

प्रस्ताव पर मत लिया गया और वह स्वीकृत हुआ।

THE MULTI-STATE CO-OPERATIVE SOCIETIES BILL, 2002

THE MINISTER OF AGRICULTURE (Shri Ajit Singh): Sir, I move:

"That the Bill to consolidate and amend the law relating to co-operative societies with objects not confined to one State and serving the interests of members in more than one State, to facilitate the voluntary formation and democratic functioning of cooperatives as people's institutions based on self-help and mutual aid and to enable them to promote their economic and social betterment and to provide functional autonomy and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration".

Mr. Vice-Chairman, Sir, the Multi-State Cooperative Societies Bill, 2000 is intended to replace the existing Multi-State Cooperative Societies Act, 1984. "Cooperative Societies" is a State subject under Entry 32 of the State List. The States have accordingly enacted their own Acts. In order to facilitate the organisation and functioning of the cooperative societies having jurisdiction in more than one State, Parliament enacted the Multi-State Cooperative Societies Act, 1984 under Entry 44 of the First List of the Constitution.

In view of the increasing demand from the cooperative sector and recognising the need for promoting democratic and autonomous functioning of the cooperatives, the Planning Commission appointed a Committee in 1990 under the chairmanship of Ch. Brahm Parkash to examine the whole issue. The Committee submitted its report in 1991 and, *inter alia*, recommended a "Model Cooperatives Law" for the States, aimed at providing a genuine character to cooperatives with the deletion of restrictive provisions in the existing State Acts and to facilitate the building of an integrated cooperative structure. The Government of India, in the Department of Agriculture and Cooperation, constituted an Advisory Committee under Shri R. N. Mirdha to advise the Central Government on matters relating to ensuring autonomous functioning of the multi-State cooperatives.

Based on the recommendations of Ch. Brahm Parkash Committee and Mirdha Committee, a legislative proposal to replace the existing Multi-State Cooperative Societies Act, 1984 was formulated and accordingly, the

Multi-State Cooperative Societies Bill, 2000 was introduced in the Lok Sabha in the Winter Session of the year 2000. The hon. Speaker referred the Bill to the Parliamentary Standing Committee on Agriculture for examination and the Committee has since submitted its report.

The object of the Bill is to remove the so-identified restrictive provisions in the existing Multi-State Cooperative Societies Act, 1984 and to provide full functional autonomy and democratic management of the multi-State cooperative societies. As the hon. Members are aware, the process of cooperative reforms has been engaging the attention of the Government for quite some time. There is a general view that cooperative institutions suffer from the undue government interference and bureaucratic control. These institutions should, in fact, be member-driven institutions. With the passing of the Bill, a new era in the cooperative history will be ushered in, which would enable them to function as real democratic and autonomous institutions for the mutual benefit of the members.

The Bill will restore the faith of members in these institutions and will increase awareness amongst them. The co-operatives consist of the small and marginal farmers, the artisans, the workers and the members of the weaker sections of the society. The new co-operative approach would enable these sections to improve their social and economic lot by availing the benefits of economy of scale. After the enactment of this new law, the State Governments will also be requested to amend their Acts on similar lines as most of the co-operative activities take place in the States.

The salient features of the Bill are as follows:-

- (i) The preamble of the Act is proposed to be widened to reflect the policy of the Government based on the internationally recognised co-operative principles.
- (ii) The procedure for registration of the co-operative societies has been simplified by reducing the time from six months to four months and by providing for deemed registration, if the Central Registrar fails to register the societies or their bye-laws within the stipulated period.
- (iii) It is proposed to omit the provision of prior consultation/approval of the Central Registrar for amalgamation or division of a society.
- (iv) It is proposed to enable a society to form subsidiary

institutions for furtherance of its stated objects, which may be registered under any law for the time being in force.

- (v) It is proposed to give greater responsibilities to the federal cooperatives towards their affiliated members.
- (vi) To ensure active participation in the management, provisions for disqualification of a member have been made on account of absence from the three consecutive general body meetings or failure to use services to the minimum level as provided in the bye-laws of such society.
- (vii) Besides disqualifications prescribed in the existing Act, the Bill proposes to add a new provision rendering a person disqualified to become president/vice-president or chairperson/vice-chairperson, if he holds office of a Minister in the Central or State Government.
- (viii) It is proposed that the tenure of the elected member of the Board shall be such as prescribed in the bye-laws, but not exceeding five years, instead of three years as at present.
- (ix) It is proposed that the elections shall be held by the society itself, failing which, the Central Registrar shall cause the conduct of elections at the cost of the society.
- (x) Government nominees on the Board will be in proportion of shareholding, but not exceeding three or one-third of the total number of members of the Board, whichever is less.
- (xi) The Government shall continue its role of promoting and assisting the co-operatives. On the request of a society, Government shall continue to promote and assist the co-operative by way of share capital, loans and advances, guarantee and financial assistance in any other form including subsidies.
- (xii) The societies will have full liberty to raise resources and utilise its surplus funds. It is proposed to enable the society to raise resources to augment its funds and to utilise its funds in accordance with its bye-laws without approval of the Central Registrar.
- (xiii) The societies will have power to get the audit conducted on

their own. It is proposed that the audit of the society shall be conducted by the auditor appointed by the society itself, and not by the Central Registrar. However, in case of failure on the part of the society, the Central Registrar may appoint the auditor.

- (xiv) It is proposed that the Central Registrar shall invoke powers of inquiry and inspection only on an application of the federal society or a creditor or a complaint failed by at least one-fifth of the total number of members and after a reasonable notice and opportunity to the management of the society.
- (xv) It is proposed that the disputes of a society shall be settled by an arbitrator as per provisions of the Arbitration and Conciliation Act, 1996, and not by the Central Registrar.
- (xvi) In order to make the management of a society accountable, it is proposed to widen the area of offences and stringent penalties.
- (xvii) It is proposed to restrict the powers of the Central Government to give directions or supersede the Board of Directors to such societies only in which the Government holds not less than 51 per cent of the equity.
- (xviii) It is proposed to withdraw the powers of the Central Government to exempt a society from any of the provisions of the Act and Rules.

As I have mentioned earlier that the Bill was referred to the Standing Committee on Agriculture, the hon. Members of the Committee have made valuable recommendations in the Report, and most of them have been included in the Bill. The Bill has been passed by the Lok Sabha. I request that the Bill be taken into consideration and passed by this august House.

The question was proposed.

उपसभाध्यक्ष (श्री रमा शंकर कौशिक): माननीय श्री सुरेश पचौरी।

श्री सुरेश पचौरी (मध्य प्रदेश): आदरणीय उपसभाध्यक्ष महोदय, बहुराज्य सहकारी सोसाइटी विधेयक, 2002 के बारे में माननीय मंत्री जी ने बहुत विस्तार से बताया है। मैं ऐसा महसूस करता हूँ कि यह जो विधेयक इन्होंने यहां प्रस्तुत किया है, यह सामयिक है और यह आवश्यक भी है। जैसा कि माननीय मंत्री जी ने बताया कि मल्टी-स्टेट को आपरेटिव सोसायटीज

एक्ट, सर्वप्रथम 1942 में पास हुआ था और इसको बाद में 1984 में मल्टी- स्टेट कोऑपरेटिव सोसाइटीज एक्ट के अंतर्गत रिप्लेस किया गया था। बाद में चौधरी ब्रह्मप्रकाश जी के सभापतित्व में एक कमेटी बनी, जिसने बहुत अनुशंसाएं कीं और जो उन्होंने रिकमण्डेशन्स की थी और मिर्धा जी ने कुछ सिफारिशों की थीं, उन सिफारिशों को भी इस बिल के प्रारूप में इनकारपोरेट किया गया है। मैं सोचता हूँ कि यह एक अच्छा कदम है।

