

**THE HIMACHAL PRADESH STATE COOPERATIVE MILK PRODUCERS
FEDERATION LIMITED, HEAD OFFICE, TOTU, SHIMLA-171011.**

SERVICE RULES

In pursuance of Bye-Law No. 26 of the Himachal Pradesh State Cooperative Milk Producers Federation Limited Shimla and in exercise of the powers vested in the Board of Directors. The Board of Directors hereby make the following rules to Regulate the Recruitment and conditions of service of persons appointed to various posts of officers and other employees under the Federation.

CHAPTER –I

SHORT TITLE AND COMMENCEMENT:

- 1.1 These rules shall be called “The H.P. State Cooperative Milk Producers Federation Limited (Revised) Employees Service Rules – 1994.
- 1.2 These Rules shall come into force with effect from the date of approval by the Registrar, Cooperative Societies, Himachal Pradesh.

DEFINITIONS:

- 1.3 In these rules, unless the context requires otherwise:
 - a. ‘Federation’ means the Himachal Pradesh State Cooperative Milk Producers Federation Limited.
 - b. ‘Board’ means the Board of Directors of the Himachal Pradesh State Cooperative Milk Producers’ Federation Limited, Shimla or any other authority who enjoys the powers and duties of such Board under the Act, Rules and Bye-Laws

- c. 'Bye-Laws' means the registered Bye-Laws of the Himachal Pradesh State Cooperative Milk Producers Federation Limited, Shimla.
- d. 'Expert Panel' means as defined under Bye-Law No.25.8
- e. 'Chairman' means the Chairman of the Federation.
- f. 'Managing Director' means the Managing Director of the Federation.
- g. 'Government' means the Government of Himachal Pradesh.
- h. 'Registrar' means the Registrar, Cooperative Societies, Himachal Pradesh or his nominee not below the rank of Joint Registrar, nominated by him in its behalf.
- i. 'Direct Recruitment' means an appointment made otherwise than by promotion or transfer or a Person already in the service of the Federation or made by taking a person on deputation from Government or any other agency of the State.
- j. 'Appointing Authority' means Chairman or the Managing Director as specified in these Rules.
- k. 'Posts' means the posts which may be Sanctioned from time to time by the Board of Directors and included in the Service Rules.
- l. 'Employees' means a person employed on any post under the Federation but does not include a Casual or a daily wage earner.
- m. 'Duty' means the period of service which counts for pay, leave and other emoluments but does not include any period of suspension which has not been regularized by the Competent Authority or extra ordinary leave without pay except when the same has been specifically allowed to count as such.

- n ' Permanent Employee ' means an employee appointed on a permanent basis against a permanent post.
- o. ' Temporary Employee ' means an employee appointed for a limited period for a work which is essentially, of a temporary nature or appointed against a temporary post or vacancy for a specific or un-specified period.
- p. ' Probationer ' means an employee provisionally Employed to fill a vacancy on probation for the specified period in pursuance of these Rules.
- q. ' Pay ' means monthly pay inclusive of other Allowances treated as pay as per Government Rules.
- r. ' Family ' means :-
- i) ' Wife ' or ' Wives ' including judicially separated Wife or Wives in the case of a male Federation employee.
 - ii) ' Husband ' including judicially separated husband in the case of female Federation Employee.
 - iii) ' Sons ' including step sons and adopted sons.
 - iv) ' Unmarried daughters ' including step daughter and adopted daughters.
 - v). ' Widowed daughters ' including step daughter and adopted daughters.
 - vi & vii). ' Father & Mother ' including adopted parent in the case of individual whose personal law permit adoption.

- viii). ' Brothers ' below the age of 18 years including step brothers.
- ix) ' Unmarried sisters' and widowed sisters and step sisters.
- x). 'Married daughters and
- xi). 'Children' of pre diseased son.
- s. 'Employers ' shall mean the Himachal Pradesh State Cooperative Milk Producers Federation Limited. Shimla.

AUTHORITY TO IMPLEMENT THESE RULES :

- 1.4 a). These Rules shall be administered by the Board of Directors/ Managing Director of the Federation.
- b). The expert panel advise the administrative set-up which shall include the staff required, qualifications, experience, job requirement, pay scales etc., and shall submit the recommendations to the Board for its approval. The panel shall be formed of the following Members :-
1. Chairman of the Federation.
 2. Managing Director of the Federation.
 3. Representative of N.D.D.B.
 4. Representative of R.C.S.

The Board may, if it deems necessary,
Co-opt expert (s) in the field.

After the Board approves the recommendations of Expert Panel, the Managing Director shall invite Applications for recruitment of the Staff or take action for filling up of the posts, as the case may be, and the Selection Committee shall recommend selection of suitable candidates.

For selection and recruitment of Managing Director & other staff of the Federation, the Selection Committee shall be as specified Under Rules 2.1 of Chapter – II.

CREATION / SANCTION OF STAFF STRENGTH :

- 1.5 The Board of Directors shall have the powers to sanction and create from time to time such permanent and temporary posts, as may in their opinion, on the recommendations of Expert Panel, be expedient for the working of the Federation. The Board shall fix the pay scales to be attached to them. The existing posts and their scales under the various categories of employees alongwith qualifications/experience required for each post are given in appendix 'A' and 'B'.
1. Provided that the Board of Directors of the Federate may add or delete any post or Category of posts or raise the scale of pay or fix the qualifications and experience for any of the posts as per the recommendations of the Expert Panel.

2. Provided further that 80% of the posts mentioned In Appendix 'A' of these rules which have been in existence for a period of not less than three years and are required for a work of permanent nature shall be converted into permanent posts and confirmation of eligible employees shall be made there against as per procedure/Rules in vogue under H.P. Government.

CHAPTER –II

Appointment of employees and General
Conditions of their Service . _____

SELECTION COMMITTEE/ APPOINTING AUTHORITY :

For recruitment to various posts under H.P.

Milk Federation both by direct recruitment
and by promotion, the Selection Committee/
Departmental Promotion Committee &
Appointing Authority shall be as under :-

Name of the post/cadre	Selection committee/ Departmental Promotion Committee	Appointing Authority
1. Managing Director	1. Chairman of the Federation. 2. Registrar, Cooperative Societies. 3. Representative of Govt. 4. Representative of N.D.D.B	Chairman
2. Asstt. Managers and above.	1. Chairman of the Federation 2. Managing Director of the Federation. 3. Director(AH)/ Representative of NDDB	Managing Director

	4. Representative of Registrar, Coop. Societies.	
3. Other staff	1The Managing Director shall have the powers to form the Selection committee of atleast three officers of the Federation.	Managing Director

GENERAL CONDITIONS OF SERVICE :

2.2 The following General conditions shall apply to all the appointments to the Service of the Federation.

a. No person shall be appointed to any post under the Federation unless he/she is :

- i. a Citizen of India : or
- ii. a subject of Nepal or
- iii. a subject of Bhutan or
- iv. a Tibetan refugee who came over to India before 1st January, 1968 with the intention of permanent settling in India ;
- v. a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India.

Provided that the candidate belonging to categories (ii) (iii) (iv) and (v) shall be a person in whose favour a Certificate of eligibility has been issued by the Competent Authority in regard to his having acquired Indian Citizenship.

b. No person shall be appointed to the service by

direct recruitment if he is less than 18 years and more than 35 years of age or as fixed by H.P. Government from time to time on the date of Selection.

Provided that the Board of Directors may relax his/her age limit in the case of specialized and technical category of posts.

Provided that in case of all reserved categories minimum age limits will be as per Govt. orders issued from time to time.

- c. No person shall be appointed unless he has been verified by an Officer not below the rank of Medical Officers of Govt. of Himachal Pradesh to be of sound constitution & medically fit to discharge his duties.
- d. No person shall be appointed to the service if he has previously been dismissed from the service of any Govt. Department or any other institution in Public Private or Co-operative Sector.
- e. No person shall be appointed to service if he is convicted of an offence involving acts of dishonesty or moral turpitude.
- f. Representation to Scheduled Caste/ Tribes, Ex-Serviceman or any other Reserved Category declared by the Govt. of Himachal Pradesh will be made as per instructions of Himachal Pradesh Govt. from time to time.

NATURE OF APPOINTMENT AND MODE OF RECRUITMENT :

- 2.3 a. An appointment to the service, may be of any one of the following :
- i. Temporary.
 - ii Substantive.
- b. A person appointed temporarily against a post may be made substantive if found suitable by the appointing authority against a permanent post. The appointment to the posts specified in the Appendix 'A' shall be made in the manner as specified for each category of post under Clause 2.9. Provided that where the mode of recruitment in Clause 2.9 has been laid down only by promotion & in case eligible candidates are not available in the Feeder category and the exigency of work so requires, the post can be filled by direct recruitment after obtaining approval from the B.O.D.

APPOINTMENT BY DIRECT RECRUITMENT :

- 2.4 a). The minimum qualifications for direct recruitment for posts shall be such as has been specified in Appendix 'B'.
- b). Provided that the Board of Directors may fix any preferential qualifications for the particular post/ category of posts as per the recommendations of expert panel.
- c). The Selection Committee shall fix the order of merit while making selections and the selections and the

seniority of the employees recruited shall be fixed according to their merit as determined by the Selection Committee.

APPOINTMENT BY PROMOTION :

- 2.5 Appointment by promotion to posts in a category shall be made from amongst eligible employees working in the feeder category in accordance with the provisions specified for each post under Clause 2.9.

APPOINTMENT BY DEPUTATION FROM GOVT. OR AND OTHER OTHER INSTITUTION :

- 2.6 Where it is expedient to do so in the opinion of appointing authority, the appointments for the specific post may be made by deputation by taking persons of requisite qualifications/ experience from the H.P. Government or any other institution of the H.P. State.
- 2.7 Service shall be deemed to commence from the working day on which an employee reports for duty after being declared Medically fit. If he/she reports for duty in the afternoon, the service shall be deemed to commence from the following day.

PROBATION:

2.8 a. A person appointed to a service by promotion or through direct recruitment shall remain on probation for a period of Two years.

b. On the completion of the period of probation of a person, the appointing authority may :

A. If his work or conduct have in his opinion been satisfactory :

Declare such person to have completed the Probation period successfully, or

B. If his work or conduct has not been in its opinion satisfactory :

i. Dispense with his/her service, if appointed by direct recruitment. If appointed otherwise, revert him/her to former post or deal with him/her in such other manner as the terms and conditions of his/her previous appointment may permit or

ii Extend his/her period of probation and thereafter pass such orders as it would have passed on the expiry of the first period of probation.

