



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ६, अंक ४० (२)]

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असाधारण क्रमांक १०२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विषयेके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Co-operative Societies (Amendment) Bill, 2014 (L.A.Bill No. XXXI of 2014), introduced in the Maharashtra Legislative Assembly on the 9th December, 2014, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

M. A. SAYEED,

Principal Secretary and R.L.A. to Government,  
Law and Judiciary Department.

**L. A. BILL No. XXXI OF 2014.***A BILL**further to amend the Maharashtra Co-operative Societies Act, 1960.*

Mah. XXIV of 1961. WHEREAS it is expedient further to amend the Maharashtra Co-operative Societies Act, 1960, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Co-operative Societies (Amendment) Act, 2014. Short title.

Mah. XXIV of 1961. 2. In section 73CB of the Maharashtra Co-operative Societies Act, 1960, in sub-section (15), for the words, figures and letters " before the 31st December 2014 " the words, figures and letters " before the 30th June 2015 " shall be substituted. Amendment of section 73CB of Mah. XXIV of 1961.

## STATEMENT OF OBJECTS AND REASONS

Sub-section (1) of section 73CB of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), provides that the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to a society shall vest in the authority called as 'the State Co-operative Election Authority', to be constituted by the State Government in that behalf. The said sub-section (1) further provides that, every general election of the members of the committee and election of the office-bearers of a society including any casual vacancy, to the extent applicable, shall be held as per the procedure prescribed. Sub-section (2) of the said section 73CB provides that the State Co-operative Election Authority shall consist of a State Co-operative Election Commissioner. Sub-section (15) of the said section 73CB, as amended by Mah. XXXI of 2013 provides that, the election to the committee and consequent election of the office-bearers, which is due on the date of the commencement of Mah. XVI of 2013, i.e. the 14th February 2013 or, which may become due after the said date, shall be held before the 31st December 2014.

2. In pursuance of the provisions of the said section 73CB, the Government of Maharashtra has constituted the State Co-operative Election Authority and has appointed the State Co-operative Election Commissioner. The Secretary and other officers of the State Co-operative Election Authority has also been appointed.

3. The necessary rules for the conduct of elections to the societies, viz. the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014 has also been framed vide Notification, dated the 11th September 2014. The said rules of 2014 classifies the societies as Type "A", Type "B", Type "C" and Type "D" for the purpose of conduct of elections. The "A" and "B" Type societies are relatively bigger and as such the said rules of 2014 provides for a different time-frame for the conduct of the elections to the said societies.

4. The State Co-operative Election Authority has started the election process for the conduct of elections to 15,159 "C" and "D" Type societies.

Similarly, the State Co-operative Election Authority has also started the process of preparing voters list for 138 "A" Type societies and 3,884 "B" Type societies. As provided by the said rules of 2014, a period of about 70 days will be necessary for the conduct of elections of "A" and "B" Type societies.

At present, the available Government machinery is busy in the election process for the conduct of elections to "C" and "D" Type societies. As "A" and "B" Type societies are relatively large, a large number of officers and staff would be required for conduct of elections to those societies. As such, it may not be possible to conduct the said elections before the stipulated date i.e. the 31st December 2014.

5. In this backdrop, the State Co-operative Election Authority has communicated to the State Government that all such elections shall be completed by the end of June 2015.

6. It is, therefore, considered expedient to amend the said sub-section (15) of the said section 73CB, so as to provide that the elections which were due on the date of commencement of Mah. XVI of 2013 and became due upto 31st March 2013 will be held before the 30th June 2015.

7. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 3<sup>rd</sup> December, 2014.

CHANDRAKANT PATIL,

Minister for Co-operation.