



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the 6th October 2012 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 17 OF 2012.

An Ordinance further to amend the Tamil Nadu Co-operative Societies Act, 1983.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:-

1. (1) This Ordinance may be called the Tamil Nadu Co-operative Societies (Fourth Amendment) Ordinance, 2012.

Short title and
commence-
ment.

(2) It shall come into force at once.

2. After section 33 of the Tamil Nadu Co-operative Societies Act, 1983, the following section shall be inserted, namely:—

Insertion of
new
section 33-A.

“33-A. Tamil Nadu State Co-operative Societies Election Commission.—

(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society shall vest in the Tamil Nadu State Co-operative Societies Election Commission consisting of a Tamil Nadu State Co-operative Societies Election Commissioner.

Tamil Nadu
Act 30 of
1983.

(2) The Tamil Nadu State Co-operative Societies Election Commissioner shall be appointed by the Government.

(3) No person shall be qualified for appointment as Tamil Nadu State Co-operative Societies Election Commissioner unless he is or has been an officer of the Government not below the rank of Secretary to the Government.

(4) The Tamil Nadu State Co-operative Societies Election Commissioner shall hold office for a term of five years from the date on which he enters upon his office:

Provided that a person appointed as Tamil Nadu State Co-operative Societies Election Commissioner shall retire from office if he completes the age of sixty-five years during the term of his office.

(5) Subject to the provision of sub-section (3), the conditions of service of the Tamil Nadu State Co-operative Societies Election Commissioner shall be such as may be prescribed.

(6) The Government may make available to the Tamil Nadu State Co-operative Societies Election Commission such staff as may be necessary for the discharge of the functions conferred on the Tamil Nadu State Co-operative Societies Election Commission by sub-section (1)."

6th October 2012.

K. ROSAIAH,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

As per clause (2) of Article 243 ZK in Part IXB of the Constitution of India, as inserted by the Constitution (Ninety-seventh Amendment) Act, 2011, the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society, shall vest in such authority or body, as may be provided by the Legislature of a State, by Law.

2. Accordingly, the Government have decided to constitute a separate Co-operative Societies Election Commission to conduct free and fair elections to all Co-operative Societies in this State, by amending the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) suitably for this purpose.

3. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

G. JAYACHANDRAN,
*Secretary to Government,
Law Department.*