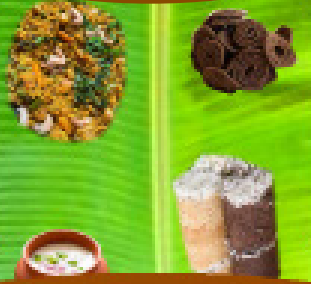


Tamilnadu Journal of COOPERATION

February - 2025



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**A.K.Sivamalar, M.Sc., HDCM., JAIIB., PGDLL
Additional Registrar/Managing Director.,**



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**New Secretary to Cooperation, Food
and
Consumer Protection Department**

Dr. Satyabrata Sahu, IAS has assumed office as Principal Secretary, Cooperation, Food and Consumer Protection Department of Government of Tamil Nadu on 10.02.2025 FN.

Tamilnadu Cooperative Union extends warm greetings to our new Secretary.



Articles Invited

We expect original, research, analytical articles and suggestins for the improvement of cooperation and allied subjects for publication in Tamilnadu Journal of Cooperation. Successful stories emphasising life-like situations and experiences, preferably with photos related to cooperatives are welcome.



Where there is righteousness in the heart, there is beauty in the character. When there is beauty in the character, there is harmony in the home. When there is harmony in the home, there is order in the nation. When there is order in the nation, there is peace in the world.

-DR. A. P. J. Abdul Kalam





About cover

The State Level Millets Food Festival held at the PSNA Engineering College in Dindigul, on 29.01.2025. On the festival, Thiru. I. Periyasamy, Hon'ble Minister for Rural Development, Thiru. KR. Periyakaruppan, Hon'ble Minister for Co-operation, and Thiru. R. Sakkarapani, Hon'ble Minister for Food and Civil Supplies, Thiru. A.R. Sachidanandam, Member of Parliament, Dindigul, Dr. J. Radhakrishnan, I.A.S., Additional Chief Secretary Co-operation, Food, and Consumer Protection Department, Tmt. M. N. Poongodi, I.A.S., District Collector, Thiru. T. Mohan, I.A.S, Director, Department of Food and Civil Supplies, Thiru. A. Annadurai, I.A.S, Managing Director, Tamil Nadu Consumer Goods Trading Corporation, Thiru. N. Subbaiyan, I.A.S, Registrar of Co-operative Societies, and Thiru. S. Palanisamy, I.A.S, Managing Director, Tamil Nadu Warehousing Corporation, Government officials and Public's were participated.

Thiru K.Nandhakumar, I.A.S., has assumed office as Registrar of Cooperative Societies on 10.02.2025 FN.

Tamilnadu Cooperative Union extends warm greetings to our new Registrar of Cooperative Societies.



Nutrition

rich

millet

The State Level Millets Food Festival held at the PSNA Engineering College in Dindigul, on 29.01.2025. On the festival, Thiru. I. Periyasamy, Hon'ble Minister for Rural Development, Thiru. KR. Periyakaruppan, Hon'ble Minister for Co-operation, and Thiru. R. Sakkarapani, Hon'ble Minister for Food and Civil Supplies, participated. Hon'ble Ministers presented appreciation certificates and mementos to districts and consumer organizations that have excelled in consumer protection. They also awarded cash prizes and certificates to fair price shop Salesmen/Saleswomen and packers who performed excellently at

the state level. Additionally, certificates and mementos were given to school students who won the competitions held to raise awareness about millets.

Under the guidance of Hon'ble Chief Minister of Tamil Nadu, Thiru. M.K. Stalin, the ministers recognized and honoured outstanding contributions in consumer protection. The event was presided over by Dr. J. Radhakrishnan, I.A.S., Additional Chief Secretary Co-operation, Food, and Consumer Protection Department, Thiru. A.R. Sachidanandam, Member of Parliament, Dindigul, led the proceedings, and the Tmt. M. N. Poongodi, I.A.S., District Collector, delivered the welcome address.





FESTIVAL

Thiru. T. Mohan, I.A.S, Director, Department of Food and Civil Supplies, Thiru. A. Annadurai, I.A.S, Managing Director, Tamil Nadu Consumer Goods Trading Corporation, Thiru. N. Subbaiyan, I.A.S, Registrar of Co-operative Societies, and Thiru. S. Palanisamy, I.A.S, Managing Director, Tamil Nadu Warehousing Corporation, delivered presentations about the schemes.

Thiru. I. Periyasamy,
Hon'ble Minister for Rural
Development, said as follows,

"Under the direction of the Hon'ble Chief Minister of Tamil Nadu, awareness about the benefits of millet food varieties has been raised among the public over the past two years, and efforts have been made to encourage



the use of these food varieties across all districts in the state. In this regard, the Millets Food Festival is being held 29.01.2025 in Dindigul district. Various types of millets foods, prepared by different departments, are being showcased in this festival. I hope everyone will observe these, understand their benefits, and share this knowledge with their friends so that they too can experience the benefits. That will be the greatest success of this festival.

Under the guidance of the Hon'ble Chief Minister of Tamil Nadu, we have been working proactively to implement government schemes that reach everyone and ensure comprehensive coverage.

During the tenure of the great Tamil scholar, Dr. Kalaignar, in a financial budget meeting, he would set aside funds specifically for the food of the poor and needy before allocating other funds. In this spirit, the Hon'ble Chief Minister of Tamil Nadu has been implementing various schemes. He has introduced initiatives such as the breakfast scheme for school children, the Pudumai Penn Scheme, which provides Rs. 1,000 per month to college students, and the Thamizh Puthalvan Scheme, among others. Through these, he continues to serve as one of the best Chief Ministers in India."

Tamil Nadu is emerging as a leading state in industrial development.

International companies are keen to start businesses in Tamil Nadu. Efforts are being made to bring SIPCOT (State Industries Promotion Corporation of Tamil Nadu) to all districts. In Dindigul district, steps will be taken to establish SIPCOT, as per the demand of the public and farmers. In terms of employment opportunities, there are numerous job openings in the private sector with high salaries. Employment camps are being conducted to help educated youth to secure jobs.

The Hon,ble Minister for Rural Development spoke as follows,

"People attending this food festival should not merely say 'we came, we saw', but should understand the benefits of millet foods and continue using them. They should share this knowledge with family and friends, encouraging them to enjoy the benefits as well." conducted to help educated youth to secure jobs.

Thiru. K.R. Periyakaruppan, Hon,ble Minister for Co, operation, stated as follows,

"Under the leadership of the Hon'ble Chief Minister of Tamil Nadu, various schemes have been announced and implemented for the welfare of the people. Several initiatives have been undertaken for the health of the

“

By consuming nutrient-rich millet foods, we receive the necessary nutrients and improve our health. To spread awareness about these benefits, food festivals are being conducted.

”

public. By consuming nutrient-rich millet foods, we receive the necessary nutrients and improve our health. To spread awareness about these benefits, food festivals are being conducted.

The eating habits of people vary from country to country and state to state. In Tamil Nadu, rice-based foods are predominantly consumed. This festival aims to raise awareness about the health benefits of millets. The year 2023 has been declared as the International Year of Millets to spread awareness of their significance globally. In the same way, 2025 has been declared as the International year of Co-operatives to highlight co-operative activities. The Co-operative Department in Tamil Nadu serves 2.21 crore families, and awards are being given to well-performing co-operative societies.

Through 37,000 fair price shops, food items are distributed across Tamil Nadu. Incentives are provided to well-performing fair price shop Salesmen and Packers. Tamil Nadu is a model for public distribution systems in India, and the Supreme Court has advised other states to follow Tamil Nadu as example in implementing public distribution systems.”

**Thiru. R. Sakkarapani,
Hon'ble Minister for Food and
Civil Supplies, said as follows,**

Hon'ble Chief Minister of Tamil Nadu has been running an excellent administration. In this regard, the state has been promoting the use of millets. As a result, people are increasingly realizing the health benefits of millets.

In 2023, the United Nations declared the year as the International Year of Millets. To promote this, the Chief Minister decided to provide



2 kg of ragi (finger millet) in place of rice in Dharmapuri and Nilgiri districts. Awareness is being created to encourage people to consume more millets instead of rice for better health.”

