

ORISSA ORDINANCE No. 14 OF 1967

**THE ORISSA CO-OPERATIVE SOCIETIES (AMENDMENT)  
ORDINANCE, 1967**

[ Promulgated by the Governor of Orissa on the 24th November 1967, published in an extraordinary issue of the Orissa Gazette, dated the 24th November 1967 ]

AN

**ORDINANCE**

TO AMEND THE ORISSA CO-OPERATIVE SOCIETIES ACT, 1962

**W**HEREAS the Legislature of the State of Orissa is not in session ;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Orissa Co-operative Societies Act, 1962 in the manner hereinafter appearing ;

Orissa Act 2  
of 1963.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Eighteenth Year of the Republic of India :—

Short title  
and commencement.

1. (1) This Ordinance may be called the Orissa Co-operative Societies (Amendment) Ordinance, 1967.

(2) It shall come into force at once.

Amendment  
of section 34,  
Orissa Act 2  
of 1963.

2. In section 34 of the Orissa Co-operative Societies Act, 1962, (hereinafter referred to as the principal Act) in sub-section (1) after the words "a first charge upon the" the word and comma "lands," shall be inserted.

Orissa Act 2  
of 1963.Insertion of  
new sections  
83-A  
and 83-B,  
Orissa Act 2  
of 1963.

3. After section 83 of the principal Act, the following new sections shall be inserted, namely:—

Grant of  
loan by land  
mortgage  
bank.

"83-A. The State Land Mortgage Bank or any land mortgage bank may grant loans to its members against mortgage of land free of encumbrances.

Procedure  
for disposal  
of loan  
applications

83-B. (1) When an application for a loan is made to the State Land Mortgage Bank, or to any land mortgage bank a public notice shall be given of the application in such manner as may be prescribed calling upon all persons interested to present their objections to the loan, if any, before the date, not being a date earlier than fifteen days from the date of publication of the notice, to be specified therein.

(2) The person by whom such notice shall be given and the manner in which the objections shall be disposed of by him shall be as may be prescribed.

(3) The prescribed person shall consider every objection presented under sub-section (1) and make an order in writing either upholding or overruling it and in cases where the objection is overruled he shall recommend the application to the bank for consideration :

Provided that when the question raised in such objection is, in the opinion of such person, one of such a nature that it cannot be satisfactorily decided except by a civil court, he shall postpone the proceedings on the application until the question is so decided.

(4) A notice under sub-section (1) published in the prescribed manner shall, for the purposes of this Act, be deemed to be proper notice to all persons having or claiming interest in the land to be improved or offered as security for the loan.

(5) Where an application is recommended under sub-section (3), the bank shall, in accordance with the rules made in that behalf, consider such application for the purpose of granting the loan."

A. N. KHOSLA

Governor of Orissa

*Dated the 24th November 1967*