



TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 1

Tamil Nadu Bills

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Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 4th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 2 of 2021

A Bill further to amend the Tamil Nadu Co-operative Societies Act, 1983.

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Amendment) Act, 2021. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act 30 of 1983. 2. In section 81 of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as the principal Act), in sub-section (4), Amendment of section 81.

(i) for the expression “not exceeding three months”, the expression “not exceeding one month” shall be substituted;

(ii) for the expression “shall not exceed six months”, the expression “shall not exceed three months” shall be substituted.

3. In section 82 of the principal Act, in sub-section (4), —

(i) for the expression “not exceeding three months”, the expression “not exceeding one month” shall be substituted;

(ii) for the expression “shall not exceed six months”, the expression “shall not exceed three months” shall be substituted.

4. For the second proviso to sub-section (1) of section 87 of the principal Act, the following proviso shall be substituted, namely: — Amendment of section 87.

“ Provided further that the action commenced under this sub-section shall be completed within a period of three months from the date of such commencement or such further period or periods not exceeding one month at a time as the next higher authority may permit but such extended periods shall not exceed three months in the aggregate.”.

5. In section 90 of the principal Act, —

(1) in sub-section (1), in clause (d), after the expression “any other registered society”, the expression “or between the society and the liquidator of another registered society or between the liquidator of the registered society and the liquidator of another registered society” shall be inserted;

(2) in sub-section (9), in clause (a), in sub-clause (i), for the expression “a special officer”, the expression “an administrator” shall be substituted.

Amendment of section 90.

STATEMENT OF OBJECTS AND REASONS.

Sections 81 and 82 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) provide time limit of three months for completion of inquiry, inspection or investigation. The said sections also provide for further extension of time limit of six months in the aggregate as may be permitted by the next higher authority. Similarly, section 87 of the said Act provides time limit of six months for completion of the surcharge action and further extension of time limit of six months in the aggregate as may be permitted by the next higher authority. The Government considers that these time limits are too long and that in the interest of the societies, the fraud or misappropriation occurring in co-operative societies should be unearthed expeditiously and the recovery process of the loss sustained by the societies thereby, should be expedited.

2. Further, sub-section (1) of Section 90 of the said Tamil Nadu Act 30 of 1983, among others, provides for referring a dispute between the society and any other registered society to the Registrar for decision. The Government have now decided also to refer disputes between the society and liquidator of another registered society or between the liquidator of two registered societies to the Registrar for decision, on the lines of section 84 of the Multi-State Co-operative Societies Act, 2002 (Central Act 39 of 2002).

3. The Bill seeks to give effect to the above decisions.

SELLUR K. RAJU,
Minister for Co-operation.

Chennai-600 009,
4th February 2021.

K. SRINIVASAN,
Secretary.