उपसभाध्यक्ष महोदय, जब मैं यह कहता हूँ कि यह जिस मौके पर लाया गया है, वह सही मौका है और बिल की जो भावना है वह भी सही है। क्योंकि मल्टी- स्टेट कोऑपरेटिव को स्वायत्तता प्रदान करना, तथा इस कोऑपरेटिव सैक्टर में सरकारी हस्तक्षेप कम से कम कैसे हो और लोगों को ज्यादा से ज्यादा स्वायत्तता इस सैक्टर में काम करने की कैसे मिले, दरअसल पीछे यही भावना छिपी हुई है। आज की जो लिबरलाइज्ड परिस्थितियाँ हैं उसमें यह आवश्यक हो गया है कि हम कोऑपरेटिव को अधिक से अधिक स्वतंत्रता प्रदान करें, ताकि वह प्राइवेट सैक्टर के साथ कम्पटीशन में आगे आ सके। वह न केवल आगे आ सके, बल्कि कोऑपरेटिव सैक्टर के जरिए उन गरीबों को, उन लोगों को जिनका दरअसल सहयोग और मदद की आवश्यकता है, वह उनको प्रदान किया जा सके।

उपसभाध्यक्ष महोदय, नेशनल कोऑपरेटिव यूनियन ऑफ़ इंडिया पूरे देश में ट्रेनिंग इंस्टीट्यूशन चला रही है। उसको प्रोत्साहन करने की आवश्यकता है, जो इसकी ह्यूमैन रिसोर्स एक्टिविटीज है, उनको और मजबूती दिये जाने की आवश्यकता है, जब हम इस विधेयक पर चर्चा कर रहे हैं। इसके लिए जरूरी यह है कि इस एनसीयूआई को अधिकाधिक हम सुविधा दें, अधिकाधिक इन्फ्रास्ट्रक्चर को मजबूत करने के लिए, उनकी जो रिक्वायरमेंट हैं, उनको मदेनजर रखते हुए, हम लोग सुविधाएं उपलब्ध कराएँ, यह समय की आवश्यकता है। लेकिन इसके साथ- साथ दो – तीन चीजें हैं, जिनकी तरफ़ मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहूँगा। जो इस बिल के सैक्शन सात में प्रावधान है, जो रेस्ट्रिक्शन ऑन रजिस्ट्रेशन ऑफ़ मल्टी स्टेट कोऑपरेटिव्स है, उसमें थोड़ा विचार करने की आवश्यकता है। क्योंकि इसमें यदि दो प्राइवेट इंटरप्रेनियर्स हैं, वे अगर कोई आपरेशन एक ही क्षेत्र में सेट – अप करते हैं तो क्या दो या दो से अधिक वे कर सकते हैं ? जैसा कि आपने आश्वासन दिया है यह सुनिश्चित करने की आवश्यकता है कि समय सीमा के अवेर्गेट आपने आखा सब दिया है वह स्वागतयोग्य कदम है, लेकिन उसकी समय- सीमा निर्धारित करने की आवश्यकता है। जो सैक्शन 140-141 में प्रावधान है, जिसमें सरकार को बोर्डस सुपरसीड करने का प्रावधान रखा गया डाइरेक्टिव देने का प्रावधान रखा गया है। ये जो दोनों चीजें हैं, इनसे कई प्रकार की शंकाएँ उत्पन्न होती हैं।

इस पर सरकार पुनर्विचार करे। जहां एक तरफ़ हम कोऑपरेटिव सैक्टर की स्वतंत्रता की बात कर रहे हैं, स्वायत्तता की बात कर रहे हैं, वहीं सैक्शन 140-141 में यह जो प्रावधान रखा गया है, उसकी भाषा के साथ- साथ यदि भाव भी वही है तो माननीय मंत्री जी उसे गंभीरता से लेते हुए उस पर पुनर्विचार करेंगे, ऐसा मेरा आग्रह है। जहां तक सैक्शन 61 है, जिसमें शेयर कैपिटल से संबंधित मामला है, उसके बारे में भी थोड़ा मंत्री जी ध्यान देंगे, ऐसा मेरा आग्रह है। सैक्शन 63 में, जिसमें रिस्ट्रिक्शन ऑन इनवैस्टमेंट ऐंड डिस्ट्रीब्यूशन ऑफ़ सरप्लस का जिक्र है,

2.00 P.M.

उसके बारे में भी थोड़ा मंत्री जी ध्यान देंगे तो मैं सोचता हूँ कि जिस भावना से इस बिल को प्रस्तुत किया जा रहा है, वह और बलवती होगी। सैक्शन 70 जिसमें मल्टी-स्टेट कोऑपरेटिव को ऑडिटर वगैरह सिलैक्ट करने की बात है, उस पैनल से जो सरकार सुनिश्चित करे, उसके बारे में भी आप एक बार पुनर्विचार करें। कहीं ऐसा न हो कि जो सरकार पैनल सुनिश्चित करती है उसी आधार पर ही हम ऑडिटर तय करें। अगर हम इंडीपेंडेंटली भी ऑडिटर देख सकते हैं तो मैं सोचता हूँ कि वह इसकी गुणवत्ता को और बढ़ावा देगा, ऐसा मेरा विचार है और जो एक भावना है कि कोऑपरेटिव सैक्टर स्वतंत्रता के साथ काम करें, उस भावना का हम लोग आदर पर पाएंगे। मान्यवर, जहाँ तक रिजर्वेशन का प्रश्न है, जहाँ एक तरफ पंचायत में हम महिलाओं के आरक्षण की बात कर रहे हैं, विधान सभा और पार्लियामेंट में हम इस बारे में विचार कर रहे हैं, वहीं इस बिल के जरिए वूमैन रिजर्वेशन का इसमें कोई जिक्र नहीं है। जबकि मध्य प्रदेश में हमने इस बात को सुनिश्चित किया है कि कोऑपरेटिव सैक्टर में वूमैन रिप्रेजेंटेशन हो। जब कुछ राज्यों में – जैसा कि यह राज्यों से संबंधित विधेयक है और कुछ राज्यों में यह व्यवस्था की गयी है, जैसे मध्य प्रदेश में की गयी है, तो मैं समझता हूँ कि अगर माननीय मंत्री जी इस संबंध में भी प्रकाश डालेंगे तो वह एक अच्छा कदम होगा। महोदय, कांग्रेस अध्यक्ष श्रीमती सोनिया गांधी जी ने इस संबंध में 14 अगस्त 2000 को प्रधान मंत्री जी को पत्र भी लिखा था और उन्होंने यह इच्छा जाहिर की थी कि इसमें वूमैन रिप्रेजेंटेशन दिया जाए, जो एक अच्छा कदम होगा। मैं सोचता हूँ कि उस पत्र के प्रकाश में भी माननीय मंत्री जी अगर उन बातों को, जो इच्छा उन्होंने जाहिर की है, इनकारपोरेट करेंगे तो जिस भावना से यह बहुराज्य सहकारी सोसाइटी विधेयक लाया जा रहा है, वह भावना बलवती होगी। आखिरी बात मैं यह कहना चाहता हूँ कि जो बैंकिंग रैगुलेशन ऐक्ट है, जो आलरेडी रिजर्व बैंक ऑफ़ इंडिया ने अप्रूव कर दिये हैं, उसके तहत यदि हम ऐंप्रोप्रिएट अमेंडमेंट ला सके तो मैं सोचता हूँ कि नेशनल कोऑपरेटिव बैंक ऑफ़ इंडिया को मजबूती देने की दृष्टि से जो कदम उठाए जाना होगा, उस दिशा में हम एक अच्छा कदम उठा सकेंगे। माननीय वित्त मंत्री जी के पास यह लम्बे समय से लम्बित भी है। यदि माननीय मंत्री जी वित्त मंत्री के साथ विचार-विमर्श करके इस दिशा में पहल करेंगे तो मैं समझता हूँ कि जिस भावना से यह बिल प्रस्तुत किया जा रहा है, वह भावना पूरी होगी। मैं समझता हूँ कि यह एक अच्छा समय है, जब यह बिल, जिसका लम्बे समय से इंतजार था, कोऑपरेटिव सैक्टर को मजबूती दिलाने की दिशा में और खास तौर से वह सर्वहारा वर्ग, जिस वर्ग को अनेकानेक सुविधाएं, फ़ाइनेंशियल असिस्टेंस देकर हम कोऑपरेटिव सैक्टर के जरिए प्रदान कर सकते हैं, वह भावनाएं बलवती होंगी। इन्हीं शब्दों के साथ मैं इस बिल का इस आशा और विश्वास के साथ समर्थन करता हूँ कि जो मुद्दे मैंने सैक्शन्स का हवाला देते हुए उठाए हैं, उन पर माननीय मंत्री जी गंभीरता से विचार करेंगे और उत्तर देते समय उन चीजों का समावेश करेंगे। धन्यवाद।

