

TAMIL NADU CO-OPERATIVE SOCIETIES (APPOINTMENT OF SPECIAL OFFICERS) ACT, 1991

96 Shon ud commen—eat. Definiom. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY
The following Act of the Tamil Nadu Legislative Assembly -received the assent of the Governor on the 10th October 1991 and is hereby published for general information :— ACT No. 30 OF 1991. An Act to provide for the appointnænt, in iJhe public interest, of Special Ofi.cers for certain prinn,ury societies in the State of Tamil Nadu. W' HEREAS the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983), as amended by the Tamil Nadu Co-operative Societies . (Amendment') Act, 1990 (Tamil Nadu Act 26 of 1990), provides for thirty per cent representation for women and eighteen per cent repreésentation for Scheduled Castes and Scheduled Tribes in the boards of registered co-opera- five societies and for nomination of the- representatives of women and Scheduled Castes and Scheduled Tribes, if women and Scheduled Castes and Scheduled Tribes menibers are not elected to. that extent ; AND WIIERIOAS in the election to the boards of the primary co-opera- tive societies held in the year 1990, representatives of women and Scheduled Castes and Scheduled Tribes were not elected to the extent of thirtjy per cent and eighteen per cent, respectively ; AND WI•IEREAS a large number of representatives of women and Scheduled Castes and Scheduled Tribes, disproportionate to the elected mem- bers have been nominated, which resulted in an abnormal tilt towards the nominated nuznbers ; AND H IDREAS the abnormal tilt' towards the nominated members will not be conducive to the orderly development of co-operative movement but also be not in consonance with the principles of d.emocÉatic management of co-operatives ; AND WHEREAS a number of complaints hove been received by the Government regarding the malpractices in the conduct of elecäon and in the management of the affairs of the primary co-operative societies ; AND WHEREAS the Government, with a view to set right the abnormal tilt towards the nominated members and also to ensure the proper manage- ment of the soid co-operative societies, have dvided to amend •the Tâmil Nadu Co-operative Societies Act, 1983 (Tahnil Nadu Act 30 of '1983) quitably and to conduct election. to all co-operative societies under the said Act as pro- posed to be mnended ; AND WHEREAS pending a,meidment, it has beu decided to supersede the boards of management of the primary 90ieties and to appoint Special Officers for a limited period,. in the public. interest ; BE it enacted by the Legislative Asæmblly of the State of Tamil Nadu in the Forty-second Year of the Republi@ of India as follows :— 1. (1) This Act may be called the Tamil Nodu Co-operative Societies (Appointment of Special Officers,) Act, 1991. (2) It shall be deemed to have come into force on the 28th day of July 1991

2. In this Act, unless the context otherwise requires,—appointed " Incans the 28th day of July 1991 ; (a) (b) " board " meqns the governing body of a- primary society, by whatever name called, to which the management of its affairs is entrusted ; (c) " Co-operative Societies Act " means the Tamil Nadu Co-operative Societies Act, 1983 ; (d) " Government " means the State Governmet% ; Tamil Nadu 97 Term of omce of members of certain primary societies to expire. Appointment of Special Ofeen. Appointment oa Board. Nadu TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY " primary society " .means air primary society as defined in clause of section 2' of the. Co-operativNe Societies Act to which election held under that Act in.thé year 1990 (f) words •and expressions us*d and* not" defined in this, Act but defined in-the Co-operative SOcieties Act, shall have the meanings respectively assigned to them in thot Ao!.if 3. Notwithstanding anything 'contained in the Co-operative Societies A et, in any other lobw for the time being in force, or in any decree or order 'of any .court, -tribunal or other authority, the _term of of every member (Ghether elected oi' nominated) of t,he board of cvery pi'imary society, inelu- ding' its president .and vice-president, • holding omce as such, immediately before the appointed day, shall expire on the appointed day and such members shall vacate their office on and -from the appointed day. 4. (1). (o) Notwithstanding anything contained in the Co-operative Societies Act, or in any other law for the time being in f.orce, or in any decree- or order of any court, tribunal or other authority, on and from the appointed day, the Governmeit shall appoint a person as Special Officer to manage the affairs of any primary society referred to in section 3. (b) Nothing"" in this sub-section shall prevent the appointment of {he same person as Special Officer for two or more primary •societies. (2) Each Special Officer appointed under (1) shou hold office. for a period of one year with effect on and from the appointed 'day or specify in

