

**Directorate of Cooperation
Himachal Pradesh**

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

Dated: Shimla-9, the 24 June, 2016

Order

In pursuance of the powers vested in me under Rule 56 (1) of the H.P. Co-operative Societies Rules, 1971, following amendments are made in the **Rules Relating to the terms of Employment and Working Conditions of the Employees of PACS, 2001:-**

1. Short Title and commencement: (1) These Rules shall be called the Rules Relating to the terms of Employment and Working Conditions of the Employees of PACS (Amendment) Rules, 2016.

(2) These shall come into force with immediate effect.

2. Amendment of Rule 11:-

(i) **For existing clause (b) of sub-rule (3) of Rule 11, the following shall be substituted, namely:-**

“(b) Earned leave up to 30 days during the calendar year:

Provided that earned leave may be accumulated up to a maximum period of 180 days. Any accumulation in excess of 180 days shall lapse. Earned leave can be availed of up to a period of 15 days at a time. The managing committee shall be the competent authority to sanction earned leave.”

(ii) **For existing sub-rule (4) of Rule 11, the following shall be substituted, namely:-**

“(4) The employee shall be entitled to en-cash the period of earned leave up to 15 days once in a calendar year beyond 180 days balance at credit on discretion in writing within two months after the close of each calendar year which shall be payable at the rate of half month pay drawn in the last month of the calendar year:

Provided that subject to availability of funds earmarked for the purpose by the society, the authority competent to grant leave may grant the lump sum cash equivalent of the leave salary admissible for the number of days of “earned leave” at the credit of the employee concerned on the last day of his service, subject to a maximum of 180 days with the prior approval of the managing committee.



M. S. Gill

- (iii) After sub-rule (4) of Rule 11, the following sub-rule shall be inserted, namely:-

"(5) The cash equivalent of leave salary in respect of "earned leave" shall be calculated in the following manner:-

$$\frac{\text{(Basic Pay + DA admissible on the that day)}}{30} \times \text{Number of days of unutilized earned leave at credit on the date of retirement from the duty subject to maximum of 180 days.}."$$

3. For existing Rule 12, the following shall be substituted, namely:-

"12. RETIREMENT

An employee shall stand retired on attaining the age of 62 years and no further extension shall be granted. The date of retirement shall be the last date of the month in which the employee completes 62 years of age."

4. For existing Rule 14, the following shall be substituted, namely:-

"14. EMPLOYEES WELFARE FUND

- (1) An employee shall be eligible for retirement assistance after he has rendered continuous service for not less than ten years,-
- on his superannuation or retirement; or
 - on his resignation; or
 - on retrenchment or his death or disablement due to accident:

Provided that the completion of continuous service of ten years shall not be necessary where the termination of employment is due to death or disablement:

Provided further that in case of death of an employee, the retirement assistance payable shall be paid to the nominee of deceased employee or if no nomination has been made to the legal heirs.

Explanation

B. S. Singh For the purpose of this sub-rule, disablement means such disability as incapacitates an employee for the work which he was capable of performing before the accident or disease resulting in such disablement.



- (2) Each society shall maintain Employees Welfare Fund and each year it shall allocate 10% of its net profit towards this Fund which shall be deposited in the nearest Co-operative or Nationalized Bank and amount so deposited in the Fund shall be utilized for the purpose for which it has been created. The retirement assistance shall be paid out of this Fund subject to the approval of the Managing Committee and in case the contribution made by the society to welfare fund falls short of the maximum amount due, the contribution shall be restricted to the actual amount in the fund.
- (3) Save as provided above, for the first ten years of continuous service, a fixed retirement assistance of rupees fifty thousand shall be paid, and, thereafter, for every successive completed year of service or part thereof excess of six months, the retirement assistance shall be at the rate of 15 days pay for every completed year of service or rupees ten thousand whichever is more subject to a maximum retirement assistance of rupees five lac:

Provided that in case of permanent incapacitation or death of an employee for rendering less than ten years continuous service, the employee, the nominee or the legal heirs of a deceased employee, as the case may be, shall be paid retirement assistance of rupees fifty thousand."



M. Sharma
Registrar Co-operative Societies,
Himachal Pradesh.

Dated: Shimla-9 the 24 June, 2016

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

Copy to:

- 1 The Addl. Chief Secretary (Cooperation) to the Govt. of H.P. Shimla-02
 - 2 The Private Secretary to Hon'ble Co-operation and Ayurveda Minister H.P. Shimla-02.
 - 3 The Additional Registrar Co-operative Societies Shimla/Dharamshala for information.
 - 4 All the Joint Registrar Cooperative Societies H.P. for information.
 - 5 All the Deputy Registrar Cooperative Societies H. P. for information.
 - 6 All the Assistant Registrars Cooperative Societies, in H.P. for information and necessary action. They are directed to bring these amendments to the notice of all concerned.
 - 7 Sh. Vijay Sharma, State President H.P. Primary Agri. Cooperative Societies Employees Union c/o VPO Ambehra Distt. Una H.P. for information.
 - 8 The Secretary H.P. State Cooperative Development Federation Ltd Shimla-1 for publication in Sehkar Darpan.
 - 9 Legal Cell of this Directorate of information.
- 10 Sh. Sanjay Suhail, Supdt. with the direction to up load these amendments in official Website of the department.

M. Sharma
Registrar Co-operative Societies,
Himachal Pradesh.