

Government are taking with a view to preventing this kind of thing in the capital of India?

SHRI J. S. L. HATHI: It is for the Delhi Electric Supply Undertaking to look into the details.

#### STATUTORY LAWS GOVERNING CO-OPERATIVE SOCIETIES

\*517. SHRI MAHESWAR NAIK: Will the Minister of COMMUNITY DEVELOPMENT AND CO-OPERATION be pleased to state:

(a) whether it is a fact that the Indian Co-operative Union has made a recommendation to the Government of India to bring about drastic changes in the statutory laws governing co-operative societies;

(b) if so, what are the changes recommended; and

(c) whether Government have taken any decision in the matter?

THE PARLIAMENTARY SECRETARY TO THE MINISTER OF COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI S. D. MISRA): (a) Yes, Sir.

(b) The important recommendations are listed in the Annexure. [See statement below.]

(c) The report is being examined by the Central Government.

The Indian Co-operative Union has sent a copy of their publication to the State Governments who are responsible for cooperative legislation in their areas.

#### STATEMENT

In their publication entitled "Co-operative Law—proposed new features", the Indian Co-operative Union have made the following recommendations:—

- (1) The official control over the Co-operatives should be mini-

mised and the powers of the Registrar should be drastically curtailed in order that the members of Co-operatives should be enabled to run their societies on democratic lines.

- (2) The movement should be made member controlled, self regulating and democratic.

- (3) Unions of Co-operatives should be organised which will perform many of the tasks now performed by the Registrar of Co-operative Societies. Where a Union does not exist or where a society is not a member of the Union for any reason, the Registrar may exercise the functions and powers of the Union.

To achieve the objects set out above, the Indian Co-operative Union has suggested the following important changes in the Co-operative Law:

- (a) A Co-operative society the object of which is the promotion of "economic and social interests" of its members, among others, may be registered under the Cooperative Societies Act.
- (b) Co-operative principles should be denned in the Act.
- (c) One or more Registrars may be appointed for the whole State or any part of it.
- (d) There should be an obligation on the part of the Registrar to register a society if the application for registration and byelaws are in conformity with the provisions of the Act.
- (e) The law should specifically provide for organisation of Co-operative Unions at the State, District and Block levels for performing certain specific functions, including

- (i) ensuring observance by the member societies of the provisions of the law, the byelaws and resolutions of their general meetings, (ii) investigating where necessary in the working, business, accounts and other affairs of an affiliated society.
- (f) Co-operative societies may invest their surplus funds in Scheduled Banks.
- (g) Audit which is a function of the Registrar in almost all the States should be taken away from him. Co-operatives may be allowed to get their accounts audited from (i) Chartered Accountants (ii) persons approved for the purpose by the State Co-operatives Union or (iii) persons belonging to the Co-operative Audit Services which should be set up by the State Government under a Chief Auditor who should function independent of the Registrar.
- Ch) The powers of enquiry, inspection, and supervision which at present vest in the Registrar should be taken away from him. Instead the Cooperative Unions should be empowered to investigate into the working of a member society under certain circumstances.
- (i) Disputes of co-operative societies should be referred to the union which shall maintain a panel of names of persons out of which Board of Arbitrator shall be constituted for settlement of disputes. At present the disputes are referred to the Registrar who himself settles them or refers them to his nominee for settlement.

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- (j) A Co-operative Tribunal consisting of not more than three members including a District Judge or an Advocate or a person of 10 years' standing in the Co-operative movement should be constituted by the State Government in consultation with the State Cooperative Union to which appeals against the orders of (i) the Registrar (ii) the Liquidator, (iii) the Board of Arbitrators, should lie.

SHRI MAHESWAR NAIK: May I know before a final decision is arrived at whether the Government of India has by now done away with the association of officials from the co-operative concerns?

SHRI S. D. MISRA: We are trying to de-officialise this movement.

SHRI MAHESWAR NAIK: May I know whether the Audit section of the Department has now been separated from the control of the Registrars?

SHRI S. D. MISRA: Not yet, Sir.

**DISPUTE BETWEEN DELHI  
MUNICIPAL CORPORATION AND  
PUNJAB REGARDING SUPPLY OF  
ELECTRICITY**

\*518. SHRI MAHESWAR NAIK: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Government of India have been approached for the solution of a dispute between the Delhi Municipal Corporation and the Government of Punjab in respect of Rs. 26 lakhs which the former owes to the latter on account of electricity supplied; and

(b) if so, what action has been taken by the Government of India in the matter?

THE DEPUTY MINISTER OF IRRIGATION AND POWER (SHRI J. S. L. HATHI): (a) Yes, Sir. The dispute relates to the duty levied by the Government of Punjab on power supplied to Delhi.