

U.P. Primary Agricultural Co-Operative Credit Societies Centralised Service Rules, 1976

UTTAR PRADESH

India

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Rule

U-P-PRIMARY-AGRICULTURAL-CO-OPERATIVE-CREDIT-SOCIETIES- of 1976

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Part I – Preliminary

1. Short title, scope and commencement.

(1)These Rules may be called the Uttar Pradesh Primary Agricultural Co-operative Credit Societies Centralised Service Rules, 1976.(2)These rules shall apply to all the Primary Agricultural Co-operative Credit Societies registered or deemed to be registered under the Uttar Pradesh Co-operative Societies Act, 1965 (Act XI of 1966).(3)These rules shall come into force with effect from the date of their publication in the Official Gazette.

2. Definitions.

- In these rules unless there is anything repugnant on the object or the context: -(a)'Authority' means the State Cadre Authority for Primary Agricultural Co-operative Societies;(b)'Bank' means the District/Central Co-operative Bank as defined in clause (n) and (j) of Rule of the Uttar Pradesh Co-operative Societies Rules, 1968;(c)'Centralised Service' means the service which includes the posts mentioned in rule 3;(d)'District Committee' means the District Administrative Committee constituted under sub-rule (4) of rule 6;(e)'Employee' means a person in the whole-time service of

the Primary Agricultural Co-operative Credit Societies and working on the posts include in the Centralised Service;(f)' Member' means a person appointed or absorbed on a post included in the Centralised Service;(ff)['Managing Director' means the Managing Director of the Farmers Service Co-operative Society registered or deemed to be registered under the Uttar Pradesh Co-operative Societies Act, 1965; [Inserted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th, June, 1984.](fff)'Region' means the region comprising the districts under the jurisdiction of a Regional Deputy Registrar, Co- operative Societies;](g)'Regional Committee' means the Regional Administrative Committee constituted under rule 6 (3) ;(h)'Rules' means the Uttar Pradesh Primary Agricultural Co-operative Credit Societies Centralised Service Rules, 1976;(i)'Society' means the Primary Agricultural Co-operative Credit Societies registered or deemed to be registered under the Uttar Pradesh Co-operative Societies Act, 1965; and(j)'State Cadre Authority' means the Committee constituted under sub-rule (2) of rule 7.The words and expressions used in these Rules and not defined herein, but defined in the Uttar Pradesh Co-operative Societies Act, 1965 and the Rules framed thereunder shall have the meanings assigned to them in that Act and the Rules.

Part II – Cadre and Strength

3. [Formation of Centralised Service. [Rules 3 to 7, substituted by Notification No. 1636/XII-C-1-84- 7 (10)-1976, dated 8th June, 1984.]

- The centralised service shall comprise the posts of Managing Directors of the Farmer's Service Co-operative Societies and Secretaries of the Primary Agricultural Credit Societies.]

4. Scales of pay.

- The scales of pay of the Managing Directors and (be Secretaries of different categories of societies shall, unless revised by the Registrar, Co-operative Societies, Uttar Pradesh from time to time be as follows:

Category of societies	Basis of categorisation	Pay scales of the ManagingDirectors/Secretaries
Category I	Farmer's Service Co-operative Societies havingannual lending in the preceding co-operative year Rs. 10 lakhsor more.	Rs. 450- 650-E.B.-30-800-E.B.-950.
Category II	Farmer's Service Co-operative Societies havingannual lending in the preceding Co-operative year below Rs. 10lakhs and other Primary Agricultural societies having annuallending in the preceding Co-operative year Rs. 8 lakhs or more.	Rs. 350-15-500-E.B.-20-600-E.B.- 700.
Category	The Primary Agricultural Societies	Rs.230-6-290-E.B.-8-330-E.B.-10-380.

III having annual lending in the preceding
Co-operative year below Rs. 8 lakhs.

