

THE KERALA CO-OPERATIVE SOCIETIES
(AMENDMENT) ACT, 2008

(Act 9 of 2009)

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ACT 9 OF 2009

THE KERALA CO-OPERATIVE SOCIETIES
(AMENDMENT) ACT, 2008*

Act An further to amend the Kerala Co-operative Societies Act, 1969

Preamble -- WHEREAS, it is expedient further to amend the Kerala Co-operative Societies Act, 1969 for the purposes hereinafter appearing;

BE it enacted in the fifty-ninth Year of the Republic of India as follows —

1 *Short title and commencement* — (1) This Act may be called the Kerala Co-operative Societies (Amendment) Act, 2008

(2) It shall be deemed to have come into force on the 11th day of December, 2007.

2 *Amendment of section 2.*—In section 2 of the Kerala Co-operative Societies Act, 1969 (21 of 1969) (hereinafter referred to as the principal Act),—

(1) for clause (ia), the following clause shall be substituted, namely --

“(ia) “District Co-operative Bank” means a Central Society having jurisdiction over one revenue district and having as its members Primary Agricultural Credit Societies and Urban Co-operative Banks and the principal object of which is to raise funds to be lent to its members, including nominal or associate members,”

(2) after clause (oc), the following clause shall be inserted, namely ---

“(od) “Primary Co-operative Society” means a society having jurisdiction over a revenue district as a whole or over any specified area within such revenue district and having individual or individuals and other Co-operative Societies as its members,”

(3) for clause (ta), the following clause shall be substituted, namely—

“(ta) “Urban Co-operative Bank” means a society registered under this Act having its area of operation in the Urban areas and which undertakes banking business with the licence obtained from Reserve Bank of India,”

*Received the assent of the Governor on the 3rd day of January, 2009 and published in the Kerala Gazette Extraordinary No 30 dated 5th January, 2009

3 *Amendment of section 18* — In section 18 of the principal Act, -

(1) in sub-section (1), before the existing proviso, the following provisos shall be inserted, namely —

“Provided that a District Co-operative Bank may admit any Co-operative Society registered under the provisions of this Act, other than Primary Agricultural Credit Societies and Urban Co-operative Banks functioning within its area of operation as nominal or associate member

Provided further that the members of a District Co-operative Bank other than Primary Agricultural Credit Societies and Urban Co-operative Banks as on the date of commencement of the Kerala Co-operative Societies (Amendment) Act, 2008 shall become nominal or associated members of such District Co-operative Banks at such commencement,”

(2) in the existing proviso, after the word “provided” the word “also” shall be inserted

4 *Amendment of section 63* — In section 63 of the principal Act, after sub-section (4), the following sub-sections shall be inserted, namely —

“(5) The Government shall prescribe the manner, in which audit is to be conducted by the Director of Co-operative Audit

(6) Notwithstanding anything contained in any other law for the time being in force, the Audit Certificate issued by the Director of Co-operative Audit or by any officer authorized by him shall be valid for all purposes required to be filed before the State Government and non-Governmental authorities ”

5 *Amendment of section 70* — In section 70 of the principal Act, in sub-section (1), after the words “shall pass an award” the words “within one year” shall be inserted

6 *Repeal and Saving* — (1) The Kerala Co-operative Societies (Amendment) Ordinance, 2008 (29 of 2008), is hereby repealed

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been 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