

**MODEL BYE LAWS  
OF  
THE FATEHABAD CENTRAL COOPERATIVE BANK LTD;  
FATEHABAD**

1	<p><b><u>NAME AND ADDRESS</u></b></p> <p>This ‘Society’ shall be called “The Fatehabad Central Coop. Bank Ltd., Fatehabad”. It shall be referred to herein after in the Bye-Laws as the "<b>BANK.</b>" Its registered office, shall be at Fatehabad.</p> <p>(a) The word ‘<b>Bank</b>’ shall be used by the ‘Society’ in terms of Section 22 of the Banking Regulation Act, 1949 (AACS).</p> <p>(b) The correspondence address of the bank shall be as under:-  <b>The Fatehabad Central Cooperative Bank Ltd; Fatehabad, Opp.M.M.College, G.T.Road, Fatehabad-125050 (Haryana).</b></p> <p>Any change in the address of registered office of the bank shall be made by the General Body of the Bank. Any such change shall be communicated by the Bank to the Registrar of Cooperative Societies, Haryana within 30 days of such change.</p>
2	<p><b><u>AREA OF OPERATION</u></b></p> <p>The area of operation of the bank shall extend over whole of District Fatehabad.</p>
3	<p><b><u>OBJECTS</u></b></p> <p>The object of the bank shall be to facilitate the operation of the affiliated Cooperative Societies in particular and its other constituents in general. In pursuance of this object, the Bank may, in addition to the business of banking, engage in any one or more of the following forms of business, namely:-</p>
3(a)	<p>The borrowing, raising or taking up of money, the lending or advancing of money either upon or without security, the drawing, making accepting discounting, buying, selling, collecting and dealing in bills of exchange, hoondies, promissory notes, coupons, drafts, bills of landing, railway receipts, warrants, debentures, certificates, scripts and other instruments and securities whether transferable or negotiable or not, the granting and</p>

	issuing of letters of credit, traveler cheques and circular notes, the buying, selling and dealing in bullion and specie, the buying and selling of foreign exchange including foreign bank notes, the acquiring, holding, issuing on commission under writing and dealing in stock, funds, shares, debentures, debenture stock bonds, obligations securities and investments of all kinds, the purchasing and selling of bonds scripts or other forms of securities on behalf of constituents or others, the negotiating of loans and advances, the receiving of all kind of bonds, scripts of valuables on deposits or for safe custody or otherwise, the providing of safe deposit vaults, the collecting and transmitting of money and securities
(b)	Acting as agents for any govt. or local authority or any other person or persons, the carrying on of agency business of any description including the clearing and forwarding of goods giving receipts and discharges and otherwise acting as an attorney on behalf of customers;
(c)	contracting for public and private loans and negotiating and issuing the same;
(d)	The effecting insuring, guaranteeing, participating in managing and carrying out of any issue, public or private, of state, municipal or other loans of shares, stocks, debentures or debenture stock of any company, Cooperative society, corporation or association and the lending of money for the purpose of any such issue;
(e)	Carrying on and transacting every kind of guarantee and indemnity business;
(f)	Managing, selling and realizing any property which may come into the possession of the Co-operative Bank in satisfaction or part satisfaction of any of its claims;
(g)	Acquiring and holding and generally dealing with any right, title or interest in any such property which may form the security or part of the security for any loans and advances or which may be connected with any such security;
(h)	Undertaking and executing trusts;
(i)	Undertaking the administration of estates as executor, trustee or otherwise;

	(j)	Establishing and supporting or aiding in the establishment and support of associations, institutions, funds, trusts and conveniences calculated to benefit employees or ex-employees of the Co-operative bank or the dependents or connections of such persons granting pensions and allowances and making payments towards insurance subscribing to or guaranteeing moneys for charitable or benevolent objects or for any exhibition or for any public, general or useful objects;
	(k)	The acquisition, construction, maintenance and alteration of any building or works necessary or convenient for the purpose of the co-operative bank;
	(l)	Selling, improving, managing, developing, exchanging, leasing, mortgaging, disposing of or turning into account or otherwise dealing with all or any part of the property and rights of the cooperative banks.
	(m)	Acquiring and undertaking the whole or any part of the business of any person or company or Cooperative society, when such business is of a nature enumerated or described in this sub-section;
	(n)	Doing all such other things as are incidental or conducive to the promotion or advancement of the business of the cooperative bank.
	(o)	Any other form of the business which the Central Govt. may, by notification in the official Gazette, specify as a form of business in which it is lawful for a cooperative bank to engage;
	(p)	To make arrangements for supervision and inspection of the affiliated cooperative societies; and
	(q)	To undertake such other measures as are conducive to the attainments of its objects, compliance of Cooperative Principles and spread of cooperative education.
4	<b><u>MEMBERSHIP</u></b>	
	The membership of the bank shall be open to :-	
	i)	PACS, FSS and other such cooperative societies registered within the area of operation of the bank or SHG or any other statutory body notified by the Govt.;
	ii)	the Government;

