which it is affiliated is not less than twelve months;
- (c) in case of central society, its member society has repaid 75 per cent of the dues including the price of the goods and, in case of national society its member society has repaid 50 per cent of the loan, advances or any other kind of dues including the price of goods.

(3) Notwithstanding anything contained in sub-rules (1) and (2), where the Government is a share-holder of a co-operative society, any person duly authorised by the Government shall be eligible to attend the general meeting to vote and seek election as member of the managing committee.

18. **Voters list, etc.**—The managing committee shall provide the Election Committee with the area-wise members' list containing the names of the members eligible to vote, ballot papers, ballot boxes and seals for smooth conduct of the poll.

19. **Rejection of nomination paper.**—(1) The Election Committee shall, on the appointed date, time and place, scrutinise the nomination papers and shall reject a nomination paper if—

- (a) a candidate is not qualified to be elected as member or office-bearer of the managing committee;
- (b) the nomination paper is incomplete or the documents as required under these rules are not attached with the nomination paper.

(2) Any candidate whose nomination has been rejected under sub-rule (1) may, within two days of the date of scrutiny, make an application for review to the Election Committee against the rejection and the Committee shall dispose of the application for review and the decision of the Committee thereof shall be final.

20. **Ballot paper.**—The ballot paper for recording of votes for election of a member or office-bearer of the managing committee shall be in the form specified in the Schedule which shall contain all the symbols of the validly nominated candidates.

21. **Uncontested and contested election.**—(1) In the case of election of a member of a managing committee, if there is only one validly nominated candidate for an area, the Election Committee shall declare the candidate to be duly elected; and if the number of contesting candidates in the area is more than one, poll shall be held.

(2) In the case of election of an office-bearer of a managing committee, if there is only one validly nominated candidate for one office, the Election Committee shall declare the candidate to be duly elected; and if the number of contesting candidates for the same office is more than one, poll shall be held.

22. **Manner of voting and voting procedure.**—(1) A member shall be entitled to vote for the members and office-bearers of the managing committee of the co-operative society.

(2) When a member presents himself to vote, the polling officer shall, after satisfying himself about the identity of the voter, issue to him the required number of ballot papers :

Provided that in the case of elections of the members and office-bearers of the managing committee of a central or national society, the member representing the co-operative society shall bring his identity card in the form specified in the Schedule and also an attested copy of the Resolution authorising him to participate in the election and show it to the Election Committee for its satisfaction regarding his identity and if the Election Committee is so satisfied about his identity, he shall be allowed to vote in the election.

(3) Before ballot papers are issued to a member—

- (a) a mark shall be placed in the members' list against the number and name of the member to indicate that ballot papers have been issued to him ;
- (b) the ballot papers shall on their back be stamped with the official mark ;
- (c) the number of the member on the members' list shall be marked in writing on the counterfoil by any member of the Election Committee or polling officer who shall also stamp the counterfoil with the official mark ;
- (d) the member shall put his signature or thumb impression on the counterfoil of the ballot paper.

(4) The official mark shall be kept secret until the commencement of the poll.

(5) No ballot paper shall be issued to a member who refuses to abide by the voting procedures.

(6) The member, on receiving the ballot papers, shall—

- (a) forthwith proceed to the marking place reserved for marking the ballot papers;
- (b) mark the ballot papers within the space containing the symbol of the contesting candidate for whom the member wishes to vote;
- (c) after he has so marked, fold the ballot papers and insert it in the ballot box kept ready in presence of any member of the Election Committee or polling officer.

(7) Where a member is blind or is otherwise so incapacitated that he cannot vote without the assistance of a companion, the Election Committee shall allow him such assistance and thereupon such member may do with such assistance anything which a member is required or permitted to do under these rules.

23. Conducting of votes and declaration of result.—(1) On completion of the poll, the Election Committee shall open the ballot box or boxes and count the ballot papers taken out therefrom and separate the spoiled canceled and ambiguously marked ballot papers in favour of any contesting candidate from those of the valid ballot papers and the decision of the Election Committee regarding validity of any ballot paper shall be final.

(2) The Chairman of the Election Committee shall in the presence of the candidates, if there be any, count separately or recount, if necessary, the valid votes cast in favour of each contesting candidate and declare to be elected the contesting candidate in favour of whom the highest number of votes have been cast; and in the case of equal number of votes being recorded in favour of two or more contesting candidates, selection shall be made from such contesting candidates by lot in such manner as the Chairman deems fit and the contesting candidate thus selected shall be declared to be duly elected.

(3) The decision of the Election Committee shall, in respect of election of members of the managing committee, be final.

(4) The Chairman of the Election Committee shall submit the election result to the Chairman of the co-operative society duly signed by the members of the Election Committee.

24. Maintenance of records of the proceeding by the Election Committee.—The Election Committee shall—

- (a) maintain true and correct proceedings of the meeting of the election committee in a separately bound register duly signed by the members of the committee;

- (b) after completion of polls, seal off separately all the nomination papers, counterfoil of ballot papers, valid ballot papers, invalid ballot papers, rejected ballot papers, if any, unused ballot papers and the result of the polls duly signed by the Chairman of the Committee recording the same in the proceedings book and make over those records to the Secretary or Principal Officer of the co-operative society who shall put his signature in the proceedings book as token of acknowledgement.

25. **Election of vacancies where there is no candidate.**—Where there is no contesting candidate, the newly elected members of the managing committee shall nominate any member of the area who is qualified to be elected to fill the vacancy.

26. **Notice of general meetings.**—(1) A general meeting, annual general meeting or special general meeting shall be convened by the managing committee or under its direction by the secretary.

(2) Unless otherwise provided in the bye-laws, a notice of the meeting stating generally the place, date and hour of the meeting together with a statement of business to be transacted at it shall be sent to every member fifteen clear days before the date of the meeting in the manner provided in the bye-laws :

Provided that in case of a co-operative society the managing committee of which has been appointed under section 23 of the Ordinance, the agenda of the general meeting shall be previously approved by the Registrar and the proceedings of such meeting shall be forwarded to him forthwith :

Provided further that the Registrar shall have power to modify or include any item in the agenda for discussion.

(3) Any accidental omission to give notice to any member or the non-receipt of the notice by any member shall not invalidate the proceedings of any meeting.

27. **Annual general meeting.**—At an annual general meeting, no business other than that specified in the notice issued under rule 26(2) shall be discussed.

28. **Special general meeting.**—At a special general meeting, no business other than that specified in the notice issued under rule 26(2) shall be discussed.

29. **Requisition for special general meeting.**—A requisition for a special general meeting to be convened under section 16(3)(a) shall state the object of the meeting, shall be signed by the members requisitioning it and shall be sent to the registered office of the co-operative society.

30. **Power of general meeting.**—(1) The general meeting of a co-operative society shall examine the working of the society and, in particular, the work of the managing committee and shall scrutinise and pass its annual budget and

shall be competent to take all steps that may be necessary in the interest of the society :

Provided that in respect of the national co-operative bank, national society and central societies receiving loan or grants or having investment from the Government, the annual budget estimate of income and expenditure shall be subject to the approval of the Registrar.

(2) Every resolution at a meeting shall be decided by a majority of votes of members and, if the votes be equal, the chairman shall have a second or casting vote.

31. **Chairman of general meeting.**—(1) The chairman, or in his absence, the vice-chairman of a co-operative society shall preside over the general meeting of a society till the general meeting elects its own chairman; and in the absence of the chairman and the vice-chairman, the members present shall elect one from amongst themselves to be the chairman of the meeting.

(2) The chairman of the general meeting shall maintain order in the meeting and shall control and conduct the proceedings in such manner as may be conducive to expeditious and satisfactory disposal of business and shall decide all points of order and his decision upon such points shall be final.

(3) The chairman of the general meeting may direct any member to withdraw for disorderly conduct and the member so ordered shall immediately withdraw and unless otherwise directed by the chairman shall remain absent during the remaining period of the meeting and shall not be entitled to vote without the permission of the chairman.

(4) In the event of disorder, the chairman of the meeting may suspend the meeting and adjourn it to such date or time as he may announce.

32. **Quorum of general meeting.**—(1) Unless otherwise provided in the bye-laws, the quorum for general meeting shall be one-fifth of the total number of members subsisting as such as on the date of notice of the meeting.

(2) No business shall be transacted at any meeting unless there is a quorum at the time when the business of the meeting is due to commence.

(3) If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned ordinarily to the same day in the next week at the same time and place; and if the time, place and date of the adjourned meeting are fixed otherwise than to the same day in the next week at the same time and place, the chairman of the meeting shall record the reasons for the such change and announce it to the members present, but in no case meeting be adjourned to a date later than the 21st day :

Provided that—

(a) no quorum shall be necessary at a meeting adjourned in accordance with this sub-rule; and

(b) that a meeting which has been called on requisition under section 16(3)(a) shall not be adjourned but dissolved.

(4) If, at any time, during the meeting sufficient members are not present to form a quorum, the chairman of the meeting, on his attention being drawn to

this fact, shall adjourn the meeting to such convenient date, time and place as he thinks fit, and the business to be transacted at this meeting shall be disposed of in the usual manner at the adjourned meeting even if no quorum is then present.

33. Minutes of general meeting.—(1) Every co-operative society shall cause minutes of proceedings of general meetings to be entered in a book kept for that purpose.

(2) Unless the minutes are drawn up and are duly signed by the chairman immediately on the termination of the meeting, the minutes free from all alterations or corrections, shall be drawn up and shall be signed by the chairman of the meeting with seventy-two hours from the time when the meeting terminated and the minutes so signed shall be evidence of the proceedings of that meeting.

(3) Until the contrary is proved, every general meeting of a society in respect of the proceeding whereof minutes have been so recorded shall be deemed to have been duly called and held.

34. Votes in general meeting.—(1) A resolution which is put to the vote of a general meeting shall be decided on a show of hands unless (whether before or after the declaration of the result of the show of hands) a poll is demanded by at least ten members and agreed to by chairman, and if no poll is demanded, a declaration by the chairman of such meeting that a resolution has been carried or lost and an entry to that effect in the minutes of the proceedings shall, for the purposes of the Ordinance, be conclusive proof of the fact that such resolution has been duly carried or lost but it shall not be proof of the number or proportion of the votes recorded in favour of or against such resolution.

(2) If a poll is demanded, the votes shall be taken in such manner and at such time as the chairman of the meeting directs subject to any provision in the bye-laws in this behalf and the result of such poll shall be deemed to be the decision regarding the resolution over which the poll is demanded.

(3) Subject to the rules and the bye-laws, when a poll is taken the voting may be by ballot if the chairman of the meeting so decided or if it is so demanded by at least ten members present.

(4) When a poll is taken the number of members voting for or against a resolution shall be recorded in the minutes of the proceedings.

35. General meeting by delegates.—(1) A co-operative society with a membership of 3000 or more shall and if the bye-laws so provide a co-operative society with a membership of 1500 or more but less than 3000 may hold its general meeting by convoking representative (hereinafter referred to as delegates) of areas or sections instead of summoning a member in person.

(2) One delegate shall be elected for every fifty members or major fraction thereof:

Provided that the Bangladesh Railway co-operative society may hold its general meeting with delegates elected in the proportion of one for every 100 members or major fraction thereof.

(3) No person shall be qualified to be elected as a delegate who is not a member; and who is not over 21 years of age.

(4) The delegates shall hold office and attend all general meeting till fresh delegates are elected in their places :

Provided that fresh delegates shall be elected before each annual general meeting.

(5) Each delegate shall have one vote.

(6) A member shall cease to be delegate if he—

- (a) ceases to be a member of the society ; or
- (b) resigns his office as a delegate.

(7) A casual vacancy in the office of a delegate in any area or section shall be filled by election by members in the area or section concerned.

36. Division of area of a society for election of delegates, etc.—(1) The managing committee shall, subject to the approval of the Registrar, divide the area of operation of the co-operative society into convenient areas or sections for the purpose of election of delegates.

(2) The division of the area of operation of co-operative society under sub-rule (1) shall be duly notified to all members and a member in a particular area or section shall be entitled to vote in the election of the delegate only for that particular area or section.

37. Regulations to be framed by managing committee.—The managing committee shall make regulations to provide for all matters relating to the election of delegates and in particular for—

- (a) the manner of nomination and election of delegates ;
- (b) the total number of delegates to be elected and the number of delegates to be elected from each area or section in accordance with rule 35(2).

38. Managing committee.—(1) Subject to the provisions of section 28 of the Ordinance, the members of the managing committee of a co-operative society shall be elected through secret ballot :

Provided that no person shall be eligible for being elected as member at a time of more than one national society.

(2) The managing committee of a society shall have not less than six nor more than twelve members as may be fixed in the bye-laws :

Provided that the number of members shall always be a multiple of three :

Provided further that, in the case of a central society the members of which consists of not less than ten primary societies of each category of bittaheen, mahila bittaheen, mahila and krishak samabaya samity, at least one member from each such category shall be included in the managing committee of that society; and if the number of each category of the society is more than ten, the representation in the managing committee shall be proportionate to the number of each such category of societies.

(3) The managing committee shall, within seven days from the date of the announcement of the election results, hold its first meeting.

(4) The managing committee shall, within fifteen days from the date of holding its first meeting, send to the Registrar a copy of the minutes of the first meeting together with the proceedings of the poll.

(5) A casual vacancy shall be filled up within thirty days from the date of such vacancy.

39. The first managing committee.—(1) Except where the first members including the chairman and the vice-chairman of the managing committee are named in the bye-laws or in the application for registration of a society, the first members including the chairman and the vice-chairman shall be appointed by the Registrar.

(2) The election of members of the managing committee shall be held within two years from the date of its registration.

40. Working allowance and sitting fee of members of managing committee.—Notwithstanding anything contained in rule 17, a member of the managing committee may, if provisions to that effect have been made in the budget of the co-operative society and approved by the Registrar, receive a fixed working allowance in view of any specific service rendered to the society as its member and, if so requires, for the greater interest of the society :

Provided that in case of a co-operative society having paid-up share capital of more than one lakh taka or working capital of more than five lakh taka or total turnover during last year is more than five lakh taka and the profit earned by the society during the last year is more than twenty thousand taka the members of the managing committee may draw a maximum amount of fifty taka as sitting fee; for attending the meetings of the managing committee; however, if the paid-up share capital or the working capital or the total turnover during the last year is more than ten lakh taka, and if the profit earned by the society is more than one lakh taka during the last year, the members of the managing committee may draw a maximum amount of one hundred taka as sitting fee for attending the meetings of the managing committee and if the profit earned by the co-operative society during last year is more than ten lakh taka, the members of the managing committee may draw a maximum amount of two hundred taka as sitting fee for attending the meetings of the managing committee :

Provided further that the members of the managing committee shall not draw any sitting fee for attending the meetings of the managing committee if the co-operative society has incurred loss during the last two preceding years.

41. Cessation of membership of managing committee.—A member of the managing committee shall cease to hold office—

- (a) if he is not eligible to become a member of the managing committee;
- (b) if he resigns his office; or
- (c) if he dies.

42. Removal, etc., of the elected members of the managing committee.—(1) The elected members of the managing committee of a co-operative society other than the chairman appointed by the Government or the Registrar, as the case may be, may be removed from his office by a resolution of a general meeting specially convened for the purpose.

(2) The managing committee may remove any of its member other than a member nominated by the Government or the Registrar, as the case may be, who fails to attend six consecutive meetings of the managing committee without previous permission of the chairman obtained in writing.

(3) Unless otherwise provided in the bye-laws or in the terms of his appointment, any officer or employee of a co-operative society appointed by the managing committee may be removed from his office by the managing committee.

43. Notice of meeting.—Notice of a meeting of the managing committee shall be given in writing or in such manner as the Registrar may permit in respect of any co-operative society to every member of the managing committee specifying the date and hour of the meeting together with a statement of the business to be transacted thereat not less than seven days or such other period as may be provided in the bye-laws before the date of the meeting :

Provided that every such meeting of the managing committee shall be held in the registered office of the society :

Provided further that any urgent business, though not included in the statement accompanying the notice, may be brought up and considered with the consent of all the members present at the meeting :

Provided further that in case where the chairman so decides or majority of the members so agree in writing, and emergent meeting of the managing committee may be held earlier, but the proceedings of such emergent meeting of the managing committee shall be ratified in the regular meeting of the managing committee immediately following.

44. Meeting of managing committee.—(1) The managing committee shall meet for the transaction of the business of the co-operative society at least once in every two months in the case of national societies and central societies and at least once in every month in the case of primary societies :

Provided that if there be no business to be laid before the managing committee the chairman may direct that it shall not be necessary to hold any meeting during such two month and the secretary, instead of calling a meeting, shall give notice of the fact to each member.

(2) Every resolution at a meeting of the managing committee shall be decided by a majority of votes and, if the votes be equal, the chairman shall have a second or casting vote.

(3) If any member of the managing committee wants any subjects to be discussed in a meeting of the committee and if he notifies the same to the Secretary before the issue of the notice of the meeting, the subject shall be included in the agenda and discussed in the meeting.