The Minister continued, saying that, the Tamil Nadu Chief Minister has implemented several schemes, ensuring the smooth functioning of public distribution systems across Tamil Nadu. Even when central government funds were insufficient, Tamil Nadu successfully implemented several schemes with state funds. The Tamil Nadu Chief Minister’s administrative skills have earned the continuous support of the people.

The Hon’ble Chief Minister of Tamil Nadu has been implementing various schemes to efficiently manage the Public Distribution System (PDS) for the benefit of 2.21 crore family cardholders in the state.

To prevent paddy from getting wet during the rainy season, ₹4.00 crore has been allocated to store paddy in semi-godowns instead of open storage. The stored paddy is then milled and distributed as quality rice to the public. Under the Public Distribution System, commodities such as palm oil, rice, and kerosene are provided. Notably, the minimum support price for paddy has been increased. Additionally, ragi is being directly procured from

farmers in districts like Dharmapuri, Krishnagiri, Salem, and Erode, benefiting the farmers in these regions.

As part of the event, an exhibition on millets and food products was organized. The exhibition featured 40 stalls representing various departments and organizations, including the Department of Agriculture and Farmers’ Welfare, Integrated Child Development Services, Tamil Nadu State Rural Livelihoods Mission, School Education Department, Horticulture and Hill Crops Department, St. Antony’s Arts and Science College, Dindigul, Anto Club, Amala Club, Food Safety Department, Indian Medicine and Homeopathy Department, Medical and Public Health Department, Labour Welfare Department, Vaha Naturals, Hindustan, Bureau of Indian Standards, Anugraha College, Dindigul, MVM Government Women’s Arts College, Dindigul, Cooperative Department, Pollution Control Board and the Tamil Nadu State Urban Livelihoods Mission.

A Millets Food Exhibition was held as part of the festival. In the exhibition, food items were prepared using millets, such as Kambu (Pearl millet), Kavuni rice, Ragi, Groundnuts, Pasiparuppu (Green gram), Thinai (Foxtail millet),

Samai (little millet), Keelvaragu (finger millet), Moringa, Sesame, Black Gram, Nellikai (Amla), Pottukadalai (chickpeas), and many other items, prepared by women's self-help groups and displayed for everyone.

Awards were distributed to the best districts, organizations, and individuals in various categories for consumer protection. □

On the occasion, government officials, school children, self-help groups and other publics were participated. This festival and the awareness programs aim to promote healthy eating habits by incorporating millets into everyday diets, ensuring better health for the people of Tamil Nadu.



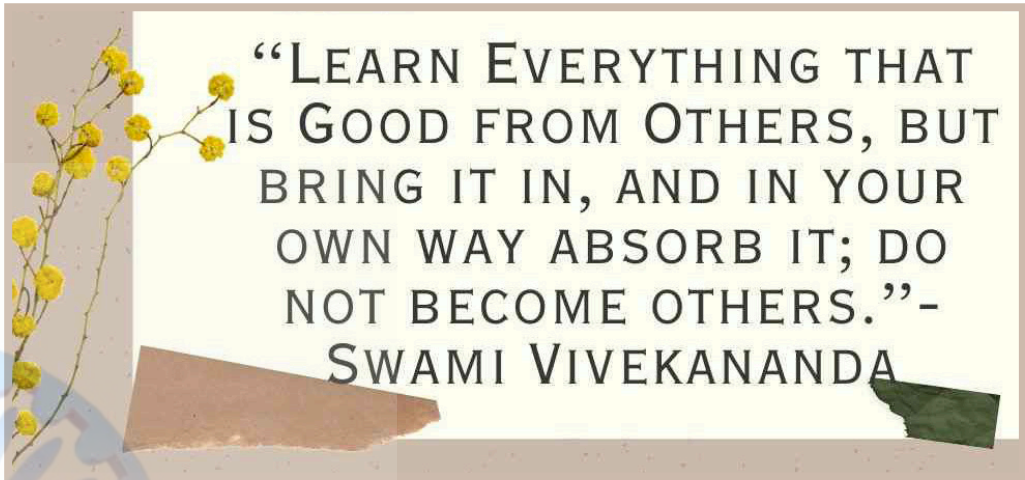
Tamilnadu won the bronze medal with a time of 02:14:08 in Triathlon Mixed Relay 38th National Games held in Uttarkhand on 27.01.2025. The team included P. Akash, S. Keerthi, K.D. Sai Lohitaksh and S. Aarthi demonstrating strong team work and resilience.

Wishing Thiru. P. Akash, Senior Inspector Office of the Registrar of Cooperative Societies(Housing) Chennai – 600 007, the best as they make us proud on the national stage.



On the eve of the 76th Republic Day celebration, on 26.01.2025, Tmt. B. Gayathri Krishnan, I.A.S., Additional Registrar (Consumer Activities), unfurled the national flag at the Tamil Nadu Cooperative Union premises.





On the occasion, Additional Registrars, Joint Registrars, Deputy Registrars, staff of the Registrar of Cooperative societies office, and officers & employees of the Tamil Nadu Cooperative Union were participated.





The Member Education Program, jointly organized by the Tiruchirappalli District Cooperative Union and the Institute of Cooperative Management, Madurai, was held on 04.02.2025 at TY.SPL.55 Manakkal Primary Agricultural Cooperative Credit Society in Lalgudi Taluk, Tiruchirappalli District. During this meeting, the importance of the cooperative sector was explained to both members and the general public. Additionally, details regarding various loans provided by cooperative societies were shared, encouraging members and the public to utilize these loans to improve their economic conditions.

The ICM, Madurai lecturer Dr. Sasidharan, elaborated on the significance of members, the structure of the cooperative sector in India, the framework of the cooperative sector in Tamil Nadu, the benefits brought by changes in the cooperative system, and the various services and loans offered through the cooperative sector. He also detailed the maximum loan limits and loan repayment periods.

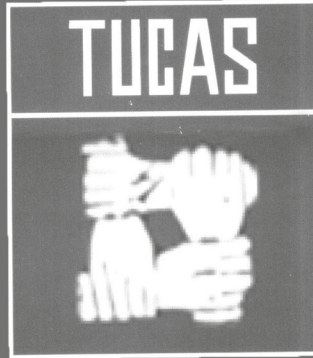
Furthermore, Lalgudi CSR/Field Officer Thiru. Abubakkar participated in the meeting and advised attendees on how they could enhance both themselves and their cooperative societies by actively engaging in cooperative services. The Secretary of the Manakkal Primary Agricultural Cooperative Credit Society, Thiru. Ramanathan, explained the services provided by the society. the CSR/ Executive Officer of the Tiruchirappalli District Cooperative Union Thiru. Senthilkumar, delivered the vote of thanks to all attendees of the Member Education Program.

The event was also attended by Thiru.Nagaraj, a multi-purpose assistant from the ICM, Madurai, and Thiru. Swaminathan, a supervisor from the Tiruchirappalli District Central Cooperative Bank.

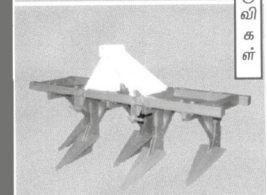
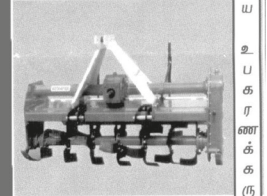
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A *Cooperative Vision for the Future*

Jeroen Douglas

As we embark on a new year, a year designated by the United Nations as the International Year of Cooperatives, let's raise a glass to the unwavering spirit of the global cooperative movement. This year holds a special significance, marking again – let's remember 2012 was the first UN International Year of Cooperatives! - a global recognition of cooperatives' immense contributions towards a more just and equitable world. The slogan of the year 'Cooperatives build a better world' rightly reflects this and captures the heart of our movement's enduring mission.

The past year has presented its share of local and global challenges. We have witnessed economic downturns, social unrest, and environmental crises. Yet, through it all, the cooperative spirit has remained steadfast, a beacon of hope in a world that prioritises profit over people and individualism over the general interest.



Our movement, like a vibrant tapestry woven from countless threads of cooperation, represents a global network of communities, businesses, and shared dreams. Each cooperative, from the smallest local credit union to the largest agricultural cooperative, plays a vital role in this intricate and colorful fabric. Together, we are a force for good.

