

DELHI RURAL PRIMARY CO-OPERATIVE SOCIETIES SERVICE RULES, 1979

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DELHI RURAL PRIMARY CO-OPERATIVE SOCIETIES SERVICE RULES, 1979

In exercise of the powers conferred by section 96 of the Delhi Co-operative Societies Act, 1972 the Lt. Governor is pleased to make the following rules, namely :

1. Short title and commencement :-

(i) These rules may be called the Delhi Rules Primary -Co-operative Societies Service Rules, 1979.

(ii) They shall come into force at once.

2. Definition :-

In these rules, unless the context otherwise requires,

- (i) "Bank" means the Delhi State Co-operative Bank Ltd.
- (ii) "Cadre" means a group of posts of Secretaries/managers of primary agricultural credit societies.
- (iii) "Cadre Committee" means a committee constituted by the Lieutenant Governor for controlling the cadre under rule 3.
- (iv) "Cadre Officer" means a member of the service appointed by Cadre Committee.

1 [(v)

- (i) "Direct Recruitment" means recruitment made through a competitive examination held by the Cadre Committee.
- (ii) "Transfer on Deputation" means taking services of the officials of equivalent status on deputation from the Bank or Delhi Administration for a fixed period and on such terms and conditions as the Cadre Committee may decide from time to time.]
- (vi) "Cadre Fund" means a fund created for the administration of cadre and maintained with the Delhi State Co-operative Bank Ltd., consisting of :
 - [(a) contribution by the Primary Co-operative Societies at the rate of 1 percent of the loan borrowed by the Society from the Bank during the year.]
 - (b) contribution by the Delhi State Co-operative Bank Ltd., at the rate of 0.50 percent of the loan distributed to the Primary Cooperative Society of Rural Delhi or Rs. 1 lakh, whichever is more.
 - (c) grants and subsidies from the Government.
 - (d) the deficit, if any, worked out after Government grant shall be shared equally by the Delhi State Co-operative Bank and the Primary Co-operative Societies.
- (vii) "Lieutenant Governor" means the Lieutenant Governor of the Union territory of Delhi.

1. Substituted vide Notification No. F.34(32)/80-PandS-Coop/566, dated 26.4.1982.

3. Constitution of Cadre Committee :-

The Cadre Committee shall consist of :

- (a) Registrar of Co-operative Societies, Delhi Administration Chairman;
- (b) Chairman/Administrator of the Bank-Member;
- (c) Two representatives of the Rural Primary Co-operative Societies nominated by the Registrar of Co-operative Societies, Delhi Administration Members;
- (d) General Manager of the Bank Member Secretary.

4. ppointing Authority and Strength of the Cadre :-

A.

- (a) The Member Secretary of the Cadre Controlling Committee shall be appointing authority of the Cadre Officer.
- (b) The Strength of the cadre shall be determined by the Cadre Committee from time to time. The posts may be created for such period as may be deemed expedient.

5. Seniority :-

- (1) The relative seniority of all direct recruits shall be determined in order of merit in which they are selected for such appointment on the recommendations of the Cadre Committee; persons appointed as a result of earlier selection will be placed senior to those appointed as a result of subsequent selection.
- (2) Where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.
- (3) After their confirmation in accordance with the special representation/orders the Scheduled Castes/Tribes Officers will rank senior to the temporary officers of the cadre notwithstanding that the latter had been recruited earlier to that cadre or had secured a higher order of merit in the same selection than the former. The seniority of such Scheduled Castes/Scheduled Tribes Officers amongst the permanent officers of that cadre will follow the order of their confirmation.
- (4) If any difficulty arises in giving effect to the above provisions, the Cadre Committee may, by order, as occasion requires do anything which appears it to be necessary for the purpose of removing the difficulty.

6. Recruitment :-

Recruitment to the Service shall be made by transfer on deputation of official holding analogous posts in Delhi Administration and the Delhi State Co-operative Bank in the ratio of 70% and 30% respectively failing which by direct recruitment.

(a) Essential qualifications for direct recruitment :

(i) Degree from a University in Economics/Agriculture.

(ii) Knowledge of Hindi.

(b) Desirable qualification for direct recruitment:

(i) Rural background.

(c) Age Limit.

(i) Between 18 years to 30 years (relaxable in case of Scheduled Castes/Tribes) in accordance with the rules and other orders of the Government of India, issued from time to time.

(ii) Substantive appointments shall be made in order of seniority of the temporary officers of the grade on the recommendation of the Cadre Committee except when for reasons to be recorded in writing, a temporary cadre officer is not considered fit for such appointment in his turn.

