

**¹[The Uttar Pradesh Co-operative
Collection Fund and the Amin and Other
Staff Service Rules, 2002**

In exercise of the powers under Section 130 read with Section 92-A and Section 92-B of the Uttar Pradesh Co-operative Societies Act, 1965 (U.P. Act No. 11 of 1966), the Governor is pleased to make the following rules.

CHAPTER I

General

1.Short title and commencement.-(1) These rules may be called the **Uttar Pradesh Co-operative Collection Fund and the Amins and Other Staff Service Rules, 2002**

(2) They shall come into force with effect from the date of their publication in the Gazette.

2.Definitions.- In these rules unless there is anything repugnant in the subjects and context-

- (a) 'Act' means the Uttar Pradesh Co-operative Societies Act, 1965 as amended from time to time;
- (b) 'Amin' means an Amin working or appointed on salary basis under these rules;
- (c) 'Appointing Authority' means the District Magistrate/Collector in the case of Amin and Amin on commission basis and Deputy Registrar in the case of Sahyogi;
- ²[(d) 'Cadre of service' means Amins, Sahyogies and Amins on commission basis substantively appointed under these rules or orders in force prior to the commencement of these rules;
- (e) 'Citizen of India' means a person who is or deemed to be a citizen of India of India under Part-II of the Constitution;
- (f) 'Constitution' means the Constitution of India;
- (g) 'Defaulter' means a person who has not paid the amount due to a Co-operative Society within the stipulated time;
- (h) 'Dues' means the amount due to a Co-operative Society that remains unpaid after the stipulated time;

1- Notification No-3346/XLIX-1-2002-500(187)-95 dated, 30 October, 2002. Published in U.P. Gazette Extra Part 4-Section (kha) dated 30th October,2002

2- Subs.by Noti. No. 3000/XLIX-1-2005-500(187)-95 T.C. dated 21 November, 2005, Pub. in U.P. Gazette Extra Part-4 Section(kha) dated 21 November, 2005.(w.e.f. 21-11-2005).

- (i) 'Fund' means the co-operative collection fund established under Section 92-B of Act;
- (j) 'Government' means the State Government of Uttar Pradesh;
- (k) 'Governor' means the Governor of Uttar Pradesh;
- (l) 'Registrar' means an officer appointed by Government under Section 3(1) of the Act;
- (m) 'Rules' means the Uttar Pradesh Co-operative Societies Rules, 1968 as amended from time to time;
- (n) 'Sahyogi' means Sahyogi working or appointed on salary basis to assist Amin under these rules;
- (o) 'Service' means the service created for collection of dues, execution of a process issued in the proceedings of execution of an award, order or certificate for recovery under clause(A) or clause(B) of Section 92 of the Act and maintenance, operation and utilization of the Fund;
- (p) 'Substantive Appointment' means an appointment not being an ad hoc appointment on a post in the cadre of service made after selection in accordance with the rules and if there were no rules in accordance with the procedure prescribed for the time being by executive instructions issued by the Government and shall not include Amin on commission basis;
- (q) 'Year of recruitment' means the period of twelve months commencing on the first day of July of a calendar year;
- (r) 'Amin on commission basis' means an Amin working or appointed on commission basis.

CHAPTER II

Fund

3.Manner of Utilization of the Fund.- The following procedure shall be followed for the Utilization of the Fund:-

(1) All the amount creditable to the Fund under Section 92-B of the Act shall on collection be deposited in the Bank Account to be opened in the District Co-operative Bank by the name of the "Co-operative Collection Fund-District Account".

(2) The Co-operative Collection Fund-District Account shall be operated by the Assistant Registrar of the respective District.

(3) An Account named "Co-operative Collection Fund-State Account" shall be opened in the Uttar Pradesh CO-operative Bank at the State Headquarter. The Account shall be operated by the Registrar or any other officer nominated by the Registrar. The surplus amount in the Co-operative Collection Fund-District Account shall be transferred by the concerned District CO-operative Bank to the above "Co-operative Collection Fund-State Account" at the end of every quarter of the year or as directed by the Registrar from time to time.

(4) The Assistant Registrar of every district shall prepare and pass the bill of expenditure of his district and make payment thereof.

(5) The Assistant Registrar of Divisional District shall also be responsible for preparing and passing the bill of expenditure of his respective Division and for making the payment thereof in accordance with the direction of Registrar.

(6) The Assistant Registrar of every district shall prepare the budget of expenditure (other than contingency expenditure) at the end of every financial year and send it to the Registrar for approval. The Registrar shall approve the budget of expenditure and if necessary authorise the Uttar Pradesh Co-operative Bank to transfer the amount from the State Account to the respective District Account in accordance with the budget of expenditure approved by him.

