

DIRECTORATE OF COOPERATION
HIMACHAL PRADESH

No. 5-508/98- Coop(C&M)-IV

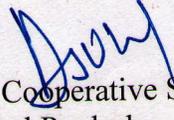
Dated Shimla-9, the

16th November, 2010

OFFICE ORDER

The demands of representatives of the Himachal Pradesh Primary Agriculture Credit Societies Employees Union were under consideration of the department for quite some time for suitable amendments in the existing Rules "Relating to Terms of Employment and Working Conditions of the Employees of the PACS (2001)". To deliberate upon the issues raised by the Union of Employees of the PACS, the undersigned constituted a sub-committee. The demands were deliberated upon with the representatives of the union in the meeting of sub-committee held on 22-5-2010 and 9-11-2010 under the Chairmanship of the Additional Registrar (Monitoring) Cooperative Societies H.P. The said committee after obtaining consensus of representative of the employees Union of PACS, recommended suitable required amendments in the existing Rules *ibid*. These recommendations were examined and it is decided to accept the recommendations made by the sub-committee in the larger interest of Cooperative Movement to strengthen the working and service conditions of the employees of PACS in the State.

In view of above and in continuation of letters of even No. pertaining to subject, issued from time to time the approval amendments in the existing Rules "Relating to the terms of Employment and Working Conditions of the Employees of PACS (2001)" in pursuance of the powers vested in me under Rule 56 of the H.P. Cooperative Societies Rules, 1971 is hereby accorded. These amendments shall come into force **w.e.f. 1-12-2010**.
Enclosures- Amendments, fitment table & illustration.


Registrar Cooperative Societies
Himachal Pradesh.

Endst.No. 5-508/98- Coop(C&M)-IV

Dated Shimla-9, the

16th November, 2010

Copy to:-

- 1 The Principal Secretary (Cooperation) to the Govt. of H.P. Shimla-2.
- 2 The Special Secretary to the Hon'ble Chief Minister H.P. Shimla-2.
- 3 The Additional Registrar Cooperative Societies Dharamshala /Shimla for information.
- 4 All the Joint Registrar Cooperative Societies in H.P. for information.

- 5 All the Deputy Registrar Cooperative Societies H.P. for information
- 6 All the Assistant Registrar Cooperative Societies, in H.P. for information and necessary action they are directed to bring these amendments to the notice of all concerned.
- 7 Sh. Desh Raj Sharma, President H.P. Primary Agri. Coop. Societies Employees Union c/o Baloh Cooperative Agriculture Service Society ltd, Baloh , PO Baloh Distt Hamirpur H.P. for information.
- 8 The Chairman H.P. State Cooperative Bank ltd Shimla/KCCB Dharmashala/JCCB Solan for information.
- 9 The Secretary ,H.P. State Cooperative Development Federation ltd Shimla-1 for publication of the same in Sehkar Darpan.
- 10 Law cell of this Directorate
- 11 Guard File



Registrar Cooperative Societies
Himachal Pradesh.

Amendments in Rules Relating to the terms of Employment and Working Conditions of the Employees of Primary Agriculture Credit Cooperative Societies. (2001) (Amendment 2010)

2. DEFINITIONS

For existing Rule 2, in place of clause (a) and clause (m) following shall be substituted:-

Clause (a)

‘Registrar’ means Registrar Cooperative Societies, Himachal Pradesh.

Clause (m)

“Basic Pay ” means the sum of Pay Band (PB) + Post Pay (PP) corresponding to scale of post held by an employee of the Society.

Clause (m-1)(New Insertion)

“Post Pay” means the pay associated with the corresponding pay band of the post held by an employee of the society. Post Pay will be included in its corresponding Pay Band while calculating the dearness allowance.

4. PAY SCALES

For the existing Rule 4(1), following shall be substituted:-

Sub Rule (1)

Pay Band (PB) + Post Pay (PP)= Basic Pay of the post

Post	Revised Pay Scales	
	Pay Band(PB)	Post Pay(PP.)
‘AA’ Class Society		
Manager/Secretary	13800-31510	(3800,4200,4800& 5400 as per fitment table)
Asstt. Secretary	5550-8980	(1300,1500,1700 &2100 as per fitment table)
Salesman	4650-7330	(1300,1500,1700 as per fitment table)
Peon/Chowkidar*	3600 (minimum wages)	Daily wager basis
‘A’ Class Society		
Manager/Secretary	10910-19330	(2500, 3000,3800,4200 as per fitment table)
Salesman	4650-7330	((1300,1500,1700 as per fitment table)
Peon/Chowkidar*	3600 (minimum wages)	Daily wager basis
‘B’ Class Society		
Manager/Secretary	7660-14940	(2100,2500,3000,3800 as per fitment table)
Salesman	4650-7330	(1300,1500,1700 as per fitment table)
Peon/Chowkidar*	3600 (minimum wages)	Daily wager basis