Over the past 130 years, the ICA has been at the forefront of the global cooperative movement, guiding and supporting cooperatives worldwide. We have witnessed firsthand the transformative power of cooperation, empowering communities, fostering economic growth, and promoting social inclusion.

Worldwide, we have come together to address challenges like housing affordability and environmental sustainability, and so too have cooperatives tackled pressing global

issues. Cooperatives have provided access to essential goods and services including health care, supported local economies, and empowered individuals to take control of their own destinies. You have played a pivotal role in advancing the Sustainable Development Goals (SDGs), demonstrating that people-centered businesses can drive positive social and environmental change.

We have also witnessed the power of collective action. As cooperatives united, we have advocated for policies that support sustainable development, social justice, and economic democracy.

But our work is far from over. The cooperative movement must further evolve and grow towards a larger

share in the global economy. We must embrace innovation, adapt to changing circumstances, and continue to champion the values that define us: equity, self-help, social responsibility, and solidarity.

We must continue to innovate and find new ways to address our communities' challenges. We as cooperatives must explore new business models, embrace digital technologies, and invest in renewable energy. The recent rise of digital cooperatives, platform cooperatives, and social enterprises showcases the innovative spirit within our movement.

We must also ensure that our movement remains inclusive and accessible to all.



Let us strive for a global cooperative movement—where all members thrive. Let us build a movement where:

- ❁ Every individual has the opportunity to participate and contribute.
- ❁ Economic growth is driven by social and environmental responsibility.
- ❁ Cooperation and solidarity are the cornerstones of our interactions.
- ❁ Democracy and participation are central to all our activities.
- ❁ Sustainability is integrated into all aspects of our operations.

Let us not be afraid to challenge the status quo, to advocate for change, and to build a better future for all. Let us, like the wise and courageous members from all our countries, work together to create a world where cooperation truly shines as a beacon of hope.

As we look ahead to the future, the culmination of the International Year of Cooperatives will be marked by the 2nd World Summit of Social Development in Qatar, in November 2025. We hope to deliver with our top Cooperative and Mutual Leaders through CM50 - our Charter of a Cooperative Future and - through our key partners a commitment plan to accelerate SDGs and enhance the share of cooperatives and mutuals in the global economy. This summit presents a unique opportunity to showcase the transformative power of the cooperative movement on a global stage. Let us use this platform to amplify our voices, forge new partnerships, and solidify our commitment to building a better world.

From all of us at ICA, I wish you a prosperous, healthy, and cooperative New Year!

Let us step forward together, united in our mission to build a better world. □

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Thiru. Siddharth Jain IAS., Joint Secretary (JS), Ministry of Cooperation, Govt. of India and Thiru. Kapil Meena IAS., Secretary, NCCT, New Delhi visited the Natesan Institute of Cooperative Management on 09.02.2025, and interacted with the Director, Faculty, Staff about the Institute's activities and gave suggestions for the infrastructural improvement and successful conduct of the proposed events/activities for IYC-2025 celebrations and training programmes for the officials of newly formed MPCs (MPACS, MDCS, MFCS).

A portrait of IYC-2025 was set up by the Institute and the Joint Secretary was kind enough to inform our two MTS staff, who will superannuate from their services from NCCT, in the next two months, to unveil the IYC-2025 portrait. Dr. K. C. Ravichandran, ARCS, who recently assumed the charge of Managing Director of TNCU also participated in the discussions and shared his views on the collaborative training programmes & support to NICM, Chennai & ICM, Madurai.

February 13' 2025



World Radio Day is celebrated on February 13 every year to acknowledge and celebrate the significance of radio in shaping society and culture globally. It is a day to recognise the importance of radio in promoting information, education, and entertainment across diverse communities.



A members' education Programme was held on 28.01.2025 at the C.P.100 Ganapathipalayam Primary Agricultural Cooperative Credit Society in Pollachi Circle, Coimbatore District.

During this meeting, information was provided to members and the general public about various types of loans, including gold loans, crop loans, medium-term loans, women's self-help group loans, dairy cattle maintenance loans, and loans from TAMCO, TAHDCO, and for persons with disabilities. Additionally, KCC crop loans amounting to ₹40,90,000/- were disbursed to 33 beneficiaries, and a fixed deposit of ₹4,00,000/- was received from one individual.

On the occasion, Tmt. Swetha, Pollachi Circle Sub-Registrar, Thiru. Vimalraj, Secretary, Coimbatore District Cooperative Union, Thiru. Jothiswaran, Supervisor, Coimbatore DCCB, Thiru. Yuvaraj, Union Secretary, Thiru. Balasubramaniam, Society Secretary, members and general public from Ganapathipalayam, Diwansapudur, Meenakshipuram, Kalathupudur, Alangadu, and Gandhi Ashram areas.



On the eve of the 76th Republic Day, on January 26, 2025, the National Flag was unfurled and saplings were planted by Thiru. T. Arasu, Joint Registrar/Managing Director, Trichy DCCB (HO) premises. The Joint Registrar/Managing Director distributed loan amount cheque for Rs. 146.5 lakhs to 18 self-help groups. Additionally, two beneficiaries were given cheque for the "Kalaiyanar Kanavu Illam" scheme.

On the occasion, Thiru. Murugan, General Manager, Thiru. Senthilvelan, and Thiru. Ramesh Kant, Assistant General Managers, Bank employees, and members were participated





The refresher course have been conducted for the chennai region, subordinate officials of cooperative Department held at the Registrar of Cooperative societies meeting hall for 3 days, ie., from 23.01.2025 to 25.01.2025.

The course covered various topics. Dr.K.C. Ravichandran, Additional Registrar/Managing Director, Tamilnadu Cooperative Union, conducted class on the topic " Interpersonal Relationship Development" on 23.01.2025.

The topic covered the below content:-

Interpersonal Relationship Development: Key Insights

Interpersonal relationships are fundamental to our emotional and psychological well-being. They shape personal growth, provide support, and contribute to a sense of belonging. Whether it's friendships, family, or professional bonds, these relationships play a crucial role in our lives.

****Importance of Interpersonal Relationships****

Relationships foster personal development, emotional fulfillment, and a sense of security. They allow individuals to grow through empathy and self-awareness, while providing a foundation for mutual understanding. Moreover, strong relationships meet our intrinsic needs for affection and companionship, helping to establish our identity.

Types of Relationships Common types of interpersonal relationships include:

1. Friendship: Supportive and based on mutual trust.
2. Family: Deep and enduring connections with loved ones.
3. Professional: Goal-oriented, often more formal but can also offer emotional support.
4. Love and Marriage: Emotional connections built on intimacy, commitment, and mutual respect.



5. Casual Relationships: Informal interactions with acquaintances.

Phases of Relationship Development

Interpersonal relationships evolve through several stages:

1. Orientation: The initial stage where trust is established.
2. Identification: A deeper understanding of each other's needs and feelings.
3. Exploitation: Increased reliance and shared resources.
4. Resolution: Relationships either deepen or end gracefully.

Barriers to Healthy Relationships Barriers can arise from various sources:

1. Situational: Distance, time constraints, or environmental distractions.
2. Personal: Fear of rejection, ineffective communication, or lack of trust.
3. Sociocultural: Cultural, language, or social differences can create misunderstandings.

Guidelines for Success

To nurture healthy relationships, focus on:

1. Active listening and appreciation for others.
2. Managing emotions and resolving conflicts gracefully.
3. Maintaining respect and humility, avoiding criticism or boasting.

In conclusion, understanding the dynamics of interpersonal relationships can greatly improve how we connect with others. By being mindful of the various phases, barriers, and strategies for success, we can foster stronger, more meaningful connections that enhance both personal and professional life. □



THE
INDIAN
MEDICAL
PRACTITIONERS'
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IMPCOPS

ITS BIRTH AND GROWTH

M.Swaminathan

Joint Registrar of Cooperative Societies (Retd)

Introduction:

The Indian Medical Practitioner's Cooperative Pharmacy and Stores (IMPCOPS), Chennai is a Multi-State cooperative society administered by the Central Registrar of Cooperative Societies, New Delhi. It is engaged in manufacturing traditional Indian Medicines of Siddha, Ayurveda and Unani. It is the one and only unique organisation, working under the cooperative sector in India, manufacturing these three systems of Indian medicines under one roof and supplying quality drugs, thereby taking care of the health of the people.