Provided that the Managing Directors/Secretaries of societies of Category I and II, who may be drawn from the cadre of co-operative supervisors, maintained by the Uttar Pradesh Co-operative Union or from the cadres of Inspectors Group I and the Inspectors Group II of the Co-operative Department on deputation, shall be entitled to such pay and allowances as may be admissible to Government servants on deputation as per rules and orders issued by the Government from time to time. Note. - The Managing Directors, Secretaries, except those who may be drawn from the cadres of Co-operative Supervisors and the Co-operative Inspectors Group I and II, shall be entitled to a consolidated pay in their respective scales as mentioned above. They may, however, be allowed such special allowances (but not dearness allowance) as may be determined by the Authority with the prior approval of the Registrar, Co-operative Societies, Uttar Pradesh taking into consideration the annual profits earned by the society concerned.

5. Qualifications.

- No person shall be appointed as Managing Director/Secretary of a society unless he fulfills the following minimum educational qualifications and such other conditions as laid down by the Registrar under Section 120 of the Uttar Pradesh Co-operative Societies Act, 1965 (Act XI of 1966) and the Rules framed thereunder:

Category of Societies	Minimum educational qualifications
Category I and II ...	Graduate of a recognised University and trained in co-operative training at a recognised training centre. Intermediate and trained in co-operative training at a recognised training centre and possessing at least 5 years experience of continuous working as a Secretary in a co-operative society or as a co-operative supervisor of Uttar Pradesh Co-operative Union or as a Co-operative Inspector.
Category III ...	Intermediate in Commerce or Agriculture or Economics.

6. Strength.

- The strength of the posts of Category I, II and III of the Centralised Service shall be fixed category-wise from time to time by the District Committee with the approval of the Authority.

Part III – Executive Authorities

7.

(1) The supervision and control of Centralised Service shall as specified hereinafter vest in the following; - (i) State Cadre Authority, (ii) Regional Administrative Committee, and (iii) District Administrative Committee. (2) The State Cadre Authority shall consist of the following:

- | | | |
|-------|---|-----------------------|
| (i) | Chairman, Uttar Pradesh Co-operative Bank | Chairman(ex officio). |
| (ii) | A Chairman of a Bank nominated by the Registrar Co-operative Societies, Uttar Pradesh | ... Member. |
| (iii) | A Chairman of a Society nominated by the Registrar Co-operative Societies | ... Member |
| (iv) | Additional Registrar (Banking), Co-operative Societies, Uttar Pradesh | ... Member |
| (v) | A nominee of the Finance Secretary to Government of Uttar Pradesh | ... Member |
| (vi) | Deputy General Manager, National Bank for Agriculture and Rural Development, Lucknow | ... Member |
| (vii) | Managing Director, Uttar Pradesh Co-operative Bank | ... Member/Secretary |
- (3) There shall be a regional Administrative Committee in each region which shall consist of the following:
- | | | |
|-------|--|----------------------|
| (i) | Deputy Registrar, Co-operative Societies, Uttar Pradesh of the Region | ... Chairman |
| (ii) | The Chairman of a Bank by rotation for one Cooperative Year in Hindi alphabetical order of the names of the district in the region | ... Member |
| (iii) | A District Assistant Registrar, Co-operative Societies, Uttar Pradesh by rotation for one Cooperative Year in Hindi alphabetical order of the names of the districts in the region, but from a district other than the districts from which a Chairman of the Bank is represented | ... Member |
| (iv) | A Secretary of a Bank by rotation for one Cooperative Year in Hindi alphabetical order of the names of the district in the region, but from the district other than the districts from which the Chairman of the Bank and Assistant Registrar, Cooperative Societies, Uttar Pradesh is represented | ... Member |
| (v) | Regional Officer, Uttar Pradesh Co-operative Bank of the region | ... Member/Secretary |
- (4) [There shall be District Administrative Committee in each District, which shall consist of the following:
- | | | |
|-------|---|-------------------------|
| (i) | Chairman/Administrator of the District Cooperative Bank | ... Chairman Ex officio |
| (ii) | District Assistant Registrar of the District | ... Member |
| (iii) | Chairman of a Primary Agricultural Co-operative Credit Society to be nominated by the Regional Deputy Registrar of the Region | ... Member |
| (iv) | District Audit Officer | ... Member |
| (v) | Secretary of the District Co-operative Bank | ... Member/Secretary.] |

[Substituted by Notification No. 1617/XLIX-1-95-7(7)-95-, dated May 23, 1995, vide U.P. Primary Agricultural Cooperative Credit Societies Centralised Service (Fifth Amendment) Rules, 1995, dated 23rd May, 1995.]

