

**BYE-LAWS
OF
THE DISTRICT COOPERATIVE LABOUR & CONSTRUCTION
SOCIETIES UNION LTD.,**

NAME, ADDRESS AND AREA OF OPERATION

1. The Society shall be called the District Cooperative Labour and Construction Societies Union Ltd., It shall be referred to hereinafter as the Union.
2. The Headquarter of the District Cooperative Labour & Construction Union shall be at Any change in the headquarter may be made by the Board of Directors of the Union with the prior approval of the Registrar, Cooperative Societies, Punjab.
3. The area of operation of the Union shall extend overDistrict.

OBJECTS

4. The objects of the Union shall be co-ordinate and facilitate the working of Cooperative Labour & Construction Societies. In the pursuance of this object the Union may undertake all such measure as are likely to assist and promote the organisation and functioning of Labour and Construction Societies
5. Without prejudice to the general provision of the proceeding bye-law, the Union may undertake one or more of the following activities:
 - 5(i) To help Labour & Construction Societies in securing works from the Government and or other Public and Private Institutions or from normal trade channels.
 - 5(ii) To assist, guide and advise Labour & Construction Societies in the settlement of any dispute which may arise between them and the Public Works Department or any other employer.
 - 5(iii) To render technical advice to Labour & Construction Societies in the matter of execution or works taken by them.
 - 5(iv) To represent the cause of Labour and Construction Societies in the State and to place their difficulties before various Govt. Departments so as to ensure speedy redress of their grievances.
 - 5(v) To carry out publicity and propaganda in the interest of Labour and Construction Societies by publication of suitable literature & organisation of conferences of Labour and Construction Societies or otherwise, and
 - 5(vi) To assist in the organisation or Cooperative Labour and Construction Societies workers.
 - 5(vii) To undertake execution of works on its own account.
 - 5(viii) To enter into agreement for any sorts of works with the works-awarding- agencies, to ensure fulfilment of execution of works with the help of members and Primary Coop:

Labour and Construction Societies and to obtain rights, concessions and privileges from the works-awarding-agencies.

- 5(ix) To provide financial accommodation to the Labour Cooperatives for execution of works/contracts entrusted to them.
- 5(x) To supply tools, implements, accessories and machinery to its members or their affiliated societies on hire purchase or hire system.

MEMBERSHIP

- 6. The following shall be eligible for admission as a member of the Union.
 - (a) The Cooperative Labour & Construction Societies registered within the area of operation of the Union shall be eligible for admission as members of the Union.
 - (b) The Assistant Registrar, Cooperative Societies, shall be an-ex-officio member without incurring any liability and holding any share.
- 7. Application for membership shall be addressed to the Secretary of the Union. Every such application shall be disposed off by the Board of Directors of the Union. The applicant to whom the admission is refused by the Board of Directors may appeal to the Registrar within 30 days of the communication of the decision. The decision of the Registrar on such appeal shall be binding on the Union and the appellant.
- 8. Every member shall, on admission, pay an admission fee of Rs.5/-
- 9. A member of the Union may be expelled by a majority of two-thirds of those member whose present at a General Meeting for one or more of the following reasons:
 - i) If the member fails to observe the bye-laws without any reasonable cause, and
 - ii) If the conduct of the member is contrary to the said objects of the Union or prejudice to the interest or reputation of the Union.
- 10. The membership of the Federation shall be terminated by :
 - (i) Cancellation of the registration of an affiliated Society.
 - (ii) Ceasing to hold at least one share.
- 11. After a member of the Union is expelled, then shares of the said member may be transferred under bye-law 13 (a) or after 3 months from the date of expulsion the share may be sold by the Board of Directors and the proceeds held at the credit of the said member.
- 12. Each member except the ex-officio shall hold at least one share of the value of Rs.1000/-. payable at the time of admission.
- 13.(a) No share shall be withdrawn, but shares may be transferred to an affiliated union duly qualified for membership and approved by the Board of directors of the Union. If the Board of Directors deem fit, the share may be purchased by the Union, out of the share transfer

fund. In case of the union under order of winding up under section 44 of the Punjab Cooperative Societies Act, the Board of Directors may on the request of the Liquidator dispose of the share as they think fit.