	iii)	Such class or classes of persons or associations of persons, corporate bodies, firms or joint stock companies as may be notified by the Govt. in this behalf as provided under section 16 (d) of the Act.
	iv)	Persons admitted as nominal or associate members in accordance with the provisions of Section 18 of the Haryana Cooperative Societies Act, 1984 as applicable to the State of Haryana provided that the associate or nominal members shall not be entitled to any share in any form whatsoever in the assets and profits of the bank. They shall also not incur any liability in the event of loss to the bank. They shall also not have a right of vote in the affairs of the bank.
	(v)	Any person or Self Help Group, joint liability group or a cooperative society or any other statutory body notified by the Government in this behalf is an associate member of the Bank, in accordance with Section 18 of the Haryana Cooperative Societies (Amendment) Act, 2006, . Self Help Group means and includes a group of persons for their economic development.
	(vi)	An associate member shall not be entitled to any share in any form whatever in the assets or profits of the Bank but shall have such privileges and rights of the member as may be specified from time to time.
5	i)	<p>Application for membership of the bank shall be addressed to the Chief Executive Officer of the Bank. Every such application shall be disposed off not later than the expiry of a period of one month from the date of receipt of the application by the Chief Executive Officer. The Chief Executive Officer shall be competent to enroll a society as member of the bank.</p> <p>The applicant to whom admission is refused may appeal to the Registrar Cooperative Societies Haryana, within 30 days of the communication of the decision, as provided in section 114 of the Act.</p>
	ii)	Notwithstanding anything contained in the bye-law No. 4. no member of the Bank shall exercise the right of a member unless he has made such payments to the Bank in respect of membership in accordance with the Section 19 and 19A of the Act.
6		A MEMBER OF THE BANK may be expelled by a majority of two third of those present at a general meeting for one or more of the following reasons :-
	(i)	if the member persistently defaults in the payment of any sum due to the bank;
	(ii)	if the member fails to observe the bye-laws without any reasonable cause;
	(iii)	if the conduct of the member is contrary to the stated objects of the bank or is prejudicial to the interests and reputation of the bank.

	(iv)	if he is convicted for a criminal offence involving moral turpitude or dishonesty; and
	(v)	if he has applied or declared as insolvent.

7	The membership of the bank shall stand terminated by :-	
	(i)	cancellation of the registration of an affiliated society;
	(ii)	expulsion under bye-law No. 6 above; and
	(iii)	by retirement of shares in full.
8	Every member shall hold at-least one share of the value of Rs. 500/- each. Full value of the share shall be payable by the member on admission along-with an admission fee of Rs. 10/-.	
9	Every member shall, without payment of any fee, be entitled to a certificate specifying the share or shares held by him and the amount in respect thereof. Such a certificate shall be signed by any two of the following :	
	(i)	Chairman of the Bank;
	(ii)	Manager of the Bank,
	(iii)	Any Officer of the bank so authorized by the Board of Directors.
	(iv)	Administrator of the bank , if any.
10	Except as provided in the Act, and the rules no shares shall be withdrawn by any member, but shares may be transferred to a member and further provided that no shares shall be transferred unless they have been held for a period of two years, however, in case of societies under orders of winding up under Sec. 105 of the Cooperative Society Act, 1984 C.E.O. may on the request of the liquidator dispose off the shares as he thinks fit..	
11	A nominal or associate member shall not be required to hold any share. He shall, however, pay the admission fee only.	
12	<b><u>LIABILITY</u></b> The liability of a member for deficit in the assets of the bank in the event of its being wound up, shall be limited to the face value of the share or shares held by him.	
13	<b><u>SHARE CAPITAL</u></b> *amended ● Authorised Share capital enhanced upto 50.00 crores The authorized share capital of the Bank shall be Rs. Fifteen crore made up of ordinary shares of the face value of Rs.500/- each.	

	Provided as per the provisions of Section 29 of the Haryana Cooperative Societies (Amendment) Act, 2006, the share capital contribution by the Govt. shall not exceed twenty-five percent of the paid-up share capital.
14	<p><b><u>FINANCIAL FUNDS RESOURCES</u></b></p> <p>The bank shall ordinarily raise financial resources/ funds from the following sources :</p>
	(i) Share subscription and admission fee from the members;
	(ii) Deposits from members and non-members;
	(iii) Loans and subsidies from the Government;
	(iv) Take loans from any RBI regulated financial institution of its choice and refinance from NABARD.,
	(v) Any other sources as may be specified by the Registrar, Cooperative Societies from time to time.
15	<p><b><u>MAXIMUM CREDIT LIMIT*amended</u></b></p> <p><b><u>Model amendment</u></b></p> <p>Unless specifically reduced by the Registrar, Cooperative Societies, the maximum credit limit of the Bank shall be 25 time of its owned capital.</p> <p>● Amended:-Maximum credit limit of the bank shall be 40 times of its owned capital.</p>
16	<p><b><u>GENERAL BODY</u></b></p> <p>The general Body of the bank shall consist of all its members as stated in Bye-laws No. 4 above including the Government nominee appointed under section 29 of the Haryana Cooperative Societies Act. However, in case of a Cooperative Society the committee of which has been superseded by the Registrar, Cooperative Societies under section 34 of the Act, the Administrator so appointed may nominate a representative to attend the general meeting of the bank from amongst members of the society.</p>
17	<p>a) The General Body of the Bank shall meet at least once in a financial year within six months of the end of financial year) for the purpose mentioned in section 25 of the Act. The gap between two meetings should not be more than 15 months.</p> <p>b) The General Body shall also be convened by the Bank on receipt of request for convening of such meeting signed by at least one third of the total members having voting rights within 30 days from the receipt of such requisition, failing which the signatories of such requisition may refer the matter to the Registrar, Cooperative Societies who shall call meeting of the General Body within 30 days from the receipt of the requisition to him . The General Body meeting so convened shall transact only the business mentioned in the requisition.</p>