45. Chairman of meeting.—The chairman of the co-operative society shall preside over all meetings of the managing committee at which he is present and, in the absence of the chairman, the vice-chairman shall preside over the meeting, and in the absence of both the chairman and the vice-chairman, the members present shall elect one from among their number to be the chairman of the meeting.

46. Quorum of meeting.—Unless a larger proportion is provided in the bye-laws, the quorum at a meeting of the managing committee shall be one-third of the total number of members and no business shall be transacted at any meeting in which there is no quorum.

47. **Requisition meeting.**—(1) Any three members or such larger number as may be laid down in the bye-laws may requisition a special meeting of the managing committee by giving at least seven clear days notice to the chairman and the chairman shall forthwith cause to issue a notice of such requisitioned meeting to all the members.

(2) The requisition shall specify the objects of the meeting and shall be signed by the requisitionists and shall be delivered at the office of the co-operative society.

(3) At such special meeting no business other than that specified in the notice shall be transacted.

48. **Powers of the managing committee.**—The managing committee of a co-operative society shall exercise all or any of the following powers as may be provided in the bye-laws—

- (a) to admit new members and to fine, suspend, remove or expel existing members;
- (b) to raise funds;
- (c) to invest funds;

Provided that no investment of Tk. 50,000 or more shall be made without specific permission of the Registrar;

- (d) to appoint salaried or non-salaried officers and employees for smooth conduct of the business of the society and to define their duties;

Provided that co-operative societies shall recruit officers and employees through open competition and, no society which has completed one year after registration shall appoint any officer or employee whose monthly salary (all inclusive) is more than Tk. 1000 without making advertisement in the national, local or regional newspaper and holding proper tests; (This will not apply in case of officers and employees who are, appointed on contract basis);

- (e) to compound or abandon or delay in to enforce any debt or demand of the society or to institute, defend or compromise legal proceedings;
- (f) to dispose of applications for shares;
- (g) to dispose of applications for loans and to determine the security to be taken; and
- (h) to appoint sub-committees, as may be deemed necessary from time to time.

49. **Duties of the managing committee.**—(1) The managing committee shall observe in all their transactions the provisions of the Ordinance, rules and bye-laws and shall perform the following duties, namely:—

- (a) to receive and disburse money;
- (b) to maintain true accounts of money received and expended and accounts of the assets and liabilities;
- (c) to prepare for submission to the annual general meeting—

- (1) an annual report on the working of the society;
- (2) an annual statement of accounts which shall include—
 - (i) cash account;
 - (ii) balance sheet;

- (iii) profit and loss account; and
- (iv) profit and loss appropriation account;
- (d) to prepare the statement of accounts required at and to place them before the auditors;
- (e) to prepare and submit all statements and returns required by the Registrar in such forms as he may direct;
- (f) to enter accounts of the society regularly and punctually in proper books;
- (g) to maintain a register of members up-to-date;
- (h) to facilitate the inspection of books by those entitled to inspect them;
- (i) to convene general meeting;
- (j) to convene the annual general meeting in due time;
- (k) to watch that the loans and advances are applied to the purposes for which they are made and that they are punctually repaid:

Provided that under no circumstances any advance shall be made to any officer or employee other than a regular officer or employee of the society and no advance shall be made to any officer or employee unless the advance made previously has been adjusted;

- (l) to examine and take prompt action in cases of all arrears and default in repayment of loans and advances;
- (m) to perform such other duties as may be entrusted to it by the general meeting.

(2) The managing committee may purchase articles valued upto Tk. 200 without quotation; the limit may be extended upto Tk. 500 for societies with working capital of taka ten lakh or above and upto Tk. 1000 for societies with working capital of taka one crore or above. Articles valued between Tk. 1000 and 10,000 may be purchased by an officer after collecting at least three quotations. All purchases above Tk. 10,000 shall be through formal invitation of tenders and at least three tenderers must participate in the competition :

Provided that this provision shall not apply if the purchases are made from the co-operative societies and public sector organisations.

50. Powers and duties of chairman of a co-operative society.—Unless otherwise provided in the Ordinance, rules or the bye-laws, the chairman or the vice-chairman, in the absence of the chairman, shall, for the transaction of the business of the co-operative society in cases of urgency, exercise all powers and perform all duties required to be exercised and performed under the Ordinance, the rules or the bye-laws by the managing committee except the power of sanctioning loans:

Provided that the chairman shall not act in opposition to or in contravention of any order given or decision taken by the managing committee at a meeting.

51. Orders of chairman to be placed before meeting.—(1) All orders passed and all acts done by the chairman or the vice-chairman, in the absence of the chairman, in exercise of his powers and performance of his duties under rule 50 shall be placed for confirmation before the managing committee in the meeting immediately following.

(2) The report of a sub-committee shall be placed before the managing committee in the meeting immediately following the submission of the report.

52. Deputation of a Government servant to the service of a co-operative society.—(1) A Government servant when deputed to the service of a co-operative society under section 21 shall be the Principal Officer of the society.

(2) Subject to any condition to the contrary that the Government may, in any particular case, think fit to impose, the Principal Officer of the society shall be under the general control of the managing committee of the society and shall, in the conduct of the business of the society, exercise the following powers, namely:—

- (a) have control over the staff of the society with power to fine, suspend or dismiss any member thereof;

Provided that the power of dismissal shall be exercised with the prior concurrence of the managing committee;

- (b) institute, defend and conduct legal proceedings in Courts and other places and enter into compromise or arbitration with creditors and debtors of the society.

53. Duties of Principal Officer.—Unless otherwise directed by the managing committee, the Principal Officer shall perform the following duties, namely:—

- (a) receive all moneys on behalf of the co-operative society and issue receipts other than receipts likely to create fresh obligations on the part of the society in effectual discharge of the money stated to have been received therein;
- (b) pay all costs of management and working expenses out of the funds of the co-operative society, for example, salaries of the staff, travelling and other contingent expenses, to be incurred in the working of the society;
- (c) deposit or invest all moneys received on behalf of the co-operative society and securities and other effects as specified in rule 99;
- (d) maintain proper and accurate records and account of the working of the co-operative society;
- (e) call meetings of the managing committee as may be necessary for the proper conduct of business;
- (f) place from time to time before such of its members or the managing committee statements of receipts and disbursements of money for examination and approval;
- (g) shall be responsible for the day-to-day business transaction of the co-operative society or the co-operative bank and also for financial propriety of all such transactions.

54. Procedure in case of difference of opinion.—In the event of difference of opinion in matters having direct financial implication between the Principal Officer and the Chairman, the matter shall be placed before the managing committee for decision; and if the decision of the managing committee is not acceptable either to the chairman or to the Principal Officer, the matter shall be referred to the Registrar for his decision and the decision of the Registrar thereon shall be final.

55. **Indemnification, withdrawal and cost of the Principal Officer.**—(1) The Principal Officer shall be indemnified out of the funds of the co-operative society for all costs, charge, travelling and other expenses incurred by him in the conduct of the society's business or in the discharge of his duties and no suit or legal proceedings shall lie against him in respect of anything in good faith done or intended to be done in accordance with the power conferred on him.

(2) At anytime the Registrar may, after giving three months' notice, withdraw from the service of a co-operative society any Government servant deputed to it under section 21.

(3) The co-operative society may, at any time, by a resolution, in the general meeting, apply to the Government for withdrawing the Government servant so deputed and the Government may withdraw such Government servant from such co-operative society.

(4) The co-operative society shall make such contribution towards the cost of the deputation of the officer as the Government may direct.

56. **Suspension or supersession of managing committee.**—Where a co-operative society fails to carry out the direction of the Registrar issued under section 22 and forwards its reasons for the same, the Registrar, after due consideration of the reasons shown, may, by an order in writing—

- (a) withdraw the direction;
- (b) issue a modified direction; or
- (c) dissolve the managing committee.

57. **Appointment of a person to manage the affairs of the co-operative society.**—(1) When the Registrar or, as the case may be, the Government directs the managing committee of a co-operative society to be dissolved and makes an appointment under section 23, he or, as the case may be, the Government shall specify—

- (a) the date by which a new managing committee is to be constituted;
- (b) the remuneration, if any, to be paid to the person or persons appointed to manage the affairs of the society;
- (c) the security to be furnished by the person or persons appointed;
- (d) the improvement to be effected in the society and the steps to be taken for the purpose by the person or the Managing Committee so appointed.

(2) Unless otherwise directed by the Government, the remuneration of any person appointed under section 23 shall be defrayed out of the funds of the co-operative society.

CHAPTER IV

DUTIES AND OBLIGATIONS OF CO-OPERATIVE SOCIETIES

58. **Registration of address of the co-operative society.**—(1) Every co-operative society shall state in the bye-laws its address mentioning the office of business, post office, police station or upazila and the district.

(2) A change of address of a co-operative society may be made by a resolution of the managing committee and such change shall, when registered under section 12, be incorporated in the bye-laws, and reported to the financing bank, if any.

59. Minimum number of paid staff to be employed by a co-operative society.—Every co-operative society shall from time to time determine at a meeting of the managing committee the minimum number of paid staff required for its business and shall employ such staff:

Provided that the minimum number of paid staff for a central society or any other society with a working capital or annual transaction of taka ten lakhs or over shall be—

- (a) one office secretary;
- (b) one accountant; and
- (c) one cashier.

60. Qualification of paid staff.—The Registrar may specify the qualification of the members of paid staff of any co-operative society.

61. Maintenance of accounts.—Every co-operative society shall keep a regular account of—

- (a) all sums of money received and expended by the co-operative society and of the matters in respect of which the receipt or expenditure takes place;
- (b) all sales and purchases of goods by the society;
- (c) the assets and liabilities of the society.

62. Books and registers.—Every co-operative society shall maintain such books and registers as may be necessary for the proper conduct of its business and shall, in particular, maintain corrected up to date—

- (a) a register of members and their nominees in the form set forth in the Schedule;
- (b) a register of affiliated co-operative societies, if any, in the form set forth in the Schedule;
- (c) a register of members of the managing committee in the form set forth in the Schedule;
- (d) a minute book; and
- (e) such other books and registers, and in such form, as the Registrar may direct.

63. Annual returns.—Every co-operative society shall send to the Registrar such statements and returns and in such form as he may from time to time direct and shall send at the close of each co-operative year within one month or such time as the Registrar may direct an annual return in the form set forth in the Schedule consisting of—

- (a) a cash account;
- (b) a balance sheet;
- (c) a profit and loss account; and

(d) a profit and loss appropriation account:

Provided that such societies as the Registrar may direct shall also submit a trading account and a manufacturing account :

Provided further that every national and central society shall submit to the Registrar at the end of every co-operative year a consolidated statement of the member societies in such form as the Registrar may direct from time to time.

64. **Additional returns to be submitted by co-operative societies.**—(1) In addition to the annual returns specified in rule 63, every national society, central society and such other societies as the Registrar may require shall furnish a quarterly return in the form set forth in the Schedule showing their working and transactions, and such other returns as the Registrar may from time to time require.

(2) The returns and statements required under sub-rule (1) shall be furnished within one month from the close of the period to which they relate or within such further time as may be allowed by the Registrar.

65. **Officer who will maintain accounts, books, etc.**—The managing committee shall specify which of the officers of the society shall—

- (a) keep books of accounts;
- (b) keep other books and registers; and
- (c) prepare returns and statements:

Provided that a person charged with the keeping of accounts shall not be in charge of cash.

66. **Custody of accounts, books and records.**—The books and records of a co-operative society shall be kept in the custody of the secretary or such other officer as the managing committee may authorise.

67. **Preservation and destruction of books, records, etc.**—The books and records of a co-operative society shall be preserved for such period as is set forth in the Schedule or as may from time to time be directed by the Registrar.

68. **Preparation of statement, etc., at the expense of co-operative society and recovery of such cost.**—(1) If a co-operative society fails to send to the Registrar within the time allowed any statement or return required by the Ordinance or the rules, the Registrar may cause such statement or return to be prepared by employing such staff as he may deem necessary and may assess upon the co-operative society the cost of such staff.

(2) The cost assessed under sub-rule (1) shall be paid by the co-operative society to the staff so employed by the Registrar and the society may recover such cost from the person or persons responsible for the neglect.

69. **Documents to be kept open for inspection.**—In addition to the documents mentioned in section 30, every co-operative society shall keep open to inspection a copy of the latest audited balance sheet and the register of members of the managing committee.

70. Publication of balance sheet.—(1) Every co-operative society shall publish its audited balance sheet within one month from the date on which it is adopted by the general meeting by displaying it in any conspicuous place in the registered office of the society and in every branch office where the business of the society is carried on.

(2) The managing committee shall in every co-operative year lay before a general meeting of the society a balance sheet made up to date not more than nine months prior to the date of meeting:

Provided that the Registrar may for any special reason extend this period by a period not exceeding three months.

71. Borrowing.—(1) The maximum amount which a co-operative society may borrow shall be determined annually at a general meeting of the society and no society shall borrow beyond the maximum amount so determined and in force for the time being:

Provided that the Registrar may at any time revise the limit fixed by the general meeting.

(2) Save as provided in rule 72, no society shall incur liabilities from persons who are not members in excess of a maximum to be fixed from time to time in a general meeting and approved by the Registrar.

72. Restriction on borrowing of primary agricultural co-operative society.—A primary agricultural co-operative society which is a member of a central society shall not borrow by way of loans or deposits from any non-member without the sanction of the central society and where the society is not a member of any central society, without the sanction of the Registrar.

73. Restriction on borrowing of limited liability society.—No co-operative society with limited liability shall, by accepting deposits or loans on or in any other way incur liabilities exceeding twenty times of the sum of the paid up share capital and reserve fund for the time being separately invested outside the business of the society :

Provided that—

- (a) with the permission of the Registrar and under such conditions as he may impose, a co-operative society may incur liabilities up to forty times of its paid up share capital and reserve fund separately invested outside the business of the society;
- (b) the restriction on borrowing imposed by this rule shall not apply in the case of loans obtained from the Government, Bangladesh Bank, Bangladesh Krishi Bank, Rajshahi Krishi Unnayan Bank and other scheduled banks.

74. Fluid resources or liquid cover.—A credit co-operative society, if so required by the Registrar, shall keep a minimum liquid cover against deposits held by it according to the following scale:—

- (1) 25 per cent of the amount held in fixed deposits repayable within the ensuing six months;

- (2) 33 per cent of the amount held in savings deposit; and
- (3) 60 per cent of the amount held in current account.

Explanation.—“Liquid cover” means any assets which can be converted into ready cash at once and which are maintained in one or more of the following forms:—

- (a) cash in hand or in banks approved by the Registrar;
- (b) Government securities, including post office cash certificates;
- (c) post office savings bank account;
- (d) other investments of liquid nature in outside concerns approved by the Registrar;
- (e) the undrawn portion of assured cash credit with—
 - (i) any bank approved by the Registrar; or
 - (ii) the national co-operative bank or a central co-operative bank.

75. Registrar's power to permit a decrease in the proportion of liquid cover, etc.—Under special circumstances, the managing committee may, with the approval of the Registrar, decrease the proportion of liquid cover as mentioned in rule 74.

76. Conditions for the guarantee of debenture by Government.—The issue of debenture under section 34 shall be subject to the following conditions, namely:—

- (a) that such debentures are secured by mortgages held by the co-operative society and assigned to the Trustee; and
- (b) that the total amount payable in respect of the debenture does not exceed two-thirds of the total value of the mortgages held by the co-operative society and assigned to the Trustee.

77. Financial assistance by the Government.—(1) The Government may grant loans to take shares in, or give financial assistance in any other form to, any co-operative society for the following purposes, namely:—

- (a) facilitating the production of commodity or disposal thereof by the members;
- (b) conducting and developing agriculture or industry undertaken by a society;
- (c) redemption of prior debts of members, purchase and improvement of lands, by members, or construction of any project for providing irrigation facilities for the benefit of the members;
- (d) construction of dwelling houses by the society or by its members;
- (e) repayment of money previously borrowed by a society in accordance with its bye-laws;
- (f) maintenance of staff for efficient management of the society;
- (g) recouping any loss in part or in whole sustained due to circumstances over which the society had no control; or
- (h) procurement and distribution of consumer goods in accordance with the direction of the Government.

(2) The financial assistance in any other forms granted to a co-operative society under sub-rule (1) shall be subject to such terms and conditions as the Government may lay down:

Provided that the Government, at any time, appoint any person on such terms and conditions as it may deem fit to supervise, regulate and control the utilisation of the financial assistance given to any co-operative society and also to supervise and control the staff of the co-operative society employed in connection with the utilisation of the assistance; and such co-operative society shall pay to the person so appointed the remuneration and allowance or such proportion of the remuneration and allowance as the Government may determine:

Provided further that the person appointed under the first proviso shall be under the general control of the managing committee of the society but in the event of any difference of opinion between the person so appointed and the managing committee of that society such person may refer the matter to the Government for decision and the decision of the Government thereon shall be final.

78. Application for loan.—(1) An application for loan shall be in such form as may be required by the managing committee and shall state the object for which the loan is required.

(2) A member applying for loan shall make such payment as may be required by the managing committee.

(3) A member of a primary society applying for loan shall furnish a full statement of his—

- (a) property and debts;
- (b) annual income;
- (c) annual expenditure including instalment of principal and interest on prior debts; and
- (d) surplus available for repayment of the loan applied for.