Post	Revised Pay Scales	
‘C’ Class Society		
Manager/Secretary	5550-8980	(1300,1500,1700 &2100 as per fitment table)
‘D’ Class Society		
Secretary /Salesman	Societies whose working capital is 15 lac or less shall pay to its Secretary/Salesman @ Rs. 300 for every one lac working capital which means if the annual working capital of the Society is 15 lac the employee shall get Rs. 4500/- per month.	
Helper /Chowkidar	If specifically required by concerned society on wages to be fixed for such part time worker by concerned management	

Master Scale:- 4650-150-5550-200-6550-260-7330-330-9310-400-11310-480-13230-570-16650-670-20670-780-25350-880-31510

Note-1: Fitment table is annexed at Annexure ‘A’ for ready reference for fixation of pay in the revised pay scales which shall be applicable with effect from 01.12.2010 with the prior approval of management of the society and concerned ARCS.

Note 2: “Fitment Table” means the relevant fitment table attached to these rules showing revised pay structure corresponding to a particular pre-revised pay scale. The employees shall have the option either to remain in the existing un-revised scales or to opt for revised pay scales. The aforesaid option shall be given in writing to their respective Management/Authority.

Note 3: Where the existing emoluments exceed the revised emoluments in the case of any employee, the difference shall be allowed as personal pay to be absorbed in future increase in pay such as increment, D.A arrears w.e.f.1-7-2010 to 30-11-2010 and future hike in DA etc. Till then no pay hike will be allowed to those employees. The personal pay shall stand abolished after adjustment referred above. An illustration to this effect is at Annexure –B.

Note 4: The rate of D.A w.e.f. 01.01.2010 to 30.06.2010 is 35 % and thereafter 10% D.A has been allowed by the Center Government w.e.f. 01.07.2010. The State Government has not yet given the same. While fixing the pay in the revised pay scales D.A @ 45% has been taken into account. As such, the arrears of D.A w.e.f. 01.07.2010 to 30.11.2010, if not already taken by the employees, shall be given after the notification of the State Government and henceforth D.A hike will be applicable w.e.f. 01.01.2011.

Note 5: The date of increment of an employee shall remain the same as was in the existing scale.

Note 6: Next revision in above pay scales if necessitated shall be considered by competent authority after 10 years only.

Note 7:- The post of the Peon /Chowkidar shall initially be filled up on daily wager basis i.e on minimum wages fixed by State Govt. from time to time in the AA, A, & B Class of societies. The managing committee of the society may consider to convert them as contract appointee after framing suitable contract policy with the prior

approval of concerned Assistant Registrar Cooperative Societies keeping in view the financial position of the society and work and conduct of the individual employee subject to 8 years of continuous minimum service as daily wager.

For existing Rule 4(2)(v) following shall be substituted:-

Where the existing emoluments exceed the revised emoluments in the case of any employee, the difference shall be allowed as personal pay to be absorbed in future increase in pay such as increment, D.A arrears w.e.f. 1-7-2010 to 30-11-2010 and future hike in DA etc. Till then no pay hike will be allowed to such employees. The personal pay shall stand abolished after adjustment referred above. An illustration to this effect is at Annexure –B.

5. CLASSIFICATION :-

For the exiting Rule 5(i), following shall be substituted:-

The Society to be classified in a particular class will have to satisfy the parameters fixed for that class. The concerned Assistant Registrar Cooperative Societies shall classify a Society on the date of operation of these amended rules on the basis of audit report for the preceding year. The future classification will be determined by concerned Assistant Registrar Cooperative Societies every year in the month of April on the basis of audit reports of each successive year.

For the exiting Rule 5(iii)(b), following shall be substituted:-

Societies under taking solely the work of PDS items and incurring losses on the date of operation of these amended rules continuously for the last two years unless in future the society earns profit and sustain the profit for consecutive two years.

For the exiting Rule 5(iii)(c), following shall be substituted:-

The Society having working capital below 10.00 lakhs.

For the exiting Rule 5(iv), following shall be substituted:-

The classification of a society shall be determined each year as on 31st March as laid in the clause (i) of rule 5 in the month of April on the basis of working capital as defined under the Himachal Pradesh Cooperative Societies Rules, 1971.

