No.RCS/M/2148/81/598 Government of Pondicherry Co-operative Department ***

Pondicherry, the 18.7.1983

CIRCULAR

Sub: Co-operation - Recruitment of staff in the co-operative institutions - Reg.

Ref: 1. Circular No.RCS/A/6701/69 dated 8.8.1969.

2. Circular No. RCS/A/4378/81 dated 18.3.1981.

It is noticed that the instructions so far issued in the references cited regarding the recruitment of staff are not strictly adhered to by the co-operative institutions. The following instructions are, therefore, issued for strict compliance by the co-operative institutions in the matter relating to recruitment of regular employees in their institutions.

(a) Recruitment through the Employment Exchange

The co-operative institutions are well aware of the Employment Exchange (Compulsory Notification of Vacancies) Act being in force in this territory. Under this Act, all vacancies specified in the Act should be notified to the local Employment Exchange. But it is noticed that the co-operative institutions are not following the instructions regarding notification of vacancies to the Employment Exchange. The Chief Executives are, therefore, instructed that in future all regular vacancies should be notified to the Employment Exchange, Pondicherry. They should ascertain from the Employment Exchange whether the Exchange would be in a position to sponsor suitable candidates. Only in case where the Employment Exchange is not in a position to sponsor suitable candidates, recruitment from the open market should be resorted to. All Administrators and Special Officers should obtain prior permission of Registrar before appointment of any employee.

(b) Recruitment of trained personnel

Every year more than 30 candidates are passing out from the Co-operative Training Institute, Pondicherry. But these candidates are not able to get employment in the co-operative institutions. In view of the fact that the candidates passing out the Co-operative Training Institute are fully trained in the co-operative procedure and laws, first preference should be given to these candidates. While notifying the vacancies to the Employment Exchange, the fact that persons with co-operative training will be given preference should invariably be intimated to the Employment Exchange.

(c)Reservation for Scheduled Caste/Scheduled Tribe and Physically Handicapped

Orders issued by the Government in respect of reservation of vacancies to Scheduled Castes/Scheduled Tribes as well as physically handicapped should also be followed by the co-operative institutions.

M. SYED KABEER AHAMAD REGISTRAR OF CO-OPERATIVE SOCIETIES

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No.6/1/166/RCS/ISN/84/450 Government of Pondicherry

Co-operative Department ***

Pondicherry, the 22.8.1985

<u>DIRECTIONS ISSUED UNDER SECTION 81(1) OF THE PONDICHERRY</u> <u>CO-OPERATIVE SOCIETIES ACT, 1972.</u>

Sub: Co-operative Institutions - Regulation of recruitment of employees - Directions - Issued.

DIRECTIONS:

In spite of several instructions issued by this Department with regard to prudence in the matter of recruitment of employees to co-operative institutions the same are not strictly adhered to by the co-operative institutions. It is noticed that some of the societies are recruiting employees disproportionate to the requirement of institutions and consequently the wage bill of the institutions are increased by leaps and bounds directly pushing down the profitability of the institutions. Some of the institutions are resorting to recruitment without adopting any norms with regard to the required qualification for the post and without testing the capability of the incumbent. Defective choice of employees results in improper management in addition to creation of financial liability to the institutions. Such state of affairs, eroding the financial viability and members' interest, has to be curbed immediately.

- 2. In order to correct the imprudent and unscientific attitude of the management in the recruitment of employees to co-operative institutions, to secure proper management of the institutions, to prevent the affairs of the institutions being conducted in a manner detrimental to the interest of the institutions and to ensure better administration of the affairs of the institutions, the Registrar of the Co-operative Societies in exercise of the powers conferred on him under Section 81(1) of Pondicherry Co-operative Societies Act, 1972, hereby issues the following directions to the co-operative institutions for strict compliance:
- (a) Recruitment of employees whether regular, temporary, casual, contingent as the case may be should not be made without prior permission of this Department. This is also applicable to vacancies arising out of retirement, resignation and dismissal under disciplinary proceedings.
- (b) For recruitment of employees proper proposal, justifying the reason for the requirement, work load and financial commitment should be submitted to this Office for examination of the requirement of the post and for sanction of the post.

- (c) Only after sanction for the creation of the post by this Department recruitment should be made.
- (d) Wherever applicable the regular vacancies should be notified to the Employment Exchange, Pondicherry for getting suitable candidates for recruitment.
- (e) Only qualified candidates suitable for the post should be recruited and the capability and aptitude of the candidate should be suitably tested before appointment.
- (f) No employee should be appointed without obtaining from him cash security deposit and surety as prescribed for the post by this Department.
- (g) Before appointing any employee his character and antecedents should be verified in order to prevent entry of candidates who have been convicted by Court and those who have indulged in grave misconduct in some other institutions.
- (h) No wage increase should be made to the employees without prior approval of the Registrar of Co-operative Societies.
- 3. The above directions should be scrupulously followed and any violation or any willful disobedience of any of the directions will result in taking consequential action against the management of the institution under the provisions of the Pondicherry Co-operative Societies Act, 1972, for having committed offences under the Act, as well as liable to restore the loss sustained by the institutions because of non-adherence of the above directions.
- 4. These directions should be kept in safe custody and should be handed over to the successor while handing over of charges.
- 5. These directions should be read in the ensuing board meeting and recorded in the Resolution.
 - 6. The receipt of the directions should be acknowledged.

G. GEORGE REGISTRAR OF CO-OPERATIVE SOCIETIES

Government of Pondicherry Co-operative Department ***

Pondicherry, the 19.2.1991

CIRCULAR

Sub: Notification of vacancies under the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 - Instructions - Issued.

The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 which is a central legislation requires the employers to compulsory notify all vacancies to the Employment Exchange and to render returns relating to staff strength of their establishments at regular intervals to the Employment Exchange.

The provisions of the said Act apply to every co-operative society registered under the Pondicherry Co-operative Societies Act. In order to ensure strict compliance with the provisions of the said Act, the following instructions are issued to the co-operative societies.

- (1) The Presidents/Chief Executives of the co-operative societies should compulsorily notify to the Employment Exchange, all vacancies **except** the following:
 - (i) Any employment, the total duration of which is less than three months or any employment to do "unskilled office work" which includes peon, watchman, sweeper, provided that these exceptions will apply only in case of such vacancies which carry a remuneration of less than Rs.60/per month.
 - (ii) Vacancies which are proposed to be filled up through promotion or by absorption of surplus staff.
- (2) The vacancies shall be notified in writing to the Employment Exchange in the prescribed form separately in respect of each type of vacancy.
- (3) Vacancies required to be notified to the Employment Exchange shall be notified at least 15 days before the date on which applicants will be interviewed or tested.
- (4) The society shall furnish to the concerned Employment Exchange the results of selection within 15 days from the date of selection.
- (5) The society should furnish to the Employment Exchange two returns, viz., a quarterly return and another return once in two years (Biennial return). Quarterly returns

shall be furnished within 30 days of the due dates, viz., 31^{st} March, 30^{th} June, 30^{th} September and 31^{st} December, and biennial returns shall be furnished within 30 days of the close of the year.

- (6) The Act prescribes penalties in case of breach. If the society fails to notify to the Employment Exchange, it shall be punishable for the first offence with fine which may extend to Rs.500/- and for every subsequent offence, with fine which may extend to Rs.1,000/-.
- (7) If the society fails or neglects to furnish information or returns, or furnishes false returns or information or refuses to answer or gives false answer or impedes the right of access to relevant records or documents, it shall attract punishment which may extend to Rs.250/- for the first offence and Rs.500/- for every subsequent offence.

The President/Chief Executives of the society will be liable for prosecution under the Act and should, therefore, carry out the instruction without any deviation.

The receipt of the circular may be acknowledged.

UDDIPTA RAY
REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/17/RCS/M/91/449 Government of Pondicherry

Co-operative Department ***

Pondicherry, the 9.10.1992

CIRCULAR

Sub: Co-operative Department - Payment of bonus and ex-gratia to the employees of co-operative societies for the period of suspension - Clarification - Regarding.

It is informed that in the matter of payment of bonus and ex-gratia to the employees of co-operative societies, a question was raised whether the employees who are/were placed under suspension would be entitled for bonus and ex-gratia on their reinstatement pending enquiry. In this connection, it is hereby clarified that such employees are **not** entitled for payment of bonus and ex-gratia until the disciplinary proceedings/criminal case against them are finalized and their suspension period is regularized. The above clarification has to be strictly complied with by all the co-operative institutions and any violation of the instructions will be dealt with severely.

The receipt of this circular should be acknowledged.

P. MATHEW SAMUEL REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/81/RCS/M/91/132 Government of Pondicherry

Co-operative Department ***

Pondicherry, the 3.12.1992

CIRCULAR

Sub: Co-operative Department – Treatment of commission to the salesman for the calculation of Bonus, E.P.F., Gratuity etc. - Clarification – Issued.

It is informed that certain clarification relating to the treatment of commission paid to the salesman in connection with the payment of bonus to the salesman, was sought for, by the co-operative institutions for the treatment of commission paid to salesman of the co-operative institutions for calculation of bonus, E.P.F., gratuity etc. In this connection, it is hereby clarified that the commission earned by the salesman working in the co-operative institutions functioning in the Union territory of Pondicherry shall be treated as wages and has to be taken into consideration so, for calculation of bonus, ex-gratia, E.P.F., gratuity, etc., since the commission is nothing but wages.