Provided that the total period of probation including Extensions, if any, shall not exceed three years, Both in case of recruitment made directly or by Promotion.

C. A person appointed by direct recruitment shall be entitled to the salary and other

financial privileges attached to the post during the period of his/her probation.

APPOINTMENTS:

2.9.1 The appointments to the various posts of the Service (Specified in Appendix 'A') shall be as under :-

MANAGING DIRECTOR:

- i. By promotion of General Manager, provided that the eligible candidates have atleast 3 years regular service as General Manager under H.P. Milk Federation.
- ii. By Direct Recruitment.
- iii. By deputation in accordance with Cooperative Law.

2. GENERAL MANAGER:

By promotion on Merit-cum- Seniority basis from Senior Manager (Plants) provided that eligible candidates have atleast 5 years regular Service of the post.

OR

- ii. By Direct Recruitment in the ratio of 50:50.

3. SENIOR MANAGER (PLANTS)
 - i. Senior Manager (Plants) by promotion on merit-cum-seniority basis from the Manager (Production)/ Manager (P&I) provided that the eligible candidate have atleast 5 years regular service on the post.

4. PRIVATE SECRETARY TO CHAIRMAN:
 - i) By promotion on merit-cum- Seniority basis from amongst Personal Assistant to M.D. or Senior Scale Stenographer provided that the Senior Scale Steno fulfill the minimum speed of Typing and Shorthand as laid down for the post of P.A. Provided further that the P.A. have atleast 5 years regular service on the post and the Sr.Scale Stenographer have atleast 10 years regular service on the post.
 - i) By Direct Recruitment in case of non availability of eligible incumbents in the feeder category.

5. MANAGER (PRODUCTION) / MANAGER (P&I) :

By promotion on merit-cum-Seniority basis from amongst Asstt.Managers (Quality Control) / Purchase & Store / Marketing/ MIS/ (P&I) and Plant Engineers, provided that the eligible candidates should have atleast 5 years regular service on the post.

- . MANAGER (ESTABLISHMENT) :

By promotion on Merit-cum-Seniority basis from amongst Asstt. Manager (Establishment) provided that eligible candidates have atleast 5 years regular service on the post.

7. MANAGER (ACCOUNTS) :

By promotion on Merit-cum- Seniority basis from

amongst Asstt.Manager (Accounts), provided that eligible candidates have atleast 5 years regular service on the post.

8. ASSITANT MANAGER (QUALITY CONTROL/ PURCHASE & STORE/ MARKETING/ MIS/P&I) :

By promotion on Seniority-cum-merit basis from amongst Tech.Supdts (Production/Store/Marketing/ MIS/P&I), provided that they have 5 years regular Service on the post. Provided further that they are Graduate in Dairy Technology/ Dairy Husbandry or having Diploma in Dairy Technology/ Dairy Husbandry.

9. PLANT ENGINEERS :

By promotion on Seniority-cum-merit basis from Technical Supdt., provided that the eligible candidate have atleast 5 years regular service on the post and having degree in Dairy Technology. In case of Indian Dairy Diploma the candidate should have 10 years of regular service on the post.

10. ASSISTANT MANAGER (ACCOUNTS) :

By promotion on Seniority-cum- Merit basis from amongst Senior Assistants (Accounts) having atleast 5 years regular service in case of graduate and 10 years regular services in the case of matriculates on the post..

11. ASSITANT MANAGER (ESTABLISHMENT) :

By promotion on Seniority – cum – Merit basis from amongst the Senior Assistant (Establishment) having 5 yeasts experience on the post.

12. PERSONAL ASSISTANT TO MANAGING DIRECTOR:

1. By promotion on Seniority-cum- Merit basis from amongst the Senior Scale Stenographers having atleast 5 years experience or Junior Scale Stenographers having 10 years experience on the post, provided further that eligible candidate should be a Graduate, with requisite speed in Typing & shorthand.
2. By direct recruitment in case eligible candidates are not available in feeder category.

13. TECHNICAL SUPERINTENDENTS (PRODUCTION/STORE/
MARKETING/MIS/P&I):

- i) By promotion on Seniority-cum- merit basis from amongst Incharge Chilling Centres having atleast 5 years regular service on the post, provided that eligible candidates should either be a Graduate in Dairy Technology/ Dairy Husbandry.

OR

- ii) By Direct recruitment in case eligible candidates are not available in the feeder category.

14. FOREMAN
(REFRIGERATION/BOILER/ELECTRICAL/TRANSPORT) :

By promotion on Seniority-cum-merit basis from amongst Senior Technicians/ Technicians provided that the Senior Technicians having 10 years experience on the respective post. In the case of existing incumbents, 10 years experience on the post.

15. SENIOR ASSISTANT (ESTABLISHMENT):

By promotion on Seniority-cum-merit basis from amongst the common clerical cadre of Clerks/Senior Clerks/Junior Assistants with atleast 10 years combined regular service.

16. SENIOR ASSISTANT (ACCOUNTS):

By promotion Seniority-cum-merit basis amongst the common clerical cadre of Clerks/Senior Clerks/Junior Assistants with atleast 10 years combined regular service. Provided further that eligible candidate should have at lest 8 year experience of Accounts.

17. SENIOR SCALE STENOGRAPHERS:

By promotion on Seniority-cum-merit basis from amongst the Junior Scale Stenographer with atleast 10 years regular service on the post.

18. JUNIOR SCALE STENOGRAPHER.

i) By promotion on Seniority-cum-merit basis from amongst Clerks / Typists having 5 years regular service on the post, provided that they qualify the typing/shorthand test prescribed for Junior Scale Stenographers.

- FAILING WHICH -

ii) By Direct Recruitment.

19. INCHARGE CHILLING CENTRE:

i) By promotion on Seniority-cum-merit basis from amongst the Milk Procurement Assistant with 10 years regular service on the post.

-FAILING WHICH-

ii) By Direct Recruitment.

20. SENIOR TECHNICIANS:
- i) By promotion on Seniority-cum-merit basis From amongst the Technicians having atleast 5 years regular service in respective post.
21. TECHNICIANS :
- i) By Direct Recruitment.
22. MILK PROCUREMENT ASSISTANTS:
Milk Procurement Assistant/ Technicians. By promotion from amongst the Plant Operators and the Salesman on the basis of Inter-se-seniority having atleast 5 years of experience on regular service as such.
23. DRIVERS:
- i) By Direct Recruitment.
24. CLERK-CUM-TYPIST.
- i) By promotion on Seniority-cum-merit basis from amongst Peons/ Chowkidar /Gate Keepers who are Matriculate 2nd Division or 10+2 with 7 years experience of regular service and having a typing speed of 40 W.P.M. in English or 30 W.P.M. in Hindi provided that only 10% quote in the category shall be available to above Class-IV categories.
- OR
- ii) By Direct Recruitment.
25. PLANT OPERATORS:
- i) By promotion on Seniority basis from amongst the Dairy Helpers who are Matriculates and having atleast 8 years experience of regular service as Dairy Helper out of which 3 years experience as

Dairy Helper in a Milk Processing Plant and operating the machinery and equipments in the Dairy Plant, provided further that they qualify in the proficiency test.

-FAILING WHICH-

ii) By Direct Recruitment.

26. CINEMA OPERATOR :

By Direct Recruitment.

27. SALESMAN :

By promotion on Seniority basis from amongst the Dairy Helpers who are Matriculate and have 8 years experience as Regular Dairy Helpers out of which 3 years should be in the Sale/Marketing Section.

28. SECURITY ASSISTANT :

By direct Recruitment.

29. DAIRY HELPERS/ STORE HELPERS/ WORKSHOP HELPERS/
LAB HELPERS :

By Direct Recruitment.

30. PEONS /CHOWKIDARS/MALI/CLEANERS/ GATE
KEEPERS/GUEST HOUSE ATTENDENT-CUM-
COOK/SWEEPERS:

By Direct Recruitment.

APPENDIX – ‘B’

Minimum qualifications & experience for filling up the posts by direct recruitment.

S.No.	Name of post	Qualifications.
1.	2.	3.
1.	Managing Director	Degree in Food Technology/Engineering/Dairy Technology/ Dairy Husbandry preferably with post graduate qualifications In Business Management. Must have atleast 10 years management experience out of which three years of overall Incharge of a large Dairy/Food Consumers Products Processing Unit. Should be a man of proven managerial competence.
12.	General Manager	Degree in Food Technology/Engineering/Dairy Technology/Dairy Husbandry/having atleast 10 years experience as Procurement, Processing & Marketing of milk & Milk Products in a Govt./Cooperative Sector Organisation out of which 5 years experience should be in managerial capacity. OR Diploma in Dairy Technology/Dairy Husbandry having 15 years experience of Procurement/Processing/Marketing of milk & milk products in Govt./Cooperative Sector Organisation out of which 5 years experience should be in managerial capacity.
3	Senior Manager (Plants)	Degree in Dairy Technology/Dairy Husbandry/Engineering/Food Technology having atleast 8 years experience of Procurement/Processing/Marketing of Milk & Milk Products in Govt./Cooperative Sector Organisation out of which atleast 5 years experience should be in managerial capacity. OR Diploma in Dairy Technology/ Dairy Husbandry having 12 years experience of Procurement/ Processing/ Marketing of milk and milk products out of which atleast 5 years

		experience should be in managerial capacity.
4.	Private Secretary	Graduate with I.T.I. Diploma in Shorthand/ Typing possessing speed of 110/50 W.P.M. and having atleast 10 years experience.
5	Manager (Production) (This post was previously designated as Factory Manager).	Degree in Dairy Technology/ Engineering/Food Technology/ Dairy Husbandry having 8 years experience of Production/ Processing in a liquid Milk Plant or Milk Products Manufacturing Plant, of which atleast 3 years experience should be of supervisory capacity in a Milk Plant. OR Diploma in Dairy Technology/ Dairy Husbandry having 10 years experience in a Milk Plant as above of which atleast 3 years experience should be of supervisory capacity in a Milk Plant.
6	Manager (P&I)	Degree in Dairy Technology/ Dairy Husbandry having 8 years experience of organising Milk Procurement and Inputs in Govt./Cooperative Sector of which atleast 3 years experience should be of working in independent capacity. OR Diploma in Dairy Technology/Dairy Husbandry having 10 years experience of organising Milk Procurement and Inputs in Govt./ Cooperative Sector out of which atleast 3 years should be of working in independent capacity. (Posts at Sr.No. 5 & 6 are interchangeable.)
7	Manager (Establishment)	M.B.A. with 5 years experience of Administration in a commercial Organisation, should be well conversant with Service Rules, Labour Laws, Personnel Management and Security out of which 3 years experience should be of working in an independent capacity. OR Graduate with 15 years experience of Administration in a Commercial Organisation. Should be well conversant with Service Rules, Labour Laws, Personnel Management and Security out of which 5 years experience should be of working in an independent capacity.
8.	Manager (Accounts)	CA with 2 years experience or CA Inter/ with 4 year experience in a Commercial Organisation preferably Dairy, well conversant with costing, Sale Tax, Income Tax, Excise Rules and Store Accounts. OR

