



**M.R. MOHAN, I.A.S.,(Retd).,
COMMISSIONER.**

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Anna Salai
Chennai - 600 018.**

D.O.Lr.No.1212/2014/CE1 Dated: 07.07.2014

Dear Thiru.....,

Sub: Tamil Nadu State Co-operative Societies Election Commission-
Conducting of Election to Co-operative Societies – Appointment
of Electoral Officers and Election Officers – Certain Instructions
– Issued.

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1. The State Election Officers are aware that Rule 52 of Tamil Nadu Co-operative Societies Rules 1988 deals with Election of members of the board, Rule 52-A of Tamil Nadu Co-operative Societies Rules 1988 deals with power and functions of the Election Commission and Rule 53 of Tamil Nadu Co-operative Societies Rules 1988 deals with Election of Office bearers. It is needless to say that while issuing statutory order with regard to conducting of Elections, the relevant provisions of the relevant Rules should be correctly quoted in the orders issued by the authorizes concerned.

2. According to sub-rule 1(c) of Rule 52 of Tamil Nadu Co-operative Societies Rules 1988, the District Election Officer shall appoint as many officers of the Government not below the rank of Senior Inspectors in the Co-operative Department or not below such rank in other departments as may be necessary as Electoral Officers. The Electoral Officers shall be responsible for preparation and publication of voters list of the society or the societies concerned. Hence, while issuing orders appointing the Electoral Officers, the District Election Officers must necessarily quote sub-rule 1(c) of Rule 52 of Tamil Nadu Co-operative Societies Rules 1988 in the appointment orders issued by them.

3. According to sub-rule 3(a) of Rule 52 of Tamil Nadu Co-operative Societies Rules 1988, the District Election Officer appointed for a district or a part of a district by the Election Commission shall appoint as many officers of the Government or officers sub-ordinate to him or officers and employees of co-operative societies or local authorities or undertakings owned by the State or Central Government or educational institutions as may be necessary as Election Officers for conducting the election of members of the board of Co-operative Societies in the district or a part of the district. The District Election Officer may also appoint alternative election officer or officers. Hence, while issuing orders appointing the Election Officers, the District Election Officers must necessarily quote sub-rule 3(a) of Rule 52 of Tamil Nadu Co-operative Societies Rules 1988 in the appointment orders issued by them.

4. According to, sub-rule 1(a) of Rule 53 of Tamil Nadu Co-operative Rules 1988, the District Election Officer appointed by the Election Commission

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for the conduct of election of members of the board of a society shall appoint an officer of the Government or officer sub-ordinate to him or officer or employee of coop-societies or local authorities or undertakings owned by the State of Central Government or educational institutions as may be necessary as the Election Officer for conducting the election of office bearers of the board of the society. The District Election Officer may also appoint an alternative Election Officer for conducting the election. Hence, while issuing orders appointing the Election Officers for conducting the election of office bearers of the board of the society, the District Election Officers must necessarily quote sub-rule 1(a) of Rule 53 of Tamil Nadu Co-operative Societies Rules 1988 in the appointment orders issued by them.

5. Though the District Election Officers are issuing orders appointing the Electoral Officers, Election Officers for conducting the election of members of the board, Election Officers for conducting the election of office bearers of the board of the society for more than a year now, the necessity to quote the above Rule Provision has arisen now due to the fact that some of the District Election Officers are issuing appointment orders appointing Electoral Officers and Election Officers without quoting any rule provisions or wrongly quoting the rule provisions in the orders issued by them. The common mistake noticed by the Commission in the recent times being that in the appointment orders issued appointing Election Officers for conducting the election of office bearers of the board of the society, instead of issuing the orders under sub-rule 1(a) of Rule 53 of Tamil Nadu Co-operative Societies Rules 1988, some of the District Election Officers have issued the orders under sub-rule 3(a) of Rule 52 of Tamil Nadu Co-operative Societies Rules 1988 which relates to appointment of Election Officers for conducting the election of members of the board. One of the District Election Officer had even quoted sub-rule (5) of Rule 52 in his order of appointment of Election Officer of the election of office bearers of a society which is not relevant to this appointment.

6. The State Election Officers are well aware that any order issued by the District Election Officers with regard to any process of Election to a co-operative society is a statutory order bound by the relevant provisions of the Tamil Nadu Co-operative Societies Rules 1988, and due care must be exercised by them while quoting the relevant Rule Provisions in the orders issued by them. An orders issued under a wrong provisions is very much an order of void. The State Election Officers are therefore requested to issue suitable instructions to the District Election Officers working under their control to be very careful in quoting the relevant provisions of the Rules only to the Relevant orders issued by them. The District Election Officers may also be strictly informed that the Commission will take a serious view of orders of the District Election Officers quoting wrong Provision of the Rules, if any, issued by them in future.

**Yours sincerely,
(Sd./-)
(M.R. MOHAN)**

To
Thiru
State Election Officer

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Copy to All District Election Observers for necessary action.

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