श्री सुरेश भारद्वाज (हिमाचल प्रदेश): माननीय उपसभाध्यक्ष महोदय, मैं मल्टी-स्टेट कोऑपरेटिव सोसायटी बिल 2002 का समर्थन करने के लिए खड़ा हुआ हूँ। माननीय मंत्री जी जो बिल लाए हैं, यह बहुत ही सामयिक बिल है। आजादी के बाद पिछले 40-50 वर्षों से हिन्दुस्तान में जो अर्थव्यवस्था चलती रही है, वह अधिकांशतः सरकारी निवेश के द्वारा चलती रही है। उसमें सरकारीकरण का ज्यादा प्रभाव रहता था। इसी कारण से सहकारी क्षेत्र में भी जो कानून बने, उनमें अधिकांशतः सरकारीकरण रहा। कोऑपरेटिव क्षेत्र में प्रजातांत्रिक ढंग से काम करने के

लिए सोसायटीज के कानून बनाए जाते थे लेकिन उसमें रजिस्ट्रार की भूमिका प्रबल होती थी। कोऑपरेटिव में कहा जाता था कि रजिस्ट्रार कोऑपरेटिव का ब्रह्मा, विष्णु और महेश है। जब चाहे वह किसी सोसायटी को बना सकता है, जब चाहे उसको खत्म कर सकता है। इस बिल में प्रावधान किया गया है कि इसमें पूरी तरह से प्रजातांत्रिक ढंग से बोर्ड ऑफ मैनेजमेंट या बोर्ड ऑफ मैनेजमेंट या बोर्ड ऑफ डायरेक्टर्स का गठन होगा और कोऑपरेटिव सोसायटीज के जनरल हाउस और स्पेशल मीटिंग्स, स्वयं सोसायटी की व्यवस्था करेंगे। इस बिल में यह भी प्रावधान किया गया है कि यदि कोऑपरेटिव सोसायटीज के बोर्ड समय पर चुनाव नहीं करवाएंगे तो उन्हीं स्थितियों में सेंट्रल रजिस्ट्रार को अधिकार होगा कि वह उनके चुनाव समय पर करवाए और जो मैनेजमेंट ऐसा नहीं करेंगे, उनको आने वाले पांच सालों के लिए डिस्क्वालिफाई कर दिया जाएगा।

उपसभाध्यक्ष महोदय, जैसा मैंने कहा कि पहले सेंट्रल रजिस्ट्रार को सबसे अधिक शक्तियां होती थीं, विशेष रूप से ऑडिट इंस्पेक्शन इन्क्वायरी या सरचार्ज के द्वारा। जो निचले स्तर पर कोऑपरेटिव हैं, उनमें देखने में यह आता है कि उनके इंस्पेक्टर्स क्वालिफाइड नहीं होते, उनके जो कर्मचारी हैं, वह अधिक शिक्षित नहीं होते, वे बड़े-बड़े कोऑपरेटिव में काम करते हैं लेकिन जो कोऑपरेटिव में काम करने वाले कर्मचारी हैं, उनसे मिली-भगत करके कोऑपरेटिव में भी एक माफिया का रूप ले लिया है और बहुत सारे क्षेत्रों में काम करते हुए इस प्रकार की चीजें आ जाती हैं। महोदय, कोऑपरेटिव की ऐसी ही एक चीज की ओर मैं माननीय मंत्री जी का ध्यान दिलाना चाहूंगा, विशेष रूप से जो नेशनल कोऑपरेटिव हैं जो मल्टी स्टेट कोऑपरेटिव सोसायटीज ऐक्ट के अंतर्गत आते हैं, उसमें जो कोऑपरेटिव की विशेष रूप से व्यवस्था करनी है, उसे जो काम करना है, उनके जो स्वयं समूह हैं, जो साधारण लोग हैं, चाहे वे कृषि के क्षेत्र में काम करने वाले हैं, चाहे मजदूर क्षेत्र में काम करने वाले हैं या क्रेडिट सोसायटीज हैं, उनके द्वारा लोगों को सहायता मिल सके, उनकी ठीक प्रकार से व्यवस्था हो सके ताकि ठीक प्रकार से काम हो सके लेकिन नेशनल कोऑपरेटिव जो बन गई हैं, वे एक किस्म से राजनीति का अखाड़ा बनती जा रही है। वहां पर किसी दल विशेष के नहीं, कुछ इस प्रकार के लोग वहां पर कब्जा जमा कर आ जाते हैं कि सिर्फ अपने विदेशी दौरो के लिए या अधिकांशतः जो उनके दूसरे प्रकार के काम हैं, उनके लिए उनका उपयोग करते हैं और निचले स्तर तक जो काम पहुंचना चाहिए, जो सहायता आम कन्ज्यूमर तक पहुंचनी चाहिए, जैसे NCCF है, उसकी सहायता जो आम कन्ज्यूमर तक पहुंचनी चाहिए, वह नहीं पहुंच पाती है। NCCF केवल मात्र ऊपर के क्षेत्रों में जैसे दिल्ली तक काम करता हुआ रह जाता है। निचले गांवों में, कस्बों में या शहरों में कहीं भी इसका काम दिखाई नहीं देता है। वे बाजार से चीजें खरीदते हैं और उन्हीं को वे आपस में मिली-भगत करके बेचते हैं जिससे कन्ज्यूमर को कोई फायदा नहीं होता है। कई स्थानों पर तो यह देखा जाता है कि बाजार भाव से भी ज्यादा कीमत पर NCCF अपनी दुकानों पर सामान बेचती है। इसी प्रकार से जो दूसरे बहुत सारे नेशनल कोऑपरेटिव हैं, वे defunct bodies बनकर रह गए हैं। कुछ लोगों की कोशिश रहती है कि उनके लोग वहां पर चेयरमैन, वाइस चेयरमैन या बोर्ड ऑफ डायरेक्टर्स में आ जाए, बाकी किसी प्रकार का काम नहीं हो पाती है। यह जो ऐक्ट लाया गया है, इसमें व्यवस्था की गई है कि वहां सरकारीकरण कम हो। सेंट्रल रजिस्ट्रार की पावर्स इसमें कम की गई हैं और ऑडिट के नाम पर वे इस प्रकार से मिली-भगत न करें सकें, इस प्रकार का इस ऐक्ट में प्रोविजन किया गया है। साथ ही यह प्रोविजन भी किया गया है कि ऑडिट के लिए वे कोऑपरेटिव सोसायटीज अपने ऑडिटर नियुक्त कर सकें और अगर कहीं कोऑपरेटिव सोसायटीज अपने ऑडिटर नियुक्त न

करे या वे ऑडिट न करवाएं, तो उन स्थितियों में सेंट्रल रजिस्ट्रार इंटरवीन कर सकता है। वह अपने ऑडिटर्स का जो पैनल बनाएगा उसमें उस कॉ-ओपरेटिव सोसायटी के ऑडिट हो सकेंगे। इस दृष्टि से यह जो बिल है, उसके लिए मैं माननीय मंत्री महोदय को बधाई देना चाहूंगा। इसमें एक और विशेष बात जो रखी गई है, वह यह है कि इन सोसाटीज में जो काम करने वाले लोग हैं, उनके लिए इसमें कुछ प्रावधान किए गए हैं ताकि वे भी मैनेजमेंट में भागीदारी कर सकें। जनरली जितनी भी कॉ-ओपरेटिव सोसायटीज के कानून बने हैं उनके बोर्ड या मैनेजमेंट में आने के लिए यह डिस्क्वालीफिकेशन होती है कि उस संस्था का कर्मचारी या संबंधित व्यक्ति उसके बोर्ड में नहीं हो सकता लेकिन इसमें यह व्यवस्था होगी कि ये सोसायटीज अपने बायलॉज में कुछ प्रावधान करेंगी और इन बायलॉज में प्रावधान करते हुए ऐसी व्यवस्था की जाएगी जिससे इन सोसायटीज में काम करने वाले लोगों को भी मैनेजमेंट में भागीदारी दी जा सके।

