

CHHATTISGARH CO-OPERATIVE SOCIETIES ACT, 1960

28 2001--nq 6, 1923 3il(q;pi fiö 28 2001 -Ze-r- 2S 2001 -1960 2061) t. fQ ærq 1960 -(iâ) fiqtii 200'* (m. 11 2001) 28 2001 28 2001 348 (3) ACT (f*'. o. 11 of 2001) CEiHA'ITtSGARHCC PERATIVE SOCIETIES (AMENDMENT) ACT, Act to amend further (-"hh:ztisgarh Co-operative Societies Act, 1960. Be it enacted by the Chhattis arh Legislaturc in the fifty second year of the Republic Of:Iri, (i) 'his Act may be cãile9the Chhat t i sgarh Co-operative Societies (Amendment) Adhiã 2001 (No, or 2001). (ii) tt shall cotue into force such date as the State Government may by notification, appin After Section 16-B of the Chhattisgarh Co-operative Societies Act, 1960 (Which is herinalte as a principal Act), The foilowing section shafl be inserted, namely : " 16 (C)Governmeni's pmh cr to make scheme of reorganisation in the public inte (l) Notwithstandinganythi ftg contained in this Act or the Rules made thereunder, ifthé Government, omreceipt of a report from the Registrar or otherwise, is satisfied' the public interest itis necessary to rcorganisc any society or societies for the of securing proper impi or dcvelop:nent programmes. tncnt•cas iunayFc{'r nec#s. make such scheyne of orders- ve- sCl:eme. {2) There shall bc the pro\ . ions schcune ot' reorganisation regarding : (a) Method of reorgani Glion; (b) Proccdurc for tcorp. uisati(sn; (c) To the mc:nbership, egistr:ttion, inanagctnct, assests and liabilities, powers, rightstkii interests, duties, sta; f and conditions or etnployment of such society or societies; which arc made after reorganisation; (d) Such other consequential,. incidental and supplementary provisions as may ssary; (e) Any other subject {nay deemed necessary by the State Govern;nent. Tije StateGovernment may HIOfidy or cancel any reu scherne tuadc or iss dets under sub-section (lte provisions regarding every reorganisation sche:nc ;.lnd the order:: issued b"" the Sta Governlnent shall bc binding upon the interested panics. Every schegne of' such rc(!) • anisation shall bc published in the official Gazcttc iOrgen information. noe 2002 33 2002)) 2002 1960 Nfuf-q-aq a um 49 7082 2, (E 33 t. .e.nfqfi-q•Ä, -q-r8" 2002 348 3) 7-qv-äi+ 2002 ü -B CHHA i - IISC'ARH ADHI N I Y' THE CHHATTISGARH CO-OPERATIVE I (AM ADHINIYAM. 2002 An Act further to amend the Chhattisgarh Co-operative Societies Act. 1 Be it enacted by the Chhallisgffh in the Filly-third ve.ar as l'c)llows . Short title and Com- tuenc.enuent. (i) This Act rmay bc called the C-'hhattif,-, rh C Adhiniyam. 2002 {No. 33 2 shall cojne force e dale its 2002 2, In Sub-section (7-AA) c.t• Section 49 Of the C (No. 17 01' 1961) for the. words *'lwcLYL.' months•i . [hc words "lwc.nly foul' 111011th*" shall he subsututed. 3*1.RNW17/2002. " 9 2003417 18, 1925 qr«gq, 9 2003 4-9-2003 gg-«Rq. 450 (12-19) 450 (q) 4. 9 2003 (m. 20 2003) 2003 1960 (F. 17 1961) (*Qtrqq) 2003 (m. 20 2003) t. 1960 (n 17 1961) (ü ü) ÜN, .3Äfq. qrg;" (q q) ü'tg." 16-q (1) 48 *r,- (5) (tr) €rrg, 3tR Q7f üTwr." 9 2003 450 (12-21) 49 üTg. 7. '137" 4Ä.(w-22:). 9 2003 q,' *Äzt, wqü,- (87) 79. gg qqi q,- (a) fög a; g*fim ar fig t, Qi 3#fö, 80. t, qqfH e; 9 2003 qra•r qqfq qi. 8qr«. 77 78 gg, 80-q. gt Pag 80-q. 1) ur fbg fög (2) 78 80 a, (3) 2003 80-q. Rß•fäe. 8. 95 (2) m- (V V) Gig, 450 (12-23) 9 2003 1966)" « (m. 20 2000)" üTg. 2003 (m 4 2003) 9 2003 348 (3) (m. 20 2003) CHHATNSGARH ACT (No. 20 of 2003) riHE CHHATTISGARH CO-OPERATIVE SOCIETIES (SANSHODHAN) ADHIMYAM, 2003 .tO 'Co-operati+e Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Fifty-Fourth year ot' the Republic -of India as follows Shore titte! Amendment Section 2. X. of (l); This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act; 2003 (No. 20 of 2003). (2) Li shall•come into*force'fiöm the dãiéof its publication in the official Gazette. In Section 2 of Lhe Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961) to as the Principal Act) (i) (b) For the clause (c-i) the follwing clause shall be substituted, namely (c-i) "Centrat Society" means a District Co-operatiVe Agriculture and Rural Development Bank or any other society, whose area of operation is confined to a part of the State and which has as its object the proniotion• of •the ot2iects 01' the member societies, and which has atleast five societies as its members;" For the clause (hh) the tblloving Clause shall be substituted, nmncly "(hh) "Development Bank" means a District Co-operative Agricultural and O 7. 77.. 9 2003 -:eBanE or , Co-operaüve .egfsterdf•or deemed to be -i words . "Land Mortgage Bank" the words "Development s bsüiUtéd; omitted. MériSÜb•section of section 16 (C) of the Principal Act, the töllowing proviso of a Co-operative Bank, prior sanction in writing of neceSsary." 48 Qf EEPÄncipal Act, *Föpgaue (t) and proviso of Sub-section (5); the following clause and proviso Pe-Su>stitYed, napl?lyi the: chairman is not elected from amongst persons bebiiging t&Scheduled Castes, Scheduled Tribes and Other Backward Classes, bytatpersops belonging to these. categories and otherwise, by any person; in case

of such resource society other than a Nagrik Co-operative Credig Society or ülrít•t society, operating in a Scheduled thV\$hairman or president shall be elected only from amongst persons belonging iOS Scheduled Tlibes*i" -InrLhé;\$ption•- 49 of. t.hed?rincipalå Act?. . Leth9'fWQrd he by ,thetword O) sot-section *58-B or the Principal Act for the word "'Tribunal" ihöGbrd\$<NStau\$ be substituted. of' Tribunal- The following chapter shall be substituted; namely Chapter}X: Appeals,. Revision and Review v been otherwise provided, an appeal shall lie from ?45Q (12=25) Amendment Section 16 Amendment Section 48. Amendment Section 49. Antendtnent Section S8-B. Substitution Chapter X. of of every 6i•igiiiåIWGder- uniden;zt.hxs Aci' oöthe rules made there under,- if.uch,,order iS spayed by an officer other than Registrar, Additional Registrar s ivhether or not the Officer passing the order is invested with 'the •powers} ot's:st.he Registrar;to the Joint Registrar; (iiihz if..uchl order is passed by Joint Registrar, whether. or not invested with the powers ofrRegistrar, to the Registrar or the Additional Registrar authorised by istrar; Äitst passed. by Registrar or Additional Registrar, to the State 450 (9 2003 • (2) Save as otherwise provided a second appeal shall lie against everv order passed in:Vfirste'9Éåfffiider this Act or the rules made there under- by the Joint Registrar to the Registrar or the Additional Registrar authorised by the Registrar; Registrar or Additional Registrar, to the State Government. 'Ä;fisecond appeal shall lie on any of the following grounds. and no (4) (i). that I-hc order is contrary to law; or that the order has failed to determine some material issue of law; or there has been a substantial error or defect in the procedure as prescribed '*by Ethis Act which may have produced error or defect in the r!ccision of the case, on merits. Every appeal shall be presented in the prescribed manner to the appellate authority concerned, within thirty days of the date on which the order appealed against was communicated to the party atlOcted by the order; "Provided that in computing the period of limitation under this sub-section the time ruluiSite •for obtaining a copy of the order appealed against shall bc excluded. "l hc State Government or the Registrar may a! , time on its/ •or on; the application made by any party ror the purpose ot' satisfying itself/ 'to the, legality or propriety of the followings may pass such order in reference th&eto - as].it/he think fit,- inquiry or proceedil)gs or any order .passed by any ollicer subordinate to it/him; (ii) . any proceedings or decision or resolution or any order passed by the society or committee or sub-committee of society; (iii)x. any. inquiry or proceedings or decision or any order passed by any officer Æsoråny isociety; hvided .that no. order shall be varied or reversed in revision unless notice has been served on the parties interested and opportunity given to them of being heard. N \$ such application shall be entertained unless presented within thirty days from the date or:ordern and in- cornputing the period aforesaid time requisite for obtaininu a copy of die said order shall be excluded

79. No appeal or revision in certain cases.—Notwithstanding anything to the contrary contained in this Act, where with previous sanction in writing or on the requisition or the Reserve Bank of India, (ii) (iii) an order tor the winding up' of a. co-operative bank is inade; or a scheme of compromise or arrangement or reconstruction or re-organisation or amalgamation is made or is given effect to; or an order for the supersession or suspension of the committec by whatever nmne called of a co-operative bank and the appointment of an officer incharge etc. 9 2003 therefor, has been made; no; ameal, revision or review 'there agåinst shall lie or be permissible, and such 014hßZ•sanction. or requ_isitioniöf the Reserve Bank of India shall not be liable to be calleatin: qtrstion. 080* Government or Registrar may, on its/his own motion, or on the party in!grested, review its/his own order in any case and pass such order in. thereto' us ?it/hc thinks just; .Provided that, no such application made by the party interested shall be entertained, nor such •a case be taken Suo-motu, unless the State Govenunent or Registrar is satisfied that there has the discovery of new and important matter ot' evidence which, after the exerdseßofrdue diligence was nottwithin the knowledge of. the applicant or could not be produced by him at Lhe time when the Order was made, or that there has been mistake or error apparent-.on the face of the record, or there is any other sufficient reason; Provided that no such. ordershall be vuied tunended or revised, unless notice has been given to the parties interested n: appear and such interested parties have been heard. Provided further that application for review of any order, by the parties interested shall not be entertained, unless the application is tiled within ninety days from the passing of the order. 80-A. Extention of period of limitation by appellate authority in certain cases. all cases in which it is provided under this Act Lhat an appeal may be filed against any decisi01!J or order within a specified period, the appellate authority may admit an appeal alter •the expiry. of such period if the appellant' satisfies the appellate authority lhat he had sutlicient cause not pretu•ring the appeal within such period. 80.B. of cases.—Subject to the provisions of section 77 and

