

Maharashtra Co-operative Societies Election to Committee Rules, 2013.

- a. The draft Rules were notified on 19th August 2013 calling for objection and suggestion from any person with respect to the said draft rule. The Government of Maharashtra will take in to consideration objections or suggestions on and after 3rd September 2013.
- b. The Rules have been accordingly finalized.
- c. These Rules shall come in force on such date as a State Government may appoint by notification in official Gazette.
- d. The Rules have been elaborately drafted and divided into XII Parts, largely dealing with:-
 - Classification of Societies,
 - Electoral Roll,
 - Administrative Machinery,
 - Conduct of Election,
 - Polling,
 - Counting of Votes and declaration of Result,
 - Election Expenses,
- e. Special provision for Type “C” class societies and Type “D” class Societies, Corrupt Practices and Electoral Offences. Dispute relating to election will be petition before Co-operative Court.
- f. As per these Rules the societies have been broadly classified into type A, B, C and D category.
- g. Housing Societies having 100 or more members are classified as Type C Societies and the Housing Societies having less than 100 members have been classified as Type D Societies.
- h. The all non-aided Co-operative Industrial Societies or Industrial Estate have been classified as Type C Societies.
- i. The list under Type C Societies includes a residuary entry which includes any other society or class of Societies not falling under Type A, B or D.
- j. There is provision for payment of deposit of Rs. 2,000/- by other than SC/ ST Category and payment of deposit of Rs. 500/- by SC/ ST category candidates

for Managing Committee.

k. Nomination Form Fees will be Rs. 100/-.

Election to the Managing Committee having less than 100 Members

- a. Housing Societies having 100 or more members are classified as Type C Societies and the Housing Societies having less than 100 members have been classified as Type D Societies.
- b. In case of Type D Societies (**Rule 76 PART X**)
 - The Society will prepare the list of voters and submit copy to the election officer within 7 days of its preparation (note that period of 180 days not specified here).
 - Election of these societies will be conducted in the Special General Body Meeting called to this purpose.
 - Such meetings will be presided over by the person appointed by State Co-operative Election Authority.
 - The notice of this Special General Body Meeting will be given at least 15 days before the date of meeting.
 - The General Body of the society by Resolution may submit requisition to the election officer to hold the elections as prescribed for Type C Societies (as per Rule 75).
 - In case of failure of the Special General Body Meeting called for election of the Managing Committee fails to do so the person authorized by State Co-operative Election Authority will report to it and election will be held as per Rule 76.
 - The appointed presiding officer will have no right to cast a vote in any circumstances.
 - Within 15 days of the election of the committee a meeting will be held to elect officer bearers. This meeting will be presided by the officer authorized by the State Co-operative Election Authority.

Election to the Society having 100 or more Members

- a. Housing Societies having 100 or more members are classified as Type C Societies and the Housing Societies having less than 100 members have been classified as Type D Societies.
- b. In case of Type C Societies, the Society has to inform the Jurisdictional Election Officer before 180 days of expiry of the term of the committee along with four copies of list of active members. **(Rule 75 PART IX)**
 - o The election will appoint the returning officer.
 - o Election program will be prepare.
 - o Appeal against rejection of nomination will be prefer to the registrar within 3 days of the rejection.
 - o The registrar will decide within 10 days of the receipt of the Appeal.
 - o The returning office will submit the result to the election officer within two days of the date declare for declaration of result.
 - o The election officer were notify the result within 3 days and will direct the Returning officer to choose office bearer within 10 days.

Election to the Managing Committee:

- a. If the election of the Managing Committee and consequent election of the office bearers is due on or after 14-2-2013 and up to 31-3-2013, the same will be held on or before 31.12.2013.
- b. The committees of which the elections become due after 31.03.2013 shall continue till the election to such societies are held under the amended provisions. Any Managing Committee at present shall continue till the newly elected committee assume office.
- c. All the orders passed by the administrator, liquidator or registrar shall continue for a period mentioned in such order as if such orders are passed under the amended act.
- d. Any proceeding pending before the registrar or other authority shall stand transferred to the respective Authorities under the amended provisions.