		<p>ICWA/SAS with 8 years experience as above.</p> <p>OR</p> <p>M.Com with 10 years experience as above.</p> <p>OR</p> <p>B.Com with 15 years experience as above.</p>
9.	Asstt.Manager (Quality Control)	<p>Degree in Dairy Technology/ Dairy Husbandry with 5 years experience of testing Milk & Milk Products.</p> <p>OR</p> <p>M.Sc (Dairying) in Dairy Chemistry/ Dairy Microbiology with 3 years experience of working in Quality Control Laboratory of a Dairy Plant.</p> <p>OR</p> <p>Diploma in Dairy Technology having 8 years experience as above.</p>
10.	Plant Engineer	<p>Degree in Electrical/Mechanical/Electronic Engineering having atleast one year's experience of repair and maintenance of machinery and equipments in a Milk Processing Milk Products manufacturing Plant.</p> <p>OR</p> <p>Diploma in Electrical/ Mechanical /Electronic having 3 years experience of repair and maintenance of machinery and equipment of a Milk Processing/Milk Products manufacturing Plant.</p> <p>OR</p> <p>Diploma in Electrical/ Mechanical/Electronics Engg.followed by Diploma in Dairy Engg. Having atleast 2 years experience in repair and maintenance of machinery and equipments in a Milk Processing/Products manufacturing Plant.</p>
11.	Asstt.Manager (Store & Purchase)	<p>Degree in Dairy Technology/Dairy Husbandry/IRMA Graduate with 5 years experience of handling Store and other material in a Milk Plant engaged in manufacturing of Milk and Milk Products.</p> <p>OR</p> <p>Diploma in Dairy Technology/Dairy Husbandry with 7 years experience as above.</p>
12.	Asstt.Manager (P&I)	<p>Degree in Dairy Technology/Dairy Husbandry/IRMA graduate having 5 years experience of Milk Procurement in a Govt./Cooperative Sector Organisation.</p> <p>OR</p> <p>Diploma in Dairy Technology/Dairy Husbandry with 7 years experience as above.</p>
13.	Asstt.Manager (Mktg)	<p>Degree in Dairy Technology/ Dairy Husbandry /IRMA Graduate having 5 years experience of Marketing of Milk & Milk Products.</p> <p>OR</p> <p>Diploma in Dairy Technology/Dairy Husbandry having 8</p>

		years experience as above.
14.	Asstt. Manager (MIS) (Previously this post was designated as MIS Officer).	Degree in Dairy Technology/ Dairy Husbandry/IRMA Graduate with 5 years experience of handling data relating to Milk Procurement/Processing/Marketing and reports and returns relating thereto. OR Diploma in Dairy Technology/ Dairy Husbandry with 7 years experience as above.
15.	Asstt. Manager (Establishment)	M.B.A. with 4 years experience of Administration in a Commercial Organisation and should be well conversant with Service Rules, Labour Laws, Factory Act, Personnel Management and Security. OR Graduate with 15 years experience in Commercial Accounts preferably in Dairy Industry.
16.	Asstt. Manager (Acctts)	B.Com with 15 years experience in Commercial Accounts preferably in Dairy Industry. OR M.Com with 5 years experience as above. OR SAS with 5 years experience as above.
17.	P.A. to Managing Director	Graduate with I.T.I. Diploma in Shorthand possessing speed of 110/50 W.P.M. in shorthand/typing and having atleast 3 years experience. OR Graduate having speed of 110/50 w.p.m.in shorthand/typing atleast 5 years experience.
18.	Technical Supdt (Production, Store/Marketing/MIS/P&I)	Degree in Dairy Technology/Dairy Husbandry. OR Diploma in Dairy Technology/Dairy Husbandry with 3 years experience of working in Dairy Industry.
19.	Foreman (Refrigeration)	I.T.I. Diploma in Refrigeration with atleast 10 years experience of working in a Factory.
20.	Foreman (Boiler)	'B' Class certificate from Chief Inspector of Boiler with atleast 10 years experience of operation & maintenance of Coal/Oil fired boilers.
21.	Foreman (Electrical)	I.T.I. Certificate in Electrical trade with atleast 10 years experience of repair and maintenance of Electric Installations in a Factory.
22.	Foreman (Transport)	I.T.I. Certificate in Motor Mechanical Trade with atleast 10 years experience of repair of light, medium and heavy vehicles.
23.	Senior Assistant (Establishment)	Graduate with 10 years experience in Establishment matters and should be well conversant with Service Rules and Labour Law.
24.	Senior Assistant(Accounts)	Commerce Graduate with 10 years experience of working in Accounts Cell of a Commercial Organisation.

25.	Incharge, Chilling Centre.	Degree in Dairy Technology/Dairy Husbandry from recognized University. OR Diploma in Dairy Technology/Dairy Husbandry. Provided further that Degree holders joining as Incharge Chilling Centre shall be given two advance increments.
26.	Senior Technicians	I.T.I. Certificate in the trades of Refrigeration, Electrical/Motor Mechanical / Fitter OR 'B' Class Certificate in Boiler operation issued by Chief Inspector of Boiler with 5 years experience of working in a Factory in the respective field.
27.	Technicians	I.T.I. Certificate in the trade of Refrigeration/ Electrical/ Motor Mechanic/ Fitter or 'B' Class Boiler Attendant Certificate issued by Chief Inspector of Boilers.
28.	Milk Procurement Asstt.	Matric with Certificate of Stock Assistant/ Vety.Pharmacist training from Animal Husbandry Deptt., of H.P. Govt. OR Graduate from a recognized University having rural background. OR Matric having a rural background with atleast 10 years experience of working on Milk Procurement & Input activities under any Milk Union/Milk Federation. OR Secretaries or Village Dairy Cooperatives Societies who are Matriculates and possess Diploma in Cooperation with atleast 5 years experience of working as Secretaries. OR Secretaries of Village Dairy Cooperative Societies who are Matriculates and have 10 years working experience as Secretaries of Village Dairy Cooperative Societies.
29.	Sr.Scale Stenographer.	Graduate with a Shorthand/Typing speed of 80/40 w.p.m. and should have atleast 10 years experience of working as a Steno Typist/Stenographer. OR 10+2 2 nd Division with a Shorthand/ Typing speed of 80/40 w.p.m. and should have atleast 12 years experience of working as a Steno Typist/Stenographer.
30.	Jr. Scale Stenographer.	Matric 2 nd Division or 10+2 with Typing/Shorthand speed of 40/80 w.p.m. with 7 years experience of working as Steno Typist. OR Matric 2 nd Division or 10+2 with I.T.I. Diploma in Shorthand possessing speed of 40/80 w.p.m. in Typing/Shorthand with 5 years experience of working as Steno Typist. OR

		Graduate with typing/shorthand speed of 40/80 w.p.m.
31.	Drivers.	Middle Pass having light/heavy vehicle driving licence endorsed for hilly roads. Provided further that he passes the driving test.
32.	Clerks/Typist/Accounts Clerk.	Graduate with typing speed of 40 w.p.m. and 30 w.p.m. in English and Hindi respectively. OR Commerce Graduates. OR Matric 2 nd Division/10+2 with typing speed of 40 w.p.m. and 30 w.p.m. in English & Hindi respectively with Two years experience of working in Govt./Commercial Organisation/Cooperative Sector on Daily Wages Clerk.
33.	Plant Operators	I.T.I. Certificate in the trade of Fitter/Mechanic/Electrical/Refrigeration.
34.	Cinema Operator.	Matric 1 st Division with training in handling Audio-Visual equipment. OR Matric 2 nd Division having 2 years experience in handling Audio Visual equipments.
35.	Salesman.	Matric 2 nd Division.
36.	Security Assistant.	Ex-Serviceman not below the Rank of NCO and should be Matriculate.
37.	Dairy Helpers (Previously designated Class-IV).	Matriculate. OR Middle with 2 years experience of working in Chilling Plant/Dairy Plant/Laboratory/Store/Secretary of a Village Dairy Cooperative.
38.	Peon, Chowkidar, Mali Gate Keeper, Guest House Attdt.-cum-Cook, Sweeper	Middle Pass. Preference will be given to a person having Atleast 3 years experience of working with a Village Dairy Cooperative Society. In case of Sweeper, he/she should be a bonafide Sweeper.

