

**THE HIGH COURT OF MANIPUR  
AT IMPHAL**

**ADVERTISEMENT**

*Imphal, the 15<sup>th</sup> September, 2023*

No. HCM/D-42/2023-Estt.-I/ 16565 : Applications are invited from willing candidates for translation of High Court and Supreme Court Judgments from English to Manipuri (Roman Alphabet).

- 1. Work Description:** The empanelled translators will be engaged strictly on Project Basis under the scheme of the AI-Assisted Legal Advisory Committee of the High Court of Manipur to translate the reportable judgments of the Hon'ble Supreme Court of India and Hon'ble High Court of Manipur from English to Manipuri (Roman Alphabet) on "Work from Home" mode.
- 2. Educational Qualifications and other requirements:**
  - Candidates should possess a Bachelor's or Master's degree and should have proficiency in both English and Manipuri.
  - Proficiency in computer usage is essential.
  - Preference will be given to candidates holding a law degree and prior translation experience.
  - Proficiency in Meitei Mayek will be considered a strong advantage.
- 3. Remuneration:** Empanelled Translators will receive remuneration at a rate of Rs. 200 per page (based on the number of pages in the original English judgments uploaded in the website of the Hon'ble Supreme Court of India and Hon'ble High Court of Manipur).
- 4. Age Limit:** There is no age limitation.
- 5. Application Fees:** NIL
- 6. How to Apply:**
  - Interested candidates should submit the duly filled application form provided in **Annexure - A**.
  - Alongside the application form, applicants must submit their Manipuri (Roman Alphabet) translation of a sample judgment provided in **Annexure - B**.

- All application materials should be submitted to the Recruitment Cell, High Court of Manipur by 25<sup>th</sup> September, 2023.


### 7. Mode of Selection:

- Candidates will be shortlisted based on their translation of the sample judgment (**Annexure - B**).
- Shortlisted candidates will be invited for a Personal Interview.
- Details regarding the interview schedule will be announced on the official website [www.hcmimphal.nic.in](http://www.hcmimphal.nic.in).

### 8. Application Deadline:

The deadline for application submission is 25<sup>th</sup> September, 2023, at 4:00 P.M. (Monday).

*#For inquiries or further information, please contact +91 6909366903 between 10:00 A.M. and 4:00 P.M. on working days.*

  
(PH. JAPAN SINGH) 15/9/23  
REGISTRAR (ADMN./PM&P)  
HIGH COURT OF MANIPUR

#### Copy to:-

1. The Principal Secretary to Hon'ble The Acting Chief Justice, High Court of Manipur.
2. The Private Secretary to Hon'ble Mr. Justice A. Bimol Singh, Judge, High Court of Manipur.
3. The Private Secretary to Hon'ble Mr. Justice A. Guneshwar Sharma, Judge, High Court of Manipur.
4. The Advocate General, Government of Manipur.
5. The Registrar General, High Court of Manipur.
6. All the Registrars, High Court of Manipur.
7. The Government Advocates, Government of Manipur.
8. The Deputy Solicitor General of India, High Court of Manipur.
9. The President, High Court Bar Association, Manipur.
10. The President, AMBA, Manipur.
11. All the Joint Registrars, High Court of Manipur.
12. All the Deputy Registrars/Language Officer (Special Officer), High Court of Manipur.
13. All the Assistant Registrars/Sr. Private Secretary/Court Managers/Secretary to Hon'ble Chief Justice, High Court of Manipur.
14. The System Analyst, High Court of Manipur.  
- He is requested to upload the same in the Official Website of this Registry.
15. All the Private Secretaries, High Court of Manipur.
16. All the Superintendents/Court Officers/ Stamp Reporter/Protocol Officer/Librarian/Computer Programmer, High Court of Manipur.
17. All the Court Masters, High Court of Manipur.
18. Concerned File/Guard File.

**HIGH COURT OF MANIPUR  
AT IMPHAL**

APPLICATION FORM



1. Full Name : .....

2. Father's Name : .....

3. Present Address : .....

.....

4. Mobile No. : .....

5. E-mail : .....

6. Date of Birth : .....

7. Highest Qualification: .....

8. Experience if any : .....

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Date:

Place:

*Signature of the Candidate*

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**List of the Documents (self attested Photo copies) to be enclosed:**

1. Bachelor's or Master's degree Certificate.
2. Class 10 Certificate.
3. Experience Certificate (if any).



AIR 2016 MANIPUR 1  
MANIPUR HIGH COURT  
L. K. MOHAPATRA, C.J.

