

Court Mark

in Court 60. Item: on 19/8/15

BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM

W.P.(C) No. 20985 of 2015

Indian Co-operative Credit Society Ltd. : Petitioner/Petitioner

Vs

Joint Registrar of Co-operative  
Societies, Kannur & Another

: Respondents/Respondents

COUNTER AFFIDAVIT FILED BY THE FIRST RESPONDENT

A.J. JOSE AEDAIODI  
GOVERNMENT PLEADER

To

Adv. P. S. Sreedharan Pillai  
High Court of Kerala.

BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM

W.P.(C) No. 20985 of 2015

Indian Co-operative Credit Society Ltd. : Petitioner/Petitioner

Vs

Joint Registrar of Co-operative  
Societies, Kannur & Another : Respondents/Respondents

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Dated this the 18<sup>th</sup> day of August, 2015

A.J. JOSE AEDAIDI  
GOVERNMENT PLEADER

**BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM**

**W.P.(C) No. 20985 of 2015**

Indian Co-operative Credit Society Ltd. : Petitioner/Petitioner

**Vs**

Joint Registrar of Co-operative  
Societies, Kannur & Another : Respondents/Respondents

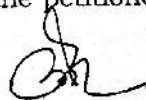
**COUNTER AFFIDAVIT FILED BY THE FIRST RESPONDENT**

I, A. Surendran, S/o.T.Anandan, aged 54 years, residing at Kannur, now at Ernakulam do hereby solemnly affirm and state as follows:-

1. I am the Joint Registrar of Co-operative Societies (General), Civil Station, Kannur. I am conversant with the facts of the case as disclosed from the relevant records. All the allegations and averments contained in the Writ Petition except those that are specifically admitted hereunder are denied.

2. It is submitted that, on going through the Day Book of the petitioner Society, it is revealed that the petitioner Society start functioning from 13.07.2015. The petitioner Society has received deposits from various persons of the locality and the books of accounts maintained by the Society does not disclose any details regarding the disbursement of loans to any of the persons from the area of operation or to anyone within the State of Kerala.

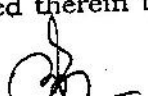
3. It is submitted that, the transaction from 13.07.2015 to 13.08.2015 revealed that the petitioner Society has received a sum of



Rs.9,56,155/- out of 594 transactions. It is revealed that a sum of Rs.1,18,717/- had been disbursed as incentive to the canvassing agent during this period as Spot Commission. It is submitted that in order to fulfill the commitment undertaken by the Society, it is necessary to generate annual revenue of approximate 45% of the Return On Capital Employee (ROSE) by the business.

4. It is submitted that on 07.07.2015, one Mr.C.K.Anilkumar came to my office and handed over certain printed forms of the petitioner Society which are the application for issuance of share capital and wanted to know the details regarding the petitioner Society and also the registration details as well as the viability of the deposit and any assurance of whether the Co-operative Department would give any assurance regarding return of the deposit amount or the promised sum on maturity. One Mr.Haridas, who is said to be the Marketing Executive of the company, was contacted over the Mobile Phone No.97476 06152, who is said to have invited the said Anilkumar to join a scheme of deposit mobilization. A 'brochure' showing various schemes in the style of Life Insurance proposing to receive deposit of Rs.1000/- per month for 120 months and to return Rs.3000/- per month from 121<sup>st</sup> month to 240<sup>th</sup> month, and such other similar schemes have been offered by the petitioner Society as if they are doing insurance business. It is stated in the brochure that rate of interest may vary as per RBI guidelines to give an impression that they are functioning as per RBI guidelines. A true copy of the said brochure and the application for share are produced herewith and marked as Exhibit R1(a) and Exhibit R1(b) respectively.


5. It is submitted that, on 12.08.2013, one Mr.Jayarajan K., has made a representation to the first respondent as well as to the second respondent demanding a thorough enquiry into the affairs of the petitioner Society after having attended an agent's meeting of the petitioner Society. It is stated therein that, the Society claim to have



all licenses permission and legal sanction from all authorities of Government of Kerala and Government of India. A true copy of the said petition dated 12.08.2013 is produced herewith and marked as Exhibit R1(c).

6. It is submitted that, one C.K. Anilkumar has made a complaint to the first respondent in response to the advertisement appeared on July 9<sup>th</sup> cautioning the depositors regarding the legal functioning of the petitioner Society stating that many retired Government employees are working in the model of "Modi Care", Amway, RMP etc. offering the returns in the form of money chain and are receiving huge amounts by way of deposits offering 17% to 12% interest and offering to return double or triple of the deposited amounts within 8 months. It is further stated in the petition that even though the petitioner Society is functioning for more than 1 month from the premises, not even a single loan has been granted or disbursed to any person or member in the area. The further apprehension in the complaint is that since the petitioner company is offering such a huge incentive and making substantial expenses towards training and administration whether the management will be able to fulfill their commitment as projected in the brochure and also in the campaign meeting. A true copy of the petition dated 13.08.2015 is produced herewith and marked as Exhibit R1(d).


7. It is submitted that, one Mr.K.Pavithran has made an enquiry under the Right to Information Act on 01.07.2015 seeking whether the petitioner Society is having any recognition and whether the functioning of the petitioner Society and their canvassing of deposits are having permission from the Kerala State Co-operative Registrar. A true copy of the said petition is produced herewith and marked as Exhibit R1(e).



8. It is submitted that the petitioner Society has released a press release on 24.06.2015 in Mangalam daily wherein it is stated that Head office of the petitioner is at Sundaramurthy Road, Cox Town, Bangalore and Corporate/Admin Office is at FF 105, Bilipatra Complex, Vadodhara. It is further represent that the petitioner Company is registered under the Multi State Co-operative Societies Act, 2002. The advertisement also stated that members/share holders can open SB A/c (6% interest). The petitioner Company stated that it is accepting deposit from share holders and members. It further represent that it is having branches in Kerala at Thrissur and Thiruvananthapuram. The advertisement also claimed that the petitioner Company proposed to open its branches in Kozhikode, Kannur and Paravur. A true copy of the advertisement dated 24.06.2015 is produced herewith and marked as **Exhibit R1(f)**.