APPENDIX 'A'

S.No	Designation	No. of Posts	Pay Scale
1.	Managing Director	01	14300-400-15900-450-18600-
2.	General Manager	01	13500-400-15900-450-16800
3.	Sr. Manager (Plants)	03	7880-220-8100-275-10300-340-11660
4.	Private Secretary	01	7220-220-8100-275-10330-340-11660
5.	Manager (Prod./P&I)	06	7220-220-8100-275-10300-340-11320
6.	Manager (Estt).	01	7220-220-8100-275-10300-340-11320
7.	Manager (Accounts)	01	7220-220-8100-275-10300-340-11320
8.	Asstt.Manager (QC, MIS, Mktg., P&I, Purchase etc.	11	7000-220-8100-275-10300-340-10980
9.	Plant Engineer	03	7000-220-8100-275-10300-340-10980
10.	Asstt.Manager (Estt).	01	6400-200-7000-220-8100-275-10300-340-10640
11.	Asstt.Manager (Acctts).	04	6400-200-7000-220-8100-275-10300-340-10640
12.	P.A. to M.D.	01	6400-200-7000-220-8100-275-10300-340-10640
13.	Tech. Supdt.	26	5800-200-7000-220-8100-275-9200
14.	Sr.Asstt. (Estt)	05	5800-200-7000-220-8100-275-9200
15.	Sr.Asstt. (Acctts)	09	5800-200-7000-220-8100-275-9200
16.	Sr.Scale Stenographer	01	5800-200-7000-220-8100-275-9200
17.	Foreman Tpt./Boiler./Elect./Ref./ Tech.(Mech.)	12	5800-200-7000-220-8100-275-9200
18.	Jr.Scale Stenographer.	03	4400-150-5000-160-5800-220-7000
19.	Incharge Chilling Centre.	24	5000-160-5800-200-7000-220-8100
20.	Sr.Tech.Boiler/Elect./Ref./ Elect./Tech.(Mech.)	09	4550-150-5000-160-5800-200-7220
21.	M.P.A.	40	4020-120-4260-140-4400-150-5000-160-5800-200-6200/ 4550-150-5000-160-5800-200-7000-220-7220 (50:50)
22.	Tech.(Boiler)/Ref./Elect./Tech.	08	4020-120-4260-140-4400-150-5000-160

	(Mech.)		-5800-200-6200
23.	Driver	17	3330-110-3660-120-4260-140-4400-150 5000-160-5800-200-6200
24.	Clerk/Jr. Asstt.	25	3120-100-3220-110-3660-120-4260-140-4400- 150-5160/ 4400-150-5000-160-5800-200-7000
25.	Plant Operator	22	3120-100-3220-110-3660-120-4260-140-4400- 150-5160/
26.	Salesman	03	3120-100-3220-110-3660-120-4260-140-4400- 150-5160/
27.	Cinema Operator	01	3120-100-3220-110-3660-120-4260-140-4400- 150-5160/
28.	Security Assistant	03	3120-100-3220-110-3660-120-4260-140-4400- 150-5160/
29.	Dairy Helper	120	2720-100-3220-110-3660-120-4260
30.	Peon with initial start	09	2520-100.3220-110-3660-120-4140 2620-100-3220-110-3660-120-4140
31.	Chowkidar.	03	2620-100-3220-110-3660-120-4140
32.	Mali	03	2620-100-3220-110-3660-120-4140
33.	Cleaner	10	2620-100-3220-110-3660-120-4140
34.	Gate Keeper	14	2620-100-3220-110-3660-120-4140
35.	Sweeper	07	2620-100-3220-110-3660-120-4140
36.	Guest House Attendant-cum- Cook.	1	2620-100-3220-110-3660-120-4140

SENIORITY:-

2.10 Seniority of the employees under the provision of these rules shall be determined in a particular category of posts on the basis of their length of service in the post held at the time of enforcement of these rules. This include the continuous officiating period of service in the post. Provided further that if the date of joining is the same in case of two or more employees against the post in a particular category, their seniority shall be determined according to the age, the elder being the senior and the younger junior and if in case of such employees the date of birth of any two or more employees is also the same then, seniority shall be decided by the expert panel whose decision shall be final.

RECORD OF SERVICE :-

2.11 The following record of service of every employees shall be maintained :-

- i) Personal file.
- ii) Service Book as prescribed by the Himachal Pradesh.
- iii) A.C.R. File.

TRAINING & EXAMINATION:

2.12 Subject to the approval of Board of Directors, the Managing Director may depute any employee of the service to undergo any course or courses of training. Provided that if an employee is deputed for training within a Country for a period exceeding six months or an employee is deputed for training for any period abroad, he shall execute a bond for undertaking to serve the Institution for atleast three years after the completion of such training failing which the employee shall be liable to pay all such expenses which were incurred by the Federation towards his training.

TRANSFERS :

2.13 The Managing Director will have the right to transfer any officer/official of the Federation to any place within the Himachal Pradesh failing under the jurisdiction of Federation in the Public interest. No employee shall have the right to express his un-willingness whenever the question of his transfer to a different place arises, even on adhoc basis. The expression of such an un-willingness shall render him liable for disciplinary action.

SECURITY:

2.14 The members of the service shall furnish such security in favour of the Federation as may be decided by the Board for the post on the basis of nature of the duties.

TERMINATION OF SERVICE:

2.15 a) The service of a person appointed temporarily as provide under rule 3 (a) may be terminated with one months notice on either side or in lieu thereof payment of pay for the period by which the notice falls short of one month.

b) The service of a person appointed substantially may be terminated by giving three months notice on either side or in lieu thereof payment of pay for the period by which the notice falls short of three months.

d) The service of any employee may also be terminated on account of mis-conduct, dis-honesty or moral turpitude established on record in accordance with the procedure laid down in Appendix – C.

Provided that the services of a person undergoing probation may be terminated during probation or at the end of Probationary period or any extension thereof without assigning any reasons/notice.

RESIGNATION:

- 2.16 i) No employee who has been in the service continuously for a period of three months, shall resign his post unless he has given thirty days previous notice or pay in lieu thereof or surrender the pay for the period for which the notice falls short.
- ii) When an employee contravenes the provisions of Clause (i) supra his un-paid salary for a period not exceeding thirty days shall be forfeited.
- iii) Resignation may be accepted by the appointing authority with immediate effect or with effect from the date of expiry of the period of notice in which case an employee shall be paid salary in respect of actual period spent on duty in the service.”

SUPERANNUATION AND RETIREMENT:

- 2.17 a) Every employee appointed to the service shall ordinarily retire on attaining the age of 58 years.
- b) Notwithstanding anything contained in Clause (a) above, any employee may be retired by the appointing authority or permitted at his own request to retire from the service on attaining the age of 50 years or after 20 years of service.
- c) Notwithstanding anything contained in clause (a) and (b) the the appointing authority shall if it is of the opinion that it is in the interest of the Federation to do so, have the absolute right, by giving an employee prior notice in writing to retire him/her on the date on which he/she completes twenty years of service or attains 50 years of age or any date thereafter to be specified in the notice.

Provided that the period of such notice shall not be less than three months. Provided further that there atleast three months notice is not given or notice for period of less than three months in given to the employee shall be entitled to claim remuneration equivalent to the amount of his pay and allowances at the some rates at which he was drawing the same immediately before the date of retirement for a period of three months or for the period by which such notice falls short of three months as the case may be.

DISCIPLINE AND APPEAL

2.17 Notwithstanding anything contained in any other regulation and without prejudice to such action to which employees becomes liable under any other law or regulation the employee of the Federation shall be governed by the discipline, punishment and appeal rules given in Appendix –C.

CHAPTER-III

PAY ALLOWANCES AND OTHER CONCESSIONS

PAY:-

- 3.1 Unless anything is otherwise provided in these rules an employee appointed to any post shall draw the pay of the post as mentioned in Appendix – A. No employee shall receive/accept any pay or honorarium from any other source without the approval of Board of Directors.
- 3.2 The Board of Directors may in consideration of special/higher qualification, training or experience allow higher initial start to a person appointed to any of the post.
- 3.3 Annual increment in time scale may be drawn as a matter of course unless it has been previously withheld for reasons of unsatisfactory work ore conduct. The authority competent to with-held increment any with-hold increment previously in case where any charges with regard to un-satisfactory work or conduct are under investigation.

- 3.4 The following periods shall count for completing the period of one year for the purpose of grant of Annual Increment:
- i) Period of duty in the post.
 - ii) All periods of leave with full pay.
 - iii) Period of officiating service in a higher post in the service, provided the employee would have worked in the lower post but for his officiating to the higher post.
 - iv) Period of suspension only if such period has been treated as duty.
- 3.5 The Board of Directors in special cases allow initial salary at a higher stage in any scale in relaxation of rule 3.1 supra for reasons of higher qualifications of better experience to any employee on his first appointment.
- 3.6 The sanction of increment at the time of crossing of efficiency bar, shall be considered/accorded by the Managing Director on the basis of records/performance of the person concerned for the previous three years.
- 3.7 On promotion from one lower post to another higher post the pay of an employee shall be fixed in the higher scale at a stage next above the stage by allowing him one increment in the lower scale.
- 3.8 The Officers and other employees of the Federation shall from time to time receive allowance i.e. D.A. ,C.A., House Rent and other allowances as may be sanctioned by the Board but it should not be Less than the allowances sanctioned by the Himachal Pradesh Government from time to time for their employees.

TRAVELLING ALLOWANCE:

- 3.9 The rules/rates of traveling allowance for journies on duty or on

transfer shall be those are applicable/admissible for the employees of Himachal Pradesh Govt. from time to time. Provided that the following provisions would also be applicable to Federation employees:

Travel by Air.

The entitlement for travel by Air AC Ist class shall be as under:

- i) Pay exceeding Rs.1800/- At discretion
- ii) Pay exceeding Rs.1300/- but with the prior approval of not exceeding Rs.1800 Managing Director.

3.9 T.A. from place of stay to place of duty:

The Federation employees while they are on tour outside the State shall also be entitle for local conveyance charges for journey from place of stay to place of duty subject to the following maximum limits:

- Pay exceeding Rs.1300/- Rs.30/per day.
- Pay exceeding Rs. 800/- Rs.15/per day.
- But not exceeding Rs.1300/- Rs. 5/per day.

Provided further that in the case of field staff, Board may decide to pay fixed traveling allowance in lieu of regular traveling allowance in lieu of regular traveling allowance.

PROVIDENT FUND:

3.10 The employees of the Federation shall be entitled to the benefit of contributory provident fund in accordance with the employees Provident Fund Act.,1952 and Scheme framed thereunder.

BONUS

3.11 The employees of the Federation shall be entitled to Bonus at the rate of which the Federation is required to pay

under the provisions of Bonus Act,1965 as modified from time to time and in accordance with the provisions made in Bye-Laws.

MEDICAL ATTENDANCE:-

3.12 The employees of Federation shall be entitled to medical facilities similar to those as are allowed by the H.P. Govt. to its employees from time to time.

CHAPTER –IV.

LEAVE AND JOINING TIME

LEAVE.

- 4.1 (a) No employee shall claim leave as a matter of right.
(b) The employees of Federation shall be governed by leave rules applicable to HP Govt. employees.

JOINING TIME:-

- 4.2 The Federation employees shall be entitled to joining time pay in accordance with the rules applicable to HP. Govt. employees.

LEAVE TRAVEL CONCESSION:

- 4.3 The employees shall be entitled to leave travel concession as admissible to the corresponding employees of the HP State Govt. from time to time.

