

THE ORISSA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1997

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THE ORISSA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1997

[Received the assent of the Governor on the 15th May 1997, first published in an extraordinary issue of the Orissa Gazette, dated the 19th May 1997]

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

BE it enacted by the Legislature of the State of Orissa in the Forty-eighth 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, 1997.

(2) It shall come into force on the date of its publication in the *Orissa Gazette*.

Amendment
of section
16.

2. In the Orissa Co-operative Societies Act, 1962 (hereinafter referred to as **Orissa Act** the principal Act), in Section 16, for sub-section (1-a), the following sub-sections of 1963, shall be substituted, namely:—

“(1-a) Notwithstanding anything to the contrary contained in any other provisions of this Act, and the rules or bye-laws framed thereunder, the members of the Committee including the co-opted members, if any, but excluding the members nominated or appointed under clause (ii) of sub-section (1-b) of section 28, sub-section (1) of section 31 and sub-section (1) of section 32, of the Primary Societies affiliated to the Central Society or an Apex Society, shall be deemed to be the members of their respective Central Society or, as the case may be, the Apex Society or both, with effect from the date of commencement of the Orissa Co-operative Societies (Amendment) Act, 1997 so long as they continue as member of the Committees of Primary Societies.

(1-b) (i) The members of the Primary Societies who were deemed to be the members of their respective Central Society or, as the case may be, the Apex Society or both, prior to the date of the commencement of the Orissa Co-operative Societies (Amendment) Act, 1997, shall be deemed to have ceased to be members of such societies with effect from the date of such commencement.

(ii) Upon such cessation:—

(a) the central or apex society, as the case may be, shall refund the share capital contribution made and membership fees paid, if any, to the said members.

(b) the member shall liquidate the liabilities incurred, if any, in the capacity as deemed member of the Central Society or as the case may be, Apex Society in accordance with the schedule of repayments determined or to be determined by the said society.”.

Amendment
of section
19.

3. In the principal Act, after section 19, the following proviso shall be inserted, namely:—

“Provided that the provisions of this section shall not apply to the members of the Committee of the Primary Societies who shall be deemed to be members of the Central Society or as the case may be, the Apex Society in accordance with the provisions of sub-section (1-a) of Section 16.”.

Amendment
of section
28.

4. In the principal Act, in section 28, in sub-clause (iv) of clause (g) of sub-section (2), for the words “six months”, the words “ten months” shall be substituted.

Amendment
of section
28-A.

5. In the principal Act, in section 28-A, in clause (ii) of sub-section (1), after the words “the prescribed manner”, the commas and the words, “by and from among the General Body of members of the Society qualified for the purpose,” shall be inserted.