78* the: Registrar, 'Additional Registrar, Joint Registrar,, or the Deputy Registrar may make over any \$ase or class of; cases arising under the provisions of' this Act, for decision from his own tile Lo any oiüccr subordinate to him competent to decide such casc or class of' cases or may withdraw any case or class of cases from any such officer. and may deal with such case or class of cases himself or reter thc same lör disposal to any other officer subordinate to bim and competent to decide such case or class of cases; 80-C. Power to make interlocutory orders.—When an application tor appeal, revision or to State Government, or Registrar under this Act, it may in order to ' endöof .jusüce being defeated, make such interlocutory orders pending the deciSiod!of the aprY2al- or application, as the case may be, as may appear to itJhim to be just and convenient, or make such orders as may be necessary for the ends of justice; or to prevent the abuse of the• legal procedure. 80-D. Stay of execution of orders.— (1) An omcer who has passed any order or his successor in office may, at any tune before the expiry of the period prescribed för appeal or revision, direct the execution of such order to be stayed for such time as may be required tor tiling an appeal or revision and obtaining:' a stay. from the appellate or revisional authority. (2) authority exercising the powers conferred by section 77, section 78 or section 80 may direct the execution of -the order under appeal or revision or review to be stayed for such time as it may think fit. (3) 'The officer or authority directing the execution of an order to be stayed may impose such conditions or order such security to be tÜrnished as he or it thinks fit. 450 (12-27) Sec(i0li L Repeal. 9 2003 cases.—Every. appeal or revision or any other ryoceedine Müdhya Pradesh. State. Co-operative Tribunal under the Principal Act, (hvernmeütoa the date. on which the Chhattisgarh C.o- Act, 2003 comes into torce. 'phomcer or any authority shall exercise such powers, delegated to the Slate YQmfag.by,0F- under this Act, in such areas and. in such cases as the State Government y'tdi\$\$t lby. special or general order. Insub-section (2) of Section 95 of the Principal Act,- kF%flaue (gg); following clause shall be substituted, namely prescribe the procedure to be töllowed in presenting and disposal of appeals, ; revision and review." Co-operative Society Act; 1960 (No. 17 of 1961) wherever, the Land Development Bank Adhiniyam, 1966 (No. 28 of 1966)" 101 the words "The Chhattisgarh Co-operative Agriculture and Rural Development Bank Adhiniyam, 1999 (No. 20 of 2000)" shall be substituted. The *Chhattisgarh Sahakari Society (Amendment) 2003 (No. 4 of 2()03) is hereby repealed. •-Ol-2005 1960 (S. 17 961) 22 2004) 1960 1961) (2) /qwTJ1/04. - 'Pfi (7-r, An Act to further to a mend (he Societies Act_ . f 950 (No. 17 Be enacæd by the Chhattis•zarh Leuishstuve thc: Yndia as follmvs veat- Q f the Republic Öi This Act may be cailed the Societies Act, 2004 (No. 22 of 2004). It copae do;-ce frotti the dale *Ehe (J*-17-eKc- ei t ne C.-o-eorative Societies Act. Sub (: -A.A (7-AAA) be omitted. bet-orc sub-scet70ü 7- \ A GI--ct;ons fis car iy as such coen'ncucexne.nt. . 2 012. -2001 40 13 24, 1934 13 2013 45/'21-34AF.B. 13--02-20 n 79 æi'üuq. 2. 3. 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79. GIFT.— 34-qfr-« 241. a-an eq-tä;q fiqtq, 80 (20) 18. 80-q 95Ä. (2) 13 2013 3i70T. pita tr qIVfi." 95 3-ia:æenfqa 3lfüfi-q-q --n-ätii qTVTT. 13 2013 1285m. 45/21-WYF.Æ. 348 (3) 3TfUfiA14, 2012 6 æft2013) 13 2013 CHHATFISGARH ACT (No. 6 of 2013) THE CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2012 An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Sixty-third Year of the Re-public of India. as follows : Short Inent. title, extent connenee- (2) (3) This Act may be called the Chhattisgarh Co-operative Societies (Amend- men!) Act, 11 extends to the whole State of Chhattisgarh. It shall conne into force from the date of its publication in (official Gazette. The Preamble of Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961) (hereinafter retOrred to as Principal Act), shall be substituted by the following.— •An Act to organize and develop Co-operatives as democratic instruments and people's Institution based on the principles of voluntary formation, autonomous functioning, democratic member control, member - economic participation and autonomous functionino. In Section 2 of the Principal Act,— Amendment Preamble. Amendment Section 2. of (i) (iii) (iv) (v) (vi) (vii) In clause (y-i). the word "Registrar", shall be substituted, by the following words— "State Election Commission' After clause (b-i), the rolloving clause shall be added, namely:— "(b-ii) "Authorized Person" means a person authorized by Registrar to act on his behalf under this Act;" Clause (z) shall be substituted, by (he followino.— "(z) "Co-operative Society" means a Co-operative society registered or deemed to be registered under this Act" The Clause (d) shall be substituted by the following: "Board" means the board of directors or Lhe governing body of a co-operative society, by whatever name called, to which the direc- lion and control of the manaoement of the affairs of a society is entrusted to; 2*hall be substituted. by the followino •)fficer" n)ean.s a person appointed by the society to discharge the function assigned by the society and includes any officer posted on deputation; After clause (t-i), the following clause (t-ia) shall bc inserted, naunely•. • 'ollice bearer" means a President, Vice-President, Chairperson, Vice- Chairperson, Secretary or Treasurer of a co-operative society and includes any other person to be elected by the board 01' any co- operative society; After clause (bb), the following clauses shall be added, namely: "Scheduled Castes" means the Scheduled Castes specified in relation to this State under Article - 341 of the Constitution of India; 80 (22) Insertion of Section 19-E. Amendment Section 32. Amendment Section 48. (dd) (jj) 2013 "Scheduled Tribes" means the Scheduled Tribes specified in relation to this State under Article 342 of the Constitution 01' India: "Tribunal" means the Chhattisgarh State Co-operative Tribu- nal constituted under Section 77 "Multi-State co-operative society" means a society reoistered or deemed to be registered under the Multi-State co-operative societ- ies Act 2002 (No 39 of 2002) "State level co-operative society" means a co-operative society hav- ing its area of operation extending to the whole of the State. "Administrator" means a person appointed by Registrar with such terms and conditions to manage the affTairs of the societies during the period in which the board of society is kept under supersession or suspension . "Functional Director" means a Director other than elected and co-opted of the board, having functional responsibilities bul re- presenting the board of directors, such as Managing Director. Additional Managing Director, Director Finance, Director Marketing , Secretary and other functional (officer etc; "State Election Commission" means an authority or body referred to in article 243K of Constitution of India, for the purpose ot superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society. In this Act, wherever the word "Committee" occurs shall be sub- stituted by the word ('Board" new of of 4. 5

6. After Section 19-D of the Principal Act, the following Section shall be added.namely:— "19-E. Education of members, etc.- (1) Every Co-operative society shall include in its budget in every financial year, provisions for expenses on the Education and Training of Members, including office bearer, other officer and Staff. After sub-section (3) of Section 32 of the Principal Act, the following shall be added. namely:— Every society shall carry on day to day business by its registered address and (4) shall maintain records pertaining to the society at its registered address if the society does not (i) (iii) communicate the changed address to the Registrat carry on the business at its registered address. or maintain the records at its registered address. The Registrar may impose penalty not exceeding rupees on the officer responsible after givino a reasonable opportunitv ol being heard. In Section 48 of the Principal Act,— (i) sub-section (3) shall be substituted, nan)ely "The reservation of the seats on lhe vard or thc society ('rotu anion e (3) its

members belonging to Scheduled Castes, Tribes and Other Backward Classes shall be in proportion to their membership." 13 2013 Provided that such reservation shall not exceed or membership or the board. Provided further that one seat shall be reserved for Scheduled Castes and Scheduled Tribes, as the case may be. For sub-section (7), the following shall be substituted, namely:- 80 (23) (a) (b) A member who absents himself willfully in three consecutive meetings without reasonable cause, and which is proved after giving him reasonable opportunity, shall be ceased to be a member of the board, and is debarred from all consequential benefits. In a Co-operative society, no member shall be qualified for election as member of the board, delegate or representative and entitled to vote in any election of the board, delegate or representative of the co-operative society unless he has availed minimum level of services by such society as may be prescribed in this regard. (iii) After sub-section (7), the following sub-sections shall be added, namely (9) Notwithstanding anything contained in this Act or the rules made thereunder or bylaws of the societies total number of members or the board shall not exceed twenty-one, of which two shall be women. Provided further that co-opted specialist member appointed under provisions of sub-section (9) of this Section and ex-officio member, and Government nominee appointed under provisions of sub-section (1) of Section 52 and functional director(s) shall be excluded from the maximum number of members for the purpose of this sub-section. Notwithstanding anything contained in this Act or rules made thereunder, Board shall co-opt those persons as members of the board having experience in the field of banking management, finance or specialization in any other field relating to the objects and activities undertaken by the co-operative society, as member of the board of such society: Provided that the number of such co-opted members shall not exceed (two in addition to twenty-one members specified in sub-section (8) of this Section. Provided further that such co-opted members shall not have the right to vote in any election of the co-operative society in their capacity as such members or to be eligible to be elected as office bearers of the board

7. In Section 49 of the Principal Act,—(i) In sub-section (1), (k) for the words "three months before" the words of six months of" shall be substituted. Amendment Section 49. a period 80 (24) Amendment Section SO-A. Insertion of Section (iii) 13 2013 after clause (f). [In sub-section (1), the following clause shall be added, namely . appointment of Auditor for next financial year.' After proviso to sub-section (7 -A) (i), the following proviso shall be inserted, namely . "Provided further that the board may fill a casual vacancy on the board by nomination out of the same class of members in respect of which the casual vacancy has arisen, if the number of board is less than half of its original term.' For sub-section (8), the following shall be substituted, namely — "(8) Notwithstanding anything contained in this Act or Rules made thereunder the election of a board shall be conducted before the expiry of the term of the board. If the elections are not held before the expiry of the term, or board of society ceases to function due to the order of any court or otherwise all the members of the board shall be deemed to have vacated their seats and the powers of the board shall be deemed to have been vested in the Registrar and the State Election Commission shall hold elections within six months, or twelve months in case of the Co-operative Banks: Provided that the Registrar may authorize any officer to exercise the powers of the board vested in him under this sub-section and the officer so elected shall exercise such powers from the date of such authorization." a of new 8