For the exiting Rule 5(2), following shall be substituted:-

The basis for determination of classification of a society in terms of working capital shall be as under:-

Class	Working Capital (in lakhs)
AA	Rs. 300.00 and above
A	Above Rs. 150.00 and below 300.00

Class	Working Capital (in lakhs)
B	Above Rs. 75.00 and below 150.00
C	Rs.15.00 to 75.00
D	Below Rs. 15.00

8. RECRUITMENT

For existing Rule 8(7), following shall be substituted:-

Sub Rule (7)

The vacancies in the categories of Manager/Secretary and Assistant Secretary/Accountant/Clerk/salesman /cashier shall be filled up by promotion of employees from the immediate next lower category. In case a suitable candidate as per required standard of educational qualification is not available for promotion, the management may decide to fill up the vacancies of these posts from open market on regular basis or on contract basis. The Assistant Register may for special reason to be recorded in writing can relax any paid officer or employee from the provisions of this rule with regard to the qualifications he should possess or the security he should furnish.

11 LEAVE

For existing Rule 11(4), following shall be substituted:-

Sub Rule 4

The employee shall be entitled to encash the period of earned leave upto 15 days only once in a calendar year beyond 90 days balance at credit on discretion in writing within two months after the close of each calendar year which shall be payable @ half month pay only drawn in the last month of the calendar year.

Provided further that subject to availability of funds earmarked for the purpose by the society, the authority competent to grant leave may grant the lump sum cash equivalent of leave salary admissible for the number of days of “earned leave” at the credit of the employee concerned on the last day of his service, subject to a maximum of 90 days with prior approval of managing committee. The lump sum cash equivalent of leave salary will consists of leave salary and DA appropriate to such leave salary.

The cash equivalent of leave salary in respect of “earned leave” shall be calculated in the following manner:-

$$\frac{(\text{Basic Pay} + \text{D.A admissible on that date})}{30} \times \text{Number of days of unutilized earned leave at credit on the date of retirement from the duty subject to a maximum of 90 days.}$$

14.EMPLOYEES WELFARE FUND

Under Rule 14 para 4 under explanation may be read as :-

In case the contribution made by the society to welfare fund falls short of the maximum amount due, the contribution shall be restricted to the actual amount in the fund.

Subject to the above conditions, the retirement assistance to an employee of a society shall be paid in the following manner:-

- (a) No change
- (b) No Change
- (c) Rs 50,000/- plus 10000/- for every additional year after the commencement of 11th year. For rendering more than 10 years continuous service

18. SUSPENSION

For existing Rule 18(4), following shall be substituted:-

Sub Rule (4)

An employee shall be entitled for subsistence allowance to be paid equivalent to 50% of his basic pay during the period of his suspension upto a maximum of one year and after the expiry of this period, the disciplinary authority will review the case and take a decision regarding continuance or otherwise of the subsistence allowance and the rate at which it will be paid.

21. Appeal

For existing Rule 21, following shall be substituted:-

- (1) Except in the case of awarding punishment of warning an appeal against every order awarding punishment to the employee shall lie to the concerned Assistant Registrar Cooperative Societies whose decision shall be final :
Provided that in case of termination or dismissal from service, the appeal shall lie to the Registrar.
- (2) The Registrar may, on receipt of the appeal,-
 - (a) decide the appeal himself; or
 - (b) transfer it for disposal to Additional/Joint/Deputy Registrar Cooperative Societies.
Provided that no second appeal shall lie from any order made by any authority in appeal.
- (3) Every appeal shall be presented to the appellate authority within sixty days of the date on which the order appealed against was communicated to him.

Approved this 16th. day of November, 2010
under my hand and seal

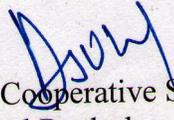

Registrar Cooperative Societies
Himachal Pradesh.

Illustration for regularization of pay in case existing emoluments in the pre-revised scale exceeds revised emoluments

1. Pre-revised scale	8300-16450
2. Basic Pay as on 01.12.2010	9100/-
3. Total Emoluments as on 01.12.2010.	
i. Basic Pay	9100/-
ii. D.P @ 50% of the B.P	4550/-
iii. Total	13650/-
iv. I.R @ 20% of (iii)	2730/-
v. Total of (iii & iv)	16380/-
vi. D.A @ 73 % on (v)	11957/-
vii. Medical	200/-
viii. Total existing emoluments in pre-revised scale	28537/-
4. Revised scale	13800-31510
5. Revised basic as per fitment table as on 01.12.10	14940+3800= 18740
i. Pay Band	14940/-
ii. Post pay	3800/-
iii. Revised basic pay	18740/-
iv. D.A @ 45 % on (iii)	8433/-
v. Medical allowance	200/-
vi. Total emoluments in revised scale	27373/-
6. The excess of existing emoluments in un-revised scale over the revised emoluments is to be allowed as personal pay and the future pay hike of the employee shall be adjusted in personal pay as under w.e.f. 01.12.2010 :-	
i. Pay Band as on 01.12.10	14940/-
ii. Post pay	3800/-
iii. Revised basic pay	18740/-
iv. D.A @ 45 % on (iii)	8433/-
v. Medical allowance	200/-
vi. Total emoluments in revised scale	27373/-
vii. Personal pay (3 (viii) – 5 (vi))	1164/-
viii. Total	28537/-
7. After earning of annual increment as per fitment table	
i. Pay Band	14940/-+570/- = 15510/-
ii. Post pay	3800/-
iii. Revised basic pay	19310/-
iv. D.A @ 45 % on (iii)	8690/-
v. Medical allowance	200/-
vi. Total emoluments in revised scale after Inc.	28200/-