18	<p>The General Body Meeting of the Bank shall be convened by the Chief Executive Officer of the Bank under the direction of the Board of Directors of the Bank.</p> <p>A general meeting shall also be convened after the requisition for such a meeting signed by not less than one-third total members, exclusive of associate member is received by the Chief Executive Officer. If on the receipt of a requisition, the Chief Executive Officer fails to call the General Body meeting within 30 days, the signatories of the requisition may refer the matter to the Registrar, who may summon the General Body Meeting. The General Body Meeting so convened shall transact only the business mentioned in the requisition. The Registrar, Cooperative Societies, may on his own motion at any time summon the General Body meeting of the Bank.</p>
19.	<p>At least 15 days clear notice specifying the date, place, time and agenda of the general meeting shall be given to all members. The quorum for the general meeting shall be 1/5<sup>th</sup> of the total members or 30 whichever is less. If within one hour from the time for a General Meeting quorum is not forthcoming, the Chairman of the meeting shall, if the meeting has been called on the strength of the requisition, adjourned sine die and no further general meeting shall be convened on the strength of this requisition. If the general meeting has been 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 members. The business at the subsequent meeting may be transacted with the number of members present.</p>
20	<p>The Chairman of the Board of Directors or in his absence Vice-Chairman shall preside over the meeting of the General Body. In the absence of both of them, the members present may elect a Chairman from amongst themselves to preside over the meeting.</p>
21	<p>All the members are entitled to attend the General Meeting through a duly authorized representative of the society, and each member shall have one vote only, irrespective of the number of shares held, except the Government where all its nominees shall attend the General Meeting and shall have one vote each. Associate member shall be entitled to attend the General Meeting but they shall have no right of voting.</p>
22	<p>In case of equality of votes, the chairperson presiding over the meeting shall have a second or casting vote.</p>
23	<p>A declaration by the Chairperson of any meeting that the resolution has been carried upon by a show of hands shall be conclusive, unless immediately on such a declaration, re-counting of votes is demanded by at least 15 members present in meeting.</p>

24	The proceedings of the General Body Meeting shall be recorded in a minute book to be kept for the purpose and shall be signed by the Chairperson.	
25	Unless otherwise provided in these bye-laws, the ultimate authority in all matters relating to the affairs of the Bank shall meet in the General meeting.	
26	Without prejudice to the general provisions of the bye-laws, the following among other matters, shall be dealt with by the General Body of the Bank;	
	(i)	Audit report, Inspection report and the Annual report;
	(ii)	Disposal of the net profits in accordance with Act, Rules and the bye-laws;
	(iii)	Amendment or repeal of any existing bye-laws including adoption of new bye-laws;
	(iv)	Expulsion of the members;
	(v)	Approval of the Annual Action Plan/activity /activities of the Bank prepared by the Board of Directors for future.
	(vi)	Review of performance of the preceding year.
	vii)	Review of State of affairs of the Bank including list of defaulters along-with amount of default.
	viii)	Creation of specified reserves and other funds and utilization thereof.



<p style="text-align: center;">27 * amended</p>	<p>(i) The Board of Directors of the bank shall be constituted in the following manner:-</p> <p>a) 7 Directors to be elected by the Cooperative Agriculture Credit/service Societies and farmers service societies holding shares in the bank.</p> <p>b) 3 Directors to be elected by the Cooperative Societies other than those in clause 28(a) above, provided that one zone each for woman and scheduled caste shall be reserved as per the provisions of section 28 of the Haryana State Cooperative Societies Act, 1984.</p> <p>Provided further that at least one member belonging to backward class shall also be represented through election in the committee if their number is 10 percent or more of the total membership of the society in the manner prescribed.</p> <p>c) The Managing Director of the Haryana State Coop. Apex Bank Ltd; or his nominee.</p> <p>d) Government nominee appointed under section 29 of the Act, and</p> <p>e) Two Professional Directors having experience as specified by the Reserve Bank of India, shall be co-opted with full voting rights in the Committee, and if not already elected.</p> <p>(ii) Notwithstanding any thing contained in clause (i) above, partial BODs can be constituted provided quorum is attained. However, election of remaining zones shall be held within 6 months from the date of partially constituted Board commences functioning.</p>
<p style="text-align: center;">28</p>	<p>Notwithstanding anything contained in the preceding bye-laws, where at the time of adoption of these bye-laws, there is already functioning a Board of Directors elected in accordance with the provisions of the bye-laws replaced such Board shall continue to function for its full tenure as determined under the bye-laws replaced.</p>
<p style="text-align: center;">29* amended</p>	<p>Where a vacancy occurs due to death, resignation, removal if any member etc. on the Board shall be filled by election for the residual period if residual tenure of the Board is more than six months.</p>
<p style="text-align: center;">30</p>	<p>The members of the Board of Directors shall hold office for a period of five years from the date of election and shall be eligible for re-election in</p>

