

इसे वेबसाईट www.govtpressmp.nic.in से भी डाउन लोड किया जा सकता है.



मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 213]

भोपाल, शनिवार, दिनांक 2 अप्रैल 2011—चैत्र 12 शक 1933

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 2 अप्रैल 2011

क्र. 2164-130-इक्कीस-अ (प्रा.)—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में मध्यप्रदेश सहकारी सोसाइटी (संशोधन) विधेयक, 2011 (क्रमांक 16 सन् 2011) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL**No. 16 of 2011****THE MADHYA PRADESH CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 2011****A Bill further to amend the Madhya Pradesh Co-operative Societies Act, 1960.**

Be it enacted by the Madhya Pradesh Legislature in the Sixty-Second Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Madhya Pradesh Co-operative Societies (Amendment) Act, 2011.

Amendment of Section 53. 2. In Section 53 of the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) (hereinafter referred to as the Principal Act),—

(i) in sub-section (1), fourth proviso shall be omitted;

(ii) after sub-section (13), the following new sub-section shall be added, namely:—

“(14) (a) Notwithstanding anything contained in this Act, in the case of any Co-operative Bank, if so required by the Reserve Bank of India, an order shall be made by the Registrar for the removal of the Board of directors or managing body (by whatever name it is called) and for the appointment of an administrator, to manage the affairs of the co-operative Bank, for such period or periods, not exceeding five years in the aggregate, as may from time to time be specified by the Reserve Bank of India, and the administrator so appointed shall continue to remain in office even after the expiry of his term of office till the date immediately preceding the day of holding the first meeting of the new committee. (b) On such appointment of an administrator, the provisions of sub-sections (4) and (5) shall also be applicable on him. (c) No appeal, revision or review shall lie or be permissible against an order such as is referred to in clause (a) made on the requisition of the Reserve Bank of India and such order shall not be liable to be called in question in any manner.”.

Amendment of Section 59. 3. In Section 59 of the Principal Act, after sub-section (5), the following new sub-section shall be added, namely:—

“(6) (a) The Registrar shall, within a period of one month from the date of completion of inquiry, communicate the report of the inquiry,—

(i) to the society concerned;

(ii) to the applicants or the person authorized by the applicants to receive such a report.

(b) The report of inquiry shall also be supplied on being demanded by—

(i) any member of a society;

(ii) Federation of which the society is a member;

(iii) creditor,

within one month from presenting an application along with prescribed fee.”.

STATEMENT OF OBJECTS AND REASONS

With a view to take stern action without any delay against the Board of Directors of Cooperative Banks on the requisition being made by the Reserve Bank of India to Registrar Cooperative Societies under the provisions of the Madhya Pradesh Cooperative Societies Act, 1960 (No. 17 of 1961), and in order to communicate inquiry report of any inquiry being conducted under this Act to the applicant and the society concerned, certain amendments have become necessary in the Principal Act.

2. In order to achieve the aforesaid objects, this Bill is proposed having the following salient features:—
- (1) Fourth proviso of Section 53(1) has been omitted to avoid delay in taking action against the Board of Directors of Cooperative Banks as required by the Reserve Bank of India.
 - (2) New sub-section (14) has been added in Section 53 to empower the Registrar to supersede the Board of Directors of any Cooperative Bank as required by the Reserve Bank of India in the public interest or for preventing the affairs of the Bank being conducted in a manner detrimental to the interest of the depositors or for securing the proper management of a Bank and to appoint an administrator.
 - (3) Section 59 is suitably amended to make provision for communicating the inquiry report to the society concerned and the applicant.

2. Hence this Bill.

Bhopal :
Dated the 28th March, 2011

GAURI SHANKAR BISEN
Member-in-Charge.