9. In Section 50-A of the Principal Act, (the sub-section (1 -A) and (1 -B) shall be omitted. After Section 50-A of the Principal Act, the following shall be added, namely:— State Election Commission.— (2) (3) State Government may by notification in the Official Gazette Authorize State Election Commission to conduct Election of co-operative Societies and preparation of electoral rolls. State Election Commission shall in consultation with State Government appoint such members or officers and other staff as may be required for conducting election in respect of co-operative societies. In exercise of power under this section, the state election commission shall determine the duties and responsibilities as well as the powers that may be exercised by such officers and the staff referred to in sub-section (2b), as the commission may deem fit for conducting the State elections. In consultation with the State election commission make rules for the preparation of electoral rolls (or conducting elections to all co-operative societies, provided in co-operative societies and the powers of office shall be as may be notified by the commission for the purpose. 80 (25) (6) (7) (8) (9) 13 2013 The commission shall notify the code of conduct to be followed by the candidates, officers and functionaries engaged in the process of election for enabling free and fair election. The commission shall also be empowered to requisition the services of other officers to aid and assist in the election, and such requisitioned officers will be under the order of all

supervisions In control of commission during the election. (a) (c) (d) 11 shall be obligatory on the president, Chairman and Functional Director of every co-operative society to notify state election commission about election and it shall be the duty or functional director to ensure that the request holding elections is made available to the commission in time to enable the commission to conduct election. receipt of the request. as laid down under sub-section (3)(a) the Commission shall ensure that the election be held before the expiration of the term of existing board: It shall be the duty or the board of the society to ensure that all information, books and records are kept upto date and are being made available from time to time to the Commission or any person authorized by him in this behalf as may be required/expected by him for the purpose of election: The Board of the society shall also ensure that all such assistance is being made available to Commission by the society as may be expected by him in this regard to conduct elections: All expenses incurred in conducting the elections of the board of any society shall be borne by the society concerned. The Commission may issue such instructions to the board or its members which it may consider reasonable for conducting free and fair election. Instructions issued under this section by the Commission shall be binding on them. 10. 11 Section 52-B of the Principal Act, shall be omitted. [In Section 53 of the Principal Act,— (i) In clause (c) or sub-section (1), for the words "two years in the first instance" the words "six months" shall be substituted. In third proviso of clause (c) of sub-section (1), for the figure and word years" the figure and word 1 year" shall be substituted. For sub-section (3), the following shall be substituted, namely No such order shall remain in force for more than six months, and one year in case of Co-operative Banks." Sub-section (13) shall be omitted. Amendment Section 52-B. Amendment Section 53. of 80 (26) Amendment Section 56. Insertion of Section 57-B. (v) 13 2013 After sub-section (13), the following shall be added, namely:— 14) where in the opinion of the Registrar : (i) the board of co-operative society is in persistent default, or negligent in the performance of committed any act prejudicial to the interest of the co-operative societies or its member; or there is stalemate in the constitution or functions of the board: or the State Election Commission has failed to conduct election as per the Act. such board may be superseded or kept under suspension and the Registrar shall proceed to appoint administrator. Provided further that the board of any such co-operative societies shall not be superseded or kept under suspension where there is no Government shareholding or loan or financial assistance or any guarantee by the Government. new 12 13. In (i) Section 56 of the Principal Act.— After sub-section (1) the following shall be inserted, namely • 1-a) Every society shall file returns within six months of the close of every financial year to the Registrar or any person authorized by him on his behalf pertaining to the following (i) (v) Annual report of its activities: its audited statements of accounts: Plan for surplus disposal as approved by the general body of the society: List of amendments to the bylaws of the society, if any: Declaration regarding date of holding its general body meeting and conduct of election when due: and Any other information required by the Registrar in pursuance of any provision of this Act.' In sub-section (3), for the words "five thousand" the words "fifty thousand" shall be substituted. After Chapter V and Section 57-A of the Principal Act, the following new Chapter V A and Section 57-B shall be inserted, namely:— "CHAPTER V-A Provision regarding short term Co-operative Credit Structure Societies 57-B. Management of short term Co-operative Credit Structure Societies.— Notwithstanding anything contained in this Act or Rules framed thereunder or bylaws of any registered society or orders issued thereunder, the provisions of this chapter shall have overriding effect. 13 2013 In this Chapter, unless the context otherwise requires.— 80 (27) (2) (3) (4) (5) (6) (i) (v) (a) (b) 'Affiliating Society' means a society of which another society or co-operative is a member; "Co-operative" means a co-operative as defined under Section 2(f) of Chhattisgarh Swayatta Sahakarita Adhiniyam, 1999 (No. 2 of 2000); "National Bank" means the National Bank for Agriculture and Rural Development established under Section 3 of the National Bank for Agriculture and Rural Development Act, 1981 (61 of 1981); "Secondary Co-operative" means a co-operative registered under Chhattisgarh Swayatta Sahakarita Adhiniyam, 1999 (No. 2 of 2000) of which another co-operative or society is a member; "Short term co-operative credit structure society" includes the State Co-operative Bank, a Central Co-operative Bank and a Primary Agricultural Credit Co-operative Society. Short term co-operative credit structure society shall be eligible to be a member of a secondary co-operative. A co-operative registered under Chhattisgarh Swayatta Sahakarita Adhiniyam, 1999 (No. 2 of 2000) may become the member of an affiliating society registered under this Act. A short term co-operative credit structure society may become a member of an affiliating society or a secondary co-operative of its choice or leave the membership of

such society or co-operative. (a) (b) (a) (b) (c) The bylaws or any amendment to the bylaws of a short term co-operative credit structure society shall be registered by the Registrar within thirty days from the date of receipt of the application. If the Registrar is satisfied that the proposed bylaws or the amendments to the bylaws are contrary to the provisions of the Act and the rules made thereunder he shall reject the same duly recording his reasons thereon within thirty days from the date of receipt of the application. Every depositor in a primary agricultural credit co-operative society, subject to the criteria of minimum deposit amount and period, as prescribed by Registrar from time to time, shall be eligible to be a member of the society under sub-section (1) of Section 19 after subscribing the minimum share capital specified in the bylaws of the society and shall have full voting rights of a member. An individual or a group of borrower shall have the right to become member of a primary agricultural credit co-operative society under sub-section (1) of Section 19. Every group of depositor or a group of borrower admitted, as member under sub-section (1) of Section 19, shall be entitled to vote through a delegate nominated by such group. 80 (28) (7) (8) (9) (10) (12) 13 2013

A short term co-operative credit structure society shall be autonomous in all financial and internal administrative matters especially in the following areas:— (i) (iv) (v) interest rates on deposits and loans in conformity with and subject to Reserve Bank's guidelines, borrowings and investments, loan policies and individual loan decisions, personnel policy, staffing, recruitment, posting and remuneration to staff, and internal control systems, appointment of auditors and compensation for the audit. The State Government's subscription in the share capital of any short term co-operative credit structure society shall not exceed twenty five percent and the State Government or such society may reduce the State Government's subscription further at its choice. (a) (b) There shall be only one nominee of the State Government in the board of the State Co-operative Bank or a Central Co-operative Bank if the State Government has subscribed to its share capital: Provided that the nominee of the State Government in the board of the State Co-operative Bank or a Central Co-operative Bank shall not take part in election nor shall have any voting right in such election. (i) There shall be only one nominee of the State Government in the board of a primary agricultural credit co-operative society if the State Government has subscribed to its share capital: Provided that the nominee of the State Government in a board in the primary agricultural credit society shall not take part in election nor shall have any voting right in such election. A short term co-operative credit structure society shall have full freedom to transact with other societies registered under this Act or co-operatives registered under the Chhattisgarh Swayatta Sahakarita Adhiniyam, 1999 (No. 2 of 2000). A short term co-operative credit structure society shall have the freedom of entry and exit at any time and there shall be no mandatory restrictions of geographical boundaries for its operations. A short term co-operative credit structure society may, subject to the guidelines of the Reserve Bank, invest or deposit its funds in any bank regulated by the Reserve Bank and not necessarily in the affiliating society to which it is affiliated. A short term co-operative credit structure society may obtain loans from any bank regulated by the Reserve Bank and refinance from the National Bank and not necessarily from the affiliating society to which it is affiliated. 80 (29) (13) (14) 16) 13 2013

A primary agricultural credit co-operative society may pay dividend in accordance with the guidelines framed by the Registrar in consultation with the National Bank. No person shall be elected, nominated or co-opted or allowed to continue as a member of the board of a short term co-operative credit structure society, if he— (i) (b) (a) (b) (c) is a person who represents a society other than a primary agricultural credit co-operative society on the board of a Central Co-operative Bank or the State Co-operative Bank, if the society he represents has committed a default towards the payments of such bank for a period exceeding ninety days: is a person who committed a default towards the payments to a primary agricultural credit co-operative society or represents a primary agricultural credit co-operative society on the board of a Central Co-operative Bank or the State Co-operative Bank, if the society he represents has committed a default towards the payments of such bank for a period exceeding one year unless the default has been cleared by a person who represents a society whose board is superseded. The board of the State Co-operative Bank and the Central Co-operative Banks shall not be superseded without prior consultation with the Reserve Bank. The board of a primary agricultural credit co-operative society may be superseded only on any of the following grounds, if— the society incurs losses for three consecutive (i) serious financial irregularities as proven in enquiry for the purpose: fraud has been identified: lack of quorum in three consecutive meetings. The State Election Commission shall conduct elections to a short term co-operative credit structure society before the expiry of the term of the existing board. The State Election Commission shall