	accordance with provisions of Act, rules and bye-laws of the bank.
31	The election of the Board of Directors shall be conducted in such a manner as may be laid down in the rules of election framed by the Govt. from time to time.
32	The Chairman and Vice- Chairman of the Bank shall be elected by the members of the Board of Directors from amongst its selected members.
33	An elected member of the Board of Directors shall cease to hold office if ;
(i)	He is a representative of a society which is under winding up orders or is in 'D' class;
(ii)	He ceases to be share-holder of the society which he represents;
(iii)	He becomes paid employee of; (a) any cooperative society; (b) the bank; (c) the Government;
(iv)	He is convicted of any offence involving dishonesty or moral turpitude;
(v)	He applies for bankruptcy or is declared insolvent;
(vi)	He becomes of unsound mind;
(vii)	He receives any honorarium from any cooperative society or the Bank;
(viii)	He becomes interested directly in any contract with the bank or any sale or purchase made by the bank privately or in auction;
(ix)	He become defaulter in regard to personal loan or borrows above his M.C.L from any society.
(x)	He becomes subject to any other disqualification which would have prevented him from seeking election and he incurred this disqualification before the election
(xi)	He absents from three consecutive meetings of the Board without sufficient reasons.
(xii)	His acts are conclusively proved to be contrary to interest of the bank.
(xiii)	He conducts in a manner not behaving to a director.
34	The Chairman or in his absence the Vice Chairman shall preside over the meetings of the Board of Directors and Executive Committee. However, in the absence of both the Chairman and the Vice Chairman , the members present at the meeting shall elect one amongst themselves as the Chairman of the said meeting
35	The Board of Directors shall meet at-least once in three months for the disposal of the business of the Bank or as often as may be necessary.
36	One third or five members whichever is less of the Board of Directors shall

	<p>form quorum for the meeting. Each member shall have one vote. Unless otherwise provided in these bye-laws or by the statutory rules notified by the Government or as provided in the Act, all matters shall be decided by a majority of votes. In case of equality of votes, the Chairman of the meeting shall have a casting vote.</p>
37	<p>The meeting of the Board of Directors shall be convened by the C.E.O. at his own motion or under the directions of the Chairman or the Registrar. At least 15 days clear notice of the meeting shall be given specifying the date, time and place. The agenda notes to the members of the Board shall be circulated well in time before the meeting is held. With the prior approval of the Registrar, an emergent meeting may be held after giving a notice of at least 3 days.</p> <p>An item on the agenda shall have to be included by the C.E.O. for consideration in case at least 3 members of Board of Directors sponsor an item for the agenda in writing.</p>
38	<p>Meeting of the Board of Directors once fixed shall not be postponed, unless at the time of meeting it is found that the quorum for the meeting is inadequate.</p>
39	<p>One-third members of the Board of Directors may requisite a special meeting of the Board of Directors by giving at least 21 days clear notice to the C.E.O. of the Bank. On receipt of the requisition, the C.E.O. shall convene a meeting of the Board of Directors. If, he fails to do so within a period of 21 days of receipt of requisition from the members, the Registrar on the application of the signatories of the requisition may summon a meeting of the Board of Directors.</p> <p>The Registrar may, on his own motion, summon at any time a meeting of the Board of Directors. If at the hour fixed for the meeting of the Board of Directors, a quorum is not forthcoming, the Chairman of the meeting shall, if the meeting has been called on the requisition of members of Board of Directors, adjourn it and no further meeting of the Board of Directors shall be convened on the strength of the requisition. If the meeting has been convened otherwise, than on requisition, the Chairman shall postpone the meeting to a further date. A fresh notice for the subsequent meeting of the Board of Directors shall be given to all members. The business at the subsequent meeting may be transacted with the number of Directors present.</p>
40	<p><b><u>POWERS AND DUTIES OF THE BOARD OF DIRECTORS</u></b></p> <p>The powers and duties of the Board of Directors shall be :-</p>
	<p>(i) To observe in all transactions; the Act, the rules and these bye-</p>

		laws;
	(ii)	To raise, borrow such sums of money as may be required from time to time and to approve terms and conditions relating to such sums of money;
	(iii)	To frame service rules, subject to the approval of the Registrar, for the staff of the bank, containing inter-alia, clauses about their appointment, punishment, suspension, removal, training, traveling allowances, other facilities like pay scales, gratuity, leave, bonus etc.
	(iv)	To elect Chairman and Vice-Chairman from amongst the elected Directors;
	(v)	To establish branch offices at suitable places with the approval of the Registrar and to determine their area of operation.
	(vi)	To frame and subsequently amend rules for regularizing the business of branches and the general working of the Bank consistent with the provisions of these bye-laws, the Act and the Rules as also the instructions of the Registrar, Cooperative Societies, Haryana and the Reserve Bank of India and NABARD.
	(vii)	To appoint one of its members to represent the bank in the meeting of the Managing Committee, General Body of the any Cooperative Institution or any other institution of which the Bank is a share holder;
	(viii)	To arrange for the inspection of the accounts of the member indebted societies, through its staff, where necessary;
	(ix)	To make arrangements for the recovery of loans due to it by the member societies;
	(x)	To create such posts and appoint such staff as is necessary to ensure efficient working of the bank in accordance with the provisions of the service Rules;
	(xi)	To institute, conduct, defend, compromise, refer to arbitration or suspend legal proceedings and claims by or against the Bank, through any member or officers of the Bank;
	(xii)	To ensure compliance of the objections and consider suggestions and instructions contained in the inspection or audit note of the Bank and consider them for implementation;
	(xiii)	To sanction rescheduling, implementing, settlement schemes in respect of loans which become due in consistence with the bye-laws, rules and instructions issued by Registrar, Cooperative Societies, Haryana.
	(xiv)	To open accounts with other banks subject to the approval of the Registrar. The Board may, however, open its banking accounts

