

Ordinance Summary

The Maharashtra Co-operative Societies (Second Amendment) Ordinance, 2020

- The Maharashtra Co-operative Societies (Second Amendment) Ordinance, 2020 was promulgated on October 27, 2020. It amends the Maharashtra Co-operative Societies Act, 1960. The Act provides for the registration, management and other related matters of co-operative societies in the state. The Ordinance amends the Act to extend the time limit for calling annual general body meeting and the audit of the societies. It also extends the term of office of the society's Committee and relaxes certain requirements for members to be able to vote in the society's affairs. A Committee is a governing body or management committee of the society responsible for controlling the society's affairs. Key features of the Ordinance are:
 - **Extension of time limit:** The Act prescribes certain time limits for the societies to get its accounts audited and for calling annual general body meeting after the end of the financial year. For the financial year 2019-20, the Ordinance extends the time limit relating to certain actions specified in the Act: (i) the time limit for societies to get their accounts audited after the end of the financial year has been extended from four months to nine months; (ii) the time limit for calling the annual general body meeting has been extended from six months to 12 months.
- **Voting powers of members:** Under the Act, only active members of the society are eligible to vote in its affairs. A member may cease to be an active member if they don't participate in the society's affairs, and avail minimum level of services as specified in the by-laws. The Ordinance amends the Act to relax the requirements for members to be eligible to vote in the election of the society. It provides that members may be allowed to vote: (i) if the elections are scheduled to be held on or before March 31, 2021; and (ii) if they are part of the voter's list that was finalised before the commencement of this Ordinance.
- **Term of office:** The Act provides for the constitution of the Committee for the co-operative housing societies. It prescribes that the tenure of the elected members and the office bearers of the Committee will be five years from the date of the first meeting of the newly constituted Committee. The tenure of the office-bearers will end with the term of the Committee. The Ordinance provides that if elections to the Committee cannot be held due to reasons not caused by the members, the existing members of the Committee will continue until a new Committee is formed.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.