

# **The U.P. Co-Operative Processing Units and Cold Storage Centralised Service Rules, 1981**

UTTAR PRADESH

India

## **The U.P. Co-Operative Processing Units and Cold Storage Centralised Service Rules, 1981**

### **Rule**

### **THE-U-P-CO-OPERATIVE-PROCESSING-UNITS-AND-COLD-STORAGE of 1981**

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The U.P. Co-Operative Processing Units and Cold Storage Centralised Service Rules, 1981Published vide Notification No. 4295/12-C-3-100 (39)-80-U.P.-11/66-Rule-1981, dated 30th July, 1981In 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 Processing Units and Cold Storage Centralised Service Rules, 1981.(2)These rules shall come into force with effect from the date of their publication in the Gazette.(3)These rules shall apply to Societies as defined in sub-rule (g) of rule 2.

#### **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)"Agro-Service Centre" means a unit established for the production, servicing, repairs and maintenance of agricultural implements by a Society;(c)"Apex Society" means a State-level Co-operative Society defined as such in the Act;(d)"Authority" means the Cadre Authority constituted in accordance with sub-rule (1) of rule 4;(e)"Bank" means a Centre /District Co-operative Bank as defined in the Uttar Pradesh Co-operative Societies Rules, 1968;(f)"Cold Storage" means a refrigerated godown licenced under the Uttar Pradesh Regulation of Cold Storage Act, 1976 and managed by a Society;(g)"Committee" means the Administrative Committees constituted in accordance with sub-rule (2) of rule

4;(h)"Federation" means the Uttar Pradesh Co-operative Processing and Cold Storage Federation Ltd., Lucknow;(i)"Fund" means the Centralised Service Fund created in accordance with sub-rule (4) of rule 12;(j)"Government" means the Government of Uttar Pradesh;(k)"Manager" means a Manager of a Cold Storage, Processing Unit or Agro-Service Centre;(l)"Member" means a person appointed to the Service by absorption, promotion or direct recruitment in accordance with these rules;(m)"Processing Unit" means a unit established for the processing of agricultural produce and managed by a Society;(n)"Registrar" means a person appointed as Registrar of Cooperative Societies of the State of Uttar Pradesh under subsection (1) of section 3 of the Act;(o)"Secretary" means the Chief Executive Officer, by whatever name called, of a Society;(p)"Service" means the Co-operative Processing Units and Cold Storages Centralised Service created under rule 3; and(q)"Society" means a Co-operative Society other than an apex society which is managing a Cold Storage or a Processing Unit or an Agro-Service Centre.

### 3. Creation of Centralised Service.

- The posts of Managers of the Cold Storages, Processing Units and Agro-Service Centres shall constitute the Co-operative Processing Units and Cold Storages Centralised Service.

### 4. Constitution of cadre authority and administrative committee.

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

(i)	Chairman of the Federation	... Chairman
(ii)	Three Chairman of Societies, to be nominated by the Registrar	... Members
(iii)	One representative of the Registrar	... Member
(iv)	Two nominees of the Government representing the Co-operative and Finance Departments	... Member
(v)	One nominee of the Uttar Pradesh Cooperative Federation Ltd., Lucknow	... Member
(vi)	One nominee of the Uttar Pradesh Cooperative Bank Ltd., Lucknow	... Member
(vii)	One representative of National Cooperative Development Corporation (NCDC)	... Member
(viii)	Managing Director of the Federation	... Member-Secretary

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

(i)	Additional Registrar(In charges of Processing and Cold Storages), Cooperative Societies, Uttar Pradesh	... Chairman
(ii)	Representative of National Co-operative Development Corporation (NCDC)	... Member
(iii)	One Chairman of a Society to be nominated by the Authority	... Member
(iv)	One nominee of the Committee of Management of the Federation	... Member
(v)	One nominee of the Uttar Pradesh Cooperative Federation Ltd.,	... Member

Lucknow

- (vi) One nominee of the Uttar Pradesh Cooperative Bank Ltd., Lucknow ... Member
- (vii) Managing Director of the Apex. Federation Ltd. ... Member-Secretary
- (3) In the event of any post of a member of the Authority or of the Committee remaining vacant for any reason whatsoever, it shall have no effect on the validity of any action of the Authority or the Committee, as the case may be.

## **5. Quorum.**

- The Quorum for the meeting of the authority or the Committee shall be three.

## **6. Decision.**

- Decisions shall be taken by the Authority or the Committee, as the case may be, by simple majority.

## **7. Application of these rules to the Employees on deputation.**

- In the case of employees whose services have been taken on deputation from a Government Department or any other organisation, these rules shall apply only to such extent as is not inconsistent with the terms and conditions of deputation: Provided that after the absorption of an employee in the Service in accordance with rule 11, any rules which may have governed that employee before such absorption shall cease to apply.

