

# **U.P. Co-operative Dairy Federation and Milk Unions Centralised Service Rules, 1984**

UTTAR PRADESH

India

## **U.P. Co-operative Dairy Federation and Milk Unions Centralised Service Rules, 1984**

### **Rule**

### **U-P-CO-OPERATIVE-DAIRY-FEDERATION-AND-MILK-UNIONS-CENTRALISED SERVICE RULES, 1984**

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U.P. Co-operative Dairy Federation and Milk Unions Centralised Service Rules, 1984Published vide Notification No. 1818/12-Du.-6-3(31)-84, dated 29-8-1984In exercise of the powers conferred by section 122-A of the Uttar Pradesh Co-operative Societies Act, 1965 (U.P. Act no. XI of 1966), the Governor is pleased to make the following rules:

### **1. Short title, extent and commencement.**

(1)These rules may be called the Uttar Pradesh Co-operative Dairy Federation and Milk Unions Centralised Service Rules, 1984.(2)They shall apply to the Pradeshik Co-operative Dairy Federation Ltd., Lucknow (including all its Units) and the Co-operative Milk Union and Co-operative Milk Boards, falling within the area of Operation Flood-II Project registered under the Uttar Pradesh Co-operative Societies Act, 1965.Explanation. - These rules shall continue to be in operation in Cooperative Milk Unions and Co-operative Milk Boards falling within the area of Operation Flood-II Project even after the completion of that Project.(3)These rules shall come into force with effect from the date of their publication in the Gazette.

### **2. Definitions.**

- In these rules, unless the context otherwise requires-(a)"Act" means the Uttar Pradesh Co-operative Societies Act, 1965;(b)"Authority" means the Cadre Authority as constituted in accordance with rule 4 of these rules;(c)"Board" means the Committee of Management of the Pradeshik Co-operative Dairy Federation Ltd., Lucknow (and includes the Administrator or the

Committee of Administrators of the Federation) ;(d)"Committee" means the Administrative Committee constituted in accordance with rule 5 of these rules;(e)"Federation" means the Pradeshik Co-operative Dairy Federation Ltd.. Lucknow;(f)"Government" means the Government of Uttar Pradesh;(g)"managerial post" means a post carrying the pay scale of Rs. 850-1720 and above in force from July 1, 1979 or thereafter or the old pay scale of Rs. 550-1200 or above in force prior to July 1, 1979 or thereafter;(h)"member" means a person appointed to the service by absorption, promotion or direct appointment in accordance with these rules and the regulations framed thereunder as may be in force from time to time;(i)"Registrar" means the person appointed as Registrar in. respect of all Co-operative Milk Societies in Uttar Pradesh under subsection (2) of section 3 of the Act;(j)"regulations" means the regulations framed under these rules;(k)"Service" means the Uttar Pradesh Co-operative Dairy Federation and Milk Unions Centralised Service created under Rule 3 of these rules:(l)"Union" means the Central Milk Co-operative Society registered or deemed to be registered under the Act, and includes Co-operative Milk Board.Note. - Words and phrases 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 or Rules.

### 3. Creation of Service.

(1)Uttar Pradesh Co-operative Dairy Federation and Milk Unions Centralised Service shall consist of all the managerial posts of the Federation and the Unions except the post of Managing Director, Chief Commercial Manager and Chief General Manager of the Federation.(2)No appointment shall be made to any of the posts falling within the purview of the service by the Federation or Union from the date of enforcement of these rules:Provided that the Government may place on deputation any officer of the Government on any managerial post of the federation or Union:Provided further that the services of the persons already in the employment of another. Co-operative Society, or a corporation or undertaking owned or controlled by the Central or State Government or a body corporate administering a local fund or National Dairy Development Board may also be taken on deputation.