		with any of the Nationalized Bank or the post-office or any other bank notified by the Reserve Bank of India under the Banking Regulation Act, 1949 for the purpose of the said Act without the approval of the Registrar.
	(xv)	To decide the terms on the period for and the rates of interest at which loans are to be given;
	(xvi)	To decide the terms on, the period for and the rates of interest on which deposits are to be obtained;
	(xvii)	To accept or reject the resignation of a Director ;
	(xviii)	To fix T.A payable to Directors, subject to the approval of the Registrar, Cooperative Societies.
	(xix)	To write off condemned articles of furniture and fixture;
	(xx)	To acquire, hire, lease or sell for the bank, land or building, to build premises and to repair and extend existing premises according to the need of the Bank subject to the provisions of the Cooperative Societies Rules as notified by the State Government from time to time;
	(xxi)	the Board of Directors may delegate in writing any of its powers to any smaller body or the Chairman or the Chief Executive Officer as may be considered necessary for the working of the Bank;
41		The Board of Directors shall constitute administrative and business Committees to facilitate the Board which shall be headed by the Chairman/Vice Chairman and shall have not more than five members with no representative of Govt./RCS/Apex Bank. In addition to these committees, the Board of Directors will also constitute committees like investment committee, audit and inspection committee etc. as per the guidelines of RBI.
42	(A)	<p><b><u>ADMINISTRATIVE COMMITTEE</u></b></p> <p>Subject to the control of Board of Directors, the Administrative Committee shall exercise all or any of the following powers in respect of the staff of the bank :-</p> <ol style="list-style-type: none"> <li>i) To determine the strength of staff to be appointed on various categories in the bank</li> <li>ii) To approve scales of pay of various categories of staff appointed/ to be appointed in the bank.</li> <li>iii) To appoint staff in the bank.</li> </ol>

		<p>iv) To approve admission of new members.</p> <p>v) To exercise any other power specifically delegated by the Board of Directors.</p>
	(B)	<p><b><u>BUSINESS COMMITTEE</u></b></p> <p>Subject to the control of the Board of Directors the Business Committee shall have the following powers :-</p> <p>i) To buy, sell, endorse, assign, pledge and negotiate Govt securities and other trustee securities on behalf of the bank as well as on behalf of other Cooperative Institutions of any person and to authorize any officer or official of the bank in this behalf.</p> <p>ii) To examine the accounts of the bank whenever considered necessary.</p> <p>iii) To approve transfer of shares.</p> <p>iv) To grant loan within sanctioned MCL of members Socs.</p> <p>v) To approve contingent expenditure beyond Rs. 2000/-</p> <p>vi) To exercise any other powers delegated specifically by the Board of Directors.</p>
	(C)	<p><b><u>INVESTMENT COMMITTEE</u></b></p> <p>Subject to the control of the Board of Directors, the investment Committee shall have the following powers:-</p> <p>i) To approve investment of the funds of the Bank.</p> <p>ii) To exercise any other powers delegated specifically by the Board of Directors.</p>
	(D)	<p><b><u>AUDIT &amp; INSPECTION COMMITTEE</u></b></p> <p>Subject to the control of the Board of Directors, the Audit and Inspection Committee shall have the following powers :-</p> <p>i) To examine the inspection report and audit notes and to approve compliance thereof.</p> <p>ii) To exercise any other powers delegated specifically by the Board of Directors.</p>
43 - 44.		Merged in S.No.42 (B to D)
45.		The proceedings of all the meetings of the Administrative/Business Committee shall be put up for information and approval in the next meeting of the Board of Directors.

