

**74. Offences.**-It shall be an offence under this Act, if-

- (a) a committee or an officer or member thereof willfully makes a false report or furnishes false information or dishonestly fails to maintain accounts or dishonestly maintains false accounts; or
- (b) any person collecting share money for a society in formation does not deposit the same in the Madhya Pradesh State Co-operative Bank Ltd., a Central Co-operative Bank, an Urban Co-operative Bank or a Postal Savings Bank, within fourteen days of its receipt; or
- (c) a person collecting the share money for a society in formation makes use of the funds so raised for conducting any business or trading in the name of a society to be registered or otherwise; or
- (d) any officer of a society willfully recommends or sanctions for his own personal use or benefit or for the use or benefit of a person in whom he is interested loan in the name of any other person; or
- (e) an officer or any member destroys, mutilates, alters, falsifies or secretes or is privy to the destruction, mutilation, alteration, falsification or secreting of any books, papers or securities, or makes or is privy to the making of any false or fraudulent entry in any register, book of account or document belonging to the society; or
- (f) an officer or a member who is in possession of information, books and records, willfully fails to furnish such information or produce such books and papers or does not give assistance to a person appointed or authorized by the Registrar under Sections.53, 58, 59, 60. (xx).67 and 70; or
- (g) an officer willfully fails to hand over custody of books, records, cash, security and other property belonging to the society of which he is an officer, to a person appointed under Sec. 53 or 70; or
- (h) a member fraudulently disposes of property over which the society has a prior claim or a member or officer or employee or any person disposes of his property by sale, transfer, mortgage, gift or otherwise with the fraudulent intention of evading the dues of the society; or
- (i) any employer and other director, manager, secretary or other officer or agent acting on behalf of such employer who, without sufficient cause, fails to comply with provisions of sub-section (2) of Sec. 42; or
- (j) any person acquires or abets in the acquisition of any property which is subject to a charge under sub-section (1) of Sec.40; or
- (k) an officer or member of a society or any person does any act or is guilty of omission declared by the rules to be an offence.

**Explanation.**-For the purposes of this section an officer or a member referred to in this section shall include past officer or past member, as the case may be.

**75. Penalties for offences.**-Every committee, officer or past officer or member or past member or an employee or past employee of a society or any other person shall, without prejudice to any action that may be taken against him under any law for the time being in force, be liable to be punished:-

- (a) with fine not exceeding Rs.2, 000, provided that he is convicted of an offence referred to in Sec. 74(a);
- (b) with fine not exceeding Rs.1,000, provided that he is convicted of an offence referred to in Sec. 74(b); or
- (c) with fine not exceeding Rs.1, 000, provided that he is convicted of an offence referred to in Sec.74(c);