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കേരള സർക്കാർ
Government of Kerala
2016



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

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണ
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 5	തിരുവനന്തപുരം,	2016 ഡിസംബർ 22	
	വ്യാഴം	22nd December 2016	
Vol. V	Thiruvananthapuram,	1192 ധനു 7	നമ്പർ
	Thursday	7th Dhanu 1192	No. } 2240
		1938 ചൈതം 1	
		1st Pousha 1938	

GOVERNMENT OF KERALA
Co-operation (B) Department
ORDER

G. O. (P) No. 117/2016/Co-op.

Dated, Thiruvananthapuram, 22nd December, 2016.

S. R. O. No. 780/2016.—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 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, 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 types 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, whichever was earlier;

AND WHEREAS, as per G. O. (P) No. 66/2014/Co-op. dated 14th May, 2014 published as S.R.O. No. 285/2014 in the Kerala Gazette Extraordinary No. 1247 dated 15th May, 2014, Government exempted the said types of societies from the operation of the third proviso to sub-section (1) of section 28 of 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 their bye-laws in accordance with the provisions of the said Amendment Act, whichever was earlier;

AND WHEREAS, as per G. O. (P) No. 14/2015/Co-op. dated 21st January, 2015 published as S.R.O. No. 45/2015 in the Kerala Gazette Extraordinary No. 166 dated 21st January, 2015, Government again exempted the said types of 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 1st January, 2015 to 31st December, 2015 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 was earlier;

AND WHEREAS, as per G.O. (P) No. 69/2016/Co-op. dated 30th June, 2016 published as S.R.O. No. 449/2016 in the Kerala Gazette Extraordinary No. 1156 dated 30th June, 2016, Government again exempted the said types of 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 of six months from 1st July, 2016 or till the date of amendment of the Kerala Co-operative Societies Act or Rules incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, whichever was earlier;

AND WHEREAS, the Registrar of Co-operative Societies has requested Government to extend the exemption for a further period of six months from 1st January, 2017 or till the date of amendment of the Kerala Co-operative Societies Act, 1969 or Rules made thereunder incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969 (2 of 1969), whichever is earlier, as the circumstance which led to the issuance of the said previous Orders are still in existence;

AND WHEREAS, the Government have considered the matter in detail and are satisfied that it is necessary in public interest to extend the exemption for a further period of six months from 1st January, 2017 or till the date of amendment of the Kerala Co-operative Societies Act, 1969 or Rules made thereunder incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, whichever is earlier;

NOW, THEREFORE, in exercise of the powers conferred by section 101 of the Kerala Co-operative Societies Act, 1969 (2 of 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 (21 of 1969), for a period of six months from 1st January, 2017 or till the date of amendment of the Kerala Co-operative Societies Act, 1969 or the Rules made thereunder or Rules incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, whichever is earlier.

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 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 (21 of 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. 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 types 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 bye-laws in accordance with the provision of the said Amendment Act, whichever was earlier. The exemption granted was extended further for the period from 14th February, 2014 to 31st December, 2014 as per G.O. (P) No. 66/2014/Co-op. dated

14th May, 2014 published as S.R.O. No. 285/2014 in the Kerala Gazette Extraordinary No. 1247 dated 15th May, 2014, and for the period from 1st January, 2015 to 31st December, 2015 as per G.O. (P) No. 14/2015/Co-op. dated 21st January, 2015 published as S.R.O. No. 45/2015 in the Kerala Gazette Extraordinary No. 166 dated 21st January, 2015, and for the period from 1st January, 2016 to 30th June, 2016 as per G.O. (P) No. 10/2016/Co-op. dated 30th January, 2016 published as S.R.O. No. 99/2016 in the Kerala Gazette Extraordinary No. 213 dated 30th January, 2016, and for a period of six months from 1st July, 2016 or till the date of amendment of the Kerala Co-operative Societies Act or Rules incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969 whichever was earlier vide G.O. (P) No. 69/2016/Co-op. dated 30th June, 2016 published as S.R.O. No. 449/2016 in the Kerala Gazette Extraordinary No. 1156 dated 30th June, 2016. The Registrar of Co-operative Societies has reported that the circumstance which led to the issuance of the said previous Orders are still in existence and requested Government to extend the exemption for a further period of six months from 1st January, 2017 or till the date of amendment of the Kerala Co-operative Societies Act, 1969 or Rules incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, whichever is earlier. The Government have considered the matter in detail and are satisfied that it is necessary in public interest to extend the exemption for a further period of six months from 1st January, 2017 or till the date of amendment of the Kerala Co-operative Societies Act, 1969 (21 of 1969) or the Rules made thereunder incorporating necessary provisions for clearing off the ambiguity regarding formation of wards as per the third proviso to sub-section (1) of section 28 of the Kerala Co-operative Societies Act, 1969, whichever is earlier.

The order is intended to achieve the above object.