46	In the conduct of affairs, the members of the Board of Directors, Administrative Committee, Business Committee and other Committee, if any, and the officials of the Bank shall exercise prudence and diligence of ordinary men of business and shall be responsible for any loss sustained by the bank through act of omission and commission and contrary to these bye-laws the rules and the Act, for the time being in force.																
47	<p><b><u>Chief Executive Officer</u></b> The Board of Directors shall appoint a professional in accordance with the guidelines of Reserve Bank to work as Chief Executive Officer of the bank. His duties and powers shall be as under:-</p>																
	<table border="1"> <tr> <td data-bbox="300 757 459 954">(i)</td> <td data-bbox="459 757 1522 954">To superintend the working of the office and to be responsible for the proper and punctual maintenance of accounts including a cash book and ledgers showing the accounts of every share holder, depositor, creditor and borrower and stock registers;</td> </tr> <tr> <td data-bbox="300 954 459 1039">(ii)</td> <td data-bbox="459 954 1522 1039">To sanction loans in accordance with the instructions of the Business Committee;</td> </tr> <tr> <td data-bbox="300 1039 459 1169">(iii)</td> <td data-bbox="459 1039 1522 1169">To sanction and make advances to the liquidators and Execution agents on the recommendation of the Assistant Registrar of the circle concerned;</td> </tr> <tr> <td data-bbox="300 1169 459 1254">(iv)</td> <td data-bbox="459 1169 1522 1254">To ensure due execution of bonds and other documents for the issue of loans;</td> </tr> <tr> <td data-bbox="300 1254 459 1303">(v)</td> <td data-bbox="459 1254 1522 1303">To make advances against fixed deposit receipts;</td> </tr> <tr> <td data-bbox="300 1303 459 1388">(vi)</td> <td data-bbox="459 1303 1522 1388">To sanction loans to its depositor against the security of LIC policies and Govt./trustee securities;</td> </tr> <tr> <td data-bbox="300 1388 459 1438">(vii)</td> <td data-bbox="459 1388 1522 1438">To receive deposits and issue receipts;</td> </tr> <tr> <td data-bbox="300 1438 459 1525">(viii)</td> <td data-bbox="459 1438 1522 1525">To receive money due to the Bank and issue receipts therefore and to pay money due from the Bank;</td> </tr> </table>	(i)	To superintend the working of the office and to be responsible for the proper and punctual maintenance of accounts including a cash book and ledgers showing the accounts of every share holder, depositor, creditor and borrower and stock registers;	(ii)	To sanction loans in accordance with the instructions of the Business Committee;	(iii)	To sanction and make advances to the liquidators and Execution agents on the recommendation of the Assistant Registrar of the circle concerned;	(iv)	To ensure due execution of bonds and other documents for the issue of loans;	(v)	To make advances against fixed deposit receipts;	(vi)	To sanction loans to its depositor against the security of LIC policies and Govt./trustee securities;	(vii)	To receive deposits and issue receipts;	(viii)	To receive money due to the Bank and issue receipts therefore and to pay money due from the Bank;
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(iv)	To ensure due execution of bonds and other documents for the issue of loans;																
(v)	To make advances against fixed deposit receipts;																
(vi)	To sanction loans to its depositor against the security of LIC policies and Govt./trustee securities;																
(vii)	To receive deposits and issue receipts;																
(viii)	To receive money due to the Bank and issue receipts therefore and to pay money due from the Bank;																
	<table border="1"> <tr> <td data-bbox="300 1525 459 1612">(ix)</td> <td data-bbox="459 1525 1522 1612">To make call and short term deposits with other banks approved for the purpose by the business committee;</td> </tr> <tr> <td data-bbox="300 1612 459 1662">(x)</td> <td data-bbox="459 1612 1522 1662">To incur contingent expenditure upto Rs.2000/-;</td> </tr> <tr> <td data-bbox="300 1662 459 1711">(xi)</td> <td data-bbox="459 1662 1522 1711">To receive articles for safe custody;</td> </tr> <tr> <td data-bbox="300 1711 459 1760">(xii)</td> <td data-bbox="459 1711 1522 1760">To conduct the correspondence on behalf of the bank;</td> </tr> <tr> <td data-bbox="300 1760 459 1845">(xiii)</td> <td data-bbox="459 1760 1522 1845">To facilitate the conduct of annual audit and inspection of the bank by various officers;</td> </tr> <tr> <td data-bbox="300 1845 459 1926">(xiv)</td> <td data-bbox="459 1845 1522 1926">To submit to the General body annual report and the audited balance sheet;</td> </tr> </table>	(ix)	To make call and short term deposits with other banks approved for the purpose by the business committee;	(x)	To incur contingent expenditure upto Rs.2000/-;	(xi)	To receive articles for safe custody;	(xii)	To conduct the correspondence on behalf of the bank;	(xiii)	To facilitate the conduct of annual audit and inspection of the bank by various officers;	(xiv)	To submit to the General body annual report and the audited balance sheet;				
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(xv)	To call meetings of the General Body, Board of Directors, Administrative Committee, Business Committee and other Committees, if any, and to attend these meetings as member secretary;
(xvi)	To certify copies of entries in the books in accordance with the Act and the Rules;
(xvii)	To make, draw, accept, endorse, and execute cheques, indemnity bonds, bills, promissory notes, dividend warrants, cash order, payment orders, telegraphic and mail transfers, fixed deposit receipts, drafts, hoondies, warehouse receipts, railway receipts and other negotiable or non negotiable instruments for and on behalf of the bank and sign such documents jointly with other officer/officers as may be determined by the Board of Directors/Business Committee, consistent with these bye-laws;
(xviii)	To refund shares of under-liquidation societies on demand;
(xix)	To institute, conduct, defend or abandon legal proceedings on behalf of the Bank;
(xx)	To sanction casual and earned leave upto 15 days to the members of staff;
(xxi)	To open accounts in the name of the bank with the Haryana State Cooperative Apex Bank/State Bank of India and its subsidiaries and any other nationalized Bank, Post-Office, any other Bank notified by R.B.I under B.R Act, 1949 and to operate upon these accounts whether at credit or debit;
(xxii)	To sanction increments to the members of staff below the status of Branch Managers;
(xxiii)	To recommend punishment/promotion of staff to the Administrative Committee;
(xxiv)	To transfer clerks/senior clerks and class IV staff of the bank;
(xxv)	To make investment in Govt. or other trustee securities when such investment is required to be made in shortest possible time in consultation with the Chairman of the bank;
(xxvi)	To supervise and control the staff of the bank and to maintain their confidential files and other service record;
(xxvii)	Generally to conduct the current business of the bank and to perform all duties entrusted to him by the Board of Directors, Registrar, Coop. Societies, State Cooperative Bank and the Reserve Bank of India in fulfillment of the objects of the Bank in accordance with the Act, Rules and the Bye-laws;
(xxviii)	any other power subsequently delegated to him by the Board of Directors/Administrative Committee/Business Committee;