- (b) The member so expelled shall have the right of appeal to the Registrar against the decision of the General Body within one month of the date of such decision. The order of the Registrar or of any other person authorised by him on such appeal shall be binding on the Union and the appellant.
14. Every member whose name is entered as a member in the register of members shall without any fee, be entitled to a certificate specifying the share or shares held by the members and the amount paid thereof. The share certificate of the Union shall be signed by any one of the Directors and countersigned by the Manager or the Accountant. If a share certificate is defected, lost or destroyed, it may be secured on payment of such fee. If any, not exceeding 50 Paisa and on such terms, if any, as to evidence and indemnity as the Board of Directors impose.

LIABILITY

15. The liability of a share holder for deficit in the assets of the Union in the event of its being wound up shall be limited to the share capital subscribed by the share holder.

FUNDS

16. The Funds shall be composed of :
- (i) Issuing of shares of the value of Rs.1000/- each
 - (ii) Collection of the contributions from the societies out of payments received by them at a rate to be fixed by the Board of Directors from time to time with the approval of Registrar.
 - (iii) Deposits from members and non-members;
 - (iv) Raising of loans from Government, Cooperative Banks and with the previous approval of the Registrar, from the commercial Banks and others.
 - (v) Acceptance of grants, subsidy or other financial assistance from Government or other Institutions;
17. Each member shall contribute to the funds of the Union at a rate not less than Rs.1/- per hundred of the payments received by the Society. This amount of contribution is to be deducted by the Central Cooperative Bank, and to be credit into the account of the Union.

MAXIMUM CREDIT LIMIT

18. The maximum credit limit of the Union shall be fixed by the General Body in accordance with the instructions laid down by the Registrar from time to time. That limit thus fixed shall be subject to the approval of the Registrar who may at any time reduce it.

GENERAL BODY

19. The General Body of the of the Union shall consist of the following:-
- (i) Representatives of affiliated Societies.
 - (ii) Assistant Registrar Cooperative Societies.
20. The General Body of the Union shall meet from time to time at least once a year. It shall be convened by the Secretary of the Union under the directions of the Board of Directors. The General meeting shall also be convened, If the requisition for such a meeting signed by not less than 1/5 of the total members is received by the Board of Directors. If on the receipt of the requisition the Board of Directors fails, within a reasonable time to convene the general meeting, the signatures to the requisition may refer the matter to the Registrar, who may if he thinks fit, summon the general meeting. The Registrar may on his own motion at any time, summon a general meeting of the Union.
21. At least 15 days notice specifying the date, place and time and agenda of a general meeting shall be given to all members. The notice of the General meeting may be given in the following modes:-
- (i) By fixing a copy of the notice at the Union's office or some conspicuous place in the area of operation of the Union.
 - (ii) By post.
22. The quorum for the General meeting shall be 1/3rd of the total number of members or 30 whichever is less. If at the hour fixed for a General meeting, the quorum is not forthcoming, the Chairman of the meeting, if it has been called on requisition of the members adjourn it and no further general meeting shall be convened on the strength of the requisition. If the general meeting is convened otherwise than on requisition the Chairman shall postpone the meeting to a further date. A fresh notice for the subsequent general meeting shall be given to all the members. The business at the subsequent general meeting may be transacted with the number of members present.

