

## ASSAM ACT XIX OF 1953

## THE ASSAM CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1953

(Passed by the Assembly)

(Received the assent of the Governor on the 2nd June 1953)

[Published in the *Assam Gazette*, dated the 10th June 1953]

An

Act

*further to amend the Assam Co-operative Societies Act, 1949*

Preamble. Whereas it is expedient further to amend the Assam Co-operative Societies Act, 1949, hereinafter called the "Principal Act," in the manner hereinafter appearing ;

It is hereby enacted as follows :—

Short title, extent and commencement. 1. (1) This Act may be called the Assam Co-operative Societies (Amendment) Act, 1953.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of section 50 of Assam Act I of 1950. 2. In clause (a) of sub-section (2) of section 50 of the principal Act, for the words and brackets "item 57 or item 59 in list I in the seventh schedule to the Government of India Act, 1935 (as adapted and modified)" the following shall be substituted, namely :—

"item 91 or item 96 in list I in the Seventh Schedule to the Constitution of India".

Amendment of section 73 of Assam Act I of 1950. 3. In clause (b) of section 73 of the principal Act, between the words "Act" and "he" in the seventh line the following shall be inserted, namely :—

"or fails to maintain up-to-date accounts, records and other documents of the Society required to be maintained by him under this Act or the rules or bye-laws".

Amendment of section 83 of Assam Act I of 1950. 4. For sub-section (2) of section 83 of the principal Act, the following shall be substituted, namely :—

"(2) Notwithstanding anything contained in sub-section (1), all the said dues shall also be recoverable as a public demand in accordance with the procedure laid down in the Bengal Public Demands Recovery Act, 1913 on a written requisition sent to the certificate officer in the prescribed form over the signature of the Registrar or of such Gazetted Officer as may have powers delegated to him by the Registrar in this behalf.

Bengal Act  
III of 1913

*Explanation.*—'The certificate officer' means the officer so defined in, and the 'prescribed form' means the form so prescribed under the Bengal Public Demands Recovery Act, 1913."



Amendment  
of Schedule  
A of Assam  
Act I of  
1950.

5. For the form in Schedule A to the principal Act, the following shall be substituted, namely:—

“Co-operative Demand Certificate granted under section 83(1) of the Assam Co-operative Societies Act, 1949 (Act I of 1950).

(To be realised as an arrear of land revenue by the Revenue authority within whose jurisdiction the judgment debtor's property is situated).

**Case No.                      of 19**  
**District/Subdivision**

In the matter of.....

*Versus*

Whereas,.....has made a reference in writing to me complaining/ determining/ as a result of my personal inspection I decide, that a sum of Rs.....(Rupees.....) by way of.....under section..... of the Assam Co-operative Societies Act, 1949 (Act I of 1950) and a sum of Rs..... (Rupees ) by way of interest is/are due from you and you have evaded payment of the same and whereas a notice of demand calling on you to pay the dues within the specified time was served with notice to show cause ;

And whereas you have not paid up your dues specified in the notice ;

And whereas you have not submitted explanation/your explanation is unsatisfactory ;

Now, therefore, I, under authority of sub-section (1) of Section 83 of the Assam Co-operative Societies Act, 1949 (Assam Act I of 1950) do hereby order that the abovementioned sum of Rs..... is due to the above named from you and that you will pay further interest on the principal sum at the rate of.....per cent. per annum from..... together with all cost till the date of realisation.

I further order that right, title and interest of..... in the properties set out and described in the Schedule below be sold as an arrear of land revenue under the provisions of the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886), and that, if the sale proceeds should be found insufficient to discharge the dues with subsequent interest at the above rate till the date of realisation and costs in full, the balance be realised by attachment and sale of other movable and immovable property of the judgment debtor as an arrear of land revenue.

Act I

gal Act  
of 1913.



## SCHEDULE

Dated Shillong :

Registrar,  
Co-operative Societies,  
Assam.

The

...

...

Officer empowered under  
Section 83(1) of Assam  
Co-operative Societies,  
Act, 1949.

*N. B.*—The irrelevant words may be struck off and relevant  
entries may be made where necessary."