conduct elections to a short term co-operative credit structure society within six months in case of Primary Agricultural Credit Co-operative Society and twelve months in case of State Co-operative Banks and Central Co-operative Banks from the date of its supersession: Provided that in circumstances beyond control, the Government may allow holding of such elections within a period not exceeding six months from the date of supersession. A member of the board of a primary agricultural credit co-operative society which has been superseded under this Act shall not be entitled to contest the election again for a period of three years from the date of supersession: 80 (30) (17) (19) (20) 13 2013 Provided that where the supersession is owing to the grounds contained in Section 15(b)(iv), the lack of quorum is not due to the absence of such member. The members of the board and Chief Executive Officers of the State Co-operative Bank or the Central Co-operative Banks who do not fulfill the criteria stipulated by the Reserve Bank shall be removed by the Registrar or the Appointing Authority, as the case may be, on the recommendation of the Reserve Bank or the National Bank. (a) (b) Where the number of elected members on the board of a State Co-operative Bank or Central Co-operative Bank does not, in the opinion of National Bank, possess special knowledge or experience in such fields as may be stipulated by the National Bank, the State Co-operative Bank or the Central Co-operative Bank, as the case may be, shall co-opt such number of professional in such field, not exceeding two and the professionals so co-opted shall have full voting rights except the election irrespective of whether such professional is a member of the Society or not. If any person who, in the opinion of the Reserve Bank, has been co-opted as a member of the board under clause (a) of this sub-section without having requisite knowledge or experience as stipulated by the Reserve Bank, he shall, on being advised by the Reserve Bank or the National Bank, be removed from the office after giving him a reasonable opportunity of being heard. The Chief Executive Officer of the State Co-operative Bank and a Central Co-operative Bank, shall be appointed by the members of the board of the State Co-operative Bank or the Central Co-operative Bank, as the case may be, from among a panel of names not exceeding three persons eligible to hold the office of Chief Executive Officer in accordance with the criteria stipulated by Reserve Bank; and the aforesaid panel shall be recommended by a selection board consisting of the following persons all of whom shall be the members of the board of the State Co-operative Bank or the Central co-operative Bank as the case may be : (i) (iii) The nominee of State Government on the board. The nominee of the National Bank on the board. One other member of the board whether elected or co-opted. No primary agricultural credit co-operative society or its federation or association (except those which are permitted to act as a bank under Banking Regulation Act, 1949 (1) of 1949) shall be registered with the term 'bank' or any other derivative of the term 'bank' in its registered name or shall use the same as a part of its name: Provided that where any primary agricultural credit co-operative society or its federation or association (except those which has been permitted as a bank under Banking Regulation Act, 1949 (of 1949) has been registered using the term "bank" before the coming into force of this Act, the term "bank" along with its derivatives term shall be omitted within three months from the date of enforcement of this Act: 80 (31) (21) (22) (23) (24) 13 2013 Provided further that where any such society fails to comply with the above provisions within the period specified therein, the Registrar shall order the winding up of such society after giving a reasonable opportunity of being heard. The financial accounts of the State Co-operative Bank or Central Co-operative Bank, as the case may be, audited and certified by an auditor or auditing firm among the panel of such auditors approved by the Registrar and appointed by the General Body in this behalf. Where the Reserve Bank so requires, the Registrar shall conduct a special audit of the financial accounts of the State Co-operative Bank or the Central Co-operative Banks, as the case may be, and conduct the special audit and furnish the report of such audit in such manner and within such time as may be stipulated by the Reserve Bank. No authority other than the board of the short term co-operative credit structure society shall have the power to direct the society that a contribution to be made to any fund other than that required to maintain its net worth or the financial position of such society. The prudential norms, stipulated by the Reserve Bank including norms for capital to risk weighted assets ratio, shall be prescribed by the Registrar in consultation with the National Bank in respect of all primary agricultural credit co-operative societies. (i) (iii) (iv) Where the Reserve Bank prescribes any regulation, including a recommendation of supersession of a board or the winding up of State Co-operative Bank Central Co-operative Banks, as the case may be, the Registrar shall comply with the same within one month from the date of such communication. The Registrar shall ensure that the liquidator or the Administrator, as the case may be, is

appointed within one month of being so advised by the Reserve Bank for winding up or supersession. Where in the opinion of the Reserve Bank, the function of the Chief Executive Officer of the State Co-operative Bank or a Central Co-operative Bank, as the case may be, is such that it is not desirable in the interest of the bank to continue the person as the Chief Executive Officer of the bank, it may require the Registrar to remove the Chief Executive Officer; and the Registrar shall proceed forthwith to remove such Chief Executive Officer after giving a reasonable opportunity of being heard. Where in the opinion of the Reserve Bank, a person does not possess the requisite special knowledge specified by it, the Registrar shall on being advised by the Reserve Bank, proceed forthwith to remove such co-opted member after giving a reasonable opportunity of being heard. Every employee of short term co-operative credit structure society shall be borne on the cadre of such Society and the Society shall have the full powers in all matters of appointment, promotion, disciplinary action, in respect of such employees: Provided that the terms and conditions of an employee who is there on the date of this Act coming into force, shall be protected. (27) 13 2013 Where short term co-operative credit structure society is required to be exempted from any of the provisions of this Chapter in the public interest, the State Government shall do so with the prior approval of the Reserve Bank. No authority shall do anything in or act in a manner which shall have the effect of abridging the power of structure society under the provisions of this Chapter. Amendment Section 58. of 14

58. Section 58 of the Principal Act. the following shall be substituted, namely:— Audit of Accounts.— (2) (3) (4) (5) Every co-operative society shall maintain books of accounts of its income, expenditure pertaining to the society's in the form to be prescribed by the Registrar and shall present the profit accounts for each co-operative year and the balance sheet as on the last day of the co-operative year. Every co-operative society shall submit its books of accounts and record of all transactions and pertaining to purpose of audit by an auditor or auditing firm to be authorized by General Body from a panel approved by the Registrar. The Registrar shall not include a person who is not a member of the Institute of Chartered Accountants of India or auditing not duly authorized by the said institute to conduct such audit. Provided that in case of co-operative society with Government share holding or loan or assistance or grant by the Government, the Registrar may include the auditor in the Every society shall get its accounts audited by a Auditor or group of Auditors authorized by Registrar in this behalf once at least every financial year and shall pay such fees for audit as may be prescribed by the Registrar. Provided that— (i) the State Government by notification, may exempt any class societies to pass such terms: and experience of such Auditor or to in sub-section (1) the accounts of every society shall be audited within 6 months of the close of the financial year to which such accounts relate and the accounts maintained by the societies concerned in such manner as may be prescribed by the Registrar in this regard: the Auditors, to conduct the audit of the accounts of society referred to in sub-section (1) shall be by the general body of the society concerned panel of Auditor or audit firm Registrar in this behalf: Provided further that if there is any irregularity or error in the completion or issuance of the audit report, the Registrar may order special audit for the purpose. The audit under sub-section (4) shall include examination of the accounts and the overdue debts, instructions and orders of the Registrar issued under this Act. rules 13 2013 80 (33) (6) (7) made thereunder and bylaws of the society, the verification of cash balance and securities and valuation of the assets and liabilities of the societies and such other items as may be specified by the Registrar. The Auditors or Auditing firm shall at all times have access to all the books, accounts, documents, papers, securities, cash and other properties belonging to, or in the custody of the society and may summon any person in possession of or responsible for, the custody of any such books, accounts, documents, papers, securities, cash or other properties, to produce the same at any place at the headquarters of the society or any branch [Every person who is or has at any time been, an officer or employee of the society and every member and past member of a society shall furnish such information in regard to the transactions and working of the society as the Auditors or Auditing firm may require: Provided that the audit of accounts of an Apex Amendment Section 74. Amendment Section 75. of 15. 16. (i) Society shall be, laid before the State legislature in such a manner, as may be prescribed by the State Government. In clause (k) of Section 74 of the Principal Act, for the full stop (.) after word :) and word "or" shall be substituted. In Section 74 of the Principal Act, after clause (k), the following clauses shall be added, namely: any person with or without any reasonable excuse disobeys any summons, requisition or lawful written order provisions of this Act or rules made thereunder except as provided under sub-section (2) section 59 of the Act: or any employer who is authorized to make deduction his salary

and other dues for reinitiating the same to such co-operative society without sufficient cause: or person. before. and in or on the board or (•) the election of members declared by the state election commission. In Section 75 of the Principal Act.— (i) shall be substituted respectively (2) In clauses (b), (c) and (i) for the figure "1" shall be substituted respectively. (3) (4) and word "shall" shall be substituted in clause (k). the following clauses shall be added, with fine not exceeding Rs. provided that he is convicted of an offence referred to in Section 74(1): with fine not exceeding Rs. each case, provided that he is an offence referred to in r. 01 as prescribed by State Election Commission. 80 (34) 17. 13 2013 For Chapter X of the Principal Act, the following new chapter shall be substituted. Insertion of Chapter x. 77. "Chapter X Constitution of Tribunal Chhattisgarh State Co-operative Tribunal.— The State Government shall, by notification, constitute a Tribunal called the Chhattisgarh State Co-operative Tribunal to exercise the powers and to discharge the functions conferred or imposed on the Tribunal by or under this Act and the Chhattisgarh Swayatta Sahkarita Adhiniyanu 1999 (No 2 of 2000). The Tribunal shall consist of the Chairman and two other (2) (4) (5) (a) (b) No person shall be qualified to be the Chairman of the Tribunal unless he had been a Judge of a High Court or has held the office of a District Judge for not less than five (the other two members, one shall be an officer of co-operative department not below the rank of Additional Registrar and the other shall be non-official closely associated with the co-operative movement or an Advocate or a Pleader having practical experience in the co-operative movement for a period of not less than fifteen years; Provided that if the State Government thinks fit, the Tribunal may consist of a single person. Explanation :— For the purpose of this sub-section "non-official" shall mean a person who on the date of his appointment as a member, does not hold any office of profit under the Government of India or the Government of , Notwithstanding anything contained in sub-section (1), a person shall be disqualified for being appointed as, or for being a Chairman or a member of the Tribunal, if he is a member of the Board of any society other than a general body or a society. The Chairman and other members of the Tribunal shall hold office ordinarily for a period of not less than two years and not more than five years as the State Government may, by notification specify in this behalf. A person who has held office as the Chairman or a member for a period mentioned in clause (a) shall be eligible for reappointment. The Chairman or member of the Tribunal may, at any time, resign his office. The Chairman or a member of Tribunal may with the permission of the State Government hold any other office appointment of not inconsistent with his position on the Tribunal. Notwithstanding anything contained in sub-section (4), the State Government may terminate at any time, the appointment of the Chairman or a member if, in its opinion, such Chairman or member is unable or unfit to continue to perform the duties of his office: 13 2013 80 (35) Provided that no appointment shall be terminated under this sub-section unless the person whose appointment is proposed to be terminated is given a reasonable opportunity of showing cause against such termination. (7) (8) (9) (11) (13) (14) (15) (a) (b) If any vacancy occurs in the office of the Chairman or member by leave, absence, deputation, death, resignation, expiry of the term of appointment, termination of the appointment or for any other cause, whatsoever, such a vacancy shall be filled by appointment of a person qualified for appointment under this Section. Till the vacancy in the office of the Chairman is filled under sub-section (1), the senior most member shall act as the Chairman of the Tribunal. The headquarters of the Tribunal shall be at such place as may be notified by the State Government in the Gazette. The powers and functions of the Tribunal may be exercised and discharged by Benches constituted by the Chairman from amongst the members of the Tribunal including himself. Provided that, any interlocutory application may be heard by one or more members to be present. Such Benches shall consist of two or more members. Where a matter is heard by three members the opinion of the majority shall prevail, and the decision shall be in accordance with the opinion of the majority. Where a matter is heard by an even number of members, and the members are equally divided the Chairman be one of the members, the opinion of the Chairman shall prevail and in other cases the matter be referred for hearing to the Chairman and shall be decided in accordance with his decision. Subject to the previous sanction of the State Government, the Tribunal shall frame regulations consistent with the provisions of this Act and the rules made thereunder, for regulating its procedure and the disposal of its business. The regulations made under sub-section (12), shall be published in the Official Gazette. The Tribunal may suo motu or on the application of the party, call for and examine the records of any proceedings in which no appeal lies to it, for the purpose of satisfying itself as to the legality or propriety of any decision or order passed. If in any case, it appears to the Tribunal that any such decisions or orders should be modified, annulled or reversed, the Tribunal may pass

