

Multi-Unit Co-operative Societies Rules, 1958

MAHARASHTRA

India

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Rule MULTI-UNIT-CO-OPERATIVE-SOCIETIES-RULES-1958 of 1958

- Published on 19 September 1958
- Commenced on 19 September 1958
- [This is the version of this document from 19 September 1958.]
- [Note: The original publication document is not available and this content could not be verified.]

Multi-Unit Co-operative Societies Rules, 1958Published vide G.S.R. 849, dated 19.9.1958, and published in Gazette of India, Part 2, section 3(1), No. 32, dated 27.8.1958Ministry of Food and AgricultureIn exercise of the powers conferred by section 6 of the Multi-Unit Cooperative Societies Act, 1942, the Central Government hereby makes the following rules, namely

1. Short title.

- These rules may be called the Multi-Unit Co-operative Societies Rules, 1958.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"Act" means the Multi-Unit Co-operative Societies Act, 1942;(b)"Central Registrar", means the Central Registrar of Co-operative Societies appointed under section 4 of the Act and includes any officer to whom any power or authority exercisable by the Central Registrar has been delegated under section 5B of that Act;(c)"general body", in relation to a society to which the provisions of section 5C or section 5D of the Act apply, means all persons who, immediately before the date of certification of the scheme under sub-section (1) of the said section 5C or 5D were members of the society;(d)"Scheme" means a scheme prepared by the Central Registrar and approved by the Central Government under sub-section (2) of section 5A, or a scheme certified by the State Government of Bombay under sub-section (1) of section 5G, or by the State Government of Punjab under sub-section (1) of section 5D of that Act;(e)"society" means a co-operative society to which the provisions of section 5A or section 5C or section 5D of the Act apply.

3. Copy of Scheme to be forwarded to society.

- The Central Registrar shall forward a copy of the scheme to the President or Chairman of the Society with the direction that the scheme may be placed before a meeting of the general body of the society specially convened for the purpose.

4. Notice to members etc.

(1)The meeting referred to in rule 3 shall be convened not less than 40 days after the date of issue of notice to the members and creditors of the society in the manner specified in sub-rules (2) and (3) :Provided that, in relation to any scheme certified under section 5D of the Act, this sub-rule shall have effect subject to the modification that for the figures and word "40 days", the figures and word "15 days," shall be substituted.(2)A written notice specifying the date, hour and place of meeting shall be given to every member and shall be accompanied by a copy of the scheme to be considered at the meeting; the notice to each member shall -(i)be delivered or tendered to him in person;(ii)be sent to him by registered post; or(iii)be served on him in such manner as may be specified in the bye-laws of the society.(3)Notice of the date, hour and the place of the meeting and the business to be transacted thereat shall be given to the creditors by publishing it in at least three newspapers circulating in the district in which the head office of the society is situated.(4)A copy of the scheme shall also be exhibited in a prominent place at the head office of the society and at each of its branches.

5. Right of members.

- Any member of the society may, notwithstanding anything in any rule or bye-law of the society, intimate to the society within a period of one month from the date of the issue of the notice to him under rule 4, his intention not become a member of any of the new societies or continue his membership in the reconstituted or amalgamated society, as the case may be :Provided that, in relation to any scheme certified under section 5D of the Act, this rule shall have effect subject to the modification that for the words "one month", the words "ten days" shall be substituted.

6. Right of creditors.

- Any creditor of the society may, notwithstanding any agreement to the contrary, by notice given to the society within the period specified in rule 5, demand a return of the amount due to him.

7. Sanctioning of scheme.

- The Central Registrar shall take steps to give effect to -(a)in the case of a society to which the provisions of section 5C apply, the scheme sanctioned under sub-section (3) of that section or the decision of the Judge in regard to the scheme under sub-section (4) of that section;(b)in the case of a society to which the provisions of section 5C or section 5D of the Act apply, the scheme approved under subsection (2) or deemed to be approved under sub-section (3) of section 5C or section 5D, as

the case may be, of the Act.

8. Action by Registrar in certain cases.

- Notwithstanding anything to the contrary contained in any rule or bye-law governing the society, when the Central Registrar is satisfied that the President or Chairman of the society has failed to convene a special meeting as required under rule 3, the Central Registrar shall convene a meeting of the general body of the society after giving fourteen days' notice to all members and creditors of the society, and thereupon, the provisions of rules 5 to 7 shall apply accordingly.

9. Repeal and saving.

- The Multi-Unit Co-operative Societies Rules 1957, are hereby repealed :Provided that, anything done or any action taken under the said rules which is not consistent with these rules shall be deemed to have been done or taken under these rules. Limitation Act, 1963 (See section 92)

Schedule

Article No.	Description of suit	Period of Limitation	Time from which period begins to run
14.	For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Three years	The date of the delivery of goods.
19.	For money payable for money lent.	Three years	When the loan is made.
28.	On a single bond, where a day is specified for payment.	Three years	The day so specified.
29.	On a single bond when no such day is specified.	Three years	The date of executing the bond.
31.	On a bill of exchange or promissory note payable at a fixed time after date.	Three years	When the bill or note falls due.
35.	On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing.	Three years	The date of the bill or note.
36.	On a promissory note or bond payable by instalments.	Three years	The expiration of the first term of payment as to the part then payable, and for the other parts, the expiration of the respective terms of payment.
52.	For arrears of rent.	Three years	When the arrears become due.
62.	To enforce payment of money	Twelve years	When the money sued for becomes

secured by a mortgage or otherwise due.
charged upon immovable property.

113. Any suit for which no period of
limitation is provided elsewhere in this Schedule. Three years when the right to sue accrues.