

KERALA STATE HANDLOOM WEAVERS' CO-OPERATIVE SOCIETY(SPECIAL PROVISIONS)ACT,1960-6OF1960

47 THC KERQL4 STATE HANDLOOM wuVERS' CO.omATIVE SOCIETY (SPECIAL PROVISIONS) ACT, 1960 (Act 6 of 1960) CONTENTS Sections. 1. 2. 3. 4. 5

6. Short title, extent and commencement. Definitions. Formation of the Kerala State Handloom Weavers' Co-operative Society. Provisions of the Madras Act to govern in certain matters. Power to make rules for facilitating amalgamation. Power to remove difficulties. ACT 6 OF 1960* THE KERALA STATE HANDLOOM WEAVERS' CO-OPERATIVE SOCIETY (SPECIAL PROVISIONS) ACT. 1960 An Act to make spectat provisions for the formation of the Kerala State Handloom Weavers' Co-operative Society. Preamble.—WHEREAS Lt is deemed necessary to make special provisions for the formation Of the Kerala State Handloom Weavers' Co-operative Society; BE It enacted in the Eleventh Year of the Republic of Indra as follows: — I. Short title, ectent and commencement.— (I) This Act may be called the Kerala State Handloom Weavers' Co-operative Society (Special Provmons) Act, 1950. (2) it extertds to the whole of the State Of Kerala. (3) It shall come into force on such date as the Govern- ment may, by notification in the Gazette, appoint

2. Definitions.—In this Act, unless the context Otherwise req uires.— (1) "Madras Act" means the Madras Co-operative Socаетtes Act, 1932, as m force in Malabar; (2) "Malabar" means the Malabar distrct referred to sub-section (2) of section of the States Reorgamsatzon Act, 1956 (Central Act 37 of 1956) ; (3) "Travancore-Cochin Act" means the Travancore-Cochin Co-operative Societies Act, 1951; (4) "Kozhikode Society" means the Kerala Handloom Weavers' Co-operative Society, Limited. No. 142, Kozhikode; •publishe in the Gazette Extraordinary dated April , 1960. 48 (5) "Trichur Soczetyi' means the Cochin Central Co-opera- tive Cottage Industnes Marketing Society, Limited, No

401. Trichur; (6) "Trivandrum Society" means the Travancore Sree- moolam Handloom Weavers' Central Co-operative Society, Limited.No. 508, Trivandrum; (7) "Registrar" means the Registrar of Co-operative Socie- ties appointed under section 3 of the Travancore-Cochin Act; (8) "State" means the State of Kerala

3. Formation df the Kerala State Handloom Weavers' Co- operative Society —Notwithstanding anything to the contrary contained In the Madras Act or the Travancore-Cochm Act.— (1) where the Trichur Society divides itself m to a handloom weavers' co-operative society and one or more other co-operative society or societies. and lthe Trivandrum Society is reconstituted or reorganised under section 5A of the Multi-Unit Co-operative Societies Act, 1942 (Central Act 6 of 1942). then it shall be law- ful for— (i) the handloom weavers' co-operative society formed by the division of the Trichur Society; (ii) the co-operative society formed by the reconstitution or reorganisation of the Trivandrum Society and functioning m the State; and (iii) the Kozhikode Society, to amalgamate as a single co-operative society in accordance with the procedure specified in sub-section (I) of Section 16 of the Travancore-Cochin Act, and for the purpose oi such amat- gammion the Kdzhikode Socrty shall be deemed to be a co- operative society registered under the Travancore-Cochin Act; (2) if for any reason the amalgamation of the three socie- ties aforesaid does not take place within three months of t e commencement of this Act or within such further time as may be allowed by the Registrar ia thts behalf and the Registrar is of opinion that the amalgamation of the three societies is necessary or desirable for mcreasing their strength or useful- ness, he may, after consulting, in the manner prescribed by rules made by the Governm2nt. the financang banks to which the societies are Indebted, call upon such socrettes to amalga- mate within such time as may be specified by him into one co-operative socaety In accordance with the procedure specified in sub-section (1) of section 16 of the Travancore-Cochin Act; (3) if the societies fail to amalgamate into one society within the time specified by the Registrar, he may, after grung an opportunity to the Commi4ee of each of the soclevies to state its objections, any, direct the amalgamation of the societies into one society and thereupon the provisions of clauses (HI) to (vil), both inclusive, of sub-section (IA "of section 16 of the Travancore-Cochin Act shall apply in respect of the air-algama- Oon of the said societies; 49 Provided that the first bye-laws of the co-operative society formed by the amalgamation of the three socaeues in pursuance of this clause shall be made by the Registrar and he shall forward a copy of the said bye-laws to

the committee of each of the societies when giving it opportunity under this clause to state its objections, if any, in regard to the proposed amalgamation; (4) 'the co-operative society formed by the amalgamation of the three co-operative societies in pursuance of clause (1), clause (2) or clause (3) shall be registered as a co-operative society under the Travancore-Cochin Act and it shall be called the Kerala State Handloom Weavers' Co-operative Society, hereinafter referred to as the Apex society; (5) the area of operation of the Apex society shall be the whole state; (6) any handloom weavers' co-operative society registered or deemed to be registered under the Madras Act and having its area of operation in Malabar shall be entitled to become a member of the Apex society in accordance with and subject to the provisions of the Travancore-Cochin Act, the rules made thereunder and the bye-laws of the Apex society, as if such handloom weavers' co-operative society were a co-operative society registered under the Travancore-Cochin Act; (7) where a handloom weavers' co-operative society registered or deemed to be registered under the Madras Act becomes a member of the Apex society, whether consequent on the amalgamation or under clause (6), the rights and liabilities of that member society as such member and the rights and liabilities of the Apex society in its relation to such member society, shall be governed by the provisions of the Travancore-Cochin Act, the rules made thereunder and the bye-laws of the Apex society; and for the purposes aforesaid the Travancore-Cochin Act shall be deemed to extend to the whole State

4. Provisions of the Madras Act to govern in certain matters—Save as otherwise provided in section 3, the rights and liabilities of a society registered or deemed to be registered under the Madras Act, which has become a member of the Apex society, whether consequent on the amalgamation or under clause (6) of section 3, shall continue to be governed by the provisions of the Madras Act, the rules made thereunder and the bye-laws of that society

5. Power to make rules for facilitating The Government may, by notification in the Gazette, make rules providing for such incidental consequential or supplementary matters as in their opinion are necessary for fully and effectually carrying out the purposes of this Act.^{34—282S 50 (2)} All rules made under this Act shall be laid for not less than seven days before the Legislative Assembly, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as the Legislative Assembly may make in the Session in which they are so laid or the Session immediately following

6. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, do anything, not inconsistent with such provisions, which appears to them to be necessary for the purpose of removing the difficulty.