Registration and Startington:

Realising the need to establish an institution to manufacture genuine Indian Medicines and supply them to the government hospitals a resolution was passed in a conference of

“Registered Indian Medical Practitioners”, held at Elluru (Andhra Pradesh) in August 1943 to form a Central Cooperative store for the purpose. Based on this resolution, IMPCOPS was registered on 6th September 1944, under the Madras Cooperative Societies Act, 1932, with its area of operation confined to the them Madras Province. The First General Body meeting of the Society was held at the Government School of Indian Medicines, Madras on 12th September 1944 and the society started functioning from that date with Captain Dr.G. Srinivasamurti as President and Dr.Y.Kondal Rao as Secretary, Dr.G. Srinivasamurti, besides being a great scholar, was a brilliant exponent of Ayurveda. Dr.Y. Kondal Rao was a distinguished medical man. If IMPCOPS has more become a household name for supply of quality Indian Medicines at reasonable prices, the credit should go to these two doctors.

The Society was brought under the purview of the Multi-State Cooperative Societies Act (MSCS Act) administered by the Central Registrar of Cooperative Societies from the year 1984. This Act was amended by the MSCS Act, 2002 and subsequently by the MSCS (Amendment) Act, 2023 which came into force on 3rd August 2023. The name of the Society was there upon changed as “Indian Medical practitioners Cooperative pharmacy and stores (Multi-State Cooperative Society) LTD.” (the Present name of the Society)

Location of the Society

The Society is located on a 9 acres – plot purchased by it in the year 1949. A building was constructed on this plot which accommodates the office and the pharmacy of IMPCOPS. Besides utilising its own funds, the society obtained a loan of Rs.1.50 Lakhs from the State Government for construction of this building.

Area of Operation

The area of operation of the society was confined to the erst while Madras Province from the date of its registration on 6th September 1944 till 29th January 1954. Consequent to the expansion of its business activities, it became necessary to extend the area of operation of the society to the whole of India from 30th January 1954.

Objects and Functions

The principal object of the society is to promote the interests of its members to attain their social and economic betterment. In order to achieve this object, the society is engaged in undertaking the following activities as provided for in by law No.3 of the bylaws of the society:-

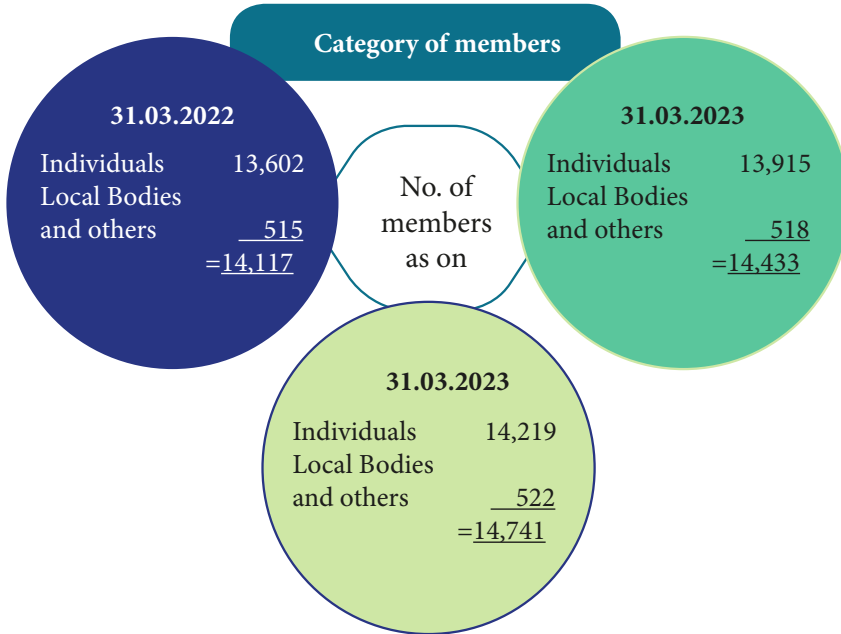
- ☛ Manufacturing Indian Medicines Viz Siddha, Ayurveda and Unani of high quality under expert supervision and directions;
- ☛ Supplying the needs of the members for prepared medicines and raw materials;
- ☛ Purchasing raw materials and arranging their stocking and distribution to members;
- ☛ Establishing an Institute to meet the professional needs of the members, tendering expert to advice to them and conducting research;
- ☛ Opening Branches / Depots and appointing stockists for sale of medicines and raw materials;
- ☛ Appointing Advisory Committee for the pharmacy and stores
- ☛ Exporting Indian Medicines and raw drugs to foreign countries; and

- ☛ Undertaking such other activities as are conducive to the promotion of Indian Medicines like running hospitals, etc.

Membership and Share Capital Membership

As per bylaw No.4 of the bylaws of IMPCOPS, the following individuals and institutions are eligible for membership of the society:-

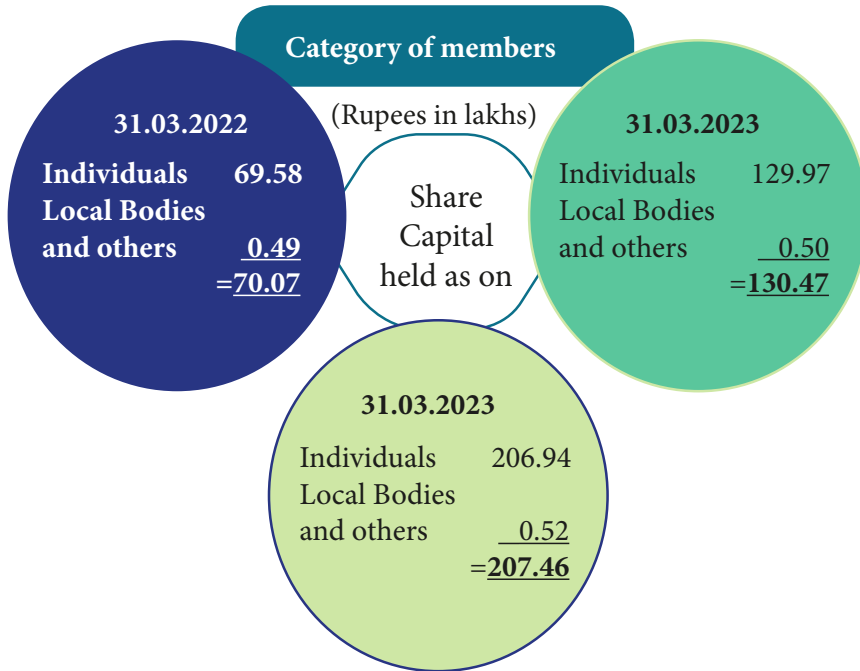
- Any registered practitioner of Indian Medicine (Siddha, Ayurveda and Unani);
- Local Body or Institution owned or controlled by the Government;
- Central Government
- State Government like



There has been a steady increase in the number of members from 124 during the year of its starting in 1944 to 14,741/- as at the end of the year 2023-2024.

Share Capital

According to by law No 17(i) of the bylaws of the IMPCOPS, every person to be admitted as its members should take at least one hundred shares of the value of Rs.5/- each. The progress made by the society in the collection of share capital



during the past three years is as below:-

There has been substantial increase in the members share capital from Rs.19080/- during the year of its starting in 1944 to Rs.207.46 lakhs at the end of the year 2023-2024. The increase is mainly due to the increase in membership and declaration of the maximum dividend of the 14% on the members share capital year after year.

General Body Meetings

Bylaw 29 of the bylaws of IMPCOPS specifies that the Board of Directors of the Society should convene a general meeting of its members within a period of six months after the close of every year for the purposes mentioned therein. Three General meetings were convened during the last three years,

participated family by a large number of members as should below:-

Dates of the General Meetings	No of Members Present
25-09-2022	999
24-09-2023	1222
22-09-2024	1186

Consideration of the Audit Report, Annual Report, Audit compliance Report, disposal of net profit, approval of the Annual Budget, amendments to bylaws, etc., are among the important subjects discussed in the General meetings.

Board Meetings

The management of the affairs of IMPCOPS vests in a Board of Directors, considering of 17 Members – 16

elected members and the Chief Executive. out of the 16 elected members, 9 are from Tamil Nadu, 3 from Andhra Pradesh and the remaining 4 at the rate of 1 each from the 4 states of Karnataka, Telangana, Kerala and other states including union Territories. The term of Office of the elected members is 5 years from the date of election.