for such shorter period as the Government may; by notification, on this behalf: Provided that if any vacancy arises in the office of the Special Officer, the vacancy shall be filled up by the Government and the so appointed in the vacancy shall hold office for the remainder of the said period. (3) The Special Officer appointed under sub-section (1), subject to the control of the Registrar and to such directions as he may, from time to time, give, shall exercise all or any of the functions of the board or of any officer of the primary society and take such action as may be required in the interest of such primary society. (4) The Government may fix the remuneration payable to the Special Officer appointed under sub-section (1) and the amount of remuneration so fixed and such other expenditure incidental to the management of the primary society as may be approved by the Registrar, shall, subject to such directions as the Government may give in this regard, be payable from the funds of such primary society. (5) The Special Officer appointed under sub-section (1) shall arrange for the constitution of a new board in accordance with the provisions of the Co-operative Societies Act and the rules made thereunder and the by-laws of such primary society, so that the new board may be constituted and the members thereof come into office at the expiry of the period of appointment of the Special Officer.

5. (1) Notwithstanding anything contained in the Co-operative Societies Act, the Government may appoint an advisory board consisting of not more than five non-official members to advise such Special Officer. (2) The members of the Advisory Board shall be entitled to receive such allowances or fees and other amenities as may be prescribed. (3) The Advisory Board shall be consulted by the Special Officer on all matters relating to the primary society, 98 Law on Co-operative Societies to apply to Special Officers. Delegation of powers of Government. Protection of action taken in good faith. Power to make rules. Special provisions. Repeal and saving

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

6. Except as otherwise provided in sections 4 and 5, the provisions of the Co-operative Societies Act and the rules made thereunder shall apply in relation to Special Officer appointed under sub-section (1) of section 88 of the Co-operative Societies Act. (1) The Government may authorise the Registrar to exercise any of the powers vested in them under section 4 or under section 5 in respect of all or any of the primary societies. (2) The exercise of any power delegated under sub-section (1) shall be subject to such restrictions and conditions as may be specified in the notification and subject also to control and revision by the Government.

8. (1) No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act. (2) No suit or other legal proceedings shall lie against the Government for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act.

9. (1) The Government may make rules to carry out the purposes of this Act. (2) All rules made under this Act shall be published in the Tamil Nadu Gazette and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published. (3) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of the Legislative Assembly, and if before the expiry of the session in which it is so placed the next session, the Assembly makes any modification in any such rule or the Assembly decides that the rule should not be made, the rule shall thereupon have effect only in such modified form; or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

10. Notwithstanding anything contained in the Co-operative Societies Act, or in any other law for the time being in force or in any decree or order of any court, tribunal or other authority,—

(a) every member elected to the board of primary society but not assumed office immediately before the appointed day shall be deemed never to have been elected as such member; and (b) any dispute, appeal, revision, review or other proceedings in respect of any election to a primary society pending before any court or other authority on the appointed day shall abate.

11. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Ordinance, 1991 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act.

P. PETER, Secretary to Law Department. Ordinance 5 of 1991. PRINTED AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND PRINTING, MADRAS ON BEHALF OF GOVERNMENT OF TAMIL NADU.

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 14th October 1992 and is hereby published for the Tamil Nadu Act 30 of 1992.

