



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ७, अंक १८(३)]

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असाधारण क्रमांक ४१

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) Ordinance, 2021 (Mah. Ord. VII of 2021), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

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

[Translation in English of the Maharashtra Co-operative Societies (Amendment) Ordinance, 2021 (Mah. Ord.VII of 2021), 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 1st October 2021.

MAHARASHTRA ORDINANCE No. VII OF 2021.

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 Mah. circumstances exist which render it necessary for him to take immediate XXIV of action further to amend the Maharashtra Co-operative Societies Act, 1960, 1961. for the purposes hereinafter appearing ;

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 :—

(१)

Short title and commencement.

1. (1) This Ordinance may be called the Maharashtra Co-operative Societies (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

Amendment of section 65 of Mah. XXIV of 1961.

2. In section 65 of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as "the principal Act"), in sub-section (2), in second proviso, after the figures and sign "2020-2021" the words, figures and sign "and year 2021-2022" shall be inserted.

Mah. XXIV of 1961.

Amendment of section 75 of Mah. XXIV of 1961.

3. In section 75 of the principal Act,—

(i) in sub-section (1), in first proviso, after the figures and sign "2019-2020" the words, figures and sign "and year 2020-2021" shall be inserted;

(ii) in sub-section (2B), after the figures and sign "2020-2021" the words, figures and sign "and year 2021-2022" shall be inserted.

Amendment of section 81 of Mah. XXIV of 1961.

4. In section 81 of the principal Act, in sub-section (1), in clause (a), in fourth proviso, after the figures and sign "2019-2020", in both the places where they occur, the words, figures and sign "and year 2020-2021" shall be inserted.

STATEMENT

Due to outbreak of the pandemic Covid-19 and the declaration of lockdown in the country, social and economic activities have suffered a setback since 24th March 2020. Due to lockdown, functioning of the co-operative societies in the State has also been adversely affected. As per the report of National Institute of Disaster Management the third wave of Covid-19 is also expected to outbreak in the fourth coming days.

2. As per the provisions of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), and the rules framed thereunder, the co-operative societies are required to appropriate its profit, to conduct their annual general meeting and audit within the stipulated period. However, due to outbreak of the pandemic Covid-19, it is difficult to conduct the same within the stipulated period. It is, therefore, considered expedient to amend the said Act, suitably.

3. The proposed amendments are as follows, namely :—

(i) In section 65, in sub-section (2), in the second proviso of the Maharashtra Co-operative Societies Act, 1960, it is provided that the profit of the society shall be appropriated with the approval of the committee for the financial year 2020-2021 and same shall be laid before annual general meeting of society held thereafter for ratification.

Now, it is proposed to extend the provision also for the financial year 2021-2022.

(ii) In section 75 of the principal Act,—

(a) in sub-section (1), in the first proviso, it is provided that, for the financial year 2019-2020 the society may get its books of accounts audited within nine month from the close of financial year and call the annual general body meeting within twelve month from the close of financial year.

Now, it is proposed to extend the provision also for the financial year 2020-2021.

(b) in sub-section (2B), it is provided that, the committee shall in the financial year 2020-2021 have the power to decide, on the disposal of surplus and annual budget for the next year and to appoint an auditor or auditing firm from a panel approved by the State Government in this behalf, having such minimum qualifications and experience as laid down in section 81. The decisions of the Committee in respect of the above matters shall be laid in the annual general body meeting of a society held thereafter for ratification.

Now, it is proposed to extend the provision also for the financial year 2021-2022.

(iii) In section 81, in sub-section (1), in clause (a), in the fourth proviso, it is provided that, for the financial year 2019-2020, the society shall cause its audit to be completed within a period of nine months from the close of financial year 2019-2020.

Now, it is also proposed to extend the provision for the financial year 2020-2021.

4. 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, for the purpose aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 1st October 2021.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra.

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

ANOOP KUMAR,

Principal Secretary to Government.