-By order of the Registrar of Co-operative Societies-

G. KRISHNAMURTHY-II DEPUTY REGISTRAR (PLANNING)

No.12/2/6/RCS/M/93/189 Government of Pondicherry

Co-operative Department ***

Pondicherry, the 10.11.1993

CIRCULAR

Sub: Co-operative Department – Regularization of recruitment of employees - Instruction - Issued.

Ref: Instructions issued under Section 81 (1) of the Pondicherry Co-operative Societies Act of 1972 dated 22.8.1985.

Of late instances are brought to the notice of the Registrar that many of the co-operative institutions/societies are not adhering to the directions issued in regard to regularization/appointment of staff/employees in co-operative institutions.

It is noticed by the undersigned some of the societies have appointed employees in excess of their requirements and consequently pushed down the profitability of the institutions. Some of the institutions resort to recruitment without adopting any norms with regard to the required qualifications for the post and without testing the capability of the incumbent. All this go to reduce the actual productivity per worker. The recent pay increases by the Co-operative Pay Commissions have aggravated the burden of over staffed societies and many of them are on the verge of financial collapse. Such a state of affairs erodes the financial viability and the members' interest. This has to be curbed immediately.

In order to correct fiscal imprudence, and to introduce discipline among management in the appointment of employees to co-operative institutions, to secure proper management of the institution and to prevent the affairs of the institutions being conducted in a manner detrimental to the interest of the institutions and their members the undersigned hereby issues the following instructions to the co-operative institutions for strict compliance.

- (i) Recruitment of employees whether regular, temporary, casual, contingent, daily rated, hourly or whatever the case may be should not be made without prior permission of this Department. This is also applicable to vacancies arising out of retirement, resignation and dismissal under disciplinary proceedings.
- (ii) For recruitment of employees proper proposals, justifying the reason for the recruitment, work load and financial commitment should be submitted to this office for examination of the requirement of the post and for sanction of the post.

- (iii) Recruitment of staff should be made only after getting sanction for the creation of the post from this Department.
- (iv) Wherever applicable the regular vacancies should be notified to the Employment Exchange, Pondicherry/Karaikal/Mahe/Yanam for getting suitable candidates for recruitment.
- (v) Only qualified candidates fulfilling the age and qualifications prescribed, suitable for the post, should be recruited and the capability and aptitude of the candidates should be suitably tested before appointment.
- (vi) No employee should be appointed to a post without obtaining cash security deposit and surety from Government employees.
- (vii) Before appointing any employee his character and antecedents should be verified as is done in the case of Government servants. No person who was dismissed or resigned from another co-operative in the past because of irregularities/disciplinary proceedings against him should be considered for appointment. Those who have left the services of any co-operative under voluntary retirement scheme should be taken only after prior approval of the Registrar of Co-operative Societies.
- (viii) No wage increase should be made to the employees without prior approval of the undersigned.
- (ix) Wherever appointments have been made at present without getting approval of the Department the institutions are directed to submit necessary proposal for ratification of the same with due justification in the prescribed proforma in the Annexure.
- (x) No proposal for regularization of staff appointed on daily rated/consolidated basis should be submitted to this Department unless a period of two years have been completed from the date of appointment made by the society, with the approval of the Registrar of Co-operative Societies.

The above instructions should be scrupulously followed and any violation or any willful disobedience of any of the instructions will result in taking action against the management of the institutions as well as liable to restore the loss sustained by the institution because of non-adherence of the above instructions.

The instructions should be kept in safe custody and should be handed over to the successor while handing over of charges.

These instructions should be read in the ensuing board meeting and recorded in the resolution.

The receipt of this circular should be acknowledged.

P. MATHEW SAMUEL REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/6/RCS/M/93/193 Government of Pondicherry

Co-operative Department ***

Pondicherry, the 28.7.1994

CIRCULAR

Sub: Co-operative Department - Regularization of recruitment of employees - Instructions - Issued.

Ref: 1. Instructions issued under Section 81 (1) of the Pondicherry Co-operative Societies Act, 1972, dated 22.8.1985.

2. Circular of even No. dated 12.11.1993.

Kind attention of the Presidents/Administrators/Special Officers/Chief Executives of all major co-operative societies functioning in this Union territory of Pondicherry is invited to the circular cited on the subject mentioned above, wherein it was stressed that recruitment of employees whether regular, temporary, casual, contingent, daily rated, hourly or whatever the case may be, should not be made without getting prior permission of the Registrar. But, it has been brought to the notice of the undersigned, that some of the co-operative institutions/societies are appointing/regularizing the services of the employees in violation of the instructions/guidelines issued in this office circular 2nd cited despite specific instructions.

In order to maintain strict discipline among the management in the matter of appointing/regularizing the employees in the co-operative institutions and also to secure proper management of the institutions and to prevent the affairs of the institutions, being conducted in a manner detrimental to the interests of the institutions and their members, the undersigned hereby instructs the institutions to strictly adhere to the instructions/guidelines issued in the reference cited.

It is also instructed that wherever appointments/regularizations have been made recently without getting prior approval of the Registrar, the institutions are directed to get ratification of the same immediately with due justification in the proforma prescribed in the Annexure.

Non-adherence of the above instructions will be viewed seriously. The receipt of this circular shall be acknowledged.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/15/RCS/M/96/82 Government of Pondicherry

Co-operative Department

No.Ms/PLG/4/96

Pondicherry, the 8.7.1996

CIRICULAR

Sub: Co-operative Department – Establishment of Contributory Provident

Fund in Co-operative Societies – Clarification – Issued.

Ref: Circular No.12/2/76/RCS/M/85/246 dated 20.5.1996 of Co-operative

Department, Pondicherry.

In the Circular referred to above, the model subsidiary regulations framed for the maintenance and utilization of the contributory provident fund for the employees of the societies were communicated. In the said regulations clause 2(c) defines "Pay" as pay (including all allowances) drawn by the employees.

It has been brought to the notice of this department that the societies take a very liberal interpretation of the definition, and deduct subscription even on house rent allowance, medical allowance, tea allowance etc. which is not permissible under law. It is, therefore, clarified that the subscription shall be deducted only from the basic pay and dearness allowance. Other allowances shall not be calculated for this purpose. The societies are advised to follow this instruction with effect from 1.7.1996 and the clarification should be followed in all seriousness.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.RCS/CLC/CIR/91/32 Government of Pondicherry

Co-operative Department ***

No.MS/CLC/2/96

Pondicherry, the 21.8.1996

CIRCULAR

Sub: Co-operative Law Cell – Unauthorized absence of employees – Conduct of enquiry – Procedure – Regarding.

It has been brought to the notice of the undersigned that in certain societies when an employee of the society abstains himself unauthorizedly, the management has not taken any action and the management is under an erroneous impression that the employees concerned has deserted his employment and can no longer claim a position in the society. At the outset, it is pointed out that in such cases it cannot be assumed that the said employee has abandoned his employment and that the liability of the society does not exist. In the interest of the society the correct procedure to be followed in such cases is communicated for compliance.

- 2. Whenever an employee continues to remain absent from duty or overstays leave without permission or his movements are not known or he fails to reply to official communications, the disciplinary authority should issue a charge-sheet by registered post with acknowledgement due to the employee, to his last known address and call upon the employee to submit a written statement of defense, within a reasonable period to be specified by the authority. If the letter is received undelivered or if the letter having been delivered, the employee does not submit a written statement of defense on or before the specified date, the disciplinary authority may appoint an enquiry officer. In the event of the letter received undelivered, the disciplinary authority should resort to "substituted service", i.e., by affixing a copy in some conspicuous part of his house in which the employee is known to have last resided and obtain signature of two independent witnesses to this effect.
- 3. If the employee does not take part in the proceedings before the enquiry officer, in ex-parte proceedings the entire gamut of the enquiry has to be gone through, the notice to witnesses should be sent; the documentary evidence should be produced and marked. The enquiry authority should record the reasons why he is proceeding ex-parte and what steps he had taken to ask the charged employee to take part in the enquiry and avail of all the opportunities available. In case the charged employee participates in the enquiry, the enquiry officer has to examine him and give his findings. On receipt of the enquiry report, the disciplinary authority may proceed to pass final orders after following the prescribed procedures. The procedure outlined is to be observed even in respect of employees who are on consolidated pay.
- 4. In the case of unauthorized absence, the employees concerned should not be placed under suspension, but when an employee who is under suspension disappears and

cannot be contacted at his last known address, the suspension orders should be lifted and the proceedings in the matter stated above be initiated for his removal in absentia.

The Chief Executives may take the above instructions into consideration while deciding such issues and it is reiterated that the Chief Executives are duty-bound to take a conscious decision in accordance with law.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.RCS/CLC/SR/95/49 Government of Pondicherry

Co-operative Department

No.Ms/CLC/3/95.

Pondicherry, the 3.12.1996

CIRCULAR

Sub: Co-operative Department – Co-operative Law Cell – Subsidiary regulations governing the service conditions of the employees – Framing of – Regarding.

The bye-laws of the co-operative societies empower the managing committee to frame subsidiary regulations governing the service conditions of the employees and get them approved by the undersigned. Though many societies do have subsidiary regulations relating to the service conditions of employees, it has been brought to the notice of the undersigned that still some societies have not framed subsidiary regulations governing the service conditions of the employees. It needs no over-emphasis that it is the duty of the management to lay down the service conditions, even if there is only one employee in the society.

Even in respect of societies which have subsidiary regulations, it is found that the said regulations are found wanting in many respect and these regulations were framed in yester years which have become obsolete and outmoded in view of the ever increasing trend in labour laws.

