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सत्यमेव जयते

Commr. (Plg) - II
Despatch.....*T-608*
Date.....*16/8/2012*

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राज निवास
दिल्ली-११००५४
RAJ NIWAS
DELHI-110054

RAJ NIWAS : VIR
UID No. : *RNUID...2012/81*

SFU

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D.A. N: DELHI-2
Dy. No.*L-69*
Dated.....*16/8/12*

SFU

Please find enclosed herewith a letter dated 6th August, 2012 received from Shri Bijender Singh, MLA along with a representation of Handloom Coop. Societies regarding their functioning in residential area.

Hon'ble LG has desired the comments of the DDA on the above representation. It is requested to send the same for kind perusal of Hon'ble LG. This is a special follow up reference of this Secretariat.

Padmini
9/8/12
(Padmini Singla, IAS)
Addl. Secretary to LG.

Vice-Chairman, DDA
Commissioner(Plg.), DDA
U.O.No. *2002-12/RN/340/10994*
A. Singh
16/8/12

Dated: *16/8/2012*

Ac (MPR) on leave
Dir (MPR)

Shree
21/8

AD (P) III

Dr. Bijender Singh

Ph.D.
M.L.A.

Nangloi Jat Assembly Constituency

Chairman - NAFED

Chairman - NAFSCOB, Navi Mumbai

Chairman - Delhi State Coop. Bank

Chairman - NHRDF, NASIK



सत्यमेव जयते



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9899449482
9810830255
7838793334

E-mail : president.dscb@gmail.com

Dated: 06/08/2012

The Hon'ble Lt. Governor,
Govt. of NCT of Delhi,
Raj Niwas,
Delhi-110 054

Sub: **Representation from Handloom Coop. Societies
regarding their functioning in residential areas**

Sir,

It is to bring to your kind notice that there are more than 300 Weavers' Coop. Societies in Delhi which are providing employment to more than 15000 families. These societies are operating in residential areas such as Sawan Park, Nand Nagri, Rani Bagh, Bharat Nagar, Khureji etc. under the Delhi Coop. Societies Act, 2003. The societies are registered by the Registrar who has allowed these societies to function in residential areas as per their registered Bye-laws.

Recently, the Commissioner of Industries, GNCTD has issued a letter to these societies for obtaining license from the MCD. As per norms of the Corporation, only individual weavers are issued license for undertaking weaving business. The Department has referred the judgement of Supreme Court and Master Plan 2021 under which only household Industries could function in residential areas. As per definition of the household Industries, there is a limit of 5 workers in such unit which should also be undertaking non-polluting type of activity.

The Coop. Societies of weavers in Delhi are only operating looms without using any dyeing or bleaching but their membership, as per Delhi Coop. Societies Act, is minimum 15 for its registration. The Govt. of India and the Govt. of NCT of Delhi are providing financial assistance to these societies under the approved scheme namely "Marketing Assistance" on sale of societies' products which has given a life to these societies of weaker section. The Govt. of NCT of Delhi is the Competent Authority to specify the non-polluting units after making due inquiry. All these societies are affiliated to the Delhi State Coop. Bank Ltd. and crores of rupees has been advanced as loan to these societies from the Bank's owned funds.

I appeal your honour to kindly consider the matter and discuss this important issue with the officials of the concerned Departments including the undersigned who is elected representative of coop. sector at State as well as National level. I hope your good self will kindly consider my appeal favourably. A copy of representation of coop. societies is enclosed for your kind consideration.

With regards,

Yours sincerely,

(Dr. Bijender Singh)

Encl: As above.

सेवा में,

उपराज्यपाल महोदय,

दिल्ली सरकार,

राज निवास,

दिल्ली-110054

विषय :- दिल्ली क्षेत्र में हथकरघा सहकारी समितियों के अस्तित्व हेतु।

महोदय,

हमारा हथकरघा सहकारी क्षेत्र आपके द्वारा हमारी सहकारी समितियों की अनेकों समस्याओं के समाधान के लिए सदैव आपके आभारी हैं। वर्ष 2012 को अंतर्राष्ट्रीय सहकारी वर्ष के रूप में मनाया जा रहा है किन्तु इस समय हथकरघा सहकारी समितियों को अपने अस्तित्व की लड़ाई लड़नी पड़ रही है। विगत दिनों माननीय कमीशनर महोदय उद्योग के ऑफिस से वार्तालाप का अवसर मिला जिसमें एक नई समस्या का जिक्र किया गया एवं वर्ष 2012-13 से लागू करने की बात की गई व वर्तमान में उस पर कार्यवाही आरंभ कर दी गई है।