Election of the members of the Board is conducted by a Returning officer appointed by the Board. As soon as the members of the Board are elected, the Returning officers convenes a meeting of the newly constituted, Board for election of office bearers_ President and Vice-President. The Board is the competent authority to appoint the Chief Executive of the Society who is responsible for managing its day-to-day business.

Executive Committee

Subject to the general control of the Board, the administration of the affairs of the society vests in an Executive Committee consisting of the President, Vice-President, Chief Executive and 3 members elected by the members of the Board from among them. The period of office of the executive committee is 5 years. The amount for the meeting is three. The Board of the society delegated such of its powers as it deems fit for being exercised by the Executive Committee.

Manufacturing Facilities

IMPCOPS has a pharmacy of its own at its Head Office in

Tiruvanmmiyur, Chennai. It consists of seven manufacturing sections, one centralised packing section and one stores for prepared medicines. The raw materials required for preparation of medicines are procured from the dealers and stored here after their quality is checked by the Analytical Laboratory of IMPCOPS. They are sold to members and others as per the terms and conditions laid down by the Board of Directors of the Society.

Centralised Packing Section

All the medicines prepared in the manufacturing section are transferred to a centralised packing Divisions, after then quality check-up, for packing the medicines in required sizes. The medicines are then, despatched to the doctor members, and to the hospitals run by the Government and the Local Bodies as per their indents.

The society is manufacturing 336 items in Siddha, 350 Items in Ayurveda and 162 items in Unani systems of Indian medicines. There was however no enough space, in the society for packing work and storage of medicines. By availing a term loan of Rs.8.50 Crores from the Union Bank of India and Rs.16.94 Crores from the National Cooperative Development Corporation, the Society has constructed two ground plus first floor Rcc building in the Head Office premises. By this, an area measuring 28400 Sq.ft was made available for packing and storage of medicines.

Business Activities

IMPCOPS utilises its funds, raised by way of share capital from its members, loans from the government, Nationalised Banks, National Development Corporation, etc, in its business of manufacturing, stocking and selling the Indian medicines, wholesale and retail, to its members and others. The sales turn-over of the society during the last three year is as mentioned below:-

Year	Sales Turn Over
2021-2022	50.51
2022-2023	55.11
2023-2024	59.18

The Society has framed subsidiary regulations for sale of the medicines.

IIMPCOPS has its Branches in the states of Tamil Nadu, Pondicherry, Andhra Pradesh and Kerala. It has Direct Sale Depots in these States and also in Telangana and Karnataka States. These Branches and Sales Depots are engaged in the sale of medicines manufactured by IMPCOPS. The society has appointed stockists/Distributors for the sale of raw materials and finished products in several centres in its area of operation.

It will be relevant to mention here that the sale price for the prepared medicines, rate of discount to the members, stockists, Distributors, etc., are fixed by the Board of Directors of the Society.

Over the Counter Sales

Besides through its Branches and sales Depots, IMPCOPS is selling its products "Over the counter" (OTC) also. Herbal hair oil, hair fall shampoo, herbal Soap, Raktha chandana Soap, face pack, crack cream, Pain balm, oils, syrups, herbal tea products and syrups are the products sold over the counter. There is over whelming response for the counter-sales from the general public.

Export of Proudcts

IMPCOPS is exploring the feasibility of exporting its products to foreign countries. It is in touch with some foreign dealers to find out the scope for export of its products. The Government of Singapore has already given its concurrence for purchase of the IMPCOPS products.

Veterinary Medicines

In addition to production of medicines for human consumption, IMPCOPS has launched a Veterinary Division. It has manufactured 40 veterinary medicines for being used in the treatment of animals.

IMPCOPS Hospital

During the initial years of working of IMPCOPS, its activities were confined to the manufacture of Indian medicines. As years passed on, there was a mounting pressure from the public for quality medical treatment.

IMCOPS there upon started a hospital of it's our with outpatient and Impatient departments. Patients who needed treatment by staying in the hospitals are admitted as inpatient. Rooms are available in the hospital with essential amenities for staying and getting proper treatment in the inpatient department. In the outpatient department, about 100 patient are given consultation per day. Doctors with experience and expertise are employed to provide the treatment. The cost of treatment in the IMPCOPS hospital is much lower than that of the private hospitals. Reimbursement facilities for the expenditure incurred on treatment by the Central and State Government employees are available.

Unique Features

Some of the unique features concerning IMPCOPS are briefly mentioned below:-

1. IMPCOPS is implementing a "Continuous Medical Education Programme" under which eminent doctors of Siddha, Ayurveda and Unani systems are conducting classes to the members of the Society and others through video conference on every Friday in a week.

2. It has introduced "Illam Thedivarum IMPCOPS Marunthukal". The Society can be contacted over phone (91710105678 and 9710205678) and medicines will be promptly delivered to the customers on demand.

3. It is invariably analysing the quality of the medicines, adopting the

advance testing procedures laid down in the guidelines of AYUSH.

4. Quality control of the medicines is assured as a result of direct supervision at every stage of production by qualified doctors before the medicines reach the market. The quality of the medicines, in turn, brings credibility to the doctors who prescribe them. This factor attracts the patients to approach the doctors working in IMPCOPS for consultation and treatment.

5. Bulk purchase of raw materials required for production of Indian medicines enables the IMPCOPS to procure them at a reasonably low cost, thereby reducing the cost of production. This helps the society to sell the medicines at a cost lesser than that of the private traders.

6. The Ministry of Health and Family Welfare Department of Ayush, New Delhi, enlisted IMPCOPS as one of the main supplies of siddha medicine to the Government institution.

7. IMPCOPS received a "Good Manufacturing Practice Certificate" from the Drug Controller authorities. It is therefore an approved institution in the state for manufacturing Indian medicines; and

8. IMPCOPS organised an International conference on "AIDS" on 25.07.1993 in befitting manner.

JUBILEE CELEBRATIONS

IMPCOPS conducted its Jubilee function in a grand manner. The Silver Jubilee was celebrated in the year 1969, the Golden Jubilee in 1995, Diamond Jubilee in 2004 and the Platinum

Jubilee in 2022. Souvenirs were brought out on each of the Jubilee functions, containing message of best wishes for the successful conduct of the celebrations. Photos of the leaders of IMPCOPS and other very important persons connected with the organisation and valuable articles authored by eminent personalities were also published in the souvenirs.

Inauguration of a Jubilee Museum during the silver Jubilee celebrations in 1969 and unveiling of a bronze statue of vaidyarthna captain Dr.G.Srinivasamurthi, the founder of IMPCOPS, during the Diamond Jubilee celebrations in 2004 are among the very important events celebrated elaborately on the occasions. response for the counter-sales from the general public.

WORKING RESULTS

The Society is working on profit. The profit earned during the last 3 years is as shown below.

(Rs.in lakhs)

Year	Profit
2021-22	175.54 (occurrence of covid disease)
2022-23	25.07
2023-24	30.35

The profit, as declared by the Auditor, is disposed of in the order of priority specified in by law 63 of the by law for the society.

Conclusion

The Indian systems of production, preservation and disposal of medicines are recognised by the world Health organisation. IMPCOPS ensured that the raw materials required for production of medicines are procured after their quality is tested and approved by its Analytical Laboratory. The quality of the finished products is also tested by the laboratory before releasing them for sales. The hospital run by IMPCOPS has employed doctors with expertise and experience in providing health care services to the people in a reliable and effective manner. IMPCOPS is marching ahead in its overall working with the able and efficient support and guidance of the energetics, enthusiastic enlightened members of the board of management under the dynamic leadership of Thiru.Pandian as its president.

With more and more people turning to Indian medicines, IMPCOPS has to continue to play its vital role in ensuring better health standards of the people, retaining and also boosting its name and fame in the production and supply of Indian medicines. □



Compilation of Judgments of the High Court of Madras on Law Relating to Cooperatives in 2021

R. Muralidharan

(Continued from Previous month...)