Taking these factors into consideration, this department has prepared model subsidiary regulations for adoption. The chief executive of the society may keep in touch with the Co-operative Law Cell of this department and obtain copies of the regulations at their cost. The management is at liberty to make suitable changes/modifications, without disturbing the basic structure and send them to the undersigned for approval.

The chief executive may be tow their immediate attention in this matter.

The receipt of the circular may kindly be acknowledged.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

b For latest instructions, kindly see P. 5.61

No.RCS/CLC/1/95/54 Government of Pondicherry

Co-operative Department ***

No.Ms/CLC/5/96

Pondicherry, the 18.12.1996

CIRCULAR

Sub: Co-operative Department - Law Cell - Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 - Instructions - Issued.

Ref: Circular No.12/2/6/JRCS/PA/90/27, dated 19.2.1991 of the Registrar of Co-operative Societies, Pondicherry.

Attention is invited to the circular cited on the subject mentioned above, wherein instructions were issued to societies to ensure strict compliance in the matter of Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959. In accordance with the instructions contained therein, it is imperative on the part of the Chief Executives of co-operative societies to compulsorily notify the vacancies to the Employment Exchange.

- 2. In the case of Excise Superintendent, Malkapatnam, Krishna District, Andhra Pradesh Vs. K.S.N. Visweshware Rao and others (reported in (1996) 6 SCC 216) the Honorable Supreme Court has held that in view of the fact that many a candidate is unable to have the names sponsored, though their names are either registered or are waiting to be registered in the employment exchange, with the result that the choice of selection is restricted to only such of the candidates whose names come to be sponsored by the employment exchange. It results in many a deserving candidate is deprived of the right to be considered for appointment to a post. The Honorable Supreme Court has, therefore, directed that in addition to intimating the employment exchange and obtaining names, the establishment or undertaking should also call for the names by publication in newspapers having wider circulation and also display on their notice before or announce on radio, television and employment news bulletin and then consider the case of all the candidates who have applied. If the procedure is adopted fair play would be subserved. The equality of opportunity in the matter of employment would be available to all eligible candidates.
- 3. The Chief Executives of the societies are, therefore, requested to take note of the above provisions and act accordingly.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.27-2/96-Lab/All Government of Pondicherry

Labour Department ***

Pondicherry, the 2.1.1997

CIRCULAR

Sub: Recruitment of staff through the Employment Exchange - Regarding.

Ref: 1. Memorandum No.27-2/65-LAB, dated 26.4.1965.

- 2. Circular No.27-2/65-LAB, dated 5.4.1966.
- 3. Circular No. 27-2/66-LAB, dated 23.4.1971.

Despite instructions issued in the past on the procedure to be followed in respect of recruitment of staff through the Employment Exchange, Pondicherry, instances have come to the notice of the Government that various Departments fill up vacancies without notifying the same to the Employment Exchanges. According to Section 4 (1) of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, the employers in every "establishment in public sector" shall, before filling up any vacancy in any employment in that establishment, notify that vacancy to an Employment Exchange. As defined under Section 2 (f) of the Act "establishment in public sector" means an establishment owned, controlled or managed by –

- i) the Government or a Department of the Government;
- ii) a Government company as defined in Section 617 of the Companies Act, 1956;
- iii) a corporation (including a co-operative society) established by or under a Central, Provincial or State Act, which is owned, controlled or managed by the Government;
- iv) a local authority.
- 2. Failure to notify the vacancies may attract the penal provisions vide Section 4 (1) according to which if any employer fails to notify to the Employment Exchanges prescribed for the purpose any vacancy in contravention of sub-section (1) of Section 4, he shall be liable for prosecution.
- 3. It is, therefore reiterated that all vacancies arising in all the Departments, Government Companies, Quasi-Government establishment, Corporations and co-operatives owned, controlled or managed by the Government and local bodies shall, without exception, he notified to the Employment Exchange, Pondicherry and be called through them. The vacancy shall be called by direct recruitment unless the Employment Exchange certifies that it is unable to sponsor suitable candidates.
- 4. The Employment Exchange in Pondicherry and Sub-Employment Exchange at Karaikal has been suitably geared up. The details of registered unemployed

persons have been fully fed into the computers. The Karaikal Sub-Employment Exchange has been connected through a 'Modem' with Pondicherry Employment Exchange. All authorities of the Employment Exchange in Pondicherry and Sub-Employment Exchange in Karaikal have been instructed to maintain in their computers up-to-date list of all the registered unemployed persons and also to send panels of names in the order of seniority, as per the guidelines of Manual of Employment Exchange, most expeditiously to all requisitioning employers.

- 5. All concerned are requested to kindly co-operate for effective implementation of Employment Exchanges (Compulsory Notification of Vacancies) Act and to work in the interest of providing employment to the unemployed persons who are registered in the Employment Exchanges of the Union territory of Pondicherry.
- 6. The above instructions shall be scrupulously followed by all concerned.

B.V. SELVARAJ SECRETARY TO GOVERNMENT (LABOUR)

Government of Pondicherry Co-operative Department

Pondicherry, the 21.9.1998

CIRCULAR

Sub: Co-operative Department – Prescribing the rates of travelling allowance and daily allowance to the employees of Apex, Central

and Major Primary Co-operative Institutions – Regarding

Ref: This Office Circular No.12/2/43/RCS/Plg/M/91/57 dated 19.4.1993.

In supersession of this office circular cited above and in exercise of the powers conferred on him under Rule 47(5) of the Pondicherry Co-operative Societies Rules,

1973, the undersigned is pleased to prescribe the rates of traveling allowance and daily

allowance for the official tours performed by the employees of all apex, central and major

primary co-operative institutions as detailed in the Annexure-I.

It should be noted that the rates prescribed are only the maximum rates and the

societies are expected to evolve suitable rates within the ceiling fixed depending upon the

financial position, resources, viability and other relevant factors.

The societies are requested to frame necessary subsidiary regulations and send the

same for Registrar's approval.

This will take effect from 1.9.1998.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

Encl: As stated.

Annexure-I to Registrar Circular No.12/2/48/RCS/PLG/M/97/103 dated 21.9.1998

5.21

The employees of co-operative institutions shall be classified for payment of travelling allowance and daily allowance for the official tours performed, as shown below:

Group-I : Those drawing basic pay of Rs.4,800/- and above.

Group-II: Those drawing basic pay of Rs.3,400/- and above but less than

Rs.4,800/-

Group-III: Those drawing basic pay of Rs.2,700/- and above but less than

Rs.3,400/-

Group-IV: Those drawing basic pay below Rs.2,700/-

The employees shall be allowed to draw travelling allowance and daily allowance at the following rates for the official tours performed by them in connection with the business of the society concerned.

| | | D.A. when i | nd lodging | | | |
|----|---------------|----------------|--------------|-------------|--|--------------|
| | | hotels (ord | inary rate) | expe | enses if stayed i | n hotels |
| | | Hill stations, | | | | |
| | | Delhi, | | Hill | | |
| | Pay range | Mumbai, | | stations, | State | |
| | (Basic pay) | Calcutta, | Other places | Delhi, | capitals (excluding Pondicherry) | Other places |
| | | Chennai and | (including | Mumbai, | | (including |
| | | State | Pondicherry) | Calcutta | | Pondicherry) |
| | | capitals | | and | | |
| | | (excluding | | Chennai | | |
| | | Pondicherry) | | | | |
| | | | | (in Rupees) | | T |
| 1. | Rs.4,800 | 150 | 100 | 650 | 450 | 300 |
| | and above | | | | | |
| 2. | Rs.3,400 | 140 | 90 | 540 | 340 | 240 |
| | and above | | | | | |
| | but less than | | | | | |
| | Rs.4,800 | | | | | |
| 3. | Rs.2,700 | 130 | 80 | 430 | 280 | 180 |
| | and above | | | | | |
| | but less than | | | | | |
| | Rs.3,400 | | | | | |
| 4. | Below | 110 | 70 | 310 | 210 | 145 |
| | Rs.2,700 | | | | | |

When an employee stays hotel or other establishments providing boarding and/or lodging at scheduled tariff, the D.A. will be 90% of the ordinary rate plus the lodging charges (exclusive of break fast/meals) actually incurred for each calendar day, but the total of the two should not exceed the corresponding rate prescribed for stay in hotel.

While claiming the lodging expenses, the original receipt issued by lodging houses/hotels should be produced along with the T.A. bills, otherwise only the admissible daily allowance for <u>not</u> staying in hotels can be claimed.

Daily allowance for absence from head quarters shall be regulated as follows:

Absence from headquarters shall be calculated on calendar day basis, i.e., from mid night to mid night.

| S. No. | Particulars |] | Rate of D.A. |
|--------|--|---|--------------|
| a. | Absence from head-quarters not exceeding six hours Absence from head-quarters exceeding six hours but | : | Nil |
| b. | not exceeding twelve hours. | : | 70% |
| c. | Absence from head-quarters exceeding twelve hours | : | 100% |

The societies shall fix suitable rates for the official tours performed by the employees within the same region, i.e., above 8 kms., from the duty point within Pondicherry, Karaikal, Mahe and Yanam with the prior approval of the Registrar of Co-operative Societies.

