



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १०, अंक ९]

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असाधारण क्रमांक २७

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 (Second Amendment) Bill, 2024 (L. A. Bill No. VII of 2024) introduced in the Maharashtra Legislative Assembly on the 29th February 2024, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. VII OF 2024.

A BILL

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

WHEREAS it is expedient further to amend the Maharashtra Co-operative Societies Act, 1960, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :—

Mah.
XXIV
of
1961.

1. This Act may be called the Maharashtra Co-operative Societies (Second Amendment) Act, 2024. Short title.

Mah.
XXIV
of
1961.

2. After section 69 of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely :—

Insertion of
new section
69A in Mah.
XXIV of 1961.

Constitution
of
Co-operative
District Cadre
of Secretaries
and
establishment
of
Employment
Fund for such
Cadre.

“69A. (1) There shall be constituted a Co-operative District Cadre of Secretaries of the Primary Agricultural Co-operative Credit Societies (hereinafter in this section referred to as “the Co-operative District Cadre”) consisting of persons recruited for this purpose by the District Supervision Co-operative Society. The number of persons to be recruited in the Co-operative District Cadre and their conditions of service shall be determined by the District Supervision Co-operative Society in accordance with such general or special guidelines, if any, as may be issued by the State Government, in this behalf, from time to time.

(2) A District Supervision Co-operative Society may, from time to time, depute any person appointed by it to work under any society referred to in sub-section (1) as it may consider necessary. Where any such person is posted to work under any society, his services shall be taken over by the society on such post, for such period and on such other terms and conditions, as the District Supervision Co-operative Society may determine. The person so posted shall draw his salary and allowances from the Fund established under sub-section (4).

(3) The immediate initial supervisory control on the person appointed in the Co-operative District Cadre and deputed or posted to work as a Secretary under each of the societies referred to in sub-section (1) shall vest with the society concerned. Such society shall follow the bye-laws of the District Supervision Co-operative Society regarding the terms and conditions of services of Secretaries.

(4) A District Supervision Co-operative Society shall establish a Fund to be called “the Co-operative District Cadre Employment Fund” and it shall be utilised for meeting the expenses on the salaries, allowances and other emoluments to be paid to the persons appointed to the Co-operative District Cadre and the other expenditure relating to the Cadre.

(5) Every society, which derives any benefit directly from the service of any Secretary belonging to the Co-operative District Cadre shall contribute to the said Fund at such rate and in such manner as may be prescribed by the State Government. In determining the rate of contribution, the State Government shall take into consideration the expenditure referred to in sub-section (4), the services likely to be rendered, the financial condition of the societies, including the loans disbursed and outstanding and other non-credit activities undertaken by the concerned society.

(6) The State Government may make rules regulating all matters connected with or ancillary to the custody and maintenance of, the payment of money into, and the expenditure and withdrawal of money from, the said Fund.”.

3. In section 88 of the principal Act, in sub-section (1), in the first proviso, for the words “within a period of two years”, the words “within a period of one year” shall be substituted.

Amendment
of section 88
of Mah.
XXIV of
1961.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961) aims at the orderly development of the co-operative movement within the State. The Central Government has aimed at transformation of the Primary Agricultural Co-operative Credit Societies into multipurpose business entities, with a view to empower the co-operative sector for economic development of rural area. For smooth functioning and effective control over the said Primary Agricultural Co-operative Credit Societies it is considered necessary to introduce the Co-operative District Cadre of Secretaries of such societies and establishment of the Employment Fund for such Cadre. For the said purposes, it is proposed to insert a new section 69A in the said Act for constitution of Co-operative District Cadre of Secretaries and establishment of the Co-operative District Cadre Employment Fund for such Cadre.

2. It is also proposed to amend section 88 of the said Act with a view to reduce the period of completion of the inquiry and proceedings under sub-section (1) of section 88, by the authorized person, from two years to one year.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated 28th February, 2024.

DILIP WALSE-PATIL,
Minister for Co-operation.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposals for delegation of legislative power, namely :—

Clause 2.— Under this clause, which seeks to insert a new section 69A in the Maharashtra Co-operative Societies Act, 1960,—

(i) in sub-section (5), power is taken to the State Government to prescribe the rate and manner of the contribution to be paid by the society which derives benefit directly from the service of secretary belonging to the Co-operative District Cadre ;

(ii) in sub-section (6), power is taken to the State Government to make rules for regulating all matters connected with or ancillary to the custody and maintenance of, payment of money into, and the expenditure and withdrawal of money from the Co-operative District Cadre Employment Fund.

2. The above-mentioned proposals for delegation of legislative power are of normal character.