हथकरघा क्षेत्र बिना सरकारी सहायता के अपने आप को जारी रखने में असमर्थ है इसके लिए वस्त्र मंत्रालय भारत सरकार भिन्न-भिन्न स्कीमों को जारी रखें हैं जिसका लाभ समस्त भारत के बुनकर भाई ले रहे हैं। किन्तु विगत दिनों वार्तालाप के दौरान कमीशनर ऑफ इंडस्ट्रिज विभाग के डिप्टी कमीशनर श्री एस.के. सिंह के द्वारा कहा गया कि हथकरघा सहकारी समितियाँ माननीय उच्चतम न्यायालय के आदेश एवं मास्टर प्लान 2021 के अनुसार दिल्ली के रिहायशी इलाकों में कार्य नहीं कर सकती एवं इनको जारी सरकारी सहायता भविष्य में जारी नहीं रखी जा सकती।

इस संदर्भ में उन्हें बताया गया कि माननीय उच्चतम न्यायालय के आदेशानुसार सिर्फ प्रदूषण पैदा करने वाली संस्थाओं को दिल्ली में रिहायशी क्षेत्र में कार्य करने की मनाही है और हथकरघा में वह समितियाँ जो सिर्फ वीविंग का कार्य करती हैं जिनके यहाँ डाइंग एवं ब्लीचिंग का कार्य नहीं होता वह दिल्ली के रिहायशी क्षेत्र में कार्य कर सकती है। इस संदर्भ के स्पष्टीकरण हेतु उन्हें बताया गया कि ऐसी समितियों में यदि सीलिंग कर भी दी गई थी तो उन्हें बाद में जाँच के बाद डीसिलिंग कर दिया गया था।

सिंह साहब का कहना था कि हथकरघा को मास्टर प्लान 2021 में घरेलू उद्योग की श्रेणी में रखा गया है। जिसमें केवल 5 कारीगर ही कार्य कर सकते हैं तथा ऐसी संस्था को एम.सी.डी. से अपना रजिस्ट्रेशन कराना अनिवार्य है। (कॉपी सलग्न)

उपरोक्त संदर्भ में हमारा कहना है कि हथकरधा सहकारी समितियाँ दिल्ली सरकार के पंजीयक कार्यालय (रजिस्ट्रार ऑफिस) द्वारा रजिस्टर्ड है तथा एम.सी.डी. सहकारी समितियों का रजिस्ट्रेशन नहीं करती व केवल व्यक्ति विशेष का ही रजिस्ट्रेशन करती हैं। जो बतौर प्रोपराईटर कार्य कर सकता है। तथा दिल्ली सरकार के सहकारी एक्ट एवं रूल के अनुसार प्राईमरी समिति के सदस्यों की न्यूनतम सदस्य संख्या 15 होती है। (एक्ट की कॉपी संलग्न) इसलिए सहकारी समिति को हाऊस होल्ड कैटेगरी में सिर्फ पांच कामगारों (सदस्यों) तक सीमित करना सहकारी समिति के अस्तित्व को ही समाप्त कर देगा। मास्टर प्लॉन 2021 में सहकारी समितियों के विषय में अलग से कोई गाईड लाईन नहीं बनाई गई है जोकि अति आवश्यक थी। दिल्ली कोऑपरेटिव सोसायटी रूल 2007 के पेज नं. 4 में हथकरधा सहकारी समितियों को कटेगरी नं. VIII में खंड ई में रखा गया है। व हाऊस होल्ड इंडस्ट्रियल कोऑपरेटिव सोसायटी को कटेगरी VIII के खंड एफ में अलग से स्थान दिया गया है। (कॉपी संलग्न) अतः हाऊसहोल्ड के आधार पर हथकरधा सहकारी समितियों के अस्तित्व को समाप्त नहीं किया जाना चाहिए।

महोदय, यह बात बहुत स्पष्ट है कि माननीय उच्चतम न्यायालय एवं मास्टर प्लॉन 2021 में हथकरधा विविंग (बिना डाईंग एवं बिलिचिंग) को एक प्रदूषण रहित व्यवसाय माना गया है ऐसे में जब एम.सी.डी. सहकारी समितियों का रजिस्ट्रेशन नहीं करती तो सहकारी समितियों को एम.सी.डी. के रजिस्ट्रेशन के लिए बाध्य करना एवं उसके 5 से ज्यादा सदस्यों को कार्य से वंचित करना हथकरधा सहकारी समितियों के सम्पूर्ण ढांचे को समाप्त कर देगा। क्योंकि सदस्य अपने सांझा आर्थिक, सामाजिक एवं सांस्कृतिक जरूरतों तथा इच्छाओं की पूर्ति हेतु ही समिति से जुड़े होते हैं।

