Election, nomination and supersession of Committees

Section 26(1) (a) Elections

The members of the committee of a cooperative society shall be elected in the manner prescribed and no person shall be so elected unless he is a shareholder of the society.

Section 26(6)

The committee shall, unless superseded earlier by the Registrar hold office for a period of three years from the date of its election.

(b) Nominations

Section 26A(3) Where in any cooperative society a committee constituted in accordance with the provisions of this Act, rules and bye-laws does not exist, the Registrar may, notwithstanding anything to the contrary contained in this Act or rules or bye-laws constituted by notification, a committee for such society consisting of such number of members not exceeding eleven, out of whom not less than one-third shall be shareholders of such society, as he may deem fit.

Provided that if the number of the members of the committee so constituted is less than eleven, the Registrar may, from time to time, add a member or members to the committee.

Section 26 A (3) (a) Where in any cooperative society, it is not possible to constitute a committee or a committee has not been constituted under sub-section (1), the Registrar may appoint one or more administrators, who need not be members
of the society, for a period of one year or till a committee is constituted under sub-section (1) or under section 26, whichever is earlier.

Section 26 A (3)(b) The administrator or administrators so appointed shall have the powers and perform the duties as enumerated in section 27.

(c) Supersessions

Section 27(1) If in the opinion of the Registrar a committee or any member thereof persistently makes default or is negligent in the performance of the duties imposed on it or him by this Act or the rules or the bye-laws or commits any act which is prejudicial to the interests of the society or its members, the Registrar may after giving the committees or member, as the case may be, an opportunity to state its or his objections, if any, by order in writing :-

(a) remove the committee, and –

(i) order fresh election to the committee; or

(ii) appoint one or more administrators who need not be members of the society, to manage the affairs of the society for a period not exceeding one year specified in the order which period may, at the discretion of the Registrar may be extended from time to time, so, however, that the aggregate period does not exceed five years;

Section 27(3) The administrator shall, subject to the control of the Registrar and to such instructions as he may from time time give, have power to exercise all or any of the functions of the committee or of any officer of the society and take all such actions as may be required in the interest of the society.