such order thereon as it may deem just. Where an appeal or application is made to the Tribunal under this Act, it may, in order to prevent the ends of justice being defeated, make such interlocutory orders pending the decision of the appeal or applications, as the case may be, as may appear to it to be just and convenient, or such orders as may be necessary for the ends of justice, or to prevent the abuse of the process of the Tribunal. 80 (36) 77-A. 77-B. 78. (16) (17) 13 2013 An order in appeal, or revision or review passed under this Act by the Tribunal, shall be final and conclusive, and shall not be called in question in any Civil or Revenue Court. The Tribunal hearing an appeal under this Act shall exercise all the powers conferred upon an appellate court by section 96 and order XLI of the Code of Civil Procedure, (5 of 1908).— (2) The Tribunal or Registrar may on the application of any party interested, review its own order in any case and pass such order in reference thereto as it thinks just: Provided that no such application made by the party interested shall be entertained, unless the Tribunal or the Registrar as the case may be is satisfied that there has been the discovery of new and important matter of evidence, which after the exercise of due diligence was not within the knowledge of the applicant or could not be produced by him at the time when its order was made, or that there has been mistake or error apparent on the face of the record, or there is any other sufficient reason: Provided further that no such order shall be varied, amended or revised unless notice has been given to the parties interested to appear and be heard in support of such order. An application for review of any order, by the parties interested shall not be entertained, unless the application is filed within ninety days from the date of passing of the order. Tribunal to exercise powers of a civil court.— In exercising the powers on it by or under this Act, the Tribunal shall have all the powers as are vested in Civil Court while, trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:— (a) (b) (c) (d) proof of facts by affidavits; summoning and enforcing the attendance of any person and examining him on oath; compelling discovery or the production of any document: and issuing commissions for the examination of witnesses. (2) In the case of any such affidavit, any officer appointed by the Tribunal in this behalf may administer oath to the deponent. Appeals before the Registrar and Tribunal.— Save where it has been otherwise provided, an appeal shall lie every original order under this Act or the rules made thereunder: (a) (b) If such order is passed by any officer subordinate to Registrar other than Additional Registrar or Joint Registrar, whether or not the officer passing the order is invested with the powers of the Registrar, to the Registrar; If such order is passed by the Registrar, Additional Registrar or Joint Registrar, to the Tribunal. (2) A second Appeal shall lie against any order passed in the first appeal by the registrar, to the Tribunal on any of the following grounds only, namely: that the order is erroneous, 10 13 2013 80 (37) (3) that the order has failed to determine some material issue of law: or that there has been a substantial error or defect in the procedure as prescribed by this Act which may have produced error or defect in the decision of the case upon merits. Every appeal shall be presented in the prescribed manner to the appellate authority concerned within sixty days from the date on which the order appealed against was communicated to the party affected by the order: Provided that in computing the period of limitation under this sub-section the time required for obtaining a copy of the order appealed against shall be excluded. 78-A. 79. 80. 80-A. Extension of period of limitation by appellate authority in certain cases.— In all cases in which it is provided under this Act that an appeal may be filed against any decision or order within a specified period, the appellate authority may admit an appeal after the expiry of such period if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within such period. No appeal or review in certain cases.— Notwithstanding anything to the contrary contained in this Act, where with previous sanction in writing or on the requisition of the Reserve Bank of India— (i) an order for the winding up of a co-operative bank: or for a scheme of compromise or arrangement or reconstruction or re-organisation or amalgamation: or an order of supersession or suspension of the Board by whatever name called of a Co-operative Bank and the appointment of an Officer-in-charge therefore, has been made. No appeal or review shall lie or be permissible against that, and such order or the sanction or requisition of the Reserve Bank of India shall not be liable to be called in question where such order, scheme compromise, arrangement, reconstruction, re-organisation or amalgamation is passed or made. Transfer or withdrawal of cases.— Subject to the provision of section 78, the Registrar, Additional Registrar or Joint Registrar may make over any case or class of cases arising under the provisions of this Act, for decision before him to any officer subordinate to him competent to decide such case or, class of cases or may withdraw any case or class of cases for decisions before any such officer and may proceed to deal with such case or class of cases himself or refer

the same to any other officer subordinate to him and to decide such case or class of cases. Power of Registrar to call for proceedings of subordinate officers and board of a society and to pass order thereon.— The Registrar may, at any time on his own motion or on the application made by any party, call for and examine the record of any enquiry or the proceedings by any subordinate officer or a decision of board of a society for the purpose of satisfying himself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer or board. If in any case, it appears to the Registrar that any decision or order or proceedings so called for should be modified, annulled or reversed, the Registrar, may pass such order thereon as he may deem fit: 80 (38) 18. 80-B. 80-c. 80-D. 95-A. 13 2013 Provided that no order under this Section shall be made to the prejudice of any party unless such party has had an opportunity of being heard: Provided further that the powers conferred on the Registrar under this Section, shall not be delegated to any officer below the rank of Joint Registrar. Power to make interlocutory orders.— When an application for appeal or review is made to Tribunal, or Registrar under this Act, it may in order to prevent the ends of justice being defeated, make such interlocutory orders pending the decision of the appeal or application, as the case may be, as may appear to it / him to be just and convenient, or make such orders as may be necessary for the ends of justice, or to prevent the abuse of legal process. Stay of execution of orders.— (2) (3) An officer appointed under section 3 who has passed any order or his successor in office may, at any time before the expiry of the period prescribed for appeal direct the execution of such order to be stayed for such time as may be required for filing an appeal and obtaining a stay order from the appellate authority. The authority exercising the powers conferred by section 78 or section 80 may direct the execution of the order under appeal or review to be stayed for such time as it may think fit. The officer or authority directing the execution of an order to be stayed may impose such conditions or order such security to be furnished as he or it thinks fit. Transfer of pending cases.— Every appeal or any other proceeding pending before the State Government, immediately before the date of constitution of Chhattisgarh State Co-operative Tribunal under this Act, shall stand transferred to the Tribunal from the date of notifications by Government of Chhattisgarh After Section 95 of the principal Act the following section shall be inserted namely: Removal of difficulties (2) If any difficulty arises in giving effect to the provisions of this Act, the State Government may pass such order not inconsistent with the provisions of this Act, as it may deem necessary to remove such difficulty: Provided that no such order shall be passed after the expiry of the period of two years the date of coming into force of this Act. The order passed under sub-section (1) shall be laid on the table of the legislative assembly, as soon as may be, and in any case, not later than the last day of session next following the date of / 38 Q. 380] 22 2014— 31, 1936 22 2014 64361/81. 1 5/21-34/n1F./Ø. 14. — 759 760 gfq. 49 2014 q 2014) (€üQ7) 2013 1960 (n 11 1961) 2013 OTT. 1. 2. 3. 4. s. (2) (3) 1960 (Fj. 17 196k) "Äö1) 243 "(l) "(2) 6. 8. 22Fr\$ 2014 '(7) "(9) :31QTfi. 2013 (n 1 æft2013) 2014 6436M. 115/21-aMYF./Ø. q./14.) 2013 760 (2) 2014 CHHATTISGARH AC•f (No. 100f 2014) CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2013 An Act further to amend the Chhattisgarh Co-operative Societies Act. 1960 (No. 17 of 1961) . Be it enacted by the Chhattisgarh Legislature in the Sixty-fourth Year of the Republic of India, as follows :- extent and commencement. Amendment Section 2. Amendment of sub- section Section 49. Amendment of sub- section Section 50-B. Amendment of sub- section Section 50-B. 1. 2. 3. 4. 5. (2) (3) This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2013. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its Publication in the Official Gazette. For clause (jj) of Section 2 of the Chhattisgarh Co-operative Societies Act. 1960 (No. 17 of 1961), (hereinafter referred to as the Principal Act). the following shall be substituted, namely:- "(ij) "State Election Commission" means the State Election Commission referred to in Article 243K of the Constitution of India which shall be the authority or body for the purpose of superintendence, direction and control of the preparation of electoral rolls for and the conduct of, all elections to a co-operative society, under the Article 243K of the Constitution of India." For Proviso of sub-section (8) of Section 49 of the Principal Act, the following shall be substituted, namely : "Provided that the Registrar may authorize any officer, or a person who in the opinion of the Registrar has experience in managing a Co-operative Bank or a Co-operative Society as the case may be, to exercise the powers of the Board vested in him under this sub- section; and the officer or the person so authorized shall exercise such power from the date of such authorization for a period specified by the Registrar or till the elections are held by the State Election Commission, whichever is earlier." For sub-section (1) of Section 50-B of the Principal Act, the following