(d) Special provision for the members of Scheduled Castes and Scheduled Tribes. Appointment to the cadre shall be subject to orders regarding special representation in the service for Scheduled Castes and Scheduled Tribes issued by the Government of India from time to time.

7. Panel :-

The Cadre Committee shall draw up a panel which shall not exceed thrice the number of the clear vacancies.

8. Physical fitness :-

No candidate shall be appointed in the cadre unless certified medically fit by a qualified medical practitioner, approved by the Cadre Committee/medical. The fee shall be borne by the candidate.

9. Disqualifications :-

(1) No person who has more than one wife having or who, having a spouse living, marriages in any case in which such marriage is void by reasons of its taking place during the lifetime of such spouse,

shall be eligible for appointment to the Service.

(2) No woman, whose marriage is void by reasons of her husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the Service :

Provided that the Lt. Governor if satisfied that there are special grounds for doing so exempt any person from the operation of this rule.

10. Period of probation trial :-

(1) Every person appointed to the service shall be on probation/trial for a period of two years.

(2) The Cadre Controlling Committee may, in the case of any person, extend the period of probation, but the total period of extension of probation/trial shall not save where it is necessary by reasons of departmental or legal proceedings pending against the officer, exceed twice the period specified as probation/trial period.

(3) A person on probation/trial shall be liable to be discharged from the grade of the service at any time without assigning any reason, provided that if he holds a lien on any permanent post of the service under the Delhi Administration, or lower grade of the Service he shall be liable to be reversed to that post/grade.

11. Training :-

(1) An officer shall have to undergo training in co-operation as and when deputed by the Cadre Controlling Committee to a school/college imparting training in co-operation.

(2) Before proceeding of training, the officer shall have to execute a bond in favour of the Cadre Controlling Committee that he will serve the committee for a period of at least three years on successful completion of he training, otherwise he will repay to the Cadre Controlling Committee all money spent on his training.

(3) The entire sum spent on such training shall be borne by the Cadre Controlling Committee. The services of those who do not complete the training successfully shall be terminated.

12. Termination, resignation, retirement, discipline and disciplinary proceedings :-

(1) All permanent cadre officers shall retire on attaining the age of 58 years.

(2) A permanent cadre officer may resign after giving three months notice and a temporary employee may resign after one month's notice, or make payment in lieu of notice.

(3) The competent authority may terminate a permanent cadre officer after three months' notice and a temporary cadre officer after one month's notice or make payment equivalent to one month's pay in lieu of notice.

(4) Every cadre officer shall at all times :

(a) maintain integrity.

(b) do nothing which is unbecoming of a cadre officer.

(c) Every cadre officer shall take all possible steps to ensure integrity and devotion to duty.

(d) Every cadre officer in the performance of his official duties or in the exercise of powers conferred on him will not act otherwise than in his best judgment; when he is acting under direction obtain the directions in writing wherever practicable; to obtain the direction in writing he shall obtain written confirmation of the direction as soon thereafter as possible.

(e) No cadre officer or his family (including dependent relations) shall be a member or otherwise associated with any political party or any organisation which takes part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(f) No cadre officer shall converse or otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority.

(g) No cadre officer shall join or continue to be a member of an association the objects or activities of which are prejudicial, to the interests of the sovereignty and integrity of India or public order or morality.

(h) No cadre officer shall ask or accept without the previous sanction of the Cadre Committee contributions to, or otherwise associate himself with the raising of funds or other collections in cash or kind in pursuance of any object whatsoever.

(i) Save as otherwise provided in these rules, no cadre officer shall accept or permit any member of his family or any other person acting on his behalf to accept any gift, except on occasions such as weddings, anniversaries, funerals, or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice. A cadre officer accepts gifts from his near relatives but he shall make a report to the Secretary of the Cadre Committee if the value of any such gift is more than Rs. 100.

(j) No cadre officer shall take or abet the giving or taking of dowry or demand directly or indirectly from the parents or guardians of a bride or bridegroom, as the case may be, any dowry.

(k) No cadre officer shall, except with the previous permission of the Secretary of the Cadre Committee engage directly or indirectly in any trade or business or negotiate or undertake any other employment.

(l) A cadre officer shall so manage his private affairs as to avoid habitual indebtedness.

(m) A cadre officer on his first appointment to any service or post, shall submit a return of his assets in such form as may be prescribed by the Cadre Committee giving full particulars regarding :

(i) The immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in the name of any member of his family or in the name of any other person,

(ii) Shares, debentures including bank deposits inherited by him or similarly owned, acquired or held by him.

