

105. Constitution of an appeals to the Tribunal -

- (1) The Government shall constitute a Tribunal, called "Rajasthan State Cooperative Tribunal" to exercise the powers and to carry out the functions conferred on the Tribunal by or under this Act.
- (2) The Tribunal shall consist of a Chairman and two other members to be appointed by the State Government.
- (3) The Chairman of the Tribunal shall be an officer of the Rajasthan Higher Judicial Service of the rank of District and Sessions judges of selection grade.
- (4) One member of the Tribunal shall be an additional Registrar of the Rajasthan State Co-operative Service.
- (5) Another member of the Tribunal shall be either a distinguished advocate who has at least 15 years experience in the co-operative law or a co-operator. who has at least 20 years experience in the field of co-operation and is a law graduate and has hold an office in any of the State or National Level Co-operative societies for not less than two times.
- (6) The Chairman and members of the Tribunal shall ordinarily, subject to the attainment of the age of superannuation, be appointed for a period of five years. The advocate member shall not continue to be the member of the Tribunal after attaining the age of sixty years.
- (7) The other conditions of service and procedure for selection of the Chairman and Members of the Tribunal shall be such as maybe prescribed by the State Government from time to time.
- (8) Any vacancy other than a casual vacancy in the- membership of the Tribunal shall be filled by the Government.
- (9) Subject to the previous sanction of the Government, the Tribunal shall frame regulations consistent with the provisions of this Act and the rules made there under, for regulating its procedure and the disposal of its business. The regulations shall come into force on the date of their publication in the Official gazette.
- (10) Any person aggrieved by -
 - (a) an order removing a member of the committee of a co-operative society under section 30 or an order debarring a member from election or appointment to a Committee under sub-section (12) of section 28], or
 - (b) any decision of the Registrar made under clause (a) or sub-section (1) of section 60, or
 - (c) any decision of the person invested by the Government with powers in that. behalf under clause (b) of sub-section (1) of section 60, or
 - (d) any award of an Arbitrator under clause (c) of sub-section (1) of section 60, or
 - (e) any order .made under [section 101] with a view to prevent any delay or obstruction in the execution of any decision or award that may be made under section 60.

(f) Any decision passed by the State Government or the Registrar, as the case may be, in an appeal made under section 104,

(g) Any decision passed by the Registrar under Section 125.]

may within ninety days from the date of the decision, award or order, as the case may be, appeal to the Tribunal.

Explanation.—

The Tribunal hearing an appeal under this Act shall exercise all the powers conferred upon an appellate court by section 97 and order XLI in the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(11) Pending an appeal under sub-section (10), the Tribunal may make such interlocutory orders, as it may think fit in the interest of justice.