महोदय, अतः आपसे अनुरोध है कि :-

1. जो हथकरधा सहकारी समितियाँ सिर्फ विविंग (बिना डाईंग एवं बिलिचिंग) के कार्य करती हैं उन्हें रिहायशी इलाकों में कार्य करने की अनुमति प्रदान की जाए। क्योंकि यह व्यवसाय प्रदूषण रहित है।
2. सहकारी हथकरधा समितियों को एम.सी.डी. के रजिस्ट्रेशन से मुक्त रखा जाए क्योंकि समितियाँ दिल्ली स्टेट कॉ.ऑ. एक्ट एवं रूल के अंतर्गत पहले से ही रजिस्टर्ड है व विगत 30 व 40 वर्षों से रिहायशी इलाकों में कार्यरत है।

3. चूँकि एक सहकारी समिति के रजिस्ट्रेशन के लिए एक्ट के अनुसार न्यूनतम 15 सदस्यों का होना अति आवश्यक है। अतः सहकारी समितियों के लिए वर्किंग सदस्यों की संख्या कम से कम 15 रखी जाए। जबकि मास्टर प्लान 2021 में हाऊस होल्ड यूनिट में यह संख्या 5 तक की गई है।

महोदय, उपरोक्त के विषय में सहानुभूतिपूर्वक विचार कर उचित कार्यवाही कर हमारी सहकारी समितियों की समस्याओं का निदान किया जाए। हमारी हथकरघा सहकारी समितियाँ सदैव आपकी आभारी रहेंगी।

धन्यवाद,

कॉपी टू :-

श्रीमान डॉ. विजेन्द्र सिंह जी
 एम.एल.ए. एवं चैयरमैन, दिल्ली स्टेट कोआ.
 बैंक लिमिटेड : 31, नेताजी सुभाष मार्ग,
 दरिया गंज, दिल्ली-110001.

Jalpa
The Bhartiya Adarsh Handloom Co-op. Indl. (Prod.) Society Ltd
 N-172, A Krishan Vihar, Delhi-86

Chauhan
The Mahor Handloom Co-op. Ind. Society Ltd.
 Off. 821, Mahindra Park,
 Rast Bagh, Delhi-34

Sanjay
THE SAMAL HANDLOOM CO-OP INDL. (PROD.) SOCIETY LTD
 N-164, KRISHAN VIHAR DELHI-86

शिवचन्द
The Pabla Co-op. Indl. Society Ltd.
 A-32, Vishnu Garden,
 New Delhi-110018

Prakash
THE SONEX H/L CO-OP. Indl. (Prod.) Society Ltd.

सुधीर
The Hira Handloom Co-op Ind. (P) Society Ltd
 N-172, Krishan Vihar
 New Delhi-110001

रविशंकर
The Lovely H/L Co-op. Indl. (Prod.) Society Ltd.

विमला
The New Mahindra H/L Co op. Indl. (Prod) Society Ltd.

Prakash
 For Delhi State Apex Handloom Co-op. Indl. Supply And Service Federation Ltd.
 280 Jama Masjid Road Khair
 Khair Delhi-51 (987122/23)

Ajeet
Amica Handloom Co-operative Industrial (Prod.) Society Ltd

Mudra
The New Rakesh H/L Co-op Indl. (Prod.) Society Ltd.

सुधीर
 For New Prince H/L Co-op. Indl. (Prod.) Society Ltd.

Table 7.1 : Parameters for Industrial Units in Different Use Zones and Use Premises

Use Zone / Use Premises	Groups Permitted (Refer Annexure)	Conditions	
		Max. no. of workers	Max. Industrial Power Load (KW)
Residential Use			
(a) Residential	A	5	5
(b) Villages (Abadi)	A+A1	5	5
Commercial Use			
(a) Convenience Shopping Centre, Local Shopping Centre.	A+ A1+B Service / repair / packaging/assembly (without manufacturing) of permissible industries.	5	11
(b) Community Centre.		9	11
(c) District Centre,		19	11
(d) Service Market, Service Centre.			
Industrial Use			
(a) Plotted development	All industries except those prohibited and of Non-polluting and non-hazardous nature,	As per need	As per need
(b) Flatted Industries	All industries except those prohibited, and of Non-polluting and non-hazardous nature, excluding industries producing noise/water/vibrations/odour pollution	20	As per need

Notes:

- (i) Maximum no. of workers shall be as per notification issued by the competent authority from time to time.
- (ii) The power requirement for operating pollution control devices and non-manufacturing use shall be over and above the aforesaid permissible load.
- (iii) Existing Industrial Estates in the Growth Centres shall be considered as industrial use.