CHAPTER-V

MOTOR CYCLE/SCOOTER/FESTIVAL ADVANCE/HOUSE BUILDING ADVANCES:

- 5.1 The employees of the Federation shall be entitled for Motor Cycle, Scooter/Festival/House Building Advances as may be approved by the Board in accordance with the rules/instructions for the grant of these advances applicable to HP State Government employees. But the grant of such

advances shall be subject to availability of adequate funds with the Federation.

CHAPTER-VI

GENERAL:

- 6.1 i) Subject to any general or special orders issued by the Registrar or by the Federation, all employees of the Fed. shall submit a declaration of movable and immovable property from time to time held or acquired by them or any member of their family to the Managing Director at the time of his appointment or afterwards.

When asked for , in such proforma as may be prescribed
For the purpose.

The terms movable property will mean the following items :-

- i) Cash, Jewellery, Bank deposits, Insurance Policies, Shares, Securities and Debentures.
 - ii) Loans advanced whether secured or not. If secured, then mode of security shall be specified.
 - iii) Motor Cars, Motor Cycles, Scooters or any other means of conveyance.
 - iv) Refrigerators, Televisions and other costly appliances whose cost is more than one thousand rupees.
3. "Family" means an employees' wife pr husband, as the case may be, residing with the employee and legitimate children and step children residing with and wholly dependent on him. In addition, it includes, parents, step mother, sisters, widowed sisters and minor brothers residing with and wholly dependent upon employees. No employee shall except with the previous

knowledge of the Managing Director acquire or dispose of any member of his family.

Provided that any such transaction conducted through a regular or reputed dealer or otherwise shall require the previous sanction of the Managing Director.

6.2 SPECIAL PROVISION FOR APPOINTMENT OF SON/ DAUGHTER/WIDOW OF AN EMPLOYEE DYING WHILE IN SERVICE.

- i) Notwithstanding anything to the contrary contained in any other rules, the appointing authority may, at its discretion, appoint a son, or a daughter, or the widow of any deceased employee of the Federation, in any of the posts under the Federation.

Provided that the son or the daughter, as the case may be, satisfies the qualifications prescribed for the post other than the method of selection, and if the person to be appointed, is a widow, She satisfied the qualifications as well.

- ii) Requests for appointment under these special rule shall be received by the appointing authority within the one year from the date of death of employees.
- iii) The benefit under this special rule shall not be made available to more than one member of the deceased family. No benefit under this special rule shall also accrue if any, of the sons or any of the dependent daughters of the widow of the deceased employee has been holding any monthly paid employment in any office,

institutions, establishment, etc. on the date of the death of the employee or secured such employment before making an application under this rule.

NOTE: For purposes of this rule “EMPLOYEE” does not include a person appointed on deputation or on contract or whose services in the Federation were not confirmed.

6.3 GRATUITY:-

There shall be a scheme for the payment of gratuity for the employees at the time of superannuation, death while in service or for any other form of cessation of service in the Federation in accordance with the rules to be approved by the Board for the purpose.

6.4 DRESS AND DECORUM:-

The Federation’s employee shall be presentably/dressed and shall behave with courtesy. Uniform shall be worn, whenever it is prescribed. Every employee shall serve the federation in its business in such capacity or at such place as directed by the competent authority. He shall wear badges or carry with his identity cards wherever prescribed.

6.5 CONTRIBUTION TO NEWSPAPERS, RADIO, T.V.ETC.

No employee shall, except with the previous sanction of the appointing authority:

- i) Own wholly or in part or conduct or participate in the editing or management of any newspaper or any other periodical publication.
- ii) Participate in any Radio or T.V. broadcast or contribute any article or write any letter either in his own name or anonymously or in the name of any other person to any newspaper or periodical or make public, or publish or cause to be published or pass on to

others any documents, paper or information which may come into

his possession, in his official capacity.

- iv) Deliver any talk or lecture in a public meetings or other wise.

3.4 DEMONSTRATION:

No employee shall engage himself pr participate in any demonstration which is prejudicial to the interests of the Sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or which involves contempt of defamation or incitement to an offer.

6.7 JOINING OF ASSOCIATIONS PREJUDICIAL TO INTERESTS OF THE COUNTRY.

No employee 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.

6.8 CRITICISM OF THE POLICY OF THE GOVERNMENT OR OF THE FEDERATION.

No employee shall in any Radio broadcast or T.V. or in any documents published by him in his own name or anonymously or in the name of any other person or in any communication to the press or in any public utterance make any statement of fact or opinion.

- i) Which has the effect of an adverse criticism of any recent or current policy of any government.
- ii) Which has the effect of an adverse of criticism of any policy of the Federation in relation to service condition of the employees except while participating in any lawful and Bonafide trade Union activity.

- 2. No employee shall preside over, address or take part in the

Organisation of any meeting or conference at which it is likely
That any of the speakers or organizers might say or do
anything which will have an effect violating the provision of
the sub-rule (1) had such speakers or organizers been
employees of the Federation.

6.9 TAKING PART IN POLITICS AND IN ELECTION:

- i) No employee shall be a member of or be otherwise associated with, any political party or any Organisation which takes part in politics nor shall take part in subscribe in aid of or assist in any other manner any political movement or activity.
- ii) No employee shall convess or otherwise influence or use his influence in connection with or take part in an election to any legislature or local authority or a Co-operative Society other than an employee's Society.

PROVIDED THAT an employee qualified to vote at such election may exercise his right to vote but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

6.10 GIFTS.

- i) No employee of his family members shall receive any gift from any one except for gifts whose monetary value does not exceed Rs.1,000/- from Class relatives on special occasions like wedding, anniversary or religious ceremony in conformity with special or Religious customs.

INTERPRETATION:-

- 6.11** If any doubt arises as to the interpretation of these rules for their application the matter shall be referred to the Registrar, Cooperative Societies, whose decision shall be final.

“APPENDIX-C”

RULES REGARDING DISCIPLINE, PUNISHMENT AND APPEAL:

- 1.1 Notwithstanding anything contained in any other regulation and without prejudice to such action to which an employee becomes liable under any other law or regulations for the time being in force, any or all the following penalties may be imposed for good and sufficient reasons on any member of the services:

MINOR PENALTIES.

- i) Censure.
- ii) Withholding of increment of pay with or without accumulate effect.
- iii) Withholding of promotion.
- iv) Recovery of Amounts in full or part of any pecuniary loss caused by the employee to the federation by negligence or otherwise.

MAJOR PENALTIES.

- v) Reduction to a lower stage in the time scale of pay.
 - vi) Reduction to a lower category or posts.
 - vii) Compulsory retirement.
 - viii) Termination from Service.
 - ix) Dismissal from service.
- 1.2 No penalty shall be imposed on any employee unless the charges on which it is proposed to take disciplinary action against him have communicated to him in writing and he has been given a reasonable opportunity to show cause against the action proposed to be taken against him. The authority competent to impose the penalty may in circumstances permit, held on enquiry to be held by an officer superior to the person against whom the action is proposed to be taken for the purpose of ascertaining the truth or otherwise on the charge or charges. If it is decided to hold an enquiry, the employee concerned shall be permitted to produce or cite witnesses on his behalf and examine the relevant

documents, but shall not be permitted to engage a lawyer at the enquiry.

- 1.3 (a) The Managing Director may suspend any employee against whom action is proposed to be taken, if, in his opinion the attendance of the employee on duty during the period the charges are under investigation against him is likely to effect such proceedings.
- (b) “During the period of suspension an employee shall be paid subsistence allowance equal to 50% of his salary with usual allowances shall be paid by the Federation.”
- (c) If the employees, placed under suspension, is subsequently completely exonerated of the charges, he shall be eligible to full salary and allowances for the period of suspension and the entire period will be treated as duty. If, however, he has not been completely exonerated of the charges, the competent authority shall specify in the order of reinstatement as to how the period of suspension should be treated and also the amount of pay and allowances to be paid to him for such period. Salary and allowances payable under this provision shall be paid by the Federation.

1.4 AUTHORITY TO IMPOSE PUNISHMENT.

The authority competent to impose minor/major punishments (Specified under rule 1.1 items I) to ix) shall be as given below:-

Sr.No.	Name of Post/ Cadre	Competent Authority to suspend.	Competent authority to impose minor penalties.	Competent authority to impost Major penalty.
1.	Jr. Staff Below Assistant Manager	Unit Officer	Unit Officer	Managing Director.
2.	Senior Officers (Asstt.Manager(s)/ above.	Managing Director	Managing Director	Managing Director
3.	Managing Director	Board of Directors as per provision contained in Bye-Laws No.25.3	Board of Directors.	Board of Directors.

- 1.5 a) An appeal against the orders of Unit Officer shall lie to the Managing Director and an appeal against the orders of the Managing Director imposing penalty under rule 1.4 of the rule shall lie to the Board of Directors. The appeal against orders of Board of Directors under rule 1.4 of the rules shall lie to the Registrar Cooperative Societies.
- b) The appeal shall be submitted within a period of 30 days from the date of which the appellant receives a copy of the order appealed against. The appellant authority may, however, entertain any appeal within 60 days of the said date if the appellant had sufficient cause for not submitting the appeal in time.
- c) The appellant authority may, after careful consideration of the case:
- i) Set aside, reduce, confirm or enhance the penalty.
- Or
- ii) Remit the case to the authority which imposed penalty with such directions as it deem fit in the case.

BYE-LAWS

OF

THE HIMACHAL PRADESH STATE

CO-OP. MILK PRODUCERS'

FEDERATION LIMITED. TOTU,

SHIMLA – 171 011.

(Amended upto August,2008)

Bye-Laws of the Himachal Pradesh State Co-operative Milk Producers Federation Limited.

1.0	NAME, ADDRESS & JURISDICTION :
1.1	The name of the Federation shall be the Himachal Pradesh State Cooperative Milk Producers' Federation Limited its registered address shall be P.O.Totu, Shimla-11. Any change in the address shall be notified to the Registrar within 3 days.
1.2	The area of operation of the Federation shall be whole of Himachal Pradesh.
2.0	DEFINITION: In these Bye-laws, unless there is anything repugnant in the Subject or context:
2.1	“Act” means The Himachal Pradesh Cooperative Societies Act, 1968.
2.2	“Board” means the Board of Directors of the Federation as mentioned in these Bye-Laws.
2.3	“Chairman” means the Chairman of the Federation.
2.4	“Commodities” means milk, milk products, cattle feed, fodder and fodder seeds, raw or processed Agricultural products, dairy and food packaging material, equipment machinery etc.
2.5	“Federation” means the Himachal Pradesh State Cooperative Milk Producers' Federation Limited.
2.6	“Member” means the members of the Federation enrolled as prescribed in these bye-laws.
2.7	“Managing Director” means the Managing Director of the Federation appointed as per provision of the Co-op. Law provided this will not effect the appointment earlier made.