Tamil Nadu Ordinance 8 of 1992 general information ACT No, 50

OF 1992. An Act to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers)' , Act, 1991 enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-third Year of the Republic of India as follows: 1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Act, 1992. (2) It shall be deemed to have come into force on the 17th day of July 1992.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (hereinafter the principal Act), in sub-section (2), for the words " one year ", the words " one year and six months " shall be substituted. 3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1992 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (By order of the Governor) TO. ISMAIL, Secretary to government, Law Department. Short title and commencement.. Amendment of section 4. Repeal and saving.' TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th February 1993 and is hereby published for general information : ACT No. 3 OF 1993. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty- fourth Year of Republic of India as follows :— 9 'Idul Fajr' 1414 (Tamil Nadu Act 3 of 1993). (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Act, 1993. (2) It shall be deemed to have come into force on the 25th day of January 1993.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (hereinafter referred to as the principal Act), in sub- section (2), for the words " one year and six months ", the words " two years " shall be substituted. 3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1993 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (By order of the Governor) M. Secretary to government, Law Department. AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND PRINTING, MADRAS. BEHALF OF THE GOVERNMENT OF TAMIL NADU 120 Tamil Nadu Act 3 of 1991, Tamil Nadu Ordinance 3 of 1993. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 1st December 1993 and is hereby published for general information : — ACT No. 29 OF 1993. 4 Q further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991, BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fourth Year of the, Republic of India as follows :— (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) "Second: Amendment Act," 1993. (2) It shall be deemed to have come into force on the 13th day of July 1993.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (hereinafter referred to as the principal Act); in sub-section (2), for the words " two years ", the words " two years and six months " shall be substituted. 3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1993 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (By order of the Governor) M. MUNIR, AMAN. to Government, Law Department: Short title and commencement. Amendment of section 4. Repeal TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil Nadu Legislative Assembly received assent of the Governor on the 17th January 1994 and is hereby published for general information 13 ACE No. 5 OF 1994 An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fourth Year of the Republic of India as follows 1. This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Officers) Amendment Act, 1994.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991, in subsection (2), for the words "two years and six months" the words "three years" shall be substituted. (By order of the governor,) M. MUNI-RAMAN, Secretary, to Government Law Department 0 Tamil Nadu Act 30 of 1991. Tamil Nadu Ordinance I of 1994. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 5th December 1994 and is hereby published for general information:— ACT No. 59 OF 1994. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fifth Year of the Republic of India as follows (1) This Act may be called the Tamil Nadu Co-operative Societies 1. (Appointment of Special Officers) Second Amendment Act, 1994. (2) It shall be deemed to have come into force on the 25th day of July 1994

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (hereinafter referred to as the principal Act), in sub-section (2), for the words "three years", the words "three years and six months" shall be substituted.(1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1994 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (By order of the Governor) M. NWNIRAMAN, Secretary to Government, Law Department. DTP - Ivo Ext. - 683-3. PRINTED AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND PRINTING, MADRAS, ON BEHALF OF THE GOVERNMENT OF TAMIL NADU. Short title and commencement. Amendment of section 4. Repeal and saving. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on 7th April 1995 and is hereby published for general information: — 7th April 1995 Act 30 of Tamil Nadu of '95. ACT No. 5 OF 1995. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Officers) Act, . BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows — 1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Act, 1995. (2) It shall be deemed to have come into force on the 18th day of January 1995

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (hereinafter referred to as the principal Act), in sub-section (2), for the words "three years and six months", the words "four years" shall be substituted.3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1995 is hereby repealed. 19 Short title and commencement. Amendment of section 4. Repeal and saving. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (BY order of the Governor) M. MAN, Secretary to Government, Law Department. AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND TAMIL NADU PRINTING MADRAS m. u 3 TAMIL NADU GOVERNMENT EXTRAORDINARY The following Act of the Tamil Nadu legislative Assembly received the assent of the Governor on the 1995 and is hereby published for general information;— ACT No. 31 OF 1995. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act

1991. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows Short title and commencement.(1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 1995. (2) It shall be deemed to have come into force on the 21st day of July 1995. Amendment 2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of section 4. Special Officers) Act, 1991 (hereinafter to be called the Act), in sub-section (2), for the words "four years", "four years and six months" the words shall be substituted. 3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1995 is hereby repealed. saving. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (By order of the Governor) M; MUNI RAMAN. Secretary to Law Department. TAMIL NADU GOVERNMENT OF TAMIL NADU 1996 TAMIL NADU Registered No M 1 (Price 0-15 Paise No. 261 E *GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY MADRAS, TUESDAY, JANUARY 16, 1996 Thai 2, Yuva,

