
Haryana Co-Operative Societies (Amendment) Act, 2009

26 of 2009

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Haryana Co-Operative Societies (Amendment) Act, 2009

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An Act further to amend the Haryana Co-operative Societies Act, 1984. Be it enacted by the Legislature of the State of Haryana in the Sixtieth Year of the Republic of India as follows: --

1. Short Title :-

This Act may be called the Haryana Co-operative Societies (Amendment) Act, 2009.

2. Amendment Of Section 75 Of Haryana Act 22 Of 1984 :-

In sub-section (1) of section 75 of the Haryana Co-operative Societies Act, 1984 (hereinafter called the principal Act),--

(i) for the sign "."existing at the end, the sign ":" shall be substituted; and

(ii) the following provisos shall be added, namely :--

"Provided that if the mortgage is of agricultural land for agriculture and agricultural purposes and both the society and the agriculturist consent that the mortgaged land may be leased out in case of three consecutive defaults by the agriculturist, then the agriculturist shall handover the possession of the mortgaged land to the society for leasing out the same, in such manner and on such terms and conditions, as may be prescribed, for recovery of the outstanding amount:

Provided further that if the terms and conditions of the mortgage do not provide for the recovery as mentioned in the first proviso, the defaulting agriculturist can apply to the society for effecting

recovery by leasing out the mortgaged land and the society shall proceed accordingly :

Provided further that if the recovery cannot be effected even by leasing out the mortgaged land, the society may make an application to the Sale Officer for the sale of the mortgaged land for recovery of the outstanding amount.

Explanation.--

(i) "agriculture" and "agricultural purposes" shall include making land fit for cultivation, cultivation of land, improvement of land including development of sources of irrigation, raising, protecting and harvesting of crops, horticulture, forestry, planting and farming, cattle breeding, animal husbandry, dairy fanning, seed farming, pisciculture, apiculture, sericulture, piggery, poultry farming and such other activities as are generally carried on by agriculturists, dairy farmers, cattle breeders, poultry farmers and other categories of persons engaged in similar activities including marketing of agricultural products, their storage and transport and the acquisition of implements and machinery in connection with any such activity;

(ii) "agriculturist" means a person who is engaged in agriculture and has taken loan for agriculture and agricultural purposes from a society."

3. Amendment Of Section 131 Of Haryana Act 22 Of 1984 :-

After clause (xxii) of sub-section (2) of section 131 of the principal Act, the following clause shall be inserted, namely:--

"(xxiia) the manner and terms and conditions for leasing out the mortgaged land under section 75;".