

**പതിനാലാം കേരള നിയമസഭ
രണ്ടാം സമ്മേളനം**

നക്ഷത്ര ചിഹ്നമിടാത്ത
ചോദ്യം നമ്പർ : 4526

25.10.2016-ൽ മറുപടിയ്ക്ക്

സഹകരണ സ്ഥാപനങ്ങളിൽ നിയമനം

ചോദ്യം

ശ്രീ. ബി.സത്യൻ

മറുപടി

ശ്രീ. എ.സി.മൊയ്തീൻ

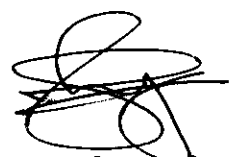
(സഹകരണവും വിനോദസഞ്ചാരവും വകുപ്പ്
മന്ത്രി)

എ) സംസ്ഥാനത്ത് സഹകരണ (എ) ഉണ്ട്.
സ്ഥാപനങ്ങളിൽ വിവിധ
തസ്തികകളിലേക്ക് നിയമനം
നടത്തുമ്പോൾ സംവരണ തത്വം
പാലിക്കാറുണ്ടോ;

ബി) ഉണ്ടെങ്കിൽ ഏതെല്ലാം (ബി) കേരള പബ്ലിക് സർവ്വീസ് കമ്മീഷൻ മുഖേന
സ്ഥാപനങ്ങളിലാണ് ഈ നിയമനങ്ങൾ നടത്തുന്നതിനായി വ്യവസ്ഥ
രീതിയിൽ നിയമനം ചെയ്തിട്ടുള്ള അപ്പക്സ് സഹകരണ
നടത്തുന്നതെന്നും ഏത് സ്ഥാപനങ്ങളിലെയും ജില്ലാ സഹകരണ
ഉത്തരവിന്റെ അടിസ്ഥാനത്തിൽ ബാങ്കുകളിലെയും നിയമനങ്ങളിൽ 1969 ലെ കേരള
ലാഭനേരം വിശദമാക്കുമോ; പകർപ്പ് സഹകരണ സംഘം നിയമം, വകുപ്പ് 80 (3 എ എ)
ഉത്തരവിന്റെ പകർപ്പ് ലഭ്യമാക്കുമോ? പ്രകാരം 1958 ലെ കെ.എസ്.&എസ്.എസ്.ആർ
ലെ ചട്ടം 14 മുതൽ 17 വരെയുള്ള മറ്റ് സാമൂഹിക
സംവരണം നൽകുന്നതിനും വകുപ്പ് 80(4) പ്രകാരം
മൊത്തം ജീവനക്കാരുടെ 10% തസ്തികകൾ
പട്ടികജാതി-പട്ടികവർഗ്ഗക്കാർക്കായി സംവരണം
നൽകുന്നതിനും വകുപ്പ് 80 (5) പ്രകാരം ആകെയുള്ള
തസ്തികയുടെ 3% ഭിന്നശേഷിക്കാർക്കായി സംവരണം
നൽകുന്നതിനും വ്യവസ്ഥ ചെയ്തിട്ടുണ്ട്.

പരിമിതമായ ജീവനക്കാരുള്ള പ്രാഥമിക സംഘങ്ങളിൽ/ബാങ്കുകളിൽ വകുപ്പ് 80(4) പ്രകാരമുള്ള പട്ടികജാതി-പട്ടികവർഗ്ഗ സംവരണവും വകുപ്പ് 80(5) പ്രകാരമുള്ള ഭിന്നശേഷിക്കാരുടെ സംവരണവും മാത്രമേ നൽകുന്നതിന് വ്യവസ്ഥ ചെയ്തിട്ടുള്ളൂ. ഇതുമായി ബന്ധപ്പെട്ട നിയമ ഭേദഗതി ഉത്തരവുകളുടെ പകർപ്പുകൾ ഉള്ളടക്കം ചെയ്യുന്നു.

പരിമിതമായ ജീവനക്കാരുള്ള പ്രാഥമിക സംഘങ്ങളിൽ/ബാങ്കുകളിൽ വകുപ്പ് 80(4) പ്രകാരമുള്ള പട്ടികജാതി-പട്ടികവർഗ്ഗ സംവരണവും വകുപ്പ് 80(5) പ്രകാരമുള്ള ഭിന്നശേഷിക്കാരുടെ സംവരണവും മാത്രമേ നൽകുന്നതിന് വ്യവസ്ഥ ചെയ്തിട്ടുള്ളൂ. ഇതുമായി ബന്ധപ്പെട്ട നിയമ ഭേദഗതി ഉത്തരവുകളുടെ പകർപ്പുകൾ ഉള്ളടക്കം ചെയ്യുന്നു.



