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കേരള സർക്കാർ
Government of Kerala
2015



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Co-operation (B) Department

ORDER

G. O. (P) No. 68/2015/Co-op. Dated, Thiruvananthapuram, 25th May, 2015.

S. R. O. No. 337/2015. WHEREAS, section 16A and section 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), as amended by the Kerala Co-operative Societies (Amendment) Act, 2013 provided for ensuring participation of members in the management of societies and for exercising the right of a member participation in general body meetings of the societies, respectively, and the above said provisions came into being with effect from 14th February, 2013:

AND WHEREAS, under sub-section (1) of section 16A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), no member shall be eligible to continue to be a member of a Co-operative Society if he.

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(a) is not using the services of the society for two consecutive years or using the services below the minimum level as may be prescribed in the rules or the bye-laws;

(b) has not attended three consecutive general meetings, of the society and such absence has not been condoned by the members in the general meeting;

AND WHEREAS, under section 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), no member of a society shall exercise the right of a member unless he has attended the minimum required general body meeting and minimum level of services as may be prescribed;

AND WHEREAS, under rule 18A of the Kerala Co-operative Societies Rules, 1969, which was inserted through the Kerala Co-operative Societies (Second Amendment) Rules, 2014 issued under G.O. (P) No. 142/2014/Co-op. dated 25th November, 2014 and published as S.R.O. No. 733/2014 in the Kerala Gazette Extraordinary No. 2867 dated 26th November, 2014, stipulates the minimum level of service to be availed by a member in respect of different classes of societies so as to ascertain his eligibility to continue to be a member of that Co-operative Society or to exercise the right of a member of that society;

AND WHEREAS, as per notification issued under G.O. (P) No. 84/2013/Co-op. dated 20th June, 2013 and published as S.R.O. No. 503/2013 in the Kerala Gazette Extraordinary No. 1781 dated 20th June, 2013, the Government of Kerala exempted all societies which were affected by sub-section (1) of section 16A and section 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), for a period of one year from 14th February, 2013, the date of commencement of the Kerala Co-operative Societies (Amendment) Act, 2013 (8 of 2013);

AND WHEREAS, the Registrar of Co-operative Societies has now reported that though the Kerala Co-operative Societies (Second Amendment) Rules, 2014 issued in accordance with the Kerala Co-operative Societies (Amendment) Act, 2013 (8 of 2013), came into force with effect from 26th November, 2014, the societies requested adequate time for implementing the relevant provisions of the said Act and the said Rules in order to prepare the register of the members who are eligible to vote, for conducting election to the Board of Directors upon which administration of the societies are vested with, and that the failure to constitute such Boards in societies will affect the day-to-day functioning of the said societies which will ultimately affect the interests of the general public and hence requested the Government to extend the exemption granted to the Co-operative Societies affected by sub-section (1) of section 16A and

section 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), for a further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015;

AND WHEREAS, the Government have considered the matter in detail and are satisfied that it is necessary, in public interest, to extend the exemption granted as per the notification issued under G.O. (P) No. 84/2013/Co-op. dated 20th June, 2013 and published as S.R.O. No. 503/2013 in the Kerala Gazette Extraordinary No. 1781 dated 20th June, 2013 for a further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015;

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 all societies which are affected by sub-section (1) of section 16A and 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), for a further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015.

By order of the Governor,

P. VENUGOPAL,

Special Secretary to Government.

Explanatory Note

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

As per notification issued under G.O. (P) No. 84/2013/Co-op. dated 20th June, 2013 and published as S.R.O. No. 503/2013 in the Kerala Gazette Extraordinary No. 1781 dated 20th June, 2013, the Government of Kerala exempted all Co-operative Societies which were affected by sub-section (1) of section 16A and section 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), as amended by the Kerala Co-operative Societies (Amendment) Act, 2013 (8 of 2013), for a period of one year from 14th February, 2013, i.e., the date of commencement of the said Amendment Act and the said term expired on 13th February, 2014. As per the Kerala Co-operative Societies (Second Amendment) Rules, 2014, rule 18A was inserted into the Kerala Co-operative Societies Rules, 1969 specifying the minimum level of services to be availed by a member in respect of different classes of societies so as to ascertain the eligibility of a member to continue to be a member of that Co-operative Society

or of a member to exercise the right of a member in that society. Now, the Registrar of Co-operative Societies has requested the Government to extend the exemption granted to the said societies affected by sub-section (1) of section 16A and 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969) for a further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015 as the societies required adequate time for implementing the said provisions of the said Act in order to prepare the register of members who are eligible to vote, for conducting election to the Board of Directors of the society upon which administration of the societies are vested with, and that the failure to constitute the Boards in the societies will affect the day-to-day functioning of the societies which will ultimately affect the interest of the general public. Government have considered the matter in detail and are satisfied that it is necessary, in public interest, to extend the exemption granted from the operation of the provisions of sub-section (1) of section 16A and 19A of the Kerala Co-operative Societies Act, 1969 (21 of 1969) for a further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015.

The order is intended to achieve the above objects.