### 4. Constitution of Cadre Authority.

- The Cadre Authority shall be constituted as under:

- |       |  |                   |
|-------|--|-------------------|
| (i)   | The Registrar  | ... Chairman      |
| (ii)  | Chairman of the Federation, or his nominee from amongst themembers of the Board. | ... Vice-Chairman |
| (iii) | A nominee of the Registrar not below the rank of Class IOfficer                  | ... Member        |
| (iv)  | Two Chairman of the Unions nominated and by the Registrar                        | ... Member        |
| (v)   |  |                   |
| (vi)  | A Nominee of the Secretary, Dairy Development Department,Uttar Pradesh           | ... Member        |

- (vii) A nominee of the Managing Director of the Federation from amongst the members of the Service ... Members
- (viii) Officer Incharge of the Personnel and Administration Division of the Federation ... Members
- (ix) Managing Director of the Federation ... Member-Secretary

Note. - In case the post of the Registrar and the Managing Director of the Federation is held by the same officer, the Chairman may nominate any member as Member-Secretary and the vacancy of member so caused shall be filled by nomination of any other officer or the Federation by the Managing Director.

## **5. Constitution of Administrative Committee.**

- The Administrative Committee shall be constituted as under:

- (i) Managing Director of the Federation ... Chairman
- (ii) A nominee of the Registrar not below the rank of Class I Officer ... Member
- (iii) A nominee of the Managing Director of the Federation ... Member-Secretary

## **6. Effect of Vacancy.**

- No act or proceeding of the Authority or the Committee shall be invalid merely by reason of-(a)any vacancy or defect in the constitution thereof, or(b)some person having taken part in the proceedings who was not entitled to do so, or(c)any defect in the nomination or appointment of a person acting as member thereof, or(d)any irregularity in its procedure not affecting the merits of the case.

## **7. Quorum.**

- The quorum for the meeting of the Authority and the Committee shall be three and two respectively, and decision of the Authority or the Committee, as the case may be, shall be taken by simple majority of the members present. In case of a tie, the Chairman shall have a second and casting vote.

## **8. Application of these rules to persons on deputation.**

- In the case of employees whose services are lent to the service by the Registrar or Government or any other agency, these rules shall apply only to such an extent as are not inconsistent with the terms and conditions of deputation.

## **9. Powers and duties of the Authority.**

(1)The Authority with the prior approval of the State Government shall frame regulations relating to recruitment, training, emoluments, disciplinary control and other conditions of service of the members such regulations shall come into force from the date of their publication in the

Gazette.(2)The Authority shall-(i)determine and modify, from time to time, the scales of pay for different category of posts, with the approval of the Registrar;(ii)settle the dispute and allocate the cost of training, travelling allowance, salary and other allowances for the period of training and the cost of recruitment under sub-rule (6) of rule 22;(iii)advise the Government and the Registrar on matters relating to the Service;(iv)decide such policy matters concerning the Service as may be referred to it by the Committee;(v)exercise such other powers and perform such other duties under these rules, or regulations as may be entrusted to it by the Government or the Registrar from time to time.

## **10. Powers and duties of the Committee.**

- The Committee shall-(i)exercise overall control and supervision over the members of the Service;(ii)determine and modify the strength of the service with the approval of the Registrar;(iii)determine and allocate the cost of training travelling allowance salary and other allowances for the period of training under sub-rule (3) and sub-rule (4) of Rule 22 and the cost of recruitment under sub-rule (5) of rule 22;(iv)decide all policy matters concerning the service including dearness, travelling, house rent and other allowances;(v)have such financial and administrative powers as are specified in these rules and the regulations;(vi)arrange training for the members of the service;(vii)exercise such other powers and perform such other duties under these rules or regulations as may be entrusted to it by the Government or the Registrar or the Authority from time to time.

## **11. Powers and duties of the Chairman of the Committee.**

- The Chairman of the Committee shall-(i)exercise, subject to clause (f) of rule 10, control and supervision over the members of the Service;(ii)transfer the members of the Service from Federation to Union, and from Union to Union or to Federation from time to time;(iii)exercise such administrative powers as may be prescribed in the regulations;(iv)exercise such other powers and perform such other duties as may be entrusted by the Authority or the Committee from time to time.