9. It is submitted that it was on the basis of a circular dated 29.05.2013 issued by the Government of India, Central Registrar of Co-operative Societies directing to conduct inspection of Multi State Co-operative Societies u/S 108 of the Multi State Co-operative Societies Act of 2002, that the inspection of the premises of the petitioner Company was conducted by the first respondent on 13.08.2015. A true copy of the said circular is produced herewith and marked as **Exhibit R1(g)**.

10. It is submitted that as per the above circular this respondent at 13.08.2015, at 4 pm visited the premises of the petitioner Society and found 2 persons present there. The staff members of the petitioner Society stated that they are not given any appointment order as such and therefore they are unable to say whether one of them is the Manager of the Company. The staff members readily produced the books of accounts and books maintained in the course of the business. The staff members also handed over a print out from the computer showing details of the






accounts maintained by the petitioner Society. It is submitted that there are two rooms under the occupation of the petitioner Company and which one room is used as a conference hall wherein about 20 chairs are placed for the purpose of orientation talks for the canvassing agents and the other room is used for the purpose of office functioning.

11. It is submitted that, at about 4.30 pm many persons came to the premises of the petitioner Society on seeing the vehicle of the Co-operative department being parked below the premises of the petitioner Society. It is also submitted that the petitioner Society is functioning in Union Complex, South Bazaar, Kannur and the said building is having 4 storeys and the petitioner Society is housed on the second floor of the said building. It is submitted that before proceeding to the premises of the petitioner Society the Police was informed regarding the visit of the premises and the Police came to the spot at about 4.40 pm, not at the request of the Joint Registrar. It is submitted that at about 5.10 pm, Sri.Binesh K., the person who was in charge of petitioner Society at the time of visit has secretly left the premises and he had taken away the cash balance available at that time which is Rs.57,860/-. It is submitted that the above said amount does not tally with the transaction of the day and it falls short by Rs.15,419/-.

12. It is submitted that the other staff member of the petitioner Society Ms. Ashwini O.P started weeping and has about to collapsed. It is submitted that at about 4.45 pm itself, on seeing that there is only one lady staff present in the premises, two women officers from the office of the Joint Registrar were requested to reach the place and accordingly Smt.N.P.Preeji, Assistant Registrar and Smt.Anitha K., Junior Inspector came to the spot. It is submitted that the above two officers escorted the said Ashwini out of the premises and she was taken to the office of the Joint Registrar and later she



expressed her willingness to go back home by bus after having contacted her father by telephone.

13. It was in the above circumstances that the first respondent was left with no other option than purchase a lock from the nearby hardware shop and has locked the business premises of the petitioner Society at 5.20 pm.

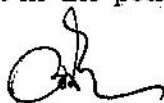
14. It is most respectfully submitted that I am ready and willing to obey any orders of this Hon'ble Court and it is further submitted that I have no objection to hand over the key, the two books and the print out of the accounts to the petitioner.

15. It is submitted that it was only a routine inspection conducted on the basis of an order dated 03.07.2015 issued by the second respondent.

16. It is submitted that the petitioner has not produced any document to show that he is having any registration whatsoever. It is submitted that the registration certificate issued by the Central Registrar or a copy of the same is not exhibited in the premises nor it was made available to me for perusal.

17. It is most respectfully submitted that the petitioner was not given a due notice before inspection since it was an enquiry under section 108 of the Multi State Co-operative Societies Act of 2002 which is already marked as Exhibit R1(g) to verify as to whether the petitioner Society is having Reserve Bank of India license for opening branch, company regulation license, and whether the petitioner is having any registrations with the Central Registrar etc. A copy of the bye laws was also not made available during the time of inspection.

18. It is submitted that a report regarding the inspection conducted by this respondent in the petitioner Society has forwarded






to the Joint Secretary/Central Registrar of Co-operative Societies. A true copy of the report submitted to Central Registrar is produced herewith and marked as Exhibit R1(h).

In the above circumstances it is therefore humbly prayed that this Hon'ble Court may be pleased to accept this Counter affidavit and to dismiss the above Writ petition as it is devoid of merits.

All the facts stated above are true to the best of my knowledge, belief and information.

Dated this the 18<sup>th</sup> day of August, 2015.

  
K. Surendran

**DEPONENT**

Solemnly affirmed and signed before me by the Deponent, whom I known on this the 18<sup>th</sup> day of August, 2015 at the Office of the Advocate General, Ernakulam.

**A.J. JOSE AEDAIDI  
GOVERNMENT PLEADER**

ॐ धाम धारणी के उत्कर्ष की एक नई किरण



Regd. No. MSCS/CR/71788

**INDIAN**  
**CO-OPERATIVE CREDIT SOCIETY LIMITED**  
MSCS

Head Office : 811, Sundarambly Road, Cox Town, Bangalore-560005.  
Corporate/Admn Office: FF 105, Binigara Complex,  
Harni, Varasipete Ring Road, Vadodra (Gujarathi). www.iccs.in.  
Email: cdc@iccs.in, indiancoopcredit@gmail.com  
Ho helpline : 02652517298

w.e.f 1<sup>st</sup> October 2014

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
SD1 8%	1650	10	3746	1200	100	1252
	10950	30	31239	3600	300	375
	36500	100	37463	12000	1000	1252
SD2 9%	2300	10	7726	2400	100	2634
	21900	30	23185	7200	300	7902
	73000	100	77283	24000	1000	26339
SD3 10%	10950	10	12035	3600	100	4199
	32850	30	36409	10800	300	12593
	109500	100	120355	36000	1000	41994

