



**The Tamil Nadu Co-Operative Societies (Appointment of Special Officers) Act,
1991**

Act 30 of 1991

Keyword(s):

Arrears of Rent, Co-Operative Societies Act, Primary Society

Amendments appended: 50 of 1992, 3 of 1993, 29 of 1993, 5 of 1994, 59 of 1994, 5 of 1995, 31 of 1995, 3 of 1996, 13 of 1996, 20 of 1996, 5 of 1997

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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 appointment, in the public interest, of Special Officers for certain primary societies in the State of Tamil Nadu.

WHEREAS 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 representation for Scheduled Castes and Scheduled Tribes in the boards of registered co-operative societies and for nomination of the representatives of women and Scheduled Castes and Scheduled Tribes, if women and Scheduled Castes and Scheduled Tribes members are not elected to that extent ;

AND WHEREAS in the election to the boards of the primary co-operative societies held in the year 1990, representatives of women and Scheduled Castes and Scheduled Tribes were not elected to the extent of thirty per cent and eighteen per cent, respectively ;

AND WHEREAS a large number of representatives of women and Scheduled Castes and Scheduled Tribes, disproportionate to the elected members have been nominated, which resulted in an abnormal tilt towards the nominated members ;

AND WHEREAS 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 democratic management of co-operatives ;

AND WHEREAS a number of complaints have been received by the Government regarding the malpractices in the conduct of election 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 management of the said co-operative societies, have decided to amend the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) suitably and also to conduct election to all co-operative societies under the said Act as proposed to be amended ;

AND WHEREAS pending amendment, it has been decided to supersede the boards of management of the primary societies and to appoint Special Officers for a limited period, in the public interest ;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-second Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu 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.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the 28th day of July 1991 ;

(b) "board" means 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 Government ;

Tamil Nadu
Act 30 of
1991.

(e) "primary society" means a primary society as defined in clause (21) of section 2 of the Co-operative Societies Act to which election was held under that Act in the year 1990;

(f) words and expressions used and not defined in this Act but defined in the Co-operative Societies Act, shall have the meanings respectively assigned to them in that Act.

3. 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, the term of office of every member (whether elected or nominated) of the board of every primary society, including its president and vice-president, holding office 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.

Term of office of members of boards of certain primary societies to expire.

4. (1) (a) 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, on and from the appointed day, the Government shall appoint a person as Special Officer to manage the affairs of any primary society referred to in section 3.

Appointment of Special Officers.

(b) Nothing in this sub-section shall prevent the appointment of the same person as Special Officer for two or more primary societies.

(2) Each Special Officer appointed under sub-section (1) shall hold office for a period of one year with effect on and from the appointed day or for such shorter period as the Government may, by notification, specify in 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 person 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.

Appointment of Advisory Board.

(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 affairs of the primary society.

Law on
Co-operative
Societies
to apply to
Special
Officers.

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 a Special Officer appointed under sub-section (1) of section 4 as they apply in relation to a Special Officer appointed under sub-section (1) of section 88 of the Co-operative Societies Act.

Delegation of
powers of
Government.

7. (1) The Government may, by notification, 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.

Protection of
action taken
in good
faith.

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 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.

Power to
make rules.

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 Government 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 or 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 thereafter 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.

Special
provisions.

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.

Repeal
and
saving

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 provisions of this Act.

Tamil Nadu
Ordinance
5 of 1991.

(By order of the Governor.)

P. JEYASINGH PETER,
Secretary to Government,
Law Department.

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 general information :—

ACT No. 50 OF 1992.

An Act 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-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. Short title and commencement.

(2) It shall be deemed to have come into force on the 17th day of July 1992.

Tamil Nadu Act
50 of 1991.

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", the words "one year and six months" shall be substituted. Amendment of section 4.

Tamil Nadu
Ordinance 8 of
1992.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1992 is hereby repealed. 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)

MD. ISMAIL,
Secretary to Government, Law Department.

The 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 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, 1993. Short title and commencement.

(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 subsection (2), for the words "one year and six months", the words "two years" shall be substituted. Amendment of section 4.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1993 is hereby repealed. 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. MUNIRAMAN,
Secretary to Government, Law Department.

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.

An Act further 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-fourth Year of the Republic of India as follows :—

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|---------------------------------|--|-------------------------------|
| Tamil Nadu Act 30 of 1991. | 1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 1993. | Short title and commencement. |
| | (2) It shall be deemed to have come into force on the 13th day of July 1993. | |
| Tamil Nadu Ordinance 3 of 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. | Amendment of section 4. |
| | 3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1993 is hereby repealed. | 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. MUNIRAMAN,
Secretary to Government, Law Department.

