

GOVERNMENT OF ASSAM
DEPARTMENT OF COOPERATION
ASSAM SECRETARIAT(C::’E’BLOCK (2ND FLOOR):: DISPUR:: GUWAHATI-06

NO. COOP 93/2012 /66,

Dated Dispur, the 13th March, 2013.

OFFICE MEMORANDUM

Whereas it has become necessary under the purview of “Assam Right to Public Service Act, 2012” to lay down the procedure of service viz. “Right to get the Cooperative Societies registered within 60 days” to the eligible citizens under Assam Cooperative Society Act, 2007. This Department has after due deliberation with concerned authorities have formulated the following guidelines.

A Cooperative Society is a people’s institution formed by them voluntarily based on self help and mutual aid for their common need as well as for socio economic upliftment. Every Cooperative Society should be registered under Assam Cooperative Societies Act 2007. The Officers appointed under Section 3 of the Act are responsible for registration of the Cooperative Society.

Eligibility Criteria for registration of a cooperative society

1. The applicant must be a citizen of India
2. Must not be less than 18 years of age at the time of application.

Right to get a Cooperative society registered within 60 days.

Standard Procedure for Registration of a Cooperative Society:

1. Application for registration of Cooperative Society may be addressed to the Registering Authority* Prescribed/Standard application form signed by at least 10 promoters above the age of 18 years detailing the name, address and area of operation of the proposed society along with promoters’ contact details etc.

2. The registering authority shall depute an officer within 3 (three) days from the date of receipt of the application for verifying the feasibility of formation of the proposed Cooperative & assess its sustainability after due discussion with the promoters.

3. The officer so deputed shall submit the feasibility report within 7 (Seven) working days with specific comments on:

A. The officer so deputed shall submit the feasibility report within 7 (Seven) working days with specific comments on:

B. Area of operation of the proposed society and possibility of any unhealthy competition with other similar cooperatives within the area of operation.

C. Level of participation of the promoter members and their awareness about the cooperative principles and the objectives of the proposed society.

4. In case the scope for organization of the Cooperative Society is justified by the departmental officer, the Registering Authority shall send a copy of the Prescribed Form for Registration of Cooperative Society to the person concerned or the promoters may collect the prescribed form from the office of the Registering Authority any day after 7 days from the date of submission of the feasibility report.

5. While handing over the Forms, the registering authority will also ask the promoters to convene its inaugural General Meeting & depute an officer to facilitate holding of the same.

Procedure to be followed for Registration of a Cooperative Society:

For the purpose of registration, an application thereof shall be submitted to the Registrar in the form as may be prescribed, by hand or by registered post signed by at least ten persons or such number of persons as may be fixed by the Registrar, qualified under section 5 of the Act, read with sub section (5) of section 4, who wish to form a primary cooperative society or by a duly authorized person on behalf of at least three such registered cooperative society who wish to form a secondary cooperative society. The person by whom or on whose behalf such application is made shall furnish such information in regard to the proposed cooperative society as the Registrar may require. Every such application shall be accompanied by the original declaration signed by applicants expressing commitment to the cooperative principles specified in Schedule-A and the following:-

a) Four copies of the proposed bye-laws of the cooperative society as adopted by the applicants;

b) A list of names of the applicants with their complete address, occupation and equity participation and other details.

c) A scheme regarding viability of the proposed society, economically, financially technically and cooperatively.

d) A copy of a treasury challan** in support of payment of registration fee calculated in accordance with the provisions of sub-section(1) of section 17 which shall be non refundable and shall furnish such other information in regard to the society as the Registrar may require.

2. On receipt of the application for registration and after due consideration, the Registrar may register the bye-laws with such modification as he thinks necessary to bring about conformity with the provisions of the bye-laws of any society having similar objects and functions or for any other grounds he deems necessary for the interest of cooperative society in particular and the cooperative movement in general. However, in case of registration of a Cooperative Bank clearance from NABARD or Reserve Bank of India as the case may be shall have to be obtained before considering for according permission for registration of such societies.