CHAPTER III
Recruitment and Conditions of Service of
Amins and Other Staff
PART I –Status

4.Status.- The service of Amins and Amins on Commission basis under these rules shall comprise Group 'C' and that of Sahyogi Group 'D' services.

PART II –Cadre

5.Cadre of service.-(1) The strength of the service and of each category of posts therein shall be such as may be determined by the Registrar with the prior approval of the State Government.

SCHEDULE

SL.No	Name of the post	No.of post	Remark
1	Amin	206	Three posts in each district however in district having less than three tahsils, two posts in each district
2	Sahyogi's of Amin	90	The post falling vacant due to retirement or otherwise shall cease to exist.
3	Amin on Commission basis	2689	The post falling vacant due to retirement or otherwise shall cease to exist

(3) The Appointing Authority may leave unfilled or the Government may hold in abehance any vacant post without there by entitling any person to compensation or the Government may create such additional permanent or temporary posts as it may consider proper.

PART III –Recruitment

6.Source of Recruitment.- Recruitment to the various categories of posts shall be filled by made from the following sources-

(1) Amin.- The vacancies of Amin shall be filled by already serving Amins on salary basis and remaining vacancies shall be filled from amongst such Amins on commission basis who have made satisfactory recovery during last five years on the basis of seniority subject to the rejection of the unfit and subject to their willingness.

(2) Sahyogi.- All the vacancies shall be filled by already serving Sahyogies on salary basis.

(3) Amins on Commission basis.- All the vacancies shall be filled byu already serving Amins on commission basis.

7. Reservation.- Reservation for the candidates belonging to the Scheduled Castes. Scheduled Tribes and Other Categories shall be in accordance with the laws and the orders of the Government in force at the time of recruitment.

PART IV –Qualification

8.Nationality.- A candidate for direct recruitment in the service must be-

- (a) A citizen of India; or
- (b) a Tibetan refugee who came over to India before the first January, 1962 with the intention of permanently settling in India; or
- (c) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India;

Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the Government:

Provided further that a candidate belonging to category(b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh:

Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and retention of such a candidate in service beyond a period of one year, shall be subject to his acquiring Indian citizenship.

Note- A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

9.Academic qualification.- A candidate for recruitment to the various posts in the service must possess the following qualification-

- (1) For the post of Amins and Amin on Commission basis-

The candidates must have passed Intermediate Examination of the Board of High School and Intermediate Education Uttar Pradesh or any other equivalent examination recognised by the Government.

(2) For the post of Sahyogi-

Must have passed 8th class and is capable of cycling.

10. Preferential qualification.- A candidate who has-

(i) served in the Territorial Army for a minimum period of two years, or

(ii) obtained a 'B' certificate of National Cadet Corps: shall other things being equal, be given preference in the matter of direct recruitment.

11. Age.- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 35 years:

Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such Other Categories as may be notified by the Government from time to time shall be greater by such number of years as may be specified.

12. Character.- The character of a candidate for direct recruitment to a post in the service must be such as to render him suitable in all respects for employment in Government service. The Appointing Authority shall satisfy himself on this point.

13. Marital status.- A male candidate who has more than one wife living or a female candidate who has married a man ' already having a wife living shall not be eligible for appointment to a post in the service.

14. Physical fitness.- For the appointment to a post in the service a candidate must be fit mentally and physically and is capable of efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to submit fitness certificate issued by the chief medical officer/superintendent.

PART V –Procedure for Recruitment

15. Determination of vacancies.- The appointment authority shall determine the number of vacancies to be filled up during the course of the year and also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and Other categories under rules.

PART VI –Probation, Confirmation, Absorption and Seniority

16. Probation.-(1) Person on substantive appointment to a post in the service shall be placed on probation for a period of one year.

(2) The appointing authority, may for reasons to be recorded, extend the period of probation in an individual case specifying the date up to which the extension is granted:

Provided that, save in exceptional circumstances, the period of probation shall not be extended beyond six months and in no circumstances beyond one year.

(3) If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with.

(4) A probationer who is reverted or whose services are dispensed with under sub-rule(3) shall not be entitled to any compensation.

17. Confirmation.- A probationer shall be confirmed in his appointment at the end of the period of the probation, if-

(a) his work and conduct is reported to be satisfactory.

(b) his integrity is certified.

18. Absorption in service.- On the date of commencement of the Uttar Pradesh Co-operative Collection Fund and the Amins and other Staff Service Rules, 2002 Amin and their Sahyogi shall be considered to be absorbed against the vacancies available and their recruitment shall be considered as substantive.