Travelling Allowance Regulations for the Employees of Co-operative Institutions:

Pov Pongo (Rocie Pov)

a) Travel by air

Any travel by air should be got approved by the Registrar of Co-operative Societies in advance.

b) Travel by train

| 51. | r ay Kange (Dasic r ay) | | Maximum entitiement |
|------------|--------------------------------|---|---------------------|
| No. | | | |
| 1. | Rs.4,800/- and above | : | I Class |
| 2. | Rs. 2,700/- and above but less | | |
| | than Rs.4,800/- | : | A/C 3 Tier Sleeper |
| 3. | Below Rs.2,700 | : | II Class Sleeper |
| | | | |

TRAVEL BY RAJDHANI EXPRESS TRAINS

| Sl. No. | Pay Range (Basic Pay) | | Maximum entitlement |
|------------|---|---|---------------------|
| 1. | Rs. 8,000/- and above | : | A/C 2 Tier Sleeper |
| 2. | All others drawing pay below Rs.8,000/- | : | A/C Chair Car* |
| | * Travel by A/C III Tier Sleeper w A/C Chair Car accommodation is no | - | <u> </u> |

Maximum antitlament

TRAVEL BY SHATABDI EXPRESS TRAINS

Sl. Category Maximum entitlement

No.

1. All employees irrespective of the

pay range : A/C Chair Car

If any particular train is not having the above specified classes of accommodation, the employee may avail next higher class of eligibility in that particular train.

Travel by Road

Actual bus fare

The travelling allowance bill should be submitted within one month from the date of completion of tour in the form prescribed in Annexure-III.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

ANNEXURE-II

- 1. Ponfab
- 2. Pondicherry Co-operative Housing Society
- 3. Pondicherry Co-operative Building Centre
- 4. Pondicherry Industrial Workers Co-operative Housing Society
- 5. Karaikal Co-operative Building Society
- 6. Mahe Co-operative Housing Society
- 7. Pondicherry Public Servants Co-operative Stores
- 8. Bharathi Consumers Co-operative Stores
- 9. Karaikal Public Servants Co-operative Stores
- 10. Rodier Mill Employees Co-operative Stores
- 11. Mahe Employees Co-operative Stores
- 12. Bharathi Mill Employees Co-operative Stores
- 13. Mahe Consumers Co-operative Stores
- 14. PIC Press
- 15. Indian Coffee Workers Co-operative Society
- 16. Pondicherry Women Cottage Industrial Co-operative Society
- 17. Pondicherry Co-operative Urban Bank
- 18. Yanam Co-operative Rural Bank
- 19. Karaikal Co-operative Milk Supply Society
- 20. Pondicherry Gazetted Officers Co-operative Society
- 21. Pondicherry Public Servants Co-operative Society
- 22. A.F.T. Employees Co-operative Credit Society
- 23. Pondicherry Electricity Employees Co-operative Credit Society
- 24. JIPMER Staff Co-operative Credit Society
- 25. Pondicherry Health Employees Co-operative Credit Society.

ANNUXURE – III FORM

TRAVELLING ALLOWANCE CLAIM BILL FOR THE MONTH OF ------

| | | | | | | | Distanc e | Mode | Bus/ | | | | Total | Purpos e of |
|-------------------|-----------|------|---------|-------|------|---------------|---------------|-----------------|------|------------|---------|-------|-------|----------------|
| Name & Designatio | Departure | | Arrival | | K.M. | of journey | Train fare | Daily Allowance | | of each | journey | | | |
| n | Plac | Date | Hour | Place | Dat | Hour | | journey | 1410 | Date | Rate | Amoun | item | |
| | e | | S | | e | S | | | | | | t | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| Passed for | payment of Rs. | (in words) |
|------------|----------------|------------|
| | | |

Received the sum of Rs. (in words)

SIGNATURE OF THE CLAIMANT WITH DATE

Voucher No.

Date:

CERTIFICATE Signature with date:

Certified that:

- 1. I have not preferred the above claim before.
- 2. I have actually performed the tours on the dates, time and modes mentioned in this bill.
- 3. I have actually traveled by bus/train, as mentioned in this bill.

SIGNATURE OF THE CLAIMANT

No.12/2/40/RCS/PLG/M/98/111 Government of Pondicherry Co-operative Department ***

Pondicherry, the 25.9.1998

I.D NOTE

Sub: Co-operative Department - Fixation of risk allowance to the employee who is dealing in cash - Regarding

It is brought to the notice of the undersigned that no uniform rates have been paid by the societies in payment of risk allowance. Hence, in order to streamline the rates of risk allowance, the Branch Officers are requested that the norms mentioned below shall be followed while fixing the rate of risk allowance.

Category Rate of Risk allowance

Employee who is dealing average cash receipt of the preceding accounting year in the society in which more than one employee is working

| a. | Not exceeding Rs.1.00 lakh | - Rs.100/- p.m |
|----|--|----------------|
| b. | Exceeding Rs.1.00 lakh but not exceeding Rs.5.00 lakhs | - Rs.150/- p.m |
| c. | Exceeding Rs.5.00 lakhs | - Rs.200/- p.m |

For one man society, Rs.50/- p.m shall be allowed as risk allowance.

If any proposal is received from the societies for fixation of risk allowance in respect of employees doing collection messenger work, separate approval from the undersigned is to be obtained, while fixing risk allowance to them.

Besides, it should be ensured whether adequate fidelity guarantee and cash security are obtained from the employees concerned in this regard.

The above rates come into force with immediate effect.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/15/RCS/PLG/M/96/118 Government of Pondicherry Co-operative Department ***

Pondicherry, the 12.10.1998

CIRCULAR

Sub: Co-operative Department– Establishment of Contributory Provident Fund in Co-operative Societies- Modification - Regarding

- Ref:1. This Department's Circular No.12/2/78/RCS/M/85/246, dated 28.5.1986;
 - 2. This Department's Circular No.5/1/2/116/RCS/C2/86/68, dated 22.4.1996;
 - 3. This Department's Circular No.12/2/15/RCS/M/96/82, dated 8.7.1996.

-: o :-

It is informed that, under sub-section (1) of Section 72 of the Pondicherry Co-operative Societies Act, 1972 read with Rule 55 of the Pondicherry Co-operative Societies Rules, 1973, registered co-operative societies shall establish a contributory provident fund for the benefit of its employees of the society. Further it is also informed that the Employees Provident Funds and Miscellaneous Provisions (Amendment) Ordinance 1998 amended Section 6 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952. In pursuance of the amendment, the societies which are already having the approved subsidiary regulations governing the maintenance and utilization of the contributory provident fund, should amend their approved subsidiary regulations in respect of clause 3 and 11 of the regulations as follows and get the approval of the Registrar of Co-operative Societies.

| AS EXISTING | AS AMENDED |
|--|---|
| Sl.No.3 of Explanation Clause Every subscriber shall pay a monthly subscription of a sum calculated at the rate of 10 paise per rupee of pay drawn by him, fraction being rounded to the nearest rupee | Every subscriber shall pay a monthly subscription of a sum calculated at the rate of 12 paise per rupee of pay drawn by him, fraction being rounded to the nearest rupee. |
| Sl.No. 11 of Explanation Clause The society shall contribute monthly on behalf of the subscriber a sum equivalent to the subscriber's subscription, i.e. 10 paise per rupee of pay drawn. | The society shall contribute monthly on behalf of the subscriber a sum equivalent to the subscriber's subscription, i.e. 12 paise per rupee of pay drawn. |

.

All other clauses of the subsidiary regulations in the reference 1st and 3rd cited shall remain unchanged except the above mentioned clauses.

The said Ordinance comes into force on the 22nd day of September, 1997.

The societies, are, therefore instructed to send necessary proposal seeking registration of the above said amendment, along with necessary board resolution to effect the same and obtain the approval of the Registrar.

Further, the societies, which are have framed the subsidiary regulations governing the maintenance and utilization of the contributory provident fund for the employees of their societies are instructed to frame the said subsidiary regulations and obtain the approval of the Registrar of Co-operative Societies immediately.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/35/RCS/Plg/M/97 (Part File)/127 Government of Pondicherry Co-operative Department

. . .

No.270/98/CLC

Pondicherry, the 3.11.1998

CIRCULAR

Sub: Co-operative Societies – Revision of pay scales and allowance to the employees – Clarification – Issued.

Ref: Registrar's Direction No.12/2/35/RCS/Plg/M/97/45, dated 18.5.1998.

Consequent on the issue of directions in the reference cited, several Employees Unions have raised demand stating that a special increment may be granted to the employees who have completed 10 years of service in the present grade subsequent to 1.1.1996.

In this connection, it is clarified as follows:

Such of those employees who have completed 10 years of service in one and same grade may be given one increment in the revised scale, as special increment. This will be applicable at any point of time. It is not necessary that the 10 years of service should have been put in as on 1.1.1996. Such of those who complete 10 years of service in one and the same grade on any date subsequent to 1.1.1996, may also be given this special increment, from the date of completion of 10 years of service.

The above point shall be adopted while fixing pay as on 1.1.1996, and also while sanctioning annual increments after 1.1.1996, in the revised scales of pay, to the employees of co-operative societies which implement the recommendation of the III Pay Committee constituted for co-operative employees of the Union territory of Pondicherry.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

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No.12/2/1/RCS/PLG/M/99/34 Government of Pondicherry Co-operative Department

• • •

Pondicherry, the 24.2.1999

CIRCULAR

Sub: Co-operative Department – Review of suspension cases and issue of seniority list of employees of co-operative societies.

-: o :-

It is brought to the notice of the undersigned that most of the registered co-operative societies are having regular staff and many societies are not maintaining seniority list, service book, proper annual increment orders etc. as required under Law. Further, it is also brought to the notice of the undersigned that societies are not making entries in the service book of the employees concerned in respect of sanction of earned leave, medical leave and other relevant entries. Therefore, it is required to maintain service books in respect of all regular employees and make necessary entries in their service book for record purpose and for future use. Further, the societies are also requested to maintain seniority lists in respect of employees which are required for various purposes. It is also informed that due to the non- maintenance of service books and seniority list in the society may lead to various complications at the time of giving promotion or regularization etc.