2.8	“Registrar” means the Registrar of Co-operative Societies as defined in the Co-operative Societies Act, 1968.
2.9	“Rules” means the Rules under the Himachal Pradesh Co-operative Societies Act, 1968.
2.10	“General Meeting” includes special and ordinary Annual General Meeting.
2.11	“Society” means any registered Milk Producers’ Cooperative Society affiliated to the Federation.
3.0	OBJECTIVES: The fundamental objectives of the Federation shall be:
3.1	To carry out activities for promoting production, procurement, Processing and marketing of milk and milk products for Economic development of the farming community.
3.2	Development and expansion of such other allied activities as may be conducive for the promotion of Dairy Industry, improvement and protection of Milch animals and economic betterment of those engaged in milk production. In particular and without prejudice to the generality of the foregoing objectives, the Federation may :
3.2.1	Purchase commodities from the members or from other source without effecting the interest of its members, pools, process manufacture, distribute and sell the same :
3.2.2	Study problems of mutual interests, related to production procurement and marketing of daily allied products;
3.2.3	Purchase and / or erect buildings, Plant, machinery and other ancillary equipment to carry out business ;
3.2.4	Organise new milk producers Co-operative Societies and develop affiliated Societies to the utmost and advise, guide, assist, rectify, control or take over their management particularly or fully when necessary and if appointed as an administrator by the Registrar or at the request of the member;

3.2.5.	To establish, research, development and Quality Control Laboratories and to assist such programme ;
3.2.6	Provide veterinary aid and artificial insemination services and to undertake Animal Husbandry Activities, so as to improve the Animal health care and disease control facilities;
3.2.7	make necessary arrangement for transport of milk, allied milk products and commodities ;
3.2.8	advise, guide, assist and control the members in all aspects of management, supervision and audit function ;
3.2.9	purchase raw material processing material etc. or to collaborate with some one if need arises ;
3.2.10	arrange to impart training to staff of all the member Societies and federation ;
3.2.11	own or hold on lease or hire movable or immovable properties to carry on the business of the Federation and to dispose of the same if not required for the business of the Federation :
3.2.12	market its commodities and products under its own trade mark/brand name or otherwise :
3.2.13	settle all matters of common interests of the members and to further their interests ;
3.2.14	carry on cooperative propaganda and impart amongst the members co-operative knowledge and its application to business method.
3.2.15	undertake insurance work and general insurance work related to the Federation and members on agency basis.
3.2.18	undertake price fixation public relations and allied matter of members Societies ;
3.2.19	create trusts and funds for the welfare of the employees ;

3.2.20	Federation shall also have powers to recommend liquidation of any member societies and undertake periodical supervision of the member Societies whenever found necessary ;
3.2.21	undertake or assist programmes of research and development
3.2.22	establish a Research and Development Association having independent existence to contribute to its fund and to raise funds for the same from member societies ;
3.2.23	propagates the concept and benefits of the co-operative movement :
3.2.24	work as an Administrator of its member Societies at the request of Registrar or take over the management of any member partially or fully in the event of certain circumstances under the State Co-operative Societies Act :
3.2.25	encourage fodder production by member Societies ;
3.2.26	To own and rear herd of cattle as may be required to undertake the breeding programme in the area;
3.2.27	arrange for or assist in purchase of Milch animals by the member milk producers' without advancing any loan ;
3.2.28	Organise and encourage saving schemes :
3.2.29	and generally take whatever steps necessary or proper or conducive or incidental to the attainment of any of theses objectives of the Federation ;
3.2.30	carryout negotiations with Government or other organization ;
3.2.31	undertake import and export of dairy allied produce.
4.0	FUNDS. Funds may be raised by :
4.1	Shares

4.2	Debentures
4.3	Loans
4.4	Grants, Aids and subsidies
4.5	Donations
4.6	Entrance Fees
4.7	(a) The Federation may accept funds from any development agency by accepting grant, loan, subsidies etc. as per the terms and conditions prescribed by such agency as may be mutually agreed upon.
	(b) The authorized share capital of the Federation shall be Rs. Five Crores divided into 5,00,000 shares of Rs.100/- each and shall be paid in full on allotment.
	(c) The funds of the kind specified in (4.2) (4.3) and (4.4) above to be raised shall not exceed twelve times of the paid up Share Capital and reserve fund less accumulated loss as provided in the Act and Rules thereunder.
5.0	MEMBERSHIP
	Membership of the Federation shall be of the following types :
	i) Any registered Milk Producers' Co-operative Society affiliated to the Federation.
	ii) Nominal
	iii) Govt.
5.1	Any registered Milk Society falling under jurisdiction of Federation shall be entitled to hold an ordinary membership. The Bye-Laws of such Societies shall be entitled to hold an ordinary membership. The Bye-Laws of such Societies shall be in conformity with model bye-laws as prescribed by the Registrar.
5.2	The persons having financial dealing with the Federation such as Suppliers, contractors, selling agent, their sureties etc., may be admitted by the Board to the nominal membership of the Federation. Such nominal membership shall not be required to hold the shares, but have to pay a fee of Rs.50/- per annum. They shall have no right to vote or to participate in the management of the Federation or in the distribution of profits. They shall continue as members so long as they have business relations with the Federation. They shall incur no liabilities in the event of winding up of the Federation.

5.2.1	Milk Societies who have signed the bye-laws and the application of Registration will be considered enrolled as ordinary members.
5.2.2	The State Government may also become member of the Federation by contributing towards the share capital.
5.3	Every member shall hold atleast one share.
5.3.1	Ordinary members, other than those covered in the bye-laws No.5.2.1 shall have to apply in writing for membership to the Federation and shall have to pay an entrance Federation and shall have to pay an entrance fee of Rs.5/- alongwith the amount to purchase the required number of shares.
5.4	The Federation shall have the right to call upon ordinary member to subscribe share capital and/or debentures in proportion to the business transacted through the Federation as may be prescribed by the Board from time to time.
5.4.1	If the amount of share and/or debenture remain unpaid for more than six months from the due date, the Board of Directors may take suitable action on the members as they may deem fit.
6.0	The liability of a member shall not exceed the amount subscribed on the share capital but the liability of the State Government shall be limited to the extent of its paid up share capital.
7.0	A share certificate with distinctive number shall be issued every time, when a share (s) is/are subscribed by a member.
7.1	A duplicate share certificate shall be issued in the event of Loss of the share certificate/s by a member with the written approval of the Board of Directors on payment of Rs.1.00 per share, against an indemnity bond to be furnished by the member.
8.0	The properties and funds of the Federation shall be invested in accordance with the Act and Rules of the State.
9.0	No member once affiliated shall seek disaffiliation without the permission of the Registrar, unless it is dissolved.
10.0	Subject to the provisions of H.P. Cooperative Societies Act and Rules, any member may be expelled by a resolution passed by 3/4 th members present at the general meeting and voting for any of the following reasons :
10.1.1	If a member is a persistent defaulter and habitually fails to carry out its

	obligation to the Federation.
10.1.2	If the member willfully deceives the Federation by false statements.
10.2	If the member does any act likely to injure the reputation of the Federation.
11.0	The member may transfer the share's after holding for atleast one year to another member with the approval of the Board of Directors of the Federation. No transfer shall be considered complete, until the name of the transferee has been entered into the share transfer Register and a fee of Rs.1.00 per share has been paid.
12.0	Cessation of membership : Any member will cease to be a member :
12.1	On resignation
12.2	On expulsion
12.3	On liquidation
12.4	On failure to fulfill the obligations mentioned in the bye-laws No13 ;
12.5	On failure to pay share and/or debentures as called upon by the Board :
12.6	An ordinary member, ceasing to be a member, shall be entitled to receive back the amount not exceeding the actual sum paid by it, on account of shares within a period of one year.
13.0	OBLIGATIONS OF MEMBERS:
	Every member shall ;
13.1	Supply commodities procured or pooled by it with the exception of what is retailed for local consumption only to the Federation and shall not supply or sell directly to any other agency.
13.2	Pay shares and/or debentures in relation to the value of commodities handled through the Federation as may be called upon by the Board with the provision that the maximum amount to be prescribed shall not exceed 20% of the value of the commodities supplied to the Federation during the previous year.
13.3	Follow directions issued by the Federation for delivering commodities such as place of delivery time of delivery, transport and the like :
13.4	Collect milk or other commodities in clean and unadulterated Conditions :

13.5	Follow such directions as the Federation may otherwise issue and provide whatever information the Federation finds necessary for the promotion of the objectives of the Federation.
13.6	failure on the part of the members to fulfill the above and such other obligations shall make them liable for consequential losses to the Federation as may be decided by the Board.
14.0	ORGANISATION AND MANAGEMENT
14.1	General Meeting
14.2	Board of Directors
14.3	Chairman
14.4	Managing Director
15.0	GENERAL MEETING:
15.1	The supreme authority of the Federations shall be vested in The General Meeting subject to the Act, rules and bye-laws.
15.2.1	General meeting will consist of the following
	<ul style="list-style-type: none"> i) The Chairman of the each affiliated milk society enrolled as ordinary members. ii) The Registrar Co-operative Societies or his nominee. iii) All nominated members of the Board.
15.2.2	The Chairman of the Board of Directors shall preside over the General Meeting. In case of his absence, the meeting shall elect a Chairman from amongst the members present.
15.3	The General Meeting shall be called once in every year within the quarter ending on the 30 th June. This shall be called the Annual General Meeting.
15.4	A special General Meeting may be called at any time by a majority vote of the Board of Directors and shall be called within one month on requisition in writing by atleast 1/5 th of the members of the Federation or by the Registrar of Co-operative Societies.
15.5	The first meeting of the members after registration shall have the same powers as are given to the Annual General meeting.
16.0	ANNUAL GENERAL MEETING :

