



# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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19th Mithunam 1196

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GOVERNMENT OF KERALA

Law (Legislation-H) Department

NOTIFICATION

No. 3110/Leg.H2/2021/Law.

Dated, Thiruvananthapuram, 3rd July, 2021  
19th Mithunam, 1196  
12th Ashadha, 1943.

The following Ordinance promulgated by the Governor of Kerala on the 2nd day of July, 2021 is hereby published for general information.

By order of the Governor,

SADIQUE M. K.,

Special Secretary (Law).



**ORDINANCE No. 93 OF 2021****THE KERALA CO-OPERATIVE SOCIETIES (SECOND AMENDMENT)  
ORDINANCE, 2021**

Promulgated by the Governor of Kerala in the Seventy-second year of the Republic of India.

*AN*

***ORDINANCE***

*further to amend the Kerala Co-operative Societies Act, 1969.*

*Preamble.*—WHEREAS, the Kerala Co-operative Societies (Second Amendment) Ordinance, 2021 (32 of 2021) was promulgated by the Governor of Kerala on the 12th day of February, 2021;

AND WHEREAS, in order to rectify certain inadvertant errors crept in the provisions in the Kerala Co-operative Societies (Second Amendment) Ordinance, 2021 (32 of 2021), Kerala Co-operative Societies (Third Amendment) Ordinance, 2021 (47 of 2021) was promulgated by the Governor of Kerala on the 24th day of February, 2021;

AND WHEREAS, Bill to replace Ordinance No. 32 of 2021 and Ordinance No. 47 of 2021 by Act of the State Legislature could not be introduced in and passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 24th day of May, 2021 and ended on 10th day of June, 2021;

AND WHEREAS, under sub-clause (a) of clause (2) of Article 213 of the Constitution of India, the Kerala Co-operative Societies (Second Amendment) Ordinance, 2021 (32 of 2021) and Kerala Co-operative Societies (Third Amendment) Ordinance, 2021 (47 of 2021) will cease to operate on the 5th day of July, 2021;

AND WHEREAS, difficulties will arise if the provisions of the said Ordinances are not kept alive;

AND WHEREAS, it is expedient to combine all the provisions contained in the above two Ordinances;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;



NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Co-operative Societies (Second Amendment) Ordinance, 2021.

(2) It shall be deemed to have come into force on the 12th day of February, 2021.

2. *Act 21 of 1969 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Co-operative Societies Act, 1969 (21 of 1969) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 10.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(i) after clause (ab) following clause shall be inserted, namely:—

“(ac) ‘Anand Pattern Milk Co-operative Society’ means a Primary Dairy Co-operative Society, otherwise known as ‘Ksheerolpadaka Sahakarana Sangham’ registered in or after the year 1980 for the implementation of Operation Flood Project in Kerala and is functioning as per the model bye-laws of Anand Pattern, with the principal objective of procurement, chilling and marketing of milk and milk products within the area of operation of the society and for providing inputs to the Dairy farmers;”;

(ii) after clause (p) following clauses shall be inserted, namely:—

“(pa) ‘Recruitment Committee’ means the committee constituted under section 80BB for the purpose of conducting the selection and recruitment process of all categories of employees of the Regional Co-operative Milk Producers’ Union;

(pb) ‘Regional Co-operative Milk Producers’ Union’ is a central society having Anand Pattern Primary Dairy Co-operative Societies as their members with the principal objective of undertaking procurement, processing and marketing of milk and milk products and to provide technical, financial and production input assistance to their member societies and dairy farmers within the area of operation comprising two or more revenue districts;”.

4. *Amendment of section 8A.*—In section 8A of the principal Act, after sub-section (3) the following sub-section shall be added, namely:—

“(4) Notwithstanding anything contained in this Act or rules made thereunder or bye-laws of a Regional Co-operative Milk Producers’ Union, the Anand Pattern Milk Co-operative Societies having a regular elected Managing Committee and doing the business



of milk procurement and sales within the area of operation of the Regional Co-operative Milk Producers' Union shall be admitted as members of the Regional Co-operative Milk Producers' Union.”.

5. *Amendment of section 16.*—In section 16 of the principal Act, to sub-section (1), after the fourth proviso, the following proviso shall be added, namely:—

“Provided also that in the case of Anand Pattern Milk Co-operative Societies, dairy farmers who own one or more milch cows or buffaloes and residing within the area of operation of the society or running dairy farms in own or leased land within the area of operation of the Society and poured milk not less than five hundred litres for a period of one hundred and eighty days in a year to the society, shall be admitted as members.”.

6. *Insertion of new section 16B.*—In the principal Act, after section 16A the following section shall be inserted, namely:—

“16B. *Eligibility conditions to continue to be an active member of an Anand Pattern Milk Co-operative Societies.*—(1) No member shall be eligible to continue to be an active member of an Anand Pattern Milk Co-operative Society if he/she.—

(a) is not pouring milk not less than five hundred litres to the society for one hundred and eighty days during the preceding twelve months, and

(b) is not owning at least one milch cow or buffalo by rearing them in a cattle shed near to his residence or rearing them in farms set up either in his own land or in leased land.

(2) Only those who satisfy the conditions provided in sub-section (1) can become a member of the managing committee of an Anand Pattern Milk Co-operative Society and continue to be the member of the managing committee.”.