79. Security for loan.—For every loan, a member shall furnish such security as may be required under the bye-laws or by the managing committee.

80. Period of repayment.—(1) Subject to sub-rule (2), the period of repayment of a loan shall be such as may be provided in the bye-laws.

(2) Except on such condition as the Registrar may lay down, every loan which is granted to a member of a primary credit society other than a land mortgage bank after the commencement of these rules shall be repayable within a period not exceeding three years.

(3) The instalment for the repayment of a loan shall not be in excess of the annual surplus income of the applicant estimated by the managing committee under rule 83(3)(d).

(4) No extension of the period for which a loan is advanced shall be granted except on sufficient cause shown and on the application of the borrower and with the consent of the sureties or guarantors, if any.

81. **Registration on issue of loan.**—In any co-operative society in which the liability of members is limited by share, no loan shall be granted to a member exceeding forty times of the share capital paid by him :

Provided that—

- (a) with the permission of the Registrar and under such conditions as he may impose, a co-operative society may grant loans to a member up to sixty times of the share capital paid up by that member ;
- (b) without the previous permission of the Registrar, no fresh loan shall be given to a member by a co-operative society unless 75% of the over due loans and 50% of the current loans due for repayment have been paid ; and
- (c) the national societies and central societies shall not lend to individual persons.

82. **Maximum and normal credit of members.**—The managing committee of a co-operative society shall determine the maximum or normal credit of its members in such manner as it thinks fit :

Provided that—

- (a) in a primary credit society, the maximum or normal credit of a member shall be determined after taking into consideration his assets, liabilities and the surplus income over expenditure; in fixing the maximum credit regard shall be had to the provisions of rule 80(3); and
- (b) in a primary agricultural co-operative society, credit limit of a borrower shall be determined in accordance with rule 83.

83. **Credit limit.**—(1) Credit limit of a borrower of a primary credit co-operative society shall be determined by—

- (a) repaying capacity of the borrower to repay the loan within the time schedule which shall constitute the surplus of income over expenditure of his family budget based on the average of the preceding three years actual; and
- (b) credit worthiness shall constitute of—
 - (i) one-half of the total value of the unencumbered agricultural land, or three-fourths of the total estimated net income from such land during the period of repayment of loan received, if any, during the preceding three-years; or
 - (ii) where the borrower owns two acres or less the unencumbered agricultural land or if he is a landless agricultural labour, his working capacity to produce commensurates with the amount of loan.

Explanation.—In this clause, “unencumbered agricultural land” means the land which may be redeemed out of the loan.

(2) Credit limit irrespective of the requirement shall be the limit equivalent to the sum determined as “repaying capacity” or “credit worthiness” whichever is less.

Explanation.—Credit requirement shall be an amount to meet expenses ordinarily incurred for—

- (a) cost of cultivation and harvesting; and
- (b) expenditure towards maintenance of family during the cultivation season.

84. Procedure for prohibiting transactions on mortgage of immovable property.—(1) When it appears to the Government that the lending of money on the mortgage of immovable property by any co-operative society or class of societies shall be prohibited or restricted, it shall publish a draft order in the official Gazette prohibiting or restricting such transactions.

(2) The copies of such draft order shall be sent to the co-operative society or class of societies concerned.

(3) The order so published shall not take effect until thirty days have elapsed since the date of publication of the order in the official Gazette and until the Government have considered the objections, if any, received within fifteen days from the date of publication of the order.

(4) After consideration of the objections, if any, the Government may withdraw the order or republish it with or without modifications as it thinks fit and, on such publication, the order shall become final and binding on the co-operative society or class of societies mentioned in the order.

CHAPTER V

PRIVILEGES OF CO-OPERATIVE SOCIETIES

85. Change of liability.—(1) When a co-operative society resolves to change its form of liability it shall adopt proposals for such amendment of its bye-laws for the safe conduct of its business and submit an application in the manner provided in rule 43 for registration of such amendments.

(2) The notice required under section 43(2) shall be issued under a certificate of posting or to be delivered by hand to the member concerned through a messenger.

86. Notice under section 44 and procedure for service of notices.—(1) The notice to creditors under section 44 shall be served in such manner as the managing committee may decide.

(2) The general notice, if any, issued under section 44 shall be published by posting—

- (a) a copy of the notice in a conspicuous place at the office of the co-operative society; and
- (b) at the office of the Union Parishad.

(3) A statement of debts by a member or a person applying for a loan or for membership, as the case may be, referred to in section 44 and a notice on the creditors and written statement of claims from the creditors shall be given in the forms set forth in the Schedule.

87. Form of application for demarcation of irrigable area or protected area.—A co-operative society shall submit an application for demarcation of the irrigable area or protected area under section 47 or 48 in the form set forth in the Schedule

88. Form of map.—The map of the irrigable or protected area shall—

- (a) be drawn up in the scale of the settlement map at 16 inches to one mile;
- (b) show the boundaries of the irrigable or protected area and the settlement plot numbers.

89. Form of statement under section 48.—The statement referred to in section 48(2) shall be in the form set forth in the Schedule.

90. Publication of the notice, etc., under section 48.—The notice, map and the statement prepared under section 48(2) shall be in the form set forth in the Schedule and shall be published on the notice board of the Collectorate, at the office of the Union Parishad and at the registered office of the co-operative society, and shall also be hung up on the land adjoining the source of irrigation or on the embankment, as the case may be.

91. Levy of water and embankment rate.—A co-operative society may levy a water rate or embankment protection rate, based on such percentage of the value of estimated produce of the land be notified; or such fixed rate per bigha calculated so as to cover within a specified period all costs incurred together with the interest thereon for the provision of irrigation facilities or embankment protection, as the managing committee, with approval of the Registrar, may determine.

92. Application for compromise between a co-operative society and its creditors.—(1) An application to the Registrar under section 53 shall contain the proposed terms and conditions of the compromise or arrangement and, where the applicant is a society, shall be accompanied by a resolution of the managing committee proposing the compromise or arrangement.

(2) On receipt of such application, the Registrar may, if he is of opinion that the proposed terms and conditions of the compromise or arrangement shall be beneficial to the parties, give directions as to the following matters, namely:—

- (a) the date or dates when the scheme of compromise or arrangement shall be placed before the creditors;
- (b) the time and place where the meeting of the creditors shall be held;
- (c) the preparation by a person duly authorised by him of a statement containing the names of the creditors likely to be affected and the amount due by the society to each of them; and
- (d) the time within which the chairman shall forward his report to the Registrar.

(3) Together with the direction to be given under sub-rule (2), the Registrar may refer any question touching the compromise or arrangement for consideration and decision of the meeting and the chairman of the meeting shall put such question to the meeting.

93. Notice of creditors meeting.—(1) On receipt of the order of the Registrar, the society or the liquidator (in case of a society in respect of which an order of winding up has been passed) shall before thirty clear days of the date fixed for the meeting issue a notice to every creditor who is likely to be affected thereby—

- (a) of the date, time and place of the meeting; and
- (b) of the proposals for compromise.

(2) The notice shall be sent by registered post or through a messenger in which case the signature of the receiver shall be taken as proof of service.

(3) Any creditor desirous of moving an amendment to the proposed compromise or arrangement shall send to the secretary of the society or to the liquidator, if any, a copy of his amendment at least fifteen days before the date fixed for the meeting and the secretary or the liquidator, as the case may be, shall send copies of such amendment by ordinary post to each creditor to whom the notice under sub-rule (1) has been sent.

(4) The proceedings of any meeting held under this rule shall not be invalid by reason only of the fact that the notice was not received by any person entitled to receive it were the proof of despatch is satisfactory.

(5) Any officer of the society or a liquidator or any person authorised in writing in this behalf by the Registrar may attend the meeting and, if so requested by the chairman of the meeting, may take part in the discussion but shall not be entitled to vote.

94. Appointment of proxy by creditor unable to attend meeting.—(1) A creditor who is unable to be present in person in the meeting may appoint another person as his proxy in writing in the form set forth in the Schedule.

(2) The appointment of proxy shall not be valid unless the form, duly filled in, is deposited at the office from which the notice of the meeting is issued at least forty-eight hours before the time fixed for holding the meeting.

95. Procedure to be followed at the meeting.—(1) On the date, time and place appointed for the meeting, the chairman or in his absence, the vice-chairman shall preside over the meeting and, in the absence of both the chairman and the vice-chairman, the creditors present shall choose a person to be chairman of the meeting.

(2) The chairman shall read out a statement duly authenticated by an officer authorised in this behalf by the Registrar containing the names of those creditors to whom notices under rule 93 have been issued and the amount due by the society to each.

(3) If as many creditors as are required by section 53(2) are present, the chairman shall read to the meeting the terms of the proposed compromise or arrangement and shall put to the meeting the question whether the proposed compromise or arrangement be accepted.

(4) Any creditor present may move an amendment to the compromise or arrangement proposed if he has given notice of such amendment in accordance with rule 93(3) :

Provided that the chairman may put to the meeting any amendment proposed by a creditor of which such notice has not been given, if a majority of the creditors present agree that such amendment be considered by the meeting.

(5) Every amendment shall be put to the meeting in such order as the chairman may consider convenient for the purpose of discussion.

(6) The persons present at the meeting may within the time-limit, if any, fixed by the chairman, speak on the motion put by the chairman or on any amendment moved thereto in such order as the chairman may direct.

96. **Minutes of the meeting.**—(1) The chairman shall cause minutes to be prepared of the proceedings of the meeting and shall sign them before leaving the meeting.

(2) The minutes shall contain the names of all creditors present at the meeting and if a pool is demanded the name of each creditor voting for or against the motion or any amendment moved thereto.

(3) The chairman shall forthwith forward to the Registrar a copy of the minutes of the proceedings of the meeting together with a copy of the terms of the compromise or arrangement, if any, duly signed by him.

97. **Dissolution of meeting if required number of creditors are not present.**—The chairman shall dissolve the meeting, if the number of creditors required under section 53(2) is not present and shall report to the Registrar.

98. **Publication of compromise of arrangement.**—A compromise or arrangement sanctioned by the Registrar shall be published by the co-operative society by—

- (a) displaying it for thirty days in a conspicuous place at the registered office of the society ;
- (b) displaying it at such other conspicuous places in the area over which the society operates and in such other manner as the Registrar may direct; and
- (c) sending copies of the same to all creditors to whom notices have been issued under rule 93(1).

CHAPTER VI

PROPERTY AND FUNDS OF CO-OPERATIVE SOCIETIES

99. **Investment of funds.**—In addition to the manner specified in section 54, a co-operative society may invest or deposit its funds—

- (a) with a scheduled bank, Bangladesh Krishi Bank or Rajshahi Krishi Unnayan Bank; or
- (b) in any other manner approved by the Registrar.

100. **Use of reserve fund in the businesses of a co-operative society.**—A co-operative society may, subject to the approval of the Registrar and to such conditions as he may impose, use in its business—

- (a) up to one-fourth of its reserve fund when the owned capital is less than the borrowed capital;
- (b) up to one-half of its reserve fund when the owned capital is equal to or exceeds the borrowed capital; and
- (c) the entire reserve fund when there is no borrowed capital.

101. **Payment of dividend, bonus, etc.**—(1) In every co-operative society with shares, dividend may be declared up to a maximum of 50 per cent per annum on the amount paid up on shares :

Provided that, with the previous permission of the Registrar in writing, a co-operative society may declare dividend up to 60 per cent per annum on the amount paid on shares.

(2) Notwithstanding anything contained in sub-rule (1), no dividend shall be paid by a co-operative society with shares and unlimited liability without the previous sanction of the Registrar.

(3) No dividend shall be paid in any co-operative society unless such dividend is recommended by the managing committee and approved by the general meeting.

(4) A co-operative society may set apart not more than 6.25 per cent of its net profit for the payment of bonus to the extent of the amount equivalent to one month's salary to its salaried officers and employees if such payment is recommended by the managing committee.

102. **Co-operative Development Fund.**—(1) The contribution made by a co-operative society under section 57(a) shall be credited to a fund to be called the Co-operative Development Fund (hereinafter referred to as the Fund).

(2) The Fund shall be administered—

- (a) subject to the approval of the Registrar, by the authority, if any, constituted under section 81 ; or
- (b) if no such authority is constituted, by a committee appointed by the Government composed of—

- (i) the Registrar, *ex officio* ;
- (ii) the Additional Registrar (Administration and Extension), *ex officio* ;
- (iii) an Economist ;

(iv) a representative of the agricultural co-operative societies ;

(v) a representative of co-operative societies other than agricultural co-operative societies.

and all sums at the credit of the Fund shall be kept with the Bangladesh Samabaya Bank or with any other scheduled bank.

(3) Every co-operative society shall, after the close of each co-operative year and after the audited balance sheet is considered by managing committee make a contribution of 5 per cent of net profit to the society.

(4) The Fund may be utilised for any of the following purposes, namely:—

- (a) the education of members of co-operative societies in co-operative principles and practice ;
- (b) the development of co-operative societies ;
- (c) publicity in connection with co-operative movement and extension work ;
- (d) research on co-operative development ;
- (e) other purpose related to co-operative as approved by the Government.

103. **Contribution to charitable purpose.**—With the approval of the managing committee, a co-operative society may make a contribution under section 57(b).

104. **Provident fund of members and employees.**—(1) The fund created under section 58 with contribution from members, officers and servants of a co-operative society shall be called the Provident Fund of Members and Employees.

(2) The amount of contribution that can be made by a member in the Provident Fund in any one month shall be fixed by the general meeting of the co-operative society and, in the case of salaried officers and employees, the rate of contribution shall not exceed 15% of his monthly basic pay.

(3) The co-operative society may contribute to the account of a member in the Provident Fund at the end of every year an amount equivalent to two-thirds of the total contribution made by him during the year and, in respect of a salaried officer or employee, an amount equivalent to the contribution made by him during the year subject to a maximum of 10% of the total of his annual basic pay.

(4) Subject to the provisions of rule 105, the interest accrued on the investment from the Provident Fund of Members and Employees shall be credited to the accounts of the individual members, officers or employees, as the case may be, in proportion to the balance standing to the credit of each account at the close of the preceding year.

105. **Distribution of profits after setting off losses.**—The balance of net profits, if any, remaining after the previous losses have been fully set off as required under section 59 of the Ordinance, shall be distributed in accordance with the provisions of sections 55, 56, 57 and 58 of the Ordinance.

CHAPTER VII

PRIVILEGES, LIABILITIES AND OBLIGATIONS OF MEMBERS OF
CO-OPERATIVE SOCIETIES

106. **Disqualification for voting.**—No member of a primary society shall be eligible for appointment to vote in the affairs of another co-operative society of which the first mentioned society is a member—

- (a) if such member is disqualified under the provisions of the Ordinance, rules or any bye-law for voting in the affairs of the society of which he is a member or for being appointed as a member of the managing committee, or
- (b) if the member has failed to pay to the primary society all loans or any instalments thereof remaining overdue before he is so appointed, or
- (c) if, in the case of a primary purchase and sale co-operative society, the member is in arrear in payment of his dues and the managing committee has not granted any extension of time for making such payment.

107. **Vote of members.**—Subject to the provisions of the Ordinance, each member of a co-operative society or representative of an affiliated society shall have one vote only in the affairs of the society and it shall be exercised in person and not by proxy.

108. **Exercise of rights of membership.**—(1) Before a member exercises his rights of membership he shall sign a declaration in such form as may be required by the managing committee and that he shall be bound by the bye-laws of the co-operative society.

(2) A member who has joined in the application for registration of the co-operative society shall sign such declaration within one month from the date of registration of the society.

109. **The manner of recalling a loan not utilised for the purposes.**—Where the managing committee of a co-operative society has reasonable cause to believe that a member has not utilised a loan for the purpose for which it was advanced, the society may, by a notice, direct the member—

- (a) to show cause why the loan shall not be recalled within such time as may be specified in the notice; and
- (b) where no cause is shown to the satisfaction of the society within the time specified, the society may recall the loan and if the loan is not refunded immediately on recall shall apply to the Registrar for an award under section 125 in order to recover the loan.

110. **Restriction on interest of a number of a society with limited liability and shares.**—Where the liability of the members of a co-operative society is limited by shares, no member other than a co-operative society shall hold more than one-fifth of the share capital of the society.

111. **Withdrawal of share capital by members.**—Subject to the provisions of the Ordinance, rules and bye-laws, a member of a co-operative society with limited liability and with withdrawable of share capital may be allowed to withdraw his share capital if—

- (a) he leaves the jurisdiction of the society on transfer; or
- (b) ceases to be in the employ of the employer concerned:

Provided that—

- (i) he is not indebted to the society either on his own account or as a surety or otherwise liable to the society for any sum due by him;
- (ii) the proportion of borrowing to share capital of the society as specified in rule 73 is not altered.

112. **Nomination of transferee.**—(1) A member of a co-operative society may in accordance with the provisions of section 69, nominate, in writing, any person to whom or to whose credit the share or interest or the value of such shares or interest shall on his death be paid or transferred:

Provided that such member may from time to time revoke or vary such nomination in writing.

(2) Every co-operative society shall keep a register of all persons, if any, so nominated.