PLAN SRS MONTHLY RECURRING 12%

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	4800	100	295	580	1150	6019
2	9800	200	590	1160	2300	12037
3	14400	300	885	1740	3450	18056
4	19200	400	1180	2320	4600	24075
5	24000	500	1475	2900	5750	30093
6	48000	1000	2950	5800	11500	60187

PLAN SRS MONTHLY RECURRING 13%

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	6000	100	295	580	1150	6019
2	12000	200	590	1160	2300	12037
3	18000	300	885	1740	3450	18056
4	24000	400	1180	2320	4600	24075
5	30000	500	1475	2900	5750	30093
6	60000	1000	2950	5800	11500	60187

w.e.f 1<sup>st</sup> October 2014

PLAN SRS MONTHLY RECURRING 12%

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	6000	100	295	580	1150	6019
2	12000	200	590	1160	2300	12037
3	18000	300	885	1740	3450	18056
4	24000	400	1180	2320	4600	24075
5	30000	500	1475	2900	5750	30093
6	60000	1000	2950	5800	11500	60187

PLAN SRS MONTHLY RECURRING 13%

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	7200	100	295	580	1150	10814
2	14400	200	590	1160	2300	21628
3	21600	300	885	1740	3450	32442
4	28800	400	1180	2320	4600	43257
5	36000	500	1475	2900	5750	54071
6	72000	1000	2950	5800	11500	108142

Monthly Income Scheme (M.I.S.)

(on deposit of '10000)

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	10000	100	295	580	1150	10814
2	20000	200	590	1160	2300	21628
3	30000	300	885	1740	3450	32442
4	40000	400	1180	2320	4600	43257
5	50000	500	1475	2900	5750	54071
6	100000	1000	2950	5800	11500	108142

PLAN SRS MONTHLY RECURRING 12%

FIXED DEPOSIT (Start from 5000. No limitation)

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	5000	100	295	580	1150	6019
2	10000	200	590	1160	2300	12037
3	15000	300	885	1740	3450	18056
4	20000	400	1180	2320	4600	24075
5	25000	500	1475	2900	5750	30093
6	50000	1000	2950	5800	11500	60187

PLAN SRS MONTHLY RECURRING 13%

PLAN	AMT DEPOSITED	DAILY MATURITY	FLY	AMT DEPOSITED	FLY	MATURITY
1	6000	100	295	580	1150	10814
2	12000	200	590	1160	2300	21628
3	18000	300	885	1740	3450	32442
4	24000	400	1180	2320	4600	43257
5	30000	500	1475	2900	5750	54071
6	60000	1000	2950	5800	11500	108142

# ICCS AAJEEVAN SAARTHI DEPOSIT

Year	Deposit	After 7th Year Pay Out	Surrounding Benefit	Sum Assured
1	12000			72000
2	12000			72000
3	12000			72000
4	12000			72000
5	12000			72000
6	12000			72000
7	9884		104333	
8	10181		108593	
9	10486		113017	
10	10801		117807	
11	11125		123311	
12	11458		129316	
13	11802		135818	
14	12156		142819	
15	12521		149321	
16	12897		156325	
17	13283		163831	
18	13682		171839	
19	14092		180350	
20			189364	

## ICCS DHAN VARSA

Entry Age	18 Years	25 Years	35 Years	45 Years	50 Years	60 Years
Recurring Deposit Amount	6,000	7,000	8,000	9,000	10,000	12,000
Sum Assured	42,000	48,000	56,000	64,000	72,000	84,000

## 42000/LIFE (INSURANCE)

Entry Age	18 Years	25 Years	35 Years	45 Years	50 Years	60 Years
Recurring Deposit Amount	6,000	7,000	8,000	9,000	10,000	12,000
Sum Assured	42,000	48,000	56,000	64,000	72,000	84,000

Note: Rate on interest may be vary time to time as per RBI guideline.

## FIXED DEPOSIT CHART

PLAN 'SET' 8%*	PLAN 'SET' 10%*
Sr. No.	Sr. No.
Amount Deposited	Amount Deposited
Maturity Value	Maturity Value
1	5000
2	10000
3	15000
4	20000
5	25000
6	30000

## PLAN 'SF2' 9%\*

Sr. No.	Amount Deposited	Maturity Value
1	5000	5941
2	10000	11881
3	15000	17822
4	20000	23762
5	25000	29703
6	30000	35644

## PLAN 'SF2' 10%\*

Sr. No.	Amount Deposited	Maturity Value
1	5000	7590
2	10000	15181
3	15000	22771
4	20000	30361
5	25000	37952
6	30000	45544

# PLAN 'SF5' 12%\*

Sr. No.	Amount Deposited	Maturity Value
1	5000	8812
2	10000	17623
3	15000	26435
4	20000	35247
5	25000	44059
6	30000	52871

## ICCS Nirvithi Varan Yojana

Year	Deposit After 8th Year Pay Out (Rs.)	Surrounding Benefit (Rs.)	Life Cover (Rs.)	Life Cover Pay Out (Rs.)	Life Cover (Rs.)
1	12000	-	40000	-	40000
2	12000	-	40000	-	40000
3	12000	-	40000	-	40000
4	12000	-	40000	-	40000
5	12000	-	40000	-	40000
6	12000	-	40000	-	40000
7	12000	100000	40000	-	40000
8	12000	100000	40000	-	40000
9	12000	100000	40000	-	40000
10	12000	100000	40000	-	40000
11	12000	100000	40000	-	40000
12	12000	100000	40000	-	40000
13	12000	100000	40000	-	40000
14	12000	100000	40000	-	40000
15	12000	100000	40000	-	40000
16	12000	100000	40000	-	40000
17	12000	100000	40000	-	40000
18	12000	100000	40000	-	40000
19	12000	100000	40000	-	40000
20	12000	100000	40000	-	40000

## Terms & Conditions of the Yojana:

1. Minimum Premium deposit of Rs. 1000/- per month.
2. Premium deposits to be done for 120 months (10 years).
3. From 12th to 24th month members will get monthly Rs. 3000/- per month.
4. No pre-maturity is allowed in this Yojana.
5. Life cover will start after 8 months from the date of 1st premium instalment.
6. Life cover will start after 1 month from the date of 1st paid instalment in half - yearly or yearly mode.
7. Minimum paid life cover is Rs. 40,000/- in case of extra life cover member has to pay additional premium.
8. Minimum age at entry in this Yojana is 18 Years and Maximum upto 60 Years.
9. Life accounts will get return after the end of pre-maturity paying term (10 years) with Savings Interest rate.
10. KYC documents of members joining this Yojana is compulsory. (Photo ID, Address proof, Age proof etc.)
11. Premium deduction on Life account, pre-maturity (Case to case basis).

