

Karnataka Co-Operative Societies (Amendment) Act, 2011**04 of 2011****[02 February 2011]**

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An Act further to amend the Karnataka Co-operative Societies Act, 1959. Whereas it is expedient further to amend the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the sixty first year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Karnataka Co-operative Societies (Amendment) Act, 2011.
- (2) It shall come into force on such date as the State Government may, by notification, appoint and different dates may be appointed for different provisions of the Act.

2. Insertion Of New Section 97A :-

In the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) (hereinafter referred to as the principal Act), after section 97, the following shall be inserted, namely:-

"97A. Constitution of a common cadre for the employees of primary agriculture and rural development banks.- (1) Notwithstanding anything contained in this Act, rules or the bye-laws, where the Registrar, in the interest of a co-operative movement considers that

the creation of a common cadre of employees for primary agriculture and rural development banks which are affiliated to State Agriculture and Rural Development Bank is necessary, he shall authorize the State Agriculture and Rural Development Bank to make regulation as may be necessary to exercise the power of appointment, transfer and disciplinary action in respect of such category of employees of Primary Co-operative Agricultural and Rural Development (PCARD) Banks may be specified by him. Where the Karnataka State Co-operative Agricultural and Rural Development (KASCARD) Bank is so authorized by the Registrar, the affiliated Primary Co-operative Agricultural and Rural Development (PCARD) Bank shall not have powers to deal with such category of employees except to the extent such regulations may permit.

(2) The Registrar shall also have power to require the Primary Co-operative Agricultural and Rural Development (PCARD) Banks to make contribution of such sum every year towards expenditure, as the Karnataka State Co-operative Agricultural and Rural Development (KASCARD) Bank is likely to incur for the purpose. If any Primary Co-operative Agricultural and Rural Development (PCARD) Bank fails to pay the said sum, the Registrar or such Officer as may be specified by him within the time specified by him, on the application of the Karnataka State Cooperative Agricultural and Rural Development Bank, and after such enquiry as he may consider necessary, make an order requiring the Primary Co-operative Agricultural and Rural Development (PCARD) Bank to pay the amount, and every such order shall be enforceable against such Primary Co-operative Agricultural and Rural Development (PCARD) Bank, as if it were an award under section 71."

3. Amendment Of Section 98Q :-

In section 98Q of the principal Act, in sub-section(1), for the words, "before the expiry of the term of the existing committee", the words, brackets, figures and letter "in accordance with the provisions of the sub-section (2) of section 39A" shall be substituted.