If the conditions laid down in sections 4 and 6 of Assam Cooperative Society Act, 2007 are not fulfilled, the Registrar shall communicate by registered post the order of refusal for registration together with the reasons thereof, within sixty days from the date of submission or receipt of application for registration, as the case may be, to the applicants.

Provided that no order of refusal shall be made without giving an opportunity of being heard to the applicant. The certificate of registration signed and sealed by the Registrar shall be conclusive evidence that the society mentioned therein is a cooperative society duly registered under this Act, Unless it is proved that the registration of the society has been subsequently cancelled: No cooperative society shall commence business unless it has obtained a certificate of registration under section 11 of this Act.

The entire process of registration shall preferably be completed within 1 (one) month from the date of receipt of the formal application and the proposed society will be deemed to be registered after the expiry of 60 (sixty) days from the date of receipt of the formal application/registration fees if the matter is not disposed of within the stipulated period otherwise.

3. The Registrar shall register the society and also take on record its bye-laws and communicate by registered post a certificate of registration and the original bye-laws signed and sealed by him within sixty days from the date of submission or receipt of the application for registration, as the case may be to such person specified in the application for the purpose subject to the fulfillment of the following conditions, namely:-

- a) The application is in conformity with the requirements laid down under this Act;
- b) The object of the proposed co-operative society is the economic and social betterment of its members through the provision of services to fulfill such common need as specified in the proposed bye-laws;
- c) The proposed bye-laws are not inconsistent with the provisions of this Act and are not against the aims and objects of the co-operative society:

Provided that where within sixty days of submission of the application for registration the society is not registered or the certificate of registration has not been issued or refusal of registration has not been communicated, the society shall be deemed to have been registered under this Act.

Registering Authority:-

- * a. The Registrar of Cooperative Societies, Assam (RCS) in case of State level cooperatives,
- b. Addl. Registrar/ Zonal Jt. Registrar in case the proposed cooperative covers the areas of 2 or more districts.
- c. Dy. Registrar of Cooperative Societies (DRCS) in case of district level cooperatives.
- d. Asstt. Registrar of Cooperative Societies (ARCS) for other primary level cooperatives.

** Head of Account for Treasury Challan: : “0425-Co-operation 00-101-0000-00-XP-V-GA-No. AS”

Standard Application Form Enclosed in Annexure I.

List of Documents to be enclosed with the application form :

1. 4 copies of the bye laws of the Proposed Cooperative Society
2. 2 copies of resolution passed by a meetings of the applicant adopting a bye law
3. List of name of applicants with detail addresses.
4. Scheme regarding viability of the proposed Society.
5. A declaration signed by the applicant expressing commitment to the seven Cooperative principle.

Citizen Charter for services

Enclosed in Annexure II

Standard Certificate Format

Enclosed in Annexure III

*** Name and designation of the registering authority**

- a. The Registrar of Cooperative Societies, Assam (RCS) in case of State level cooperatives,
- b. Addl. Registrar/ Zonal Jt. Registrar in case the proposed cooperative covers the areas of 2 or more districts.
- c. Dy. Registrar of Cooperative Societies (DRCS) in case of district level cooperatives.
- d. Asstt. Registrar of Cooperative Societies (ARCS) for other primary level cooperatives

This Office Memorandum will come into force with immediate effect

Sd/-

(V.K. Pipersenia, IAS)

Additional Chief Secretary to the Govt. of Assam
Co-operation Department.

Memo NO. COOP 93/2012 /66-A

Dated Dispur, the 13th March, 2013

Copy To:-

1. The P.P. S. to Chief Minister, Assam
2. The S.O. to the Chief Secretary , Assam
3. The Registrar of Cooperative Societies , Assam, Khanapara, Ghy-22
4. The P.S. To Hon'ble Minister, Cooperation Department, Assam
5. The P.S. to the Principal Secretaries /Commissioner and Secretaries / Secretaries to all administrative department
6. The Addl. Registrar of Cooperative Societies,
7. The Joint Registrar of Cooperative Societies
8. All Dist. Deputy R.C.S.
9. All Asstt. R.C.S.

By Order etc.

Joint Secretary to the Govt. of Assam
Cooperation Department.