23. The Chairman or in his absence the Vice-Chairman shall preside over the meeting of the general body, when both of them are absent, the members present shall elect a Chairman for the meeting.
24. Every members of the general body shall have one vote irrespective of the number of share held by him. Member Societies shall be represented by one of its members. No other proxies shall be allowed. Unless other wise provided in these Bye-laws, all questions shall be decided by a majority of votes of the members present. When the votes are equal the Chairman of the General Body shall have a casting vote.
25. Without prejudice to the general provisions of the proceeding Bye-laws, the general Body shall have the following Powers & duties:-
 - (i) Election, suspension and removal of the elected members of the Board of Directors including President and on more Vice President.
 - (ii) Consideration of the annual reports of the Union, its audited balance sheet and profit and loss accounts and its inspection notes;
 - (iii) Disposal of profits and in accordance with the Act the notified rules and these bye-laws.
 - (iv) The confirmation of the admission and expulsion of members and transfer of shares.
 - (v) Fixing of maximum credit limit of the Union consistent with these Bye-laws, subject to the approval of the Registrar;
 - (vi) Amendment of Bye-laws subject to the sanction of the Registrar.
 - (vii) To delegate to the Board of Directors and other office bearers of the Union such powers as may be necessary for conducting the day to day business of the Union.
 - (viii) To nominate persons to enter into legal agreement and to issue and draw cheques and other negotiable instruments for and on behalf of the Union;
 - (ix) To lay down the principles, rules and procedure for the distribution of the subsidies sanctioned by the Government;
 - (x) Transaction of any other business with the permission of the Chairman of the general body.
 - (xi). All business discussed or decided in a general meeting shall be recorded in a proceeding book which shall be signed by the Chairman of the meeting.

BOARD OF DIRECTORS

26. The Board of Directors of the Union shall be constituted in the following manner;
 - (i) Eight Directors to be elected out of member societies.
 - ii) Assistant Registrar, Cooperative Societies of the District Ex-officio.
27. No member shall be eligible for election, as a member of the Board of Directors if he:-
 - (i) Is below 21 years of age.

- (ii) Is convicted of any offence involving dishonesty or moral turpitude or has applied for insolvency or his declared insolvent or
- (iii) Is of un-sound mind; or
- (iv) Is interested directly or indirectly in any contract with the Union.

28. The elected members or the Board of Directors shall hold office for a period of three years from the date of their election. For the first two years the selection of retiring Directors shall be made by lots. The retiring Directors shall be eligible for re-election. If there is a vacancy during the year, it shall be filled up by co-option by the Board of Directors.

29. An elected member of the Board shall cease to hold office if he;

- (i) Ceases to be a member of the society he represents or
- (ii) Is convicted on any offence involving dishonesty or moral turpitude; or
- (iii) He applied for insolvency or is declared insolvent; or
- (iv) Become of un-sound mind or;
- (v) Is interested directly or indirectly in any contract with the Union; or,
- (vi) Absents himself from three consecutive meeting of the Managing Committee ; or
- (vii) Resigns and his resignation is accepted.

30. Meeting of the Board of Directors shall be held when necessary. Atleast 7 days of the meeting shall be given to the Directors before a meeting is held. The attendance of at least 3 members shall be required for the disposal of any business. The President or Vice-President or in their absence one of the other members elected for the purpose shall preside. Each member shall have one vote. A chairman shall have a casting vote in case of equality of votes. All questions shall be decided by a majority of votes, unless otherwise provided in these bye-laws.

31. Any four members of the Board of Directors may at any time requisition a special meeting of the Board of Directors by giving 10 days' notice to the President of the Union, who shall in that case convene a meeting of the Board of Directors. If however he fails to do so within a reasonable time the Registrar on the application of signatures may summon a meeting of the Board of Directors.

32. The Registrar may on his own motion also summon a meeting of the Board of Directors.

33. The Board of Directors shall exercise all the powers and discharge all the duties of the Union, except reserved for general body, subject to any regulations or restriction duly laid down by the Union in a general meeting or in the bye-laws. In particulars, the Board of Directors shall have the following powers and duties.