It is also brought to the notice of the undersigned that in some societies the employees were suspended for some reasons and no further follow- up action has been taken for years together. However the suspended employees are getting their subsistence allowance from the society which may be expenditure to the society without any purpose. Therefore, it is requested to review such cases and take early decision depending upon the merits of each case on or before 31.5.1999

A copy of the final seniority list of the employees of co-operative societies should be sent to this office before 31.5.1999.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/35/RCS /PLG/ M/97(Part File)/41 Government of Pondicherry Co-operative Department ****

Pondicherry, the 1.3.1999

CIRCULAR

Sub: Co-operative Societies – Revision of pay scales and allowances of the employees – Clarification – Issued.

Ref: Registrar's circular No.12/2/35/RCS/PLG/M/97 (Part File)/127, dated 3.11.1998.

In continuation of the circular cited above, it is now clarified that a special increment in the revised scale is applicable only to those regular employees who have completed 10 years of service in one and the same grade on any date subsequent to 1.1.1996, from the date of completion of 10 years of service. But such special increment should not be granted to those regular employees for every 10 years of service rendered in one and the same grade. For examples, an employee who has completed 20 years of regular service in one and the same grade is eligible only for one special increment and not two special increments. i.e., not once in every 10 years.

The above point shall be adopted while fixing pay as on 1.1.1996, and also while sanctioning annual increments after 1.1.1996, in the revised scale of pay, to the employees of co-operative societies which implement the recommendations of the III Pay Committee constituted for co-operative employees of the Union territory of Pondicherry.

//By order//

K. SOMASUNDARAM DEPUTY REGISTRAR (PLANNING)

No.12/2/7/RCS/PLG/M/99/89 Government of Pondicherry Co-operative Department

• • •

No.RCS/CLC/65/99

Pondicherry, the 11.6.1999

<u>Directions issued by the Registrar of Co-operative Societies under Section 81(1) of the</u>
Pondicherry Co-operative Societies Act, 1972.

Present: THIRU G. RAGESH CHANDRA

Registrar of Co-operative Societies, Pondicherry

Sub: Co-operative Department– Enhancement of retirement age to 60 years to the employees of co-operative societies – Directions – Issued.

-: 0 :-

Whereas a decision has been taken to raise the retirement age of all employees of all co-operative societies from 58 to 60 years;

And whereas the Hon'ble Minister for Co-operation, while answering to the points raised by the members of the Legislative Assembly during Voting on Demand for Grant "Co-operation" on 29.4.1999, has announced in the floor of the House that the age of retirement of the employees working in co-operative societies shall be raised from 58 years to 60 years.

Now, therefore, the undersigned in exercise of the powers conferred under Section 81(1) of the Pondicherry Co-operative Societies Act, 1972 directs that all the co-operative societies may enhance the retirement age of their employees from 58 years to 60 years with effect from 1.4.1999. The societies may pass separate resolutions and send proposals to amend their subsidiary regulations governing the service conditions of employees, suitably, to take effect from 1.4.1999.

G. RAGESH CHANDRA REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/6/RCS/PLG/M/2001/06 Government of Pondicherry Co-operative Department ***

Pondicherry, the 2.7.2001

CIRCULAR

Sub: Grant of Transport Allowance to blind and orthopaedically handicapped employees working in co-operative institutions – Instructions – Issued.

Ref: (1) This Office Circular No.12/2/11/RCS/M/84/241, dated 21.3.1984.

- (2) This Office Circular No.12/2/11/RCS/M/84/348, dated 10.5.1984.
- (3) Finance Department's G.O.Ms.No.59/97/F3, dated 15.10.1997.

In pursuance of the decisions taken by the Government of India in the G.O. cited and in continuation of this Office Circular 1st and 2nd cited, the undersigned is pleased to convey sanction of transport allowance to the employees who are blind and orthopaedically handicapped with disability of lower extremities working in co-operative institution as follows:-

| Sl. | Pay Scale of the employees | Rate of |
|-----|--|---------------|
| No. | | Transport |
| | | Allowance per |
| | | month |
| 1 | Employees drawing pay in the scale of pay of Rs.8,000-13,500 | Rs.800/- |
| | or above | |
| 2 | Employees drawing pay in the scale of pay of Rs.6500-6900 or | Rs.400/- |
| | above but below the scale of Rs.8000-13500 | |
| 3 | Employees drawing pay below the scale of Rs.6500-6900 | Rs.150/- |

Consequent upon coming into force of this order the conveyance allowance paid earlier shall be abolished and instead all such employees may be transport allowance at the above rates.

In case, now ever, such handicapped employees have been provided with Government accommodation within a distance of one kilometer from the place of work or within or within a campus housing the place or work and residence, the transport allowance shall be admissible at the following rates:-

| Sl.No. | Pay Scale of the employees | Rate of |
|--------|--|---------------|
| | | Transport |
| | | Allowance per |
| | | month |
| 1 | Employees drawing pay in the scale of pay of Rs.8000-13500 | Rs.400/- |
| | or above | |
| 2 | Employees drawing pay in the scale of pay of Rs.6500-6900 or | Rs.200/- |
| | above but below the scale of Rs.8000-13500 | |
| 3 | Employees drawing pay below the scale of Rs.6500-6900 | Rs.75/- |

This allowance will not be admissible during absence from duty exceeding 30 days due to leave, training, tour etc. If they avail any benefit from similar scheme operated by other departments like Social Welfare etc., and they can not avail transport allowance as per the circular. The society should ensure that employees can avail only one benefit at a time.

The other conditions stipulated in the reference 1st cited remain unchanged.

This order shall take effect from 1-8-1997.

Smt. DEVI MATTHEWS REGISTRAR OF CO-OPERATIVE SOCIETIES **Employees**

No.18 /PA/RCS/ 2001-02 Government of Pondicherry Co-operative Department

Pondicherry, the 21.1.2002

CIRCULAR

Sub: Recruitment in Co-operative Societies – Instructions – Issued.

Time and again it has been brought to the notice of this Department that some co-operative societies are making recruitments directly to their institutions without adopting procedure of notifying the vacancies in the Employment Exchange. It is also in practice that in some societies persons are engaged on daily rated/ consolidated pay and regularizing them subsequently. This office has issued a number of instructions /circular on this subject, underlining the need to adopt the proper procedure in accordance with law. But these instructions are violated in many cases.

In this connection it is emphasized that the co-operative societies should recruit all the candidates only through Employment Exchange and in case the Employment Exchange is not in a position to sponsor candidates, recruitment should be made by advertising the vacancies, inviting applications from eligible candidates and thereafter conducting written test and interview to select the most suitable candidates. The reservation to scheduled caste, scheduled tribe and physically handicapped should also be made. The recruitment should be made in accordance with the recruitment rules and candidates with training in co-operative management shall be given first preference.

The societies are informed to follow the above procedure scrupulously. It is specifically mentioned that in case of violation, if any, responsibility shall be fixed on the chief executive concerned and disciplinary action will be taken against him.

Smt. DEVI MATTHEWS REGISTRAR OF CO-OPERATIVE SOCIETIES

5.38

No.12/2/8/RCS /PLG/ M/2002/50 Government of Pondicherry Co-operative Department ****

Pondicherry, the 27.3.2002

I.D. NOTE

Sub: Creation, Regularization and Pay revision to employees – Constitution of Committee – Ordered.

Of late, proposals are received from various societies, inter-alia, for creation of posts, regularization of employees and revision of pay scales.

With a view to ensure uniformity, a committee consisting of the following officers is constituted.

1. The Joint Registrar of Co-operative Societies - Chairman

2. President/Administrator of the society which seeks approval of proposal -

3. Chief Executive of the society

Member

Member

4. Branch Officer concerned

Member-Secretary

Whenever a proposal is received for creation of post or regularization of employees or for pay revision of pay scales, the Branch Officer concerned shall place the proposal before the committee for scrutiny. The committee shall scrutinize the proposal taking into account the financial commitment vis-à-vis the financial soundness of the society. The proposal shall be submitted to the undersigned along with the recommendations of the committee. The Branch Officers may ensure that the proposal is processed expeditiously, preferably in a month's time.

The Branch Officers are requested to adhere the instructions without any deviation.

SMT. DEVI MATTHEWS REGISTRAR OF CO-OPERATIVE SOCIETIES

D The committee is rescinded vide P. 5.48

No.RCS/CLC/RC/4/2001 Government of Pondicherry Co-operative Department ****

Pondicherry, the 17.4.2002

CIRCULAR

Sub: Disciplinary action against the employees of co-operative societies – Guidelines while issuing show cause notice – Issued.

While disposing W.P.No.19349/2001, filed in the High Court of Madras the said Court, by order dated 12th March 2002, has made the following observations:

"Whenever a show cause notice is issued, even though the show-cause notice may be a second show-cause notice consequent on the enquiry officer's report and the disciplinary authority not being the enquiry officer, it is incumbent that in the show cause notice, there should be no indication of the conclusion of the disciplinary authority. When once the disciplinary authority taken a final decision and has come to the conclusion about the guilt of the accused, then the very purpose of issuing a show-cause notice is lost."

- 2. In the said case, the High Court has set aside the notice issued and allowed the writ petition giving liberty to the society to proceed from the stage in which the defect has crept in.
- 3. The chief executives of societies may take into consideration the above observations of the High Court, whenever they issue show cause notices in the matter of disciplinary proceedings against the employees.