Part IV – Powers and duties of the State Cadre Authority

8.

(1)The authority shall be the Chief Policy making body and shall be responsible to issue guidelines to the Regional and the District Administrative Committee on matters relating to the supervision, control and service matters of the Centralised Service. The Authority shall have also the following duties and responsibilities: -(i)To exercise general control and supervision over the regional and District Administrative Committee;(ii)To lay down the duties and responsibilities of the members of Centralised Service;(iii)To issue directions and to provide guidance to the regional and District Administrative Committee in respect of policy matters only for their proper functioning;(iv)To determine the rate of contribution payable by the societies on the basis of classification of societies directed by the Registrar from time to time and pass the Divisional budget:Provided that the rates of contribution once fixed shall not ordinarily be changed before the expiry of three co-operative years;(v)To advise the State Government and the Registrar, Co-operative Societies, U.P. on matters of policy relating to the Centralised Service;(vi)To approve the annual budget prepared by the Regional Committee; and(vii)To perform such other duties and functions as may be entrusted to it by State Government or the Registrar.(2)The meeting of the authority shall be called by the Member/Secretary as and when he deems fit and upon a direction to this effect from the Chairman. Such meeting shall be called at least once in 6 months. The quorum of the meeting shall be 3.(3)The Chairman, when present, shall preside over the meeting of the Authority.

9. Power and duties of the Member/Secretary of the Authority.

- The Member-Secretary of the Authority shall be the Chief Executive Officer of the Authority and subject to its control and supervision, he shall-(i)be responsible for the proper maintenance of account books and records of the Authority and for the correct preparation and timely submission of periodical statements and returns to the Registrar and the State Government as and when required;(ii)convene meetings of the Authority and maintain proper records of such meetings;(iii)arrange to carry on correspondence on behalf of the Authority;(iv)perform such other duties and exercise such other powers as may be imposed or conferred on him by the Authority.

10.

The Office of the Authority shall be located in the premises of the U.P. Co-operative Bank Ltd., Lucknow and its work shall be carried on with the help of the staff and resources of the said bank.

11. [Powers and duties of Regional Administrative Committee. [Sub-rule (1) substituted by Notification No. 2834/XII-C-1-92-7(10)-90, dated 23rd July, 1992, published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 23-7-1992.]

(1)Subject to the policy laid down and guidelines and instructions issued by the Authority, the Regional Committee shall be responsible for the general supervision and control of the members of the centralised service in the region. The Regional Committee shall have also the following duties

and responsibilities -(i)To exercise general control and supervision over the District Administrative Committee;(ii)To issue directions and to provide guidance to the District Committees for their proper functioning;(iii)To make arrangements for recruitment and training of the members of the Centralised Service and to prescribe the syllabi for such training with the approval of the Authority;(iv)To hear and decide appeals arising from the official orders of major punishment (i.e. dismissal, removal or reduction in rank) passed by the District Committee;(v)To assist in the recovery of contribution levied on the society for maintenance of the Centralised Service;(vi)To prepare the annual budget and submit the same for the approval of the authority;(vii)To transfer the members of the Centralised Service from one district to another district, within the region, in accordance with the policies laid down by the authority; and(viii)To perform such other duties and functions as may be entrusted to it by the authority.](2)The meeting of the Regional Committee shall be called by the Member-Secretary as and when he deems fit and upon a direction to this effect from the Chairman. Such meeting shall be called at least once in 6 months. The quorum of the meeting shall be 3.(3)The Chairman, when present, shall preside over the meeting of the Regional Committee.

12. Powers and duties of the Member/Secretary of the Regional Committee.

(1)Subject to the control and supervision of the Chairman of the Regional Committee, a Member/Secretary of the Regional Committee shall-(i)be responsible for the proper maintenance of the Account Books and record of the Regional Committee and for the correct preparation and timely submission of periodical statements and returns to the Authority and the Registrar;(ii)convene meeting of the Committee and maintain proper record of such meetings;(iii)arrange the various correspondence on behalf of the Regional Committee, perform such other duties and exercise such other powers as may be imposed or conferred on him by the Regional Committee, its Chairman or the authority.(2)The Office of the Regional Committee shall be located in the Office of the Regional Deputy Registrar, Co-operative Societies and its work shall be carried on with the help of such staff as necessary provided with the approval of the Additional Registrar, Co-operative Societies, U.P.

13. Powers and duties of the District Administrative Committee.

(1)The District Committee shall be the Appointing Authority of the members of the Centralised Service in the district and shall also have the following duties and responsibilities: -(i)To exercise control and supervision over the members of the Centralised Service in the district;(ii)To transfer the members from one place to another within the district;(iii)To ensure recovery of the contribution levied on the Society in the district;(iv)To classify the societies in the district in various categories according to their annual lending as provided in rule 4;(v)To arrange absorption of the existing employees of the societies after their screening in accordance with the instructions issued by the Registrar, Co-operative Societies, U.P.:(vi)To evaluate the work of members of Centralised Service every year in the district;(vii)To maintain category-wise correct seniority list of the members of the Centralised Service; and(viii)To perform such other duties and functions as may be entrusted to it by the Authority or Regional Committee.(2)The meeting of the District Committee shall be called by the Member/Secretary as and when he deems fit and upon a direction to this effect from the Chairman or the District Assistant Registrar. Such meetings shall be called at least once in 3

months. The quorum of the meeting shall be 3.(3)The Chairman, when present, shall preside over the meeting of the District Committee. He shall have power of suspending a member of the Centralised Service with the prior concurrence of Assistant Registrar.[14. Powers and duties of the Member Secretary of the District Committee. - Subject to the control and supervision of the Chairman of the District Committee, the Member/Secretary of the District Committee shall-(i)be responsible for the proper maintenance of the Account Books and other records of the District Committee and for the correct preparation and timely submission of periodical statements and returns to the Regional Committee and the Authority as and when required;(ii)convene meeting of the Committee and maintain proper record of such meetings;(iii)arrange to carry on correspondence on behalf of the District Committee;(iv)ensure effective supervision over the members of the Centralised Service;(v)have power of suspending a member of the Centralised Service with the prior concurrence of Assistant Registrar;(vi)ensure proper and up-to-date maintenance of the service books, character rolls and personal files of the members of the Centralised Service in the district;(vii)ensure speedy disposal of all service matters of the members of the Centralised Service;(viii)arrange disbursement of salaries of the members of the Centralised Service in the district out of contribution made to the Stale Primary Centralised Service Fund created under Rule 15;(ix)ensure proper maintenance of the Office of the District Committee and its smooth functioning; and(x)perform such other duties and exercise such powers as may be imposed or conferred on him by the District Committee.]

Part V – Contribution

15. [[Rules 14 and 15 substituted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th June, 1984.]

Every Society shall contribute to the fund named as "District Primary Centralised Service Fund" at a rate and in the manner laid down by the Authority from time to time with the prior approval of the Registrar, Co-operative Societies, Uttar Pradesh:Provided that the contribution shall be levied on the total borrowing of the Society from the District Co-operative Bank or the Commercial Bank in the previous Co-operative Year and where the said borrowing is nil, the contribution shall be levied on the amount of total loan outstanding against the members of the society at the close, of the previous Co-operative Year:Provided further that so long as the staff of the societies other man their -Managing Directors/Secretaries are not included in the Centralised Service, the rate of contribution shall not exceed 1.5 per cent of the total borrowing or the total loan outstanding.] [Rules 14 and 15 substituted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th June, 1984.]

16.

The contribution levied in accordance with rule 14 shall be payable by a Society in two equal instalments on the first day of the months of July and January every year. It shall be a first charge on the assets of the Society concerned. In the event of failure of any Society to pay such contribution by the prescribed dates, it shall be recoverable as arrears of land revenue on the certificate issued by the District Assistant Registrar, Co-operative Societies, to this effect.

