

ACT 19 OF 1987

**THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT)
ACT, 1987**

An Act 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 Thirty-eighth 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, 1987

(2) It shall come into force at once

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

“(d) “central society” means a society having jurisdiction over one or more Revenue Districts but not the whole of the State as its area of operation, and having as its members only other societies and declared as such by the Registrar or the Government;”.

3. *Amendment of section 28.*—In section 28 of the principal Act,—

(1) for the second proviso to sub-section (1), the following provisos shall be substituted, namely—

“Provided further that where the bye-laws so provide, the Government or the Registrar may nominate all or any of the members of the first committee, including the president or chairman, for a period not exceeding six months:

Provided also that any member nominated to the committee of a society and holding office at the commencement of the Kerala Co-operative Societies (Amendment) Act, 1987, shall,—

(a) if that committee is not the first committee, cease to hold such office at such commencement; and

(b) if that committee is the first committee wherein—

- (i) such member has, either before or at such commencement, completed six months or more from the date of the nomination, cease to hold such office at such commencement; or
- (ii) such member has not, at such commencement, completed six months from the date of the nomination, cease to hold such office on the expiration of six months from the date of the nomination.” ;

(2) after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) The quorum for a meeting of a committee shall be such number of members just above fifty per cent of the total number of members of that committee.”

4. *Substitution of new section for section 31.*—For section 31 of the principal Act, the following section shall be substituted, namely:—

“31. *Nominees of Government on committee of an apex or a central society.*—(1) Where the Government,—

- (a) have subscribed to the share capital of an apex or a central society; or
- (b) have assisted indirectly in the formation or augmentation of the share capital of an apex or a central society; or
- (c) have guaranteed the repayment of principal and payment of interest on debentures issued by an apex or a central society; or
- (d) have guaranteed the repayment of principal and payment of interest on loans and advances to an apex or a central society,

the Government or any authority specified by them in this behalf shall have the right to nominate not more than three persons or one-third of the total number of members of the committee of such apex or central society, whichever is less, to be members of the committee.

(2) A person nominated to the committee of an apex or a central society under sub-section (1) shall hold office during the pleasure of the Government or the specified authority, as the case may be.

(3) A person nominated to the committee of an apex or a central society under sub-section (1) shall not take part in the discussion of any no-confidence motion or vote on any such motion.

(4) Any person who holds office as a nominated member of the committee of a society, other than an apex or a central society, at the commencement of the Kerala Co-operative Societies (Amendment) Act, 1987, shall cease to hold such office at such commencement."