If any employee eligible for absorption, does not want to be absorbed as such, under sub-rule(1) he may communicate to the appointing authority in writing within three months from the commencement date of the rules and such person shall not be a member of service.

19 Seniority.-(1) Seniority shall be determined from the date of substantive appointment, if two or more candidates are appointed on the same date their seniority shall be determined according to gradation list as arranged in the appointment order.

(2) Seniority lists of Amins, Sahyogies and Amins on commission basis shall be maintained at District Level.

(3) Any dispute about seniority shall be referred to the Registrar whose decision shall be final.

PART VII –Pay, Allowances, Commission

20.Scales of Pay of Amin and Sahyogi.-(1) The scales of pay admissible to persons appointed shall be such as may be determined by the Government under these rules from time to time.

¹[(2) Until any change under sub-rule (1) The scales of pay payable from the fund shall be as follows-

Sl No.	Name of the post	Pay of scale(in rupees)
1.	Amin	3200-85-4900
2.	Sahyogi	2550-55-2660-60-3200

21.Allowances admissible to Amim and Sahyogi.- Dearness allowance, City compensatory allowance, H.R.A., Travelling allowances and other allowances shall be at the rate admissible to the State Government employees and shall be paid from Fund.

²[**21-A. Payment of salary and allowances.**- The payment of salary and allowance of Amins and Sahyogi shall be made from the fund, "if any difficulty in making payments of pay and other allowances to the Amins and Sahyogies appointed under rules-3 Government shall contribute to the fund that extent and the same amount shall be deposited the State Ex-chequer from the money recovered under collection charges."

22.pay during probation.-(1) Notwithstanding any provision in Fundamental Rules to the contrary, a person on probation, if he is not already in permanent service, shall be allowed increment in the time scale after satisfactory completion of probation period.

(2) The pay during probation of a person who was already holding a post, shall be regulated by the relevant fundamental rules.

(3) The pay during probation of a person already permanent, shall be regulated by the relevant rules.

23.Target of Recovery.- Target of recovery for Amins and Amins on commission basis shall be fixed by Registrar from time to time.

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- 1- Subs. by Noti. No. 3000/XLIX-1-2005-500(187)-95 T.C. dated 21 November, 2005, Pub. in U.P. Gazette Extra Part-4 Section(kha) dated 21 November, 2005.(w.e.f. 21-11-2005).
 - 2- Rule 21-A ins.by Noti.No.423/49-1-05-500-(187)-95 dated 4 Feb. 2005.(w.e.f.4-2-2005)

24.Commission admissible to Amin on commission basis.-(1) The rate of commission to Amins on commission basis shall be as follows-

- (a) From April to July -4%

(b) From August to March -6%

(2) In case of recovery more than the target fixed under Rule 23 additional commission may be allowed by Registrar.

25. Records to be submitted.- For payment of salary, commission and additional commission to Amins, they shall have to deposit the following records-

- (a) The amount for which the citation/attachment or arrest warrant has been served by the Amin and duly certified by the Assistant Development Officer(Co-op.).
- (b) The amount for which the receipt of the recovery has been issued by the Amin.
- (c) The payment of the salary, commission/additional commission to the Amin shall be made only in that situation when the collection income received as described above in clause(a) and clause(b) is deposited in the Fund and the compliances of the provisions as laid down under rules have been made.

PART VIII –Leave, Provident Fund, Gratuity

26. Leave.- The provisions of Financial Handbook, Vol.II,Part-2 to 4 shall mutatis mutandis apply in respect of leave admissible to the Amins and Sahyogi.

27. Provident Fund.-Amins and Sahyogies shall be eligible for the provident Fund as may be admissible to Group-C and Group-D Government employees and shall be maintained in the manner prescribed by Registrar.

28. Advance.- House building/construction/repair, vehicle and other advances may be granted to Amins and Sahyogies as per rules applicable to Government employees and shall be payable from the Fund,

29. Retirement Benefit.- Amins and Sahyogi shall be eligible for pension, gratuity and other retirement benefits as may be admissible from time to time to the Government employees of the respective category. These retirement benefits shall be paid only from the Fund.

PART IX –Disciplinary Proceedings and Appeals

30. Disciplinary Proceedings.-Disciplinary proceedings against an employee shall be conducted as per procedure and rules applicable to Group-C and Group-D Employees of the Government.

31. Appeal.-(a) Orders imposing penalty under Rule 30 shall be appealable to the Registrar. In case of Sahyogi, Registrar's decision shall be final and in case of other staff a second appeal may be submitted to the Government.