CRP(CRP ART. 227) No. 26 of 2014, D/- 25 - 5 - 2015

Keithellakpam Nabakanta Singh v. Chongtham Ramananda Singh.

**Manipur Co-operative Societies Act (14 of 1976), S.76(1) - General body meeting - Who can convene - Bye-laws of society specifically providing for convening of meeting by Managing Director (MD) of Society - Chairman empowered by bye-laws only to supervise general working of Union - Society since governed by Bye-laws of society, bye-laws shall have primacy - Recourse of S. 76(1) can be taken only when there is no MD to exercise power under Bye-laws - Nothing on record showing that there was no MD of Union - Notification issued by Chairman convening general body meeting is without authority. (2006) 12 SCC 583, 2007 AIR SCW 7108, Disting. (Para8)**

**Cases Referred****Chronological Paras**

AIR 2014 SC 2680 : 2014 AIR SCW 4107  
2007 AIR SCW 7108 (Disting.)  
(2006) 12 SCC 583 (Disting.)

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A. Jagjit, for Petitioner; A. Bimol, for Respondent.

**Judgement**

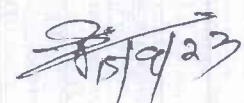
1. ORDER :-This petition under Art.227 of the Constitution of India has been filed challenging the legality of the order dated 21.5.2014 passed by the Presiding Officer, State Cooperative Tribunal, Manipur in Cooperative Appeal Case No.1 of 2014. The petitioner, in this application, had preferred appeal before the Tribunal.

2. The Chairman, Manipur Milk Producer's Co-operative Union Ltd. issued a notice/notification on 17.1.2014 published in the Newspaper calling for Special General Body meeting. The said notice issued by the Chairman was the subject matter of challenge in appeal before the Tribunal.

The petitioner is a Member of the Manipur Milk Producer's Co-operative Union Ltd. and the Union is registered under the Manipur Co-operative Societies Act, 1976 having 10 elected Board of Directors including the Chairman. According to the petitioner, as per clause 26.2.15 and clause 15.4 of the bye-laws of the Union, the Chairman has no power to issue any notice/notification calling for a General Body meeting or a Special General Body meeting and it is the Managing Director alone who is authorised to issue such notice.

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3. It was contended on behalf of the petitioner before the Tribunal that the Chairman of the Union/ Chairman of the Board of Directors, as per the provisions contained in the bye-laws, has no authority



to convene General Body meeting or Special General Body meeting and reliance was placed by the petitioner specially on clause 26.2.15 of the bye-laws to substantiate the submission that it is the Managing Director of the Union alone who is authorised to convene the General Body meeting or Special General Body meeting. The respondents contended before the Tribunal that as per the amended bye-laws as well as under section 76(1) of the Manipur Co-operative Societies Act, 1976 the Chairman is also authorised to convene a General Body meeting or a Special General Body meeting and therefore, there is no illegality on the part of the Chairman in issuing the impugned notice dated 17.1.2014.

4. Shri A. Jagjit, learned counsel appearing for the petitioner, challenging the impugned order, submitted that when there are a set of bye-laws and one of the clauses of such bye-laws authorises only the Managing Director of the Union to convene meeting of the General Body or Special General Body meeting, the Chairman cannot assume the power under section 76 of the Manipur Co-operative Societies Act, 1976 to issue such notice for holding General Body or the Special General Body meeting.

5. Shri A. Bimol, learned counsel appearing for the respondents, submitted that there is a conflict between the parent Act and the bye-laws. According to the learned counsel, Mr. Bimol, clause 26.2.15 of the bye-laws is in conflict with Section 76(1) of the Manipur Co-operative Societies Act, 1976 and therefore under such situation the parent Act shall have the precedence over the bye-laws. It was, further, contended that under section 76(1) of the Manipur Co-operative Societies Act, 1976 the Chairman is also authorised to convene the General Body or the Special General Body meeting.

6. There is no dispute that a set of bye-laws are in existence so far as the Manipur Milk Producer's Co-operative Union Ltd. is concerned. Under clause 2.3 Chairman means the Chairman of the Union. Under clause 2.7 the Managing Director means the Managing Director of the Union appointed by the Board of Directors of the Union. Under clause 2.12 it is stated that "General Meeting" includes a Special or Ordinary annual general meeting. Clause 15.4 of the bye-laws provides that a Special General meeting may be called at any time by majority of the Board of Directors and shall be called within one month of the requisition in writing by at least one fifth of the Members of the union or by the Registrar of Co-operative Societies. Clause 26.2.15 of the bye-laws provides that the Managing Director shall convene the meeting of the Board of Directors as required under the bye-laws and General meeting as and when directed by the Board or found necessary or on receipt of the requisition from the requisite number of Members or upon requisition from the Registrar. Clause 24.0 of the amended bye-laws provides that the Chairman shall supervise general working of the Union.