Smt. DEVI MATTHEWS REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/30/RCS/PLG/M/2001/176 Government of Pondicherry Co-operative Department ***

Pondicherry, the 12.11.2002

CIRCULAR

Sub: Co-operative Department – Enhancement of daily wage to the employees of Co-operative Institutions – Reg.

Permission is hereby accorded for the enhancement of the wages of the employees of co-operative institutions who are working on daily wage basis as mentioned below with effect from 1.10.2002.

1. Category - I

Junior Clerk, Typist, Drivers etc. Rs. 120/- per day

2. Category – II

Peon, Attender, Pump Operator, General Worker etc. Rs. 100/- per day

All the co-operative societies are advised to pay the enhanced daily wage with the approval of the board of directors of the concerned societies.

G. RANGANATHAN REGISTRAR OF CO-OPERATIVE SOCIETIES

D The rate of daily wages is revised, for the revised rate, kindly see P. 5.44

No.12/2/18/RCS/PLG/M/2001/199 Government of Pondicherry Co-operative Department ****

Pondicherry, the 27.12.2002

CIRCULAR

Sub: Co-operative Department - Providing reservation in Employment for SC/ST in the Co-operative Institution - Reg.

Reservation for scheduled caste and scheduled tribe is being provided in employment education, etc., with a view to bring them into main stream of social life. As far as this Union territory of Pondicherry is concerned, 16% reservation is to be provided to scheduled caste people in employment, education, etc., based on their proportion out of population.

- 2. Time and again the importance of providing reservation for scheduled caste and scheduled tribe in the matter of appointments in the co-operatives has been stressed. But it has been brought to the notice of the Government that many of the co-operative institutions are not at all implementing the reservation policy for scheduled caste and scheduled tribes in employment on the plea there is no such provision in their bye laws.
- 3. As per the Ministry of Home Affairs O.M. No. 39/40/74-SCT(1), dated 30.9.1974 autonomous bodies / institutions including co-operative institutions which are financed by the Government are under obligation to provide reservation for scheduled caste and scheduled tribe in their respective service. Therefore, the co-operative institutions in Pondicherry which are financed by the Government are able to follow reservation policy and reservation for scheduled caste and scheduled tribes in the services as per the relevant guidelines.
- 4. Hence, it has become obligatory for the co-operative institutions to make suitable statutory provision in the bye-laws of the societies in order to enforce the reservation policy and reservation norms for scheduled caste and scheduled tribes in the matter of appointment of employees in their services.
- 5. Therefore, the co-operative societies are required to make suitable byelaw amendment providing reservation to the scheduled caste / scheduled tribe in the matter of appointment of the employees and send the same to Registrar of Co-operative Societies for approval on or before 31.1.2003.
- 6. Receipt of the circular shall be acknowledged.

G. RANGANATHAN
REGISTRAR OF CO-OPERATIVE SOCIETIES

Employees

No.12/2/18/RCS /PLG/ M/2001/214

Government of Pondicherry Co-operative Department

Pondicherry, the 31.7.2003

CIRCULAR

Sub: Co-operative Department – Providing reservation in employment

for SC/ST in the co-operative institutions – Reg.

Ref: This office circular No.12/2/18/RCS/Plg/M/2001/199 dated 27.12.2002.

Kind attention is drawn to the circular cited above, wherein the societies have been requested to make suitable statutory provision/amendment in the bye-laws of

societies for providing reservation to SC/ST in the matter of appointment of the

employees and to forward the confirmation on or before 31.1.2003.

It is brought to the notice of the undersigned that some societies are engaging

daily rated employees to cope-up with the increased workload. While regularizing their

services, the required reservation of 16% for the SC candidates has to be taken into

account.

Further all the co-operative societies are requested to ensure that the reservation

policy is implemented in letter and spirit in the co-operative societies while engaging the

employees on regular basis / on casual basis/ daily rated basis.

The receipt of the circular shall be acknowledged.

G. RANGANATHAN REGISTRAR OF CO-OPERATIVE SOCIETIES

5.43

No.12/2/2/RCS/PLG/M/2005/276 Government of Pondicherry Co-operative Department

Pondicherry, the 8.6.2005

CIRCULAR

Sub: Enhancement of daily wages to the employees of

co-operative institutions – Reg.

Ref: Circular No.12/2/30/RCS/PLG/M/2001 dated 12.11.2002.

In modification of the circular cited permission is hereby accorded to the enhancement of daily wages to the employees of co-operative institutions, as mentioned below:-

- 1. <u>Category I</u> Junior Clerk, Typist, Drivers etc., --- Rs.140/-
- 2. <u>Category II</u> Peon, Attender, Pump operator, General workers etc. --- Rs.120/-

The order takes effect from 1.6.2005.

The co-operative societies are advised to pay the enhanced daily wages with the approval of the committee of management and subject to the financial position of the respective societies.

G. RANGANATHAN
REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/6/RCS/PLG/M/2005/286 Government of Pondicherry Co-operative Department

Pondicherry, the 5.7.2005

CIRCULAR

Sub: Recruitment of employees – Instructions – Issued.

Of late instances are brought to the notice that many co-operative societies are appointing employees on daily wages / part time without the approval of this department. Proposals are received for regularizing such employees and fixing them on time scales.

Appointments made without scientific study of work load will push up the establishment cost and increase in the staff strength without corresponding work load will be to the disadvantage of such societies. The committee of management which appoints employees without approved staff strength is also liable for action for not adhering the circular or directions issued by this department time and again. The following guidelines are issued in the matter of appointment of employees.

- 1. Recruitment of employees, regular / daily rated / part time shall not be made without prior approval of the department.
- 2. While submitting proposals for increasing staff strength, the proposal shall contain the reason for recruitment work load and financial conditions. Recruitment shall not be made in anticipation of approval.
- 3. No increase in wages / salaries shall be made without prior approval.

Wherever such appointments have been made at present without approval, such societies are advised to submit such details to this office, immediately.

The above instructions shall be followed scrupulously and any violations invite action against the management in accordance with law.

These guidelines should be read in the ensuing committee meeting and resolution in this effect shall be recorded.

The receipt of the circular may be acknowledged.

G. RANGANATHAN REGISTRAR OF CO-OPERATIVE SOCIETIES

No.5/11/1/RCS/PLG/M/2006/45 Government of Pondicherry Co-operative Department

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Pondicherry, the 2.6.2006

<u>DIRECTIONS ISSUED UNDER SECTION 81 OF THE PONDICHERRY</u> CO-OPERATIVE SOCIETIES ACT, 1972

Sub: Election to civic bodies of the Union territory of Pondicherry – Bar against participation in the election by the employees of co-operative societies – Directions – Issued.

WHEREAS the State Election Commission has notified election to civic bodies during June 2006;

AND WHEREAS enquiry was received from some quarters on the contest of employees of co-operative societies in the said election;

AND WHEREAS the employees of co-operative societies are bound by the subsidiary regulations relating to the service conditions of the respective societies and the said regulations impose a bar on the employees to stand for an election to the Parliament or Legislature or Local Authorities;

AND WHEREAS the attention is drawn to the regulation contained in Chapter VII relating to Conduct and Discipline of the employees and the relevant provision is reproduced below:

"(13) BAR AGAINST POLITICS AND ELECTION:

- (1) XX XX XX
- (2) No employee shall stand for, canvass or otherwise interfere or use his influence in any way in connection with an election to Parliament or Legislature or Local Authority or any institution constituted under any State or Central Act except to such of those institutions as are formed by and for the betterment of the employees of the society."

AND WHEREAS in view of the explicit provisions of the subsidiary regulations it is imperative that the employees should strictly adhere to the above provisions and abstain from contesting in the said election;

Employees

AND WHEREAS I am of the opinion that directions are to be issued in the better interest of the society and in public interest to restrain the employees of the co-operative societies from contesting in the election.

NOW, THEREFORE, in exercise of the powers conferred on me under subsection (1) of Section 81 of the Pondicherry Co-operative Societies Act, 1972, I direct that all the societies shall strictly implement the above provisions of the subsidiary regulations in respect of their employees and contents of these directions should be brought to their notice forthwith. They should be specifically informed that any violation to the above directions will warrant action against them in accordance with law.

G. RANGANATHAN REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/8/RCS /PLG/ M/2002/142 Government of Puducherry Co-operative Department ****

Puducherry, the 10.8.2007

ORDER

Sub: Creation of post and regularization of employees – Constitution of Committee – Rescinding of – Regarding

Ref: I.D. Note 12/2/8/RCS/PLG/M/2002/50 dated 27.3.2002 of the Registrar of Co-operative Societies, Puducherry.

A committee was constituted for creation of posts and regularization of employees of the co-operative societies, vide reference cited. The subsidiary regulations governing the service conditions of the employees of the co-operative societies empower the committee of management to prescribe and revise the cadre and strength of establishment of the society from time to time with the approval of the Registrar. The scale of pay and allowance for each cadre is approved by the Registrar from time to time. The subsidiary regulations also prescribe that the President/Chief Executive is the appointing authority and promotions/ regularizations should be done by him. When, once the cadre and strength of the establishment of the society are approved by the Registrar, it is felt that approval of the Registrar of Co-operative Societies is not required for regularization and promotion of an employee from one cadre to another. This should be left to the management to act in accordance with the subsidiary regulation governing the service conditions of the employees, provided it is within the cadre and strength of the establishment.

In view of the above the standing committee constituted, vide reference cited, is hereby rescinded. The societies need to send proposals only for creation of new posts and for variation in cadre and strength. While sending proposals for the above, the particulars in the enclosed proforma shall be sent invariably.

