



# महाराष्ट्र शासन राजपत्र

असाधारण  
प्राधिकृत प्रकाशन

शुक्रवार, नोव्हेंबर २३, २००७/अग्रहायण २, शके १९२९

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग आठ

(अध्यादेश, विधेयके व अधिनियम यांचा 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, 2007 (L. A. Bill No. LIV of 2007), introduced in the Maharashtra Legislative Assembly on the 22nd November, 2007, is hereby published under the authority of the Governor.

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

A. M. SHINDEKAR,  
Secretary to Government,  
Law and Judiciary Department.

L. A. BILL No. LIV OF 2007.

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

Mah. XXIV of 1961. Ord.VI of 2007.  
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 (Amendment) Ordinance, 2007,  
on the 18 the August, 2007;

(४४८)

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

Short title  
and  
commence-  
ment.

1. (1) This Act may be called the Maharashtra Co-operative Societies (Amendment) Act, 2007.

(2) It shall be deemed to have come into force on the 18th August 2007.

Amendment  
of Section  
73 A of  
Mah. XXIV  
of 1961.

2. In section 73-A of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as "the principal Act"),—

Mah.  
XXIV  
of  
1961.

(a) Sub-section (5) shall be deleted;

(b) in the marginal note, the words "or for being designated officer of the same society for more than ten years" shall be deleted.

Repeal of  
Mah. Ord.  
VI of 2007  
and saving.

3. (1) The Maharashtra Co-operative Societies (Amendment) Ordinance, 2007, is hereby repealed.

Mah.  
Ord.  
VI of  
2007.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

Sub-section (5) of section 73-A of the Maharashtra Co-operative Societies Act, 1960 provided that no person shall be, or shall continue to be, a designated officer of any Co-operative Society for a period of more than ten years in the aggregate. It further provided that at the expiration of the said period of ten years any such person shall cease to be a designated officer of that society and shall not be eligible for being re-elected or re-appointed as a designated officer, until a period of one term of the committee has elapsed after the completion of the aforesaid period of ten years. Sub-section (1) of the said section 73-A defines the expression "a designated officer" to mean the Chairman and the President, and any other officer of the Co-operative Society as may be declared by the State Government, by notification in the *Official Gazette*, to be a designated officer. As such, no person could have continued to be the designated officer of the same society for more than ten years.

2. It was brought to the notice of the Government that in this era of privatization, liberalisation and globalization, the aforesaid provision, which disqualifies the person for being continued, as a designated officer of the same society for a period of more than ten years, was depriving the societies from the benefit of expertise of such persons. The Government, therefore, considered it expedient to delete Sub-section (5) of section 73-A of the Maharashtra Co-operative Societies Act 1960, so that the efficient director and office-bearer of the Co-operative Society, who has gained valuable experience in the Co-operative field, could continue to be the designated officer of the same society till he enjoys the confidence of its members.

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, 2007 (Mah. Ord. VI of 2007), was promulgated by the Governor of Maharashtra on the 18th August 2007.

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

Mumbai,

Dated the 2nd November, 2007.

PATANGRAO KADAM,  
Minister for Co-operation