

# **The U.P. Co-operative Consumers' Stores Centralised Service Rules, 1979**

UTTAR PRADESH

India

## **The U.P. Co-operative Consumers' Stores Centralised Service Rules, 1979**

### **Rule**

### **THE-U-P-CO-OPERATIVE-CONSUMERS-STORES-CENTRALISED-SER of 1979**

- Published on 26 May 1979
- Commenced on 26 May 1979
- [This is the version of this document from 26 May 1979.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Co-operative Consumers' Stores Centralised Service Rules, 1979Published vide Notification U.P. Gazette, Extraordinary, dated 26th May 1979In exercise of the powers under Section 122-A of the Uttar Pradesh Co-operative Societies Act, 1965 (Act No. XI of 1966), the Governor is pleased to make the following rules: -

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

- (i) These rules may be called the Uttar Pradesh Co-operative Consumers' Stores Centralised Service Rules, 1979.(ii)These rules shall come into force with affect 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 (U P. Act XI of 1966) ;(b)"Authority means the Cadre Authority constituted in accordance with Rule (a) ;(c)"Committee" means the Administrative Committee constituted in accordance with Rule (5) (b) ;(d)"Government" means the Government of Uttar Pradesh;(e)"Member" means a person appointed to the Service by absorption, promotion or direct appointment in accordance with these Rules;(f)"Registrar" means the person for the time being appointed as Registrar of Co-operative Societies of the State of Uttar Pradesh under sub-section (1) of section 3 of the Act;(g)"Sangh" means Uttar Pradesh Upbhokta Sahkari Sangh Ltd, Lucknow;(h)"Secretary" means the Chief Executive Officer by whatever name called of a

Store;(i)"Service" means the Co-operative Wholesale; Consumers Stores Centralised Service created under Rule;(j)"Store" means a Wholesale Consumers' Store as defined in Rule 2(z) (ff) of the Uttar Pradesh Co-operative Societies Rules, 1968 and shall include the following societies of the hall region:(1)Zila Sahkari and Kraya Vikraya Sangh, Uttar Kashi;(2)Zila Sahkari Upbhokta and Kraya Vikraya Sangh Ltd, Chamoli; and(3)Zila Sahkari Upbhokta Evam Kraya Vikraya Sangh Ltd, Pithoragarh.

### 3. Extent.

- These rules shall apply to Stores.

### 4. Creation of Service.

- The posts of Secretaries of Stores shall constitute the U.P. Co-operative Stores Centralised Service.

### 5. Constitution of Cadre Authority and Administrative Committee.

(a)The Cadre Authority shall be constituted as under:

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|---|----------------------|
| 1. Chairman of the Sangh  | ... Chairman         |
| 2. One nominee of the Registrar   | ... Member           |
| 3. One representative of the Board of Directors of the Sangh                        | ... Member           |
| 4. One Chairman of the Stores nominated by the Registrar                            | ... Member           |
| 5. Two nominees of the Government representing Co-operative and Finance Departments | ... Member           |
| 6. Managing Director of the Sangh   | ... Member Secretary |

(b)"Administrative Committee" shall be constituted as under:

- |  |                      |
|--|----------------------|
| 1. Additional Registrar (Consumer), Co-operative Societies, Uttar Pradesh, Lucknow | ... Chairman         |
| 2. One representative of the Board of the Sangh                                    | ... Member           |
| 3. One representative of the Stores to be nominated by the Registrar               | ... Member           |
| 4. Deputy Registrar (Consumer), Co-operative Societies, Uttar Pradesh, Lucknow     | ... Member           |
| 5. Managing Director of the Sangh  | ... Member Secretary |

(c)In the event of any post of a member of the Authority or of the Committee remaining unfilled for any reason, it shall have no effect on the validity of any action of the Authority or the Committee, as the case may be.(d)For the meetings of the Cadre Authority or the Administrative Committee, the presence of at least three members shall be necessary to form the quorum.(e)Decisions shall be taken by the Cadre Authority or the Administrative Committee, as the case may be, by, simple majority.

## **6. 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 extent as are not inconsistent with the terms and conditions of the deputation: Provided that after the final absorption in the service, in accordance with the procedure laid down in Service Rule 10 any rules which may have governed the employee before such final absorption shall cease to apply.

## **7. Powers of the authority.**

- The Cadre Authority shall have the following powers-(a)to decide all policy matters concerning the services;(b)to approve the annual budget submitted by the Committee;(c)to hear appeals against the orders of the Committee on all matters; and(d)to make regulations with the prior approval of the State Government, relating to the recruitment, emoluments, terms and conditions of service including disciplinary control of the members.

## **8. Powers of the Committee.**

- The committee shall-(a)be the appointing authority in respect of the members of the Service;(b)subject to the prior approval of the Registrar, determine the contribution payable by the stores for the maintenance of the service;(c)exercise over all control and supervision over the members of the service subject to regulations made under sub-rule (d) of Rule 7;(d)have such financial powers as are specified in these rules; and(e)have the power to determine and modify from time to time the strength of the service with the prior approval of the Registrar.

