

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

**CHAPTER- VIII**

**OFFENCE AND PENALTIES**

51. If the notice is not given within specified period under rule-4 and sub-section(4) of section 29, prior to the expiry of the tenure of the elected Managing Committee of the cooperative society, by the Secretary or the Managing Director as the case may be, or if all the required notice for determination of election constituencies is not given to the District Assistant Cooperative Election Officer or the Divisional Cooperative Election Officer or to the Commission or its authorized officer, the Commission may impose, a fine upto Rs. five thousand against the Secretary or the Managing Director concerned as the case may be, in case of primary cooperative society, a fine upto Rs. ten thousand against the Secretary or the Managing Director concerned, as the case may be, in case of District Level/Central and State Level/Apex cooperative society and the orders concerning imposition of fines shall be entered in the character roll of the employee/ officer concerned:

Provided that under this rule the person concerned shall be given a reasonable opportunity by the Commission of being heard and to make his submission before imposition of fine.

52. If information of such Co-operative societies, the tenure of managing committee whereof is to expire within coming 4 months, is not provided to the Commission within the specified period by the District Assistant Cooperative Election Officer/Authorized Officer, or if proceedings for determination of constituency are not carried out within the specified period after the date has been decided by the Commission for the election of cooperative societies of any category/categories of a Co-operative Society or Co-operative Societies, the Commission may impose a fine upto Rs. five thousand against the officer concerned and such order of fine shall be entered in his character roll:

Provided that, in case of relevant information and required documents pertaining to election of cooperative societies related to other departments not being provided to the District Assistant

Cooperative Election Officer within time by the district level officer of the department concerned or by the office registering the cooperative society of its own department, the concerning officer shall be liable for a fine of Rs. five thousand and the order of imposing the fine shall be entered in the character roll of the officer concerned:

Provided further that the officer concerned shall be given a reasonable opportunity by the commission of being heard and to make the submission:

Provided also that, even after imposition of fine, if the officer concerned continuously makes default in his duties, the Commission may recommend to the Appointing Authority concerned for disciplinary actions against him and it shall be binding on the Appointing Authority to take action against him on such recommendation:

53. Except for reasons beyond control, non-compliance of duty by the District Assistant Cooperative Election Officer and other appointed officer shall be considered as an offence and on conviction whereof shall be liable for penalty upto Rs. two thousand or imprisonment upto six month or with both.

54. Any act done or information given or disclosed in violation of rule 41 shall be held as offence and person or persons against whom such offences are proved shall be punished with imprisonment upto six months or with fine upto Rs. two thousand or with both.

55. On conviction of any act done in violation of rule 42 the Commission may impose a penalty which shall be not less than Rs. two thousand and more than Rs. ten thousand and may recommend for adverse entry to this effect in his character roll.

56. Furnishing of facts by fraudulent means, mutilation or alteration or destruction of any election record or abetment of aforesaid deeds by the candidate contesting the election of any cooperative society shall be held as an offence and on conviction thereof shall be liable to be punished with imprisonment of upto two years or with fine of Rs. five thousand or with both.

57. On commission of an offence mentioned in these rules the F.I.R. against the person concerned shall be lodged by the District Assistant Cooperative Election Officer concerned or by a gazetted officer authorized by him.

58. It shall be the duty of the Election Officer/ Assistant Election Officer to deposit any sums received by the candidates or in any item for conduct of election of the Co-operative Society in the fund specified by the Commission or to the officer authorized within one week of completion of the election and on failure to do so the Commission shall recommend for disciplinary action or impose fine upto Rs. five thousand or both against the person concerned.

59. If in the opinion of the Commission a candidate has participated on grounds of corruption or fraudulent act or false records which has a material effect on the candidature and its results, the it may declare such person/elected member to be disqualified and may declare him ineligible for future participation for which shall period be not less three years and not more than six years.

60.(a) If a person fails to deposit the fine imposed on him by the Commission within the specified period, it shall be the duty of the Appointing Authority concerned to deduct the same from the pay of the officer/employee concerned and deposit it in the account specified by the Commission and inform the Commission.

Provided that in the case of a person other than an officer /employee the amount of penalty shall be recovered as arrears of land revenue,

60. (b)The Commission may recommend to the State Government to take action against the officer concerned for non-compliance of said duties by the Appointing Authority and authority concerned.