17.

The contribution payable by a society under rule 14 may be deposited by the Bank of the district on behalf of the Society concerned and in such event the amount so paid by the Bank shall be debited to the account of the Society concerned.

18. [[Rules 18 and 19 Substituted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th June, 1984.]

The "District Primary Centralised Service Fund" shall be maintained in a separate account of the District Co-operative Bank of the district and shall be operated under the Joint Signatures of the Member-Secretary and the Chairman of the District Administrative Committee.]

19. [[Rules 18 and 19 Substituted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th June, 1984.]

(1) If the contribution made by the societies to the "District Primary Centralised Service Fund" falls short of the cost of maintenance of the Centralised Service, in a Co-operative year, the deficit shall be met out of the grants from the "State Primary Centralised Service Fund" which shall be maintained at the State Level by the Authority. (2) The "State Primary Centralised Service Fund" shall be maintained in a separate account of the Uttar Pradesh Co-operative Bank Ltd, Lucknow and shall be operated by the State Cadre Authority in accordance with the instructions of the Registrar issued from time to time. (3) All the outright grants and subsidies from the Central/State Government, and other sources if any, shall be deposited by the Authority in the "State Primary Centralised Service Fund". Besides, the Registrar may direct the Uttar Pradesh Co-operative Bank, the other apex co-operative institutions and the District Central Co-operative Banks to make contributions towards the aforesaid fund for meeting deficit arising out of contributions falling short of the cost of maintenance of Centralised Service in the "District Primary Centralised Service Fund", in a Co-operative Year, at a rate determined by him for the purpose, from time to time. (4) It shall be within the competence of the Authority to direct the District/Central Co-operative Bank to transfer the excess amount of contribution received from the societies towards the cost of maintenance of the Centralised Service, in a Co-operative year, to the Authority for crediting to the "State Primary Centralised Service Fund"]].

Part VI – Absorption of Employees

20.

The existing employees of the societies at the commencement of these Rules shall be deemed to be provisionally absorbed in the Centralised Service: Provided that the employees provisionally absorbed shall continue to draw their salaries and other allowances in their respective old scales from the societies concerned.

21.

The existing employees of the societies taken provisionally on the strength of the Centralised Service shall be finally absorbed in the said Service after their screening arranged in accordance with the instructions issued by the Registrar, Co-operative Societies, in this behalf.

22.

An employee of a society provisionally included in the Centralised Service shall, by notice in writing in that behalf to the Secretary of the District Committee within 30 days of the commencement of these Rules, intimate his option of not becoming a member of such Service and in that case his services shall be deemed to be terminated with effect from the date of such notice and he shall be entitled to the following compensation from the Society concerned-(i) In the case of a permanent employee, a sum equivalent to his salary (including all allowances) for a period of 3 months or for the remaining period of his service, whichever is less, (ii) In the case of temporary employee, a sum equivalent to his salary (including all allowances) for a period of one month or for the remaining period of his service, whichever is less: Provided that when any such employee holds a lien on any post other than the posts included in this Service, he shall be entitled to revert to the post on which he holds the lien and, if he so reverts, he shall not be entitled to any compensation.

Part VII – Recruitment

23.

No person shall be appointed on any post included in the Centralised Service unless he fulfills such conditions as may be prescribed in these Rules in respect of educational qualifications, age, experience and training.

24. [Rules 24 and 26 Substituted by Notification No. 1636/XII-C-1-84-7(1)-1976, dated 8th June, 1984.]

Appointment on any post in the Centralised Service shall be-(i) by absorption in accordance with Rule 21; (ii) by taking on deputation from the cadres of Co-operative Supervisors of Uttar Pradesh Co-operative Union and Inspectors Group I and II of the Co-operative Department as provided in Rules 4 and 26(2) ; (iii) by direct recruitment, or (iv) by promotion.]

25. [Direct recruitment. [Rules 24 and 26 Substituted by Notification No. 1636/XII-C-1-84-7(1)-1976, dated 8th June, 1984.]

