



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष २, अंक १३ (३)]

गुरुवार, मार्च १०, २०१६/फाल्गुन २०, शके १९३७

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १७

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, 2016 (L. A. Bill No. III of 2016), introduced in the Legislative Assembly on the 10th March 2016, is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,  
Secretary (Legislation) to Government,  
Law and Judiciary Department.

### L. A. BILL No. III OF 2016.

#### 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

Mah. action further to amend the Maharashtra Co-operative Societies Act, 1960, XXIV of 1961. for the purposes hereinafter appearing ; and, therefore, promulgated the

Mah. Maharashtra Co-operative Societies (Amendment) Ordinance, 2016, on the Ord. II of 21st January 2016 ; 2016.

(१)

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

Short title  
and commen-  
cement.

1. (1) This Act may be called the Maharashtra Co-operative Societies (Amendment) Act, 2016.

(2) It shall be deemed to have come into force on the 21st January 2016.

Amendment  
of section  
73 CA of  
Mah. XXIV  
of 1961.

2. In section 73CA of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as “the principal Act”), after sub-section (3), the following sub-section shall be inserted, namely :—

Mah.  
XXIV of  
1961.

“(3A) In case of an insured Co-operative Bank, if an order for supersession of its Committee, as per the requisition of the Reserve Bank of India, is made under section 110A, at any time within the period of ten years before the date of commencement of the Maharashtra Co-operative Societies (Amendment) Act, 2016 or at any time after such commencement, then no member of such Committee shall be eligible for being re-appointed, re-nominated, re-elected or re-co-opted on the Committee of such bank or, for being a member, or for being appointed, nominated, elected or co-opted, as a member of Committee of such bank or any other bank, for a period of two terms of the Committee from the date of order of supersession of the Committee.”.

Mah.  
of  
2016.

Repeal of  
Mah. Ord. II  
of 2016 and  
saving.

3. (1) The Maharashtra Co-operative Societies (Amendment) Ordinance, 2016 is hereby repealed.

Mah.  
Ord. II  
of 2016.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

The Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961) provides for orderly development of the co-operative movement in the State. Section 110A of the said Act provides for making order for winding up, reconstruction, suspension or supersession of Committee, etc., of insured co-operative bank, with the sanction or requisition of Reserve Bank of India, in the circumstances stated therein.

The Reserve Bank of India has been pursuing the State Government for taking steps for amending the said Act to provide for disqualification of the entire superseded Board of Directors of Urban Co-operative Banks from being re-elected, re-co-opted or re-nominated as directors of concerned Urban Co-operative Banks for at least two terms so that the public may be protected against repetition of the activities resulting in supersession of the Committee. Section 73-CA of the said Act provides for disqualification of Committee and its Members on the grounds specified therein. With a view to safeguard the interests of the depositors, banks and the State Government and check irregularities in co-operative banks and to improve recovery, the Government considered it expedient to amend the said section 73-CA, suitably. For these purposes, it was proposed to provide that, in case of an insured Co-operative Bank, if an order for supersession of its Committee, as per the requisition of the Reserve Bank of India, is made under section 110A, at any time within the period of ten years before the date of commencement of the proposed provision or at any time after such commencement, then no member of such Committee shall be eligible for being re-appointed, re-nominated, re-elected or re-co-opted on the Committee of such bank or, for being a member, or for being appointed, nominated, elected or co-opted, as a member of Committee of such bank or any other bank, for a period of two terms of the Committee from the date of order of supersession of the Committee.

2. 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, 2016 (Mah. Ord. II of 2016), was promulgated by the Governor of Maharashtra on the 21st January 2016.

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

Mumbai,  
Dated the 1st March 2016.

CHANDRAKANT (DADA) PATIL,  
Minister for Co-operation.