

No.5/11/1/5/RCS/PLG/M/2018/
GOVERNMENT OF PUDUCHERRY
CO-OPERATIVE DEPARTMENT

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Puducherry, the 22nd January 2018

CIRCULAR

Sub: Conduct of election to the primary co-operative societies –
Reservation of seats for the members of the Scheduled Caste in the
committee of management – Instructions – Issued.

Ref: Circular No. RCS/CLC/CIR/2011/127 dated 6.12.2011 of the
Co-operative Department, Puducherry.

Kind attention is invited to the circular cited, wherein the primary co-operative societies in the Union territory of Puducherry were informed that Section 32 (3) of the Puducherry Co-operative Societies Act, 1972 was amended with a view to provide reservation of seats in the committee of management of primary societies for the members belonging to scheduled castes. By this amendment it is mandatory to reserve one seat if the committee consists of not exceeding nine members, for the members belonging to scheduled caste, who shall be elected by and from among the members of such society. If the strength of the committee exceeds nine members, two seats shall be reserved in the committee for the members belonging to scheduled caste.

2. This amendment shall be applicable to all primary societies except student stores, fishermen societies and societies formed exclusively for scheduled caste members.

3. Instructions were issued, vide reference cited, followed by few reminders, to the chief executives of the primary societies to arrange to amend their bye-laws so as to provide reservation for the members of scheduled caste in the committee. On review, it is found that still there are good number of societies which have not amended the bye-laws to provide the above reservation.

4. Efforts are on to install elected committee of management to all co-operative societies in the Union territory of Puducherry. To conduct election

to the primary co-operative societies, it is imperative that the bye-laws provide reservation for scheduled caste members in the committee of management. If election is notified without providing reservation for scheduled caste members in the committee, such election will be a nullity in the eyes of law.

5. The Hon'ble High Court of Madras in *M. Bharath Kumar vs. Union of India and others*, W.P. 20918/2016 dated 23.6.2016 has set aside the election notification issued by a primary society without providing reservation for scheduled caste members in the committee and directed to issue fresh notification after carrying out the amendment to provide reservation, as mandated by Section 32 (3) of the Act.

6. Instructions are, therefore, issued to all the primary co-operative societies, except student stores, fishermen societies and societies formed exclusively for scheduled caste members, to arrange to convene the general body meeting of the societies to propose amendment of the relevant bye-laws to provide reservation as indicated above, forthwith. The proposal for amendment of bye-laws shall be sent to this office for registration. The entire exercise shall be completed by **10th February 2018** positively.

7. It is strictly informed that the chief executives of such societies which do not comply with the above instructions will have to face action, in accordance with law.


(Dr. A.S. SIVAKUMAR)

REGISTRAR OF CO-OPERATIVE SOCIETIES

To

The President/Administrator/Managing Director/Secretary
Primary Co-operative Societies [except student stores, fishermen societies and
societies formed exclusively for scheduled caste members],
Puducherry/Karaikal/Mahe/Yanam

Copy to:

All Branch/Regional Officers – for follow up action.

Website.