shall be substituted, namely : The State Election Commission shall conduct all of co-operative society and exercise the superintendence, direction and control of the preparation of electoral rolls subject to the provisions of this Act." For sub-section (2) of Section 50-B of the Principal Act, the following shall be substituted, namely The State Election Commission shall in consultation with the State Government appoint such numbers of officers and other staff as may be required, in the opinion of the Commission for conducting election in respect of co-operative societies." 6. 8. 2014 For sub-section (7) of Section 50-B of the Principal Act, the following substituted, namely : The Commission shall have the powers to requisition the services of other officers, to aid and assist in the election and such requisitioned officers shall be under the overall supervision and control of the Commission during the election.' For sub-section (9) of Section 50-B of the Principal Act, the following shall be substituted, namely "(9) All expenses incurred in conducting elections of the board of any society shall be paid to the commission. in advance. by the State Government and the same shall be recovered from such society by the State Government in the manner as may be prescribed by the State Government. The Chhattisgarh Co-operative Societies (Amendment) Ordinance, 2013 (No. I of 2013) is hereby repealed. - 2014. 760 (3) Amendment of sub- section (7) of Section 50-B. Amendment of sub- section (9) of Section 50B. Repeal. 38 R. Q. 30-05-2001. 2015— 15 , 1936 5 2015 117/\$v. 31-12-2014* 27 28 17 1. 2. 3. 4. (1) (2) (3) (2) (3) (4) (s) (miu 2014 17 201 1960 (n 24m* 49 201 117M. 04/n-a/1F.ÄÄ./1S. — 2014 2 CHHATTISGARH ACT (No. of 2015) THE CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2014 An Act to further amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Sixty-fifth Year of the Republic of India, as follows :- Short extent and commencement. Amendment the Chhattisgarh Co-operative Societies Act, 1960 (No. of 1961). 1. 2 3. 4. (1) (2) (3) This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2014. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. Amendment Section 2. Amendment Section 50.B. of of In the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961), (hereinafter referred to as the Principal Act), for the words " State Election Commission", wherever they occur, the words "State Co-operative Election Commission" shall be substituted. For clause (j) of Section 2 of the Principal Act, the following shall be substituted, namely:- "(j) "State Co-operative Election Commission" means a Commission referred to in Section 50-B of this Act, which shall be the authority or body for the purpose of superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society under Article 243ZK of the Constitution of India. " For Section 50-B of the Principal Act, the following shall be substituted, namely :- "50-B. State Co-operative Election Commission- The Government by notification in the Official Gazette, shall constitute a Election Commission (hereinafter referred to as the Commission) for the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all (2) (3) (4) (5) (6) (7) (8) 201 s -elections to a co-operative society under the provision of this Act and rules made thereunder. The State Government shall appoint any officer of the Indian Administrative Service not below the rank of Principal Secretary, who has served in the Government of Chhattisgarh, as the State Co-operative Election Commissioner to conduct all • elections to co-operative societies under this Act or rules made thereunder. The qualification, disqualification, term and conditions of service of the State Co-operative Election Commissioner shall be such as may be prescribed. The State Government shall appoint on deputation any person, holding a post not below the rank of Deputy Registrar, as the Secretary to the Commission. (a) (b) The State Government shall provide the Commission with such officers and staff, as may be necessary, for the performance of its functions. The Commission shall appoint a Returning Officer in the manner, as may be prescribed, to conduct election to the Board of a society and its office-bearers and also to fill up casual vacancies as provided in Section 49 of this Act and the Commission, if it thinks necessary, may also appoint zonal or other officers for the purpose of supervision and control of -election. The Commission shall notify the code of conduct to be followed by the candidates, functionaries engaged in the process of election and others for enabling free and fair election. The Commission shall have the powers to seek requisition of the services of other officers for aiding and assisting in the election and such requisitioned Officers shall be under the overall supervision and control of the Commission during the election. (a) (b) The election of members of the Board of Directors shall be conducted before the expiry of the term of Board of Directors, so as to ensure that the newly elected members of the Board of Directors assume office immediately on the expiry of the term of members of the outgoing Board of Directors. The Commission shall conduct elections of all

cooperative societies registered under the Act in such manner, as may be prescribed. 28 (4) Repeal. (c) (d) (e) (f) 2015 The outgoing Board of every co-operative society shall send a written request in such manner, as may be prescribed, to the Commission to conduct the election of its Board within six months prior to the expiry of the term of the existing Board. On receipt of the request under clause (c), the Commission shall ensure that the election is conducted before the expiry of the term of existing Board. [It shall be the duty of the Board to ensure that all information, books and records, which may be required by the Commission for the purpose of election, are kept up to date and made available in time to the Commission or any official authorized by it for this purpose. The Board shall also ensure that all assistance to the Commission is provided as and when required by it for conduct of the election. (9) (10) All expenses incurred in conducting elections of the Board shall be paid to the Commission, in advance, by the State Government and the same shall be recovered from such society by the State Government in the manner as may be prescribed. The Commission may issue such instructions to the Board and its members, which it may consider reasonable for conducting free and fair election and such instructions issued under this Section shall be binding on Board and its members]

5. The Chhattisgarh Co-operative Societies (Amendment) Ordinance, 2014 (No.2 of 2014) is hereby, repealed. zels. / 38 Q. fiali, 30-05-2001." 204] 30 2015— 9, 1937 30 2015 2975/81. 107/21 •/VF./Ø.7T./15. 26-03 407 408 1. 3. 4. (1) (2) (3) 1960 "(q-P*0 (1) (2) 2015 2015 1960 17 1961) (€qhüq) 2015 fin. 1999 QErzq-äfrni, *ft, 49-3 evx@:- "49Ä. 408 (1) 53 5. 6. 2015 qqzrd "(1) (q) 71, vaT GTTgJTT, Zia-äga, 30 (2) (11) øva@:- 408 (2) 58 57-71 : (1) (2) (3) 7. "eFÄ-r-q gg t-fi, 1961 (1961 47) evaa-r (€+ZH) frå, 1961 (1961 fig fråg, ft ZTT frg 1961 (1961 21 ØV-ÄT 2015 (71) 8. 59*rzq-ETRT (1) ü, "Rågl?" 408 (3) 59 408 (4) 2975/81. 107/ 15.— (3) 30-03-2015A5T CHHATTISGARH ACT (No. 8 of 2015) CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2015 An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Sixty-sixth Year of the Republic of India, as follows Short title, extent and commencement. 1. 2. 3. (1) (2) (3) This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2015. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. Amendment Section 2. Insertion of Section 9-A. new For clause (t-i) of Section 2 of the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961) , (hereinafter referred to as the Principal Act), the following shall be substituted, namely :- "(t-i) "Officer" means any Official or a person elected or appointed by a society according to its bye-laws to any office of such society and includes a Chairman, Vice-Chairman, President, Vice-President, Managing Director, Manager, Secretary, Treasurer, Member of Board and any other person elected or appointed under this Act, the rules or the bye-laws to give directions in regard to the business of such society;" After Section 9 of the Principal Act, the following shall be added, namely :- "9-A. Saving of existing Co-operative Societies - (1) Notwithstanding anything contained in this Act, the Co-operative Society registered under Chhattisgarh Sawayatta Sahakarita Adhiniyam, 1999 (repealed Act), shall be deemed to have registered under the corresponding provisions of this Act and bye-laws framed thereof, so far as the same are not inconsistent with the express provisions of this Act, shall continue to be in force until altered or rescinded. (2) Every Co-operative society registered under this Act shall, within a period of six months from the date of coming into force of this Act, delete or amend such bye-laws, as are inconsistent with the provisions of this amending Act and make such further bye-laws as may be necessary, having regard to the provisions of this and previous amending Act. 408 (5) 4, 5. 2015 After Section 49-E of the Principal Act, the following shall be added, namely :- "49-F. Removal of member of Board of Society by General Body in certain circumstances- Notwithstanding anything contained in this Act or rules made thereunder, any member of the [Board] of the Society who has acted adversely to the interest of the Society may on the basis of a report of the Registrar or otherwise be removed by a resolution of the General Body passed at its meeting by a majority of not less than two-third of the members present and voting, in such a manner as may be prescribed, by the Registrar in this regard : Provided that, the person concerned shall not be removed unless he/she has been given a reasonable opportunity of making representation in the matter : Provided further that, such resolution shall not lie within a period of one year from the date on which he/she has taken charge of his respective office or such resolution is rejected or accepted by the General Body, as the case may be. For sub-section (1) of Section 53 of the Principal Act, the following shall Amendment Section 53. be substituted, namely :- If in the opinion of the Registrar, the

Board of Directors of any Society- new of (a) (b) (c) (d) is in persistent default; or is negligent in the performance of the duties imposed on him/her by or under this Act or bye-laws of the Society or by any lawful order passed by the Registrar or is unwilling to perform such duties; or commits acts which are prejudicial to the interest of the Society or its members; or violates the provisions of this Act or rules made thereunder or bye-laws of the Society; The Registrar may, by order in writing, remove the Board of Directors and appoint an administrator to manage the affairs of the society for a specified period, which shall not exceed six months and in case of a Co-operative Bank one year : Provided that, the Board of Directors of any such Co-operative Society shall not be superseded or kept under suspension, where there is no Government shareholding or loan or financial assistance or any guarantee by the Government : Provided further that, in case of a Co-operative Bank, the order of supersession shall not be passed without previous consultation with the Reserve Bank 408 (6) Insertion Chapter. of new 6. 2015 Provided also that, if no communication containing the views of the Reserve Bank, on action proposed is received within thirty days of the receipt by that Bank of the request soliciting consultation, it shall be presumed that the Reserve Bank agrees with the proposed action and the Registrar shall be free to pass such order as may be deemed fit." Sub-section (11) and (14) of Section 53 of the Principal Act shall be omitted. (2) After Chapter V-A of the Principal Act, the following shall be inserted, namely :- "CHAPTER V-B Insured Co-operative Bank 57-C : Insured Co-operative Bank :- (1) (2) (3) Notwithstanding anything contained in this Act or Rules framed thereunder or bye-laws of any registered Co-operative Bank or orders issued thereunder, the provision of this chapter shall have overriding effect. In this chapter, unless the context otherwise requires, an insured Co-operative Bank means a society which is an insured bank under the provisions of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (No. 47 of 1961). Notwithstanding anything contained in this Act, in case of any Insured Co-operative Bank,- (i) An order for winding up, or an order sanctioning a scheme of compromise or arrangement or of amalgamation or reconstruction of the bank, may be made by the Registrar of Co-operative societies or any other Competent Authority, only with the previous sanction in writing of the Reserve Bank; An order for winding up of the bank shall be made by the Registrar of Co-operative Societies or any other Competent Authority, if so required by the Reserve Bank in the circumstances referred to in Section 13D of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (No. 47 of 1961). If so required by the Reserve Bank in public interest or for preventing the (iii) affairs of the bank being conducted in a manner detrimental to the interests of the depositors or for securing the proper management of the bank, an order shall be made by Registrar of Co-operative Societies or any other Competent Authority for the supersession of the Committee of Management or other managing body (by whatever name called) of the bank and the appointment of an administrator therefor for such period or periods not exceeding five years in the aggregate, as may from time to time, be specified by the Reserve Bank; (iv) An order for winding up of the bank or an order sanctioning a scheme of compromise or arrangement or of amalgamation or reconstruction or an order for the supersession of the committee of management or other managing body (by whatever name called) of the bank of the appointment of an administrator therefor made with the previous sanction in writing or on the requisition of the Reserve Bank shall not be liable to be called in question in any manner; and (v) The liquidator or the insured bank or the transferee bank, as the case may be, shall be under an obligation to repay the Deposit Insurance and Credit Guarantee Corporation in the circumstances, to the extent and in the manner referred to in Section 21 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (No. 47 of 1961)." 408 (7) 7

8. In Section 58 of the Principal Act, - (ii) (iii) After proviso to sub-section (3), the following proviso shall be inserted, namely :- "Provided further that, all types of primary Co-operative Society shall have an option to get its accounts audited by Chartered Accountants or the Registrar or by any other person authorized by the Registrar in this behalf." In sub-section (4), for the words "Auditor or group of Auditors" and "prescribed by the registrar", the words "Auditor or Auditing firms" and "prescribed by the State Government" shall be substituted, respectively. After proviso to sub-section (4), the following proviso shall be inserted, namely :- "Provided further that, in case of liquidated society, the liquidator may appoint auditor or auditing firm to get its accounts audited from amongst a panel approved by the Registrar." Amendment Section 58. Amendment Section 59. of of In sub-section (1) of Section 59 of the Principal Act, for the words "The Registrar may on the application of", the words "The Registrar may on his own motion or on the application of" shall be substituted. - 2015, "-ø8NTBM/09/2013-2015? / 38