## **12. Powers and duties of the Member-Secretary of the Authority.**

- The Member-Secretary of the Authority shall-(i)convene the meetings of the Authority and keep a record of the proceedings there of;(ii)carry on correspondence on behalf of the Authority;(iii)exercise such other powers and perform such other duties as may be entrusted to him by the Authority or Committee from time to time.

## **13. Powers and duties of the Member-Secretary of the Committee.**

- The Member-Secretary of the Committee shall-(i)convene meetings of the Committee and keep a record of the proceedings thereof;(ii)carry on correspondence on behalf of the Committee;(iii)maintain category wise list of members of the service and their Service Records;(iv)realise the amounts payable by the Unions under Rule 22;(v)exercise such other powers

and perform such other duties as may be entrusted to him by the Authority or Committee from time to time.

#### **14. Strength of the Service.**

- The strength of the Service and of each category of posts therein, shall be such as may be determined by the Committee with the approval of the Registrar, from time to time: Provided that the Committee may leave unfilled or hold in abeyance, any vacancy without there by entitling any person to compensation.

#### **15. Appointing Authority.**

- Appointing authority of and the authority exercising disciplinary control over, the members of the service and the Management Trainees and the Executives shall be such as may be laid down in the regulations: Provided that enforcement of such regulations the Chairman of the Committee shall be the appointing authority and the authority exercising disciplinary control over them.

#### **16. Powers of the Federation and Unions.**

- Members of the Service posted to the Federation or Union, shall work under the administrative control of the concerned institution and shall abide by the provisions of the Act, rules, regulations, bye-laws and the orders issued by the Chief Executive or any other competent authority of such institution from time to time.

#### **17. Screening and Absorption of Staff.**

(1) The employees of the Federation or Unions working on the managerial posts on the date of enforcement of these rules shall provisionally be deemed to be members of the Service: Provided that the employees who are under suspension or against whom any disciplinary proceedings are pending on the date of commencement of these rules, shall, notwithstanding anything contained in these rules, be governed by the rules of the Federation or Union, as the case may be, till their cases are finally disposed of. (2) Any employee included in the Service provisionally under sub-rule (1) may by notice in writing in that behalf to the Secretary of the Committee within fifteen days of the commencement of these rules, intimate his option of not becoming a member of such Service and in that case his Service shall be determined with effect from the date of such notice and he shall be entitled for compensation from the Federation or Union, as the case may be, as follows: (a) In the case of a permanent employee, a sum equivalent to his salary (including all allowances) for a period of three months or for the remaining period of his service, whichever is less. (b) 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 where any such person holds a lien on any post other than the post included in the 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. (3) The Committee shall screen such provisionally absorbed employees excepting

those who have opted for not becoming a member of the Service, in accordance with the qualifications and norms laid down by the Registrar. If, as a result of such screening, a provisionally absorbed employee is not found suitable for final absorption in the Service by the Committee, his service in the Federation or Union concerned, as the case may be, shall be determined with effect from the date of communication of such decision of the Committee and in that event he shall be entitled to compensation or reversion as mentioned in the proviso to sub-rule (2).

## 18. Qualifications.

- The qualifications for each category of posts of the Service shall be such as may, from time to time, be prescribed by the Committee with the approval of the Registrar.

## 19. Training of the Members.

- Members of the Service shall be deputed for training by the Committee from time to time keeping in view the requirement of the Service. The members shall undergo such training as may be required from time to time.

## 20. Pay and allowances.

(1)The scale of pay for different categories of posts included in the Service shall be such as may be prescribed by the Authority from time to time with the prior approval of the Registrar, however, the present scales of pay shall be as follows:

Posts	Scale of pay Rs.
(i) General Manager	2400-100-2800
(ii) Manager, Grade-I	1840-60-1900-75-2200-E.B.-100-2400
(iii) Manager, Grade-II	1540-00-1900-E.B.-75-2200
(iv) Manager, Grade-III	1250-50-1300-60-1600-E.B.-60-1900-75-2050
(v) Manager, Grade-IV	850-40-1050-E.B.-50-1300-60-1420-E.B.-60-1720.