(3) If the nominee of a member dies, the member shall report the death to the society and shall nominate another person in his place.

113. **Procedure for calculating the value of the share or interest of a member.**—(1) Where a co-operative society has to make a refund of the value of a share, the value of the share shall be deemed to be equal to the amount paid up on the share:

Provided that where a portion of the assets is estimated to be bad or doubtful in the latest audited balance sheet and is not covered by funds created out of profits, the managing committee may, for the purpose of such payment, reduce the value of the share in the same proportion as the aggregate amount of assets which are not bad or doubtful, less the amount of outside liabilities, bears to the paid up share capital.

(2) Where a transfer of share or interest is made the value of the share or interest shall be deemed to be the sum actually paid by the member for the acquisition of such share or interest.

114. **Manner of determining value of land.**—(1) The value of land for the purpose of section 72(3) shall be determined by the co-operative society in the following manner:—

- (a) by reference to any recorded sale of similar lands in the locality; or
- (b) if no record of sale is available, the value of the land shall not exceed sixteen times the annual rent payable to the society for the land; or
- (c) if no rent has been assessed for the land, the value shall not exceed sixteen times the sum to be estimated by the society to be a proper rent of the land.

(2) Any dispute as to the value of the land shall be referred to the Registrar whose decision thereon shall be final.

CHAPTER VIII

Audit, inspection and inquiry

115. **Doubtful debt**.—If a member fails for three consecutive years without reasonable cause to pay at least 25 per cent of each of the instalments of principal and interest fixed for repayment of a loan at the time of its issue, then, notwithstanding that on an examination of his assets and the assets of his sureties the debt appears to be covered by the value of such assets, the debt may be considered as doubtful.

116. **Bad debt**.—(1) When the total amount due by a member to a co-operative society by way of principal and interest exceeds the aggregate of his assets and the available assets of his sureties and the amount due by way of arrear interest exceeds three years' demand, such exceeds, of his total dues over the total assets, shall be considered bad debt.

(2) A doubtful debt if not recovered after action has been taken under Chapter IX or section 125 to recover it or the recovery of which has become barred by limitation shall be considered bad.

117. **Writing off of bad debts**.—(1) Any debt considered bad shall, if so approved by the Registrar, be written off by the managing committee in the order below against—

- (a) the bad debt fund, or any fund created out of profit as provision for bad debts;
- (b) any other fund created out of profit but not ear-marked for any specific purpose;
- (c) the reserve fund constituted under section 55.

(2) Where the co-operative society is a member of a financing bank and is indebted to it, the Registrar shall consult the financing bank before sanctioning the writing off of any debt.

118. **Date of audit**.—Unless the Registrar directs otherwise for any co-operative society or class of societies, the audit of a co-operative society shall be made and the audit report submitted within nine months from the date of close of the co-operative year and it shall be the responsibility of the audit officer to submit the audit report within the aforesaid time limit to the co-operative society and the Registrar.

119. **Procedure of audit**.—(1) Unless the Registrar directs otherwise, the audit of a co-operative society shall be conducted in the registered office of the society.

(2) Previous intimation shall be given to the co-operative society before the audit is commenced:

Provided that the verification or examination required by section 78 (1), (a), (b) and (c) may be carried out without any previous intimation to the society.

(3) The officers and employees of the co-operative society shall give the audit officer all assistance necessary for the completion of the audit and for this purpose in particular prepare such statement and take such action with regard to the verification or examination of its accounts as he may require :

Provided that a co-operative society which has a working capital of Tk. 50 lakhs and above shall have an internal audit cell consisting of at least three salaried officers and employees of which one must have at least a Bachelor's degree in commerce with accountancy as one of the subjects.

120. Audit report.—(1) The audit report shall state—

- (a) whether or not the audit officer has obtained all the informations and explanations which he required;
- (b) whether or not in his opinion the balance sheet and the profit and loss accounts referred to in the report are drawn up in conformity with the law;
- (c) whether or not such balance sheet exhibits a true and correct account of the state of the co-operative society's affairs according to the best of his information and the explanations given to him and as shown by the books of the society;
- (d) whether in his opinion books and accounts have been kept by the co-operative society as required under the Ordinance, the rules and the bye-laws;
- (e) whether there has been any material impropriety or irregularity in the expenditure or in the realisation of moneys due to the co-operative society;
- (f) whether the co-operative society had made efforts to achieve its objectives through its activities.

(2) Where any of the matters referred to in sub-rule (1) is answered in the negative or in the affirmative with any remarks, the report shall state the reasons for such answer with facts and figures in support of such reason.

121. Form of audit statements.—The statements of accounts shall be prepared by the managing committee in the forms set forth in the Schedule or in such other forms as the Registrar may approve.

122. Limit of examination of monetary transactions.—The audit officer shall examine the monetary transactions of a co-operative society in so far as may be necessary for the purpose of ascertaining whether there has been any material impropriety or irregularity in the expenditure or in the realisation of moneys due to the society and whether any transaction infringes any provisions of the Ordinance, rules or bye-laws, or any directions of the managing committee; and in case of difference of opinion between the audit officer and the managing committee of the society in regard to the propriety of any of its monetary transactions, the Registrar shall decide the matter and his decision thereon shall be final:

Provided that the audit officer shall mention in the audit report if fund of the society has been misappropriated or any benefit illegally taken by any employee of the society or Government servant on deputation to the society and shall also indicate in the audit report about the action to be taken against such employee of the society or the Government servant on deputation to the society.

123. Audit fee.—(1) A primary co-operative society shall pay on or before the 30th June of each co-operative year an audit fee calculated on the net profit earned during the immediately preceding year at the rate of Tk. 10 for every

hundred taka or part thereof upto Tk. 50,000, subject to a maximum of Tk. 1,000 and thereafter Tk. 1,000 for every Tk. 25,000 or part thereof subject to an ultimate maximum of Tk. 2,000.

(2) A co-operative society other than a society falling under sub-rule (1) shall pay on or before the 30th June of each co-operative year an audit fee calculated on the average working capital on the last day of each month of co-operative year immediately preceding the date on which the audit fee will be due or on the total value of goods sold during the year, whichever is greater, at the rate of Tk. 1 for every hundred taka or part thereof upto Tk. 2,00,000, subject to a maximum of Tk. 1,500 and thereafter Tk. 150 for every Tk. 25,000 or part thereof subject to an ultimate maximum of Tk. 10,000.

124. Assessment of audit fee on co-operative society.—(1) The audit fee shall be assessed in case of—

- (a) a primary society which is a member of a financing bank, upon the co-operative society concerned if so directed by the Registrar and otherwise upon the financing bank;
- (b) any other co-operative society, upon the society.

(2) The audit fee paid by a financing bank on behalf of a member co-operative society shall be deemed to be a loan due to it by the society and shall be recoverable from the society concerned under section 125.

(3) A co-operative society which has not completed eighteen months after its registration shall not be liable to pay audit fee.

125. Registrar's powers to remit or reduce audit fee.—(1) The Registrar shall have power to remit the audit fee in special cases for reasons to be recorded in writing.

(2) The Registrar may remit either wholly or in part the audit fee payable by a co-operative society.

126. Audit fee fund.—The audit fee shall be deposited in such manner as the Government may from time to time direct.

127. Inspection of co-operative societies by members of the paid staff of financing bank.—A member of the paid staff of a financing bank who—

- (a) is a regular employee of the bank and has received training to the satisfaction of the Registrar necessary for inspecting a society, and
 - (b) possesses such qualifications as the Registrar may from time to time require,
- may be certified as competent to inspect co-operative societies.

CHAPTER IX
SETTLEMENT OF DISPUTES

128. Disputes and appointment of arbitrators.—(1) When the Registrar decides to refer a dispute to a board of arbitrators comprising not less than three arbitrators, he shall—

(i) issue a notice calling on each of the parties to nominate one person as its nominee within such time as he may direct and where a party consists of more than one person such persons shall jointly make only one nomination ;

(ii) appoint the arbitrators and nominate one of them to act as chairman.

(2) If a party fails to make a nomination within the appointed time, the Registrar may himself make the nomination.

(3) Where a board of arbitrators is appointed, the opinion of the majority shall prevail.

(4) If one of the arbitrators fails to attend or refuses to work as an arbitrator, the remaining arbitrators shall refer the case to the Registrar who shall cancel the appointment of the arbitrators and may either—

(a) constitute a fresh board under sub-rule (1) ; or

(b) appoint one arbitrators ; or

(c) decide the case himself by making an award in the manner provided in rules 133 and 134.

129. Persons qualified to be appointed as arbitrators.—The Registrar may appoint an arbitrator or arbitrators from—

(a) officers of any Ministry or department of Government ;

(b) officers, paid staff or members of co-operative societies ;

(c) members, officers or paid staff of the authority constituted under section 81 ;

(d) members of any local authority ; or

(e) chartered accountants.

130. Payment of fees to arbitrators.—(1) Subject to the provisions of sub-rule (2), the Registrar may, in such cases as he thinks proper, determine the fees and order the payment of fees to arbitrators.

(2) In monetary disputes, the fees shall not exceed—

(a) for a claim not exceeding one thousand taka, one hundred taka ; and

(b) for a claim exceeding one thousand taka, ten taka for every hundred taka or part thereof subject to a maximum of five hundred taka.

(3) When any fee is to be paid to the arbitrators, it shall be deposited with the Registrar in such manner as he may direct before the arbitrator is appointed.

(4) No fees shall be payable to an arbitrator till the dispute referred to him is finally decided.

131. Reference of a dispute.—A reference of a dispute to the Registrar shall be made in writing and shall be accompanied by—

(a) a statement of the subject matter of the dispute ;

- (b) a copy of the ledger account of the defendant in respect of monetary dispute ; and
- (c) such other statement or records as may be required by the Registrar.

132. **Fee for filing a dispute.**—Unless the Registrar permits otherwise every application for reference of a dispute to the Registrar shall bear a court-fee stamp of three taka.

133. **Procedure for disposal of dispute.**—(1) In the arbitration proceedings, the arbitrator shall fix the date, hour and the place of hearing of the dispute.

(2) The arbitrator may issue summons or notices at least fifteen days before the date fixed for the hearing of the dispute requiring—

- (i) the attendance of the parties concerned and of witnesses ; and
- (ii) the production of all books and documents relating to the matter in dispute.

(3) Summons or notices may be served by—

- (a) registered post ; or
- (b) personal service through the secretary or a member of the staff of the co-operative society or any of the parties to the dispute ; or
- (c) affixing a copy of the summons or notice at the last known place or residence or business of the person concerned when he refuses to sign the acknowledgement or he cannot be found.

(4) Service of summons or notice on the secretary or the principal officer shall be regarded as services on that co-operative society.

(5) Where the serving officer delivers or tenders a copy of the summons personally to the person summoned or to agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgement of service endorsed on the original summons.

(6) The serving officer shall in all cases, in which the summons has been served under sub-rule (3)(b) or (c), cause to be endorsed on or annexed to, the original summons a return, stating the time when, and the manner in which, the summons was served and the name and address of the person, if any, identifying the person concerned and witnessing the delivery or tender of the summons.

(7) The sufficiency of proof of service of the summons or notice shall be decided by the authority which issued the same.

(8) In the case of absence of any party to the arbitrator duly summoned, the dispute may be decided *ex-parte*.

(9) In these proceedings, neither party shall be represented by a legal practitioner.

134. **Award or decision.**—(1) The arbitrator shall make a memorandum of the statements of the parties who attend and of such witnesses as are examined, and upon the evidence so recorded and after consideration of any documentary evidence produced by either party shall make an award, in accordance with justice, equity and good conscience ; he shall record his award in writing, sign and date it and shall communicate it to the parties.

(2) The award shall contain the number of the reference, the names and description of the parties and particulars of the dispute and shall specify clearly the relief granted, the amount decreed, the future interest allowed, if any, and the cost awarded.

(3) If no award is made immediately upon the conclusion of the hearing of the parties, the arbitrator shall fix the date, and place of delivery of the award and shall, except for reasons to be recorded in writing, deliver the award on the date so fixed.

(4) The award shall be communicated to the parties by—

- (a) pronouncement of the award; or
- (b) registered post to any party which may be absent on such date.

(5) The arbitrator shall have power to order the expense of determining a dispute or the cost of either party, to be paid by such party or parties to the dispute as he may think fit:

Provided that the expenses or the cost so awarded shall not exceed 2½ per cent of the awarded amount.

135. Withdrawal of reference by the Registrar.—On an application by any party to an arbitration proceeding pending before an arbitrator, the Registrar may, for reasons to be recorded in writing, withdraw the reference from the arbitrator appointed and may decide the dispute himself by an award in the manner provided in rules 133 and 134 or make fresh appointment.

136. Execution of decision or award.—(1) In any dispute, other than a claim in respect of any sum payable to or by a co-operative society, the award of the arbitrator or of the Registrar shall be enforceable by any civil court having local jurisdiction in the same manner as a decree of such court upon application, as if it were a decree of the court.

(2) When an award in a monetary dispute has been obtained against a co-operative society it shall not be executed except against the assets of the society including amounts due to the society by its members.

Explanation.—For the purposes of rules 133 to 136, the expression “the arbitrator” means the authority which may decide the dispute whether the authority is the Registrar, or an arbitrator or a board of arbitrators.

137. Disposal of record.—(1) The original records of a dispute proceedings after the decision or award has been delivered shall be kept in such place and manner as the Registrar may direct.

(2) Any document or record tendered by a party may on application be returned to the party after the disposal of appeal, if any, or after the period of appeal.

138. Certified copies.—A copy of the decision or award shall, on application, be given to a party by the Registrar duly certified on payment of such fees as the Registrar may fix, subject to a maximum of twenty-five poisha for each hundred words or a part thereof.

CHAPTER X

WINDING UP AND DISSOLUTION OF CO-OPERATIVE SOCIETIES

139. **Winding up obligatory on the Registrar.**—Where the Registrar has cause to believe that a co-operative society—

- (a) has not commenced working within a period of twelve months from the date of registration; or
- (b) has caused working during the previous eighteen months; he shall, after giving the society a notice in such manner as he thinks fit, by an order in writing direct that the society be wound up.

140. **Order for winding up a co-operative society.**—When the Registrar passes an order under section 90 directing the winding up of a co-operative society, he shall—

- (a) publish the order—
 - (i) if the liability of the society exceeds twenty-five thousand taka, in the official Gazette; and
 - (ii) in any other case, in such manner in the locality as he may think fit;
- (b) communicate the order to the society and to the financing bank, if any, of which the society is a member or to which it is a debtor by registered post.

141. **Appointment and removal of a liquidator.**—The appointment and removal of a liquidator shall be published—

- (a) if the liability of the co-operative society exceeds twenty-five thousand taka, in the official Gazette; and
- (b) in any other case, in the locality in such manner as the Registrar may think fit.

142. **Remuneration of liquidators.**—The liquidator may be allowed such remuneration as the Registrar may decide and such remuneration may be fixed to cover or exclude the employment of assistants or clerks, office rent or incidental expenses; and no money shall be appropriated to such remuneration except in such manner as the Registrar may determine.

143. **Publication of notice.**—After the liquidator has taken charge of the books, he shall publish in such manner as the Registrar may direct a notice in the form set forth in the Schedule requiring all claims against the co-operative society to be forwarded to him within one month of the publication of the notice and shall inform the Registrar about the number of society's staff required for winding up of the society.

144. **Report and returns to be submitted by liquidator.**—The liquidator shall submit to the Registrar such reports and such returns in such form and in such manner as the Registrar may require from time to time.

145. **Meetings of members and creditors.**—The liquidator may at any time call meetings of the members, or of the creditors, or joint meeting of the members and creditors; and such meetings shall be called, held and conducted at such time and place and in such manner as the liquidator may think fit.

146. Issue of summons, notice, etc., by liquidator.—(1) The liquidator may issue summons to persons whose attendance is required either to give evidence or to produce documents.

(2) The liquidator shall himself arrange for service of summons, or may send summons, if any, for execution to the District or Upazila Magistrate concerned.

147. Liquidator to keep notes of deposition.—The liquidator shall keep short notes of the depositions of persons whose evidence he may have taken.

148. Recovery by certificates.—If the liquidator fails to recover the assets of the co-operative society amicably and decides to proceed under the Public Demands Recovery Act, 1913 (Ben. Act III of 1913), he shall submit to the Certificate Officer in the form specified under the said Act a requisition for a certificate against each contributor for the amount of his contribution and shall thereafter proceed according to the instructions laid down under the said Act.

149. Banking accounts of liquidator.—(1) The liquidator shall open an account with such bank as the Registrar may approve in the name of the liquidator of the co-operative society.

(2) All moneys received in course of the winding up of the society shall be paid into such account at the bank immediately after receipt thereof.

(3) All payments out of the aforesaid bank account shall be made by the liquidator by cheques or withdrawal orders signed by him and shall be accounted for in the record maintained for the purpose in the office of the liquidator.

150. Distribution of assets.—(1) The audit fees due and all costs, charges and expenses incurred in the winding up of the co-operative society, including the remuneration of the liquidator shall be payable in priority to all other claims.