[उपसभाध्यक्ष (श्री सुरेश पचौरी) पीठासीन हुए]

उपसभाध्यक्ष जी, इसमें विशेष रूप से प्रजातांत्रिक ढंग, क्योंकि सहकारिता का मूल मंत्र ही प्रजातंत्र है, इसलिए ये प्रजातांत्रिक ढंग से अपनी प्रबंध समिति का गठन करें ताकि उसके जरिए काम हो। इसमें ऐसे लोगों का प्रावधान किया गया है कि जो लोग सदस्य बनेंगे, उन शेयर के आधार पर उनका प्रतिनिधित्व न हो, एक या दो आदमियों का गवर्नमेंट के शेयर के आधार पर प्रतिनिधित्व हो। जो अधिकांश कॉ-ओपरेटिव सोसायटीज ऐक्ट बने हैं, उनमें आधे से ज्यादा गवर्नमेंट के शेयर के आधार पर प्रतिनिधित्व उनका प्रतिनिधित्व न हो, एक या दो आदमियों का गवर्नमेंट के शेयर के आधार पर प्रतिनिधित्व हो। जो अधिकांश कॉ-ओपरेटिव सोसायटीज ऐक्ट बने हैं, उनमें आधे से ज्यादा गवर्नमेंट के प्रतिनिधि बनकर बोर्ड में आते हैं और जो ऐक्चुअल मैम्बर्स हैं उनके प्रतिनिधियों पर हावी हो जाते हैं। इस बिल में इसके लिए भी प्रावधान किया गया है इसलिए भी यह बिल बहुत सामयिक है। मंत्री महोदय से मेरा निवेदन है कि मॉडल कॉ-ओपरेटिव सोसाइटी ऐक्ट भी पहले पास किया था, जिसके जरिए काम अधिक होता है। मल्टी कॉ-ओपरेटिव सोसायटी उतनी नहीं होगी, अधिकांश काम ग्रामीण क्षेत्र में होता है, नीचे कन्ज्यूमर्स का काम होता है या क्रेडिट सोसायटीज का काम होता है। इसके लिए स्टेट के डिफरेंट ऐक्ट्स बने हुए हैं मेरा सुझाव है कि केन्द्र में कि माइल एक बनाया जाए जिसके आधार पर स्टेट जिसके आधार पर स्टेट एक रस बन सकें ताकि जो पिछले कानून हैं, जहां पर रजिस्ट्रार आदि की पावर बहुत अधिक हैं उसमें भी संशोधन हो सके। मैं मंत्री महोदय से निवेदन करूंगा कि ये इसकी व्यवस्था करें। इन्हीं शब्दों के साथ माननीय मंत्री द्वारा जो बिल प्रस्तुत किया है, मैं उसका समर्थन करता हूं। बहुत-बहुत धन्यवाद।

'SHRIMATI VANGA GEETHA (Andhra Pradesh): Mr. Vice Chairman Sir, I welcome the Multi-state Co-operative societies Bill 2002, which is the need of the hour. In this age of globalization there is a greater need to deepen and strengthen the roots of Co-operative venture in order to safeguard the interest of common people, particularly those who are economically and socially backward. The proposed Bill seeks to provide full functional autonomy and democratic management of the multi-state Co-

* English translation of the original speech delivered in Telugu.

operative Societies. Before this Bill was introduced in this august House, several rounds of deliberations took place. Many suggestions were given. After going through the reports of the committee and the amendments suggested by the Hon'ble Members, this Bill was given a final shape and that is what we are discussing now. I congratulate the Hon'ble Minister for bringing this Bill for discussion.

Sir, decentralization of Co-operative societies plays an important role. The Bill empowers the Co-operative societies to amalgamate or divide co-operatives according to need. Many Co-operative societies are unable to function due to financial instability. This Bill proposes to give greater financial and managerial autonomy to the co-operative institutions, which in turn will go a long way in promoting and encouraging the co-operative movement in the country.

Yet another provision of the proposed Bill is the Dispute Settlement Authority. Sir, it is a welcome step since the disputes arising out of mismanagement of societies will be settled in time. In order to ensure that disputes are settled amicably and timely, a sufficient number of such authorities should be set up. Every society faces lot of disputes either among the members of the society or among different societies. Setting up of these authorities would solve these problems to a maximum extent.

Registration process has also been simplified. The provision of prior consultation or approval of the Central Registrar for amalgamation or division of co-operatives as also for raising their resources has been omitted in this Bill. Again, the powers of the Central Registrar for enquiry and inspection have been curtailed. Many more provisions of this Bill are expected to help in improving the social and economic lot of the small and marginal farmers, artisans, workers and members of the weaker sections of society.

Participation of women, particularly from rural background in all democratic institutions is essential. So, I request the Hon'ble Minister to provide for participation of women in the co-operative societies. We have given priority for women in Panchayati Raj and local bodies. Today women are participating as MPTC's, as Panchayati Sarpanch, as members of the Panchayat, as Chairman of Zilla Parishad and also as Municipal Chairman. They are efficiently working as politicians too. Co-operative society is a financial organization. Women should be given a place in these societies also so that they can participate in the economic activities of the country.

Similarly representation of people belonging to Scheduled Castes and Scheduled Tribes must also be ensured.

Sir, another most important provision is that Ministers are not allowed to be Chairpersons of Multi-State Co-operative societies. Since the success of any legislation depends on its honest implementation this must be ensured at all cost, Sir.

Sir, our State of Andhra Pradesh did a lot for the development of farmers, people living in rural areas and economically backward classes. Through these co-operative societies fertilizers, seeds, pesticides, that is to say, each everything the farmer needs is supplied. Late Shri Nandamuri Taraka Rama Rao, former Chief Minister of Andhra Pradesh has brought about comprehensive changes in these co-operative societies. He introduced the 'Single-window system' through which the farmers received maximum benefits. He was successful in introducing this system. Taking into consideration the present situation, our Hon'ble Chief Minister Shri Chandra Babu Naidu also introduced 'one- time settlement' in co-operative societies as is followed by the Nationalised Banks. Under that scheme whoever repays the loan on time is given five and half percent rebate on interest. This is of great help to the farmers.

Sir, as I conclude I would like to request the Hon'ble Minister to see that all the provisions of the Bill are honestly implemented. I once more welcome this Bill and thank you, Sir.

SHRI CO. POULOSE (Kerala): Sir, I rise to support the Bill. While supporting this Bill, I want to point out certain features of the Bill as well as of the co-operative movement. At the outset, I would say that this is a welcome step. The old Act, with its inherent weaknesses, has miserably failed. And a comprehensive Bill is brought forth before the House. I welcome this move. The importance of the co-operative societies and the movement are very relevant in these days of privatisation. After the Government's withdrawal from the public sector, what remains is, the private sector only. The private sector is primarily interested in profit. So, a sort of social property ownership is being run by co-operative societies; and that co-operative movement should be promoted in every way. The Bill has certain good features for promoting this co-operative movement and I want to highlight them.

The first point is this. The co-operative principle, which is universally agreed upon, is listed in the Schedule and, as the hon. Minister

promises, every State Government should amend their Act according to this principle. The directive of the Central Government should be specific that nothing should be there in any State co-operative law against this or impose any restriction with regard to the implementation of the co-operative principle. This is point number one I want to bring before the hon. Minister.

