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കേരള സർക്കാർ
Government of Kerala
2017



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 6 Vol. VI	തിരുവനന്തപുരം, ചൊവ്വ Thiruvananthapuram, Tuesday	2017 ഫെബ്രുവരി 14 14th February 2017	നമ്പർ } 266 No. }
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GOVERNMENT OF KERALA

Co-operation (B) Department

ORDER

G. O. (P) No. 9/2017/Co-op.

Dated, Thiruvananthapuram, 14th February, 2017
2nd Kumbham, 1192.

S. R. O. No. 76/2017.—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 (8 of 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,—

(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, stipulated 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 (Second Amendment) Act, 2013 (8 of 2013);

AND WHEREAS, as per notification issued under G. O. (P) No. 68/2015/Co-op. dated 25th May, 2015 and published as S.R.O. No. 337/2015 in the Kerala Gazette Extraordinary No. 1268 dated 25th May, 2015,

the Government of Kerala again 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 further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015;

AND WHEREAS, as per notification issued under G. O.(P) No. 100/2016/Co-op. dated 15th October, 2016 and published as S.R.O. No. 643/2016 in the Kerala Gazette Extraordinary No. 1795 dated 18th October, 2016, the Government again 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 further period of one year one month and fourteen days from 1st January, 2016 to 14th February, 2017;

AND WHEREAS, it has been brought to the notice of the Government that in some societies where annual general body meeting could not be conducted for the last three years and above and some members could not achieve the minimum level of services in advance as intended by sub-section (1) of section 16A of the said Act;

AND WHEREAS, Government have considered the matter in detail and are satisfied that it is necessary in public interest to extend the exemption granted as per G. O. (P) No. 100/2016/Co-op. dated 15th October, 2016 and published as S.R.O. No. 643/2016 in the Kerala Gazette Extraordinary No. 1795 dated 18th October, 2016, for a further period of ten months and fourteen days from 15th February, 2017 to 31st December, 2017 or till the date of incorporating necessary provisions in this regard in the Kerala Co-operative Societies Act, 1969, whichever is earlier, to the societies where annual general body meeting could not be conducted for the last three years and above and in the case of societies where some of their members could not achieve the minimum level of services in advance as intended by sub-section (1) of section 16A of the Act.

NOW, THEREFORE, in exercise of the powers conferred by section 101 of the Kerala Co-operative Societies Act, 1969 (21 of 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 ten months and

fourteen days from 15th February, 2017 to 31st December, 2017 or till the date of incorporating necessary provisions in this regard in the Kerala Co-operative Societies Act, 1969, whichever is earlier.

By order of the Governor,

P. S. RAJESH,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the order, but is intended to achieve 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 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), the date of commencement of the Kerala Co-operative Societies (Second Amendment) Act, 2013 (8 of 2013) for a period of one year from 14th February, 2013 and as per notification issued under G. O. (P) No. 68/2015/Co-op. dated 25th May, 2015 and published as S.R.O. No. 337/2015 in the Kerala Gazette Extraordinary No. 1268 dated 25th May, 2015, the Government of Kerala again 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 further period of one year ten months and fifteen days from 14th February, 2014 to 31st December, 2015 and as per notification issued under G. O. (P) No. 100/2016/Co-op. dated 15th October, 2016 and published as S.R.O. No. 643/2016 in the Kerala Gazette Extraordinary No. 1795 dated 18th October, 2016, the Government of Kerala again exempted all societies for a further period of one year one month and fourteen days from 1st January, 2016 to 14th February, 2017. As per the Kerala Co-operative Societies (Second Amendment) Rules, 2014, rule 18A was inserted into the Kerala Co-operative Rules, 1969 specifying the minimum level of services to be availed by a member in respect of different classes 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. It has been brought to the notice of the Government that in some societies annual general body meeting could not be conducted for the last three years and above and some members could not achieve the minimum level of services in advance as intended by sub-section (1) of section 16A of the Act. Now, the Government have considered it is necessary in public interest to extent the exemption for a further period of ten months and fourteen days from 15th February, 2017 to 31st December, 2017 or till the date of incorporating necessary provisions in this regard in the Kerala Co-operative Societies Act, 1969, whichever is earlier.

The order is intended to achieve the above object.