(33) The prayer in the writ petition was for a declaration to declare Rule 149(2-A) of the Rules, which came into force on 26.12.2007 is applicable only to the employees appointed after the date of the amendment i.e., 26.12.2007, but not retrospectively. The W.P. (MD) No.5444 of 2018 was dismissed by the learned single Judge and hence writ appeal in M. Godwyn James vs. The Joint Registrar of Co-operative Societies, Thoothukudi and others, W.A. (MD) No.1624 of 2018 and W.P. (MD) No.2072 of 2019 dated 8.4.2021.

The Court is of the view that the argument projected that the employees, who are appointed earlier to the amendment cannot be sent on deputation by pressing the power given under the amended rule cannot be accepted. This can never be a ground to challenge the effect of the statute, technically not the very provision of the Act. That apart, deputation is one among the service conditions and even assuming that if it is specifically provided for, considering the

welfare of the organisation as well as the employees, the society is entitled to exercise the jurisdiction. Therefore, the Court cannot grant the relief sought for.

In the result, the writ appeal is disposed with an observation that the staff of the society are liable to be sent on deputation either prior to the amendment or thereafter.

(34) Seeking a direction to the respondents to disburse the subsistence allowance to the petitioner for the suspended period, writ petition came to be filed in R. Karuppusamy vs. The Joint Registrar of Co-operative Societies, Coimbatore and another, W.P. No. 21831 of 2014 dated 21.1.2021.

According to the respondent the petitioner was not an employee as defined under S. 2(a) of the Payment of Subsistence Allowance Act, 1981, and the managerial/supervisory post stands excluded from the applicability of the said Act. At the outset, it is to be stated that the word 'subsistence' itself denotes that the payment is for survival of the employee and his family. So long as the co-operative society keeps an employee under

* Puducherry Civil Service Officer (Retd). Director, Catalyst [The Training People]

suspension, it has an obligation to pay subsistence allowance. Also, it is well settled that denial of subsistence allowance is deprivation of livelihood and therefore, it is in violation of Article 21 of the Constitution of India. Hence, the action of the respondents in not paying the subsistence allowance is arbitrary, illegal and unconstitutional.

Reference can be made to the judgments of the Supreme Court in Capt. M. Paul Anthony vs. Bharat Gold Mines Ltd., and another, (1999) 3 SCC 679 and Jagdamba Prasad Shukla vs. State of U.P. and others, (2000) 7 SCC 90. The petitioner drew the attention of the Court to the judgment of a Division Bench dated 10.2.2020 rendered in WA.No.1352 of 2019 in the Registrar of

Co-operative Societies, Chennai and others vs. M. Elango, wherein it was held that the total denial of subsistence allowance to a suspended employee of the secretarial or managerial cadre, would be violative of Article 21 of the Constitution of India and hence, the appellants were directed to consider his claim of subsistence allowance.

That apart, as per Regulation 29(d)(i) of the Tamil Nadu Primary Agricultural Co-operative Banks Common Cadre Service Regulations, 2000, and in terms of G.O.Ms.No.55, Co-operation, Food and Consumer Protection Department, dated 24.3.2000, relating to common cadre employee, which would govern the field

of payment of subsistence allowance, the petitioner is entitled to receive subsistence allowance, as he was suspended from service on 20.4.2006, i.e., prior to the date of abolition of the common cadre, vide G.O.Ms.No.122, Co-operation Food and Consumer Protection (CN1) Department, dated 4.7.2008. In such perspective of the matter, the Court has no hesitation to direct the respondents to consider the claim of the petitioner seeking subsistence allowance during the suspended period and pay the same to him.

(35) The main contention of the petitioner in the Management, Madurai District Central Co-operative Bank Ltd., vs. The Deputy Commissioner of Labour, Madurai and another, W.P. (MD) No.4650 of 2011 dated 4.3.2021 is that a specific procedure is available for filing an appeal before the appellate authority, as per special bye-law of the society, under S. 153 of the Act. However, without availing such an opportunity under the respective statutes, filing an appeal under the Shops and Establishments Act, is not maintainable. Even on merits, the 2nd respondent himself admitted his guilt in his explanation. Further, the 2nd respondent himself admitted his negligence for handing over the blank demand draft to the third party. Therefore, the order of dismissal passed by the original authority is valid and hence, the order impugned is liable to be interfered and he prays for allowing the writ petition.

The Division Bench in *Eswaramoorthy vs. Leoraj*, reported in 2008 (5) MLJ 238 held that there is no implied ouster of the jurisdiction of the power of the Labour Court/Industrial Tribunal to deal with similar matters if disputes are raised before them by workmen or employees covered by those provisions., Since the 2nd respondent himself has admitted his guilt but the Shops Authority has arrived at a conclusion and fixed the responsibility against the petitioner bank, which disbursed the amount to the third party. Such a finding is wholly unsustainable. Once the 2nd respondent has admitted his guilt and negligence, the Shops Authority, should fix the responsibility against the person. Further, it is not the case of the petitioner management that the 2nd respondent intentionally handed over the blank demand drafts to the third party and out of such act; the 2nd respondent had unjustly enriched himself. In the absence of such allegation and any finding to that end, the order of dismissal is highly disproportionate; but at the same time setting the said order of punishment also cannot be sustained as the 2nd respondent has to be necessarily punished for his proven delinquency.

Hence, the Court is inclined to modify the punishment of dismissal into one of compulsory retirement and the 2nd respondent is not entitled to get any back-wages from the date of termination till the date of superannuation. The petitioner is

directed to settle the terminal benefits to the 2nd respondent, after deducting a sum of Rs.2,61,092.

(36) The 1st respondent/workman was initially appointed as a Call Boy in the petitioner society on 2.12.1971 and thereafter, he was promoted as Attender on 16.2.1979. The petitioner society has passed an order allowing the 1st respondent to retire from service on attaining the age of 58 years, on 31.5.2008. According to the 1st respondent, he is entitled to work up to the age of 60 years, as per the special bye-law of the Madurai District Central Co-operative Bank. Therefore, the 1st respondent/workman raised an industrial dispute before the Labour Court. A perusal of insurance policy reveals that the insurance was taken by the petitioner society and the last date of maturity of the policy is 25.3.2008. It is the stand of the petitioner that the special bye-law provides the age of retirement of last grade servants in the petitioner society as 60 years. However, it is to be pointed out that the special bye-law, which is referred to by the workman relates to the co-operative bank and is in no way connected with the petitioner/society. In the absence of any special by-law relating to the petitioner society, then it is clear that the basic servants service rules comes into play in relation to the service condition of the petitioner.

It is not in dispute that insofar as the retirement age is concerned, the rule applicable to the Government employees shall be applicable to

the petitioner society. As per the Fundamental Rule 56, the retirement age of the basic servants is 60 years. In the present case, it is not in dispute that the workman was in basic servants and would be squarely covered by the basic servants' service rules. Such being the case, the finding of the Labour Court that the workman is entitled to be continued in service till the age of 60 years is perfectly sustainable and does not suffer the vice of illegality. However, the fact remains that the 1st respondent was allowed to retire from service on 31.5.2006. When the 1st respondent has not physically attended duty, the order of the Labour Court, awarding the back-wages to the 1st respondent is impermissible. The 1st respondent/workman has not physically attended work between 31.5.2006 and 31.5.2008 and, therefore, applying the principle of 'No work No pay', the petitioner is not entitled for back-wages, but only entitled for service benefits and, accordingly, the order of the Labour Court granting back wages cannot be sustained. The writ petition was disposed accordingly in the Management, Madurai District Central Co-operative Bank Staff's Co-operative Credit Society Ltd., vs. S. Ganapathy and another, W.P. (MD) No.12004 of 2011 dated 10.3.2021.

(37) The petitioner in A. Manivel vs. The Registrar of Co-operative Societies, Chennai and others, W.P. (MD).No.8116 of 2021 dated 20.4.2021 sought for a direction upon the respondents to grant promotion to

him by considering his representation. According to the respondents in view of the pendency of the criminal case, the petitioner's name was not considered and on conclusion of the criminal case, his name will be considered in future. In view of the pendency of the criminal case, the petitioner is not entitled to the relief as sought for in the present writ petition. Accordingly, the writ petition is dismissed.