The second point is: The co-operative society should not be the appendage of the Government. Earlier, it was so. Many co-operative societies are running as per the direction of the Government. Now, the present Bill seeks to minimise the interference of the Government, especially, in the areas of registration of co-operative societies. It is a welcome feature. I support this move. There are provisions in this Bill to organise subsidiaries. It is also a welcome feature. What is lacking in this BHI is wherever there is an individual membership, there should be a provision for reservation to the SC/STs. Not only that, wherever it is possible, the women should also have reservation in co-operative societies *i.e.*, wherever an individual membership is allowed, there should be a representation. There is a provision for representation of employees on the Board of Directors. I think it is worth, but it should be specific. It is specified in the Bill that wherever there is a representation of employees, the society should provide methodology in the byelaws. This itself is not sufficient. It should be specific. The rights as well as the responsibilities of the Directors have been specifically mentioned. The conducting of the General Body meeting, the audit, the • elections are all welcome features. The restriction with regard to contribution to political parties should also be specific. There are indirect methods to feed political movements. That is what is called 'general feature' of the co-operative movement. I want to point out that almost all the co-operative societies are running well. But there are also certain malafide persons in this co-operative movement. I need not mention their names. Sir, under Chapter VII, there is a provision for audit inspection and some other provisions are there to weed out the unwanted elements from the co-operative societies. But, I am doubtful whether these provisions are sufficient enough to weed out the unwanted elements from this system. I want the hon. Minister to go through it specifically and see that the co-operative society is saved from these unscrupulous persons. There is a repayment problem in the co-operative society, because of the crisis in agricultural sector. It was a very serious problem. There should be some arrangement for arbitration within the system.

The Directors and the members of the cooperative societies should not be compelled to seek the intervention of courts. There should be an inherent system in the cooperative movement itself to have arbitration. Finally, I would like to say that the recruitment of employees should be done properly. There should be a proper system, I may suggest, an autonomous system for recruitment of employees in the cooperative societies. If such principles are incorporated in the Bill, it will be a more welcome Bill, and it will create a conducive atmosphere for the development of the cooperative movement. With these words, I support this Bill. Thank you very much.

SHRI P.G. NARAYANAN (Tamil Nadu): Mr. Vice-Chairman, Sir, I rise to support this Bill. Sub-clause (2) of clause 1 says that it will be extended to the whole of India. Other laws, like the CrPC, the Indian Penal Code, and even our Constitution are not applicable to the State of Jammu and Kashmir. But the Multi-State Cooperative Societies Bill will be extended to the whole of India, including the State of Jammu and Kashmir. So, this Bill integrates the whole country. People become members of the cooperative societies voluntarily, with a definite purpose. They serve the society. We have different societies in different forms. The aim of the cooperative societies is to prevent the vested interests. The fixed tenure of two terms and termination of the tenure after two terms, is a commendable measure. The President is accountable to the members of the society. No court can intervene, by virtue of article 226, in the affairs of the cooperative societies. It is independent and autonomous in nature. No cooperative officer's orders can be challenged in the courts. Sir, agriculture is the most important occupation of the majority of the population in the country. Seventy per cent of the population of our country is involved in agriculture. Our farmers are facing a lot of challenges and difficulties, for example, the problem of irrigation facilities. Majority of our farmers depend on the monsoon for their agricultural operations. Credit facilities are out of reach of our farmers. Farmers have difficulties in getting fertilizers, seeds, etc. So, traditionally, our farmers depend on cooperative banks and moneylenders for their financial needs. Only recently, the Kisan Credit system was introduced. Though it is gaining momentum, it does not have the maximum reach.

Our farmers are not able to repay even the interest, leave aside the principal amount. Therefore, they again borrow money to repay the interest, and, ultimately, they find themselves in a debt trap. In this

connection, I wish to inform the House that my beloved leader, the Chief Minister of Tamil Nadu, Dr. Puratchi Thalaivi, is the first Chief Minister to write off interest and multiple-interest, amounting to Rs. 311 crores, due from farmers to the cooperative banks and institutions. Because of the faulty planning and mismanagement by the previous DMK Government, the present Government of Tamil Nadu had to take this important measure. I take this opportunity to demand that loans due from farmers, given through cooperative banks across the length and breadth of the country, should be written off, to save them from the debt trap. So, I also demand the interest rate, charged on the loans taken by the farmers, should be reduced. It should be soft loans.

Strong reforms in the cooperative sector is the need of the hour. From time to time, a demand was made for giving constitutional status to cooperatives, but it has not been met.

Sir, I would like to point out certain flaws in the Bill. There is a provision that the Multi-State Cooperative Societies can issue non-convertible debentures and other instruments, to the extent of 25 per cent of their paid-up capital. Sir, the limit should be increased to, at least, 30 per cent. Since a majority of the States are reeling under a severe financial crisis, the Central Government should take upon itself the responsibility of ensuring the financial soundness of these cooperative societies. Following the recommendation of the Kapur Committee, a Cooperative Society for Rehabilitation and Development is proposed to be constituted to help the ailing cooperative banks. The total amount required to bail-out the cooperatives from the financial crunch is expected to be around Rs. 8000 crores. But during this year, an allocation of only Rs. 100 crores was made. This amount will be of no practical help to the cooperative societies. This will be spent only on administration. So, I appeal to the hon. Minister to impress upon the Government to allocate the entire amount, in order to save the cooperative societies and the farmers. With these words, I conclude.

PROF. M. SANKARALINGAM (Tamil Nadu): Honourable Vice-Chairman, Sir, I welcome this Bill. The cooperative movement has played an important role in our country by serving the growers of grains and other people engaged in small industries. The cooperative movement is doing its best to improve the economy of our country. Sir, about 70 crore people of our country are engaged in agricultural operations. So, these kinds of societies, like the Agricultural Cooperative Society, the Agricultural

Producers' Cooperative Society, the Agricultural Marketing Cooperative Society, etc., should be encouraged and developed. We must see to it that they function for the welfare of the people. We know that in States like Maharashtra, Tamil Nadu, Andhra Pradesh, Kerala, Karnataka and Madhya Pradesh, the cooperative societies are functioning very well. This kind of development should be encouraged in other parts of the country also so that they may do their best for the development of the economy.

In Maharashtra, the Sugarcane Growers' Cooperative Society is purchasing sugarcane, irrespective of a fall in the price, at a rationally profitable rate. So, the sugarcane growers are not affected, even though there is a price fall. They are able to get compensation from the societies. The Society is thinking of marketing the produce. I suggest that a similar protection should be given to the growers of grains in all the States. This is my humble submission.

Sir, the Multi-State Cooperative Societies Bill proposes to help the State Cooperative Societies and other societies in the whole of India. I welcome this step. Since it has been given the financial freedom and financial powers, it can raise money and it can invest money, as per the decision taken by the Society itself. This kind of system is a welcome gesture. I want that this should be developed in a better way. The Cooperative Marketing Society should be developed in such a way that they are able to procure all the produce from the farmers. But that may not be a final solution to the farmers' problems.

Mr. Vice-Chairman, Sir, the Multi-State Co-operative Societies Act provides democracy to cooperative societies, because they can decide themselves as to how to invest and how to help people, without prior permission of the Registrar of the Society. It is a welcome system. In Tamil Nadu, the paddy growers are very much affected. In Thanjavur and Nagapattinam districts, a lot of paddy is lying there, but there is none to buy it. Such kind of things should not occur.

On the textile side, Weavers' Cooperative Societies are not able to sell it, because, previously, up to last year, the Textile Cooperative Societies used to give yarn and get woven clothes. The Societies were paying salaries to the weavers. But now this has been stopped. So, everywhere, throughout India, or, throughout Tamil Nadu, the weavers are on their legs, and they are expressing their grievances. This thing should be taken note of. In Tamil Nadu, recently, the democratic set up of the society has been

abolished.

SHRI P.G. NARAYANAN: Mr. Vice-Chairman, Sir, do all these things need to be mentioned now?

PROF. M. SANKARALINGAM: But it is not out of the context.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Sankaralingam, please conclude now. The time allotted to your Party is over.

PROF. M. SANKARALINGAM: Lastly, Sir, I would say that the functioning of democratically-elected bodies of the Societies should not be disturbed. With these words, I conclude. Thank you.

प्रो. रामदेव भंडारी (बिहार): उपसभाध्यक्ष महोदय, मैं 'मल्टी स्टेट कोऑपरेटिव सोसाइटीज बिल, 2002' का स्वागत करता हूँ।

महोदय, 1984 में मल्टी स्टेट कोऑपरेटिव सोसाइटीज एक्ट, 1984 बना था और उसमें कोऑपरेटिव सोसाइटीज के ज्युरिस्टिक्शन और फंक्शनिंग को एक राज्य से दूसरे में बढ़ाने का प्रावधान किया गया था। यह बिल उसी के स्थान पर लाया गया है। 1990 में चौधरी ब्रह्म प्रकाश कमेटी बनी, जिसने 1991 में अपनी रिपोर्ट दी। फ़िर मिर्चा साहब की अध्यक्षता में एक सलाहकार समिति बनी और फ़िर कृषि मंत्रालय की स्टैंडिंग कमेटी में इस बिल को भेजा गया और आज इस बिल को पारित करने के लिए इस सदन में चर्चा हो रही है। मैंने इस बिल का पहले भी स्वागत किया है, मगर कुछ बिन्दुओं पर मैं मंत्री जी का ध्यान आकृष्ट करना चाहूंगा।

महोदय, स्टैंडिंग कमेटी ने इस बिल में समाज के कमजोर तबकों के लिए आरक्षण की व्यवस्था की थी। महोदय, आजादी के 54 बरस बाद भी इस देश के एक बड़े तबके को, जिसे हम अनुसूचित जाति, जनजाति, पिछड़ा वर्ग या महिलाएं कहते हैं, समाज में समुचित स्थान नहीं मिला है। खासकर के ग्रामीण क्षेत्रों में रहने वाले कमजोर तबके के जो लोग हैं या महिलाएं हैं, सत्ता और समाज में उनकी हिस्सेदारी बिल्कुल नगण्य है। इसीलिए स्टैंडिंग कमेटी ने उनके लिए आरक्षण की व्यवस्था की थी। इस बिल में अधिक से अधिक 21 सदस्यीय बोर्ड आफ़ डायरेक्टर्स का प्रावधान किया गया, लेकिन अगर समाज के कमजोर तबके लोग चुनकर नहीं आते हैं तो उनकी हिस्सेदारी के लिए क्या व्यवस्था है, इस बिल में इसका प्रावधान नहीं किया गया है। मंत्री महोदय ने स्थायी समिति की अनुशंसा को नहीं मानकर समाज के एक बड़े तबके के साथ अन्याय किया है और इससे इस सरकार की मानसिकता और नजरिया स्पष्ट हो जाता है। महोदय, अभी कई राज्यों में पंचायत के चुनाव हुए हैं बिहार में भी हुए हैं और उनमें काफ़ी सख्या में महिलाएं चुनकर आई हैं, अनुसूचित जाति, जनजाति के लोग चुनकर आए हैं और धीरे-धीरे समाज में उनकी हिस्सेदारी बढ़ रही है।

महोदय, कोऑपरेटिव सोसाइटीज में मुख्य रूप से ग्रामीण क्षेत्रों से जुड़े हुए लोगों की हिस्सेदारी है। जो सहकारिता आंदोलन चला था, उसका मुख्य उद्देश्य यह था कि ग्रामीण क्षेत्रों में रहने वाले जो छोटे किसान हैं, मार्जिनल किसान हैं, महिलाएं हैं, मजदूर हैं, उनकी हिस्सेदारी

इसमें होनी चाहिए। बड़े लोगों द्वारा उनका जो शोषण हो रहा था, उनको उससे बचाने के लिए कोऑपरेटिव सोसायटीज का निर्माण किया गया। मगर धीरे- धीरे हुआ यह कि ये कोऑपरेटिव सोसायटीज एक पोलिटिकल हथियार के रूप में इस्तेमाल की जाने लगी। जो पोलिटिकल लोग थे, उन्होंने इसका पोलिटिकल इंस्ट्रूमेंट के रूप में इस्तेमाल किया और ऐसी सोसायटीज बनने लगीं जो पॉकेट सोसायटीज बनकर रह गईं। उनमें अपने ही लोग थे और धीरे- धीरे एक तरह से सोसायटी पर उनका एकाधिकार बनता गया और मिनिस्टर भी उसके चेयरमैन बनने लगे। इस बिल में यह व्यवस्था की गई है कि मिनिस्टर उसके चेयरमैन नहीं होंगे। मगर सरकार को ध्यान रखना चाहिए कि कोई खास व्यक्ति या व्यक्तियों का समूह सोसायटी पर कब्जा न करे। अगर वह सोसाइटी पर कब्जा करेगा तो वह सोसाइटी का दुरुपयोग करेगा और यह दूसरे सामान्य सदस्यों के हक में ठीक नहीं होगा।

महोदय, मैं यह निवेदन करूंगा कि बोर्ड ऑफ़ डॉयरेक्टर्स में कमजोर वर्ग के लोगों की हिस्सेदारी होनी चाहिए। दूसरी बात यह है कि रजिस्ट्रेशन के प्रोसेस में काफ़ी दिक्कत होती है। यह मेरा व्यक्तिगत अनुभव भी है। इस बिल में इन्होंने कहा है कि 6 महीने 4 से महीने टाइम- बाउंड बनाया जाएगा। मैं समझता हूँ कि इस समय को और कम करने की आवश्यकता है। सोसायटी का रजिस्ट्रेशन कराने में किसी तरह की दिक्कत न आए, यह बात सरकार को ध्यान में रखनी चाहिए। इस बिल में यह प्रावधान भी किया गया है कि सरकार अपने एक- तिहाई मेंबर्स का नॉमिनेशन कर सकती है। अगर बोर्ड ऑफ़ डॉयरेक्टर्स की संख्या 21 है, और उसमें अगर सरकार 7 मेंबर्स को नॉमिनेट करती है, तो फिर वह सोसायटी सरकार की गिरफ़्त में आ जाएगी। इसलिए मैं यह निवेदन करना चाहता हूँ कि उस पर सरकार की निगरानी तो होनी चाहिए लेकिन सरकार का नियंत्रण नहीं होना चाहिए। इसलिए सरकार को इस बात का ध्यान रखना चाहिए कि वह कम से कम संख्या में अपने लोगों को बोर्ड ऑफ़ डॉयरेक्टर्स में नॉमिनेट करे और जो लोग डेमोक्रेटिकली चुनकर आते हैं, जिन्हें सामान्य सदस्य चुनते हैं, उनकी भागीदारी अधिक होनी चाहिए। मैं आपको यह भी याद दिलाना चाहता हूँ कि इसमें समाज के कमजोर वर्ग के लोगों का रिप्रेजेंटेशन निश्चित रूप से होना चाहिए। धन्यवाद।

उपसभाध्यक्ष (श्री सुरेश पचौरी): श्री आर, किदवई जी, आप बोलिए। संक्षेप में बोलिए।

DR. A.R. KIDWAI (NCT of Delhi): Mr. Vice-Chairman, Sir. thank you very much for providing me this opportunity. I would like to thank the hon. Minister of Agriculture for bringing this Bill today, which we have been awaiting for the last 12 years. I hope this initiative which he has taken will really bring about a remarkable change in the lives of the farmers. India represents the world's largest network of cooperatives, where 5,28,000 cooperatives exist, with a membership of about 23 crores, which means, one out of every three persons is a member of a cooperative in this country. Then, with a working capital of about Rs. 2.85 lakh crores, almost all the villages are covered by cooperatives. About 67 per cent of the families are associated with cooperatives. There are multi-State cooperatives, about 309 in the country, which are on a national-basis. In addition, there are 21 national-level federations of cooperatives, like the

•NCW, the National Cooperative Union of India, NAFED, IFFCO, KRIBHCO and National Sugar Cooperative Federation. They have done remarkably well, in spite of the strong-hold of the Government. But I am sure, there would be a remarkable development with liberalisation and an opportunity would be provided to farmers to manage their efforts-. May I say that the purpose of the cooperatives is mutual help with their own resources and collective bargaining. This is ideally suited for India, where farmers have small holdings and they can prosper only if the small income they have is properly utilised. When they buy inputs, they should be at the lowest price; when they go to sell their produce, they should get the maximum return. This is possible only through collective bargaining and through cooperative institutions. May I point out to you the success of milk cooperatives? Why is India today the largest producer of milk with about 84 million tonnes of milk production? It is because of cooperatives. The Dairy Development Board had helped to set up milk cooperatives in each village and provided them inputs, feeds for the animals, medicines, and collected their produce. With marketing, they got more money. The more milk they produce, the more income they get. That is why India became the largest producer of milk.