Thiruvalluvar Aandu—2027 Part IV — Section 2 Tamil Nadu Acts and Ordinance The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 14th January 1996 and is hereby published for general information :— ACT No. 3 OF 1996. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows :— I, (L) This Act may be called the Tamil Nadu Co-operative Societies (Appoint- Short title and commencement. Inent of Special Third Amendment Act, 1995. (2) [t shall come into force at once

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Amendment of Tamil Nadu Act section 4.30 of 1991. Special Offccrs) Act, 1991, in sub-section (2), for the words "for a period of four years and six months with effect on and from the appointed day", the expression upto the 31st day of May 1996" shall be substituted. (By order of the Governor) M. MUNIRAMAN, Secretary to Government, Law Departmen PRINTED AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND PRINTING, MA>RAS, ON BEHALF OF THE GOVERNMENT OF TAMIL NADU. IVO Ex. [5] 's Act)76. Tamil Nadu Act 30 ot 1991. .du *amil Nadu Ordi- Bana2 2 of 1996. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tanil Nadu Legislative ,4ssembly received the assent Of on the 25th June 1996 and hereby published jor the Governor is general information ACT No. 13 OF 1996. An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty- seventh Year of the Republic of India as follows : 1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appoint- Short title as ment 01' Special Offcers) Amendment Act, 1996. (2) It shall be deemed. to have come into fo.rce on the Sth day of May 1996

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Amendment o.Special Olhcers) Act, 1991 (herein('fter referred to as the principal Act), in sub- section 4. section (2), for the expression "upto the 31st day of May 1996", the expression upflo the 31 .st day or July 1996" shall be substituted. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Repeal and sa Ordinance, 1996 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. (Ry order of the Governor.) M. MUNIRAMAN, Secretary to Govenvnint, Law Department. RNMENT OF TAMIL NADU TAMIL Registered No. M t (Pdcé: 15 paisa NADU GOVERNMENT' GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY MADRAS, MONDAY, JULY 29, 1996 AADI 14, THADHU, THIRUVALLUVAR AANDU—2e27 Part IV — Section 2 TaniLNadu Acts and Ordinance.} Nadu Ast 1951. The füwing Act of the Tamil Nadu Legislative Assembly received the assent of the Gwerncr the July 1996 and is hereby for sacral Äformation ACT No. 20 OF 1996. An funer to the Cooperative of Spedd Often) Act, 1991. BE it e—cted by Legislative Assembly of the S&te ot Noda in sevenh Year of tbe of India as follavs (1) 'Ibis Ad may be called the Tamil NÜ Socidies (Appoiaent of Sp#ial Second Amendment Act, 1996. (2) n into force at once

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substituted : (b) in the proviso, for the words "Provided that", the following shall be substituted, namely .
"Provided that each Special Officer appointed for dairy primary society under sub-section (1) shall hold office upto the 30th day of June 1997 or for such shorter period as the Government may, by notification, specify in this behalf : Provided further that", 3, (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Third Amendment Ordinance, 1996 is hereby repealed, (2) Notwithstanding the repeal under sub-section (1), anything done or any action taken under the principal Act, as amended by the said Ordinance, with effect on and from the 6th day of September 1996, shall be deemed to have been done or taken under the principal Act, as amended by this Act, (3) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Fourth Amendment Ordinance , 1996 is hereby repealed, (4) Notwithstanding the repeal under sub-section (3), anything done or any action taken under the principal Act, as amended by the said Ordinance, with effect on and from the 19th day of December 1996, shall be deemed to have been done or taken under the principal Act. as amended by this Act. Short title and commencement Amendment of section 4. Repeal and saving, (By order of the Governor) A, K, RAJAN, Secretary to Government, Law Department, A Group IVO 89