Challenging the afore finding of the learned single Judge, writ appeal was filed in A. Manivel vs. The Registrar of Co-operative Societies, Chennai and others, W.A.(MD) No.1462 of 2021 dated 27.7.2021. Admittedly, departmental action was initiated against the appellant which culminated in an order of punishment and imposition of fine, which order was confirmed by the Joint Registrar. This order has been put to challenge by the appellant by filing W.P. (MD) No.4506 of 2018 and an order of interim stay has been granted on 2.3.2018. That apart, a criminal case has been registered against the appellant. Further, merely because there is an order of stay granted staying the punishment imposed on the appellant, it cannot be stated to mean that the order of punishment itself has been set aside. Therefore, unless the appellant extricates himself from the punishment imposed in the departmental charge memo and the criminal case, the appellant's candidature cannot be considered for promotion. Therefore, there is no error in the order passed in the writ

petition. Accordingly, the writ appeal is dismissed.

(38) The petitioner would submit that though the Sub-Rule 7(1)(ii) of the Special Rules for the Tamil Nadu Co-operative Subordinate Services prohibiting for promotion unless the petitioner rendered three years qualified service in the feeder category, however, the said Rule is contrary to S. 12 of Tamil Nadu Government Servant (Conditions of Service) Act, 2016, which clearly says that the period spent on leave will not bar any individual from being promoted if he/she is otherwise fully qualified to hold the post.

Admittedly, the petitioner joined Senior Inspector of Co-operative Societies on 27.12.2012 and she had been in maternity leave and because of that availing of maternity leave, the petitioner could not complete three years as required under the Special Rules. However, the said legal position has been completely changed introduction of the Act, which has retrospective effect. If the earned leave and medical leave availed by the petitioner is included as the period in service, she could have completed three years of service as on 1.5.2016. But, without considering S. 12 of the Act, the said impugned order was passed which is non-est in law. Accordingly, she prays for allowing the writ petition in *T. Priyatharsini vs. The Secretary to Government, Co-operation, Food and Consumer Protection Department, Chennai and others, W.P. (MD)*

No.23939 of 2016 dated 15.3.2021.

On perusal of the Rules makes it clear that in the particular cadre, they must possess minimum period of three years of service including the period of probation, but excluding the period of training and the period spent on leave and suspension. Similar provisions are available in Rule 9 of the Tamil Nadu State Subordinate Rules and the said Act and Rules makes it clear that the absence of a member from duty in such service, whether on leave, or on foreign service or on deputation or for any other reason and whether his lien in a post borne on the cadre of such service is suspended or not, shall not, if he/she is otherwise fit, render him ineligible in his/her turn for promotion to their lower to higher category. In view of S. 12 of the Act and Rule 9 of the above said Rule, the maternity period of 180 days and the earned leave of 7 days shall be included for totalling the period of service in the feeder category in order to fulfil the service in the feeder category for promotion to the post of Cooperative Sub Registrar.

However, the 2nd respondent, without considering the said Rules and Act provisions, rejected the petitioner's request for inclusion of her name in the approved list of Co-operative Sub Registrar of the year 2016 drawn on 1.5.2016 is not sustainable in law. Hence, the impugned order is set aside.

(39) The petitioner would submit that the respondents have not

followed the procedure under the Rules for altering the charge memorandum from Rule 17(a) to Rule 17(b) of the Rules and had demoted the petitioner without any enquiry. The learned Additional Government Pleader for the respondents would submit that the earlier promotion to the post of Deputy Registrar of Co-operative Societies was temporary and therefore, the action of the respondents in demoting him, in view of the pendency of the departmental enquiry, cannot be found fault with. The very inception of the disciplinary action initiated against the petitioner requires to be interfered by the Court on a very basic infirmity adopted by the respondents in failing to observe the procedure contemplated for proceeding with a departmental action under Rule 17(b).

In the instant case, originally, the petitioner was subjected to charges under Rule 17(a) on 27.12.2017 and after a considerable time, new charges were framed on 24.7.2019 under Rule 17(b) on the same set of statement of allegations. Though the Court had granted an order of interim stay of the charge memo, the 1st respondent without any enquiry or further proceedings, had demoted the petitioner to the post of Co-operative Sub Registrar. Apparently, the act of demotion would amount to a punishment, which has been made without following the procedure under Rule 17(b) of the Rules. On this sole ground, the charge memo as well as the

subsequent demotion orders cannot be sustained.

In view of quashing of these orders, the petitioner shall be retained in his original post as Deputy Registrar. However, if the respondents are of the view that the petitioner should be subjected to departmental action under Rule 17(b) of the Rules, and they are granted liberty to do so, by strictly adhering to the procedure contemplated under Rule 17(b). Thus the writ petitions stood allowed in B. Raveendran vs. The Secretary to Government, Department of Cooperation, Food and Consumer Protection Department, Chennai and others, W.P. (MD) Nos.21798 of 2019 and 5353 of 2020 dated 9.2.2021.

(40) The petitioner is the District Central Co-operative Bank and is also covered under the Employees Provident Fund and Miscellaneous Provisions Act. The Assistant Provident Fund Commissioner has issued a letter stating that the petitioner has given the membership for EPF contribution up to A/c No.TN/29769/44, but the bank has remitted the EPS (Employees' Pension Scheme) contribution up to A/c No.TN/29769/217 only. The bank was requested to remit the EPS contribution in respect of remaining 27 employees. Subsequently the bank has remitted the pension fund contribution for 17 members, out of 27 members, since the remaining 10 members have already attained the age of superannuation. After long persuasion, one employee has

only come forward to remit his contribution. Thereafter a proposal was sent on behalf of the said employee to the 1st respondent and the concerned authorities processed the proposal sent on behalf of the employee and he was being paid the pension.

While so, the Assistant Provident Fund Commissioner has passed an order under S. 14(B) of the Employees Provident Fund Act 1952 imposing levy of damages for belated payment of pension contribution payable under employees' pension scheme for the period from 3/93 to 5/02 for a sum of Rs.37,347 purported to be under S. 14(B) of the Act to pay the damages. The authority has also passed another order under S. 7(Q) of the Act demanding the interest on the damage amount. Challenging the order passed by the 1st respondent under S. 14(B) of the Act, the petitioner filed a statutory appeal before the Employees Provident Fund Appellate Tribunal, New Delhi and in that appeal, the petitioner filed waiver application. While pending adjudication before the Appellate Tribunal, the impugned demand notice of attachment was served on the petitioner. During the pendency of the writ petition, the appeal preferred by the petitioner before the Appellate Tribunal was already dismissed for default and further, the petitioner has not obtained any interim order before the Appellate Tribunal. Therefore, in the absence of any interim order, the respondent authorities issued the

demand notice against the petitioner. Without pursuing the matter before the Appellate Tribunal, challenging the demand notice issued by the authorities is not sustainable one. For the above reasons, the writ petition in Sivagangai District Central

Co-operative Bank Ltd., vs. The Assistant Provident Fund Commissioner, Madurai and another, W.P (MD) No.6810 of 2010 dated 24.3.2021 is misconceived and the same is liable to be dismissed.

(41) Writ petition has been filed in Vellore District Consumer Co-operative Wholesale Sales Stores Ltd., vs. The Authority under the Conferment of Status Act/ Assistant Commissioner of Labour (Implementation), Vellore and others, W.P.No.30074 of 2019 dated 24.6.2021, seeking to quash the order passed by the 1st respondent in by which, while issuing a certificate under S. 3(1) of the Conferment of Workmen Status, the petitioner / management was directed to regularize the services of the 2nd and 3rd respondents.

The 2nd and 3rd respondents (employees) were in employment of the management and though they stated that they have been deprived employment, such averments were never stated in their application. The stand of the management is that the employees have not been appointed by following proper procedures and they have been subsequently denied employment. It is not in dispute that they were paid wages of Rs.8 to

10 per day, through vouchers, that the request of the employees for conferment of permanent status was rejected by the Registrar previously and that they had approached the Authority concerned after a decade.

It is relevant to point out that the provisions of the 1981 Act nowhere prescribe any time limit for the employees to redress their grievances. Even though it has been stated that the employees have not been appointed, pursuant to any advertisement or through proper recruitment process, the Authority held that the nature of qualification required for such posts has been fulfilled and therefore, it can be merely termed as irregular appointment and not an illegal appointment, so as to deprive employees the status of permanency. The Authority further held that when other employees have been provided employment, deprivation of employment to 2nd and 3rd respondents would amount to discrimination.