Dr. S. SUNDARAVADIVELU REGISTRAR OF CO-OPERATIVE SOCIETIES

Proposal for Creation of New Posts and for Variation in Cadre and Strength

| 1. | Name of the society | : |
|----|--|---|
| 2. | Date of registration | : |
| 3. | Date of starting | : |
| 4. | No. and designation of approved cadre strength and proposed to be created (As in Proforma) | : |
| 5. | Organization chart (enclose separately) | : |
| 5. | Allotment of work to the existing staff (should contain details whether the work of the proposed posts cannot be done by | |
| | re-distribution) | : |
| 7. | Justification for the post new proposed | : |
| 8. | Whether the post is covered under the Existing RRs., if not whether RRs. have been approved | : |
| 9. | Cost of establishment of the previous financial year (salary, allowances, bonus encashment of earned leave etc.) | : |
| 10 | . Additional financial commitment consequent on creation of new post | : |
| 11 | . Working result of the society for the last three financial years | : |

PROFORMA

| S. No. | | Number of posts | | | | |
|-----------|-------------|-----------------|-----------|----------|---------|--------|
| No. | Designation | | Proposed | Proposed | Total | Scale |
| | Designation | Existing | for | for | (3-4+5) | of pay |
| | | | surrender | creation | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |
| | | | | | | |
| | Total | | | | | |

Employees

No.12/2/8/RCS/PLG/M/2002/157

Government of Puducherry Co-operative Department

Puducherry, the 17.9.2007

CIRCULAR

Sub: Creation of posts and regularization of employees – Guidelines - Issued.

Proposals are often received in this Department from co-operative societies for

creation of posts, regulation of employees, grant of pay scale etc.

2. It is seen that the proposals on many occasions do not contain the information

necessary for examination of the proposal. Hence, whenever the society sends proposal

for creation of new posts or variation in cadre and strength of the establishment, the

particulars shall be sent as in the enclosed proforma.

3. The subsidiary regulations also prescribe that the President/Chief Executive is

the appointing authority and promotions/regularizations shall be done by him. It is,

therefore, felt expedient that once the cadre and strength of the establishment of the

society are approved, the President/Chief Executive of the society may

regularize/promote the employees in accordance with the subsidiary regulations

governing the service conditions of the employees.

Dr. S. SUNDARAVADIVELU REGISTRAR OF CO-OPERATIVE SOCIETIES

Encl.: As above

5.51

Proposal for Creation of New Posts and for Variation in Cadre and Strength

| 1. | Name of the society | : |
|-----|---|--------|
| 2. | Date of registration | : |
| 3. | Date of starting | : |
| 4. | No. and designation of approved cadre strength and proposed to be created (as in Proforma) | : |
| 5. | Organization chart (enclose separately) | : |
| 5. | Allotment of work to the existing staff (should contain details whether the work of the proposed posts cannot be done by re-distribution) | : |
| 7. | Justification for the post now proposed | : |
| 8. | Whether the post is covered under the Existing RRs, if not whether RRs have been approved | : |
| 9. | Cost of establishment of the previous Financial year (salary, allowance, bonus encashment of earned leave etc.,) | : |
| 10. | Additional financial commitment consequent on creation of new post | t : |
| 11. | Working result of the society for the last three financial years. | : |

PROFORMA

| | | Number of posts | | | | |
|---------|-------------|-----------------|-----------|----------|---------|----------|
| Sl.No. | Designation | | Proposed | Proposed | Total | Scale of |
| 51.110. | | Existing | for | for | (3-4+5) | pay |
| | | | surrender | creation | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
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| | Total | | | | | |

No.RCS/CLC/PCP/2008/202/ Government of Puducherry Co-operative Department

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Puducherry, the 6.10.2008

CIRCULAR

Sub: Reservation of vacancies for physically challenged persons in appointment in co-operative societies – Instructions – Issued.

The subsidiary regulations governing the service conditions of the employees of co-operative societies provide that such percentage of vacancies, as may be specified by the Government of Puducherry from time to time, shall be reserved, inter alia, for physically handicapped persons.

The Government of Puducherry has provided 3% reservation in employment in Government departments to disabled persons. In tune with the reservation policy of the Government, the co-operative societies shall reserve 3% of vacancies to physically handicapped persons and whenever recruitment is made it shall be ensured that such percentage is recruited from physically handicapped persons.

The co-operative societies shall strictly ensure the reservation for physically handicapped persons in the recruitment of employees.

Dr. S. SUNDARAVADIVELU REGISTRAR OF CO-OPERATIVE SOCIETIES

No.RCS/CLC/I&G/2008/219 Government of Puducherry Co-operative Department

Puducherry, the 7.11.2008

CIRCULAR

Sub: Suspension of employees of co-operative societies and taking follow up action – Guidelines – Issued.

The subsidiary regulations governing the service conditions of the employees of co-operative societies empower the appointing authority to place an employee under suspension in the following circumstances:

- i) where a disciplinary proceedings against him is contemplated or pending; or
- ii) where in the opinion of the appointing authority he has engaged himself in activities prejudicial to the interest of the society; or
- iii) where a case against him in respect of any criminal offence is under investigation, inquiry or trial.
- 2. An employee shall be deemed to have been placed under suspension by an order of the appointing authority
 - i) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty eight hours;
 - ii) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.
- 3. It is, however, imperative that the utmost caution and circumspection is to be exercised in passing an order of suspension resulting in grave consequences to the employee concerned. It is also necessary to remember that the power of suspension is to be sparingly exercised and only for valid reasons and not for extraneous considerations. The following circumstances may be considered appropriate to place an employee under suspension:
 - i) where his continuance in the society will prejudice investigation, trial or any enquiry, e.g., apprehended tampering with witnesses or documents;
 - ii) where his continuance in the society is likely to seriously subvert discipline in the society in which he is working;
 - iii) where his continuance in the society will be against the larger public interest:
 - iv) where a preliminary enquiry revealed a prima facie case justifying criminal or disciplinary proceedings, which are likely to lead to his conviction and/or dismissal, removal or compulsory retirement from service; and
 - v) where he is suspected to have engaged himself in activities prejudicial to the interest of the security of the State.

- 4. Instances have come to the notice of this Department that in many cases the appointing authority (hence forth called as disciplinary authority) is not following the time schedule for disposal of disciplinary proceedings against the employees. In some cases the delay in the issue of charge sheet had resulted in giving promotion to the employees who are facing grave charges and caused embarrassment to the society's administration and in some other cases, the delay had led to quashing of charge sheets and even the entire disciplinary proceedings by Tribunals/Courts. The following guidelines are issued in the matter of placing an employee under suspension:
 - (i) While placing an employee under suspension the disciplinary authority should consider whether the purpose cannot be served by transferring the employee from his post to a post where he may not repeat the misconduct or influence the investigation, if any, in progress;
 - (ii) Before passing an order of suspension, the authority proposing to make the order, should verify whether it is competent to do so. Otherwise, the suspension order is liable to be declared illegal and in that event, the employee may have a claim to the grant of full pay and allowances for the period of suspension;
 - (iii) An employee can be placed under suspension only by a specific order made in writing. He shall not be placed under suspension by an oral order;
 - (iv) In case of deemed suspension, suspension takes effect automatically even without a formal order. But it is desirable for purposes of administrative record to make a formal order;
 - (v) Except in cases in which an employee is deemed to have been placed under suspension, an order of suspension can normally take effect only from the date on which it is made or subsequently and not retrospectively. The employee who is placed under suspension should be simultaneously communicated of the order:
 - (vi) Once an order is issued and is sent out to the concerned employee, it must normally be held to have been communicated to him;
 - (vii) In case where the employee is on leave or absent without prior permission and hence not performing any duties, the order of suspension should normally be given effect to only from the date the employee returns from leave or desires to resume duty, as otherwise the employee becomes automatically entitled to payment of subsistence allowance for the period of non-duty;

(viii) An order of suspension made or deemed to have been made shall continue to remain in force until it is revoked by the disciplinary authority. An order of suspension ceases to exist automatically from the date from which he is dismissed, removed or compulsorily retired, as a result of disciplinary proceedings or when the criminal proceedings against him terminate by acquittal/discharge. Though in the latter types of cases suspension automatically comes to an end, an express order will be necessary from the disciplinary authority to allow the employee concerned to resume his duties.

FOLLOW UP ACTION

- 5. As suspension constitutes a great hardship in fairness to the employee, its period should be reduced to the barest minimum. If suspension is unduly prolonged, it also entails infractous expenditure to the society by way of payment of subsistence allowance, often at the enhanced rate, without in any way utilizing his services. The rules of natural justice require that when an employee is placed under suspension, charges against him should be framed within a reasonable period of time and a final decision taken expeditiously and terminate suspension. To have such cases disposed of quickly, it is imperative that -
 - (i) in cases involving criminal proceedings against the employee, every effort should be made to complete the investigation and file the charge sheet in the Court within three months of the date of suspension; and
 - (ii) in cases other than those pending in Courts, the total period of suspension should not ordinarily exceed six months.

REVIEW OF SUSPENSION

- 6.(i) It is in the inherent powers of the disciplinary authority and also mandatory to review periodically the case of an employee under suspension in which charge-sheet has been served to see what steps could be taken to expedite the progress of trial/disciplinary proceedings and revoke the order permitting the employee to resume duty, when in the opinion of the disciplinary authority the continuance of suspension is not justified.
- (ii) If the investigation is likely to take more time, it should be considered whether the suspension order should be revoked and the employee permitted to resume duty. If the presence of the employee is considered detrimental to the collection of evidence, etc., or if he is likely to tamper with the evidence, he may be transferred on revocation of suspension order. When documentary and oral evidence have already been collected and the risk of tampering with evidence by the employee no longer exists, the cancellation of suspension orders should be considered.