## Terms & Conditions of the Yojana:

1. Minimum Premium deposit of Rs. 1000/- per month.
2. Premium deposits to be done for 72 months (6 years).
3. From 72nd month till LIFE TIME members will get monthly Rs. 12000/-.
4. No pre-maturity is allowed in this Yojana.
5. Life cover will start after 6 months from the date of 1st premium instalment.
6. Life cover will start after 1 month from the date of 1st paid instalment in half - yearly or yearly mode.
7. Minimum paid life cover is Rs. 40,000/- in case of extra life cover member has to pay additional premium.
8. Minimum age at entry in this Yojana is 18 Years and Maximum upto 60 Years.
9. Life accounts will get return after the end of pre-maturity paying term (6 years) with Savings Interest rate.
10. KYC documents of members joining this Yojana is compulsory. (Photo ID, Address proof, Age proof etc.)
11. Premium deduction on Life account, pre-maturity (Case to case basis).

10

Exhibit R, (6) 0



# INDIAN COOPERATIVE CREDIT SOCIETY LIMITED

MSCS

Regd. No. MSCS/ICCI/7798

If salaried, employed with:		If salaried, employed with:	
<input type="checkbox"/> Govt Sector	<input type="checkbox"/> Semi Govt. Sector	<input type="checkbox"/> CA	<input type="checkbox"/> Engineer
<input type="checkbox"/> Multinational	<input type="checkbox"/> Public Ltd. Co.	<input type="checkbox"/> Trader	<input type="checkbox"/> Layer
<input type="checkbox"/> Pvt. Ltd. Co.	<input type="checkbox"/> Others .....	<input type="checkbox"/> Software	<input type="checkbox"/> Family Profession
Name of the Employer .....		<input type="checkbox"/> Doctor	
Grade:		<input type="checkbox"/> Consultant	
<input type="checkbox"/> Non Management	<input type="checkbox"/> Junior Mgmt.	<input type="checkbox"/> Other	
<input type="checkbox"/> Middle Mgmt.	<input type="checkbox"/> Top Mgmt.	Nature of Business:	
		<input type="checkbox"/> Trading	<input type="checkbox"/> International Trading
		<input type="checkbox"/> Finance	<input type="checkbox"/> Manufacturing
		<input type="checkbox"/> Transport	<input type="checkbox"/> Others
		Monthly total family income (approx):	
		<input type="checkbox"/> Up to ₹. 5000	<input type="checkbox"/> 5001 - 10000
		<input type="checkbox"/> 10001 - 20000	<input type="checkbox"/> 20001 - 30000
		<input type="checkbox"/> 30001 - 50000	<input type="checkbox"/> above 50000

Banking Relation with other Banks / Society:	
Name of the Bank / Society .....	A/c No. ....
Branch .....	
Name of the Bank / Society .....	A/c No. ....
Branch .....	

Full Name of the Nominee:		
Surname	First Name	Middle Name
Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: .....	Relationship: .....

Declaration: (In Case the applicant is married, more than one child)	
Whether member of any other Co-operative Credit Society or Bank? a) Yes b) No	
If yes, give the detail .....	
I do hereby declare as per MSCS rules that I shall borrow only from one Bank / Society (name) .....	
..... (branch) .....	
Date: .....	Signature of the Applicant .....

Introducer:	
I, ..... the member of the society (vide membership No. ....)	
recommend that the above applicant be admitted as member of the society.	
Introducer's Signature .....	

For Office Use Only:	
Verified and found correct / incorrect and complete / incomplete.	
Name and Signature of Verifying Authority: .....	
No. of shares allotted: ..... vide distinctive number(s): ..... to .....	
Ledger Folio No. .... Share Certificate No. ....	
Membership No. allotted .....	

Remarks by the Chairman / Designated Authority:	
a) Accepted <input type="checkbox"/>	b) Under consideration <input type="checkbox"/>
c) Sent back for review <input type="checkbox"/>	d) Rejected <input type="checkbox"/>
Date: .....	Signature: ..... Seal: .....

Note:	
1. Please use black ink only to fill up the form.	
2. Application for minimum one unit comprising 20 shares of Rs. 100/- each can be made.	
3. Kindly enclose copies of address proof (like ration card, electricity bill or telephone bill etc.) and photo ID proof such as Pan Card / Driving Licence / Passport etc.	

Registered and Central Administrative Office	8/1, Sundaramurthy Road, Cox Town, Bangalore-560005. www.iccsi.in, rh.kerala@iccsi.in, cdo@iccsi.in E-mail: indiancoopcredit@gmail.com
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Regd. No. MSCS/CR/77/98

# INDIAN COOPERATIVE CREDIT SOCIETY LIMITED

HEAD OFFICE : 8/1, Sundaramurthy Road, Cox Town, Bangalore-560005.

E-mail : indiancoopcredit@gmail.com  
www.iccsi.in, rh.kerala@iccsi.in, cdo@iccsi.in

## SHARE APPLICATION FORM

The Chairman / Board of Directors,  
Indian Cooperative Credit Society Limited  
Bangalore-560005.

