



Government of West Bengal
Co-operation Directorate
New Secretariat Building (4th Floor)
1, Kiran Shankar Roy Road
Kolkata – 700 001

Memo No: 31 / IV - 801/03 (S 24 Pgs. Pt.)

Date: 03 / 01 / 2020

To
Deputy Registrar of Co-operative Societies /
Assistant Registrar of Co-operative Societies,
..... (All Ranges)

**Sub: In the matter of extension of service after
retirement on superannuation by certain
employees of Co-operative Societies**

You are aware that the West Bengal Co-operative Societies Act, 2006 and Rules made thereunder do not contain any provision for extension of service of an employee of a Cooperative Society after superannuation. But instances of such extensions have been reported from many corners. Several writ petitions have also been filed before the Hon'ble High Court in connection with the matter. Hence a clarification was sought for from the Co-operation Department, Consequent upon the same, the Ld. Legal Advisor & Ex-Officio Joint Secretary has offered his valued opinion in this regard and the same is noted below:-

"... Since section 134C (2) (d) of the West Bengal Co-operative Societies (Amendment) Act, 2010 has provided autonomy to Co-operative Credit Structure Entity in all financial and internal administrative matters including personnel policy, staffing, recruitment, posting and compensation to staff, the said Co-operative Credit Structure Entity may extend the tenure of service of its employees but the said policy of extension of service may first be approved by the members of such Co-operative Credit Structure Entity and included in the bye-laws in terms of section 19 of the West Bengal Co-operative Societies Act, 2006.

However, if the State Government has subscribed to the share capital of a Co-operative Society or guaranteed the principal and interest of loans and advances to the Co-operative Society or assisted the Co-operative Society with loans and grants, prior approval of the State Government will be required while extending the tenure of service of its employees."

As such, you are directed to note the same for future reference.


Registrar of Co-operative Societies,
West Bengal