



## Tamil Nadu State Co-operative Societies Commission

From  
Thiru. M.R. Mohan, I.A.S., (Retd.)  
Commissioner,  
TamilNadu State Co-operative Societies  
Election Commission,  
Kamadhenu Super Market Building  
(1<sup>st</sup> Floor)  
273, Anna Salai, Teynampet,  
Chennai-18.

To  
The Registrar of Co-operative  
Societies,  
All Functional Registrars,

## All Functional Registrars,

Rc.No.1316/2014/CE.5

Dated.11.09.2014.

Sir,

**Sub: Election – Conduct of Election of Members and Office Bearers of the Boards of Co-operative Societies in the State – Appointment of Administrators under Section 88 and 89 of the Tamil Nadu Co-operative Societies Act, 1983 – Intimation to Tamil Nadu State Co-operative Societies Election Commission – Regarding.**

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It is observed from the various requests for the conduct of election to Co-operative Societies which are being managed by Administrators appointed u/s 88 and 89, as the case may be , that in some cases these Administrators are continuing as such exceeding the specified period of six months as stipulated under section 88 (1) and 89 (1).

Section 88 (Extract) says:

“the Registrar may ..... And appoint a Government servant or an employee of anybody corporate owned or controlled by the Government (hereinafter referred to as the administrator) to manage the affairs of the society for a **specified period not exceeding six months**”

Section 89 (Extract) says:

“ the Registrar may ..... by order appoint a Government servant or an employee of anybody corporate owned or controlled by the Government (hereinafter referred to as the administrator) for a specified period, **not exceeding six months**, to manager the affairs of the registered society **pending the constitution of a new board**, or till the entering upon office **by the board**, as the case may be.

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Though the Commission is not concerned with the appointment of Administrator, and/or of their continuance for period exceeding the statutory limit of six months, the Commission wants to make it clear that as stated in these sections the continuance of administrators is purely linked or subject to the **constitution of a new board by the Commission.**

As per Section 88 (5) and which sub-section as also applicable to Section 89, the Administrator appointed under section 88(1) /and/or 89 (1)-

“. . . . .shall arrange for the constitution of a new board in accordance with the provisions of this Act, the Rules and the bye-laws so that the **new board may be constituted and the members thereof come into office at the expiry of the period of his appointment.**

And therefore it goes without saying that the Tamil Nadu State Co-operative Societies Election Commission is under a statuary obligation to conduct the election for the constitution of a **new board prior to the date of expiry of the term of the Administrator and the continuance of the Administrator exceeding the statutory periods** may be viewed adversely on the part of the Tamil Nadu State Co-operative Societies Election Commission as a failure to identify such societies and conduct election as mandated u/s 33 (11), 33-A(1) within the statutory periods as specified therein.

The Tamil Nadu State Co-operative Societies Election Commission mandated to hold any election under the Tamil Nadu Co-operative Societies Act, 1983 and the Tamil Nadu Co-operative Societies Rules,1988 therefore directs under rule 52-A(9) of the Rules that **all appointments u/s 88 (1) and 89 (1) of the Act** shall invariably be reported to the Commission, as and when such appointments are made so that the Commission may initiate appropriate action for the conduct of election for the constitution of new board within the statutory periods in the place of Administrators, as expected of it and as contemplated under section 88(5) and as applicable to section 89 of the Act.

The Commission requests that all the competent authorities making appointments of Administrators u/s 88 & 89 of the Act may duly be informed.

A compliance report is requested positively by 30.09.2014.

(Sd./-)  
Commissioner