Affix  
Recent  
Photograph  
with Cross  
Signature

Date :

Sir,  
Kindly enroll me as member of Indian cooperative Credit Society Limited. I am herewith paying you in cash / by cheque / draft vide No. .... for a total amount of ₹ ..... (towards the fee ₹ 20/-, share money ₹ ..... for ..... shares. I have read the rules and declare that I am eligible to become a member. I promise to abide by the laws and rules of the Society in force or may be amended from time to time. My details are as below-

Name		
Surname	First Name	Middle Name
Date of Birth :	Sex : M/F <input type="checkbox"/>	Religion : ..... Caste : .....
Permanent Residential Address :		
City : ..... Pin Code : ..... State : .....		
Tel. No. : ..... Mobile No. : ..... E-mail : .....		
Office Address :		
City : ..... Pin Code : ..... Country : .....		
* PAN / UID No. : ..... (*Please attach form 50 in case of non-availability of PAN / UID No.)		
Passport No. : .....		
Issued date at : .....		
Marital Status :	<input type="checkbox"/> Single <input type="checkbox"/> Married	No. of Children : .....
Education :	<input type="checkbox"/> Non-SSC <input type="checkbox"/> SSC / HSC <input type="checkbox"/> U G <input type="checkbox"/> Graduate <input type="checkbox"/> P G <input type="checkbox"/> Professional <input type="checkbox"/> Ph. D	
Occupation :	<input type="checkbox"/> Service <input type="checkbox"/> Business <input type="checkbox"/> Retired <input type="checkbox"/> Housewife <input type="checkbox"/> Student <input type="checkbox"/> Self-Employed Professional <input type="checkbox"/> Consultant <input type="checkbox"/> Other .....	
Branch Address :		

HARIDAS 9747606152

This the true copy of document marked as ANNEXURE-  
referred to in the above case.

Jayarajan, K  
Vazhayil House  
Chala East (PO)  
Kannur

The Joint Registrar  
Kannur

Sir,

I have attended an agents meeting at Indian Coop. Credit society Ltd Kannur branch, which started functioning on 13.07.2015. The Society claimed to have all Licences, permission and legal sanctions from all authorities of Govt; of kerala and Govt; Of India

But while going through the brochures and speech, I learned that no society can do business by canvassing deposits by paying 17% commission for RD and 10% Commission for FD and offering 12% Interest on RD, double the amount of FD by 5 1/2 Years and triple amount by 8 years. The brochure looks very unrealistic and Fantastic and almost similar to that of a money chain organization. Therefore I request the Joint Registrar to Conduct a through investigation in to the affairs of the Society at the Earliest.

Chala East.  
12/08/2013

Your's Faith fully  
Jayarajan. K

Copy To

Registrar Of Co-opertive Societies,  
Thiruvananthapuram

This the true copy of document marked as ANNEXURE-  
referred to in the above case.

ADVOCATE



13  
CRP. -  
W.P. 15

5845 [A]

Exhibit R<sub>1</sub>(d)(1)



From

C.K. Anilkumar  
Sree Lakshmi Nilay  
Talap  
Kannur.

To

The Joint Registrar  
Kannur.

Sir,

സ്ഥിരമായ സാമ്പത്തികതയുടെ അഭാവം മൂലം 13.7.2015  
ന് രണ്ട് ഉൾപ്പെടെ കോർപ്പറേഷൻ പ്രാപ്തം അനുസരിച്ച്  
പ്രവർത്തിക്കുന്ന കമ്പനി അഞ്ച് അംഗങ്ങളുള്ളതാണ്. ഇതിൽ  
കോർപ്പറേഷൻ കമ്മിറ്റി ചെയർമാൻ എന്ന പേരിൽ സ്ഥിര  
തയ്ക്ക് നിർദ്ദേശ നൽകാൻ കഴിയാതെ 9 വർഷമായി  
വിനയപത്രത്തിൽ വാർഷികാഭ്യർത്ഥനയ്ക്ക് പരാജയപ്പെട്ടതാണ്.

മേൽപ്രകാരം സ്ഥാപനത്തിൽ നിത്യം വാർഷിക സർക്കാർ  
ജി.എസ്.ടി. കോർപ്പറേഷൻ, എസ്.എസ്.ടി. കോ.പി. കോർപ്പറേഷൻ  
മുൻപിൽ സ്ഥാപനത്തിൽ പ്രവർത്തിക്കുന്നവരെ കേൾവ  
വിൽ കോർപ്പറേഷൻ മുമ്പാകെ വാർഷിക പരാജയപ്പെട്ടതാണ്  
തോതിൽ നിർദ്ദേശ സ്വീകരിക്കാൻ കഴിയാതെ 12% മുൻ  
17% വരെ കോർപ്പറേഷൻ നൽകാൻ പരാജയപ്പെട്ട നിർദ്ദേശ സ്വീകരിക്കാൻ  
നിർദ്ദേശിച്ചവർക്ക്, വിവിധ നിർദ്ദേശത്തിൽ 12% പലിശയും  
സ്ഥിരനിർദ്ദേശങ്ങൾ 5 1/2 വർഷം തുടർന്ന് അടയ്ക്കും 8 വർഷം  
തുടർന്ന് മുൻനിർദ്ദേശ വാർഷിക പരാജയപ്പെട്ടതാണ്.