Finding that the Authority concerned has deeply gone into all the factual and legal aspects and conferred permanent status on the workmen, which, in the considered opinion of the Court, is perfectly valid and justified and does not warrant any interference by this Court. Hence, the writ petition is liable to be dismissed.

(42) In view of the non-payment of encashment of his earned leave salary, provident fund and gratuity of the petitioner's contribution, writ petition

was filed in S. Ayyanar vs. The Joint Registrar of Co-operative Societies, Madurai and others, W.P.(MD) No.5987 of 2021 dated 17.3.2021.

The issue with regard to the disbursement of the encashment of leave salary provident fund and gratuity has already been settled in various decision and more particularly in the judgment of the Division Bench in W.A. No.207 of 2016 dated 26.2.2016 in the case of TANSIDCO vs. P.K. Panchaksharam. It was held that the earned leave salary and the petitioner's contribution towards provident fund and gratuity would be deemed to be the petitioner's property, which he would be entitled to receive the same. There shall be a direction to the respondents 1 and 2 to disburse the encashment of leave salary, provident fund and gratuity of the petitioner's contribution.

(43) The 1st respondent was terminated from service against which a case was filed in the Labour Court. The Labour Court held that the domestic enquiry conducted was in free and fair manner and following the principles of natural justice. The Labour Court passed award wherein it is held that the charge of misappropriation has not been proved, however, the charge of tampering and misusing old bill books for illegal monetary personal gain has been proved. However, the Labour Court proceeded to interfere with the quantum of punishment awarded to the 1st respondent by the petitioner management on the

ground that the family members of the 1st respondent died in TSUNAMI. Accordingly, the Labour Court set aside the order of dismissal passed by the petitioner management and has granted continuity of service for the purpose of calculation of terminal benefits and has turned down the reinstatement and back-wages as the 1st respondent has already attained the age of superannuation. Against which the writ petition is filed in the Management, Co-optex Sales Emporium, Tiruchirappalli vs.

M. Shamsudeen and others, W.P. (MD) No.4535 of 2011 dated 8.1.2021.

The petitioner management would submit that the purpose of tampering bill books and using the old bill books are for monetary gain and without monetary gain, there was no tampering of the bill books and utilizing the old bill book is arisen. Hence, for proven charges, that too, for corruption charges, the Labour Court has no power to modify the punishment. Since the 1st respondent has committed the serious corruption and misappropriation which cannot be modified by the Court.

Insofar as the punishment awarded to the 1st respondent is concerned for the delinquency, it has been the consistent view of the Courts that, it is always within the domain of the appointing authority to decide on the punishment to be imposed on the delinquent, which should be proportionate to the act of the delinquent. Only when the punishment

is disproportionate and shocking the conscience, the Courts interfere with the same, in exercise of powers under Article 226 of the Constitution of India. Profitable reference is made to the decision of the Supreme Court in Prem Nath Bali vs. High Court of Delhireported in(2015) 16 SCC 415.

In the case on hand, the Labour Court arrived at a categorical conclusion that though the charge of tampering of the old bill book against the 1st respondent was only established, the misappropriation of funds was not established. However, in the opinion of the Court, the 1st respondent was involved in the misappropriation by corrupt motive for illegal monetary and personal gains by tampering and utilising the old bill books. When the tampering of old bill books was established, the Court is unable to understand as to how the Labour Court has come to the conclusion that the monetary loss was not established.

For disproving the case of the petitioner management, the 1st respondent marked only acquittal order of the criminal case and in catena of decisions; the Supreme Court held that mere acquittal will not expunge the irregularities committed in the employment. Therefore, the award of the trial Court is perverse and liable to be interfered with. Accordingly, the writ petition is allowed and the award passed by Labour Court is set aside.

(44) It is the case of the workman that the employee has been divested

of his duties without following any procedure and that the Authority under the Tamil Nadu Shops and Establishments Act, 1947 set aside the order of termination. The petitioner/management contented that the order has been set aside, as the person employed has committed an act of misappropriation. It is further contended that as there is no order of reinstatement passed by the Authority under the Shops Act, no benefits would be extended.

The Court makes it very clear that once the order of termination or non-employment is held to be bad by the Authority under S. 41 of the Shops Act, 1947 there is no need for reinstatement to be mentioned in the order, as once the order is set aside the termination order becomes non-est in the eye of law and it is deemed to be in service as if no order has been passed, vide the Division Bench in the case of The Tata Iron And Steel Co., Ltd. vs.

G. Ramakrishna Ayyar and another, reported in (1950) LLJ 1043 Mad.

Once an order of dismissal is set aside by the appellate authority, reinstatement is in-built in the said order. The management has produced the documents to show that the employee has committed misconduct and that surcharge proceedings under S. 87 has been passed wherein it has been held that the employee has caused loss to the society and that he has misappropriated the amount to the tune of Rs.87,654.80. The order

passed under S. 87 has become final; the employee has to return the amount to the employer, even assuming that the order of the Labour Court is correct. The writ petition in the Management, Mettur Government Servants Co-operative Stores Limited vs. The Presiding Officer, Labour Court, Salem and another, W.P. No. 12766 of 2005 dated 29.6.2021 is allowed as prayed for and the order passed by the Labour Court, Salem is set aside.

(45) Writ appeal in T. Satyadoss and others vs. The Secretary to Government,

Co-operation Food and Consumer Protection Department, Chennai and others, W.A. (MD) No.1253 of 2021 dated 21.7.2021 is directed against the order dated 18.7.2019, passed in W.P. (MD). No.14990 of 2015.

The said writ petition was filed by the appellants challenging G.O.Ms. No.189,

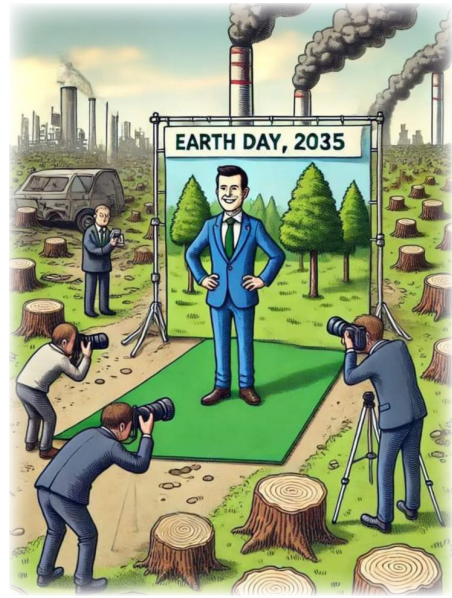
Co-operative Food and Consumer Protection Department dated 17.11.2009 and for a consequential direction to fix dearness allowance at 84% in so far as the appellants are concerned and consequently direct the respondents to fix the pay scales along with the D.A at 97% from 1.4.2008, as arrears after deducting whatever amount was paid already to the petitioners. The Writ Court dismissed the writ petition on two grounds. Firstly, on the ground that the appellants ought to have exhausted the alternate remedy available under

S. 153 of the Act. The second ground which also is a species of the first ground stating that the alternate remedy provided under the Act ought to have been exercised before approaching the Court.

Both the grounds on which the writ petition was dismissed may not be tenable for the following reasons: Firstly, the appellants did not seek for any service benefits from the society where he was employed and it is not a case that such benefits were denied by his employer and against which, he has a remedy under S. 153 of the Act. In the instant case, the petitioner has challenged the validity of the Government Order and for a consequential relief to fix the dearness allowance and thereafter, for further consequential relief to fix the pay scale along with the DA and pay monetary benefits. This prayer cannot be agitated before the revisional authority. Secondly, if that is so, the petitioner

cannot be non-suited on the ground that he has not availed the alternate remedy. In the result, the writ appeal is allowed and the order passed in the writ petition is set aside and the writ petition is restored to the file of the learned single Bench.

(To be continued....)



செயற்பாலைத் தோரும் அறகனை ஓருவற்கு
உயற்பாலைத் தோரும் படு
குறள் : 40

'Virtue' sums the things that should be done;
'Vice' sums the things that man should shun.
Kural : 40

The views expressed in the articles published in this magazine are not that of the Tamilnadu Cooperative Union

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