7.4 HOUSEHOLD/SERVICE INDUSTRIES

- (i) Household industrial units with maximum 5 workers and 5 kilowatt power may be allowed to continue in residential areas and new industrial units of this type could be permitted in residential areas subject to the condition that no polluting industrial unit shall be permitted as household industry.
- (ii) The industrial units could be permitted only after provisional registration by the Govt. of NCTD.
- (iii) Household industrial units shall be allowed on any floor to the extent of 50% of permissible floor area of the dwelling unit.
- (iv) Further additions / alterations to the list of Household Industries could be made, if considered appropriate and in public interest by the Central Government to do so.
- (v) No inflammable or hazardous substance is permitted to be stored.
- (vi) Separate industrial electric connection (single phase) and Municipal License, would be necessary to set up a household industry.

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Annexure - III).

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The Delhi Co-operative Societies Act, 2003

WITH AMENDMENTS UPTO JANUARY 2007

AMENDMENTS NOTIFIED VIDE NOTIFICATION

NO.F.14(31)/(LA)-2004/16 dated 17-01-2005
(Enforced w.e.f. 01-04-2005)

&

NO.F.14(33)/LA/2005-06/7781 dated 08-12-2006
(Enforced w.e.f. 13-01-2007)

Vide Notification No. PartFile 37/01/Coop.Act/Policy/RCS/102
dated 12-01-2007



CAN BE HAD FROM:
THE DELHI STATE CO-OPERATIVE UNION LTD.
31, NETAJI SUBHASH MARG, DARYA GANJ, NEW DELHI-110 002
TEL.: 2325 9058, 2326 5863

the viability norms with limited liability as prescribed for a co-operative society or class of co-operative societies to ensure that it is economically sound and its registration may not adversely affect the development of co-operative movement.

(2) The word "limited" or its equivalent in any Indian language shall be the last word in the name of every co-operative society registered under this Act with limited liability.

Restrictions on registration.

5. No co-operative society shall be registered under this Act unless it consists of at least fifteen members who are qualified to be members under this Act and who reside in the area of operation of the co-operative society.

Provided that in the case of a primary co-operative society each of such members shall be a member of different family.

Explanation .- For the purpose of this section the expression, "member of a family" means father, mother, wife, husband and dependent children.

Restrictions on holding of shares.

6. No member other than the Government or a co-operative society shall hold more than such portion of the share capital of a co-operative society subject to a maximum of one-tenths, as may be prescribed.

Application for registration.

7.(1) For the purposes of registration, an application shall be made to the Registrar.

(2) The application shall be signed -

(a) in case of a co-operative society of which no member is a co-operative society, by at least fifteen persons qualified in accordance with the requirements of section 4; and

(b) in case of a federal co-operative society of which a member is a co-operative society, by a duly authorised person on behalf of such co-operative society and where all the members of the federal co-operative society are not co-operative societies; upto one-fifths of total strength or twenty, whichever is less, of other members, by the minimum number of fifteen and where all members are co-operative societies by duly authorised persons on behalf of fifteen different co-operative societies.

Power of the Registrar to decide certain questions.

8. Where any question arises at the stage of registration whether for the purpose of this Act a person resides in the area of operation of a co-operative society or not, or whether a co-operative society is of same type as another co-operative society or of different type, the question shall be decided by the Registrar whose decision shall be final.

Registration.

9.(1) If the Registrar is satisfied -

(a) that the application complies with the provisions of this Act and the rules;

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**The Delhi
Co-operative
Societies
Rules – 2007**

CHAPTER II

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REGISTRATION

3. Persons appointed to assist the Registrar.

- (1) Persons appointed to assist the Registrar under section 3 may be designated as the Additional Registrar, Joint Registrar, Deputy Registrar or Assistant Registrar.
- (2) The Registrar may appoint other field and ministerial staff to enable him or other officers to whom powers of the Registrar have been conferred to carry on the functions efficiently and for the promotion of the co-operative movement.
- (3) The Registrar may delegate by general or special order any of the functions and powers of the Registrar under the Act and Rules to any officer appointed by Government in clause (1).

