

कार्यालय रजिस्ट्रार, सहकारी समितियां, राजस्थान
जयपुर

क्रमांक : फा. 15(1)(9)सविरा/नियम/अरबन बैंक उपनियम/95 पार्ट-3

दिनांक : 12/3/14

उप/सहायक रजिस्ट्रार
सहकारी समितियां,
समस्त

विषय : नागरिक सहकारी बैंक के आदर्श उपनियमों में संशोधन बाबत।

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उपरोक्त विषयान्तर्गत संविधान-के-97वें संशोधन के आलोक में राजस्थान सहकारी सोसाइटी अधिनियम, 2001 में हुए संशोधन के आलोक में नागरिक सहकारी बैंक के आदर्श उपनियमों को अधिनियम संशोधन से सुसंगत बनाये जाने हेतु उक्त संस्थाओं के उपनियमों के वर्तमान प्रावधानों में वांछित संशोधन किया जाना विधिक दृष्टि से अपरिहार्य हो गया है। इस क्रम में राज्य के नागरिक सहकारी बैंकों के आदर्श उपनियमों में संशोधन प्रस्तावित कर इस पत्र के साथ संलग्न कर निर्देशित किया जाता है कि आप राजस्थान सहकारी सोसाइटी अधिनियम, 2001 की धारा 11 के अन्तर्गत संलग्न उपनियम संशोधन संबंधित नागरिक सहकारी बैंकों को प्रस्तावित करते हुए संशोधन संबंधी आवश्यक कार्यवाही कर की गई कार्यवाही से अधोहस्ताक्षरकर्ता को अवगत करावें।

संलग्न: उपरोक्तानुसार

(अनुराग भारद्वाज)
रजिस्ट्रार

क्रमांक : फा. 15(1)(9)सविरा/नियम/अरबन बैंक उपनियम/95 पार्ट-3
प्रतिलिपि :-

दिनांक :

1. अतिरिक्त मुख्य सचिव, सहकारिता विभाग, राजस्थान सरकार, जयपुर।
2. प्रबन्ध निदेशक, राजस्थान अरबन बैंक फंडरेशन लि0, जयपुर।
3. संयुक्त पंजीयक (बैंकिंग), प्रधान कार्यालय, जयपुर।
4. अतिरिक्त/संयुक्त पंजीयक, सहकारी समितियां, समस्त
5. प्रचार अधिकारी, प्रधान कार्यालय, जयपुर।
6. गार्ड फा. 15(1)(9)सविरा/नियम/अरबन बैंक उपनियम/95 पार्ट-3

उप रजिस्ट्रार (नियम)

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Proposed Amendment of byelaws in Urban Banks.

	Existing	Proposed
1	3- The area of operation of the bank shall be confined to	The area of operation of the bank shall be confined to area as decided by Registrar Co-operative Society of Rajasthan and norms laid down by Reserve Bank of India.
2	4- New Provision	4- (X) " Office bearer" means a chairperson of a Co-operative society and includes any other person to be elected by the committee of a Co-operative society
3	9-(a) An individual may be admitted as a member if he is an adult, competent to contract and resides Within the area of operation of the Bank or is gainfully engaged in any occupation in the area, provided that he is not a member of any other urban co-operative bank or a co-operative credit society. In case of Mahila bank all the members shall be women, but men candidates could be coopted as professional directors on non availability of suitable women candidates.	An individual may be admitted if he is an adult, competent to contract and resides within the area of operation of the Bank or is gainfully engaged in any occupation in the area, provided that he is not a member of any other urban co-operative bank or a co-operative credit society. In case of Mahila bank all the members shall be women, but men candidates could be coopted as professional directors on non availability of suitable women candidates. According to section 28 of Act.
4	9-(f) No member shall hold one fifth shares of the total shares allotted to the members or shares amounting to RS 15000- in value. which ever less.	9-(f) An individual member of urban Co-operative bank shall hold shares only upto a maximum of the one twentieth to the total share capital of society.
	14-(A) New Provision	Removal of committee or member there of - where a bank, ruling under the provisions of the banking regulation act 1949 (central Act No. 10 of 1949), (a) The committee of Bank (i) persistently makes default, or (ii) is negligent in the performance of its duties imposed on it or him by this Act or the rules or the by-laws ; or (iii) commits any act prejudicial to the interest of the society or its members under provisions of the Act or the Rules, the Registrar of Co-operative Societies, Rajasthan, after giving the committee a reasonable opportunity of being heard, by order in writing and appoint a Government servant as an Administrator to manage the affairs of the society for a period of one year and time to time be specified by the Reserve Bank of India.
5	19-(iii) The annual General meeting shall be called Once on or before 30 september each year or within such period as extended by the Registrar	19-(iii) The annual General meeting shall be called within a period of six months of close of the financial year.
6	20(vi) ...No Provision...	To appoint auditor and decide audit fees according to Rajasthan Co-operative Societies Act, 2001 section 54
7	20(vii) ...No Provision...	To accept and approve compliance report.

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8	<p>29-(i) The Board of Directors shall consist of 11 Directors to be elected from amongst the shareholder member of the Bank. At least 2 Directors out of the 11 Directors shall be elected from amongst the shareholders residing in the area of the Banks branches outside the headquarters where the Bank has two or more branches may be grouped in such a way that the shareholders in each group constitute an electoral college for the election of the Directors.</p>	<p>According to section 27 of the Act. The Board of Directors shall consist of 12 Directors to be elected from amongst the shareholder member of the Bank. Provided that the maximum numbers of the members of the committee shall not exceed twenty one. Provided also that one seat for the Scheduled Casts, one seat for the Scheduled Tribes and two seats for the Women shall be reserved in the committee of a cooperative society consisting of individuals and having members from such class or category of persons. At least 2 Directors out of the 12 Directors shall be elected from amongst the shareholders residing in the area of the Banks branches outside the headquarters where the Bank has two or more branches may be grouped in such a way that the shareholders in each group constitute an electoral college for the election of the Directors.</p>
9	<p>35-Six directors shall form the quorum.</p>	<p>Fifty percent plus one director shall form the quorum.</p>
10	<p>39 (xx) ...No Provision...</p>	<p>Chief Executive Officer shall send written information to Election Authority about the vacancy and term of committee as per section 34(1).</p>
11	<p>46-The accounts of the Bank shall be audited by an auditor appointed by the Registrar in accordance with the provisions of the Act.</p>	<p>The accounts of the Bank shall be audited by an auditor appointed by the General Body in accordance with the provisions of the Act.</p>
12	<p>122-A ...No Provision...</p>	<p>Filing of returns.- Every society shall, within six months of the close of every financial year, file the following returns to the Registrar, namely:-</p> <ul style="list-style-type: none"> (a) annual report of its activities; (b) its audited statements of accounts; (c) plan for surplus disposal, as approved by the general body of the society; (d) list of amendments to the bye-laws of the co-operative society, if any; (e) declaration regarding date of holding of its general body meeting and conduct of elections, when due, and (f) such other information, as the Registrar may require, from time to time."

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