

The DCS Act 2003

Section 12 - (1) No amendment of any bye-laws of a co-operative society shall be valid unless

such amendment has been registered or deemed to have been registered under this Act. (2) Every proposal for such amendment approved by the general body and complete in all respect as prescribed shall be forwarded to the Registrar within thirty days of approval of the general body and if the Registrar is satisfied that the proposed amendment - (a) is not contrary to the provisions of this Act and the rules; (b) does not conflict with the co-operative principles; and (c) will promote the economic, social and cultural interests of the members of the co-operative society; he may register the amendment : Provided that in case of amendment of bye-laws of a co-operative bank, prior approval in writing of the Reserve Bank shall be necessary. (3) The Registrar shall forward to the co-operative society a copy of the registered amendment together with a certificate signed by him and such certificate shall be conclusive evidence that the amendment has been duly registered. (4) Where the Registrar refuses to register an amendment of bye-laws of a co- operative society, he shall communicate the order of refusal together with the reasons therefor, to the co-operative society in the prescribed manner. (5) In case the Registrar does not communicate any decision under sub-section (2) or sub-section (4) as above within the period of ninety days, the amended bye-laws shall be deemed to have been registered. (6) Where it appears to the Registrar that amendment in the bye-laws of a co- operative society is necessary and desirable in the interest of the co-operative society or class of co-operative societies, the Registrar shall direct the co- operative society or the class of co-operative societies, as the case may be, to make amendment in the bye-laws within a period of sixty days, by convening a general body meeting of the co-operative society. (7) After the expiry of the period specified in sub- section (6) and if the co- operative society fails to make the amendment, the Registrar after giving the co- operative society an opportunity of being heard, may register the amendment and issue to the co-operative society, a copy of such amendment certified by him with a certificate signed by him, with effect from the date of registration the amendment shall be binding on the co-operative society and its members, subject to appeal, if any. Section 13 - When amendments of bye-laws come into force