



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ६]

गुरुवार, जानेवारी २१, २०१६/माघ १, शके १९३७

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ८

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 Maharashtra Co-operative Societies (Amendment) Ordinance, 2016 (Mah. Ord. II of 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.

[Translation in English of Maharashtra Co-operative Societies (Amendment) Ordinance, 2016 (Mah. Ord. II of 2016), published under the authority of the Governor].

CO-OPERATION, MARKETING AND TEXTILES DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 21st January 2016.

MAHARASHTRA ORDINANCE No. II OF 2016.

AN ORDINANCE

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

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

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render 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 ;

(१)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title
and commen-
cement.

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

(2) It shall come into force at once.

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

2. In section 73CA of the Maharashtra Co-operative Societies Act, 1960, 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) Ordinance, 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. Ord. of 2016.

STATEMENT

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 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 enable 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 considers it expedient to amend the said section 73-CA, suitably. For these purposes, it is 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 are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render 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, this Ordinance is promulgated.

Mumbai,
dated the 20th January 2016.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

PRABHAKAR DESHMUKH,
Secretary to Government.