

The M.P. Sahakari Society (Punargathan Aur Nirman) Adhiniyam, 2000

MADHYA PRADESH

India

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Act 34 of 2000

- Published on 29 November 2000
- Commenced on 29 November 2000
- [This is the version of this document from 29 November 2000.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Sahakari Society (Punargathan Aur Nirman) Adhiniyam, 2000(M.P. Act No. 34 of 2000)[Dated 29th November, 2000]Received the assent of the Governor on the 29th November, 2000, assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 29th November, 2000.An Act to reconstitute the existing State Co-operative Societies in the State of Madhya Pradesh by excluding from their area of operations a part of the territory of the State and to form new Societies for the part of the territory so excluded.Be it enacted by the Madhya Pradesh Legislature in the Fifty-first Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Madhya Pradesh Sahakari Society (Punargathan Aur Nirman) Adhiniyam, 2000.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, the expression :-
(a)"existing societies" means-(i)The Madhya Pradesh Rajya Sahakari Bank Mydt.(ii)The Madhya Pradesh Rajya Sahakari Krishi Evam Gramin Vikas Bank Mydt.(iii)The Madhya Pradesh Rajya Sahakari Vipanan Sangh Mydt.(iv)The Madhya Pradesh Rajya Sahakari Bunkar Sangh Mydt.(v)The Madhya Pradesh Rajya Sahakari Awas Sangh Mydt.(vi)Any other Apex Society approving the reconstitution scheme in its general body by 31st October, 2000.(b)"the societies as reconstituted" means the existing societies as reconstituted in accordance with the provisions of Section 3; and(c)"the corresponding new society" means-(i)The Chhattisgarh Rajya Sahakari Bank Mydt. in relation to the Madhya Pradesh Rajya Sahakari Bank Mydt. as reconstituted.(ii)The Chhattisgarh Rajya Sahakari Krishi Evam Gramin Vikas Bank Mydt., in relation to the Madhya Pradesh Rajya

Sahakari Krishi Evam Gramin Vikas Bank Mydt., as reconstituted.(iii)The Chhattisgarh Rajya Sahakari Vipanang Sangh Mydt., in relation to the Madhya Pradesh Rajya Sahakari Vipanang Sangh Mydt., as reconstituted.(iv)The Chhattisgarh Rajya Sahakari Bunkar Sangh Mydt., in relation to the Madhya Pradesh Rajya Sahakari Bunkar Sangh Mydt., as reconstituted.(v)The Chhattisgarh Rajya Sahakari Awas Sangh Mydt. in relation to the Madhya Pradesh Rajya Sahakari Awas Sangh Mydt., as reconstituted.(vi)Any other Apex Society as reconstituted.

3. Reconstitution of the existing State Co-operative Societies and formation of new Societies.

(1)Each of the existing societies shall be reconstituted by excluding from their area of operations the territory comprised in-(1)Koria, (2) Surguja, (3) Jashpur, (4) Raigarh, (5) Korba, (6) Bilaspur, (7) Janjgir-Champa, (8) Raipur, (9) Mahasamund, (10) Dhamtari, (11) Kanker, (12) Bastar, (13) Dantewara, (14) Durg, (15) Rajnandgaon and (16) Kawardha Districts, and with the territory so excluded as their area of operations the corresponding new societies to be called-(i)The Chhattisgarh Rajya Sahakari Bank Mydt.:(ii)The Chhattisgarh Rajya Sahakari Krishi Evam Gramin Vikas Bank Mydt.:(iii)The Chhattisgarh Rajya Sahakari Vipanang Sangh Mydt.:(iv)The Chhattisgarh Rajya Sahakari Bunkar Sangh Mydt.:(v)The Chhattisgarh Rajya Sahakari Awas Sangh Mydt.:(vi)Any other Apex Society as reconstituted, respectively shall be formed.(2)Notwithstanding anything contained in the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) and Rules made thereunder, the registration of the existing societies shall not be cancelled and the office bearers, the Directors and the representatives of the existing societies shall continue in their respective offices in the reconstituted or the corresponding new societies, as the case may be, depending upon the area in which the society represented by such an office bearer, director or representative is situated till the expiry of their term under the provisions of Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) :Provided that in case of the Madhya Pradesh Rajya Sahakari Awas Sangh, the Office bearers of existing society shall continue to hold their respective offices in the reconstituted society for Madhya Pradesh till the expiry of their term.(3)If vacancies occur due to reconstitution of societies under sub-section (1), the reconstituted and the corresponding new societies may fill them by co-option or election or nomination by the Registrar or the State Government in accordance with the provisions of the Madhya Pradesh Co-operative Societies Act, 1960 and the Rules made thereunder.

4. Scheme of Reconstitution and confirmation by general body of a society.

(1)For the purpose of reconstituting the existing societies and forming the corresponding new societies as aforesaid, the Registrar of Co-operative Societies for the State of Madhya Pradesh (hereinafter in this Act referred to as "the Registrar"), shall place before a meeting of the general body, specially convened for the purpose by giving a notice of seven days of each of the existing societies, as specified in clause (a) of Section 2, a scheme regarding-(a)the division of its assets and liabilities between the society as reconstituted and the corresponding new society;(b)the allocation of its staff between the society as reconstituted and the corresponding new society; and(c)the members who would constitute each of the said societies :Provided that if a reconstitution scheme has already been approved by the general body of the existing society, the meeting shall not be

necessary.(2)If the scheme of the reconstitution under sub-section (1) is confirmed by a resolution passed by two third majority of the members present at the meeting either without modifications or with modifications to which the Registrar agrees, the Registrar shall certify the scheme and under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961), form and register the corresponding new societies accordingly and shall register the changes in the bye-laws of the existing societies consequent on the formation and registration of the new societies.(3)If any dispute arises between a member and a society, between a depositor and a society or any other interested party and a society after reconstitution of the society, the matter shall be referred by the Registrar to the Madhya Pradesh State Co-operative Tribunal, whose decision in this regard shall be final.

5. Terms and conditions of employees and other liabilities.

- The terms and conditions of service of employees allotment of liabilities and guarantees of liabilities by the State Government shall be governed by the provisions of the Madhya Pradesh Reorganisation Act, 2000 (Central Act No. 28 of 2000).

6. Reconstitution and formation of the existing and corresponding new societies to be binding on shareholders and creditors.

- The reconstitution of the existing societies and the formation and registration of the corresponding new societies and the allotment of assets and liabilities as between the societies as reconstituted and the corresponding new societies, effected under Sections 3, 4 and 5 shall in all respects be binding on all the shareholders and the creditors of each of the existing societies.

7. Repeal.

- The Madhya Pradesh Sahakari Society (Punargathan Aur Nirman) Adhyadesh, 2000 (No. 4 of 2000) is hereby repealed.