(2)[ Considering the requirement of Manager Grade-IV and subject to the decision of Committee, persons may be recruited as Management Trainees or by any other name and thereafter they may be placed on one year training during which they shall be paid a stipend of Rs. 2,000 per month on successful completion of the training and subject to such screening and tests as may be laid down by the Committee they may be appointed to the post of Manager, Grade-IV.] [Sub-rule (2) Substituted by Notification No. 3741/XII-Du-V.-91-4 (72)-91, dated 13-4-92.](3)The Registrar while laying down the norms etc. for absorption of the provisionally absorbed members under rule 17, shall also make provisions for the following:(a)All provisionally absorbed members working in the pay scale of Rs. 1250-2050 and above (or the corresponding old scales of pay in the Federation or Unions shall be placed in the respective pay scales in the service;(b)All provisionally absorbed members working in the pay scale of Rs. 850-1720 (or the corresponding old scale of Rs. 550- 1200) having completed or

on completion of one year's service in that scale, subject to being found suitable by the Committee, after such screening as may be prescribed by the Registrar, shall be placed in the pay scale of Rs. 1250-2050. Such provisionally absorbed members who have not completed one year's service in the said pay scale or, are otherwise not found suitable by the Committee shall be placed in the pay scale of Rs. 850-1720,

## **21. Dearness and other Allowances.**

- The members of the Service shall be entitled to dearness, house rent, medical, travelling and other allowances at the rates and the conditions as applicable to the employees of the Federation just before the enforcement of these rules or as may be decided by the Committee from time to time.

## **22. Financial liabilities.**

(1)The salary of the members of the Service including all allowances shall be paid by the Federation or Union, where the members is posted or is serving or against whose strength the service of the members has been earmarked by the Chairman of the Committee.(2)The transfer or travelling allowance and pay for the period of joining time shall be paid by the Federation or Union in which a member takes over charge upon transfer.(3)The cost of training, travelling allowance, salary and other allowances of the members of the service for the period of the training, shall be borne by the Federation or Union as may be decided by the Committee.(4)The Federation, wherever necessary, may pay the cost of training, travelling allowance, salary and other allowances for the training period in respect of such members of the Service who have been recruited and, or whose services have been earmarked or made available to the Unions and such amount, subject to the approval of the Committee shall be recoverable from the respective Unions.(5)The cost of recruitment of the members of the Service shall, be borne by the Federation:Provided that the Federation may recover the proportionate cost of recruitment from the Unions, subject to the decision of the Committee.(6)In case of any dispute with regard to the allocation of cost of training, travelling allowance, salary and other allowances among the Federation and/or the Unions, under sub-rule (4) and the cost of recruitment under sub-rule (5), the matter may be referred to the Authority, whose decision shall be final.(7)The provisionally absorbed members of the Service shall continue to draw their salary and allowances in their respective old scales of pay, subject to the provisions of Rule 21, from the Federation or Union concerned till such time as they are finally absorbed in the Service.

## **23. Routine work of the Authority/Committee.**

- The Secretarial functions of the Authority and the Committee shall be discharged by the Federation which shall implement the directions and, or the decisions of the Authority or the Committee and, shall deal with the day to day work relating to the Service. All expenditure thereon shall be borne by the Federation.

## **24. Interpretation.**

- If any dispute arises at any time in regard to the interpretation of these rules or their application, the matter shall be referred to the Registrar whose decision thereon shall be final.

## **25. Savings.**

(1) So long as the regulations referred to in sub-rule (1) of rule 9 are not framed, all or any matters referred to therein for which there is no other specific provision in the rules, shall be governed by such orders or directions as may be issued by the Authority with the approval of the Registrar. (2) Any matter not covered by these rules shall be governed by such directions as may be issued by the Authority with the approval of the Government.