14

Exhibit R1(d)(2)

മോദിവിജയവും പാലോടിവിജയവും വാങ്ങുന്ന അമ്പലമുക്ക്  
പ്രദേശത്തെ നിരോധിത പദ്ധതികളാണ് അംഗീകരിച്ചിട്ടുള്ളത്.  
ഏതാണ്ട് ഒരു രാഷ്ട്രവാദിയുടെ രാഷ്ട്ര ഭരണ പദ്ധതിയും  
തൊട്ടറത്തായി ഉപയോഗിക്കാം, അതിന്റെ തന്നെ സ്വഭാവം പര  
മമായിട്ടുണ്ട്. അദ്ദേഹം ന്യായവും സംസ്കാരം - ഏത് നിശ്ചിത  
നടപടിയാണ് തീരുമാനം സംസ്കാരം, പരിസ്ഥിതിയും, നടത്തിപ്പ്  
പദ്ധതിയും (cost of management) നടപ്പാക്കുന്നതിന് ആവശ്യമായ  
മർദ്ദനങ്ങൾ.

ഏതാണ്ട് ഒരു കാഴ്ചയിൽ, അതിവേഗമായിട്ടും അദ്ദേഹം  
അംഗീകരിക്കണമെന്ന് അദ്ദേഹം വിനിയോഗിച്ച അംഗീകരിച്ചതാണ്  
ആവശ്യം.

എന്ന്

Anilkumar

അതിന്റെ മേൽ. നി. 10

അമ്പലമുക്ക്

18.8.2015

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ADVOCATE

17/08 2015 5:40 PM FAX

15 Exbt R (e) (1)

00001

From

1/3

031356 KANNUR

K. PAVITHRAN  
A.B. QUARTERS  
PATTEL ROAD  
PO-CHIRAKKAL  
KANNUR-670011  
MOB: 9446577018

~~29-07-2015~~

01-07-2015

WP. 20985/  
15

To

THE PUBLIC INFORMATION OFFICER  
OFFICE OF THE STATE CO-OP REGISTRAR  
THIRUVANANTHAPURAM-1

Respected Sir,

2005 ലെ വിവര വകുപ്പ് നിയമം അനുസരിച്ച്  
താഴെ തുടങ്ങിയ വിവരങ്ങൾ 22-ആം  
നമ്പർ വിനിയോഗിച്ച് അപേക്ഷിക്കുന്നു.

Bangalore ക് Head Office ന്യായം  
an Indian cooperative credit Society Ltd  
(MCS) എന്ന കമ്പനി ഭാരതത്തിന്റെ പട്ടണവും  
പട്ടണവും പിറന്നു. ഇതിന്റെ  
നമ്പർ 24-6-2015 ന് 3.15.01  
നമ്പർ 24-6-2015 ന് 3.15.01  
Under Multi State cooperative Society  
act-2002, കേന്ദ്ര. Central Registrar of  
cooperative societies, Ministry of Agriculture,  
Government of India) എന്ന കമ്പനി  
അവർ പിറന്നു താഴെ പറയുന്ന  
ഇ. അവർ Deposit ന്യായം (FD, RD, MIS,  
Life long Plan എന്നിവയെക്കുറിച്ച്  
താഴെ (അപേക്ഷാ ബ്രോക്കർ), പട്ടണവും  
3.15.01 ന്യായം അപേക്ഷിക്കുന്നു.

Chas. J. O.

Ext R1 @ X2

- 1) മോഡറി കമ്പനി വേണ്ടി Deposit Company  
ചെയ്യുന്നതിന് Kerala State co-operative  
Regulation നൽകി അനുമതി ചെയ്തു. പണം  
നഷ്ടപ്പെട്ടവർക്ക് അത് ഉപയോഗിക്കാൻ തക്കവിധം.
- 2) അനുമതി ചെയ്തതിൽ ഉത്തരവിന്റെ നമ്പർ  
7 - തീർച്ചപ്പെടുത്തിയ ഉത്തരവിന്റെ ഭാഗമായി  
പലിശയും അടയ്ക്കുന്നതിനും വിനിയോഗിച്ചിരിക്കുന്നു.

[illegible]

കേരള വിവാഹ പ. ചങ്ങമ്പുഴ  
 കോളം പാലം 26 - തൃശ്ശൂർ  
 ന്ൻ കോളം പാലം  
 വിവാഹ കേരളം

102/2015  
K. Parithaman  
2015

21/07/2015

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referred to in the above case.

ADVOCATE

0004

3. ചുരുക്കം -  
 സംഗ്രഹം നിർമ്മിക്കപ്പെടുന്നതല്ലെന്നും  
 സി.സി.സി.യുടെ ഉദ്ദേശ്യമല്ലെന്നും.

24-6-2015-9643-310000



**Reg. No.** MGCS/CB/TIN/8  
**Head Office:** 8/1, Sundaramurthy Road, Cox Town, Bangalore-560005  
**Corporate/Admin Office:** FF 105, Billpatra Complex, Hami Varasiya Ring Road, Vadodara(Gujarat)  
[cdo@ccst.in](mailto:cdo@ccst.in), [cdo@gmail.com](mailto:cdo@gmail.com), [cdo@iccsr.in](mailto:cdo@iccsr.in), H.O. Helpline : 02652517298  
 A Non-Profit Organisation registered under the Societies Registration Act, 1860 & Companies Act, 1956.  
 An Autonomous Body created by Government of India, Ministry of Health & Family Welfare, Department of Reproductive Health & Family Welfare, Directorate General of Health Services, New Delhi.

Corporate/Admin Office: FF 105, Billpatra Complex, Hami valasiya  
www.lccsl.in, Email : indiancoopcredit@gmail.com, cdo@lccsl.in, P.O. Helpline : 02652517298  
(Under Multi State Cooperative Society act 2002., Central Registrar of Cooperative Society  
Ministry of Agriculture, Government of India.)

Members/shareholders can open SB A/C (6% interest)

Accepting deposit ( FD,RD,MIS, LIFE LONG PLAN )  
from shareholders/Members

Branches in Kerala: City Castle Building, Third Floor, East fort, Thrissur 0487 2425559  
Bakker Tower, Thampanoor, Trivandrum.

Branches in Kerala: City Castle Building,  
Bakker Tower, Thampanoor, Trivandrum.

