

GOVERNMENT OF KERALA

ABSTRACT

Co-operation - Rules governing Government contribution towards the Share Capital of Autorickshaw Drivers Co-operative Societies - Amendment to Rules - Issued.

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AGRICULTURE (CO - OP. ESTT.) DEPARTMENT

G.O. MS. 76/81/AD

Dated, Trivandrum, 11.03.1981.

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Read : 1. G.O. MS. 86/74/AD. dt. 22.03.1974

2. Letter No. MS (3) 6204/81 dt. 21.02.1981 from the Registrar of Co-op. Societies.

ORDER

Rule 4 of the Rules governing Government contribution towards the share capital of Autorickshaw Drivers amended as follows :

Rule 4 : " The Society shall be eligible for Government share capital contribution to the extent of 3 times the paid up share capital raised from A Classes and B Classes members subject to a maximum of Rs. 3 lakhs."

(By Order of the Governor)

V.R. Padmanabhan,  
Deputy Secretary to Govt.

To

1. The Registrar of Co-op. Societies, Trivandrum.
2. The accountant General, trivandrum (This order issues with the concurrence of Fin. Dept.)
3. The Finance Department (Vide D. No. 1920/Agri. CI/81/Fin. dt. 07.03.1981)

Forwarded/By order

Sd/-

Section Officer

Endt. on No. S(3) 6204/81 - R. Dis.

Office of the Registrar of Co-operative Societies, Trivandrum.

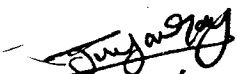
Dt. 20.03.1981

Forwarded to all Deputy Registrars (General) and Assistant Registrars (General) through Deputy Registrar (General) for information and necessary action.

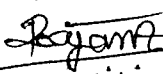
For Registrar of Co-op. Societies.

  
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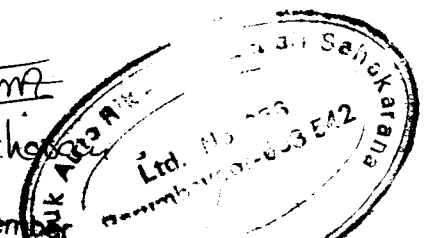
SECRETARY

  
K.K. Jayaraj.

Committee Member

  
M.A. Rajasekhar

Committee Member



RULES GOVERNING GOVERNMENT CONTRIBUTION TOWARDS THE SHARE  
CAPITAL OF AUTORICKSHAW DRIVERS CO-OPERATIVE SOCIETIES.

1. These Rules may be called the Rules governing Government contribution towards the share capital of the Autorickshaw Drivers Co-operative Societies.
2. Only societies selected by the Registrar of Co-operative Societies for inclusion under the plan schemes are eligible to apply for assistance under these Rules.
3. An Autorickshaw Drivers Co-operative Society applying for assistance under these Rules shall satisfy the following conditions.
  - a) The Society should be one of form for providing self employment to Educated unemployed persons, possessing valid driving licences to drive the autorickshaw ~~and B.M.V. etc.~~

Note : (It shall however be competent for the Registrar to relax the qualifications in deserving cases.)

  - b) The Society shall have at least 25 A Class members.

Explanation :

  - a) Class members will be S.S.L.C. holders possessing valid driving licences to drive the Autorickshaw. Relaxation in the case or educational qualification however granted by the Registrar of Societies in special cases.
  - b) The Society shall have a minimum paid up share capital of Rs. 2,500/-.
  - c) The Bye-laws of the Society shall contain provisions for (1) State participation in the share capital of the society (ii) Nomination to the committee of the society (2) ~~(10%)~~ persons by the Registrar of Co-operative Societies.
4. The Society shall be eligible for Government Share Capital contribution to the extent of 3 times the paid up share capital raised from A Class and C Class members subject to maximum of Rs. 1,00,000/-.
5. The application for Government contribution under these rules shall be forwarded to the Registrar of Co-operative Societies through the Joint Registrar of Co-operative Societies concerned. The applications shall be supported by a resolution of the committee of management of the society authorising to prefer such application and also agreeing to maintain the ratio of 1:3 between the share amount collected from 'A' and 'B' class members and the Government contribution and to be abide by these Rules.
6. If the society is found eligible for the contribution the Registrar of Co-operative Societies shall forward the same to Government with his recommendation.
7. The contribution shall <sup>be sanctioned</sup> by the Government if they deem it necessary.

