



GOVERNMENT OF KARNATAKA

No: CO 31 CLM 2013

Karnataka Government Secretariat,
M.S. Building,
Bengaluru, dated:15.04.2013.

The Karnataka Co-operative Societies (Removal of difficulties) order-2013

Whereas, the Karnataka Co-operative Societies Act, 1959 (Karnataka Act of 1959) as amended by the Karnataka Co-operative Societies (Amendment) Act, 2012 (hereinafter referred to as Amendment Act) requires,-

- (1) Every Co-operative Society to amend its bye-laws in conformity with the provisions of the Amendment Act and the rules made thereunder within ninety days from the date of coming into force of the Amendment Act, i.e. from 11th day of February 2013.
- (2) that every Co-operative Society has to get its accounts audited at least once in a year by an auditor or auditing firm appointed by the General body of the Co-operative Society.
- (3) that in respect of the newly registered co-operative societies and the Co-operative Society which is under supersession, election is required to be conducted by the Co-operative Election Commission within a stipulated time.

Whereas it has come to the notice of the Government that,-

- (1) the co-operative societies are not in a position to amend their bye-laws within a period of ninety days from the date of coming into force of the Amendment Act as the rules under the Amendment Act are not yet issued;
- (2) the Co-operative Election Commission has not been constituted and is not functioning;
- (3) the Co-operative Societies cannot get their accounts of 2012-13 audited by an auditor or auditing firm appointed by General body as it is not possible to conduct the general body meeting at this stage for the aforesaid purpose;

→

(4) the elections to the newly registered co-operative societies and the co-operative societies which are under supersession, though required to be conducted by the co-operative election commission, cannot be conducted on account of non-constitution of the Co-operative Election Commission;

and therefore, the difficulty has arisen to implement certain provisions of the Amendment Act;


Now therefore, in exercise of the powers conferred by Section 54 of the Karnataka Co-operative Societies (Amendment) Act 2012 (Karnataka Act 3 of 2013) and Section 132 of the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) the Government of Karnataka hereby makes the following order, to remove the difficulties.

1. **Title and commencement.**- (i) This order may be called the Karnataka Co-operative Societies (Removal of Difficulties) Order, 2013.
(ii) It shall come into force at once.
2. **Extension of time for the Co-operative Societies to amend their bye-laws.**- Notwithstanding anything contained in Section 6 of the Amendment Act 2012, the time available to the cooperative societies for amending their bye-laws is extended upto 31.10.2013.
3. **Conduct of General Elections to the Board of management and election of Office-bearers of newly registered Co-operative Societies.**- Notwithstanding anything contained in Sub-section (4) of 28A of the Karnataka Co-operative Societies Act 1959 for conduct of General elections to the Board of management and office-bearers of the newly registered co-operative societies which are due before 30.09.2013 are extended to be held by 30.09.2013.
4. **Conduct of elections to the Co-operative Society under supersession.**- Notwithstanding anything contained in Section 30 of the Karnataka Co-operative Societies Act 1959 as amended by the (Amendment) Act 2012 in respect of co-operative societies under supersession where elections are due before 30.09.2013 are extended to be held by 30.09.2013.

5. Appointment of Auditor or Auditing firm by the Board of Management for auditing the accounts of 2012-13.-

Notwithstanding anything contained in Section 34 of the Amendment Act 2012, the Board of Management of the Co-operative Society may appoint Auditor or Auditing Firm from the panel furnished by the Director of Co-operative Audit for auditing the accounts of the society for the year 2012-13.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA,


(G.S. RAMANAREDDY)
Officer on Special Duty & Ex-officio
Joint Secretary to Government,
Cooperation Department.

To:

The Compiler, Karnataka Gazette, Bengaluru, with a request to publish in the Extra-Ordinary Gazette, dated:15.04.2013 and to supply 600 copies immediately to this Department.

Copy to:

- 1) The Chief Secretary to Government, Vidhana Soudha, Bengaluru.
- 2) Additional Chief Secretary to Government, Finance Department, Vidhana Soudha, Bengaluru
- 3) The Principal Secretary to Chief Minister, Vidhana Soudha, Bengaluru
- 4) The Secretary, Department of Parliamentary affairs & Legislation, Vidhana Soudha, Bengaluru
- 5) The Registrar of Cooperative Societies, #1, Ali Asker Road, Bengaluru.
- 6) The Director of Cooperative Audit, Basavanagudi, Bengaluru.
- 7) The Managing Director, Karnataka State Cooperative Apex Bank Ltd., Bengaluru
- 8) The Managing Director, Karnataka State Cooperative Agriculture & Rural Development Bank, Bengaluru
- 9) Section Guard File / Spare Copies.