സെക്ഷൻ ഓഫീസർ

Government of Kerala
1986

Reg. No. KL/TW/86/2



KERALA GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

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9th Agradayana 1908

GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 18531/Leg.B/86/Law. Dated, Trivandrum, 30th November, 1986
9th Agradayana, 1908.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 28th day of November, 1986.

By order of the Governor,

E. J. ANTONY PANJIKARAN,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM 1986.

33/5273/MC.

ACT 29 OF 1986

THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT)
ACT, 1986

An Act further to amend the Kerala Co-operative Societies Act, 1969.

Preamble.—WHEREAS it is expedient further to amend the Kerala Co-operative Societies Act, 1969, for the purposes hereinafter appearing;

BE it enacted in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Co-operative Societies (Amendment) Act, 1986.

(2) Sections 2, 3 and 6 shall be deemed to have come into force on the 25th day of February, 1985, sections 4 and 5 shall be deemed to have come into force on the 15th day of May, 1969, sections 7 and 8 shall be deemed to have come into force on the 14th day of February, 1986 and the remaining provisions of this Act shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Kerala Co-operative Societies Act, 1969 (21 of 1969) (hereinafter referred to as the principal Act),—

(1) after clause (o), the following clause shall be inserted, namely:—

“(oa) “primary credit society” means a society other than an apex or central society which has as its principal object the raising of funds to be lent to its members;”;

(2) after clause (q), the following clauses shall be inserted, namely:—

“(qa) “Scheduled Castes” means the Scheduled Castes in relation to the State of Kerala as specified in the Constitution (Scheduled Castes) Order, 1950;

“(qb) “Scheduled Tribes” means the Scheduled Tribes in relation to the State of Kerala as specified in the Constitution (Scheduled Tribes) Order, 1950;”.

3. *Insertion of new section 28A.*—After section 28 of the principal Act, the following section shall be inserted, namely:—

“28A. *Reservation for women members and members belonging to Scheduled Castes or Scheduled Tribes in the committee.*—(1) Notwithstanding anything contained in sub-section (1) of section 28, there shall be reserved in the committee of every primary credit society, one seat for a woman member and one seat for a member belonging to the Scheduled Castes or Scheduled Tribes and for that purpose, the society may, if they consider it necessary so to do, increase the total number of members of the committee by two more members.

(2) Nothing contained in sub-section (1) shall prevent the women members and members belonging to the Scheduled Castes or Scheduled Tribes from being elected to the non-reserved seats in the committee."

4. *Amendment of section 69.*—In section 69 of the principal Act, to sub-section (1), the following *Explanation* shall be added, namely:—

"*Explanation.*— In this section and in section 70, the term "Registrar" means the Registrar of Co-operative Societies appointed under sub-section (1) of section 3 and includes any person on whom the powers of the Registrar under this section and section 70 are conferred."

5. *Amendment of section 70.*—In section 70 of the principal Act, to sub-section (1), the following proviso shall be added, namely:—

"Provided that a transfer under clause (b) or a reference under clause (c) shall not be made to a person equal or superior to him in rank."

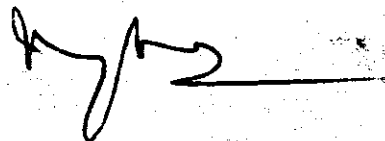
6. *Amendment of section 80.*—In section 80 of the principal Act, after sub-section (3) the following sub-section shall be added, namely:—

(4) Notwithstanding anything contained in sub-section (1) or sub-section (2), ten per cent of the posts of employees of every society shall be reserved for appointment from persons belonging to the Scheduled Castes and Scheduled Tribes where the method of appointment to such posts is by direct recruitment.

7. *Amendment of section 88.*—In sub-section (5) of section 88 of the principal Act, for the words "three years", the words "five years" shall be substituted.

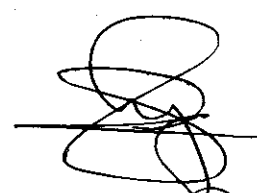
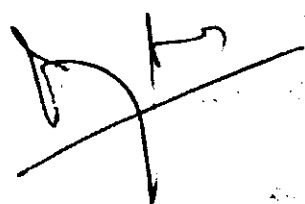
8. *Amendment of section 89.*—In sub-section (6) of section 89 of the principal Act, for the words "three years", the words "five years" shall be substituted.