5

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th January 1994 and is hereby published for general information:—

ACT 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 Special Officers) Amendment Act, 1994. Short title.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991, in sub-section (2), for the words "two years and six months", the words "three years" shall be substituted. Amendment of section 4.

[(By order of the Governor.)]

M. MUNIRAMAN,
Secretary to Government,
Law Department.

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. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 1994.

Short title and commencement.

(2) It shall be deemed to have come into force on the 25th day of July 1994.

Tamil Nadu
Act 30 of
1991.

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.

Amendment of section 4.

Tamil Nadu
Ordinance 1
of 1994.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1994 is hereby repealed.

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. MUNIRAMAN,
Secretary to Government,
Law Department.

DTP - IV-2 Exty. - 683-3.

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: —

ACT No. 5 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:—

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| <p>1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Act, 1995.</p> | <p>Short title and commencement.</p> |
| <p>(2) It shall be deemed to have come into force on the 18th day of January 1995.</p> | |
| <p>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.</p> | <p>Amendment of section 4.</p> |
| <p>3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1995 is hereby repealed.</p> | <p>Repeal and saving.</p> |
| <p>(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.</p> | |

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government, Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 1st December 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:—

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 1995. Short title and commencement.

(2) It shall be deemed to have come into force on the 21st day of July 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 subsection (2), for the words "four years", the words "four years and six months" shall be substituted. Amendment of section 4.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1995 is hereby repealed. 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. MUNI RAMAN,
Secretary to Government,
Law Department.



TAMIL NADU
GOVERNMENT GAZETTE
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 26]

MADRAS, TUESDAY, JANUARY 16, 1996

Thai 2, Yuva, Thiruvalluvar Aandu—2027

Part IV — Section 2
Tamil Nadu Acts and Ordinances.

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 :—

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Third Amendment Act, 1995.

Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act 30 of 1991.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) 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.

Amendment of section 4.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government, Law Department

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ON BEHALF OF THE GOVERNMENT OF TAMIL NADU.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 25th June 1996 and is hereby published for 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 (Appointment of Special Officers) Amendment Act, 1996. Short title and commencement

(2) It shall be deemed to have come into force on the 8th day of May 1996.

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 subsection (2), for the expression "upto the 31st day of May 1996", the expression "upto the 31st day of July 1996" shall be substituted. Amendment of section 4.

Tamil Nadu Act
30 of 1991.

Tamil Nadu Ordinance
2 of 1996.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1996 is hereby repealed. Repeal and savings

(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. MUNIRAMAN,
Secretary to Government,
Law Department.

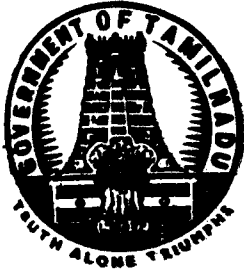
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GOVERNMENT OF TAMIL NADU

1996

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TAMIL NADU
GOVERNMENT GAZETTE
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 361)

MADRAS, MONDAY, JULY 29, 1996
AADI 14, THADHU, THIRUVALLUVAR AANDU—2027

Part IV — Section 2
Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th July 1996 and is hereby published for general information :—

ACT No. 20 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 (Appointment of Special Officers) Second Amendment Act, 1996.

Short title and commencement.

(2) It shall come into force at once.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991, in sub-section (2), for the expression "upto the 31st day of July 1996", the expression "upto the 30th day of September 1996" shall be substituted.

Amendment of section 4.

Tamil Nadu Act of 1991.

(By order of the Governor)

S. KANNABIRAN,
Additional Secretary to Government, Law Department.

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IV-2 Ex. 361

(95)

Act
1860

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 14th February 1997 and is hereby published for general information,—

ACT No. 5 OF 1997,

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-eighth 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, 1997. Short title and commencement

(2) (a) The provisions of this Act, except sub-sections (3) and (4) of section 3, shall be deemed to have come into force on the 26th day of September 1996.

(b) Sub-sections (3) and (4) of section 3 shall be deemed to have come into force on the 19th day of December 1996,

Tamil Nadu
Act 30 of
1991.

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) 4, Amendment of section 4.

(a) for the expression "upto the 30th day of September 1996", the expression "upto the 31st day of October 1996" shall be 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, Repeal and saving,

(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.

(By order of the Governor)

A, K, RAJAN,
Secretary to Government, Law Department,