- (i) To observe in all their transactions, the provisions of the Act, the notified rules and the bye-laws.
- (ii) To maintain true and accurate accounts of all money received and expended and all stock bought and sold.
- (iii) To keep a true account of assets and liabilities of the Federation.
- (iv) To keep a register of members correct and up to date.
- (v) To prepare and lay before the general meeting a profit and loss account and audited balance sheet.
- (vi) To examine the accounts, sanction contingent expenditure and supervised the maintenance of the prescribed register.
- (vii) To consider the inspection notes of the Registrar or his staff and the audit notes of the Chief Auditor or his staff and to take necessary action.
- (viii) To elect new members, to issue new and transfer old shares.
- (ix) To give directions to the Secretary to summon general meeting, in accordance with these bye-laws.
- (x) To arrange for the safe custody of stock.
- (xi) To assist in the inspection of books by any person authorised to see them.
- (xii) To appoint, suspend, dismiss or punish employees, subject to any conditions laid down by the Registrar from time to time and to take proper securities from them as determined by the Registrar.
- (xiii) Through any member, or officer, or employee of the Union or any other persons especially authorised to institute, conduct, defend, compromise, refer to arbitration, or abandon legal proceedings by or against the Union or Board of directors, or officer, or employees concerning the affairs of the Union.
- (xiv) To acquire on behalf of the Union shares in other registered cooperative Societies.
- (xv) To arrange for the safe custody of books and appoint one of its members, one of the officers of the Union to take charge of all the registers and papers prescribed in these bye-laws.
- (xvi) To appoint one of the members of the Board of Directors to take charge of all money received and generally to carry on the duties of a treasurer in the absence of the treasurer. The person thus appointed shall hand over the money thus received to the treasurer on his return.
- (xvii) To accept or reject the resignation from the members of the Board of Directors.
- (xviii) To invest the surplus funds of the Union in accordance with the cooperative Law in force in the State.
- (xix) General to carry on the business of the Union.

34. The Board of Directors may constitute an executive committee and delegate to it such powers and functions as it considers fit.
35. In the conduct of the affairs of the Union the members of the Board of Directors or executive committee shall exercise the prudence and diligence of ordinary man of business and shall be responsible for any loss sustained through acts contrary to law, the bye-laws, and the stated objects of the Union.
36. All business discussed or decided at a meeting of the Board of Directors of executive committee shall be recorded in a proceedings book, which shall be signed by the recorded man of the meeting and all the members present.

MANAGER

37. The Board of Directors shall appoint a Manager with the previous approval of the Registrar, and may require from him to give security as it deems sufficient.
38. The powers and duties of the Manager shall be as below:-
 - i) To furnish such information with regard to the working of the societies, as may be required by the Registrar of P.W.D. authorities from time to time.
 - ii) To maintain correctly and upto date the prescribed papers and registers.
 - iii) To prepare all receipts, vouchers and documents required by the rules, or the bye-laws or called for by the Board of Directors.
 - iv) To sign on behalf of the Union and to conduct its correspondence.
 - v) To summon and attend all meetings of general body and the Board of Directors.
 - vi) To record the proceedings of such meetings and have then duly signed.
 - vii) To prepare the annual statements and submit them to the Registrar within the period prescribed ; by
 - viii) To certify copies of entries in the books under the cooperative societies Act:
 - ix) To control the staff under him.
 - x) To incur contingent expenditure within limits fixed by the Board of Directors.
 - xi) To procure from the borrowers the due execution of the bonds or receipts for the loans and advancer.
 - xii) Generally to conduct the current business of the Union, and perform all duties entrusted to him, by the Board of Directors.

Perform all duties entrusted to him, by the Board of Directors. The Board of Directors may appoint such other clerical or other supervisory staff, as may be necessary to assist the Manager in the discharge of his duties.

TREASURER

39. Treasurer shall be appointed by the Board of Directors and he shall take charge of all money received by the Union from any source, and shall make disbursements in according with the Directions of the Board of Directors. He shall sign the cash book in token of its correctness and produce the cash balance, whenever called upon to do so by the Chairman, Board of Directors, or auditor, or any other officer of the Cooperative Department.

REGISTRAR

40 The following books and papers shall be maintained :-

- i) A Register of member, following the name and address of every member, and the numbers of shares held, the date of termination of membership
- ii) A cash book, showing receipts, expenditures, and balance of each day, on which business is done.
- iii) A ledger account for each member, and creditor, and for miscellaneous income and contingent expenditure, and for purchase and sale of goods and stock.
- iv) A minute-book showing the proceedings of the General Meeting, and the Board of Directors, and the note of the inspecting officers,
- v) A register of shares,
- vi) A Stock register.
- vii) A register of purchase and sale.
- viii) A pass book for each member and depositor.
- ix) Any other register prescribed by the Registrar, or required by the Union for its business.

