

Power of Registrar under Section 79 of MCSA

Registrar's Power

Registrar's Power to enforce performance of obligations. Powers of Registrar to direct society to keep proper books of accounts etc., [Section 79(1)]

As per Section 79(1) of the Maharashtra Co-operative Societies Act, 1960, the Registrar may direct any society or class of societies, to keep proper books of accounts with respect to all sums of money received and expended by the society, and the matters in respect of which receipt and expenditure take place all sales and purchase of goods by the society, and the assets and liabilities of the society, and to furnish such statements and returns and to produce such records as he may require from time to time; and the officer or officers of the society shall be bound to comply with his order within the period specified therein.

Powers of the Register to take action at the expense of the society when the society fails to take action [Section 79(2)] As per Section 79(2) of the Maharashtra Co-operative Societies Act, 1960, where any society is required to take any action under this Act, the rules or the bye-laws, or to comply with an order made under the foregoing sub-section, and such action is not taken. (a) within the time provided in this Act, the rules or the bye-laws, or the order as the case may be, or (b) where no time is so provided, within such time, having regard to the nature and extent of the action to be taken, as the Registrar may specify by notice in writing, the Registrar may himself, or through a person authorised by him, take such action, at the expense of the society; and such expense shall be recoverable from the society as if it were an arrears of land revenue.

Power of Registrar to burden the delinquent officers with the expenses incurred etc; [Section 79(3)] As per Section 79(3) of the Maharashtra Co-operative Societies Act, 1960, where the Registrar take action under sub-section (2), the Registrar may call upon the officer or officers of the society whom he considers to be responsible for not complying with the provisions of this Act, the rules or the bye-laws, or the order made

under sub-section (1) and after giving such officer or officers an opportunity of being heard, may required him or them to pay to the society the expenses paid or payable by it to the State Government as a result of their failure to take action and to pay to the assets of the society such sum not exceeding twenty-five rupees as the Registrar may think fit for each day until the Registrar's directions are carried out.