9. *Validation.*—Notwithstanding anything contained in any law for the time being in force, or in any judgement, decree or order of any court or other authority, any transfer or reference of a dispute under clause (b) or clause (c), as the case may be, of sub-section (1) of section 70 of the principal Act, made before the date of publication of this Act in the Gazette by any person on whom the powers of the Registrar under sections 69 and 70 of the said Act have been conferred shall be, and shall be deemed always to have been valid and in accordance with law, and accordingly, any decision taken or award passed by any person in pursuance of any such transfer or reference, as the case may be, shall not be deemed to be invalid or ever to have been invalid merely on the ground that such transfer or reference was made by any person other than the Registrar appointed under sub-section (1) of section 3 of the principal Act and any such decision or award shall not be called in question in any court on the said ground.



10. *Repeal and saving.*—(1) The Kerala Co-operative Societies (Amendment) Ordinance, 1986 (55 of 1986) and the Kerala Co-operative Societies (Second Amendment) Ordinance, 1986 (59 of 1986), are hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinances shall be deemed to have been done or taken under the principal Act as amended by this Act.



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ACT 7 OF 2010

THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT)
ACT, 2010

An Act further to amend the Kerala Co-operative Societies Act, 1969.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Co-operative Societies Act, 1969, for the purposes hereinafter appearing;

BE it enacted in the Sixty First Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Co-operative Societies (Amendment) Act, 2010.

(2) It shall come into force at once.

2. *Amendment of the Preamble.*—In the Kerala Co-operative Societies Act, 1969 (21 of 1969) (hereinafter referred to as the principal Act), in the Preamble,—

(i) for the words “by organising the Co-operative Societies as self governing” the words “it is essential to organise the Co-operative Societies in accordance with Co-operative principles as self governing” shall be substituted;

(ii) after the words “Constitution of India” the words “and to promote scientific and technological development, health care, market intervention and management excellence in the Co-operative Sector” shall be inserted.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(i) after clause (ec), the following clause shall be inserted, namely:—
“(ecc) ‘Co-operative Ombudsman’ means the person or persons appointed under sub-section (2) of section 69A ;”;

(ii) for clause (hb), the following clause shall be substituted, namely:—
“(hb) ‘Director of Co-operative Audit’ means the Director of Co-operative Audit appointed under sub-section (1) of section 63 and any officer to whom all or any of the powers of the Director

27. *Amendment of section 80.*—In section 80 of the principal Act,—

(i) in sub-section (3A), after the words “the Kerala Public Service Commission”, the following words shall be added, namely:—

“and in making such recruitment the reservation principles under rule 14 to 17 of the Kerala State and Subordinate Service Rules, 1958 shall be followed.”;

(ii) after sub-section (3A), the following sub-section shall be inserted, namely:—

“(3AA) Notwithstanding anything contained in this Act or any other law, or judgment or order of any court, all appointments already made on the advice by the Kerala Public Service Commission following the reservation principles under rule 14 to 17 of the Kerala State and Subordinate Service Rules, 1958 to the societies mentioned in the schedule for which direct recruitment shall be resorted to shall be deemed to have been validly done as if such provisions were in force at that time.”;

(iii) after sub-section (4), the following sub-sections shall be inserted, namely:—

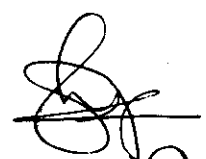
“(5) Notwithstanding anything contained in sub-section (1) or (2), three per cent of the total posts of employees of every society shall be reserved for physically handicapped persons having disability of forty per cent or above, as certified by the medical board and the procedure of appointment shall be such as may be prescribed:

Provided that in societies where there are more than ten and less than thirty three employees including cadre and sanctioned posts, there shall be reserved a minimum of one employee belonging to physically handicapped persons.

(6) Government shall have power to fix the pay, allowances and other benefits of employees of co-operative societies :

Provided that the Government may direct the Registrar to fix the pay and allowances of employees of co-operative societies, whose pay and allowances are not fixed by Government as per this sub-section.

(7) Notwithstanding anything contained in the bye-laws, a society shall not pay bonus to its employees exceeding the amount and the rate fixed by the Government or the Registrar from time to time.


amended O. S. Murd