

# The Assam Cooperative Societies (Amendment) Bill, 2021

## A Bill

further to amend the Assam Cooperative Societies Act, 2007.

Preamble

Whereas it is expedient further to amend the Assam Cooperative Societies Act, 2007, hereinafter referred to as the Principal Act, in the manner hereinafter appearing;

Assam Act  
No. IV  
of 2012

It is hereby enacted in the Seventy-second Year of the Republic of India as follows :-

Short title,  
extent and  
commencement

1.(1) This Act may be called the Assam Cooperative Societies (Amendment) Act, 2021.

(2) It shall have the like extent as the Principal Act.

(3) It shall be deemed to have come into force on the 25<sup>th</sup> day of March, 2020.

Insertion of  
new section  
130A

2. In the Principal Act, after section 130, the following new section 130A shall be inserted, namely :-

**“130A. Exemption of certain provisions by general or special order.** The State Government, in exceptional circumstances like pandemic or flood etc, may by general or special order, exempt any registered cooperative society or class of registered cooperative societies from the operation of the provisions of section 39 and section 41(2) of this Act, for such a period not exceeding six months at a time which shall not further be extended for more than another six months, as may be specified in the said order or may direct that such provisions shall apply to such Society with such modifications and for such a period either from a prospective or retrospective date as may be specified in the order as per the need of the situation.”

**STATEMENT OF OBJECTS AND REASONS**

The object of the proposed Amendment Bill is to rescue and protect the respective boards of the cooperative societies failing to hold the Annual General Meeting/Election within the prescribed statutory period and due to the outbreak of Pandemic and from the consequential action of dissolution under section 39 and 41 of the Assam Cooperative Societies Act, 2007 and for this purpose insertion of provision of Section 130 A of the Assam Cooperative Societies Act, 2007 is necessary to extend relief from such type of situation arising out of any pandemic or other exceptional circumstances which is being faced by the cooperative societies of the state at present.



**MINISTER  
COOPERATION**



**(SANJEEV KUMAR SHARMA)  
SECRETARY,  
ASSAM LEGISLATIVE ASSEMBLY.**

**FINANCIAL MEMORANDUM**

The Bill will not require any expenditure from the Consolidated Fund of the State once it comes into force.



**MINISTER  
COOPERATION**

**MEMORANDUM OF DELEGATED LEGISLATION**

There is no delegation of legislative powers proposed in the Bill.



**MINISTER  
COOPERATION**

**Extract of the existing section of the Assam Cooperative Societies Act. 2007.**

**Section (39)- Annual General Meeting :** A general Meeting to be termed as Annual General Assembly of a registered Cooperative Society shall be held at least once in every cooperative year within a period of six months of close of the financial year to transact the business as provided in this Act. The Board shall automatically stand dissolved for not holding Annual General Meeting in accordance with the provisions of the Act and Bye-laws within six months from the expiry of every financial year.

**Sec. 41 Sub Sec.(2)-**The election of Directors to a Board shall be conducted before the expiry of the term of the Board so as to ensure that the newly elected members of the Board assume office immediately on the expiry of the office of members of the outgoing Board.