When such provisions are available in the bye-laws, section 76.1 of the Manipur Co-operative Societies Act, 1976 provides that a Special General meeting may be called at any time by the Chairman or by any majority of the Board of Directors and such meeting can be called on requisition in writing by one fifth of the Members of the Society or at the instance of the Registrar.

7. The Tribunal on interpretation of the above provision came to a conclusion that since the function of the Chairman is not defined in the bye-laws, section 76(1) of the Manipur Co-operative Societies Act, 1976 shall have precedence and therefore the Chairman of the Union could issue a notice calling for a General Body meeting or a Special General Body meeting.

8/15/19/23



8. The question that comes up for consideration is as to whether there is any conflict between the provisions contained in Section 76 of the Manipur Co-operative Societies Act and the bye-laws or not. In this connection, reference can be made to a decision of the Apex Court in a batch of cases reported in (2014) 8 SCC 661 : (AIR 2014 SC 2680) :

@page-Mani3

Mohammed Moinuddin and Ors v. Commissioner for Co-operation and Registrar of Cooperative Societies and Ors. The Apex Court was dealing with the Andhra Pradesh Co-operative Societies Act, 1964 and Society concerned was a Co-operative Housing Society. The society was to be regulated only as per the bye-laws of the Society. It was contended before the Apex Court that the Founder Members had paid the value of the land purchased by the Society and therefore they would be entitled to distribution of land entirely among themselves. Such claim was turned down by the Apex Court on the ground that land having been purchased by the Society, it vested in it and therefore it was for the Society to decide how to deal with it in accordance with the co-operative principles, object of the society and as per its bye-laws. Therefore, primacy was given to the bye-laws and not to the provisions contained in the Andhra Pradesh Co-operative Society Act, 1964. In the present case, clause 25.0 lays down the manner in which the Managing Director of the Union is to be appointed and the powers of the Managing Director. Clause 26.2.15 authorises the Managing Director to convene the meeting of the Board of Directors as required under the bye-laws and "General Meeting" as and when directed by the Board or found necessary or on receipt of a requisition from the requisite number of Members or upon requisition from the Registrar. General meeting has been defined in clause 2.12 to include special and ordinary annual general meeting. Therefore, under this provision of the bye-laws, it is only the Managing Director who is authorised to convene the meeting of the general body or special general body. In the amended bye-laws, clause 24.0 only authorises the Chairman to supervise the working of the Union. Is there any conflict between clause 26.2.15 of the bye-laws and section 76(1) of the Manipur Co-operative Societies Act, 1976? Section 76(1) provides that the Chairman or the majority of the Directors can convene a Special General meeting if other conditions are satisfied. Recourse to the said provisions can only be taken only when there is no Managing Director to exercise the power under clause 26.2.15. As held by the Apex Court in the above decision, governance of the society has to be as per the bye-laws and the bye-laws shall have the primacy. There is nothing on record to show that at the time the impugned notification was issued by the Chairman, there was no Managing Director of the Union. Though it was contended by Mr. Bimol, learned counsel for the respondent that there are some disputes with regard to holding of the post of Managing Director, this question was never raised before the Tribunal by the respondent.

Mr. Bimol, learned counsel for the respondent placed reliance on the decision of the (2006) 12 SCC 583, Ispat Industries Ltd. v. Commissioner of Customs, Mumbai. In the reported case, there was a conflict between the parent Act and the Rules made under the Act. So far as the present case is concerned, there is absolutely no conflict between the parent Act and the bye-laws and therefore the above decision has no application in the present case. The learned counsel also relied upon another decision in the case of Veena Kumar Tandon v. Neelam Bhalla and Ors : (2007) 12 SCC 764 : (2007 AIR SCW 7108). In the reported case, there was also conflict between the Maharashtra Co-operative Societies Act and the bye-laws of the Society. The Court held that those provisions in the bye-laws which run contrary or are inconsistent with the provisions contained in the statute have to be treated

8/14/23

as invalid. This decision has also no application to the facts of the present case as I find no conflict between the provisions contained in the bye-laws and the Manipur Co-operative Societies Act, 1976.

9. I am, therefore, of the view that under the bye-law, the Chairman being only authorised to supervise general working of the Union and the Managing Director being the authority to convene the meeting, the notification issued by the Chairman is without authority or competence. Accordingly, I allow this application and set aside the impugned order of the Tribunal.

8/5/23

Petition Allowed .