



ELECTION IMMEDIATE

To

The State Election Officers,

Rc.348/2013/CE-5

Dated.22.03.2013

Sir,

Sub: Election - Conduct of Election of Members to the Boards and Office Bearers of Co-operative Societies- Casting votes by members of certain Co-operative Societies and who are deputed for election duty in the Election to Co-operative Societies – Guidelines – Regarding.

In the process of the conduct of election to Co-operative Societies, officers of Government Departments or officers and employees of Co-operative Societies or Local Authorities or undertakings owned by the state or central government or educational institutions may be appointed as Election Officers and / or Polling Officers by the District Election Officers or the Election Officers as the case may be and as provided under clause (a) of sub rule (3) of rule 52 of the TNCS Rules 1988 (herein after rules).

(2) During meetings of the State Election Officers, more so specifically from the Registrar of Cooperative Societies / State Election Officer through his letter Rc.No.23598/2012/CE1 dated 20.03.2013 and also by employees associations, through their petitions presented to the Commission it was represented that:-

- (1) Those persons referred to under para (1) above and are appointed as Election Officers and Polling officers, as stated thereunder, could not cast their votes in the election of members to the Boards of these societies in case of a contest.
- (2) Section 26(1) (c) of the TNCS Act, 1983, provides that 'no Member of a registered society shall be deprived of his right to vote in the election of the Members of the Board of such society'.
- (3) And therefore by the said appointment under rule 52 (3) (a) of the rules, these persons mentioned under para (1) above could not exercise such voting rights and,
- (4) They should, therefore, be allowed to exercise their voting rights by issuing appropriate guide lines by the commission and to remove these difficulties.

(3) The Commission examined their representation carefully and observes that, the appointments of these persons have been made based only on the needs and on proper assessment of the number of such personnel required for the conduct of such elections and as provided under rule 52 (3) (a).

(4) Though the Commission cannot at this stage order for an overall rearrangement, redeployment or relocation of these personnel involved, it has to take note of the voting rights of these persons.

(5) Accordingly invoking the power of the Commission vested under subrule 9 and (10) of rule 52-A, the Commission issues guidelines, in the matter of voting by such persons appointed as Election Officer / Polling officer as per Annexure to this letter.

The State Election Officers are therefore requested to give suitable instructions in this regard and to report the action taken before 23.03.2013.

**(Sd./-)M.R. Mohan
Commissioner**

Encl: Annexures: I, II, III.

Copy to:

The Secretary to Government,
Cooperation, Food and Consumer
Protection Department,
Secretariat, Chennai – 9.

GUIDELINES FOR ISSUING A BALLOT PAPER TO AN EMPLOYEE DEPLOYED FOR ELECTION WORK IN RESPECT OF ANOTHER COOPERATIVE SOCIETIES TO VOTE AT THE ELECTION TO THE EMPLOYEES COOPERATIVE SOCIETY TO WHICH HE IS A VOTER.

- (1) A Departmental officer or an employee of a co-operative society or of local authority or undertaking of the Government or educational institution, who is not able to exercise his vote in the employees cooperative thrift and credit society or which the employees cooperative stores or employees cooperative canteen, as the case may be, voter election duty in respect of another cooperative society he may give an application to the District Election Officer concerned requesting him to give him a ballot paper to vote at the election of member of the board of the society in which he is a voter. Such application shall be given to the District Election Officer concerned not less than seven days before the date of poll.
- (2) On receipt of such application, the District Election Officer concerned shall verify as to whether the applicant is a voter of the employees cooperative thrift and credit society or employees cooperative stores or employees cooperative canteen, as the case may be, mentioned in the application and if he is satisfied that the applicant is a voter and that the applicant is not able to exercise his vote on that date and place notified in the Election Notice for the applicant's society only because he has been deployed for election work in respect of another cooperative society on the same date but at different place.
- (3) On being satisfied, the District Election Officer shall request the Election Officer concerned to give a ballot paper intended to be used for the polling at the election of the applicant's society from the Election Officer concerned. On such request the Election Officer concerned shall give a ballot paper beginning from the first of the Serial Number from out of those meant for the Polling Station where the applicant is ordinarily entitled to record his vote. On the reverse of the ballot paper the Election Officer shall also affix his seal and signature on the reverse of the ballot paper and make an entry in the counter foil denoting that the voter has been issued with a ballot paper. The Election Officer shall send the ballot paper in a sealed cover to the District Election Officer concerned three days before the date of poll.
- (4) The District Election Officer concerned shall enclose an Election Duty Certificate in Form No.2 and a ballot paper intended for the election of the applicant's society and put it in a cover indicating the name of the society to which the ballot paper belongs, the date of polling, the name of the applicant, the name of the society in which he is attending the election work. The District Election Officers shall arrange to deliver the cover to the applicant concerned in person atleast two days prior to the date of poll. The fact that a ballot paper has been given to the applicant and the Serial Number of the Ballot paper given shall be intimated to the Election Officer of the employees cooperative society concerned in which the applicant is a voter.
- (5) The applicant shall open the cover and record his vote on the ballot paper and also sign a Declaration in Form No.3 to the effect that he has recorded his vote and put the ballot paper in an envelope intended for the purpose and sealed it. In the sealed cover the name of the society to which it is intended and the name of the applicant his Member Number and Voter Number shall be inscribed. The applicant shall deliver the sealed cover to the District Election Officer concerned in person or through a messenger atleast on the day before the day of poll.
- (6) The District Election Officer concerned shall arrange to deliver the sealed cover to the Election Officer of the employees cooperative society concerned to which the sealed cover is intended atleast before 5 P.M. on the date of poll.

- (7) The Election Officer of the employees cooperative society concerned shall keep a separate account for receipt of such sealed covers from the District Election Officers. He shall put the sealed covers in a separate Ballot Box kept in the polling premises for the purpose.
- (8) At the time of counting the sealed covers shall be opened and the ballot papers are taken out and the votes recorded on the ballot papers by the voters of the employee's society but who are on election duty to some other cooperative societies shall also be counted.

Sd/- xxx
Commissioner

FORM NO.1
APPLICATION BY AN EMPLOYEE VOTER ON ELECTION DUTY IN ANOTHER
SOCIETY TO VOTE

To
The District Election Officer,
.....

Sir,

I have been posted for election duty at the ensuing election of members of the board of the..... Cooperative Society. As per the Election Notice published, in the election to the said society the polling shall take place onat.....

I hereby declare that I am a member of the.....And that I am a voter of the.....Cooperative society and that my name has been included in the final voter's list of the said society published by the Electoral Officer under serial numberAnd that I am entitled to vote at the election to the said society.

I request that a certificate in Form No.2 with a ballot paper may be arranged to be issued to me to enable to cast my vote at the above election.

Date.....

Signature of voter on election duty

Sd./- xxx
Commissioner

FORM NO.2
ELECTION DUTY CERTIFICATE

Certified thatis a voter in the voter list published for the election of members of the board of.....society from the constituency His electoral roll particulars are given below:

Serial No. :

Page No. :

Constituency, if
any. :

Certified also that by reason of being on election duty, he is unable to vote at the polling station where he is entitled to vote and that he is, therefore, hereby authorized to vote through ballot paper in the manner laid down in the guidelines issued by the TamilNadu State Cooperative Societies Election Commission for the purpose.

Date.....

Seal

District Election Officer.

FORM NO.3
DECLARATION BY VOTER

Election of member of the board ofsociety.

I.....hereby declare that I am the voter to whom the ballot paper has been issued at the above election. I declare that I have marked my vote myself on the ballot paper.

Date.....

Signature of the voter

Address.....

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