



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ४८ (५)]

बुधवार, जुलै ४, २०१८/आषाढ १३, शके १९४०

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असाधारण क्रमांक १३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (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, 2018 (L. A. Bill No. XXXVIII of 2018), introduced in the Maharashtra Legislative Assembly on the 4th July 2018, is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
I/c Secretary (Legislation)
to Government,
Law and Judiciary Department.

L. A. BILL No. XXXVIII OF 2018

A BILL

further to amend the Maharashtra Co-operative Societies Act, 1960.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Co-operative Societies Act, 1960, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Co-operative Societies

Mah. XXIV
of 1961.

Mah. Ord.

XV of
2018.

भाग आठ-१३-१
एचबी-१६५८-१.

(Amendment) Ordinance, 2018 on the 8th June 2018 ;

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :—

Short title and commencement.	<p>1. (1) This Act may be called the Maharashtra Co-operative Societies (Amendment) Act, 2018.</p> <p>(2) It shall be deemed to have come into force on the 8th June 2018.</p>	
Amendment of section 73AAA of Mah. XXIV of 1961.	<p>2. In section 73AAA of the Maharashtra Co-operative Societies Act, 1960, (hereinafter referred to as "principal Act") in sub-section (2), in the fifth proviso, for the words " in respect of the society having contribution of the Government towards its share capital " the words " in respect of society, excluding the Housing Society, having assistance of the Government in the form of share capital, loan, guarantee, grant, the Government land or any other form whether cash or kind " shall be substituted.</p>	Mah. XXIV of 1961.
Repeal of Mah. Ord. XV of 2018 and saving.	<p>3. (1) The Maharashtra Co-operative Societies (Amendment) Ordinance, 2018, is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provision of the principal Act, as amended by the said Act shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of principal Act, as amended by this Act.</p>	Mah. Ord. XV of 2018.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), governs all the Co-operative Societies having different objects, classifications and sub-classifications. The provisions of the said Act govern the management aspect of the Co-operative Societies and protect the interests of its members.

2. The State Government provides assistance to many Co-operative Societies in the State, such as Co-operative Sugar Factories, Spinning Mills, Industrial Co-operative Societies, District Central Co-operative Banks, etc., by way of share capital, loan, allotment of Government Land on nominal rates, Government Grants, etc. As per the provisions of the fifth proviso to sub-section (2) of section 73AAA, wherever, the State Government provides assistance in the form of share capital to a Co-operative Society, there was a provision for nomination of two representatives on committee of such Co-operative Societies. These provisions were limited only to the assistance in the form of share capital and did not covered various other forms of assistance extended to societies by the State Government. Therefore, with a view to safeguard the interests of the Government and the Societies, the scope of the said provision was proposed to be windened to cover other forms of Government assistance extended to Co-operative Societies, as mentioned above. However, having regard to the peculiar nature of the Housing Societies, it was proposed to exclude the said societies from the operation of the proposed provision. Accordingly, for that purpose, the fifth proviso to sub-section (2) of section 73AAA was proposed to be amended, suitably.

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), for the purposes aforesaid, the Maharashtra Co-operative Societies (Amendment) Ordinance, 2018 (Mah. Ord. XV of 2018), was promulgated by the Governor of Maharashtra on the 8th June 2018.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislatrue.

Mumbai,
Dated the 20th June 2018.

SUBHASH DESHMUKH,
Minister for Co-operation.