16.1	The Annual General Meeting shall among other things, deal with the following :
16.1	To confirm the proceedings of the previous meeting : Declare the names of directors elected as per the election Rules :
16.3	To approve the excess of expenditure incurred over the sanctioned budget :
16.4	To approve the budget and programme of work of the Federation for the ensuing year recommended by the Board
16.5	To receive from the Board the Annual report together with the Trading and Profit and Loss Accounts for the proceeding financial year of the Federation the balance sheet as on 30 th June and to sanction the appropriation of profits :
16.6	To review the Audit Memorandum and Audit Rectification Report received from the Board of Directors and any other communications from Registrar Cooperative Societies.
16.7.	To consider expulsion of members if any, as recommended by the Board in accordance with the provision of the Act.
16.8	To add, alter and amend the Bye- Laws as and when necessary.
16.9	To fix the allowance to be paid to the members of the Board for attending the Board and other meetings.
16.10	Appoint auditors and fix their remunerations which would be over and above the statutory audit ;
16.11	Appoint auditors and fix their remunerations which would be over and above the statutory audit ;
16.12.	To approve the expenditure incurred on members of the Board
16.13	To consider any other business brought forward by or with the consent of the Chairman
16.14	Notice of the Agenda of the General Meeting mentioning date, place and time of the meeting shall be issued in writing to all its members atleast 14 days in advance. Provided further that in case of Annual General Meeting, it may also be accompanied by a copy of the Annual Administration Report, the Audit certificate (if available) and balance sheet. Non- receipt of such a notice by any member of the Generalbody shall not invalidate the proceedings of the meeting
15.15	Prior notice is not necessary in the case of the following;
16.15.1	A motion for a change in the order of the business of the agenda;
16.15.2	A motion for adjournment or dissolution of the meeting ;
16.15.3	A motion that the meeting to pass on to the next time on the agenda paper ;
16.15.4	A motion to refer the matter under consideration for discussion or report to the Board of Directors ;

16.15.5	A motion allowed by 2/3 rd of the members present.									
16.16	With the permission of 2/3 rd of the members present at the general meeting any member may bring forward any matter not specified in the notice of the meeting provided that he may not propose expulsion of any member or an amendment in the bye-laws.									
16.17	Except by an order of the Registrar, No resolution can be brought at the general meeting for cancellation of a previous resolution of the general meeting unless six clear months have lapsed after passing the original resolution.									
17.0	GHT.									
17.1	Each member shall have one vote by virtue of its membership. Proxies shall not be allowed.									
17.2	Nominal members shall have no voting right.									
17.3	The nominees of the Registrar, financing institute Federation and the Managing Director of the Federation shall each have one Vote by virtue of their being Board members.									
17.4	A declaration by the Chairman of annual general meeting that the resolution has been carried by show of hands shall be conclusive unless on such declaration a poll is demanded by atleast 50 or 1/3 of the members present.									
17.5	In case of equality of votes, the Chairman shall have both on a show of hand or at a poll, have a casting vote in addition of his own vote. Notwithstanding anything mentioned above, the nominated members of the Board shall each have one vote.									
18.0	Special General Meeting of the Federation shall be called within 7 days notice, stating the date, time and place at which and the object for which such meeting will be held.									
18.1	One third of the total members or 30 : whichever is less, shall form the quorum for the general meeting.									
18.2	The Special General Meeting may transact any business that Would have been normally transacted by the Annual General Meeting									
18.3	If on the day of the meeting there is no quorum the meeting shall be adjourned and held in the manner prescribed in Rule30 of the Himachal Pradesh Co-operative Societies Act and Rules.									
19.0	Decision shall be taken by majority of votes. In the case of an equality of votes, the Chairman shall have a casting vote in addition to the votes to which he may be entitled to as a member.									
20.0	BOARD OF DIRECTORS									
20.1	The Board of Directors of the Federation shall consist of not more than 19 members as follows :-									
20.1.1	Nine representatives elected by the Chairman of the affiliated Milk Societies from amongst themselves in the following manner : <table style="margin-left: 40px; border: none;"> <tr> <td>a.</td> <td>Mandi District</td> <td>One</td> </tr> <tr> <td>b.</td> <td>Kullu & Lahaul Spiti Distt.</td> <td>One</td> </tr> <tr> <td>c.</td> <td>Shimla & Kinnaur Distt.</td> <td>One</td> </tr> </table>	a.	Mandi District	One	b.	Kullu & Lahaul Spiti Distt.	One	c.	Shimla & Kinnaur Distt.	One
a.	Mandi District	One								
b.	Kullu & Lahaul Spiti Distt.	One								
c.	Shimla & Kinnaur Distt.	One								

	d. Bilaspur Distt.	One
	e. Hamirpur Distt.	One
	f. Una Distt.	One
	g. Kangra & Chamba Distt.	One
	h. Sirmour Distt.	One
	i. Solan Distt.	One
20.1.2	Government nominees	3
20.1.3	Registrar, Cooperative Societies or his nominee.	1
20.1.4	R.C.S. Nominees under rule 39	3
20.1.5	One representative of NDDDB	1
20.1.6	Director, Animal husbandry H.P.	1
20.1.7	Managing Director of the Federation (Ex- officio).	
20.2	Every year the first Board meeting shall elect the Chairman from amongst themselves. The Chairman shall continue to hold office till a new Chairman is elected as per the bye-laws. All the members of the Board including the Chairman of the Federation shall be honorary. No post of Vice-Chairman shall be there in the Board.	
20.3	Deleted	
20.4	The elected members of the Board shall hold office for a period of four years. However, during the tenure of his office an elected member in the Board of Directors, if he or the Society he represents has acted in a manner, that cause a breach of provisions under bye-law No.24, he shall cease to be a member of the Board. Vacancies arising thus, shall be filled by Co-option as per provision of these bye-laws.	
20.5	Notwithstanding anything contained in these bye-laws the first Board members including the Chairman may be nominated by the State Government in consultation with the NDDDB. The first Board shall be nominated for a period of one year. Thereafter every year the Government may review the names of the Board of Directors and may continue the same persons or make such changes as he considers necessary in consultation with the National Dairy Development Board by issue a fresh order extending the period for one more year. However, such extended period shall not exceed five years.	
20.6	The Chairman shall preside at the meeting of the Board. In case of his absence, the directors present shall elect one of them as the Chairman of the meeting.	
20.7	The Board meeting shall be called generally with seven days notice but can be called at a shorter notice, if so required.	
20.8	Vacancies of the elected members from the ordinary members on the Board occurring during their term of office on account of death or any other cause shall be filled up by cooption. Such co-opted member shall hold office for the remaining period of the term of the member in whose place he is co-opted subject to fulfillment of eligibility conditions and this period shall not exceed 90 days or the un expired period whichever is earlier.	

20.9	The presence of more than 50% of the Board Members shall form the quorum for the Board's meeting.
20.10	should an elected member of the Board absent himself from three consecutive meetings of the board without showing adequate cause he shall cease to be a member of the Board.
20.11	No members shall be present at discussion or vote on any matter in which he has personal interest.
20.12	Each member of the Board shall have one vote.
20.13	In case of urgency when a particular decision can not wait till the Board meets, the decision can be obtained by a circular resolution among all its members and any resolution so approved by more than 50% of the members shall be effective and binding.
21.0	All acts done by the Board or any person acting as a member of the Board notwithstanding that it is afterwards discovered that there was some defect in the appointment of such board or person shall be valid as if the board or such person had been duly appointed.
22.0	It shall meet as often as it may consider necessary for transaction of the business but it shall meet atleast once in a quarter.
23.0	The Society which fails to fulfill the obligations as laid down in the Bye-laws the Chairman of such Society, shall cease to continue as a member of the Board.
24.0	QUALIFICATIONS OF MEMBERS FOR CONTESTING ELECTION OF BOARD.
24.1	No Chairman of member society shall be eligible for election as a director of the Board unless the Society he represents;
24.1.1	Has fulfilled all the obligations as mentioned in the bye-laws 13 as on 31 st March of the preceding year;
24.1.2	Deleted.
24.1.3	Is an ordinary member of the Federation for not less than one year as on the day of election;
24.1.4	Has not remained closed for more than 90 days during the previous co-operative year except due to natural calamities.
24.2	Chairman of a member society shall not be eligible for election if he;
24.2.1	Is a paid employee of a member society or of the Federation;
24.2.2	Is a defaulter of a Society and arrears have been recovered from him by coercive measures.
24.2.3.	Is held liable or is convicted for any offence as per the Himachal Pradesh Co-operative Societies Act.

24.2.4	Is dishonest or proved bankrupt or declared insolvent or is convicted for any criminal offence by a Competent Court;
24.2.5	Has direct or indirect interest in any contract made with the Federation or any property sold or purchased by the Federation or any other transaction of the Federation except in any investment made in or in any loan take from the Federation.
24.2.6	He is engaged directly or indirectly in running the same type of business as that of the Federation, or is having direct or indirect interest in such activities. In case he derives such interest at later stage, he shall not be entitled to continue as a member of the Board;
24.2.7	The Society he represents has supplied milk to the Federation for less than 273 days in both the shifts in the preceding year except for the reason like natural calamity;
24.2.8	If the Society he represents has sold or supplied milk to any agency other than the Federation during the preceeding year;
24.2.9	The Society he represents has failed to supply minimum quantity of milk as fixed by the Board during the preceeding year. Note:- Supplying of milk to a member society shall not be considered to be the same type of business because the milk sold to such a Society is to be supplied to the Federation only.

25.0 POWERS, RESPONSIBILITY AND FUNCTION OF THE BOARD

Power to decide the policies of the Federation shall rest with the Board. The Board of Directors shall have and exercise all such powers and enter into all such agreements, make all such arrangements, take all such proceedings and do all such acts and things, as may be necessary or proper for the due arrangement of the Federation and for carrying out the objectives for which the Federation is established and for securing the furthering its interest subject to the provisions of the Act or such Act as shall hereafter take its place, and to any rules which may be passed by the State Government in pursuance of the said Act and subject also to these bye-laws and /or any bye-laws which may be duly made by the Federation. Without prejudice to the General Powers conferred by these bye-laws, the following powers and authorities are given to and conferred upon the Board:

- 25.1 To approve the proceedings of the previous meeting.
- 25.2 To purchase or take on lease or otherwise acquire land and/ or building and/ or construct buildings for value exceeding Rs.1.00 lakh.