(iii) Other movable property inherited by him or similarly owned, acquired or held by him.

(iv) Any debts and other liabilities incurred by him directly or indirectly.

(v) Every cadre officer shall submit an annual return on the prescribed form about the property inherited by him, owned or acquired by him or held by him on lease or mortgage either in his own name or any member of his family or in the name of any other person,

(vi) No cadre officer without prior permission of the Cadre

Committee shall acquire or dispose of any movable or immovable property; the value of which exceeds Rs. 2,000 by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family.

(n) No cadre officer shall, having a spouse living enter into or contract a marriage with any person, unless it is permissible under his/her personal law and the personal law of the other party.

(o) A cadre officer who married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Administration through Secretary, Cadre Committee.

(p) Every cadre officer shall ensure that the number of his/her children does not exceed three.

(q) A cadre officer shall refrain from consuming any intoxicating drink or drugs in a public place and shall not appear in public places in the state of intoxication.

(5) The Secretary of the Cadre Committee may suspend the cadre officer and inflict minor punishment, after seeking his explanation in writing. The appeal against the said order shall lie to the chairman of the committee. The major punishment may be awarded to a cadre officer after holding any inquiry, by the chairman of the committee and appeal against such order shall be to the cadre committee. Minor punishment includes, warning, censure, stoppage of one increment without cumulative effect. Major punishment includes stoppage of increment to a maximum of two with cumulative effect, dismissal, termination and removal from service.

13. Fidelity bond or cash security :-

The officers shall have to tender cash security of Rs. 5,000 or execute fidelity bond for Rs. 5,000 in favour of the Member Secretary, Cadre Controlling Committee.

14. Leave :-

(1) Leave cannot be claimed as a matter of right.

(2) When the exigencies of public service so require leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the cadre officer.

(3) Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave. However, casual leave shall not be combined with any other kind of leave.

(4) A cadre officer shall not take up any employment elsewhere during leave period without obtaining the previous permission of the Chairman, Cadre Committee.

(5) A leave account shall be maintained in Form No. 1 for each cadre officer by the Secretary of the Cadre Committee and no leave shall be granted to a cadre officer unless admissibility has been obtained from the employee/officer entrusted with the work.

(6) Leave shall not be granted to a cadre officer whom the competent authority has decided to dismiss, remove or compulsory retire from service.

(7) An application for leave on medical grounds shall be accompanied by a medical certificate in Form No. 2 given by authorised Medical Attendant.

(8) When a medical authority has reported that there is no reasonable prospect that the cadre officer will ever be fit to return to duty if he is on duty, be invalidated from service from the date of relief of his duties, which would be arranged without delay if he is on leave, he shall be invalidated from service on the expiry of such leave.

(9) Leave ordinarily begins on the day on which the transfer or charge is effected and ends on the date preceding that on which the charge is resumed.

(10) When the day preceding the day on which a cadre officer begins or immediately following the day on which his leave expires is a holiday or one of a series of holidays, the cadre officer shall be deemed to have been permitted the benefit of such holiday/holidays.

(11) Unless the authority competent to grant leave extends the leave, the cadre officer who remains absent after the end of the leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave to the extent of such leave is due, the period in excess of such leave due being treated as

extraordinary leave.

(12) Wilful absence from duty after the expiry of leave renders the official liable to disciplinary action.

15. Kinds of leave :-

(a) Earned Leave. The leave account of every cadre officer shall be credited with earned leave, in advance in two instalments of 15 days each on the first day of January and July every calendar year. The leave at the credit, at the close of the previous year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum of 180 days.

(b) Half pay leave. A cadre officer shall be entitled for half pay leave on completion of one year service. He shall be entitled for 20 days half pay leave for each completed year of service. The leave may be granted on medical certificate.

(c) Commuted leave. Commuted leave, not half pay leave, may be granted on medical certificate on the following conditions :

(i) the authority competent to grant leave is satisfied that there are reasonable prospects of the cadre officer returning to duty on expiry of leave,

(ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due. Half pay leave upon maximum of 180 days may be allowed to be commuted during the entire services.

(d) Extraordinary leave. Extraordinary leave may be granted in special circumstances :

(i) when no other leave is admissible.

(ii) when other leave is available but officer applies in writing for the grant of extraordinary leave.

(e)

(1) A female cadre officer may be granted maternity leave by an authority competent to grant leave for a period of ninety days from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(2) Maternity leave may be granted in case of miscarriage including abortion, subject to the following conditions :

(i) the leave does not exceed six weeks, and

(ii) the application for leave is supported by a Medical Certificate. Maternity leave shall not be debited against her leave account.