I ask the hon. Minister if this is the model of success of cooperative movement for milk production, why can't we have rural cooperatives for vegetables and fruits? India, today, produces 180 millions tonnes of fruits and vegetables, but due to lack of distribution, the farmers are not able to sell all their produce. Consumers in big cities are starved of vegetables. They buy these at huge prices. It is much easier to collect vegetables and then transport them to markets than what is being done in the case of milk. I am sure the hon. Minister will take immediate steps to set up vegetables and fruit cooperatives for marketing on the lines of the Dairy Development Board.

Similarly, there is also a need for Cooperative Credit Societies. NABARD was set up for providing cheap credit. It is supposed to provide credit to the people living below the poverty line at 5 per cent rate of interest, for poultry and dairy at 7.5 per cent and for other agricultural products at 9.5 per cent, but the credit is given through commercial banks, which are charging the same rates between 16 to 20 per cent from the farmers and industries. So, the real beneficiaries of credit through NABARD are the banks and not the agriculturists. If the credit is distributed through the primary cooperative societies with only 2 per cent margin, the farmers

can prosper and they can get the real benefit of credit financing. These are my suggestions.

Sir, in spite of your efforts to liberalise, there are two recommendations of the Standing Committee on Agriculture, which have not been accepted. I hope the hon. Minister will re-consider the matter. One is the nomination of members, when there is a Government share. It is the right of the cooperative societies to get loans, subsidies and financial assistance from the Government and financial institutions. Therefore, to say that if you do that, you will nominate and control their activities are not fair and are not in the spirit of the cooperative movement. You may kindly reconsider the matter.

Regarding membership, the Act provides that besides kisans, any Government, Central Government or State Government, or financial institution can be a member of a cooperative society. How will it serve the purpose of the farmers, if the Central Government or a State Government or a financial institution or the National Crop Development Corporation or anybody is a member? Take the case of IFFCO or KRIBHCO. They want to pay back the Government share. But they are not accepting. They want to keep their stranglehold on the IFFCO and the KRIBHCO. I think, in the first instance, the Government and the financial institutions should not be members. Members should only be the beneficiaries who get the benefit of the cooperatives. If they have given loans, if they have taken shares, their cooperative should be free to redeem, to pay back and get rid of the Government share and the financial institutions.

Sir, there are some minor problems. In the case of multi-State cooperatives, they are distributed all over the country and therefore, when the election is held, everybody cannot come to the Centre for election. Therefore, there should be a provision for election at various centres. Similarly, the provision for termination of membership if somebody does not attend three consecutive AG meetings, is not correct. Small farmers cannot go and attend one of the meetings at the Centre. These are minor problems.

The most important thing is that the cooperative is the only means through which farmers can prosper. Otherwise, they will continue to be exploited as they have always been. Their real income has gone down. If the milk cooperative is successful, if the sugarcane cooperatives in Maharashtra are successful, why should not we let them in, in agro-based

processing industries? Help them to do their own marketing of products, help them to procure their own inputs, so that they can get the real worth of their labour and produce and prosper. Without this, there cannot be prosperity and farmers will continue to be exploited. In fact, today, when the Panchayat Raj has helped in the advance development, coupled with the cooperative system, India can prosper and farmers can go ahead. Thank you very much.

THE VICE-CHAIRMAN (Shri Suresh Pachouri): Mr. Minister to reply. (*Interruptions*). Mr. Mehta, he has to go to attend some important meeting.

SHRI LALITBHAI MEHTA (Gujarat): Only one sentence, Sir. My point is about the present provision in the Multi-State Cooperatives Act regarding the financial year and the cooperative year. The cooperative year ends on 30th June and the financial year ends on 31st March. What is the idea behind this?

SHRI AJIT SINGH: Mr. Vice-Chairman, Sir, it is very heartening to note that Members, cutting across party lines and political affiliations, have supported this Bill. It is rightly so because it has gone through the Ch. Brahm Parkash Committee, then the Mirdha Committee and then the Standing Committee. So, most of the problems have been resolved at these levels. I would also like to state that it is a historic occasion. This Bill is likely to change the way our coopeatives have worked in this country. So far cooperatives have been a matter of policy. We hope, after this Bill, the autonomy, they will become a movement. That is what is needed. If they want to help the poor, the farmers, the downtrodden, then the cooperatives have to become a movement and not just remain a matter of Government policy.

I would now like to answer some of the questions raised by Members. I am very happy that Mr. Pachouri, who initiated the discussion and raised many questions, is in no position to question the answer I give. Because he is chairing the session now, but I will try to satisfy him by answering the questions raised by him. The first thing is, he was worried because more than one society could not be registered in the same area of operation or in the same geographical area. Sir, I am happy to say that sub-clause (d) of clause 7 of the Bill, which had a provision for registration of no other multi-State society having similar area of operation, has been deleted by an official amendment. Now, there is no restriction on the registration of number of societies in the same area of operation, and having the same objects.

The question of supersession was also raised by the hon. Member. I would like to refer to section, 141. The Bill provides for supersession of the power of directors of a multi-State cooperative only in respect of those societies where the equity share-capital holding of the Government is not less than 51 per cent. In line with the recommendation of the Committee *vide* official amendments, the period of supersession shall not exceed one year, and in case of cooperative banks, two years. The provision of consultation with the financial institutions, the provision for show-cause notice and the opportunity of being heard already exist in clause 141(6) of the Bill. The exercise of powers under this clause is quasi-judicial in nature, and there are remedies available in case there is any grievance. Therefore, the suggestion of placing a statement, that the Standing Committee has made, has not been considered necessary. Also, the power to give a direction, under the proposed clause has, again, been restricted where the Government holds 51 per cent share. During the last 16 or 17 years, this power has been used only once or twice. So, I don't think there are unlimited powers. This power has been used very rarely. As I said, it is restricted where the Government has 51 per cent shareholding.

The question of making reservation has been raised by many Members. Here, I would like to say that the idea behind having the Multi-State Cooperative Societies Bill, 2002 is to remove the Government direction, Government control, and to free the societies from the clutches of the officials. The cooperatives are supposed to work by mutual cooperation. They have common interest. They can come together and form a society. The Bill is a multi-State Bill. We want the same Bill to be enacted by the States. So, the cooperatives could be in one village or in one *mohalla* in a city. Therefore, they insist that there should be reservation. The Government does not consider it necessary. Of course, any society can have, in its bye-laws, reservations, if they want. We are not prohibiting that. They can make a provision, depending on what type of society is being formed. There are many societies which are exclusively meant for the SC/ST people. Many of the national, multi-State, cooperative societies can be institution-based, where their members, chairmen/presidents, will be members of the Multi-State Cooperative Society, and it will be difficult to enforce reservation there because it is for the institution to select them and send in their names. Other Members also raised this question.

Smt. Vanga Geetha has raised a question on the Arbitration and Conciliation Act and requested for a separate authority. The separate

authority is no longer there. The Standing Committee has suggested that the Arbitration and Conciliation Act, 1996 should be used, and that has been accepted in this Bill.

Shri P.G. Narayanan has very rightly pointed out how his Government had written off the credit worth Rs.311 crores of the unions. They are to be congratulated for that. First, the Kapur Committee was formed. Then, there was another Committee, formed, under the chairmanship of Shri Vikhe Patil, which had done away with the 20 per cent share to be provided by the cooperatives. But I would also like to point out that a provision of Rs. 100 crores made in the Finance Bill is not a restriction. As long as the State Governments keep coming up with their share, there will be no paucity of money, as far as the credit is concerned. The State Government has to come up with their share. This amount of Rs. 100 crores is just a nominal money. It is not restricted to Rs. 100 crores only.

