

**THE UTTAR PRADESH STATE CO-OPERATIVE SOCIETIES
ELECTION RULES, 2014**

CHAPTER-II

General Rules for Election in Co-operative Societies

3. Notwithstanding anything contained in the bye-laws, the election of any Co-operative Society or Societies or class or classes of the Co-operative Societies shall be held in accordance with the provisions of the Act and these rules.

4. It shall be duty of the Secretary or the Managing Director of a Co-operative Society to inform four months prior to the date of expiry of the term of elected committee of management, to the District Assistant Co-operative Election Officer of the District in which its registered Headquarter is situated or the Officer authorized by Commission for such purpose for a class or classes of societies in writing about the date on which the term of its elected Committee of Management is to expire and shall request for holding the election of society by submitting the certificate of depositing determination fee.

5. (a) After receiving the information of the expiry of the term of the Committee of Management of Societies, it shall be the duty of the District Assistant Co-operative Election Officer to furnish the compiled information to the Commission pertaining to such societies whose terms are to be expired within the next four months and to recommend the date to be fixed for election.

(b) It shall be the duty of the officer registering the Co-operative societies of the Co-operative and other Departments to furnish the information and records required for election of Co-operative societies of his jurisdiction to the District Assistant Co-operative Election Officer and to the Commission or to its authorized officer if required by him.

6. Notwithstanding anything contained in the Uttar Pradesh Co-operative Societies Rules, 1968, after the constitution of the new Society or in case of supersession of the Committee of Management under section 35 or merger, division, supersession of the Society or other contingencies, it shall be the responsibility of the Registrar to

inform the Commission immediately about the constituted interim Committee so as to hold the Election of the Committee of Management.

In addition to the above, after the winding up of any Society and giving the order of cancellation of registration, it shall also be the responsibility of the Registrar to intimate the commission about the said information and request it not to hold the election of the concerned society.

7. After receiving the information of holding the election from the District Assistant Co-operative Election Officer or the Registrar or the Secretary or the Managing Director of the Society, the Commission shall appoint the date of election for any class or classes of societies. Having been so done by the Commission, the District Magistrate or the District Co-operative Election Officer of the District, in which the Headquarters of the societies are situated, shall take steps to hold the election on the appointed date and for this purpose the services of any Government servant or official may be requisitioned by him and if any such orders have been issued by the District Magistrate or the District Co-operative Election Officer in respect of any official or employee, fails to comply with such orders shall be deemed to be an offence, which if proved, shall be punishable with a fine which may extend to three thousand rupees or with imprisonment which may extend to three months or with both:

Provided that the authority to organize election of delegate of members of branch of the Uttar Pradesh Sahkari Gram Vikas Bank Ltd., Lucknow shall vest in the District Magistrate of the District in which such branches are located.

8. The Election in a co-operative society or societies or a class or classes of co-operative societies shall be held on such date or dates as the Commission may fix and the District Co-operative Election Officer concerned shall on such dates being so fixed, appoint one or more Election Officers for different class or classes of societies or for different areas for this purpose:

Provided that no officer/employee of the Department which is concerned with the management and administration of the society shall be appointed as Election Officer.

9. The Election Officer shall perform such functions as are enjoined upon him under these rules or as may be incidental to or necessary for the discharge of his duties, but in absence of an Election Officer, any Assistant Election Officer or Polling Officer who has been authorized by the District Co-operative Election Officer to do so, shall perform the function of the Election Officer.

10. Notwithstanding anything contained in any other provision these rules, the Election Officer for each constituency may depute a Polling Officer from amongst the Government servants who are not concerned with the management and administration of societies to assist him in the conduct of election.

11. The Committee of Management of the society and every officer of the Co-operative Society concerned shall be bound to render every assistance to the Election Officer in the conduct of the election and shall make available every record that may be required by the Election Officer for this purpose.

12. (a) The Secretary or the Managing Director of the society shall in accordance with the directions given by the commission from time to time or the provisions for the time being in force, prepare a list of all the voters against whose name the disqualifications, if any, as described in the Act, these rules or bye-laws shall be mentioned in the list and the members, ordinary members or sympathizers, duly enrolled 120 days before the date of election shall only be included.