25.3 APPOINTMENT OF MANAGING DIRECTOR.

The Board shall have powers to suspend him if required. However

prior concurrence of the National Dairy Development Board shall be obtained so long as NDDDB loan/ interest are not fully repaid by the Federation.

- 25.4 To borrow funds required from time to time to carry on the business of the Federation in accordance with and subject to the provisions of the bye-laws.
- 25.5 To apply to Government for exemption from holding the Licence required for undertaking processing of dairy produce, to generate electricity for Plants etc.
- 25.6 To apply for the licence required under the rules of the State.
- 25.7 To apply for outright purchase or otherwise by way of the licence or otherwise, any patent, patent rights of inventions, trade rights' copy rights of secret process of technical aid or know- how which may be useful to achieve the objects of Federation and to grant Licences to use the same.

25.8 ADMINISTRATIVE SET-UP AND APPOINTMENT OF STAFF OTHER THAN MANAGING DIRECTOR.

The expert panel shall advise the administrative set-up which shall include the staff required, qualifications, experience, job requirement, pay scales etc., and shall submit the recommendations to the Board for its approval.

The panel shall be formed of the following members :

- 1. Chairman of the Federation.
- 2. Managing Director of the Federation.
- 3. Representative of N.D.D.B.
- 4. Representative of R.C.S.

The Board may, if it deems necessary, co-opt experts (s) in the field.

- 25.9 To create funds and trusts for the welfare of the employees or or ex-employees of the Federation or their connections or dependents of such persons and to support the same.
- 25.10 To institute, conduct, defend, compound or abandon any legal proceedings by or against the Federation or its Officers or otherwise concerning the affairs of the Federation and also to allow time for payment or satisfaction of any doubts due and to settle any claims

and/or demands by or against the Federation by arbitration or otherwise.

- 25.11 To recommend to the General Body, expulsion of any member whose conduct in the opinion of the Board is detrimental to the interests of the Federation by 3/4th majority of the members present at the meeting.
- 25.12 To admit members and allot shares and/or debentures.
- 25.13 To call upon the members to subscribe to share capital and/or debentures as prescribed in these bye-laws in proportion to their dealings with the Federation.
- 25.14 To receive Audit note and approve its rectifications report for placing before the next General Meeting.
- 25.15 To approve the annual accounts, Annual Reports and to recommend distribution of profits earned by the Federation.
- 25.16 To fix the rate of service charges for procuring manufacturing processing and marketing of raw material and allied produce through the Federation.
- 25.17 To decide policies regarding procurement, processing marketing and pricing for the dairy and allied products supplied by the members and to review them periodically.
- 25.18 To decide taking over the management of member Society as and when requested or required.
- 25.19 To insure against the risk of all kinds for moveable and immovable properties of the Federation.
- 25.20 To fix the charges for use of its trade mark/brand name.
- 25.21 To approve the purchase and erection of plant, machinery and other assets for the business of the Federation.
- 25.22 To approve sale if any land and any other moveable properties if not required for the business of the Federation.
- 25.23 To charge the fees for the services rendered by the Federation.
- 25.24 To prepare Agenda for the General Meeting and fix the time, place and date of the meeting.

There shall be no sub-committee from within or outside the Board.

- 25.25 To ensure compliance of terms and conditions of a Agreement with the financing Institution for loan and grant as mutually agreed upon.
- 26.0 The Board shall be competent to frame rules consistent with the provisions of the Act, Rules and bye-laws for the proper conduct of the business of the Federation. These rules shall be implemented after the approval of the Registrar.
- 26.1 In the absence of the Managing Director, the work of the Managing Director shall be discharged by the next Senior Officer with the approval of the Chairman.
- 27.0 The Board shall have powers to issue a common Seal for the business of the Federation and it shall not be used except by the Authority of the Board of the Managing Director. Every deed or document to which the seal is affixed, shall be countersigned by the Managing Director and/or the Chairman as may be decided by the Board.

28.0 **MANAGING DIRECTOR**

- 28.1 The Board shall appoint from time to time a full time paid Managing Director of the Federation. The Board shall by resolution vest in such Managing Director the necessary powers over and above the powers given by these bye-laws subject to such restrictions as it may determine.
- 28.2 The General powers duties and responsibilities of the Managing Director shall be as under :
- 28.2.1 He shall have general control over the Administrative Management, Finance and Business of the Federation.
- 28.2.2 He shall purchase or take on lease or acquire any land, Building or properties not exceeding the value of one lakh.
- 28.2.3 He shall be the Officer to sue or to be sued on behalf of the Federation and all bonds and agreements made in favour of the Federation shall be in his name.
- 28.2.4 He shall have powers for an on behalf of the Federation to endorse, sign, negotiate Cheques and other negotiable, instruments on behalf of the Federation. He shall also sign all deposit receipts and operate on the account of the Federation with any bank.

- 28.2.5 He shall suspend, award punishment including dismissal from service to employees, of the Federation for whom he has powers of appointment.
- 28.2.6 He shall allow credits to buyers within limits fixed by the Board from time to time.
- 28.2.7 He shall undertake import and export business for and on behalf of the Federation.
- 28.2.8 He shall carry out negotiations with the Government and other Organisations.
- 28.2.9 He shall make necessary arrangements or contracts for purchase, sales, lease of land, buildings, required for the working of the Federation and to execute document on behalf of the Federation and to represent it in all legal actions instituted by or on behalf of the Federation
- 28.2.10 He shall arrange to insure all properties of the Federation against risks of all kinds.
- 28.2.11 He shall arrange to impart training to the staff members of the Federation and Societies.
- 28.2.12 He shall make necessary arrangements for transport and storage of dairy and allied produce.
- 28.2.13 He shall arrange to maintain proper accounts of the Federation.
- 28.2.14 He shall arrange to prepare Annual Report, Balance Sheet of the preceeding financial year and Budget of the Federation for the ensuing year for placing before the Board of Directors.
- 28.2.15 He shall convene the meeting of the Board of Directors as required under these bye-laws and General Meetings as and when directed by the Board or found necessary or on receipt of requisition from the requisite numbers of members or upon requisition from the Registrar.
- 28.2.16 He shall arrange to supervise the member Societies.
- 28.2.17 He shall appoint consultants/experts and fix their remunerations.
- 28.2.18 The Managing Director shall be authorised to delegate any of his powers conferred on him by this bye-laws to any of The Senior Officer of the Federation.

29.0 **DISTRIBUTION OF PROFITS**

At the Annual General Meeting, the net profit shall be distributed as follows : -

- a) Not less than 25% shall be carried to the reserve fund.
- b) Co-op Education Fund at the rate of Rs.10 or 3% of the net profit of the year which ever is more.

To contribute towards the Educational fund of the State
Co-operative Unions as required under Cooperative Societies
Act.

- 29.3 An amount not exceeding 12% per annum shall be distributed as dividend on the paid up share capital.
- 29.4 Out of then remaining profits, the appropriation shall be as follows ;
 - 29.4.1 Upto 80% as bonus to the members in proportion to commodities sold to or through the Federation.
 - 29.4.2 10% to Charity Fund.
 - 29.4.3 2% to Dividend Equalisation fund.
 - 29.4.4 5% to Cooperative Propaganda fund.
 - 29.4.5 3% to Research and Development Fund.
- 29.5 Any other change in the appropriation of the profits shall be made with the prior approval of the Registrar.
- 29.6 Dividend not drawn within six months from the date on which it is announced at the General Meeting may be remitted to the members by money orders at their own cost or credited to their accounts with the Federation.

30.0 **RESERVE FUND**

In addition to the sum in the bye-laws 29.1 all entrance fees, donations, other than these for specific purpose and receipts on account of forfeited shares and fines other than those collected from employees, shall be carried to the Reserve Fund.

31.0 **ACCOUNTS AND RECORDS.**

The Financial year of the Federation shall be from 1st April to 31st March. Books of accounts and other records shall be

maintained as prescribed in the rules and also as directed by the Registrar with such additions as the Director's of the Board consider necessary.

32.0 In case of absence of provisions or inconsistency or repugnancy in the bye-laws of the member society, the bye-laws of the Federation shall prevail subject to the provisions of the Act and Rules.

33.0 **AMENDMENTS :**

None of the bye-laws herein contained shall be altered or rescinded and no bye-laws shall be added except by vote of majority consisting of at least two third members present at the General Meeting. The notice convening the meeting shall specify the proposed alteration, addition or recession. The amendment shall not take effect until it is approved by the Registrar.

34.0 **SERVICE OF NOTICE:**

Whereby in these bye-laws, it is proposed that written notice shall be given to any member, the delivery of such notice at the registered office of any member institute shall be considered as sufficient service of such notice.

(Authoritative English Text of Notification No. Coop-B(5)1/2000 dated 2.11.2000 as required under clause (3) of article 348 of the constitution of India)

COOPERATION DEPARTMENT

NOTIFICATION

Shimla-21, the 2nd November,2000

No. Coop. E (5)1/2000- Whereas draft rules titled the Himachal Pradesh Cooperative Societies (Amendment) Rules,2000 were published in the Rajpatra, Himachal Pradesh (Extra- Ordinary) dated 7th July,2000 vide notification of even number dated 3rd June 2000 in pursuance of the provisions of Section 109 of the Himachal Pradesh Cooperative Societies Act, 1968 (Act No.3 of 1969) for inviting objections/ suggestions from the persons likely to be affected thereby.

And whereas no objections/suggestions has been received within the stipulated period in this behalf.

Now, therefore, in exercise of powers conferred by section 109 of the Himachal Pradesh Cooperative Societies Act,1968 (Act No.,3 of 19690 , the

Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Cooperative Societies Rules, 1971 notified vide Government Notification No. Coop E(II) 21/74 dated 7.9.87 and published in the Rajptra, Himachal Pradesh (Extra- ordinary) dated 15.9.1987 namely:-

1. Short title and commencement (I) These rules may be called the Himachal Pradesh Cooperative Societies (Amendment) Rules,2000.
(ii) These rules shall come into force from the date of publication in Rajptra, Himachal Pradesh.
2. Amendment of Rule 38- In rule 38, for the existing sub rules(3) of the Himachal Pradesh Cooperative Societies Rule,1971 the following shall be substituted namely:-“(3) The term of the Managing Committees constituted under sub rule (1) shall be 5 years.”

By Order

Ravi Dhingra
F.C.-Cum-
Secretary.

Published in Rajptra on 2.12.2000