

ORISSA ACT 10 OF 1980
THE ORISSA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1980

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ORISSA ACT 10 OF 1980

* THE ORISSA CO-OPERATIVE SOCIETIES (AMENDMENT ACT, 1980

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AN ACT TO AMEND THE ORISSA CO-OPERATIVE SOCIETIES ACT, 1962

BE it enacted by the Legislature of the State of Orissa in the Thirty-first Year of the Republic of India as follows :—

Short title
and
Commence-
ment.

1. (1) This Act may be called the Orissa Co-operative Societies (Amendment) Act, 1980,

(2) Section 3 shall come into force on such date as the State Government may, by notification, appoint and other sections shall come into force at once.

Amendment
of section 32.

2. In section 32 of the Orissa Co-operative Societies Act, 1962, Orissa Act 2 of 1963. (hereinafter referred to as the principal Act)—

(a) for sub-section (1) the following sub-section shall be substituted, namely :—

“(1) If, in the opinion of the Registrar, the Committee of any Society persistently makes default or is negligent in the performance of the duties imposed on it by this Act or the rules or the bye-laws, or commits any Act which is prejudicial to the interests of the Society or its members, or is otherwise not functioning properly, the Registrar may, after giving the Committee an opportunity to state its objections, if any, within twenty-one days from the date of service of the notice issued in that behalf, by order in writing stating reasons therefor, remove the Committee :

Provided that for any sufficient cause to be recorded the Registrar may, in any case, further extend the aforesaid period, so however that the total period shall not exceed thirty days from the date of service of the notice.” ; and

(b) after sub-section (6), the following sub-section shall be inserted, namely :—

“(7) Notwithstanding anything contained in this section, if, in the opinion of the Registrar, the Committee of any Society is acting in a manner prejudicial to the interests of the Society or its members, or has committed such serious irregularities or illegalities that further continuance of the Committee would be detrimental to the interests of the Society, the Registrar may, at any time before or after giving

opportunity to such Committee to state objections as required under sub-section (1), suspend the Committee and make such arrangements as he thinks proper for the management of the affairs of the Society during the period of suspension of the Committee :

Provided that if the Committee so suspended is re-instated the period of suspension shall count towards its term.

(8) Notwithstanding anything contained in this section, if, in the opinion of the Registrar, any member of the Committee of a Society, delegated or entrusted with any of the powers or responsibilities of such Committee, persistently makes default or is negligent in exercise of powers or in discharge of responsibilities, or commits any act prejudicial to the interests of the Society or its members, the Registrar may, after giving an opportunity to state his objections, if any, by order in writing stating reasons therefor, remove him from office."

Amendment
of section
109.

3. In section 109 of the principal Act, for sub-section (2) excluding the provisos, the following sub-section shall be substituted, namely :—

"(2) An appeal under sub-section (1) shall be made within sixty days from the date of publication or communication of the order or decision, as the case may be, to such authority as may be prescribed".

Amendment
of section
112.

4. In section 112 of the principal Act, for sub-section (2) the following sub-section shall be substituted, namely :—

"(2) An application for revision shall be made within ninety days from the date of the decision or order sought to be revised :

Provided that an application for revision of any decision made or order passed prior to the date of commencement of the Orissa Co-operative Societies (Amendment) Act, 1980, shall be made within a period of ninety days next after the commencement of the said Act or within one year from the date of the decision or order sought to be revised, whichever period expires earlier."

Amendment
of section
113.

5. In section 113 of the principal Act, for sub-section (2) the following sub-section shall be substituted, namely :—

"(2) An application under sub-section (1) shall be made within ninety days from the date of the decision or order sought to be revised :

Provided that an application under sub-section (1) against any decision made or order passed prior to the date of commencement of the Orissa Co-operative Societies (Amendment) Act, 1980, shall be made within a period of ninety days next after the commencement of the said Act, or within one year from the date of the decision or order sought to be revised, whichever period expires earlier."