EMPLOYEMENT OF FUNDS

41. The funds of the Union may be devoted to the promotion of the stated objects of the Union, as set forth in the bye-laws. The Union may rent or build such offices and building as may be necessary to carry on its stated objects, and may acquire, take or give, or lease land for this purpose, with the previous approval of the Registrar.

42. Any money to the credit of a member, past member and deceased member shall be subject to first charge in favour the Union, in respect of any money due to the Union, from such members or past members. The Union shall be at liberty to set off the whole or any portion of the such paid up capital or deposit or any other money due to the member, against any sum due from him to the Union.

DISTRIBUTION OF PROFITS

44. The net profits of the Union, as per audited balance sheet shall be distributed as follows:-
- (a)(i) At least 6% of the net profit shall be carried to the Reserved fund.
 - ii) Out of the remainder, a dividend may be paid not exceeding 20% per annum of the value of the shares actually paid by the members.
 - (iii) The balance remaining may be utilized for one or more of the following purposes:-
 - 1. Dividend equalisation fund ;
 - 2. Common Good Fund;
 - 3. Share transfer fund ;
 - 4. Building Fund;
 - 5. Publicity propaganda funds;
 - 6. Any other fund that may be considered necessary;
 - 7. Distribution of Bonus to the staff at a rate not exceeding one month's pay.
 - (iv) The balance if any, shall be carried forward to the profits of the next year.
 - (v) The distribution of net profits shall be decided upon by the General Body on the recommendations of the Board of Directors, subject to the approval of the Registrar.
45. It shall be competent for the Union to incur expenditure on such measures as are conducive to the imparting of a knowledge of cooperative principles and practices. For this purpose, the society shall contribute to the Punjab Cooperative Union. Every year such amount not exceeding Rs.10/- as may be directed by the Registrar.
46. The Reserve Fund, shall be indivisible and no member shall be entitled to claim a specific share. In it, provided that in exceptional circumstances, with the prior approval of the Registrar, the Reserve fund may be utilized in meeting losses.

AMENDMENT OF BYE-LAWS

47. No amendment to these Bye-laws shall be carried out, save in accordance with the provisions of the Punjab Cooperative Societies Act, 1956.

MISCELLANEOUS

48. Should any doubt arise as to the interpretations of any bye-laws, the matter shall be referred to the Registrar whose decision shall be final.
49. The Union shall maintain such accounts, and shall prepare such returns and statements, as the Registrar may prescribed, from time to time.

50. The Board of Directors with the approval of the General meeting may frame rules of business, without prejudice to any of the foregoing bye-laws of the provisions the Punjab Cooperative Societies Act,1954 and Rules made there and for the furtherance of the stated objects of the Union and make additions or alterations in them from time to time.
51. The services of the members of the Managing Committee, shall be honorary but they may be paid travelling and daily allowance on a scale fixed by the Board of Directorse and approved by the Registrar.
52. The Union shall maintain the accounts, books and other record connected with accounts in such from and manner, as may be directed by the authority competent to do so, under Cooperative Societies Act in force for the time being.
53. If the Union is in debited to a Cooperative Financial Institution, it shall be competent for a representative to inspect the books and record of the Union. Board of the Directors of the Union shall arrange the all books and record before such representatives.
54. If any dispute, other than a dispute regarding disciplinary action taken by the Union, or its Board of Directors, against a paid servant of the Union, touching the constitution or business of the Union, arises between the members, and past members of the Union, or other persons referred to in the relevant provisions of the Punjab Cooperative Societies Act,1954, and the Rules framed therein, it shall be disposed of in the manner provided in such an Act and Rules.
55. Work related to the execution of the award in favour of the Union shall be carried out by an execution Union, or execution agent, approved by the Registrar, and the Union shall not withdraw any award, unless, the dues of the execution Union or the execution agents have been paid.
56. The Federation may in the circumstances specified by the relevant provisions of the Punjab Cooperative Societies Act be wound up, and cancelled by the Registrar in accordance with the procedure laid down by such an Act, and the Rules framed there under.
57. In these bye-laws, unless there is anything repugnant to the context, Registrar shall include an Officer subordinate to him, and authorised by him in this behalf.

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