(1) All vacancies of posts of category III and twenty per cent of vacancies of posts of Category I and II shall be filled up by direct recruitment by the Regional Committee. For this purpose the Committee shall ask for names of suitable candidates fulfilling the necessary conditions prescribed for the post

from the District Employment Officer of all the districts of the region. The names to be asked for from the District Employment Officer shall be three times the number of vacancies to be filled. The Committee may also invite applications, of the employees of the Co-operative Societies and of the retrenched Co-operative Supervisors and Kamdars of the Uttar Pradesh Co-operative Union fulfilling the conditions prescribed under Rule 28 and otherwise eligible for the post through the District Assistance Registrar, Co-operative Societies of all the districts of the region, and by advertising the vacancies in at least to leading newspaper of the State.(2)[The selection committee shall make direct recruitment from the open competition by holding written examination and prepare the merit list on the basis of marks obtained by candidates. In the case of direct recruitment from the employees of the society by way of screening according to the rules prescribed by the Commissioner and Registrar. Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and the other categories shall be in accordance with the Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993, the Uttar Pradesh Public Service (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994, as amended from time to time and the orders of the Government for the time being in force.]]

26. [Recruitment by promotion. [Rules 24 and 26 Substituted by Notification No. 1636/XII-C-1-84-7(1)-1976, dated 8th June, 1984.]

(1)In accordance with the regulations framed by the Authority with the approval of the Registrar, eighty per cent of the post of Category I and II shall be filled up by the District Committee by promotion of the members of a category immediately below of the category, the posts of which are to be filled up. The promotion shall be made on the principle of seniority subject to rejection of the unfit.(2)The vacancies in the societies of Category I and II may, wherever necessary, be filled up by the District Committee by appointment of Co-operative Supervisors made available by the Uttar Pradesh Co-operative Union or by appointment of the Co-operative Inspectors Group I and II made available by the Registrar, Co-operative Societies, Uttar Pradesh.]

27. Probation.

- A person recruited to the Centralised Service either by direct recruitment or by promotion shall be placed on probation for a period of two years, which period may be extended by the District Committee for a further period of six months.

28. [Age of Direct Recruitment. [Substituted by Notification No. 1636/XII-C-1-84-7(10)-1976, dated 8th June, 1984.]

- No person below the age of 21 years and above the age of 30 years shall be directly recruited in the Centralised Service :Provided that the maximum age for direct recruitment in case of Scheduled Castes, Scheduled Tribes and the dependants of freedom fighters shall be 35 years:Provided further that the maximum age limit for direct recruitment in case of the employees of the Co-operative Societies, the retrenched, Co-operative Supervisors and Kamdars, and the Ex-Servicemen of the

Defence Forces shall be raised by the number of years for which they have served on those posts, subject to the condition that the maximum age shall not be above 45 years.]

29. Age of retirement.

- The age of superannuation of members of Centralised Service shall be 58 years :Provided that any member of the Centralised Service may be retired compulsorily after attaining the age of 50 years, if it is considered necessary so to do in public interest by the appointing authority by notice in writing for a period of three months or pay in lieu thereof.

30. Miscellaneous.

(1)Subject to the provisions of these rules, the Authority shall frame regulation with the prior approval of the Registrar, Co-operative Societies, U.P. for the members of Centralised Service on their service matters which may, inter alia include: -(i)Method of promotion, appointment, probation, confirmation and termination;(ii)Service records, seniority, reversion, retrenchment and resignation;(iii)Pay scales, allowances, increment, joining time, leave, efficiency bar, etc;(iv)Conduct and discipline, penalties, disciplinary proceeding and appeals;(v)Provident fund, gratuity, security and advance.(2)So long as the regulations referred to in sub-rule (1) are not framed, all or any matters referred therein shall be governed by such orders or directions as may be issued by the Authority with the approval of the Registrar.(3)Any matter not covered in these rules, shall be governed by such directions as may be issued by the Authority with the approval of the Registrar.(4)If any doubt or dispute arises in the application of these rules, the reference shall be made to the Registrar whose decision shall be final and binding on all concerned.