## **9. [ Duties of the Member- secretary. [Substituted by Notification No. 2663/XII-C-3-10(1)- 82-UPA-Rule 1979, AM-(1)-1982, dated 25th February, 1983, published in U.P. Gazette, (Extraordinary), dated 25th February , 1983.]**

- The member-secretary shall have the following duties and responsibilities -(a)to exercise control over the service subject to regulations made under sub-rule (d) of Rule 7;(b)be responsible for the proper maintenance of accounts;(c)to convene meetings of the Authority and Committee and to keep a record of the proceedings thereof;(d)to transfer member of the service from one store to another store, subject to prior approval of the Chairman of the Committee;(e)to implement decisions of the Committee/Authority and to undertake correspondence on behalf of the Authority and the Committee;(f)to maintain category-wise list of members of the service; and (g) to realise contribution from the stores as referred to in sub-rule (b) of Rule 8].

## **10. Screening and Absorption of staff.**

- (i) The employees of the Stores shall provisionally be deemed to be the members of the service. The question of final absorption of such members to the service shall be decided by the Committee in accordance with the instructions issued by the Registrar from time to time under Section 122-A of

the Act: 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 store till their cases are finally disposed of. (ii) Any employee working on the post included in the service provisionally shall, by notice in writing in that behalf to the Secretary of the 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 service shall be determined with effect from the date of such notice and he shall be entitled for compensation from the store 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 a 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. (iii) The service of other provisionally absorbed members shall be determined in accordance with the procedure laid down in sub-rule (iv). (iv) The Committee shall screen such provisionally absorbed employees in accordance with the instructions issued by the Registrar from time to time under Section 122-A. 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 store concerned shall be determined with effect from the date of issue of order in that behalf by the Committee and in that event he shall be entitled to compensation as mentioned in clause (a) or (b) of sub-rule II, as the case may be.

## 11. Pay and Allowances.

(a) The scale of pay of Secretary shall, unless revised by the Authority with the approval of the Registrar from time to time, be Rs.350-15-500-EB.-20-600-EB.-25-700: Provided that up to 25 percent posts in the service, may in the discretion of the Authority, be placed, in the Senior scale of Rs.550-30-700-EB4-0-900-EB.-50-1200 and up to five percent in Selection Grade of Rs.800-1,450. (b) The members of the service shall be entitled to dearness allowance at the rate admissible to State Government employees and also to such other allowances as may be determined by the Authority from time to time with the prior approval of the Registrar. (c) The travelling allowance, including transfer travelling allowance, shall be admissible to the members of the service at the rates applicable to State Government employees. (d) Cadre Fund. - Save as provided on Rule 14, the Authority shall constitute for payment of salary of the members of the Service a "State Co-operative Consumers' Stores Centralised Service Fund", hereinafter referred to as Cadre Fund". The contributions to the Cadre Fund shall be made by the Stores. The rates shall be so determined that the Cadre Fund shall be able to meet the total expenditure on the centralised service in a Co-operative year and shall be lived with the approval of the Registrar, Co-operative Societies. The State Government may also contribute to the Cadre Fund and such rate as may be decided by it from time to time. (e) If the contribution received from the above sources to the Cadre Fund falls short of the total expenditure on the Centralised Service in a Co-operative Year, the Registrar may, to meet the deficit, direct the Sangh Stores to make contributions towards the Cadre Fund in such ratio as he deems fit. (f) The contributions levied in accordance with sub-rule (d) shall be payable by the stores in 2 equal instalments on the first day of the months of July and January every year. It will be the first charge on the assets of the stores concerned. In the event of failure 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.(g)The Cadre Fund shall be maintained in any branch of Uttar Pradesh Co-operative Bank or District Co-operative Bank and shall be operated under the signature of the Member-Secretary of the Authority.

## **12. Qualifications.**

- The qualifications of the members of the service shall be such as may, from time to time, be prescribed by the Registrar under Section 120 of the Act

## **13. Common Cadre Cell.**

- A "Common Cadre Cell" shall be created in accordance with the direction of the Authority to deal with the day-to-day work connected with the service and implementation of these rules and all expenditure thereon shall be borne by the Sangh.

## **14. Payment of Salary before Final Absorption in the Services.**

- The members of the service shall continue to draw their salary and allowances in their respective old scale of pay till such time as they are finally absorbed in the service.

## **15. Miscellaneous.**

- The Committee of Management of the Stores shall have no power to appoint any person on such posts as are included in the service. Where the Administrative Committee has posted a member of the service on such post in the Store, the Committee has posted a member of the service on such post in the Store, the Committee of Management of the Store concerned shall exercise such control over the member as is specified in the regulations framed under Rule 7 (d) if these rules.

## **16. 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.

## **17. Saving.**

(a)So long as the regulations referred to in sub-rule (d) Of Rule 7 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.(b)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.