7. *Amendment of section 28.*—In section 28 of the principal Act, after sub-section (5) the following sub-sections shall be inserted, namely:—

“(6) Notwithstanding anything contained in this Act or rules made thereunder or bye-laws of a Regional Co-operative Milk Producers' Union, no President of an Anand Pattern Milk Co-operative Society which is a member of a Regional Co-operative Milk Producers' Union, shall be eligible to hold office as a member of the Committee of the Regional Co-operative Milk Producers' Union for more than three terms or fifteen years whichever is higher:

Provided that the provisions of this sub-section shall not apply to members of the committee of the Regional Co-operative Milk Producers' Union holding office as such on the



date of commencement of the Kerala Co-operative Societies (Second Amendment) Ordinance, 2021 (Ordinance No. 32 of 2021) till the completion of their original term of five years:

Provided further that the provisions in the above proviso shall not apply to the members of the committee whose tenure was extended beyond their original term of five years.

(7) The President of an Anand Pattern Milk Co-operative Society, which is a member of the Regional Co-operative Milk Producers' Union only shall be eligible to contest the elections to the committee of the Regional Co-operative Milk Producers' Union and hold office as a member of the Committee of the Regional Co-operative Milk Producers' Union if the Anand Pattern Milk Co-operative Society to which he/she belongs, satisfies the following conditions, namely:—

(a) if the society is placed in audit classification A or B during the last audit conducted; and

(b) supply milk procured and pooled by the member society to the Regional Co-operative Milk Producers' Union subject to a minimum quantity as fixed by the Committee of the Regional Co-operative Milk Producers' Union:

Provided that the provisions of this sub-section shall not apply to those member societies for a period of two years which are revived after long duration of inactivity and those Primary Dairy Co-operative Societies whose bye-laws were amended to Anand Pattern either from the date of restart of the society or from the date of registration of amendment of bye-laws to Anand Pattern model bye-laws.

(8) Notwithstanding anything contained in this Act or rules made thereunder, the delegate of the member Anand Pattern Milk Co-operative Society to attend the General Body meetings and to contest the elections to the managing committee of the Regional Co-operative Milk Producers' Union shall be the President of member Anand Pattern Milk Co-operative Societies only.”.

8. *Amendment of Section 28AB.*—In section 28AB of the principal Act, after sub-section (2) the following sub-sections shall be inserted, namely:—

“(3) Notwithstanding anything contained in this Act or rules made thereunder or the bye-laws of a Regional Co-operative Milk Producers' Union, no President of an Anand Pattern Milk Co-operative Society shall be eligible to hold office as President or Chairman of a Regional Co-operative Milk Producers' Union and its apex society for more than two consecutive terms, whether in full or in part.



(4) Notwithstanding anything contained in this Act or the rules made thereunder or the bye-laws of an Anand Pattern Milk Co-operative Society, the post of the Vice-President of an Anand Pattern Milk Co-operative Society shall be reserved for women members.”.

9. *Amendment of Section 64.*—In section 64 of the principal Act, after sub-section (12) the following sub-section shall be added, namely:—

“(13) Notwithstanding anything contained in this Act or rules made thereunder or bye-laws of a Regional Co-operative Milk Producers’ Union, Annual Performance Audit shall be conducted for every financial year by engaging auditors from among the panel of auditors who have adequate experience in dairy industry recommended by the apex society and approved by the functional Registrar of Dairy Co-operatives.”.

10. *Insertion of new section 80 BB.*—After section 80B of the principal Act, the following section shall be inserted, namely:—

“80BB. *Recruitment Committee for appointments in Regional Co-operative Milk Producers’ Union.*—(1) Notwithstanding anything contained in this Act or rules made thereunder Government shall, by notification in the Gazette, constitute Recruitment Committees which shall be the competent committees for the entire selection and recruitment process of all permanent employees of the Regional Co-operative Milk Producers’ Union.

(2) The Recruitment Committee for undertaking the selection process of all employees other than the Managing Director shall consist of not more than eight members. The Secretary to Government in charge of Dairy Development shall be the Chairman of the Committee and the Managing Director of the apex body of the Regional Co-operative Milk Producers’ Union, appointed by the Government, shall be the Convenor of the Committee. The other members shall be as follows,—

- (i) Registrar of Dairy (Co-operatives);
- (ii) Chairman of the Apex Society;
- (iii) Joint Director (General) or Joint Secretary to Government, Dairy Development Department;
- (iv) Southern Regional Head of the National Dairy Development Board;
- (v) Chairman, Regional Co-operative Milk Producers’ Union;
- (vi) Managing Director, Regional Co-operative Milk Producers’ Union.

(3) The Recruitment Committee for undertaking the selection process of the Chief Executive or the Managing Director of the Regional Co-operative Milk Producers’ Union



shall consist of not more than four members. The Secretary to Government in charge of Dairy Development Department shall be the Chairman of the Committee and the Chairman of Regional Co-operative Milk Producers' Union shall be the Convenor of the Committee. The other members shall be the Managing Director of the apex society and the Southern Regional Head of the National Dairy Development Board.”.

11. *Repeal and saving.*—(1) The Kerala Co-operative Societies (Second Amendment) Ordinance, 2021 (32 of 2021) and the Kerala Co-operative Societies (Third Amendment) Ordinance, 2021 (47 of 2021) are hereby repealed.

(2) Notwithstanding such repeal anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinances, shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

ARIF MOHAMMED KHAN,  
*GOVERNOR.*