Prof. Ramdeo Bhandari has raised the question of Board of Directors. He said that out of twenty-one Directors, seven could be Government nominees. But I would like to point that the provision is that there should be a maximum of three Directors to be appointed by the Government, or, a minimum of one-third of the Directors. So, the lesser of these two shall apply. In this case, if there are six Directors, there cannot be more than two Directors nominated by the Government, though the shareholding of the Government is 51 per cent. If there are 21 Directors and the Government shareholding is 51 per cent, the Government cannot nominate more than three Directors. So, the Government Directors are always going to be in a minority. This should take away some of the apprehensions that Shri Kidwai and others had expressed that the Government could still give directions or dominate the working of the cooperatives.

Shri Kidwai has rightly pointed out that this has a very large role to play in the case of farmers who produce vegetables and fruits in the context of increasing input costs and marketing. In the case of farmers with small holdings, cooperative is the only way. There is no other way. If they want to market their produce and if they want to use new seeds and new irrigation methods, then, cooperative is the only way. It is the States which have to enact these laws. The cooperatives, as I mentioned earlier, is a State subject. We are asking the States to enact these laws. Many States have already enacted these laws. The Cooperative Policy has also

been laid on the Table of the House, which shall encourage the States to pass these laws. Several States, including Karnataka, Bihar, Andhra Pradesh, Maharashtra and Gujarat, have already got such model laws. But many Members have said openly that in many of the States the cooperatives are not in a true sense cooperatives. They are being run by the Government. But this Multi-State Cooperative Societies Bill is intended for the cooperatives whose area of operation is more than one State. We are encouraging and cajoling the State Governments to pass similar laws. As I said, many States have already passed similar laws. I hope other States, with pressure from the public and the hon. Members who come from different States, will also follow this example and pass this kind of model laws. Then only cooperatives will become cooperatives in its true sense.

Coming back to cooperative credit, hon. Member, Shri Kidwai, mentioned that the interest rate was very high because there were so many layers of cooperative credit. At the State level, there is a cooperative bank at the district level there is a cooperative bank and at the village level there is a cooperative bank. They tag on their commission to the money which is given to the farmers. So, an attempt should be made to reduce the layers. In this age of fast information flow, we think there is no need to have so many layers and that is one way of reducing the problems that farmers face in getting credit.

I, once again, thank all the hon. Members for supporting this Bill and not talking too much about some clauses, about which they have their own reservations. They were concise in pointing out the problems. I hope I have been able to satisfy most of their apprehensions and reservations, and the questions raised by them. I would like to say that the cooperatives have played a very great role in the economic life of our country. If you look at the cooperatives, you will find that there are a very few success stories. With the passing of this Bill, we want to unshackle the cooperatives and, as I said, instead of making it a Government policy, we want to make it a movement. We hope the success stories can be replicated and triplicated and it can become a flood. Then only our small farmers, our small artisans and the disadvantaged in the society can be assisted. I commend that the Bill be passed.

श्री बालकवि बैरागी (मध्य प्रदेश): उपसभाध्यक्ष जी, मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या इस बिल में अविश्वास प्रस्ताव की संभावना है या इसके लिए कोई प्रोविजन है?

3.00 P.M.

SHRI AJIT SINGH: The co-operative societies are free to have their bye-laws; they can frame their own bye-laws, and they can remove the Chairman every year or every six months, if they want. They have complete freedom. An hon. Member asked why the members should be disqualified if they do not attend three consecutive meetings. One of the aims of the co-operative societies is that fake membership should be removed. There are about 23 crore members, as was mentioned here; many of them do not even know that they belong to a co-operative society. So, this provision will make sure that when a person joins a co-operative society, he knows what he is doing, and he has to avail of the minimum services provided by the co-operative. Only then can there be co-operatives in the true sense. Otherwise, certain people will always be able to manipulate the cooperatives.

DR. A.R. KIDWAI: Sir, I would like to thank the Minister for suggesting that we should make the co-operative movement a successful one so that it really benefits the farmers. But I hope the Minister will also provide for strengthening of the National Co-operative Union of India, for teaching, training and for promoting activities, as a part of the Department of Co-operation. And the co-operative movement must be strengthened in order to deal with the new problems as well as the existing ones.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): That is a must. Anyway, Mr. Minister, when you mentioned that I would not be able to raise any questions as I am in the Chair, I would like to inform you that such a reference is not made to the Chair, either in the debate or in the discussion.

Now, the question is:

"That the Bill to consolidate and amend the law relating to co-operative societies, with objects not confined to one State and serving the interests of members in more than one State, to facilitate the voluntary formation and democratic functioning of cooperatives as people's institutions based on self-help and mutual aid and to enable them to promote their economic and social betterment and to provide functional autonomy and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (Shri Suresh Pachouri): We shall now take up clause-by-clause consideration of the Bill.

Clauses-2 to 126, the First Schedule and the Second Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI AJIT SINGH: Sir, I move:

"That the Bill be passed".

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (Shri Suresh Pachouri): Now. Shri Rama Shanker Kaushik to raise the discussion on the working of the Ministry of Agriculture.

DISCUSSION ON WORKING OF MINISTRY OF AGRICULTURE

श्री रमा शंकर कौशिक (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, इससे पहले कि मैं कृषि मंत्रालय के संबंध में कुछ निवेदन करूं, मैं माननीय सभापति जी को धन्यवाद ज्ञापित करना चाहता हूं कि उन्होंने समय के अभाव के रहते हुए भी इस खास कृषि मंत्रालय के ऊपर चर्चा कराने का फैसला लिया। साथ ही श्रीमन, मैं कांग्रेस पार्टी के नेताओं, माननीय प्रणब मुखर्जी, माननीय सुरेश पचौरी तथा संसदीय कार्य मंत्री माननीय प्रमोद महाजन का भी शुक्रगुजार हूं कि उन्होंने इस चर्चा को कराने के लिए अपना पूरा सहयोग प्रदान किया।

श्रीमन, कृषि क्षेत्र हमारे देश का बहुत महत्वपूर्ण क्षेत्र है। यह केवल हमारी अर्थव्यवस्था की रीढ़ ही नहीं है वरना हमारी संस्कृति, हमारी सामाजिकता के साथ भी पूरे तरीके से जुड़ा हुआ है। इतना ही नहीं श्रीमन, हमारे त्योहारों, हमारे गीतों, हमारे साहित्य से भी कृषि का बड़ा गहरा संबंध है। श्रीमन, अर्थव्यवस्था का जहां तक प्रश्न है वर्षों से हजारों वर्षों से हमारे देश की अर्थव्यवस्था की यह मुख्य कड़ी रहा है। वैसे तो मैं यह मानता हूं कि सरकार का कोई भी विभाग एक – दूसरे से अलग नहीं है, निरपेक्ष नहीं है, अलग-थलग नहीं है, लेकिन कृषि मंत्रालय का दूसरे विभागों से बहुत ही गहरा संबंध है जो जैसे इसका रसायन एवं उर्वरक मंत्रालय से बहुत संबंध है, उद्योग विभाग से पूरा संबंध है और अब वाणिज्य से भी इसका बहुत गहरा संबंध हो गया है। वाणिज्य में आयात-निर्यात की नीतियों से यह क्षेत्र काफी प्रभावित हो रहा है और होगा भी तथा आगे भी हमारी सरकार की मंशा से यही लगता है कि उदारीकरण की नीति के नाते वाणिज्य विभाग से कृषि विभाग का संबंध बहुत ही नजदीकी होने वाला है और हो गया है। श्रीमान, आज हमारे देश की स्थिति बहुत खराब है, कृषिकों की स्थिति बहुत खराब है, उद्योग मंदी में चल रहा है तथा व्यापार ठप्प है। उसका बहुत बड़ा कारण यही है कि हम लगातार दस वर्षों से कृषि क्षेत्र की उपेक्षा करते चले जा रहे हैं। कृषि क्षेत्र में हमारा निवेश कम होता चला जा रहा