8. Share Capital contribution sanctioned by the Government shall be drawn by the society in bills duly countersigned by the Joint Registrar of Co-operative Societies of the District concerned. The Joint Registrar shall satisfy himself before countersigning the bills that the society has executed a valid agreement as contemplated in Rule 14.
  9. The amount so drawn shall be deposited in a Bank in the name of the Society and shall be utilised only for purchase of Autorickshaws/Autorickshaw chasis and for its body building. The amount shall be withdrawn in instalment as and when required with the specific permission of the Joint Registrar.
  10. The Joint Registrar concerned shall obtain and forward to the Registrar of Co-operative Societies a printed share certificate in favour of the Governor of Kerala within one month of the day encashment of the bill.
  11. The society shall repay the amount contributed by Government under these rules in ten annual equal instalments the first instalment commencing from the sixth anniversary of the date on which the contribution was drawn by the society and the subsequent instalments on the corresponding dates of the succeeding years. A penal interest at  $2\frac{1}{2}\%$  (Two and half) per annum shall be charged on the amount defaulted for the period of default.
  12. Notwithstanding anything contained in these rules of the bye-laws of the society, it shall be open to the Government to withdraw at any time without stating any reason the whole or any portion of the Government contribution and the society shall be liable to refund the amount so withdrawn.
  13. The dividend accruing on the share capital contribution by the Government shall be remitted into the Treasury within one month after the declaration of the dividend by the General Body of the society.
  14. The society in favour of which Government contribution is sanctioned under these Rules execute an agreement in Form 'A' appended to these Rules before drawing the amount so sanctioned. The Joint Registrar concerned shall obtain and forward the agreement to the Registrar of Co-operative Societies for attestation and safe custody.
  15. The Government may by an order for reasons to be recorded exempt any Autorickshaw Drivers Co-operative Society from any of the provisions of these Rules.
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GOVERNMENT OF KERALA  
ABSTRACT

Co-operation - Rules for payment of additional Share Capital Contribution to Autorickshaw Drivers Co-operative Societies for running Spare parts shop and workshop - amendment to the Rules - approved - Orders issued.

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COOPERATION (B) DEPARTMENT

G.O. (MS) No. 31/99/Coop. Dated, Thiruvananthapuram, 18.2.1999

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Read:- 1. G.O. (MS) No. 124/79/AD. dated, 21.3.1979  
2. Letter No. MT(3)31060/98 dated, 28.8.1998 from the Registrar of Co-operative Societies.

O R D E R

In the Government order read as first paper above, Government have approved the Rules for payment of Additional Share Capital Contribution to Autorickshaw Drivers Co-operative Societies for running Spare parts Shop and Workshop. As per Rule 4 of these rules the society shall be eligible for additional Government Share Capital Contribution to the extent of maximum of Rs.65,000/-. In the letter read as second paper above, the Registrar of Co-operative Societies has suggested that in view of the hike in prices of Spare parts etc., this limit may be raised to Rs.1 lakh.

2. On the basis of the recommendation of the Registrar of Co-operative Societies, Government have examined the matter in detail and are pleased to amend clause 4 of the Rules issued in the Government Order as first paper above as follows:-

Rule 4:" The society shall be eligible for additional Share Capital Contribution to the extent of ten times of paid up Share Capital raised from 'A' class and 'B' class members subject to the maximum of Rs.1 lakh (Rupees One lakh only) <sup>at</sup> the rate of Rs.75,000/- for workshop and 25,000/- for Spare parts shops".

3. The Government order read as first paper above stands amended to the above extent all other conditions remaining the same.

BY ORDER OF THE GOVERNOR  
V.G. INDIRA BAI AMMA  
JOINT SECRETARY TO GOVERNMENT.

To

The Registrar of Co-operative Societies,  
Thiruvananthapuram.

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x

x

Endt. MT(3)31060/98 Office of the Registrar of Co-operative Societies, Thiruvananthapuram,  
Dated 15.5.1999.