48		Manager/General Manager of the Bank will work under the control of Chief Executive Officer. In case, Chief Executive Officer is not appointed then all powers contained in the Bye-laws No. 47 will vest with the Manager/General Manager.												
49		<p><b><u>AMENDMENTS OF BYE-LAWS</u></b></p> <p>Amendment to these bye-laws shall be carried out in accordance with the provisions of the Cooperative Societies Act in force in State and the rules framed there under.</p>												
50		<p><b><u>DISPOSALS OF PROFITS</u></b></p> <p>The net profits of the bank as per audited balance sheet shall be disposed off in the following manner by the Board of Directors, with the approval of the Registrar, Cooperative Societies :-</p> <table border="1" data-bbox="300 745 1517 1980"> <tr> <td data-bbox="300 745 459 790">(i)</td> <td data-bbox="459 745 1517 790">At-least 25% of the net profits shall be carried to the Reserve Fund;</td> </tr> <tr> <td data-bbox="300 790 459 880">(ii)</td> <td data-bbox="459 790 1517 880">At-least 15% of the net profits shall be carried to the Agricultural Credit Stabilization Fund;</td> </tr> <tr> <td data-bbox="300 880 459 1059">(iii)</td> <td data-bbox="459 880 1517 1059">A dividend not exceeding 10% per annum on the paid up share capital may be paid to the share-holders of the bank in proportion to the period during which the share capital was held by the member exclusive of associate members;</td> </tr> <tr> <td data-bbox="300 1059 459 1193">(iv)</td> <td data-bbox="459 1059 1517 1193">Contribution towards Co-operative Education Fund at the rate prescribed by the Registrar from time to time under the provisions of the Act and Rules or bye-laws;</td> </tr> <tr> <td data-bbox="300 1193 459 1361">(v)</td> <td data-bbox="459 1193 1517 1361">The Bank may create a common good fund out of its net profits not exceeding 5% of its total net profits for any of the purposes specified by the Registrar.</td> </tr> <tr> <td data-bbox="300 1361 459 1980">(vi)</td> <td data-bbox="459 1361 1517 1980"> <p>The balance may be utilized for one or more of the following purposes;</p> <p>(a) Bad and doubtful debt fund;</p> <p>(b) Investment depreciation fund;</p> <p>(c) Building fund;</p> <p>(d) Dividend Equalization Fund;</p> <p>(e) Share Transfer fund;</p> <p>(f) Distribution of bonus to staff in accordance with the provisions of payment of bonus act, 1965 as amended from time to time;</p> <p>(g) Gratuity fund as created in accordance with the provisions of the Service Rules;</p> </td> </tr> </table>	(i)	At-least 25% of the net profits shall be carried to the Reserve Fund;	(ii)	At-least 15% of the net profits shall be carried to the Agricultural Credit Stabilization Fund;	(iii)	A dividend not exceeding 10% per annum on the paid up share capital may be paid to the share-holders of the bank in proportion to the period during which the share capital was held by the member exclusive of associate members;	(iv)	Contribution towards Co-operative Education Fund at the rate prescribed by the Registrar from time to time under the provisions of the Act and Rules or bye-laws;	(v)	The Bank may create a common good fund out of its net profits not exceeding 5% of its total net profits for any of the purposes specified by the Registrar.	(vi)	<p>The balance may be utilized for one or more of the following purposes;</p> <p>(a) Bad and doubtful debt fund;</p> <p>(b) Investment depreciation fund;</p> <p>(c) Building fund;</p> <p>(d) Dividend Equalization Fund;</p> <p>(e) Share Transfer fund;</p> <p>(f) Distribution of bonus to staff in accordance with the provisions of payment of bonus act, 1965 as amended from time to time;</p> <p>(g) Gratuity fund as created in accordance with the provisions of the Service Rules;</p>
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	<p>(h) Any other fund that may be considered necessary; however, there shall be no compulsion for contribution to any fund other than those required for improving the networth/owned funds of the bank.</p> <p>(i) The surplus, if any, may be carried over to the next years profits or credited to the Reserve Fund.</p> <p>(j) The distribution of the net profits shall be decided upon by the General Body after getting its approval from the Registrar.</p> <p>(k) The Reserve Fund shall be indivisible and shall belong to the bank as a whole. No member can claim a share in it. It shall be invested in any of the Securities specified in section 20 of the Indian Trust Act, 1882 or in any manner as may be directed by the Registrar;</p> <p>(l) All dividend that may remain unpaid/unclaimed for three years after its having been declared may be forfeited by the Board of Directors and the same shall be carried to the Reserve fund of the bank;</p>
51	<p><b><u>PAYMENT OF AUDIT FEE</u></b></p> <p>a) The Bank shall get its accounts audited by Chartered Accountant from a penal prepared by the Registrar in consultation with the National Bank. The Bank shall pay such remuneration to Chartered Accountant as specified while preparing the penal.</p> <p>b) The Registrar shall get conducted a special audit of the Bank on the request of the RBI and shall endorse a copy of the report for such special audit to the Reserve Bank and National Bank.</p>
52	<p><b><u>GENERAL</u></b></p> <p>All disputes relating to the working of the bank shall be disposed off in the manner provided under Section 102 of the Haryana Cooperative Societies Act, 1984 and the rule framed there-under.</p>
53	<p>All cheques and other instruments executed on behalf of the bank shall, except receipts, bear signatures of the any two of the (a) Manager (b) Assistant Manager (c) Accountant (d) Junior Accountant or Cashier jointly. The Board of Directors, by a resolution, in the case of a branch, authorize the Branch Manager and the cashier to sign, jointly, in addition to the officers mentioned above. The documents, cheques, drafts and other instructions and also to operate jointly on the banking accounts whether the accounts are at credit or debit.</p>
54	<p>Share linking with the borrowings by the Societies shall be in accordance with the instructions issued by the Registrar, Cooperative Societies from time to</p>