(b) In case of Agricultural Credit Society, only those members shall be included in the Voters list by whom transactions have been done with the society 120 days before the date of Election at least in any year during the previous three Co-operative years:

Provided that in case of the societies, where general body is constituted by individual members and the delegates of the societies, or only by the delegates of the societies, the voters list shall be prepared under rule 89 and the voters list so prepared, shall be called the provisional voter list which shall bear the signature and seal of the Secretary or the Managing Director:

Provided further that the delegates of such societies which are under winding up or which have been suspended or superseded

due to non-election of the Committee of Management, shall not be included in the Voters list.

13. The provisional voter list prepared in accordance with rule 12, shall be displayed by the Election Officer on the date and time and place as notified in the election programme.

14. A candidate shall not be eligible to contest simultaneously for more than one office of the Committee of Management. If nomination papers for more than one office are found to be valid, he shall opt only for one office and withdraw his nomination for the rest. If he fails to exercise his option before the date fixed for the withdrawal, all his nomination papers shall become invalid.

15. An eligible ordinary or sympathizer-member of the society, whatever the amount of his interest be in the capital of Society, shall have right to give only one Vote in the election of the Society.

16. If a candidate whose nomination is found valid under rule 49 and who has not withdrawn his candidature, dies and the information of his death has reached before the polling, then the Election officer, after satisfying himself about the facts of the death of the candidate, shall postpone the poll of the constituency concerned and shall inform the District Co-operative Election Officer and the Commission and the nomination for that constituency or post shall be filed de novo but it shall not be necessary to file additional nomination for person who was the candidate for the election at time of postponing the poll and such person who had withdrawn his candidature before such postponement shall not be disqualified to file nomination after such postponement and the polling after such postponement shall be held on the date as fixed by the Commission.

17. When the proceeding of election of the Society has started, the election proceeding shall not be disrupted except due to the reasons mentioned in rule 16:

Provided that if polling or any proceeding of election gets disrupted due to riots or open violence at the place of polling or holding election is not possible due to any natural calamity, the Election Officer appointed for such election shall declare the postponement of election till next date to be notified later. The information of such

postponement shall be given to the District Co-operative Election Officer and the Commission immediately, on which the Commission shall fix the new date for election:

Provided further that the election procedure shall be postponed only after narrating the whole sequence of incidents in a chronological order in the polling diary being used by the Election Officer.

18. If for any reason the election of any Society has been disrupted by the Election Officer, the process of election shall commence from the stage at which it is disrupted or from a stage prior to that or de novo as the Commission may decide:

Provided that if after the nomination symbols have been allotted on valid nomination papers, the process of election shall continue and poll shall be held on such date as the Commission may fix:

Provided further that if the election of any society is postponed by the Commission under the proviso to sub-section (3) of section 29 of the Act, all the procedures of Election shall be commenced de novo.

19. In every election after the close of the poll, counting of votes shall be held by the Election Officer in the manner prescribed in rule 44 and under the guidelines of the Commission and every candidate, his election agent and his counting agent shall have the right to be present at such counting.

20. The provisions of the Act, Co-operative rules, orders and guidelines issued under these rules shall be applicable to every re-polling in the same manner as they are applicable for original poll.

21. (1) If the number of elected members to the Committee of Management of any society after the election is found to be less than the number prescribed to be elected, the election shall be held for the vacant seats as early as possible:

Provided that for the election of the Chairman/Vice- Chairman and the delegates, the number of members shall be more than half the number of members having voting rights.

(2) If the commission is satisfied that it is not possible to hold the election of any society due to its inaction or any other reason, it may recommend the authority concerned to wind up such

particular society and it shall be the duty of the Authority concerned to take action in accordance with the laws to wind up the society or to cancel its registration by giving the Society an opportunity of being heard.

22. Instructions in respect of the Co-operative Societies issued by the Commission from time to time shall be binding.