Copy forwarded to all Joint Registrar (General) and (Audit) for information and necessary action.

Copy to Stock file.

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FOR REGISTRAR OF COOPERATIVE SOCIETIES.

09/19.5.1999.

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GOVERNMENT OF KERALA  
ABSTRACT:-

Million Jobs Programme for the educated unemployed-  
1974 Schemes in respect of organisation of Taxi Drivers  
and Auto-rickshaw Drivers Cooperative Societies-Kules-approved.

AGRICULTURE (PLANNING-1) DEPARTMENT.

G.O.(MS)No.85/74/AD. Trivandrum, dated 22-3-1974.

Read:-1.G.O.S.No.299/73/AD. dated 30-8-1973.

2.Letter No.PL1/48966/73 dated 10-12-1973 from the  
Registrar of Cooperative Societies.

O R D E R

Government approve the rules appended to this  
order for payment of share capital contribution to the Taxi  
Drivers and Auto-rickshaw Drivers cooperative societies.

(By order of the Governor)

H.Devakiamma,

Order Secretary.

*in the case of  
of Coop. Societies  
insy*

The Registrar of Cooperative Societies, Trivandrum, etc.

Forwarded/By order.

Sd/-

Section Officer.

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RULES GOVERNING GOVERNMENT CONTRIBUTION TOWARDS THE  
CAPITAL OF AUTO RICKSHAW DRIVERS COOPERATIVE SOCIETIES

1. These Rules may be called the Rules governing Government contribution towards the share capital of Auto-Rickshaw Drivers Cooperative Societies.

2. Only societies selected by the Registrar of Cooperative Societies for inclusion under the Rules are eligible to apply for assistance under these Rules.

3. An Auto-rickshaw Drivers' Cooperative Society applying for assistance under these Rules shall be subject to the following conditions.

a) The society should be one formed for providing self employment to educated unemployed persons, possessing valid driving licences to drive the Auto-rickshaw.

(It shall however be competent for the Registrar to relax the qualifications in deserving cases.)

b) The society shall have at least 25 'A' Class members.

Explanation:

'A' Class members will be persons possessing valid driving licences to drive the Auto-Rickshaw.

c) The society shall have a minimum paid up share capital of Rs. 2,500/-

d) The byelaws of the society shall contain provisions for (i) State participation in the share capital of the society (ii) Nomination to the committee of the society 2(Two) persons by the Registrar of Cooperative Societies.

4. The society shall be eligible for Government share capital contribution to the extent of three times the paid up share capital raised from 'A' class and 'B' class members subject to a maximum of Rs. 1,00,000/-

5. The application for Government contribution under these Rules shall be forwarded to the Registrar of Cooperative Societies through the Deputy Registrar of Cooperative Societies concerned. The application shall be supported by a resolution of the committee of Management of the society authorising to prefer such application and also to maintain the ratio of 1:3 between the share capital from 'A' and 'B' class members and the Government contribution and to abide by these Rules.

6. If the society is found eligible for the contribution the Registrar of Cooperative Societies shall forward the same to Government with his recommendation.

7. The contribution shall be sanctioned by the Government if they deem it necessary.

8. Share capital contribution sanctioned by the Government shall be drawn by the society in full.

himself before countersigning the bill that the bill was executed a valid agreement as contemplated by these rules.

9. The amount so drawn shall be deposited in the name of the society and shall be applied towards the purchase of Auto-Rickshaws, Auto-Rickshaw Drivers' Halls or its or body building. The amount shall be drawn in instalments as and when required with the specifications from the Deputy Registrar.

10. The Deputy Registrar concerned shall forward to the Registrar of Cooperative Societies a share certificate in favour of the Government within one month of the date of encashment of the bill.

11. The society shall repay the amount granted by the Government under these rules in ten annual instalments the first instalment commencing from the first year of the date on which the contribution was drawn and the subsequent instalments on the corresponding dates of the succeeding years. A penal interest at 10% per annum shall be charged on the amounts defaulted for the period of default.

12. Notwithstanding anything contained in the bye-laws or in the byelaws of the society, it shall be open to the Government to withdraw at any time without notice the whole or any portion of the Government contribution and the society shall be liable to refund the amount so withdrawn.