vii Personal pay (6 viii – 7 vi)	337/-
viii Total	28537/-
8. Suppose subsequently D.A hike of 5 % is allowed.	
i. Pay Band	15510/-
ii. Post pay	3800/-
iii. Revised basic pay	19310/-
iv. D.A @ 50 % on (iii)	9655/-
v. Medical allowance	200/-
vi. Total emoluments in revised scale after DA hike.	29165/-

N.B:- The personal pay amounting to Rs. 337/- is adjusted in the D.A hike and the excess of D.A shall be allowed to the employee concerned and there after the employee shall be entitled for pay with future pay hike as per the fitment table.

Fitment Table

Annexure-A

Old Basic	Pay Band	Post pay	Revised basic pay	Amount of increment	DA @ 45%	Medical	Total
1	2	3	4(2+3)	5	6	7	8(4+6+7)
2520	4650	1300	5950		2678	200	8828
2620	4800	1300	6100	150	2745	200	9045
2720	4950	1300	6250	150	2813	200	9263
2820	5100	1300	6400	150	2880	200	9480
2920	5250	1300	6550	150	2948	200	9698
3020	5400	1300	6700	150	3015	200	9915
3120	5550	1300	6850	150	3083	200	10133
3240	5750	1500	7250	200	3263	200	10713
3360	5950	1500	7450	200	3353	200	11003
3480	6150	1500	7650	200	3443	200	11293
3600	6350	1500	7850	200	3533	200	11583
3720	6550	1500	8050	200	3623	200	11873
3870	6810	1700	8510	260	3830	200	12540
4020	7070	1700	8770	260	3947	200	12917
4170	7330	1700	9030	260	4064	200	13294
4350	7660	2100	9760	330	4392	200	14352
4550	7990	2100	10090	330	4541	200	14831
4750	8320	2100	10420	330	4689	200	15309
4950	8650	2100	10750	330	4838	200	15788
5150	8980	2100	11080	330	4986	200	16266
5350	9310	2100	11410	330	5135	200	16745
5600	9710	2500	12210	400	5495	200	17905
5850	10110	2500	12610	400	5675	200	18485
6100	10510	2500	13010	400	5855	200	19065
6350	10910	2500	13410	400	6035	200	19645
6600	11310	2500	13810	400	6215	200	20225
6925	11790	3000	14790	480	6656	200	21646
7250	12270	3000	15270	480	6872	200	22342
7575	12750	3000	15750	480	7088	200	23038
7900	13230	3000	16230	480	7304	200	23734
8300	13800	3800	17600	570	7920	200	25720
8700	14370	3800	18170	570	8177	200	26547
9100	14940	3800	18740	570	8433	200	27373
9500	15510	3800	19310	570	8690	200	28200
9900	16080	3800	19880	570	8946	200	29026
10300	16650	3800	20450	570	9203	200	29853
10775	17320	4200	21520	670	9684	200	31404
11250	17990	4200	22190	670	9986	200	32376
11725	18660	4200	22860	670	10287	200	33347
12200	19330	4200	23530	670	10589	200	34319
12675	20000	4200	24200	670	10890	200	35290
13150	20670	4200	24870	670	11192	200	36262
13700	21450	4800	26250	780	11813	200	38263
14250	22230	4800	27030	780	12164	200	39394

Old Basic	Pay Band	Post pay	Revised basic pay	Amount of increment	DA @ 45%	Medical	Total
1	2	3	4(2+3)	5	6	7	8(4+6+7)
14800	23010	4800	27810	780	12515	200	40525
15350	23790	4800	28590	780	12866	200	41656
15900	24570	4800	29370	780	13217	200	42787
16450	25350	4800	30150	780	13568	200	43918
	26230	5400	31630	880	14234	200	46064
	27110	5400	32510	880	14630	200	47340
	27990	5400	33390	880	15026	200	48616
	28870	5400	34270	880	15422	200	49892
	29750	5400	35150	880	15818	200	51168
	30630	5400	36030	880	16214	200	52444
	31510	5400	36910	880	16610	200	53720