## **8. Powers and duties of Cadre Authority.**

- The Cadre Authority shall have the following powers: (1) To decide all policy matters concerning the Service; (2) To make regulations with the prior approval of the State Government relating to recruitment, emoluments and terms and conditions of service including disciplinary control of its members; (3) To approve the annual budget submitted by the Committee; (4) To hear appeals against the orders passed by the Committee on all matters; and (5) To advise the Government and the Registrar on matters relating to the Service and to perform such duties as may be entrusted to it by the Government or the Registrar from time to time.

## **9. Powers and duties-of Administrative Committee.**

- The Administrative Committee shall- (a) be the appointing authority in respect of the members of the Service; (b) arrange for their training; (c) subject to the prior approval of the Registrar, determine the contribution payable by the Societies for the maintenance of the Service; (d) exercise over all control and supervision over the members of the Service; (e) have such financial powers as may be specified in these rules; and (f) have the power to determine and modify from time to time the strength of the Service with the prior approval of the Registrar.

## **10. Duties of Member-Secretary.**

- The Member-Secretary shall have the following duties and responsibilities-(a)to exercise, subject to sub-rule (d) of rule 9 control over the members of the Service;(b)to ensure proper maintenance of the accounts;(c)to convene meetings of the Authority and the Committee and maintain a proper record thereof;(d)subject to the prior approval of the Chairman of the Committee, to transfer the members from one Society to another;(e)to carry out correspondence on behalf of the Authority and the Committee;(f)to recover contribution from the Societies as referred to in sub-rule (c) of rule 9; and(g)to perform such other duties as may be entrusted by the Authority or the Committee.

## **11. Screening and absorption of Managers.**

(1)The employees of the Societies holding the post of Manager at the commencement of these Rules shall be deemed to have been provisionally absorbed in the Service with effect from the date of creation of the Service. The question of final absorption in the Service of such provisional members 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 Society till their cases are finally disposed of.(2)A provisional member of the Service 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 services shall be determined with effect from the date of such notice and he shall be entitled for compensation from the Society as follows:(a)in 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.(3)The service of other provisionally absorbed members shall be determined in accordance with the procedure laid down in sub-rule (4).(4)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 of the Act. 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 services in the Society 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 (2), as the case may be.

## **12. Pay and allowances.**

(1)The scales of pay of the posts included in the Service under rule 3 shall, unless raised by the Authority with the approval of the Registrar, be as follows:

Posts	Scale of pay
	Rs.

1. Manager, Cold Storage. Rs. 400-15-475-EB-20-575-EB-25-750, provided that up to 25 per cent of the total number of such post in the service may, in the discretion of the Authority, be placed in the Senior Scale of Rs. 550-30-700-EB-40-900-EB-50-1,200.
2. Managers of Processing Units and Agro-Service Centers. Rs. 350-15-500-EB-20-600-EB-25-700, provided that up to 25 per cent of the total number of such posts may, in the discretion of the Authority, be placed in the Senior Scale of Rs. 400-15-475-EB-20-575-EB-25-750.
- (2)The members of the Service shall be entitled to dearness allowance at the rates 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.(3)The travelling allowances, including transfer/travelling allowance, shall be admissible to the members of the service at the rates applicable to State Government employees.(4)The Authority shall constitute a "Centralised Service Fund". Contribution to the said Fund shall be made by every Society at the rates so determined that the said Fund shall be able to meet the total expenditure on the centralised service in a co-operative year and shall be levied with the approval of the Registrar. The Government may also contribute to the said Fund at such rate as may be decided by it from time to time.(5)If the contribution received from the above sources to the Fund falls short of the total expenditure on the Service in a co-operative year, the Registrar may, in order to meet the deficit, direct the Federation and the Societies to make such further contributions towards the Fund as he may deem fit. The decision of the Registrar as to what constitutes a proper charge on the Fund shall be final.(6)The contribution levied in accordance with sub-rule (4) shall be payable by the societies in two 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 Society concerned. In the event of failure to pay such contribution by the prescribed date, it shall be recoverable as arrears of land revenue on the certificate issued by the District Assistant Registrar, Co-operative Societies.(7)The Fund shall be maintained in any branch of the Uttar Pradesh Co-operative Bank Ltd. and shall be operated under the signature of the Member-Secretary of the Authority.

### **13. 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.

### **14. Common Cadre Cell.**

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

### **15. Miscellaneous.**

- The Committee of Management of a Society shall have no power to appoint any person on a post which is included in the Service. Where the Committee has posted a member of the Service on such

post in the Society, the Committee of Management of the Society concerned shall exercise such control over the member as is specified in the regulations framed under sub-rule (2) of rule 8 of these rules.

## **16. Interpretation.**

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

## **17. Saving.**

(1) So long as the regulations referred to in sub-rule (2) of rule 8 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. (2) 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.