13. The dividend accruing on the share certificate issued by the Government shall be remitted into the society's account within one month after the declaration of the dividend by the general-body of the society.

14. The society in favour of which Government contribution is sanctioned under these Rules shall execute an agreement in Form 'A' appended to these Rules before the Deputy Registrar and forward the same to the Registrar of Cooperative Societies for attestation and safe custody.

15. The Government may by an order in writing recorded exempt any Auto Rickshaw Drivers' Cooperative Society from any of the provisions of these rules.

FORM - 'A'

THIS AGREEMENT is executed on this the .....  
of ..... One thousand nine hundred and seventy-  
..... BETWEEN ..... a society  
registered under the ..... Act and  
having its registered office at ..... (hereinafter  
referred to as "the society") of the one part and the  
GOVERNOR OF KERALA (hereinafter referred to as "the Government")  
of the other part;

WHEREAS the society has applied to the Government for  
the payment of a sum of Rs. .... (Rupees .....  
..... only) by way of the share capital  
contribution to the society under the Rules governing Govern-  
ment contribution towards the share capital of the Auto Rickshaw  
Drivers' Cooperative Societies (hereinafter referred to as  
"the Rules").

AND WHEREAS at the request of the society the  
Government have sanctioned the payment of a sum of Rs. ....  
(Rupees ..... only) to the society  
as per order No. .... dated ..... (hereinafter  
referred to as "the said order") a copy of which is attached  
hereto and shall form part of this agreement as if incorporated  
herein subject to the terms and conditions hereinafter con-  
tained and those in the said order to which the society has  
also agreed;

NOW THESE PRESENTS WITNESS AND IT IS HEREBY AGREED  
as follows:-

1. The society shall utilise the share capital con-  
tribution amount of Rs. .... (Rupees .....  
..... only) for the purpose of .....  
(H.E. the purpose) and it shall not be utilised for any other  
purpose.

2. The society shall repay the share capital contri-  
bution amount of Rs. .... in ten ~~ten~~ equal  
annual instalments at Rs. .... (Rupees .....  
only) the first instalment being payable on the date of expiry  
of 6th year from the date on which the share capital contri-  
bution was drawn by the society and the subsequent instalments  
on the corresponding dates of the succeeding years.

3. In the case of default in payment of the instal-  
ment of the grant amount in accordance with clause (2) above,  
the society shall pay interest at the rate of 2½% per annum  
for the defaulted instalments.

4. The society shall furnish to the Deputy Registrar  
of Cooperative Societies a printed share certificate in  
of the Government within one month from the date of  
the same of the Bill.

5. Notwithstanding anything contained in these rules  
the byelaws of the society, it shall be open to the  
Government to withdraw at any time without stating any reason  
for the whole or any portion of the Government's contribu-



6.(a) The society shall remit the dividend payable on the share capital contribution into Government Treasury within one month from the date of declaration of the dividend by the General Body of the society.

(b) The dividend shall be payable on the share capital contribution made by the Government and thereafter by the society from time to time, after deducting the payments made by the society.

7. The society shall strictly abide by all the terms and conditions contained in the Rules and in the said agreement.

8. In case the society commits breach in any of the terms and conditions herein contained or the provisions contained in the Rules and in the said order the entire amount advanced shall become repayable in lump at once by the society.

9. The Government shall have the power to amend the Rules at any time and as amended from time to time. The Rules shall form part of this agreement as if inserted herein.

10. It is hereby declared that the executants of this agreement have the power and authority to do so as per .....dated.....

11. All sums due to the Government under or in pursuance of this agreement shall be recoverable from the society from its assets movable and immovable under the provisions of the Revenue Recovery Act for the time being in force, though such sums are arrears of land revenue and in the manner as the Government may deem fit.

IN WITNESS WHEREOF Sri.....  
for and on behalf of the society and Sri.....  
for and on behalf of the Government have hereunto set their hands and the seal of the society has hereunto been affixed the day and year first above written.

Signed by Sri.....

In the presence of witnesses:-

- 1) .....
- 2) .....

Signed by Sri.....

In the presence of witnesses:-

- 1) .....
- 2) .....