**Shortly open** Kozhikkode, Kannoor & Paravoor Emakulam

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**ADVOCATE**

7/08 2015 5:41 PM FAX

18

Exhibit R, (g) 00003

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W.P. 20985

15

By Registered Post

F. No. D-11017/10/2013L&M  
Government Of India  
Ministry of Agriculture  
Department of Agriculture & Cooperation

Krishi Bhavan, New Delhi  
Dated the 29<sup>th</sup> May, 2013

CIRCULAR

Sub: Inspection of Multi State Cooperative Societies u/s 108 of the MSCS Act 2002.

With a view to ensure effective monitoring of the multi-state cooperative societies located in various states and union territories, the Government has decided to authorize the Registrar of Cooperative Societies of the states / union territories by delegating powers to them under section 108 of the MSCS Act 2002 of the multi-state cooperative societies located/operational within their state. The Registrar of Cooperative Societies or any other officer of the State Government, as the RCS may deem appropriate, shall carry out inspection of books of Accounts and other activities of the society.

The list of multi-state societies registered till May 28, 2013 is enclosed with a request to carry out fact finding enquiry to ascertain the operational status of the society covering areas like business operation, membership position, compliance with statutory provisions, etc. and submit a report to this office.

( Ashish Kumar Bhutani )  
Central Registrar of Cooperative Societies  
&  
Joint Secretary to the Government of India

Distribution : 1) Registrar of Cooperative Societies ( All States & Union Territories )

2) Secretary (Cooperation) ( All States )

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ADVOCATE



19

Dated 17.08.2015

No. 5646/2015/CRP

The Joint Secretary &  
Central Registrar of Co-Operative Societies,  
Ministry of Agriculture,  
Department of Agriculture & Cooperation,  
L & M Section, Krishi Bhavan, New Delhi.

(Through the Registrar of Co-Operative Societies)

Sir,

Sub:- Co-operative Department - Indian Co-operative credit  
society Ltd. No. MSCS, CR/77/98 - Inspection report  
communicates - Report Submission- Reg.

Ref:-

1. Judgment of the Hon'ble High Court of Rajasthan dated 9.11.2014 in DB Civil W.P.(C) No. 26/2013
2. Interim order dated 13.07.2015 of the Hon'ble High Court of Kerala in W.P.(C) No. 20985/15
3. Letter No. R 11017/65/2014- LPM dated 18.02.2015 of the Joint Secretary (cooperation) & Central Registrar of Co-operative Societies, Government of India
4. Letter No. 4103/PS1/2015 Co-operation Dated 02.05.2015 of the Government of Kerala.
5. Letter No. CG (3) 22283/2015 dated 03.07.2015 of the RCS.

1. I may inform the Central Registrar of Co-operative Societies on the business activities undertaken by the Indian Co-operative Credit Society through its Kannur branch which was said to have states functioning from 13.07.2015.

2. On 07.07.2015 two prospective members and deposits came over to the office of the Joint Registrar, Kannur with a copy of share application form and brochure of the deposits to make an enquiring over the liability, sanctions and entity of the ICCS and handed over the telephone no. of Mr. Haridas, who has claimed to be marketing executive of this Co-operative organization immediately, I



contacted him over phone (mob: 9747606152) together information regarding the functioning of this multi state Co-operative Society in Kannur district. But his reply was not so warm and cordial instead he questioned my authority and advised me not to poke in to the business of and multistate co-operative Society which runs as he said beyond my control after several repeated calls from my office telephone (0497 2700413) and from my mobile phone (9995522064) on 07.07.2015 evening he was forced to furnish the telephone number of the head office. When contacted there I got reply that the Registered Head Office had be changed from Bangalore to Gujarat. I contacted Gujarat office to learn that no responsible officers and authorities are available and the person, who introduced himself as marketing executive, in the Gujarat office did not give name, address and telephone/mobile number of the chairman, Vice Chairman, MD or any other responsible officer which is quite objectionable. This made me suspicious of the business operations undertaken by the ICCS. Moreover the brochure share application form etc. did not give any idea of the transferred head office in Gujarat nor did it furnish any phone numbers this made me more & more skeptic. I brought all this information to all notice of the Res, who advised me to issue a process release to the public warning them not to co-operative with the ICCS proposed to function in Kannur with out obtaining Banking License from RBI and No Objection Certificate from the RCS. Hence I acted accordingly and the news appeared in 'Mathrubhoomi' a Malayalam Daily dated 09.07.2015. This fact was duly submitted to the Res vide letter No. 4996/2014/ST dated 08.07.2014.

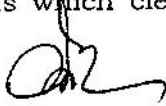
3. On 13.07.2015 morning Adv. Velayudhan, who claimed to be the Legal Advisor of the ICCS along with Mr. Haridasan, Marketing Executive called at my office with an intimation repairing the Writ Petition filled in the Hon'ble High Court of Kerala referred to as no. on perusal of the intimation, I challenging the maintainability of the



intimation. Since he failed to produce any proof like ID, card or letter of authority or Vakalath etc. to establish that was the legal advisor/Law officer or an advocate representing the ICCS, since an advocate was not authorities to prefer a complaint in the letter head of the institution which also lacks the real of the society. Upon this he threatened me that, if I proceed further in this matter, he would file a defamation case in the Hon'ble High Court of Kerala. He also claimed that, the ICCS had right to open branches and co ordinate work any where in the states which is specifically notified in their Registration Certificate in Karnataka, Tamil Nadu, Kerala and Andrapredesh.

4. It is also learned that the Kannur Branch of the ICCS started functioning on 13.07.2015 by accepting deposits of money from the public by making then members illegally and without authority. Provision No. 19 of the registered bye law empower the BOD to prescribe the required Subsidiary Rules for the deposed of applications for admission of members, allotment, transfert and refund of shares. Bye law No.8 stipulated that all applications for admission of members and allotment of share shall be submitted to the MD is the prescribed form along with admission fee of Rs. 10/ and Rs. 100 being the value of the share add a share fee of Rs. 5/. Without complying with there provisions and not admitting the public member, the society kept an accepting deposits of money till 13.08.2015 unlawfully and unauthorizedly.