RT. Q. 30-05-2001. " 449] 14 2016— 23, 1938 2016 12082/å 278/21 -equF./Ø. 28-11-2016 897 898 48 1. 2. 3. 4, -5. (1) (2) (3) (w) 2016 34 2016 1960 17 1961) 2016 1960 (n 2 (BFI) - 1981 (1981 61) 48 (3) - zq-üT(T (3) +åå 53-€ (Ffiq) *711 , *AFT, QUI@-TÄ, " 898 (1) 53 — 6. 7. 3194@.- "53-TT. G-å 48 (9) 54 (3) Å,- 54 898 (2) 57 -€ 58 14 *-111. 8. 9. 10 (gEfi) 58 zq*-TRT (4) " "*N-T17TR, 3.lüa-TT Q, (7) evx@:- "(8) 14 2016 12082/€1 278/21-31/VF./Ø, q./16,— 348 (3) 14-12-2016 CHHATTISGARH ACT (No. 34 of 2016) CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2016 An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961) Be it enacted by the Chhattisgarh Legislature in the Sixty-seventh Year of the Republic of India, as follows :- 898 (3) Short title, extent and commencement. 1 2. 3. 4. (1) (2) This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2016. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. In Section 2 of the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961) (hereinafter referred to as the Principal Act), after clause (j), the following shall be added; namely :- "(kk) "National Bank" means the National Bank for Agriculture and Rural Development established under Section 3 of the National Bank for Agriculture and Rural Development Act, 1981 (61 of 1981)," After sub-section (3) of Section 48 of the Principal Act, the following shall be inserted, namely "(3-A) In the event of society failing to elect requisite number of members of Board, the elected member shall co-opt the requisite number of members from the members of such society, which is eligible for such representation Provided that no co-option shall be made in a meeting of the society unless there is a quorum . Provided further that such board meeting shall be presided over by the returning officer." In sub-section (3) of Section 48-B of the Principal Act,- for the punctuation full stop the punctuation shall be substituted; and below sub-section (3), the following shall be added, namely :- "Provided that the one seat in each category from amongst the groups reserved for the members belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes and Unreserved, shall be reserved for women. Amendment Section 2. Amendment Section 48. Amendment Section 48-B. of of of 898 (4) Amendment Section 53-B. Insertion of Section 53-C. of new 5, 6. After sub-section (3) of Section 53-B of the Principal Act, the following shall be added, namely "(4)(i) If in the opinion of the Registrar any salaried officer of the co-operative society willfully and persistently violates the provisions of this Act or Rules made thereunder, bye-laws of the society or any order passed by him or has by fraudulent act caused financial loss to the society,- (a) (b) (iii) then he may, without prejudice to any other action that may be taken against such officer, call upon the society to take action against such officer; and whereupon the society shall, after affording reasonable opportunity of being heard to such officer, pass such order within such period as may be specified by the Registrar. In the case of failure of the society to take action under clause (i) of sub-section (4), the Registrar may, after affording reasonable opportunity of being heard to such officer, impose such major penalty on such officer as he may deem fit. Explanation.- "major penalty" may be the order of demotion from the present post held, compulsory retirement or termination from the service. Any salaried officer punished or removed under clause (i) or (ii) of sub-section (4) shall be deemed to have been punished under the relevant provisions of the service rules of the concerned society; and in case of his compulsory retirement or termination from the services, such officer shall not be eligible to hold any office of any co-operative society • Provided that the powers conferred on the Registrar under sub-section (4) of this Section shall not be delegated to any officer below the rank of Joint Registrar : Provided further that the vacancy arising out of the removal of such salaried officer under this sub-section shall be filled immediately by the Appointing Authority or the Registrar; as the case may be." After Section 53-B of the Principal Act, the following shall be inserted, namely •53-C. Removal of the officer of the Co-operative Bank in Certain (ii) Circumstances.- On the recommendation of the Reserve Bank or the National Bank, any member of the Board or Chief Executive Officer of any Co-operative Bank, who do not fulfill the criteria stipulated by the Reserve Bank shall be removed by the Registrar or Appointing Authority, as the case may be. Where in the opinion of the Reserve Bank, the functioning of the Chief Executive Officer of any Co-operative Bank is such that it is not desirable in the interest of the Bank to continue; it may require the Registrar to remove the Chief Executive Officer, and the Registrar shall proceed forthwith to remove such Chief Executive Officers after giving a reasonable opportunity of being heard. (iii) If any person who, has been co-opted as a member of the Board under sub-section (9) of Section 48, in the opinion of the Reserve Bank is not having requisite knowledge or

experience then on advice of the Reserve Bank or the National Bank, shall be removed from the office after giving a reasonable opportunity of being heard," 898 (5) of 7. 8. 9

10. In sub-section (3) of Section 54 of the Principal Act,- the punctuation shall be substituted; for the punctuation full stop and below sub-section (3), the following shall be added, namely :- Amendment Section 54.(q) (b) The eligibility criteria to hold the office of Chief Executive Officer of any Co-operative Bank shall be as such as may be prescribed by the Reserve Bank in this regard. If the concerning Co-operative Bank fails to appoint Chief Executive Officer under the eligibility criteria within a specified period, in such a condition the registrar may appoint such eligible officer of the Bank.' Section 57-B shall be omitted. In Section 58 of the Principal Act,- in sub-section (4),- Omission of Section (a) (b) for the punctuation full stop 'i' the punctuation . shall be substituted; and after the third proviso, the following shall be added, namely • 'Provided also that in case of Co-operative Bank, if the Reserve Bank so requires; the Registrar shall cause to conduct special audit of the financial accounts of the Co-operative Bank and furnish the report of such audit in such manner and within such time as may be prescribed by the Reserve Bank." after sub-section (7), the following shall be added, namely "(8) In case of primary agricultural credit co-operative society, such prudential norms stipulated by the Reserve Bank including norms for capital to risk weighted assets ratio, shall be prescribed by the Registrar in consultation with National Bank" In sub-section (3) of Section 58-B of the Principal Act, for the words "State Government", the words "Tribunal" shall be substituted. 57-B. Amendment Section 58. Amendment Section 58-B. of of 2016 "ø8NiBM/09/2013-2015." / 38 RI. Q. 30-05-2001. " 247] 27 2020 —Gaz 6, 1942 4017/€t.88/21•F./Ø.q./20. 493 494 1. 2. 3. 2020 1960 (n 17 1961) (1) (2) (3) 1960 (n 17 grRT) (æiküqq) 2020 (n 1 27-05-2020 CHHATTISGARH ACT (No. 8 of 2020) CHHATTISGARH CO-OPERATIVE SOCIETIES ACT, 2020 An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Seventy-First Year of the Republic of India, as follows :- 1. 2. 3. (1) (2) (3) This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2020. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. In the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961), for Section 16-A, the following shall be substituted, namely : "16-A. Any society may, enter into the collaboration with any Government Undertaking, Cooperative Society or any Undertaking approved by the State Government or a Private enterprise for carrying on any specific business including industrial investment, financial aid or marketing and management expertise : Provided that any society may enter into such collaboration by a resolution of the general body passed, at its general meeting by a simple majority of the members present and voting • Provided further that in each case, the society has to take prior permission in writing of the State Government before entering into such collaboration : Provided further also that the State Government may delegate its above powers to any competent officer as required." The Chhattisgarh Co-operative Societies (Amendment) Ordinance, 2020 (No. I of 2020) is hereby repealed. 494 (1) Short title, extent and commencement. Amendment of Section 16-A. Repeal - 2020. / 38 Q. 30-05-2001." 500] (ORTüR0T) 14 2020— 22, 1942 13 2020 7822/8. — 999 1000 10 (2) (3) 2. 3. 4. 5. 14 2020 18 2020) 2020 1000 17 1901) (<qIEFr) 2020 I 1960 (F 17 1961) ap.Tf•q:— "(q—trq) 10 (1) 6. 7. 8. 14 2020 @) (ÄR8) qü, 3Æ2Xfq:— "@æv) QNT\$R:" 11 45 12 (2) "(3) 11 (1) 19 (2S 1000 (1) 11 12 19 1000 (2) q•INT 19-... 45 48—q 10. 11. 12. 14 2020 45 (2) 1961 (m. 47 1961) It' 48 (7) @ .312fi:— i-q-r, 48—7T @ 13. 14. 14 2020 49 (8) xT*-rr NT*TT 54 (2) q-aq, a.T27f-q:— 1000 (3) 49 54 (qsr) 1000 (4) 58 qrgT 77 15. 16. 17. 14 2020 58 (4) (VT) ' ' ' XQ.TFT qq, " l" -a TRÄT&TIT•." q-ü, 312.1K:- "(2—Ø fir frg ur 77 \$1 (14) Tr 14 2020 aFTT:XQ.TTftiT OTQ.Tfq:— (2) (3) (4) 19 55 (2) uT 64 55 (2) 64 31TQ?T ,3TtFTT a@-fh 78 1000 (5) 78 1000 (6) 87 20. 14 2020 3T2.T@T 87 13 2020 348 (3) 7822/*. 14 2020 CHHATTISGARH ACT (No. 18 of 2020) 1000 (7) CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2020. An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Seventy First Year of the Republic of India, as follows : 1. 2. 3. 4. (1) (2) (3) This Act may be called the Chhattisgarh Co- operative Societies (Amendment) Act, 2020. It extends to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. In Section 2 of the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961), (hereinafter referred to as the Principal Act), (ii) after clause (s), the following shall be inserted, namely:- "(s-i) "Minimum Level of Services" means the minimum services provided for the fulfillment of the basic objectives in the byelaws

