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കേരള സർക്കാർ
Government of Kerala
2014



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

Reg. No. KL/TV(N)/634/2012-14

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA
Co-operation (B) Department

ORDER

G. O. (P) No. 66/2014/Co-op. *Dated, Thiruvananthapuram, 14th May, 2014.*

S. R. O. No. 285/2014.—WHEREAS, as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969 (Act 21 of 1969), added as per the Kerala Co-operative Societies (Amendment) Act, 2013 (Act 8 of 2013), election to the committees of Primary Agricultural Credit Societies, Service Co-operative Banks, Farmers Service Co-operative Banks, Rural Banks, Regional Banks, Urban Co-operative Banks, Urban Co-operative Societies, Primary Agricultural and Rural Development Banks and Primary Housing Co-operative Societies shall be conducted on ward basis in accordance with the bye-laws of these societies and the said Amendment Act came into force with effect from 14th February, 2013;

AND WHEREAS, the Registrar of Co-operative Societies reported that the above situation had created ambiguity in conducting election to the committees of above said type of societies and recommended the Government to exempt those societies which were affected by the operation of the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969 for a period of one year from the date of commencement of the said Amendment Act, or till the date of conducting election to the committee after duly registering the bye-laws, in accordance with the provisions of the said Amendment Act, whichever was earlier;

AND WHEREAS, as per G. O. (P) No. 52/2013/Co-op. dated 1st April, 2013, published as S. R. O. No. 265/2013 in the Kerala Gazette Extraordinary No. 942 dated 1st April, 2013, Government exempted the said type of societies from the operation of the third proviso to the sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, for a period of one year from the date of commencement of the Kerala Co-operative Societies (Amendment) Act, 2013 (Act 8 of 2013), or till the date of conducting election to the committees after duly registering their bye-laws in accordance with the provisions of the said Amendment Act which ever was earlier;

AND WHEREAS, the Registrar of Co-operative Societies has now reported that guidelines for fixing the wards of such societies could not be issued as the rules in accordance with the said Amendment Act have not yet been issued and has recommended to the Government to extent the exemption for a further period from 14th February, 2014 to 31st December, 2014 or till the date of conducting election to the committees after duly registering bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier;

AND WHEREAS, the Government have considered the matter in detail and are satisfied that it is necessary in public interest to extent the exemption for a further period from 14th February, 2014 to 31st December, 2014 or till the date of conducting election to the committees after duly registering bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier;

NOW, THEREFORE, in exercise of the powers conferred by Section 101 of the Kerala Co-operative Societies Act, 1969, the Government of Kerala hereby exempt the Primary Agricultural Credit Societies, Service Co-operative Banks, Farmers Service Co-operative Banks, Rural Banks, Regional Banks, Urban Co-operative Banks, Urban Co-operative Societies, Primary Agricultural and Rural Development Banks and Primary Housing Co-operative Societies, from the operation of the

third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, for a further period from 14th February, 2014 to 31st December 2014 or till the date of conducting election to the committees after duly registering bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier.

By order of the Governor,

K. S. SRINIVAS,
Secretary to Government.

Explanatory Note

(This does not form part of the order, but is intended to achieve its general purport.)

As per the new proviso added to sub-section (1) of Section 28 of the Kerala Co-operative Societies Act, 1969 by the Kerala Co-operative Societies (Amendment) Act, 2013 (Act 8 of 2013), election to the committees of Primary Agricultural Credit Societies/Service Co-operative Banks, Farmers Service Co-operative Banks, Rural Banks, Regional Banks, Urban Co-operative Banks, Urban Co-operative Societies, Primary Agricultural and Rural Development Banks and Primary Housing Co-operative Societies shall be conducted on ward basis. However, no exemption was given to the existing affected societies where election procedure was started on the basis of the provisions prior to the commencement of the said Amendment Act and also no time limit was prescribed in the said Amendment Act to the affected societies to implement the said amendment. Therefore, the Registrar of Co-operative Societies requested the Government to exempt the affected societies from the operation of the said amendment. Vide G. O. (P) No. 52/2013/Co-op. dated 1st April, 2013, published as S. R. O. No. 265/2013 in the Kerala Gazette Extraordinary No. 942 dated 1st April, 2013 the Government exempted the societies which were affected by the said amendment from the operation of the third proviso to sub-section (1) of section 28 of Kerala Co-operative Societies Act, 1969 for a period of one year from the date of commencement of the Amendment Act, or till the date of conducting election to the committees after duly registering bye-laws in accordance with the provisions of the said Amendment Act, whichever was earlier. The Registrar of Co-operative

Societies has now reported that guidelines for fixing the wards of such societies could not be issued as the rules in accordance with the said Amendment Act have not yet been issued and has recommended the Government to extent the exemption for a further period from 14th February, 2014 to 31st December, 2014 or till the date of conducting election to the committees after duly registering bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier. The Government have considered the matter in detail and are satisfied that it is necessary in public interest to extent the exemption for a further period from 14th February, 2014 to 31st December, 2014 or till the date of conducting election to the committees after duly registering their bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier.

The order is intended to achieve the above objects.