

**GOVERNMENT OF INDIA
AGRICULTURE
LOK SABHA**

UNSTARRED QUESTION NO:6484
ANSWERED ON:07.05.2013
MULTI STATE COOPERATIVE SOCIETIES ACT
Naik Shri Shripad Yesso

Will the Minister of AGRICULTURE be pleased to state:

(a) whether the decisions/orders passed by the Arbitrators u/s 84 of the Multi-State Co-operative Societies (MSCS) Act, 2002 is executed by the Recovery Officers of the concerned Financial Institutions under Section 94/94

(c) of the Act;

(b) if not, the executing authority of the decisions/orders passed by the Arbitrator u/s 84 of the MSCS Act, 2002;

(c) whether the Registrar of Cooperative Societies of Goa had sought any clarification from the Central Registrar of Co-operative Societies with regard to the execution of the awards under section 84 of the MSCS Act, 2002 by the State and Recovery officers of Goa State Co-operative Bank Ltd.; and

(d) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FOOD PROCESSING INDUSTRIES (SHRI TARIQ ANWAR)

(a): No, Madam.

(b): As per the provision of sub-section (5) of section 84, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to all arbitration under the MSCS Act, 2002 as if the proceedings for arbitration were referred for settlement of decision under the provisions of the Arbitration and Conciliation Act, 1996.

(c) & (d): Yes, Madam. Registrar of Cooperative Societies (RCS), Government of Goa vide his letter dated 14.06.2007 had sought clarification as to whether the Sale & Recovery Officer authorized under Section 85(c) of the MSCS Act, 1984 can continue to execute the decisions/orders under the provision of Section 94(C) of the MSCS Act, 2002 passed by the Arbitrator under MSCS Act, 2002. RCS, Government of Goa was informed vide letter dated 01.01.2008 that Section 94 of the MSCS Act, 2002 does not provide for execution of the decisions/orders passed by the Arbitrator under Section 84 of the MSCS Act, 2002.