



**KERALA GAZETTE**

കേരള ഗസറ്റ്

**EXTRAORDINARY**

അസാധാരണം

**PUBLISHED BY AUTHORITY**

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. II	Thiruvananthapuram, Monday	1st April 2013	No. } 942
വാല്യം 2		2013 ഏപ്രിൽ 1	
	തിരുവനന്തപുരം, തിങ്കൾ	11th Chaithra 1935	നമ്പർ }
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**GOVERNMENT OF KERALA**

**Co-operation (B) Department**

**ORDER**

G. O. (P) No. 52/2013/Co-op. Dated, Thiruvananthapuram, 1st April, 2013.

**S. R. O. No. 265/2013.**—WHEREAS, as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), added as per 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, these societies have to amend heir bye-laws in accordance with the said amendment for conducting election to the committees which requires more time and in some societies election process have already been started in accordance with the provisions existed prior to the commencement of the said Amendment Act;

AND WHEREAS, no exemption was given to the existing 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 amendment;

AND WHEREAS, the Registrar of Co-operative Societies has reported that the above situation has created ambiguity in conducting election to the committees of above said type of societies and has recommended the Government to exempt those societies which are 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 Amendment Act, or till the date of conducting election to the committees after duly registering the 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 exempt those societies which are 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 committees, after duly registering the 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 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 their committees after duly registering their bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier.

By order of the Governor,

DR. V. M. GOPALA MENON,  
*Secretary to Government.*

**Explanatory Note**

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

The Registrar of Co-operative Societies has reported that as per the new proviso added to sub-section (1) of section 28 of 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 amendment. The Registrar of Co-operative Societies has recommended the Government to exempt the affected societies from the operation of the said amendment. The Government have considered the matter in detail and are of the view that it is necessary in public interest to exempt the said affected societies 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 the bye-laws in accordance with the provisions of the said Amendment Act, whichever is earlier.

The order is intended to achieve the above objects.