(2) After the liabilities other than owned capital as they stood on the date of order of winding up are paid off, the assets, if any, left with the liquidator may be employed, subject to the approval of the Registrar, for the following purposes in the order of priority—

- (a) proportional refund to members of any contributions realised from them in addition to their own personal debts;
- (b) pro rata refund of share capital;
- (c) pro rata payment of dividend on the shares, if any, at a rate not exceeding 6½ per cent per annum for the period of liquidation;
- (d) contribution to any charitable purpose defined in section 2 of the Charitable Endowments Act, 1890 (VI of 1890);
- (e) utilisation for any purpose connected with the development of co-operative movement.

151. Final report of liquidator and termination of proceedings.—(1) After the liquidation of a society have been closed, the liquidator shall submit a final report to the Registrar together with a copy of the liquidation proceedings.

(2) On receipt of the final report from the liquidator, the Registrar shall terminate the liquidation proceedings by cancelling either the registration or the order for the winding up of the co-operative society.

152. Audit of society under liquidation and fees for such audit.—(1) The accounts of a co-operative society maintained by the liquidator shall be audited at least once in each co-operative year at such time and in such manner as the Registrar may determine.

(2) The liquidator shall pay such fees for the audit as the Registrar may direct.

153. Termination of liquidation proceedings obligatory on Registrar in certain cases.—The liquidation proceedings of a co-operative society shall be closed within a period of one year from the date of the order of winding up, unless the period is extended by the Registrar :

Provided that the Registrar shall not grant any extension for a period exceeding one year at a time or ten years in all and shall immediately after the expiry of twelve years from the date of the order for winding up of the society pass an order cancelling the registration of the society unless for reasons to be recorded in writing he thinks fit to cancel the order for the winding up and permit the society to continue to exist.

154. Disposal of books, etc., by the liquidator.—(1) Upon the termination of liquidation proceedings, all books, registers and accounts belonging to the co-operative society and all books, accounts and papers relating to its liquidation proceedings which are in possession of the liquidator shall be deposited with the Registrar or such person as the Registrar may direct.

(2) After the expiry of three years from the date of the order passed under rule 151, no responsibility shall rest on the liquidator or the Registrar or any person to whom the custody of the documents may have been committed.

CHAPTER XI

SPECIAL PROVISIONS FOR LAND MORTGAGE BANKS, CENTRAL SOCIETIES AND THE NATIONAL SOCIETIES

155. Procedure for appointment of distrainer and his power and functions.—(1) On receipt of an application from a co-operative land mortgage bank or any other co-operative society signed and verified by the secretary or the Principal Officer or any other person duly authorised by the managing committee in this behalf setting forth full particulars of the property required to be distrained, the Registrar shall, if satisfied that the particulars set forth in the application are correct, appoint a distrainer :

Provided that no distrainer shall be appointed unless the applicant deposits such security for costs of the distraint and sale as the Registrar may direct.

(2) The distrainer on appointment shall serve upon the defaulter a written demand specifying the amount for which the distraint is made and the demand shall be dated and signed by the distrainer and shall be served on the defaulter by delivering a copy to him or some adult male member of his family at his usual place of abode; or when such service cannot be effected, by affixing a copy of the demand on some conspicuous part of his abode and of his land.

(3) Simultaneously with the service of notice the distrainer shall cause the property specified in the application to be attached by annexing an order of attachment in the form set forth in the Schedule—

(a) where such produce is a growing crop, on the land on which such crop has grown; or

(b) where such produce has been out or gathered, on the thrashing floor or place for treading out grain or the like or fodder stack on or in which it is deposited; and another copy in a conspicuous manner on the outer door of the premises where he resides or works or is known to have last resided.

(4) Where agricultural produce is attached, the distrainer shall make such arrangement for the custody thereof as he may deem sufficient.

(5) Subject to such conditions as may be imposed by the distrainer, the defaulter may tend, cut, gather and store the produce and do any other act necessary for maturing or preserving it; and if the defaulter fails to do all or any of such acts, the distrainer may do all or any of them either by himself or by any person appointed by him in this behalf, and the costs incurred by the distrainer shall be recoverable from the defaulter as if they were included in or formed part of the order of attachment.

(6) Agricultural produce attached as a growing crop shall not be deemed to have ceased to be under attachment or to require re-attachment merely because it has been served from the soil.

(7) Crops which are perishable and do not admit of being stored may be sold before they are cut or gathered.

(8) No distraint shall be made before sunrise and after sunset.

156. Sale of distrained property.—(1) If within 15 days from the date of the service of the demand the defaulter does not pay the amount for which a distraint has been effected, the distrainer may sell in auction the distrained property or such part thereof in one more lots as may be necessary to satisfy the demand together with the costs of the distraint and sale.

(2) Before sale is actually made the distrainer shall cause proclamation of the time and place of the intending sale by beat of drum in the village in which the defaulter resides or the produce is kept and in such other place or places as the distrainer may consider necessary to give due publicity to the sale:

Provided that the sale may be made in the nearest bazar or other place of public resort if the distrainer is of opinion that a better price is likely to be obtained there.

(3) The sale shall be made to the highest bidder who shall be required to pay at least 50 per cent of the purchase money in cash immediately after the bid is accepted and the balance within a period not exceeding five days, and the purchaser shall not be permitted to carry away any part of the property until the full amount of the purchase money is paid.

(4) If the purchaser fails to pay the balance of the purchase money, the amount already paid by him shall be forfeited to the co-operative land mortgage bank or the co-operative society, as the case may be, and the property shall be re-sold and the proceeds of such re-sale shall be applied in the manner provided in section 101; and any deficiency of price which may ensue from the re-sale and the expenses connected with such re-sale shall be certified by the distrainer and shall be recoverable as follows:—

- (i) from the amount paid by the defaulting purchaser and forfeited to the co-operative land mortgage bank; or the co-operative society, as the case may be; and
- (ii) the balance, if any, from the defaulting purchaser through a civil court having competent jurisdiction.

(5) No distrainer or any person employed by or subordinate to him shall purchase either directly or indirectly any property distrained and put up for sale under these rules.

(6) From the proceeds of such sale, a deduction at the rate not exceeding ten poisha in a taka may be made on account of the costs of the sale.

(7) Balance of the sale-proceeds shall be distributed as laid down in section 101.

(8) If at any time before the sale takes place the defaulter or any person on his behalf deposits with the distrainer or with the land mortgage bank or the co-operative society, as the case may be, the amount for which the attachment was made together with such costs as may have been incurred up to the date of deposit for causing the distraint, the property attached shall be released.

157. Investigation of claim, etc.—(1) Where any written claim is preferred by a person other than the defaulter to any right or interest in the distrained property, the distrainer shall refer the claimant to the Registrar and shall stay the sale and shall also inform the land mortgage bank or the co-operative society, as the case may be :

Provided that if the property distrained is of a perishable nature he shall forthwith sell the property in the presence of the claimant and keep in custody the sale proceeds.

(2) The Registrar on receipt of a claim to a distrained property shall forthwith notify the distrainer and also the land mortgage bank or the co-operative society, as the case may be, of such claim and may stay the sale.

(3) The Registrar shall investigate the claim and shall pass such orders as he thinks proper and communicate his orders to the distrainer who shall act accordingly :

Provided that the Registrar may, if he thinks fit, refer the claim to the civil court.

158. Private alienation of property after attachment to be void.—Where an attachment has been made under these rules, any private transfer or delivery of the property attached or of any interest therein, any payment to the defaulter

or any debt or other moneys contrary to such attachment shall be void as against all claims enforceable under the attachment.

159. **Appointment of Sale Officer.**—(1) The Registrar may appoint any officer subordinate to him or any other suitable person to conduct sales of property under the provisions of Chapter XI of the Ordinance.

(2) The appointment of a Sale Officer shall be notified in the area of operation of a co-operative land mortgage bank or the co-operative society, as the case may be, for which he is appointed in such manner as the Registrar may deem proper.

160. **Procedure for sale of immovable property.**—(1) An application to a Sale Officer for sale of any mortgaged property shall be signed by the secretary or the Principal Officer or any other person of the co-operative land mortgage bank or the co-operative society, as the case may be, duly authorised by the managing committee shall—

- (a) contain sufficient details for the identification of the property, and also a copy of the mortgage bond;
- (b) contain the names of all persons having interest in the property as laid down in section 104;
- (c) contain a report regarding the manner of service of notice under section 104;
- (d) specify the amount due for recovery including interest and the expenses incurred in the service of notice and other contingencies; and
- (e) contain any other particulars which the land mortgage bank or the co-operative society, as the case may be, may consider material for the purchasers to know in order to judge the nature and value of the property.

(2) On receipt of the application for sale of the mortgaged property, the Sale Officer shall give notice by registered post to all persons named in the application that he intends to sell the property after the expiry of thirty days from the date of service of such notice unless the amount due (including costs) to the co-operative land mortgage bank or the co-operative society, as the case may be, is paid within that period.

(3) On the expiry of thirty days from the service of the notice, the Sale Officer shall proceed to sell the property by auction and for that purpose shall cause a proclamation of the time and place of the intended sale to be made in the Bengali language and shall also specify as fairly and accurately as possible—

- (a) the property to be sold;
- (b) the amount for the recovery of which the sale is ordered; and
- (c) any other particulars which the Sale Officer considers material for a purchaser to know in order to judge the nature and value of the property.

(4) Every proclamation for the sale of immovable property shall be made at some place on or near such property by beat of drum, and a copy of

the proclamation shall be affixed on a conspicuous part of the office of the co-operative land mortgage bank or the co-operative society, as the case may be.

(5) The sale shall be made by public auction to the highest bidder.

(6) The Sale Officer shall have the power to divide a property into lots if he thinks it necessary in the interest of the debtor or the co-operative land mortgage bank or the co-operative society.

(7) Where the property is divided into lots for the purpose of being sold separately it shall not be necessary to make a separate proclamation for each lot.

(8) The sale shall be held in the village where the mortgaged property is situated or at the nearest place of public resort if the Sale Officer is of opinion that a better price is likely to be obtained there.

(9) All costs for the issue of the sale notice and for the proclamation of such sale be paid by the co-operative land mortgage bank or the co-operative society, on a scale fixed by the Registrar.

161. Abandonment of sale.—(1) Where prior to the actual sale the mortgager or any person acting on his behalf or any person having interest in the mortgaged property tenders payment of the full amount due including interest and costs incurred in connection with the sale of the property, the Sale Officer shall not proceed with the sale.

(2) If the Sale Officer considers that the price offered for property is not fair, he may upon the application of the owner of the property or some person authorised to act on his behalf, or the co-operative land mortgage bank or the co-operative society, concerned postpone the sale to some other date and on such date the sale shall be completed unless the price offered is in the opinion of the Sale Officer grossly inadequate.

(3) If the price offered is, in the opinion of the Sale Officer, grossly inadequate, the sale shall be postponed to another date and it shall be sufficient proclamation if the time and place of the sale and the nature of the property to be sold are announced by beat of drum at some place or near such property:

Provided that the Sale Officer shall not postpone the sale more than two times on the ground of inadequacy of price.

162. Method of calculating expenses incidental to sale of property.—The Registrar shall determine in each case the method of calculating the expenses incidental to the sale of the property.

163. Procedure for the receipt, deposit, etc.—(1) On every sale of property the person declared to be the purchaser shall pay, immediately after such declarations, a deposit of 25 per cent on the amount of his purchase money to the Sale Officer and in default of such deposit the property shall forthwith be re-sold.

(2) The balance of purchase money shall be paid by the purchaser to the Sale Officer on or before the fifteenth day after the date of sale.

(3) On payment of the balance of the purchase money the Sale Officer shall grant a receipt for the entire sale price.

(4) All moneys received by the Sale Officer on the sale of mortgaged property shall, not later than ten days after the receipt, be deposited in the co-operative land mortgage bank or the co-operative society, concerned.

164. Procedure in default payment of full amount of purchase money.—(1) If the balance of the purchase money referred to in rule 163(2) is not paid within the specified period the deposit shall be forfeited to the co-operative land mortgage bank or the co-operative society, as the case may be, and the property shall be re-sold.

(2) The defaulting purchaser shall forfeit all claims to the property or to any part of the deposit or of the sum for which the property may subsequently be sold.

(3) Every re-sale in default of payment of the purchase money within the period allowed for such payment shall be made after the issue of a fresh proclamation and in the manner hereinbefore laid down for the sale.

(4) Any deficiency of price which may ensue from re-sale by reason of the purchaser's default and all expenses attending such re-sale shall be certified by the Sale Officer, and shall be met out of the forfeited deposit referred to in sub-rule (1), and the amount which cannot be so met shall be recoverable from the defaulting purchaser, on application before a civil court having jurisdiction :

Provided that no such application shall be entertained unless made within thirty days of the date of re-sale.

165. Application to set aside a sale.—An application under section 106 to have a sale set aside shall be made within thirty days of the date of the sale :

Provided that the Registrar may, for reasons to be recorded in writing, entertain an application beyond the period of thirty days.

166. Return of purchase money and compensation.—(1) where a sale is set aside on an application under section 107, the Registrar shall intimate to the co-operative land mortgage bank or the co-operative society concerned his order setting aside the sale, and on receipt of such order, the managing committee of the bank or the society concerned shall issue a notice to the purchaser to appear on a date specified in the notice at the office of the bank or the society and receive repayment of the purchase money and such compensation as may be due to him.

(2) In the event of a dispute regarding the claim to the purchase money and compensation, the bank or the society concerned shall withhold payment and refer the disputants to the proper court for adjudication of their claim.

(3) The purchase money and compensation shall remain with the bank or the society till the dispute is decided by a court.

167. Form and method of submission of a report.—The report to the Registrar under section 107(1) shall contain the following particulars, namely :—

- (1) Name of Sale Officer ;
- (2) Date of sale ;
- (3) Place of sale ;
- (4) Description of property sold ;
- (5) Name of purchaser and address ;
- (6) Value realised ;

- (7) Amount of claim of the bank or the society including interest;
- (8) Cost of sale;
- (9) Application, if any, under section 106 and manner of disposal of such application.

168. **The notice to be served on the landowner by purchaser.**—(1) The Registrar shall grant a sale certificate to the purchaser in the form set forth in the Schedule.

(2) A purchaser of any mortgaged property shall supply to the Registrar a notice in the form set forth in the Schedule for service on the landowner.

(3) The purchaser shall pay a fee of three taka for service of notice on each landowner.

(4) The notice shall be served on the landowner or his recognised agent, as the case may be.

169. **Delivery of possession by court to purchaser.**—(1) Where the mortgaged property sold is in the occupancy of the mortgagor or of some person on his behalf or of some person claiming under a title created by the mortgagor subsequent to the mortgage in favour of the co-operative land mortgage bank or a co-operative society and a certificate in respect thereof has been granted under section 109, the court shall, on the application of the purchaser, order delivery to be made by putting such purchaser or any person whom he may appoint to receive delivery on his behalf in possession of the property.

(2) Where the property sold is in the occupancy of a tenant or other person entitled to occupy the same and a certificate in respect thereof has been granted under section 109, the court shall, on the application of the purchaser, and after notice to such tenant or other person, order delivery to be made by affixing a copy of the certificate of sale in some conspicuous place on the property and proclaiming to the occupant by beat of drum at some convenient place that the interest of the mortgagor has been transferred to the purchaser.

(3) In regard to the cases dealt with in sub-rules (1) and (2), the provisions of rules 97 to 103 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), shall, mutatis mutandis and so far as may be, apply.

170. **Procedure for the disposal of property purchased by a co-operative land mortgage bank or any other co-operative society.**—(1) Unless otherwise directed by the Trustee, a purchasing bank or co-operative society shall dispose of the property purchased by it by public auction on a specified date not later than six months from the date of purchase.

(2) The sale shall be previously advertised by—

- (a) advertising the property with full details in the local newspaper;
- (b) proclamation by beat of drum in the village where it is situated; and
- (c) publication of the sale notice in the office of the Deputy Commissioner of the district; office of the Upazila Nirbahi Officer, Upazila Parishad, Union Parishad, in which the property is situated.

(3) A copy of the advertisement shall be sent to the land owner by registered post.

171. Appointment of receiver, his duties, power, function and remuneration.—(1) On an application by a co-operative land mortgage bank or any central society or national society, the Registrar may by an order in writing appoint a receiver and the receiver so appointed shall be entitled either to take possession of the property or collect its produce and income, as the case may be, to retain out of the money realised by him his expenses of management including his remuneration, if any, as may be fixed by the Registrar in consultation with the bank or the society, and to apply the balance in accordance with the provisions of section 69A(8) of the Transfer of Property Act, 1882 (IV of 1882).

(2) The receiver shall open an account with such bank as the Registrar may approve.

(3) All moneys received shall be paid immediately into such account.

(4) The receiver shall duly account for all sums of money which he may receive in respect of the property and submit his accounts at the end of every month to the co-operative land mortgage bank or the co-operative society concerned and shall at the same time forward a copy to the Registrar.

(5) A receiver appointed under this rule may, for just and sufficient cause or on an application made by the co-operative land mortgage bank or the central society or national society concerned, be removed by the Registrar.

(6) A vacancy in the office of the receiver may be filled up by the Registrar.