of the society;" after clause (y-ii), the following shall be inserted, namely:- "(y-iii)"Service Sector Society" means a society formed with the object of providing various customer services for its members and others;" In sub-section (1) of Section 6 of the Principal Act, for the word "twenty" the word "ten" shall be substituted. In sub-section (3) of Section 9 of the Principal Act, for the words "ninety days" the word "forty five days" shall be substituted. Short title, extent and commencement. Amendment of Section 2. Amendment of Section 6. Amendment of Section 9. 1000 (8) Amendment of Section 10. Amendment of Section 11. Amendment of Section 12 Amendment of Section 19. 5. 6. 7. 8. 14 2020 of Section IO of the In sub section (I) Principal Act, (i) in clause (xii), for the punctuation colon the punctuation semi colon ";"shall be substituted; and (ii) after clause (xii), the following shall be added, namely: " (xiii) Service Sector Society:" In Section 1 1 of the Principal Act,- (i) in sub-section (1), for the punctuation the punctuation colon full stop shall be substituted; and (ii) after sub-section (1), the following shall be added, namely: "Provided that every co-operative society, within 45 days from the date of any amendment in this Act or the rules made thereunder, shall send a proposal for amendment of their bye-laws in compliance with the said amendment to the Registrar in the prescribed manner in four copies." (iii) In sub-section (3) for the words "forty- five days", the words "thirty days" shall be substituted. After sub-section (2) of Section 12 of the Principal Act, the following shall be added, namely:- "(3) If the society fails to send a proposal to the Registrar for amendment of the bye-laws in compliance with any amendment in this Act or the rule made thereunder, as per the provisions of the first proviso of sub-section (1) of Section 11, then the Registrar shall amend the bye-laws of the society concerned." For sub-section (2-A) of Section 19 of the Principal Act; the following shall be substituted, namely : 10. 14 2020 "(2-A) Notwithstanding anything contained in this Act or rules or bye-laws made there under if any person duly qualified for admission as a member under the provisions of this Act and the bye-laws of that Society makes an application for membership of such Society, it shall be obligatory on the part of the board of the concerning society to decide such application within a period of thirty days from the date of receipt of such application: If the board of the society fails to decide the aforesaid application within a period specified as above, he shall be deemed to have been admitted as a member of such society: Provided that the Registrar may, either on his own motion at any time or on an application by the society or any aggrieved person, made within fifteen days from the aforesaid date and after giving reasonable opportunity to the society or person concerned by order, declare such person as not eligible for membership of such society for the reasons mentioned therein, within forty five days from. the date of receipt of application by the Registrar." The clause (d) and (e) of sub-section (1) of Section 19-A of the Principal Act shall be omitted. After sub-section (2) of Section 45 of the Principal Act, the following shall be added, namely:- "(3) The State Government may subscribe to the share capital of all such co- operative society or bank which is an insured bank under the provisions of the deposit insurance and credit guarantee corporation Act, 1961 (No. 47 of 1961)." 1000 (9) Amendment of Section 19-A. Amendment of Section 45. 1000 (10) Amendment of Section 48. Amendment of Section 48-C. Amendment of Section 49. 11. 12. 13, 14 2020 'The clause (b) of sub-section (7) of Section 48 of the Principal Act, the folloxxv5ng shall be substituted, namely (b) In a co-operative society, no member shall be qualified for election as member of the board, delegate or representative and entitled to vote in any election of the board, delegate or representative of the co-operative society unless he has availed minimum level of services rendered by such Society as may be provided in this regard in the byelaws of the concerning society." For clause (b) of Section 48-C of the Principal Act, the following shall be substituted, namely:- "(b) elect the chairman, representatives and other office bearers;" For proviso of sub-section (8) of Section 49 of the Principal Act, the following shall be substituted, namely:- "Provided that the registrar may authorize any officer or a person or a committee of persons to exercise the of the board vested in powers him/ Committee under this sub-section; and the officer or the person or the Committee of persons so authorized shall exercise such power from the date of such authorization for a period specified by the registrar or till the elections are held by the state Cooperative Election Commission, whichever is earlier: Provided further that in case of committee of persons, the registrar may nominate one person as a chairman and one person as vice chairman, and that such person(s) may be nominated from among the members of committee itself. 15. 14 2020 Provided further also that in case of any non-official person or persons, their qualifications shall be such as may be prescribed." In Section 54 of the Principal Act,- (i) after sub-section (2), the following shall be added, namely: shall maintain "(2-A) The Registrar, such cadre of officers and other as the State servants

Government may, by order, direct." (ii) for clause (b) of sub-section (3), the following shall be substituted, namely:- "(b) If the State Co-operative bank fails to appoint chief executive officer in district central Co-operative bank as per the eligibility criteria within fifteen days from the date of such vacancy occurred, in such a case the Registrar shall appoint the chief executive officer in the above bank." In clause (iv) of sub-section (4) of Section 58 of the Principal Act,- 1000 (11) Amendment of Section 54. Amendment of Section 58. (ii) for the punctuation colon the shall be punctuation full stop substituted; and before the first proviso, the inserted, shall be following namely:- "If the general body of the any co-operative society fails to appoint Auditor or Auditing firm to get its accounts audited, within a period of six months from the date of closing of the financial year, in such a condition the Registrar after giving an opportunity of being heard to such society, shall appoint an auditor or auditing firm for society concerned and shall 1000 (12) Amendment of Section 58-B. Amendment of Section 77. Insertion of New Section 77-AA. 16. 17. 18. 14 2020 cause the accounts to be audited of such co-operative society . After sub-section (2) of Section 58-B of the Principal Act, the following shall be added, namely . "(2-A) Any officer or officer bearer under this Section held liable for causing loss to the society shall not be eligible to contest election as member of the board or repreSentative of any society for the period of next six years from the date of communication of such order to him and cease to hold his office as such. In case of any salaried officer held liable for causing loss to the society then without prejudice to the other action that may be taken against him; an action against such officer shall also be taken under the provisions of service rules applicable to such officer." Sub-section (14) of Section 77 of the Principal Act shall be omitted. After Section 77-A of the Principal Act, the following shall be inserted, namely: "77- AA. Revision. (1) (2) The tribunal may at any time on its/ his motion or on the application made by any party for the purpose of satisfying itself/ himself as to the legality or propriety of the order passed by the Registrar under sub-section (2) of Section 55 or 64 of this Act, may pass such order as it think fit. The Registrar may at any time on its/ his motion or on the application made by any party for the purpose of satisfying itself/ himself as to the legality or propriety of the order passed by any officer subordinate to him under sub- section (2) of Section 55 or 64 of this Act, may pass such order as he think fit: (3) (4) 14 2020 Provided that powers conferred on the Reoistrar under this section shall not be delegated to any officer below the rank of Additional Registrar. Under sub-section (1) and (2) no order shall be varied or reversed in revision unless notice has been served on the interested and reasonable parties opportunity given- to them of being heard. No such application shall be entertained by the Tribunal or Registrar unless presented within thirty days from the date of order and in computing the period aforesaid time requisite for obtaining a copy of the said order shall be excluded." 19. 1000 (13) Amendment of Section 78. In Section 78 of the Principal Act,- (i) for sub-section (1), the following shall be substituted, namely:- "(1)Save where it has been otherwise provided, an appeal shall lie from every original order under this Act or the rules made there under:- (a) (b) (c) If such order is passed by any officer Subordinate to Registrar other than Additional Registrar or Joint Registrar, whether or not the officer passing the order is invested with the powers of the Registrar, to the Joint Registrar. If such order is passed by the Joint Registrar, to the Registrar or Additional Registrar duly authorized by the Registrar on his behalf. If such order is passed by the Registrar or Additional Registrar, to the Tribunal." (ii) In sub-section (2) for the words "first appeal by the Registrar", the words "first appeal by the Joint Registrar, Additional shall be Registrar or Registrar" substituted." 1000 (14) Amendment of Section 87. 20. 14 2020 Afifex Section 87 of the Principal Act, the following shall be added; namely: "Under this section, if any permission sought by the anti-corruption bureau or economic offence investigation bureau or any other agency constituted under any law for the time being in force, to institute enquiry or probe or to take any other action against any such officer or office bearer of the Co- operative Society, then the State Government shall be acompetent authority to grant such permission to the above authorities." - 2020. 966 49 (2) (3) 2. 2024 7 2024) 2022- qf&-q, 1960 (F. 17 1961) 2022 I 1960 (F 17 1961) gr t) 49 (1) (7—Ø e-o-g (Q) -O eæfq.— fäg é3Tr t, 3. 4. 3 2024 Q-frä? -€111 I l" 50—v (8) epfiq:— 3T&r, *TTT, *O-qi, t, 53 GIRT, GZT *BTT, epxfq:— 966 (1) qlNT 53 966 (2) 79 5. 2024 79 7525/i. 60/214/F./Ø. q./24. — 348 (3) 2022 2024) 2024 CHHATTISGARH ACT (No. 7 of 2024) 966 (3) CHHATTISGARH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2022. An Act further to amend the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961). Be it enacted by the Chhattisgarh Legislature in the Seventy third Year of the Republic of India, as follows:- (1) 1. (2) (3) 2. This Act may be called the Chhattisgarh Co-operative Societies (Amendment) Act, 2022. It extends to the whole State of Chhattisgarh. It shall come

into force on the date of its publication in the Official Gazette. In Section 49 of the Chhattisgarh Co-operative Societies Act, 1960 (No. 17 of 1961), (hereinafter referred to as the Principal Act),- (1) for clause (ii) of sub-section (7 -A), the following clause shall be substituted, namely: "(ii) The term of the representatives to other societies, elected by the Board of the society, shall be co-terminus with the term of the Board of the society: Provided that if such representative is elected as member of the Board of other Society then, he shall continue to hold his office as member of the Board of 91.1Ch Society till the expiry of the term of the Board of the Society for which he is elected." Short title, extent and commencement. Amendment of Section 49. 966 (4) Amendment of Section 50-B Amendment of Section 53. 3 2024 (2) in sub-section (8), the protasis "and State Co-operative Election 3

4. Commission shall hold Elections within six months, or twelve months in case of the Co-operative Banks" shall be omitted.

(3) for clause (b) of sub-section (9), the following clause shall be substituted, namely "(b) Such minutes shall be circulated to all the persons invited for the meeting including Registrar within thirty days from the conclusion of the meeting." For clause (b) of sub-section (8) of Section 50-B of the Principal Act, the following clause shall be substituted, namely:- "(b) Comunission shall conduct elections of all Co-operative societies registered under this Act in such a manner as may be prescribed • Provided that the elections of Board of Directors of all higher level Societies shall be held only after holding elections of atleast three forth of such lower level societies affiliated to it." In Section 53 of the Principal Act, (1) after clause (d) of sub-section (1), for the protasis "The Registrar may, by order in writing, remove the Board of Directors and appoint an administrator to manage the affairs of the society for 5. 3 2024 a specified period, which shall not exceed six months and in case of a Co operative Bank one year:" the following shall be substituted, namely: "The Registrar may, by order in writing, remove the Board of Directors and appoint an administrator to manage the affairs of the society for a period specified in the order. The aforesaid period may be extended by the Registrar from time to time till the constitution of the elected board:" (2) sub-section (3) shall be omitted. In Section 79 of the Principal Act, for the words "no appeal or review" wherever they occur, the words "no appeal, revision or review" shall be substituted, respectively. 966 (5) Amendment of Section 79 - 2024.