

General Circular: 29/2012
F. No. 17/63/2012-CL-V
Government of India
Ministry of Corporate Affairs

5th Floor, 'A' Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road, New Delhi.
Dated: - 10th September, 2012

To,

All Regional Directors
All Registrar of Companies
All Official Liquidators

Sub: - Condition to be imposed for conversion of ordinary Society into Producer Company, Part- IX A of the Companies Act, 1956.

Sir,

The question of acceptance of documents by the Registrar of Companies for conversion of a Cooperative Society (not registered as the Multi State Society) under Section 581 J(5) of the Companies Act has been examined in the Ministry. I am desirous to say that:-

2. Consequent upon the receipt of such an application/form seeking conversion of a Cooperative Society (society not registered as the Multi State Society) into a Producer Company, the ROCs will seek a written consent from the local Cooperative Department of the concerned State certifying that the Society desirous of being converted into Producer Company, under part IX A of the Companies Act, 1956, has no dues payable to the State at the time of such conversion and the Cooperative Department has 'no objection' to its being converted into a Producer Company under the Companies Act, 1956. Further, the ROCs must satisfy themselves fully that the applicant society has indeed extended its activities outside the State where it is registered as

p.t.o.


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a Cooperative Society under the local/State level law governing Cooperative Societies which are not inter-State Cooperative Societies.

3. In case of any doubt a reference may be made to the Ministry for further guidance before Incorporation under Section 581 J(5).

4. This circular shall be effective from the date of issue of circular.

Yours faithfully


(Sanjay Shorey)
Joint Director
Tel: 23389622

Copy to:-

1. PS to CAM
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3. PS to Secy., MCA
4. PS to AS, MCA
5. PS to JS (A) & JS (R)
6. PS to DII (DR)
7. PS to DII (Policy)
8. PS to Economic Advisor