

इसे वेबसाईट www.govtpressmp.nic.in से भी डाउन लोड किया जा सकता है.



मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 541]

भोपाल, बुधवार, दिनांक 30 नवम्बर 2011—अग्रहायण 9, शक 1933

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 30 नवम्बर 2011

क्र. 7031-410-इक्कीस-अ-(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश सहकारी सोसाइटी (द्वितीय संशोधन) विधेयक, 2011 (क्रमांक 44 सन् 2011) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL

No. 44 OF 2011.

THE MADHYA PRADESH CO-OPERATIVE SOCIETIES (SECOND AMENDMENT) BILL, 2011.**A Bill further to amend the Madhya Pradesh Co-operative Societies Act,1960.**

Be it enacted by the Madhya Pradesh Legislature in the Sixty second Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Madhya Pradesh Co-operative Societies (Second Amendment) Act, 2011.

Amendment of Section 56.

2. In Section 56 of the Madhya Pradesh Co-operative Societies Act,1960 (No. 17 of 1961) (hereinafter referred to as the principal Act), for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) If any officer or employee of the society, on whom specific responsibility has been fixed under sub-section (2), fails to maintain the records, registers, books of accounts and to furnish to the Registrar such information and such returns as may be required by the Registrar within the specified time, the Registrar may, by order, declare such officer to be disqualified for being a member of the Board of Directors of a society for such period not exceeding three years as he may specify in such order and if the officer is an employee of the society, impose on him a penalty not exceeding fifty thousand rupees:

Provided that if such officer is an employee of primary co-operative credit structure, a penalty not exceeding five thousand rupees may be imposed on him:

Provided further that no order shall be made under this sub-section unless the person concerned is given a reasonable opportunity of being heard.”.

Substitution of Section 80-A.

3. For Section 80-A of the principal Act, the following Section shall be substituted, namely :—

Power of Registrar to call for proceedings of sub-ordinate officers and Board of Directors of a society and to pass orders thereon.

“80-A. The Registrar may, at any time on his own motion or on an application made by any party, call for and examine the record of any enquiry or the proceedings by any sub-ordinate officer or a decision or order of the Board of Directors of a society for the purpose of satisfying himself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer or Board of Directors. If in any case it appears to the Registrar that any decision or order or proceedings so called for should be modified, annulled or reversed, the Registrar may pass such order thereon as he may deem fit :

“Provided that in case of co-operative credit structure, the findings observed by the Registrar shall be communicated to the society, and the society shall place on record before the committee the advise so communicated and take appropriate decision :

Provided further that no order under this section shall be made to the prejudice of any party unless such party has had an opportunity of being heard :

Provided also that powers of Registrar under this section shall not be delegated to an officer not below the rank of Joint Registrar.”.

STATEMENT OF OBJECTS AND REASONS

With a view to replace the provision of removal of a member of the Board of Directors of co-operative credit societies by disqualification for a period not exceeding three years and reducing the penalty amount to five thousands for employee of primary co-operative credit structure and to make provisions for giving advisory opinion to co-operative credit societies by Registrar in compliance of the provisions of memorandum of understanding signed under Vaidhyanathan Package as suggested by the National Bank for Agricultural and Rural Development, necessary amendments are proposed in the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961).

2. In order to achieve the aforesaid objects, this Bill is proposed having the following salient features :—

- (1) Section 56 is suitably amended to make provision for disqualification for a period not exceeding three years and reducing the penalty amount to five thousands rupees for employee of primary co-operative credit structure.
- (2) Section 80-A is suitably amended to make provision to communicate the findings of Registrar to the co-operative credit structure for taking appropriate decision.

3. Hence this Bill.

Bhopal :

Dated, the 24th November, 2011.

GAURI SHANKAR BISEN
Member-in-Charge.