4. Classification of co-operative societies.

- (1) Subject to the provisions of sub-section (1) of section 4, a co-operative society having the object of facilitating the operation of any one of the classes or sub-classes hereinafter given shall be classified as a co-operative society of that class or sub-class namely:-
 - (a) **"resource co-operative society"** means a co-operative society having the objective of obtaining for its members, the credit, goods or services required by them, such as:-
 - (i) Urban Thrift and Credit co-operative society;
 - (ii) Agricultural Credit co-operative society;
 - (iii) Agricultural Non-Credit co-operative society;
 - (iv) Multipurpose co-operative society which includes amongst its primary objects, the objects specified in sub clauses (ii) and (iii) above;
 - (v) Urban co-operative bank;
 - (vi) Delhi Cooperative Housing Finance Corporation;
 - (vii) Delhi State Co-operative Bank / Co-operative Land Mortgage Bank.
 - (viii)
 - (a) Industrial Producers co-operative society.
 - (b) Labour and Construction co-operative society.
 - (c) Transport co-operative society.
 - (d) Industrial Service co-operative society.
 - (e) Handloom co-operative societies and Leather co-operative society.
 - (f) Household Industrial co-operative society.
 - (ix) Thrift, Retirement and other ancillary benefits co-operative society;
 - (x) Security Service Co-operative Society, Tourism Co-operative Society, Health Care Co-operative Society, Wastes and Energy Conservation Cooperative Society, Water Harvesting Co-operative Society,

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GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE COMMISSIONER OF INDUSTRIES
UDYOG SADAN, PLOT NO.419, F.I.E., PATPARGANJ, DELHI-110 092.

No.HL-26(1)/2011-12/CI/

Dated: 27-12-2012

To

1. President/Secretary, M/s Delhi Pradesh Hathkargha Bunker Sehkari Sangh Ltd., Shop No.9-10, Gulabi Bagh Shopping Complex, Delhi-7.
2. President/Secretary, Delhi State Indl. Coop. Federation Ltd., C-1, Weavers Colony, Bharat Nagar, Delhi-52
3. President/Secretary, M/s Delhi State Weavers Handloom Coop. Indl. (Service) Federation, C-20, Sawan Park, Ashok Vihar, Delhi-52.
4. President Secretary, M/s Delhi State Apex Handloom Coop. Indl. Supply & Service Federation, 280, Jama Masjid Road, Khureji, Delhi-51.
5. President/Secretary, M/s Bharat Weavers Coop. Indl. Marketing Fed. Ltd., G-3/20, Nand Nagri, Delhi-93.
6. President/Secretary, M/s Delhi Pradesh Anusuchit Jati / Jan Jati Hathkargha Vastro Udyogik Sehkari Sangh Ltd., C-29, Sawan Park, Ashok Vihar, Delhi.
7. President/Secretary, M/s Delhi Pradesh Hathkargha Bunkar Vikas Sehkari Sangh Ltd., C/6A, Sawan Park, Ashok Vihar, Delhi.
8. President/Secretary, M/s Delhi Progressive Handloom & Weavers Coop. Marketing & Supply Federation Ltd., A-48A, Dilshad Garden, Delhi-94.
9. President/Secretary, Delhi State Handloom & Handicraft Federation Ltd., 288, Bagh Kare Khan, Kishan Ganj, Delhi.
10. President / Secretary, M/s Delhi State Handloom & Handicraft Cooperative Industrial Marketing Federation Ltd., B-109, Gali No.2/6, West Nathu Colony, Delhi-110093.

Sub: Inviting proposals from handloom cooperative apex federations of Delhi and from their members / individual weavers, for procurement of yarn available at reasonable prices.

Sir,

Please find enclosed herewith Govt. of India, Ministry of Textiles, Office of Development Commissioner (Handlooms) D.O. letter No.6/1/2007-DCH/P&S dt. 24.1.2012 on the above cited subject. The Scheme of yarn availability at reasonable prices will be available during the 12th Plan under the price subsidy scheme.

Govt. of India has decided a tentative target for Delhi Govt. on the basis of number of looms to be covered under 10% price subsidy component. The eligible agencies for availing of this subsidized yarn are primary weavers cooperative societies – Self Help Groups (SHGs)/ Joint Liability Groups (JLGs), weaver entrepreneurs, individual weavers and exporters. However, a weaver can avail the subsidized yarn only through one agency. Govt. of India has informed that 1900 looms can be issued Yarn Pass Book for Delhi State. The break up of this target is given here: