

BEFORE THE SENIOR INSPECTOR (CREDIT)
COOPERATIVE DEPARTMENT, GOVERNMENT OF PUDUCHERRY.

NMD No. 1 of 2024-25

Present: Tmt. V.SATHYA
SENIOR INSPECTOR (CREDIT)

P.SARAVANAN, Dairy Helper, (Employee No.1837)
(Marketing Wing)
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.

>>> **Petitioner**

Vs.

- (1) The Managing Director**
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.
- (2) V.SURIYA, Junior Assistant (Employee No.1888)**
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.
- (3) M.MATHAN, Junior Assistant (Employee No.2061)**
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.
- (4) K.SARANYA, Junior Assistant (Employee No.2091)**
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.
- (5) K.RADJESPARY, Junior Assistant (Employee No.2111)**
Pondicherry Cooperative Milk Producers Union Ltd., No.P.1
PONLAIT Campus, Vazhudavoor Road, Kurumampet
Puducherry – 605 009.

>>> **Respondents**

ORDER

(Issued under Section 84 of the Puducherry Cooperative Societies Act, 1972 read with Rule 67 of the Puducherry Cooperative Societies Rules, 1973)

The above-named Petitioner, an employee of the Pondicherry Cooperative Milk Producers Union Ltd., No.P.1 (**for brevity “the Union”**) filed this dispute, dated **03.07.2024** before the Registrar of Cooperative Societies (**for short “the RCS”**),



Puducherry, under Section 84 of the Puducherry Cooperative Societies Act, 1972, (**for short “the Act”**) and prayed for a direction to the 1strespondent-Union to appoint / promote him as “Junior Assistant” in the Union. The Petitioner also prayed to place him in seniority ahead of Respondents 2 to 5 herein, who work as “Junior Assistants” in the Union and who are juniors to him in the Union.

[2] This dispute was taken up by the RCS and transferred to the undersigned for adjudication, vide proceedings dated **30.07.2024**.

[3] The 1strespondent-Union filed its counters dated **24.06.2025** and **26.07.2025**. The Petitioner filed his rejoinders dated **07.07.2025** and **06.08.2025**. No one has filed their written arguments.

[4] On perusal of the records and documents made available in this dispute, the following indisputable facts and events, in chronological order, are revealed:

- a) The 1strespondent-Union is a registered central level cooperative credit society, registered under the Act.
- b) The Petitioner was engaged as “Casual worker” in the Union on **29.10.2009**. Later on, he worked on “Consolidated Pay” w.e.f. **01.11.2011**.
- c) The Petitioner possesses “B.A. (Economics) under-graduate degree”. The Petitioner also completed “Tally Accounting Package”. The Petitioner requested the 1st respondent-Union to record his educational qualifications in his service records, vide his representations dated **21.01.2011**, **28.04.2020**, **07.05.2020**, and **03.03.2021**.
- d) The Petitioner was appointed as “Dairy Helper”, vide Office Order dated **01.03.2016**.
- e) The 2nd to 5th respondents were appointed as “Dairy Helper”, vide Office Order dated **31.08.2018**. Surprisingly, within a period of one month, the said Office Order dated **31.08.2018** was partially modified, and whereby, the 2nd to 5th respondents were appointed as “Junior Assistants”, vide Office Order dated **28.09.2018**.



- f) The Petitioner requested the 1st respondent-Union to appoint him as "Junior Assistant", vide his representations dated 28.04.2020, 07.05.2020, 03.03.2021, 21.11.2011, 25.02.2021, 03.03.2021, 20.09.2022 and 13.06.2024.
- g) The then Managing Director of the 1st respondent-Union. vide Memorandum dated 31.08.2024, gave a reply to the Petitioner in the matter of promotion.
- h) The RCS approved the Cadre Staff Strength of the 1st respondent-Union, vide Order dated 02.08.2024. The said staff strength includes the posts of "Dairy Helper" and "Junior Assistant". It was deposed that, the 1st respondent-Union didn't have approved Cadre Staff Strength since 01.01.2009.

[5] It is evident that, the Petitioner made various representations to the 1st respondent-Union for appointing / promoting him as "Junior Assistant". The Petitioner was given a reply, vide the said Memorandum dated 31.08.2024. The said reply doesn't have any convincing answer as to why the Petitioner is not considered for the post of "Junior Assistant". It is obvious that the Petitioner's representations were not properly answered by the 1st respondent-Union for reasons unknown. In service matters, the management of the 1st respondent-Union must redress the grievances of its employees, strictly in accordance with the registered byelaws of the Union, subsidiary regulations governing the service conditions of the employees of the Union as approved by the RCS and the sanctioned staff strength of the Union as approved by the RCS.

[6] The recruitment to the post of Junior Assistant is to be made by direct recruitment and by promotion from among the existing employees of the 1st respondent-Union, who work as Vendor Grade-1, in the ratio of 3:1. For the post of "Junior Assistant", the eligibility criteria for direct recruitment and promotion are given below:

Name of the post	By Direct Recruitment	By Promotion
Junior Assistant	<i>A pass in S.S.L.C. or its equivalent or complete with a successful course of training in any of the Cooperative institute.</i>	From Vendor Grade-I, who has S.S.L.C. or its equivalent and cooperative training.



In view of the above, it is evident that, possessing of an under-graduate degree is not mandatory for the post of "Junior Assistant" either for direct recruitment or for promotion.

[7] The following information is made available in this dispute:

No.	Name of the party		Employee No.	Date of engagement / appointment as	
				Casual Labour	Dairy Helper
1	P.SARAVANAN	Petitioner	1837	29.10.2009	01.03.2016
2	V.SURIYA	2 nd Respondent	1888	12.05.2010	31.08.2018
3	M.MATHAN	3 rd Respondent	2061	18.01.2012	31.08.2018
4	K.SARANYA	4 th Respondent	2091	02.03.2012	31.08.2018
5	K.RADJESPARY	5 th Respondent	2111	22.08.2012	31.08.2018

In view of the above, it is evident that, the Petitioner is senior than the respondents 2 to 5 herein in the post of "Dairy Helper".

[8] The defense made by the 1st respondent-Union, in its counters, in the matter of non-appointment of the Petitioner to the post of "Junior Assistant", seems to be face-saving work in as much as the respondents 2 to 5 were promoted / appointed in the post of "Junior Assistant" in violations of the provisions of staff service regulations and the principles of natural justice. Further, copies of staff service book, maintained and produced by the 1st respondent-Union, don't speak on its own and found incompleteness.

[9] The 1st respondent-Union doesn't file its written arguments. Further, the authorized representative of the 1st respondent-Union has refused to give answers for few simple questions made by the undersigned and sought for two weeks' time to give oral deposition. The purpose of authorizing a representative, to defend the case and to protect the interest of the 1st respondent-Union, itself is defeated and seems to be meaningless when such representative keeps silence, refuses to answer / to clarify and seeks time during personal hearings.



[10] On the above premises, the management of the 1st respondent-Union is directed to promote the Petitioner as "Junior Assistant" in the Union, with retrospective effect from the date on which his juniors, viz., the 2nd to 5th respondents herein, were promoted / appointed as "Junior Assistants" with all service benefits. In respect of seniority, the Petitioner should be placed ahead of the respondents 2 to 5 herein in the post of "Junior Assistant". The said management is also directed to comply this direction, as early as possible, positively within a period of one month from the date of this order. No costs.

Pronounced in the open court on this 26th day of September, 2025
(26.09.2025).



V. Sathya
(V.SATHYA)
SENIOR INSPECTOR (CREDIT)

To:

- 1) The Petitioner
- 2) The Respondents

Copy to:

- 1) The Dairy Development Officer,

Coop. Dept., Puducherry.

>>> for information

- 2) Stock File, 2025, Coop. Legal Cell, Coop. Dept., Puducherry.

- ✓ 3) The Web Editor, Coop. Dept., Puducherry.

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