172. Procedure if value of property is rendered in sufficient.—(1) When a member fails to give further security required by a co-operative land mortgage bank or central society under section 115, the bank or the society may, and if directed by the Registrar shall, proceed to take action for the recovery of the loan outstanding in the manner provided in Chapter XI of the Ordinance and the rules framed thereunder.

(2) A security shall be deemed to be insufficient if the value of the residue of the property does not exceed the loan outstanding by one-third of such loan or by such other greater proportion as may be provided in the bye-laws of the bank or the central society.

173. Action to be taken if bank fails to proceed under sections 100, 102 or 115.—If on a report of the Registrar or of any officer authorised to inspect co-operative land mortgage banks or any other co-operative societies, it appears to the Trustee that a co-operative land mortgage bank or any other society has neglected or failed to take action against a mortgagor under sections 100, 102 or 115, as the case may be, the Trustee shall be entitled after giving both the mortgagor and the co-operative land mortgage bank or the co-operative society concerned an opportunity to file any objection, to take action against the mortgagor for the recovery of the loan.

CHAPTER XII

ENFORCEMENT OF OBLIGATIONS AND RECOVERY OF SUMS DUE

174. Restrictions on issue of warrants.—No warrant for enforcing attendance of witnesses shall be issued without the previous sanction of the Registrar by an audit officer or arbitrator or liquidator or any other person conducting an enquiry or inspection under Chapter VIII of the Ordinance.

175. Procedure for conditional attachment of property.—(1) An application to the Registrar for a conditional order of attachment shall contain—

- (a) full details of the property to be attached, its estimated value and the claim of the co-operative society; and

- (b) evidence in support of the contention that the mortgagor is about to remove or dispose of the property.

(2) Order of attachment, if any, passed by the Registrar shall be served by such person as the Registrar may empower and the person so empowered shall follow, as far as possible, the procedure laid down in Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908).

176. Deputy Assistant Registrar, District Auditor and Inspector of Co-operative Societies may exercise powers under section 125.—The powers under section 125 may be exercised—

- (a) where the claim does not exceed Tk. 2000, by the Inspector of Co-operative Societies ;
- (b) where the claim exceeds Tk. 2000 but does not exceed Tk. 4000, by the District Auditor of Co-operative Societies ;
- (c) where the claim exceeds Tk. 4000, by the Deputy Assistant Registrar of Co-operative Societies.

177. Charge and surcharge under section 126.—When the Registrar holds an enquiry under section 126, he shall draw up proceedings against the officer concerned showing the charges against him, and shall—

- (a) supply the officer concerned with a copy of the proceedings and a summary of the evidence of which prima facie appears against him ;
- (b) call on the officer to furnish his explanation by a specified date ;
- (c) receive and record such evidence as may be adduced ; and
- (d) record a decision.

178. Culpable negligence.—Negligence in the following matters shall be deemed culpable within the meaning of section 126(1)(b), namely:—

- (a) investment, custody and employment of funds contrary to the provisions of the Ordinance, rules or bye-laws or any written direction of the Registrar given in accordance therewith ;
- (b) failure to remedy audit defects and irregularities when directed by the Registrar under section 80 ; and
- (c) failure to file disputes against defaulters and to execute any decree or award within the period of limitation.

179. Penalty for certain misdemeanours under section 127.—If no cause is shown within a specified time or the cause shown is not considered satisfactory, the Registrar may order a penalty for every contravention referred to in—

- (a) clause (a) of section 127—a sum not exceeding fifty taka ;
- (b) clause (b) of section 127—a sum not exceeding one-half of the amount of the loan.

180. Officers responsible for carrying out the direction of Registrar.—(1) In deciding the responsibility under section 128 as to which officer is to be held responsible for the carrying out of his directions, the Registrar shall always consider the secretary or the Principal Officer to be responsible unless there is anything in the bye-laws, or in any resolution of the general meeting or the managing committee by which a particular duty is entrusted to any officer other than the Secretary or the Principal Officer.

(2) In accordance with sub-rule (1), the Registrar may call on such person as he may hold responsible, to carry out any of his directions within such time as he may specify and, on his failure, may take action against him under section 128.

CHAPTER XIII MISCELLANEOUS

181. **Certified copies of entries in books.**—A copy of any entry in a book of a co-operative society may be certified by a declaration written at the foot of such copy that it is a true copy of such entry, that such entry is contained in one of the ordinary books of the society and was made in the usual and ordinary course of business, and that such book is still in the custody of the society; such certificate shall be dated and signed in the case of a primary society by the secretary or the Principal Officer, and in the case of a central society or national society, by the secretary or the Principal Officer or any other officer authorised in this behalf by the bye-laws.

182. **Procedure and condition for obtaining copies of documents.**—Certified or uncertified copies of any document which a member of the public has a right to inspect under the Ordinance, the rules or the bye-laws of a co-operative society shall on application be supplied under such conditions and upon payment of such fees as may be provided in the bye-laws.

183. **Fees for inspection of public documents filed in the office of the Registrar.**—(1) Any member of the public may, on payment of a fee of three taka for each occasion of inspection, with the permission of the Registrar, inspect for any lawful purpose, any public documents (exclusive of documents privilege under sections 123, 124, 129 and 131 of the Evidence Act, 1872) file in the office of the Registrar and, in particular, the following documents, namely:—

- (a) certificate of registration of a co-operative society;
- (b) bye-laws of a co-operative society and amendments effected in such bye-laws;
- (c) order directing the winding up of a co-operative society;
- (d) order cancelling the registration of a co-operative society;
- (e) annual returns;
- (f) register of co-operative societies.

(2) Certified copies of any document which any person has a right under sub-rule (1) to inspect shall be supplied on payment of—

- (a) five taka for certificate of registration; and
- (b) a sum calculated at the rate of 50 poisha for each hundred words of the copy or extract of any other document.

184. **Payment of fees.**—Unless the Government otherwise directs, all fees payable to it under the Ordinance or the rules, except audit fees, shall be paid in court-fee stamps.

185. **Repeal, etc.**—(1) The Co-operative Societies Rules, 1942, are hereby repealed.

(2) Notwithstanding such repeal, the provisions of sections 6 and 8 of the General Clauses Act, 1897 (X of 1897), shall apply to such repeal.

SCHEDULE

Form of application for the registration of a Co-operative Society with limited/unlimited liability

[See rule 8(1)]

To

The Registrar of Co-operative Societies

Dated..... 19

Sir,

We, the undersigned, agree to the enclosed bye-laws, and under section 10 of the Co-operative Societies Ordinance, 1984, (I of 1985) apply to be registered as a Primary/Central/National Co-operative Society with limited/unlimited liability under the title of..... the registered office being.....post office.....Upazilla/Thana..... union parishad.....district.....we hereby declare that none of our members is below 18 years of age. We further declare that none shall be granted membership unless he has attained the age of 18 years. (Applicable in respect of Primary Co-operative Societies only)

PART-I

Number	Name of applicant for registration	Father's name	Occupation	Age	Residence	Signature of applicant
1	2	3	4	5	6	7

PART-II

1. Name of proposed society ..
2. Nature of liability of members ..
3. On share basis or without shares ..
4. Number of applicants (Rule....) ..
 - (a) Individuals : ..
 - (i) Agriculturists ..
 - (ii) Non-agriculturists ..
 - (b) Co-operative Society : ..
 - (i) Agricultural ..
 - (ii) Non-agricultural ..
5. Name of the members of the first Managing Committee (Rule 39)
 (If it is desired that the Registrar should constitute the first Managing Committee by nomination, no name need be mentioned here).
 - (1) _____Chairman.
 - (2) _____Vice-Chairman.
 - (3) _____
 - (4) _____
 - (5) _____
 - (6) _____
6. Name and address of the person to whom communications, if any, are to be addressed prior to registration of the society.....
7. Name of organiser and his address

Signature of three applicants authorised by the promoters to sign on their behalf.

Signature of Organiser

- (1)
- (2)
- (3)

Date

FORM OF CERTIFICATE OF REGISTRATION

[See Rule 9(3)]

Certificate of Registration No.....of 19.....

In the office of the Registrar of Co-operative Societies.

In the matter of the application for the Registration of a Co-operative Societies

atin the district of.....

I do hereby certify that pursuant to the Co-operative societies Ordinance, 1984 (I of 1985), the said society has been registered in my office as a co-operative society with limited/unlimited liability under the title of the.....and the bye-laws filed by the said society have also been duly registered.

The following is the area of operation of the society :—

*Registrar,
Co-operative Societies.*

Dated thisday of.....one thousand
nine hundred and.....

Form of application for the registration of amendment of the bye-laws of a Co-operative Society.

[See rule 13(3)]

To

The Registrar of Co-operative Societies.....

Dated.....the.....19

Sir,

We the undersigned, beg to enclose, herewith, in duplicate/triplicate, the marginally-noted amendment of the bye-laws of the.....

- (1) Amendment of bye-law..... Co-operative Society in the district of..... No.....
- (2) Rescission of bye-laws.....and to apply for the registration No.....
- (3) A complete amendment substituting an entire set of bye-laws in supersession of all previous bye-laws.....

A copy of the amendment under section 12 of the Co-operative Societies Ordinance, 1984 (1 of 1985). The necessary particulars about the general meeting at which the amendment was passed are noted below :

- 1. Date of the meeting.....
- 2. Number of members present in person.....
- 3. Number of members who voted in support of the amendment.....
- 4. The total number of members of the society on the date of notice of general meeting.....

*2. For the reasons noted below the quorum required under rule 13 could not be secured.

We certify that the adoption of the proposed amendment would be in the interest of the society and that such amendment is likely to be approved by the general body of members.

Secretary/Principal Officer.

Members of the Managing Committee.

- 1.
- 2.
- 3.

.....Co-operative Society

*Paragraph 2 should be struck out when required quorum was present.

Certificate of Registration of amendment of bye-laws

[See rule 13(6)]

In the office of the Registrar of the Co-operative Societies.

I do hereby certify that pursuant to the Co-operative Societies Ordinance 1984 (1 of 1985), the amendments shown in the enclosed document of the bye-laws of the..... a co-operative society registered under the aforesaid Ordinance on the.....day of.....19.. under No.....in the district of..... has been duly registered. The following is the area of operations of the society:—

The bye-laws amended and registered this day are as follows :

Complete amendment of previous bye-laws.

Partial amendment of bye-laws Nos.....

Registrar of Co-operative Societies.

Dated this.....day ofone thousand nine hundred and.....

—

"Form of nomination paper"

[See rule 16(2)]

Name of society (in which the candidate will participate in poll)

Date of poll.....

1. (a) Name of candidate
(b) Father's/Husband's name
(c) Address
2. Candidate for—
3. (a) Name of society of which the candidate is a member.
(b) Date of admission as member
(c) Number of member in Member Register.
4. Copy of resolution as per rule.....
..... is attached duly attested by the Chairman of the society (in case of election of central or national society)
5. Number of identity card (attested) (copy to be attached).
6. Symbol selected by the candidate.
7. I hereby declare that I am not disqualified for election as member of Managing Committee of..... society which I am a member/to which my society is affiliated.
8. Signature of the candidate is attested.

Signature of the candidate.

Date

Chairman/Secretary/Principal Officer.
Seal of the society.

Date

(To be filled up by Election Committee)

Certificate of Delivery

The nomination paper along with connected documents of.....
a candidate for election as member of the Managing Committee of.....
society was delivered to me on.....(date) at (hour).....

*Signature of the Chairman/Member
of the Election Committee.*

Date.....

Certificate of Scrutiny

This is to certify that the eligibility of the candidate was scrutinised on....
..... (date) and found that the nomination.....
candidate for member of the Managing Committee of.....society is
valid. The Symbol allowed to the candidate is.....

The nomination paper, on scrutiny, is rejected on the following.....
.....
.....

Chairman of the Election Committee.

Acknowledgement

The nomination paper ofa candidate for election
to the Managing Committee of..... society
was delivered to me on..... (date) at (hour).....

*Signature of the Chairman/Member
of the Election Committee.*

Date

List of Symbols

[See rule 16 (5) (d)]

1. Chair
2. Mango
3. Book
4. Sword
5. Fish
6. Axe
7. Lock and Key
8. Lader

If the number of candidates exceeds the member of Symbols specified above the election Committee may add the required number of new symbols to the list.

FORM OF BALLOT PAPER

(See rule 20)

Counterfoil of ballot paper for
election of members.

Ballot paper for election of member.

Serial No

Symbol

Name of member

Symbol

.....

Symbol

Serial No. in the Members' List

Symbol

.....

.....

Signature/thumb impression of
the voter

.....

.....

Form of Identity Card of member

[See rule 22(2)]

(For central and national society)

Name of issuing society

Photograph to be attested
by the Chairman/Secretary/
Principal officer.

1. Name of member.....
2. Address in full.....
3. Member No. as per Member Register.....
4. The bearer of this identity card is authorised to participate in the annual
general meeting/general meeting/special general meeting of.....
.....Co-operative Society to be held on.....
at.....

Signature of the member.

*Seal and signature of the
Chairman/Secretary/Principal
officer of the Society of
which the bearer of this identity
card is a member.*

Register of members and their nominees.

(See rule 62)

1. Serial No.....
2. Name of members.....
3. Fathers' name.....
4. Age.....
5. Caste.....
6. Place of residence.....
7. Occupation.....
8. Date of membership.....
9. Name of nominee.....
10. Nominee's place of residence and relationship with the member.....
11. Date and reason of cessation of membership.....
12. Remarks.....
13. Signature or thumb-impression of the members.....

Register of affiliated societies

(See rule 62)

1. Serial No.
 2. Share Register Folio.....
 3. Name of society.....
 4. No. and date of registration.....
 5. Registered address.....
 6. Area of operation.....
 7. Date of affiliation.....
 8. Cessation.....
 - (a) Date.....
 - (b) reason.....
 9. Remarks.....
-

REGISTER OF MEMBERS OF MANAGING COMMITTEE:

(See rule 62)

1. Serial No.
2. Name.....
3. Occupation.....
4. Office, if any, held.....
5. Address in full.....
6. Date of election or appointment.....
7. Date from which continuing in office.....
8. Date of cessation and reasons for the same.....
9. Remarks.....

C.S. Form No. 12A (New.)

Form for Annual Return (Central

(See

Cash

Receipts	Tk. Poisha	Tk. Poisha	Tk. Poisha
I. Share receipts—			
(1) Ordinary
(2) Preference
II. Deposits received—			
(1) Current—			
(a) Individuals
(b) Societies
(2) Savings—			
(a) Individuals
(b) Societies
(3) Fixed—			
(a) Individuals
(b) Societies
(4) Deposits from Central Banks
(5) Other deposits
III. Loans, cash credit and overdrafts received—			
(1) Commercial Bank
(2) Central Banks
(3) Individuals and other Banks
IV. Loans, cash credits and overdrafts recovered—			
(1) Members—			
(a) Individuals
(b) Societies (of which crop loan.....) (of which .. by paper transaction.....)
(2) Liquidated societies Other—
(a) Non-member individuals
(b) Non-member societies
(c) Central Banks
V. Investments withdrawn—			
(1) Government securities
(2) Other gilt-edged securities
(3) Shares in Co-operative Societies
VI. Deposits in Banks withdrawn—			
(1) Commercial Bank
(2) Central Banks
(3) Other Co-operative Societies
(4) Other Banks
Carried over

Societies and National Societies).

Rule 63)

Account.

<i>Disbursements.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
I. Shares refunded—			
(1) Ordinary 		
(2) Preference 		
II. Deposits repaid—			
(1) Current—			
(a) Individuals 		
(b) Societies 		
(2) Saving—			
(a) Individuals 		
(b) Societies 		
(3) Fixed—			
(a) Individuals 		
(b) Societies 		
(4) Deposits from Central Banks	..		
(5) Other deposits 		
III. Loans, cash credit and overdrafts repaid—			
(1) Commercial Bank (of which by paper transaction.....).	..		
(2) Central Banks 		
(3) Individuals and other Banks	..		
IV. Loans, cash credit and overdrafts made—			
(1) Members—			
(a) Individuals 		
(b) Societies (of which crop loan.....)	..		
(2) Others—			
(a) Non-member individuals	..		
(b) Non-member Societies	..		
(c) Central Banks		
V. Investment made—			
(1) Government securities	..		
(2) Other gilt-edged securities	..		
(3) Shares in Co-operative Societies.	..		
VI. Deposits made with Banks—			
(1) Commercial Bank 		
(2) Central Bank 		
(3) Other Co-operative Societies	..		
(4) Other Banks 		
Carried over		

Cash

<i>Receipts—Contd.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
Brought forward			
VII. Block assets sale-proceeds—			
(1) Land and Buildings ..			
(2) Furniture ..			
(3) Others ..			
(a) ..			
(b) ..			
(c) ..			
VIII. Sale-proceeds of property taken over in satisfaction of claims.			
IX. Employees security deposit ..			
X. Employees Provident Fund Deposit ..			
XI. Interest received—			
(1) On loans, cash credit and overdrafts—			
(a) Individual members ..			
(b) Affiliated societies ..			
(c) Liquidated societies ..			
(d) Others ..			
(2) On investments—			
(a) Securities ..			
(b) Deposits with Banks ..			
XII. Other revenue receipts—			
(1) Dividends ..			
(2) Commission and discounts ..			
(3) Admission fess ..			
(4) Others—			
(a) Sale of forms ..			
(b) ..			
(c) ..			
XIII. Miscellaneous—			
(1) Societies' audit fees realised ..			
(2) Advances recovered ..			
(3) Bills for collection realised ..			
(4) Sale of goods to—			
(a) Members ..			
(b) Non-members ..			
(c) ..			
(5) Others—			
(a) ..			
(b) ..			
(c) ..			
XIV. Opening balance—			
Cash in hand ..			
Total ..			

Account.

<i>Disbursement— Contd.</i>		Tk. Poisha	Tk. Poisha	Tk. Poisha
Brought forward				
VII.	Block assets acquire— ..			
	(1) Land and building ..			
	(2) Furniture ..			
	(3) Others— ..			
	(a) ..			
	(b) ..			
	(c) ..			
VIII.	Property taken over in satisfaction of claims.			
IX.	Employee' security deposit repaid			
X.	Employees' Provident Fund repaid			
XI.	Interest aid—			
	(1) On deposit—			
	(a) Individuals ..			
	(b) Societies ..			
	(2) On loans, cash credits and overdrafts—			
	(a) National Bank ..			
	(b) Others ..			
XII.	Other revenue repayments—			
	(1) Commission and discount ..			
	(2) Salary of staff ..			
	(3) Contribution of Provident Fund.			
	(4) Audit fees ..			
	(5) Directors' fee and travelling allowance.			
	(6) Office expense and contingencies			
	(7) Outdoor officers' travelling ..			
XIII.	Miscellaneous—			
	(1) Societies' audit fees paid ..			
	(2) Advance made ..			
	(3) Bills for collection repaid ..			
	(4) Purchase of— ..			
	(a) Members' products ..			
	(b) Non-members' products ..			
	(5) Others— ..			
	(a) Dividend and bonus ..			
	(b) Purchase of saleable forms. ..			
	(c) ..			
XIV.	Closing balance—			
	Cash in hand			
	Total ..			

Signature of Secretary/Principal officer.

Date.....

Balance

<i>Capital and Liabilities.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
I. Share Capital			
Authorised—			
.....ordinary shares of			
Tk. each = Tk.			
.....Preference shares of			
Tk. each = Tk.			
Subscribed—			
.....ordinary share of			
Tk. each = Tk.			
.....Preference shares of			
Tk. each = Tk.			
Called up—			
.....ordinary shares at			
Tk. each = Tk.			
.....Preference shares of			
Tk. each = Tk.			

Total			
Less calls unpaid			
Paid up share capital			
Reserve liability, if any Tk.			
II. Reserve and other funds—			
(1) Statutory reserve			
(2) Reserve for bad and doubtful debts.			
(3) Reserve for overdue interest			
(4) Other funds—			
(a)			
(b)			
(c)			
(d)			
(e)			
III. Deposits—			
(1) Current—			
(a) Individuals			
(b) Societies			
(2) Savings—			
(b) Societies (of which Reserve Fund)			
(3) Fixed—			
(a) Individuals			
(b) Societies (of which Reserve Fund)			
(4) Deposits from Central Bank			
(5) Other deposits			

Carried over			

Sheet.

<i>Property and Assets.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
I. Cash and Bank Balances			
(1) Cash in hand			
(2) Cash at Bank in current and savings account (of which with National Bank.....)			
.....Other			
.....)			
II. Fixed and other deposits with Banks (of which with Commercial Bank.....Central Bank.....other Banks.....).			
III. Investments at cost—			
(1) Government securities (market value.....)			
(2) Other gilt-edged securities (market value.....)			
(3) Shares in Co-operative Societies.			
(Note of II and III (1) and (2) on account of own R/F Tk. Societies' R/F Tk. Employees' Provident Fund Tk.....Employees' Security Deposit Tk.....)			
IV. Loans, cash credit and over drafts to members.			
(1) Societies—			
(a) Long term (of which overdue.....overdue for more than 2 years....)			
(b) Short term (including crop loan Tk..... of which overdue.....).			
(2) Individuals			
V. Loans, cash credits and over-drafts to non-members—			
(1) Societies			
(2) Individuals			
(3) Central Banks			
Total amount overdue			
Carried over			

Balance

<i>Capital and Liabilities—Contd.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
Brought forward			
IV. Employees' Provident Fund ..			
V. Employees' security deposits ..			
VI. Loans, cash credits and overdrafts— ..			
(1) National Banks ..			
(2) Central Banks ..			
(3) Individual and other Banks ..			
VII. Interest payable— ..			
(1) On loans ..			
(2) On deposits ..			
VIII. Cost of management due— ..			
(1) Salary of staff ..			
(2) Office expenses and contingencies. Directors' fees and travelling allowance.			
(4) Others— ..			
(a) ..			
(b) ..			
(c) ..			
IX. Bills for collection (per contra)			
X. Dividend due			
XI. Sundry liabilities—			
(1)			
(2)			
(3)			
XII. Profit and loss appropriator accounts—			
Balance of undistributed profits (of which realised			
Total			

Signature of Secretary/Principal Officer.

Date.....

Sheet

<i>Property and Assets— contd.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
Brought forward ..			
VI. Interest receivable—			
(1) On securities ..			
(2) On deposits in Banks ..			
(3) On loans to members ..			
(Total amount overdue.....)			
VII. Dues from societies in liquida- tion—			
(1) Principal ..			
(2) Interest ..			
VIII. Properties taken over in satis- faction of claims—			
(1)			
(2)			
(3)			
IX. Block assets—			
(1) Land and buildings at cost or as per last balance sheet <i>less</i> depreciation for the period.			
(2) Furniture at cost or as per last balance sheet <i>less</i> deprecia- tion for the period.			
(3) Others at cost or as per last balance sheet <i>less</i> depreciation for the period.			
X. Bills for collection (per contra)			
XI. Sundry assets—			
(1) Stock of saleable forms ..			
(2)			
(3)			
Total ..			

Signature of members of MC

1.

2.

3.

Date

Manufacturing and Trading Account

	Tk. Poisha	Tk. Poisha
To <u>₹</u> stock at commencement—		
(a) Raw materials	..	
(b) Work in progress	..	
To purchase <i>less</i> returns	..	
To Wages	..	
Freight	..	
To Carriage inward	..	
To Fuel, water, etc.	..	
To Engine room stores	..	
To Factory, rent, rates and taxes	..	
To Foreman and Supervisors' salaries	..	
To other direct expenses of manufacture to be specified—	..	
(a)		
(b)		
(c)		
<i>Less</i> materials and stores at the end of the year—		
(a) Raw materials	..	
(b) Work in progress	..	
To Stock of finished goods at commencement	..	
To Transfer from manufacturing account	..	
To Gross profit transferred to profit and loss account.	..	

for the year ending

	Tk. Poisha	Tk. Poisha
By cost of manufacture carried to trading account		
By sales <i>less</i> returns (inward)		
By stock of finished goods at the end of the year		

Profit and

<i>Loss</i>	Tk.		Ps.		Tk.		Ps.	
To (1) Interest paid and due—								
(a) On loans ..								
(b) On deposits ..								
(2) Discount and commission ..								
(3) Salary of staff ..								
(4) Office expenses and contingencies.								
(5) Directors' fee and travelling allowance.								
(6) Miscellaneous—								
(a) Audit fee ..								
(b) Outdoor officer's travelling allowance. ..								
(c) Provident Fund contribution. ..								
(d) Provision for bad and doubtful debts. ..								
(e) Depreciation on Block Assets. ..								
(f)								
(g)								
Total ..								
Profit (+) or Loss (—) ..								
Grand Total ..								

*Signature of Secretary/
Principal officer.*

Date.

Loss Account

<i>Profit.</i>	Tk. Poisha	Tk. Poisha	Tk. Poisha
By (1) Interest earned—			
(a) On loans to members			
(b) On loans to others			
(c) On deposits with Banks			
(d) On gilt-edged securities			
(2) Discount, commission and dividends.			
(3) Miscellaneous—			
(a) Entrance fee			
(b) Profit on sale of forms			
(c)			
(d)			
(e)			
Total ..			
Grand Total ..			

*Signature of Members of
Managing Committee.*

1.

2.

3.

Date.

Actual distribution of profits of the previous years (passed in the General Meeting held on _____)

Profit of the year .. Tk.

Profits brought forward from previous year Tk.

		Total	..	
			Tk.	Poisha
1.	Reserved fund—			
	(a) Statutory (Not less than 15%)	..	Tk.	
	(b) Entrance fees	..	Tk.	
	(c) Forfeited share	..	Tk.	
	(d) Lapsed dividends	..	Tk.	
	(e) Penal interest	..	Tk.	
	(f)			
	(g) Additional allotment (if any)	..	Tk.	
		Total	..	Tk.
2.	To Dividend at per cent. ..	..	..
3.	Specification of other allotments—	..	..
	(1) ..	..	..
	(2) ..	..	..
	(3) ..	..	..
	(4) ..	..	..
4.	Carried to next year ..	..	..
		Total	..	

Signature of Secretary/
Principal Officer.

Date.

C.S. Form No. 3 (New).

C.S. Form No. 4 (New) for Bengali.

Annual Return for Primary societies with unlimited/limited liability.

[See rule 63]

Period covered by the statement.....from.....to..

District.....Area.....

1. Name and address of the society.....

2. Registered number.....

3. Number of members.....

4. Working Capital [Rule 2 (1)].....

5. Average working Capital—

Maximum, Minimum, Most usual rate*.

On borrowings

On lendings

On deposits

7. Rate of dividend declared at the close of the previous working year.....

*Rate at which bulk of money is borrowed or lent.

BALANCE SHEET

Assets		Tk.	Ps.	Liabilities		Tk.	Ps.
1. Cash in hand and banks ..				1. Loans and deposits from non-members			
2. Value of investments ..				2. Loans and deposits from .. societiesl ..			
3. Loans due by members (individuls) ..				3. Loans and deposits from .. National and Central banks ..			
4. Of which overdue (a) | ..				4. Loans from Government ..			
Tk.....				5. Loans and deposits from members			
5. Loans due by banks and societies ..				6. Share capital paid-up ..			
6. Of which overdue (a) ..				7. Interest and dividend due by societies ..			
Tk.				8. Cost of management due ..			
7. Interest due ..				9. Other items ..			
8. Value of stock in hand ..				1. Reserve fund under section 56 of Bengali Act XXI of 1940 ..			
9. Other items ..				1. Other Funds, e.g., Building Fund, etc. ..			
				2. Other undistributed profits carried forward			
Total ..				Total ..			
(Excluding items 4 and 6) ..				Profit (+) or Loss (-) ..			
GRAND TOTAL				GRAND TOTAL			

N.B.(a)—The figures against item Nos. 4 and 6 of assets should not be shown in the "Amount" column but shown in the inward column.

Manufacturing and Trading Account

			Tk.	Ps.	Tk.	Ps.
To stock at commencement—						
(a) Raw materials			
(b) Work in progress			
To purchase less returns			
To wages (productive)			
To freight			
To carriage, inward			
To fuel, water, etc.			
To engine room stores			
To factory, rent, rates and taxes			
To Foremen and Supervisor's salaries			
To other direct expenses of manufacture to be specified—			..			
(a)			
(b)			
(c)			
Less materials and stores at the end of the year—				
(a) Raw materials			
(b) Work in progress			
To stock of finished goods at commencement			
To transfer from Manufacturing Account			
To gross profit transferred to Profit and Loss Account			

for the year ending.....

	Tk.	Ps.	Tk.	Ps.
By cost of manufacture carried to Trading Account				
<hr/>				
By sales less returns (inward)				
By stock of finished goods at the end of the year				

Filed and Decrees obtained by Bank against members.

1. Number of suits pending disposal at the beginning of the year.
2. Filed during the year.
3. Total.
4. Satisfied before decree.
5. Decreed during the year.
6. Pending disposal at the end of the year.
7. Obtained in previous years and pending execution at the beginning of the year.
8. Obtained during the year.
9. Total.
10. Claims satisfied during the year.
11. Pending execution at the end of the year.

Signature and designation of officer.

Date of annual compilation.

Form of Quarterly Return showing the working of.....

Co-operative Society for the quarter ending.....19.....

(See rule 64)

- | | | |
|----------------|-------------|------------|
| I. Membership— | Individual. | Societies. |
|----------------|-------------|------------|
- (a) Number at the end of the last quarter.....
- (b) Number admitted during the quarter.....
- (c) Number ceased during the quarter.....
- (d) Total.....
- II. Owned capital—
- | | | | | | |
|--------------------------------|---|-----------|-------------|---|-----------|
| | Subscribed. | Paid up. | | | |
| (1) Share capital : Preference | <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Ordinary.</td> <td style="width: 50%; text-align: center;">Preference.</td> </tr> </table> | Ordinary. | Preference. | <table border="0" style="width: 100%;"> <tr> <td style="width: 100%; text-align: center;">Ordinary.</td> </tr> </table> | Ordinary. |
| Ordinary. | Preference. | | | | |
| Ordinary. | | | | | |
- (a) Total amount at the end of the last quarter.....
- (b) Amount subscribed and paid up during the quarter.....
- (c) Total.....
- (d) Amount refunded during the quarter.....
- (e) Balance at the end of the quarter.....
- (2) Reserve and other funds—
1. (a) Reserved fund.....
- (b) Amount separately invested.....
2. Other funds.....
- (b) Amount separately invested.....
- III. Borrowings—
- (1) Deposits:
- (A) Fixed :
1. (a) Total amount outstanding at the end of the last quarter.....
- (b) Amount received during the quarter.....
- (c) Amount repaid during the quarter.....
- (d) Balance at the end of the quarter.....
- (i) Members.....
- (ii) Non-members.....
- Average rate of interest payable.....
2. Deposits maturing during each of the next three following quarters.

(B) Current :

- (a) Total amount outstanding at the end of last quarter
- (b) Amount received during the quarter
- (c) Amount repaid during the quarter
- (d) Balance at the end of the quarter
- (i) Members
- (ii) Non-members

Average rate of interest payable

(C) Savings :

- (a) Total amount outstanding at the end of the last quarter
- (b) Amount received during the quarter
- (c) Amount repaid during the quarter
- (d) Balance at the end of the quarter
- (i) Members
- (ii) Non-members

(2) Account with National Bank—

Average rate of interest payable

(A) Loan account:

- (a) Amount due at the end of the last quarter
- (b) Loans taken during the quarter
- (c) Amount repaid during the quarter
- (d) Balance at the end of the quarter
- (e) Amount overdue

(B) Cash Credit and Overdraft Account :

- (a) Maximum limit of credit sanctioned
- (b) Amount drawn up to the end of the last quarter
- (c) Amount drawn during the quarter
- (d) Amount repaid during the quarter
- (e) Amount of overdraft at the end of the last quarter
- (f) Balance of undrawn cash credit

(C) Current account :

- (a) Balance at the end of the last quarter
- (b) Amount received during the quarter
- (c) Amount repaid during the quarter
- (d) Balance at the end of the quarter

(3) Account with Joint Stock Banks—

(A) Cash Credit and Overdraft Account:

- (a) Maximum limit of credit sanctioned
- (b) Amount drawn up to the end of the last quarter
- (c) Amount drawn during the quarter
- (d) Amount repaid during the quarter
- (e) Amount of overdraft at the end of the last quarter
- (f) Balance of undrawn cash credit

(B) Current Account :

- (a) Balance at the end of the last quarter
- (b) Amount received during the quarter
- (c) Amount repaid during the quarter
- (d) Balance at the end of the quarter

IV. Investments—

Individual.

Societies.

(1) Loans and interest (members):

- (A) (a) Balance of loans outstanding at the end of the last quarter
- (b) Loans issued during the quarter
- (c) Amount recovered during the quarter
- (d) Balance at the end of the quarter

Average rate of interest receivable

(B) Recovery of overdue loans :

- (a) (i) Overdue principal at the end of the last quarter
- (ii) Amount in respect of which extension has been granted
- (iii) Amount collected
- (iv) Balance (overdue at the end of the quarter)
- (b) (i) Kists which fell due during the quarter
- (ii) Amount in respect of which extension has been granted
- (iii) Amount collected
- (iv) Balance (overdue at the end of the quarter)
- (c) (i) Total amount of overdue loans remaining unpaid [(a) (iv) plus (b) (iv)]
- (ii) Amount of overdue loans in respect of which extension of time has been granted [(a) (ii) plus (b) (ii)]
- (iii) Amount of loan not yet due
- (iv) Total

(C) Realisation of interest from members :

- (a) (i) Over due interest at the end of the last quarter
- (ii) Amount collected
- (iii) Balance
- (b) (i) Interest which fell due for payment during the quarter.....
- (ii) Amount collected
- (iii) Balance
- (c) Total overdue interest remaining unrealised at the end of the quarter
 [(a) (iii) plus (b) (iii)

(D) Loans and interest due from societies under orders of winding up—
Principal Interest:

- (a) Balance outstanding at the end of the last quarter.....
- (b) Amount due from societies placed under liquidation during the quarter
- (c) Total
- (d) Amount collected
- (e) Balance at the end of the quarter

(2) Investment in co-operative societies (fixed, savings and current deposit):

- (a) Amount outstanding at the end of the last quarter.....
- (b) Amount deposited during the quarter
- (c) Amount withdrawn during the quarter
- (d) Balance at the end of the quarter

Average rate of interest receivable

(3) Investment in other banks and societies (fixed, saving and current deposit):

- (a) Amount outstanding at the end of the last quarter.....
- (b) Amount deposited during the quarter
- (c) Amount withdrawn during the quarter
- (d) Balance at the end of the quarter

Average rate of interest receivable.....