	time. However, the Registrar may, on the request of the bank or of his own grant relaxation to any society or class of societies, in exceptional circumstances from share linkage.
55	All loans shall be advanced as per the loan policies framed by the bank as per the guidelines of R.B.I./NABARD and in accordance with Sections 64 and 65 of the Haryana Cooperative Societies, Act.
56	It shall be competent for the State Govt., Registrar, State Cooperative Bank and the Reserve Bank of India and NABARD to inspect the bank at any time and have access to the books and record of the Bank. The Manager of the bank shall arrange to produce all the record and books before the authorized representative of the Sate Government, the Registrar, Haryana State Cooperative Apex Bank or the Reserve Bank of India and NABARD.
57	The bank shall be audited at-lest once in each financial year in accordance with the Haryana Cooperative Societies Act and Banking Regulation Act, 1949 (AACS)
58	The Bank shall be competent to incur expenditure on such measures as are conducive to the spreading of Cooperative Education and Training. For this purpose the bank shall contribute to the Haryana State Cooperative Development Federation Limited as the case may be, every year, such amount as may be sanctioned by the Board of Directors, subject to the direction of the Registrar, Cooperative Societies, issued from time to time under rule 73 of the Rules in this behalf.
59	The services of the members of the Board of Directors and other smaller bodies shall be honorary but such members may be paid traveling allowance and daily allowance on scales fixed by the Board of Directors and approved by the Registrar.
60	Should any doubt arise either in the interpretation of the Haryana Cooperative Societies Act, 1984 the rules framed there under or the bye-laws of the Bank, it shall be referred to the Registrar and his advice decision shall be final and binding.
61	The books of accounts shall be open for inspection to any depositor interested in his account, except that no one shall be allowed to see the deposit account of any other person without that person's consent in writing.
62	Copies of the bye-laws and the balance-sheet shall be supplied free to all members on demand. The last balance sheet shall be open to public inspection during all office hours. The balance sheet shall also be published in accordance with the provision of the Banking Regulation Act, 1949, as applicable to Cooperative Societies.
63	Should any conflict arise between the bye-laws of the Bank and those of the affiliated societies, the bye-laws of the bank shall prevail.

64	The bank may, in the event of its unsatisfactory work, be wound up and cancelled by the order of the Registrar in accordance with the law for the time being in force. In such case, the Reserve fund and other funds belonging to the Bank shall be disposed off in the manner laid down in the Act and the Rules framed there-under.
65	<p><b><u>COMMON CADRE OF STAFF</u></b></p> <p>The services of the Chief Executive Officer of the bank and such other staff, as may be specified by the Registrar, Cooperative Societies, from time to time, shall be borne on the strength of the common cadre of the Haryana State Coop. Apex Bank. Their services shall be governed by the Service Rules of Common cadre framed by the Registrar Cooperative Societies and amended or modified by him from time to time and these rules shall inter alia certain provisions regarding financial obligations for the Bank, transfer, punishment, promotion, etc. of the staff.</p>

### **Amendments:**

13-Amended the Section 13 of Bye laws of the bank and enhanced the authorized share capital of bank from Rs.15.00 crores to Rs.25.00 crores.

### **Share Capital**

- The authorized share capital of the bank shall be Rs. Twenty Five crore made up of ordinary shares of the face value of Rs.500/- each.
- Second Amendment:- share capital enhanced from 25.00 to 50.00 crores on dated 06.07.2018 Provided as per the provisions of Section 29 of the Haryana Cooperative Societies (amendment) Act, 2006, the share capital contribution by the Govt. shall not exceed twenty five percent of the paid up share capital

- 27-The Board of directors of the bank shall be constituted in the following manner :-

27-The Board of directors of the bank shall be constituted in the following manner :-
7 Directors to be elected by the Primary Cooperative Agriculture Credit Societies and farmers Service Societies holding share in the bank
3 Directors to be elected by the Cooperative Societies other than those in clause 27(a) above, provided that two zones for women and scheduled caste shall be reserved as per the provisions of section 28 of the Haryana State Cooperative Societies Act, 1984
Two professional Directors having experience as specified by the RBI, shall be co-opted, if no already elected. Such co-opted members to be called as functional directors and shall be members but not have the right to vote in any election or be eligible to be elected as officer bearer of the committee.
29- Where a vacancy occurs due to death, resignation, removal of any member etc. on the board shall be filled by election for the residual tenure, if the term of office of the committee is more than half of its original terms or by co-option of the term of the office Committee is less than half of its original terms as the case may be, out of the same class of members in respect of which the causal vacancy has arisen.

- 15- unless specifically reduced by the Registrar Cooperative Societies, the maximum credit limit of the bank shall be 40 times of its owned capital.