5. On 13.08.2015, around 4 'o' clock I, along with Assistant Registrar(planning), Assistant Registrar(General) Kannur and two Senior Inspector calls at the office of the Kannur Branch of ICCS and informs our purpose of Visit to the persons present in the office. They informs though they are employees of the society. They are not given any appointment order, or any records which clearly spelt and the designation.



22.8

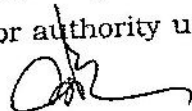
4

6. Responsibilities, duties and powers, they are not provided with the copy of the Re, Bye laws, sanction order for opening a branch in Kannur, subsidiary rules as stipulated in Bye law no. 6,27,28 and 29 of the society. To put it briefly, those employees present in the office is not at all aware of the entity of the society, office bearers and hierarchal set up and the provisions of the Multi - state Co-Operative Societies Act 1984 ( Act 51 of 1984) Not even an Attendance Register was kept in the officer.

7. We inspected the Books of accounts records, documents etc. maintained in the office after the physical verification of cash. It is thoroughly shocking to note that a branch of a Multi - state Co-Operative Society established in 1998 was being run without adhering to the rules and regularities and in violation of accounting principles and standards put forward by the institute of Chartered Accountants of India Hundreds of share application and application for deposit not duly filled in the respects was found stocked in the counter. No records of showing the dispatch of this application to the MD or to the Head Office or any correspondence file could not be produced for verification. The two staff when contractor their employees- The bye law no. 27 stipulates that the Board of Directors may appoint cause to appoint such other members of the staff as are required and shall frame separate rules for recruitments and service conditions of the employees as per Bye law no. 19.15. The Bye Law No. 19.15 reads as follows under the caption "Board of Directors":- powers and functions.

*"To make provision for regulating the appointment of employee of ICCS Ltd. and the scale of pay, allowances and other conditions of service inducing disciplinary action against such employee".*

8. The above provisions are totally ignored and violated and the so calls staff miserably failed to adduce any reasonable evidence information to establish the legal entity or authority under which the



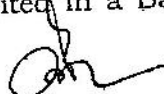
branch functions, nor did produce any documentary evidence of the existence of any officer bearers, let alone their presence in the office till the inspection over by 5.20pm.

9. The so called Day Book, which is used for recording the daily transaction occurring in the society in chronological order, and the General Ledger found kept in the society branch office in a primitive and unauthorized manner. No responsible employee put their signature as token of having verified the authority, correctness and completeness of the accounts nor was the seal affixed. Therefore it can not possible to ensure the physically verified cash agreed with the book balance on 13.08.2015. The staff could not produce any documents, such as copies of License from RBI, NOC from RCS subsidiary Rules repairing acceptance of deposits sanctioning loans/advance, Branch sanctioning order from RBI and Central Registrar, registered Bye laws Multi-state Co-operative Societies Act 1984 ect., which ought have been maintained or kept in the society to established its authority and entity.

10. While inspection, the staff explain to us that the agents who canvases fixed deposits will be paid 10% commission straight away and 17% commission shall be paid to recurring deposits collection agents without TDS deduction, moreover the investors are guaranteed existing rate of return along with insurance coverage. On going through the brochure, the rates of interest/ return with insurance coverage were attractive.

11. In Banking Regulation Act Sec.4 read as follows 'Banking means acceptance of deposits of money from the public for the purpose of either lending or investments'.

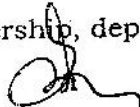
12. Here in this Society only acceptance of Deposits of money from the Public (under the guise of members) was found taken place in a hole months which is deposited in a Bank account (A/c.



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No.253505000022 with ICICI) the whereabouts of this account was not known to the staff who used to remit the daily collections. Not a single rupee as disbursed as Loan/ Advance to any members. This early showed the ulterior motive behind the opening of a Branch in Kerala, especially in northern part of Malabar, where Co-operative institution have been working as social engines bringing in Social, Cultural and financial upliftment fulfilling needs and aspiration of the general public - Co-operatives widely and popularly identified as credible, trust, worthy, democratic, peoples vibrant organisations, literally of the people, by the people and for the people" to a mass huge funds of money to siphon out of the Kerala State either for money lending or for unethical business as practices, as its suspected by the public because it is very hard to earn 20 to 27% of ROCE to meet the Commission, Interest and cost of management.

13. By 5 O'clock in the evening the depositors, Agents, Public thronged the office in tens and hundreds creating pandemonium. Some are shouting slogans against ICCS, while others are questioning the staff. The police personnels were called upon to bring the situation under control but the infuriated and annoyed depositors as well as public over powered the police and took the control of the office of the Society, reducing the Inspecting Officers as mere spectators. Immediately, I asked my subordinate officer to bring a lock and key to shift down the office, the only alternative found suitable and available at the time of commotion and wrath of the mob. By this time the male staff slipped away from the secure, taking cash balance with him. So, in order to save the institution from the wrath of the infuriated and turbulent mob I closed down the society office at 5.30 p.m. I also informed the staff to communicate with the higher officials to contact my office next day itself. But nobody turned up till date. I also had taken out the day book, General ledger, and a copy of the application form - membership, deposit, receipt, credit and





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debit slip etc. for verification with duly acknowledging the same though my letter dated 13.08.2015.

14. In this circumstances I submit that the central Registrar may be pleased to take necessary action for bringing the Society to comply with the rules and regulations prevailing in Kerala and provisions of the central Act, for the time being in force.

Thanking you,

Yours faithfully,

  
Joint Registrar,  
Kannur.

Copy to:

1. The RCS (with C/L)
2. The RCS, Karnataka (with C/L)
3. The Chairman ICCS, Bangalore.
4. The District Police Chief, Kannur.