(4) Trustee securities :

- (a) Amount outstanding at the end of the last quarter
- (b) Amount deposited during the quarter
- (c) Amount withdrawn during the quarter
- (d) Balance at the end of the quarter

Average rate of interest receivable.....

(5) Cash in hand at the close of the quarter

For the quarter ending19.....

(A) Revenue

*Receipts**Disbursements*

Interest received—

Interest paid—

(a) Cash

(a) Cash

(b) By paper transactions

(b) By paper transaction

Others receipts —

Working expenses—

(a) Entrance fees

(a) Establishment

(b) Commission

(b) Contingency

(c) Discount

(c) Audit fee

(d) Rent

(d) Provident Fund contribution

(e)

(e)

Total

Total

(b) Miscellaneous.

<i>Receipts.</i>	<i>Disbursements.</i>
Advances recovered—	Advances made—
(a) Societies' audit fees realised	(a) Societies' audit fees paid
(b)	(b)
Suspense and similar accounts—	Suspense and similar accounts—
(a) Receipts from saleable items	(a) Purchase of saleable items
(stock, forms, etc.)	(stock, forms, etc.)
(b)	(b)
Opening balance	Closing balance.
Total	Total
GRAND TOTAL	GRAND TOTAL

Signature of Secretary/Principal Officer,

Date

Preservation and destruction of accounts, books and registers.

(See rule 67)

To be retained permanently.

1. Cash Book.
2. General Ledger.
3. Loan Ledger—
 - (a) Short-term loan.
 - (b) Long-term loan.
4. Ledger of Shares or share Register.
5. Ledger for fixed deposits.
6. Ledger for savings deposit.
7. Ledger for Provident deposits.
8. Ledger for Investments.
9. Ledger for Provident Fund.
10. Ledger for Societies Reserve Fund.
11. Ledger for Societies Charity Fund.
12. Ledger for Audit Fee.
13. Register of dividend.
14. Share Transfer Register.
15. Call Register of Shares.
16. Stock Book of forms and furniture.
17. Acquittance Roll.
18. Register of Issuing Cheque Books.
19. Register for issuing Pass Books.
20. Register of specimen signature of depositors and their nominees.
21. Register of members—
 - (a) Register of Preference shareholders.
 - (b) Register of ordinary shareholders.
22. Register of directors.
23. Minute Book.
24. Register of officers and their services.
25. Register of organisations.
26. Register of liquidated societies.
27. Register of office-bearers of affiliated societies and their specimen signatures.
28. Audit Notes and Audit Statements.
29. Register of Pronotes.
30. Catalogue (Library).
31. Register of letters received.
32. Register of letters issued.

To be retained for 12 years.

1. Register of dispute cases.
2. Register of Court Fees.
3. Ledger for suspense deposits.
4. Ledger for temporary deposits.
5. Ledger for temporary advances.
6. Register of Bills or Contingent Register.
7. Collection Register.
8. Register of assessment of normal credit of members.
9. Notice Book of Directors' Meeting.
10. Visitors' Book.
11. Office Order Book.
12. Receipt Books (containing counterfoils).
13. Vouchers.

To be retained for 6 years.

1. Budget estimates.
2. Returns and Statements.
3. Service Book of Officers.
4. Register of inspection of affiliated societies.
5. Register of Rectification Reports.
6. Register of Property and Debt Statements.

To be retained for 3 years.

1. Casual Leave Register.
2. Attendance Register.
3. Register of payment of travelling allowance.
4. Register of noting dates of withdrawal of deposits..

Form for submission of statement of debts by a member or a person applying a loan or membership of a co-operative society.

(See rule 86)

Name of the member or applicant

Address

Serial No.	Name of creditors (including landlords and others).	Date of loan.	Amount of the loan.	Rate of interest.	Purpose for which the debt was incurred.
1	2	3	4	5	6

Description of the document.	Amount paid.			Amount now due.			Remarks.
	Prin.	Int.	Total	Prin.	Int.	Total	
7	8	9	10	11	12	13	14

I solemnly declare that the information furnished above are true to the best of my knowledge and belief.

Signature of applicant.

Date

Form of notice under section 44 of the Co-operative Societies Ordinance,
1984 (1 of 1985).

(See rule 86)

Notice

In the matter of application of.....
son/wife of....., resident in mauza,
upazila/thana, district.....hereinafter mentioned as a debtor
To.....son/wife of,
resident in mauza,thana,district.....
.....

Whereas you are reported to be a creditor of the said debtor :

Notice is hereby given to you that an application for loan/membership has
been received from the said debtor, and that the managing committee of the
.....Co-operative Society will consider
the said application at the office of the society on the.....day of
.....19.....at.....o'clock.

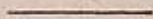
You are hereby required to submit to the Secretary/Principal Officer of the
society a written statement (in the form annexed) given full particulars of all
debts owed to you by the said debtor within one month of the service of this
notice upon you.

Seal of the Co-operative Society.

Signed
Secretary/Principal Officer.

.....*Co-operative Society*

Dated.....



Form for submission of claims of a creditor under section 43

(See rule 86)

Name of debtor

Address

Serial No.	Nature of the debt with description of any bond or other document.	Khatian and plot Nos. of any land mortgaged.	Date when the debt was first incurred.	Rate of interest shown in each bond.
1	2	3	4	5

Amounts paid since the current bond was executed.			Amount of principal now due.	Total claim as due.	Remarks. (Note here the amount of any loan given subsequently and amalgamated with the principal)
Prin.	Int.	Dates.			
	6		7	8	9

Signature of creditor

His Address

Form of application for demarcation of the irrigable area under section 48

(Rule 82).

To

The Collector of

The application of.....Co-operative Society for demarcation of the irrigable area under section 47 of the Co-operative Societies Ordinance 1984 (1 of 1985).

1. Particulars of the society—
 - (a) Registered name of the society.
 - (b) Dates of establishment.
 - (c) Address.
2. Particulars of source of irrigation—
 - (a) Description with boundaries.
 - (b) Local name.
3. Particulars of the persons having right of irrigation.
(Separate lists to be drawn up for members and non-members.)

Name and address of the member or non-member.	Plot No.	Class of land.	Boundaries.	Area.		Remarks.
				Acre.	Dec.	
1	2	3	4	5	6	7

Signature of Secretary/Principal officer

Form of application for demarcation of the protected area under section 48.

(See rule 87)

To

The Collector of

The application of Co-operative Society for demarcation of the area protected by embankment under section 48 of the co-operative Societies Ordinance, 1984 (1 of 1985).

1. Particulars of the society—
 - (a) Registered name of the society
 - (b) Date of establishment; and
 - (c) Address.
2. Particulars of the embankment—
 - (a) Description with boundaries,
 - (b) Local name, if any.
3. Particulars of the land and persons benefited by the embankment.

Name and address of the person (member or non-member).	Plot No.	Class of land.	Boundaries	Area.		Remarks.
				Acre.	Dce.	
1	2	3	4	5	6	7

Signature of Secretary/Principal officer

(Form of notice.)

(See rule 90)

Notice is hereby given that an application (copy enclosed) under section 48(1) section 49(1) of the Co-operative Societies Ordinance, 1984 (1 of 1985)

has been received from..... Society,.....

.....(address) for the demarcation of the area irrigable from the source of irrigation/protected by the embankment as specified therein(Designation of officer) has been deputed to prepare a map of the irrigable/protected area and also a statement of the cultivable/protected lands included therein by(date). Persons interested are hereby required to appear before him when he visits the locality and help him in the correct preparation of the map and the statement.

Form of statement.

(See rule 89)

- (1) Name and address of the persons in possession (member or non-member).
- (2) Name of mauza.
- (3) Khatian No.
- (4) Plot No.
- (5) Class of land.
- (6) Area in acres.
- (7) Boundaries.

Signature.

Date.

Form of Proxy.

(See rule 94)

The.....Co-operative Society (Limited). I
ofin the district ofbeing a creditor of the
.....Co-operative Society (Limited) hereby appoint.....
.....of.....as may proxy to vote for
me and on my behalf at the creditor's meeting under section 54 of the Co-
operative Societies Act, 1940 of the.....
Co-operative Society to be held on thethe day of.....
19.....and at any adjournment thereof.....

Signed this.....the day of19.....

Signature.....(50 Poisha stamp)

Witness

Name

Address

AUDIT STATEMENT

(Rule 121)

- (b) Building Fund Tk. ..
- (c) Education Fund Tk. ..
- (d) Dividend Equalisation Fund Tk. ..
- (e) Charity Fund Tk. ..
- (f) General Reserve Tk. ..
- (g) Employees' Security Deposit Tk. ..
- (h) Employees' Provident Fund Tk. ..
- (i) Reserve Fund of Societies Tk. ..

4. Loans due by members—

- (a) Individuals ..
- (b) Agricultural Credit Societies ..
- (c) Non-Agricultural Credit Societies ..
- (d) Other Societies ..

Of which—

- (i) Overdue Tk.
- (ii) Doubtful Tk.
- (iii) Bad Tk.

Interest outstanding from—

- (a) Individuals ..
- (b) Agricultural Credit Societies ..
- (c) Non-Agricultural Credit Societies ..
- (d) Other Societies ..
- (e) Investments ..

5. Of which—

- (i) Overdue Tk.
- (ii) Doubtful Tk.
- (iii) Bad Tk.

- (c) General Reserve ..
 - (f) Other Funds (to be specified) ..
4. Debentures ..
5. Overdrafts from Joint Stock Banks ..
6. Loans from Government ..
7. Loans and deposits from—
- (a) Members in an individual capacity ..
 - (b) Non-Members ..
 - (c) National Banks ..
 - (d) Central Banks ..
 - (e) Other Co-operative Societies ..

8. Other items—

- (a) Employees' Security Deposit ..
- (b) Employees' Provident Fund ..
- (c) Reserve Fund of Societies ..

9. Interest due by the Society of which overdue Tk. ..

10. Dividend unpaid ..
11. Bonus unpaid ..
12. Cost of management unpaid—

- (a) Establishment ..
- (b) Contingencies and other expenses ..
- (c) Audit fee ..

Liabilities		Tk.	Ps.	Tk.	Ps.	Tk.	Ps.
13.	Provision for bad and doubtful debts						
14.	Appropriation Accounts—						
	(a) Undistributed profits brought forward ..						
	(b) Net profits of the year ..						
	Total ..						
	Contingent Liability ..						
Assets							
6.	Value of furniture, equipment, etc.						
	Less depreciation Tk.....						
7.	Stock ..						
8.	Other items (to be specified)—						
	(a)						
	(b)						
	Total						

Signature of Secretary/Principal Officer.

Signature of Members of MC

1.
2.
3.

Date

Date

I report that I have audited the above Balance Sheet as at..... and the annexed Profit and Loss Account for the year ended and have obtained all the information and explanations I have required. In my opinion the Balance Sheet and the Profit and Loss Account have been drawn up in conformity with the law and subject to my separate report of even date, the Balance Sheet exhibits a true and correct view of the state of the Society's affairs according to the best of my information and the explanations given to me and as shown by the books of the Society. In my opinion the books of accounts have been kept as required under the act, the rules and the bye-laws.

Date.....

Signature of the Audit Officer.

Profit and Loss Account

	Tk.	Ps.		Tk.	Ps.
1. Interest paid and due ..			1. Interest earned ..		
2. Cost of management paid and due			2. Sale of forms, etc. ..		
(a) Establishment ..			3. By purchase and sale of goods including members' products.		
(b) Contingency and other expenses.			4 Other items—		
(c) Audit fee			(a) Entrance fees ..		
3. Debts written off ..			(b)		
4. Depreciation of furniture, equipment, buildings, etc.					
5. Other items—					
(a)					
(b)					
6. Provision for bad and doubtful debts ..					
Total					
Net profit (+) or loss(-)					
Total			Total		

Signature of Secretary/Principal Officer.

Date

Signature of Members of MC

1.....

2.....

3.....

Date

Signature of Audit Officer.

Date

Cash Account for the period from.....to.....

Receipts.		Disbursements.	
	Tk.	Ps.	
1. Share Capital			1. Share capital refunded ..
2. Debentures			2. Debentures repaid ..
3. Loans from Government ..			3. Loans from Government .. repaid.
4. Overdraft from Joint Stock Banks			4. Overdraft from Joint .. Stock Banks repaid.
5. Loan and deposits from—			5. Loans and deposits repaid to—
(a) Members (individuals)			(a) Members (individuals)
(b) Non-members (individuals)			(b) Non-members (individuals)
(c) National Bank			(c) National Banks ..
(d) Central Bank			(d) Central Banks ..
(e) Other Co-operative .. Societies.			(e) Other Co-operative .. Societies.
(f) Others			(f) Others
(to be specified) ..			(to be specified) ..
6. Loans and deposits reco- vered from members—			6. Loan to—
(a) Individuals			(a) Individuals ..
(b) Agricultural Credit | .. Societies.			(b) Agricultural Credit .. Societies.
(c) Non-agricultural Credit Societies.			(c) Non-agricultural Credit .. Societies.
(d) Other Co-operative .. Societies.			(d) Other Co-operative .. Societies.
7. Investments and deposits .. withdrawn—			7. Investments and deposits made—
(a) Government securities..			(a) Government Securities
(b) Shares in Co-operative.. Societies.			(b) Shares in Co-operative Societies.
(c) Post Office Savings .. Bank.			(c) Post Office Savings .. Bank.
(d) Postal Cash Certificate..			(d) Postal Cash Certificate
(e) National Bank			(e) National Banks.
(f) Central Bank			(f) Central Banks ..
(g) Others			(g) Others
(to be specified) ..			(to be specified)
8. Interest received			8. Interest paid
9. Other Income—			9. Other expenses—
(a)			(a) Establishment
(b)			(b) Contingencies
			(c) Audit fee
			(d) Others

Receipts.		Disbursement	
10. Sale of goods to—		10. Dividend	
(a) Members		11. Bonus	
(b) Non-members		12. Purchase of—	
		(a) Members' products	
11. Other items—		(b) Non-members' products	
(a)		13. Other items—	
(b)		(a)	
		(b)	
		(c)	
Total ..		Total ..	
Opening Balance ..		Closing Balance ..	
Total ..		Total ..	

.....
Signature of Audit Officer.

Date

.....
Signature of Secretary/Principal Officer.

Date

Liquidators's notice.

(See rule 143)

In the matter of Co-operative Society.....
in the district of..... under orders of winding up

Notice is hereby given that the above mentioned society has been placed under liquidation in Notification No, dated..... and the undersigned has been appointed a liquidator of the above society under section 91 of the Co-operative Societies Ordinance, 1984 (1 of 1985), all creditors of the above society are hereby required within one month from the date of this Notification, to send their names and addresses and the particulars of their claims to the undersigned as the liquidator of the said society.

.....
Signature of Liquidator.

Date.....

Form of the order of attachment of property

[See rule 155(3)]

Whereas on the day of you borrowed Tk. from the Land Mortgage Bank and as you have failed to pay the Land Mortgage Bank the sum of Tk. principal Tk. and interest, total Tk. it is ordered that you, the said be, and you are hereby prohibited and restrained until further orders from transferring or charging [the property specified in the schedule hereunto annexed, by sale, gift or otherwise, and that all persons be and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

Given under my hand and the seal, this day of 19.....

Schedule of property.

No. of plot 1	Khatian No. 2	Discription of property distrained. 3

Distrainer.

Form of Sale Certificate.

[See rule 168(1)]

I certify thathas purchased under the Co-operative Societies Ordinance, 1984 (1 of 1985), the property specified below, in the district ofand that the purchase took effect on the day of19.....

Registrar of Co-operative Societies.**Specification of Property.**

1. District
2. Thana/Upa-zilla
3. Sub-registry Office
4. Mauza
5. Tauzi
6. Jurisdiction List No.
7. Khatian No. and nature of interest in the property.....
8. Settlement Plot No. (Cadastral Survey)
9. Area
10. Boundaries of land (if portion of a cadastral survey plot is purchased).....
11. Name of purchaser, father's name and his address.....
12. Name of seller (mortgagor) with father's name and his address.....
13. Name of landlord and his address
14. Amount of rent or revenue payable including cess
15. Right of others in the land, if any (name, nature and extent of right)....

Form of notice to be served on the land owner by the purchaser of a property.

To

.....

Land owner

Take notice that properties specified in the sale certificate here to annexed has been purchased by me at a sale held under the Co-operative Societies Ordinance, 1984 (1 of 1985).

Purchaser of the property

Address

.....

By order of the President

ABDUL AWAL

Secretary,

*Rural Development & Co-operatives Division,
M/O. Local Govt., Rural Development & Co-operatives.*