

RECENT AMENDMENT OF CONSTITUTION OF INDIA W.E.F. 15-02-2012.

THE 97th CONSTITUTION AMENDMENT intended to bring about salutary changes in the co-operative societies culture came into effect on 15th February 2012. The State Governments were required to amend their respective Co-operative Laws within one year that is by 15th February 2013. Government of Maharashtra issued an ordinance on 14th February 2013 effecting necessary changes in Maharashtra Co-operative Societies Act, 1960. Later the Maharashtra Co-operative Societies Act, 1960 has been passed by the Maharashtra state legislature.

The Constitution Amendments has effected the following changes:

- a. Right to form Co-operative Societies added to Article-19 of the Constitution. As such it is one of the fundamental rights.
- b. Certain addition were made to Directive the Principles of State Policy and accordingly provisions were made for:-
 - o Voluntary formation of Co-operative Societies.
 - o Autonomous functioning of Co-operative Societies.
 - o Democratic member control in Co-operative Societies.
 - o Professional management of Co-operative Societies.

Other important changes as per the constitution amendment are:-

- a. Status of Constitutional Bodies like Local Authorities.
- b. Maximum 21 Directors.
- c. Fixed five years term for Elected Members and Office Bearers.
- d. Maximum six months period of suspension for the Board of Directors.
- e. FIR for fraud and Miss-appropriation.
- f. Right to information for members of Co-operative Societies.
- g. Reserved Seats for
 - o Schedule Caste (SC),
 - o Schedule Tribe (ST),
 - o Other Back ward classes (OBC) and
 - o Women on Board of Management.