

The DCS Act 2003

Section 52 - (1) Notwithstanding anything contained in any law for the time being in force, a

member of a co-operative society may execute an agreement in favour of the co-operative society providing that his employer shall be competent to deduct from the salary or wages payable to him by the employer, such amount as may be specified in the agreement and to pay the amount so deducted to the co-operative society in satisfaction of any debt or other demand owing by the member to the co-operative society. (2) On the execution of such agreement, the employer shall, if so required by the co-operative society by a requisition in writing and so long as the co-operative society does not intimate that the whole of such debt or demand has been paid, make the deduction in accordance with the agreement and pay the amount so deducted to the co-operative society, as if it were a part of the salary or wages payable on the day as required under the Payment of Wages Act, 1936 (4 of 1936). Such payment shall be valid discharge of the employer for his liability to pay the amount deducted. (3) Where a requisition in writing from any co-operative society registered or deemed to be registered in any reciprocating State/Union territory in respect of a member of that co-operative society, who has executed any such agreement as is referred to in sub-section (1) and who, for the time being, is employed in Delhi, is received by his employer, the requisition shall be acted upon as if it had been made by a co-operative society in Delhi and the provisions of this section shall have effect accordingly. Explanation-For the purpose of this sub-section "reciprocating State/Union territory" means any State or Union territory which the Government may, by notification in the official Gazette, declare to be reciprocating State/Union territory. (4) If, after the receipt of a requisition made under sub-section (2) or sub-section (3), the employer at any time fails to deduct the amount specified in the requisition from the salary or wages payable to the member concerned or makes default in remitting the amount deducted to the co-operative society, the co-operative society shall be entitled to recover any such amount from the employer as arrears of land revenue and the amount so due from the employer shall rank in priority in respect of the liability of the employer equal to that of the wages in arrears. (5) Nothing contained in this section shall apply to an establishment under a railway administration operating any railway as defined in clause (20) of article 366 of the Constitution. CHAPTER - VI PROPERTIES AND FUNDS OF CO-OPERATIVE SOCIETIES Funds other than net profits not to be divided among members.