REVOKING OF SUSPENSION

7. An order of suspension made or deemed to have been made may, at any time, be revoked by the disciplinary authority. This is done in the following circumstances:-

(a) Disciplinary Proceedings.-

- (i) If it is decided that no formal proceedings need be drawn up with a view to impose a penalty of dismissal, removal or compulsory retirement, or reduction in rank.
- (ii) Where the final order passed is other than dismissal, removal or compulsory retirement.
 - (iii) Where the employee is exonerated of the charges against him.
- (iv) In appeal, the order is modified into one other than dismissal, removal or compulsory retirement and no further enquiry is ordered to be held.

(b) Criminal offence.-

- (i) In arrest and detention cases, it is decided not to proceed further against the employee by filing a charge-sheet in the Court.
 - (ii) If appeal/revision against acquittal in higher Court fails.
- (iii) If acquitted in trial Court or in an appeal/revision in higher Court against the conviction succeeds and he is ultimately acquitted and when it is not proposed to continue him under suspension, even though disciplinary proceedings may be initiated against him.
- 8. An order of revocation of suspension will take effect from the date of issue. However, where it is not practicable to reinstate the employee with immediate effect, the order of revocation should be expressed as taking effect from a date to be specified.

MISCELLANEOUS PROVIONS

- 9. An employee under suspension cannot leave his headquarters without prior permission. The station of posting immediately before his suspension will be the headquarters of the suspended employee. The disciplinary authority can change the headquarters of the employee under suspension in the public interest. When the employee under suspension requests for a change of headquarters, it may be agreed to if it does not put the society to any extra expenditure like grant of traveling allowance etc., or cause any difficulty in investigation etc.
- 10. If the employee under suspension submits a resignation, the disciplinary authority should examine with reference to the merits of the disciplinary case pending against him, whether it would be in the public interest to accept the same. Normally suspension is resorted to only in case of grave delinquency and it would not be correct to accept the resignation. However, where the alleged offences do not involve moral turpitude or the assumption that if disciplinary proceedings were continued, he would be dismissed or removed from service, or where the disciplinary proceedings are likely to be so protracted that it would be cheaper to the society to accept the resignation, the resignation may be accepted. The resignation tendered by an employee under suspension should not be accepted until all his accounts are adjusted.

Employees

- 11. The period of suspension pending inquiry will count as period on duty where, on conclusion of such inquiry, he has been fully exonerated or the suspension is held to be wholly unjustified. In other cases, the disciplinary authority should, at the appropriate time, declare whether and to what extent the period of suspension will count as period on duty.
- 12. When an employee under suspension dies before the disciplinary or Court proceedings instituted against him are concluded, such proceedings would terminate and abate by reason of his death. The period between the date of suspension and the date of death will be treated as duty. His family will be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended subject to adjustment in respect of subsistence allowance already paid, gratuity, encashment of leave etc., as admissible.
- 13. Care should be taken while drafting the charge sheet and only in respect of charges not admitted by the employee, inquiry should be ordered in accordance with the subsidiary regulations.
- 14. When an employee is placed under suspension, he shall be paid subsistence allowance in accordance with the subsidiary regulations.
- 15. Whenever the Court directs the society to complete the inquiry within a time frame, the direction should be strictly observed.
- 16. The societies shall meticulously follow the above guidelines in the better interest of the society and employees.
- 17. The societies are advised to inform on the details of employees placed under suspension immediately in the proforma enclosed.

Dr. S. SUNDARAVADIVELU REGISTRAR OF CO-OPERATIVE SOCIETIES

Enc: as above.

DETAILS OF EMPLOYEES PLACED UNDER SUSPENSION

Name of the Society:

| Sl. No. | Name and designation of the employee under suspension | Date on which he was placed under suspension | Whether the charge sheet has been issued | Stage of enquiry process | Remarks |
|------------|--|--|---|--------------------------------|---------|
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No.RCS/CLC/SR/EMP/2007/220 Government of Puducherry Co-operative Department ***

Puducherry, the 7.11.2008

CIRCULAR

Sub: Subsidiary regulations governing the service conditions of the employees of co-operative societies – Revision – Reg.

Ref: This office circular No.MS/CLC/3/96 dated 3.12.1996.

The bye laws of the co-operative societies empower the committee of the management to frame the subsidiary regulations governing the service conditions of employees with the approval of the Registrar. Many societies do have subsidiary regulations framed in accordance with the model regulations communicated by this office circular cited above.

Taking into consideration the changes that have taken place since then, this department has revised the model subsidiary regulations en bloc and the revised model regulations are available in the website of this department cooperation.puducherry.gov.in under the heading 'Forms'.

The co-operative societies are requested to visit the website and download the regulations. The societies are at liberty to make suitable changes or modifications without disturbing the basic structure of the regulations. The regulations along with schedule I prescribing the qualification and the method of recruitment of the employees along with the resolution of the managing committee or the proceedings of the Special Officer or the Administrator, as the case may be, be sent to this office for approval.

It is reiterated that the regulations shall take effect only from the date of approval.

The societies which do not have subsidiary regulations of their own may frame regulations in tune with the model regulations in tune with the model regulation and those societies who have approved regulations may amend the regulations en bloc in accordance with these regulations.

The societies may take immediate action in this matter.

Dr. S. SUNDARAVADIVELU REGISTRAR OF CO-OPERATIVE SOCIETIES

No.12/2/18/RCS/PLG/M/2007/414 Government of Puducherry Co-operative Department *****

Puducherry, the 16.2.2009

CIRCULAR

Sub: Providing reservation in Employment for SC/ST/OBC in Co-operative Institutions – Strict observance of rule – Reg.

Ref: (1) This Department's circular No. RCS/M/2148/81/538 dated 18.7.1983;

- (2) This Department's circular No.18/PA/RCS/2001-02 dated 21.1.2002;
- (3) This Department's circular No.12/2/81/RCS/Plg/M/2001/99 dated 27.12.2002 and 31.7.2003.

Attention of the Presidents/ Administrators/ Chief Executives of the co-operative institutions are drawn to the instructions/guidelines communicated vide this Department's circulars cited on the subject mentioned above.

- 2. As per the Ministry of Home Affairs O.M 39/40/74/SCT (1) dated 30.09.1974 all autonomous bodies / institutions including co-operative institutions which are financed by the Government are under obligation to provide reservation for Scheduled Castes and Scheduled Tribes in their respective services. Therefore, the co-operative institutions in the Union territory of Puducherry which are financed by the Government are liable to follow reservation policy and reservation for Scheduled Caste and Scheduled Tribes in the services as per the relevant guidelines.
- 3. The President /Administrators/ Chief Executives of the co-operative institution may be aware that reservations to various categories of persons have to be made in direct recruitment and in promotion to the extent as indicated below:

Direct Recruitment

Scheduled Caste - 16%

Other Backward Classes - 27% (With effect from 8-9-1993)

(Note: Regularization of part-time /daily rated employees in regular post will attract reservation for direct recruitment.)

Promotion

Scheduled Caste - 15%
Other Backward Classes - 7.5 %

- 4. The Presidents/Administrators/Chief Executives of the co-operative institutions may be aware that the concept of reservation has undergone a change with the introductions of post based roster with effect form 2.9.1997.
- 5. It has been instructed to make suitable provisions in the bye-laws of the societies to provide for reservation of posts as per the orders of the Government in force.
- 6. In spite of issue of circulars on many occasions stressing the importance of observing reservation policy in making appointments in the co-operative institutions, number of representations / complaints are being received by this department about the non-observance of statutory reservation policy, which defeats the aim of the Government to protect the interest and provide benefits to the suppressed class of he community
- 7. All the co-operative institutions are requested to ensure that their bye laws provide for reservation as per the instruction of Government and make suitable amendments, if not done already.

A.S.P.S. RAVI PRAKASH REGISTRAR OF CO-OPERATIVE SOCIETIES

No.5/11/1/2/RCS/Plg/M/2009/38 Government of Puducherry Co-operative Department

Puducherry, the 16.6.2009

CIRCULAR

Sub: Revision of house rent allowance to the employees of co-operative societies in Puducherry urban area – Orders – Issued.

Ref: Order No.16497/CS (Co-op)/A1/2009 dated 15.6.2009 of the Under Secretary to Government (Co-operation), Chief Secretariat, Puducherry.

The employees unions of various co-operative societies have represented to revise the house rent allowance from 10% to 20%, on par with the Central Government employees, as per the recommendations of the sixth pay commission in the Union territory of Puducherry. A committee was constituted by this Department to go into the demand and the said committee has recommended for revision of house rent allowance from 10% to 20% to the employees of co-operative societies functioning in the urban area of Puducherry.

- 2. The recommendations of the committee was approved by the Hon'ble Chief Minister, Puducherry and approval is accorded, vide order referred above, to revise the house rent allowance from 10% to 20% to the employees of co-operative societies functioning in the urban area of Puducherry with effect from 1st March 2009.
- 3. The co-operative societies functioning in the urban area of Puducherry are hereby permitted to revise the house rent allowance to the employees to 20% with effect from 1st March 2009. The additional financial implications shall be borne by the respective societies.

A.S.P.S. RAVI PRAKASH REGISTRAR OF CO-OPERATIVE SOCIETIES