

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

CHAPTER-III

**Determination of Constituencies of General Body and the
Committee of Management.**

23. After the dates of election for any Co-operative Society or class or classes of Co-operative Societies being notified by the commission, action shall be taken for determination of constituencies for the concerned Co-operative Society or class or classes of Co-operative Societies.

24. Action shall be taken for determination of constituencies, if required for election of delegates of general body members, the Chairman, the Vice-Chairman of the committee of management of the Co-operative Society and the delegates to be sent to other Co-operative societies by the District Assistant Co-operative Election officer belonging to the registered headquarters of all types of Primary Co-operative Societies in the manner prescribed in rules 27 and 28 and the guidelines, given by the Commission:

Provided that in case of the District/Central Co-operative Societies, the action for determination of constituencies shall be taken by the Divisional Co-operative Election Officer.

25. In case of State Level/Apex Co-operative Societies, the action for determination of constituencies shall be taken by the authorized officer of the Commission.

26. For determination of constituencies, the Secretary or the Managing Director of the Society, as the case may be shall furnish all such information or facts as may be required by the District Assistant Co-operative Election Officer or the Divisional Co-operative Election Officer or the authorized officer of the Commission from time to time.

27. (1) For the purpose of election of members of committee of management of a Co-operative society or as the case may be of delegates to the general body of a Co-operative Society, the District Assistant Co-operative Election Officer or the Divisional Co-

operative Election Officer or the Commission or the authorized officer shall notwithstanding anything contained in the bye-laws of the Co-operative Society, or as the case may be, of a class of Co-operative Societies determine provisionally-

- the number of constituencies in which the area of operation of the Co-operative Society shall be divided ;
- the extent of area of each constituency;
- the total number of seats allotted to each constituency;
- marking of constituencies and the number of reserved seats:

Provided that the names of constituencies shall be mentioned in the Hindi Alphabet.

27. (2) The District Assistant Co-operative Election Officer/the Divisional Co-operative Election Officer/the competent authority shall thereupon publish in any major daily newspaper the provisional determination for inviting objections while fixing the date for hearing within seven days from the date of such publication. A copy thereof shall be sent to the concerned society for its comments:

Provided that in case of Primary, District or Central Co-operative Societies, it shall be published in major daily newspapers being circulated from the Division and in case of the State Level Apex Co-operative Societies, it shall be published in all editions of daily newspapers at the Divisional Levels:

Provided further that the provisional determination of a Primary, District or Central Co-operative Society having area of operation extending to more than one revenue Districts, shall be published in major daily newspapers having circulation in the area of operation of the Society.

27.(3) The criteria for determination of constituency may be any one or more of the following namely -

1. Revenue Area,
2. Class or classes of membership

3. Other logical basis in relation to the area of operation of society:

Provided that the unit of determination in case of a Primary Agricultural Credit Society or Primary Sugarcane Society or Dairy Society shall as far as possible be one or more Gram Panchayats falling in the area of operation of the society.

27.(4)(a) The objections and comments received under provisional determination shall be considered by the District Assistant Co-operative Election Officer/ the Divisional Co-operative Election Officer/ the Competent Authority on the eleventh/twelfth/thirteenth day, as mentioned in the provisional determination of such publication after hearing the objections, he shall give a brief statement of objections and the facts found during hearing on the concerned register and get it signed by the objector while signing it himself.

(b)The copy of the mentioned facts and the decision taken in the hearing referred to in clause (a) may be obtained by the objector by depositing the fee at the rate of ten rupees per page.

27.(5) Thereafter, the District Assistant Co-operative Election Officer/ the Divisional Co-operative Election Officer /the competent authority shall write his comments as required pertaining to the resolution of objections in the concerned register and finally determine the constituencies, the number of seats and the number of reserved seats. The final determination made, shall be published on the fifteenth day of the publication of the provisional determination and a copy thereof shall be sent to the society concerned.

28. The District Assistant Co-operative Election Officer/ the Divisional Co-operative Election Officer/ the competent authority shall under the provisions of the proviso to sub-section (5) of section 29 of the Act, reserve the constituencies/ areas for the reserved seats and such reservation shall be done by placing the names of such constituencies/areas from where the election of the members of the Committee of Management is to be, in the Hindi alphabetical order in rotation to the extent necessary for the reservation of seats:

Provided that the areas so reserved shall be allotted in the Hindi alphabets order as follows:-

- (1) One for the Scheduled Castes/ the Scheduled Tribes;
- (2) One for the Other Backward Classes of the citizen;
- (3) Two for women:

Provided further that where the letter of more than one constituency is the same, there is such cases, the reservation shall be regulated by the next letter of name of a constituency.

29. It shall also be the duty of the District Assistant Co-operative Election Officer/ the Divisional Co-operative Election Officer/ the Competent Authority to furnish the copy of the provisional and final determination pertaining to the determination of the society to the concerned District Magistrate/ the District Co-operatives Election Officer and the Commission.