(f) Casual Leave. There shall be 12 casual leave in a calendar year. More than three continuous days casual leave shall not be ordinarily sanctioned by the competent authority.

(g) Special Casual Leave,

(i) Male Cadre Officer undergoing vasectomy operation under the family welfare programme may be granted special casual leave not exceeding six working days. If the Cadre Officer undergoes vasectomy operation for the second time on account of the failure of the first operation special casual leave not exceeding six days may be granted against on production of certificate from the Medical authority concerned to the effect that the second operation was performed due to the failure of the first operation.

(ii) Female cadre officer who undergoes tubectomy operations whether puerperal or non-puerperal may be granted special casual leave not exceeding 14 days.

(iii) Female cadre officer who have insertions of intrauterine contraceptive device may be granted special casual leave on the day of IVCD insertion.

(iv) Female cadre officers who undergo salpingectomy operation after medical termination of pregnancy may be granted special casual leave not exceeding 14 days.

(v) Competent authority for sanction of casual leave will be the Chairman of the Society in which the cadre officer is posted. For other types of leave the competent authority will be the Secretary of the Cadre Committee.

16. Provident Fund :-

(1) On completion of 240 days service, provident fund shall be deducted from the salary of the officers as per provisions contained in the Provident Fund Act, 1925 as amended from time to time.

(2) The rates of deduction, contribution by the Cadre Committee,

rate of interest, advances, repayment, appointment of nominee shall all be regulated by the provisions regarding, Provident Fund in the service rules of the bank.

17. Death-cum-Retirement Gratuity :-

The officers who complete five years service shall be granted gratuity as per rules applicable to the employees of the Bank.

18. Transfer of cadre officer :-

The Cadre Controlling Committee may transfer the Cadre officers from one society to another society in its discretion.

19. Pay and allowances :-

The scale of pay attached with the post of the managers of the society will be as under; Rs. 158-6-170-10-200-13-226-14-240-15-285-20-345-25-420-30-480. The pay scale shall be revised subject to the Administrative approval of the Registrar. In addition to the pay, the employees shall be entitled for such allowances and at such rates, as the other employees of the Bank, in the similar scale, are receiving.

20. Duties :-

The duties of Secretary/Manager appointed under this cadre shall be that:

- (i) he shall be custodian of records, securities and other properties of the society. The records of the Society shall be kept in the office of the society;
- (ii) he shall maintain correctly and up-to-date the prescribed registers and also to certify copies of entries in the books;
- (iii) he shall procure applications from members for loan, prepare loan application on behalf of the Society, put it up before the Managing Committee for approval and seek sanction from the Bank;
- (iv) he shall procure from the borrowers the due execution of bonds with security as required under the by-laws;
- (v) he shall prepare all receipts, vouchers, documents required by the Managing Committee of the Society and Financing Bank, the Registrar according to the by-laws and the rules;
- (vi) he shall sign on behalf of the society and conduct its correspondence;

(vii) he shall be the ex-officio member of the Managing Committee shall watch the proper utilization of the loan and other facilities and make timely report to the Incharge, Area Inspector, Sub-Inspector and the Bank Field Supervisor;

(viii) he shall be responsible for the timely financing, recovery and action against defaulters;

(ix) he shall convene and attend Managing Committee and General Body meetings in accordance with the Act, Rules and the By-laws. He shall record the proceedings and sign them and seek other signatures as laid down in the Act, Rules and the by-laws;

(x) he shall be in overall control of the staff appointment by the society with the approval of the Registrar;

(xi) he shall prepare the annual statements and submit to the Bank and the Registrar within the prescribed period;

(xii) he shall be responsible for submission of all information required by the Registrar, Bank or any office;

(xiii) he shall be allowed to incur contingent expenditure within limits prescribed by the Managing Committee;

(xiv) he shall be responsible to the President of the Society for day to day working;

(xv) he shall be under the overall supervision of the General Manager; and

(xvi) such other duties as may be assigned to him from time to time by the President of the Society, General Manager of the Bank, the Registrar Co-operative Societies and the Cadre Committee.

21. Residuary matters :-

In regard to matters not specifically covered by these rules or orders issued thereunder, the members of cadre shall be governed by the rules, regulations and orders applicable to the employees of the Bank.

22. Interpretation :-

If any question arises as to interpretation of these rules, the same shall be decided by the Chairman of the Cadre Controlling Committee.

23. Power to relax :-

Where the Lt. Governor is of the opinion that it is necessary and expedient so to do, he may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules.