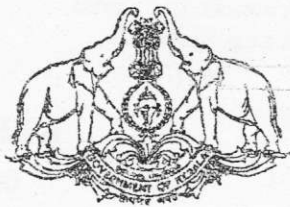


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2011



Reg. No. രജി. നമ്പർ  
KL/TV(N)/12/2009-2011

# KERALA GAZETTE

കേരള ഗസറ്റ്

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GOVERNMENT OF KERALA

Co-operation (B) Department

NOTIFICATION

G. O. (P) No. 225/2010/Co-op.

*Dated, Thiruvananthapuram, 31st December, 2010.*

S. R. O. No. 3/2011.—In exercise of the powers conferred by section 109 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby make the following rules further to amend the Kerala Co-operative Societies Rules, 1969, the same having been previously published under Notification No. 2600/B1/2010/Co-op. dated the 6th November, 2010 in the Kerala Gazette Extraordinary No. 2484 dated the 6th November, 2010 as required by sub-section (1) of section 109 of the said Act, namely:—

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33/7/2011/DTP.

## RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Co-operative Societies (Fifth Amendment) Rules, 2010.

(2) Sub-rules (1) to (5) of rule 2 shall come into force at once.

(3) Sub-rules (6) of rule 2 shall be deemed to have come into force on the 4th January, 2010.

2. *Amendment of the Rules.*—In the Kerala Co-operative Societies Rules, 1969,—

(1) in rule 64, after sub-rule (9), the following sub-rule shall be inserted, namely:—

“(10) Where a misappropriation of money is detected after completion of the audit of a society and no such misappropriation was reported by auditor/auditors while auditing the accounts, the Director of Co-operative Audit may proceed against the auditor/auditors who conducted the respective audit for dereliction of duty or for lapses in duty:

Provided that no such proceedings shall be initiated against any auditor without giving him an opportunity of being heard.”.

(2) in rule 65, in sub-rule (3),—

(a) in clause (f), the words “or Coir Co-operative Society” shall be omitted;

(b) after clause (g), the following clause shall be inserted, namely:—

“(h) The Primary Coir Co-operative Societies.”.

(3) in rule 66A, in sub-rule (6), for the words “securing them”, the words “confiscating them” shall be substituted.

(4) in rule 67,—

(i) in sub-rule (4), for the words “who shall be appointed by Government for a period of three years”, the words “he shall be appointed by Government who shall hold office till he attains the age of superannuation as applicable to State Government Employees” shall be substituted;

(ii) after sub-rule (4), the following sub-rule shall be inserted, namely:—

“(4A) Notwithstanding anything contained in any rule, order or notification, the officers presiding the Co-operative Arbitration Courts at the time of the commencement of the Kerala Co-operative Societies (Fifth Amendment) Rules, 2010 shall continue to hold their posts till they attain the age of superannuation as applicable to State Government Employees as they are deemed to have been appointed under sub-rule (4) as amended by the Kerala Co-operative Societies (Fifth Amendment) Rules, 2010.”.

(5) in Appendix II,—

(i) in Form No. 8A, in the first paragraph, after the words “Primary Housing Co-operative Society”, the words “or an Urban Co-operative Bank or any Primary Co-operative Societies dealing with credit activities” shall be inserted;

(ii) in Form No. 8D, in the first paragraph, for the words, “Housing Co-operative Society”, the entries “Housing Co-operative Society/Urban Co-operative Bank/Primary Co-operative Society dealing with credit activities” shall be substituted;

(iii) in Form No. 8E, for the words “Primary Housing Co-operative Society”, the entries “Primary Housing Co-operative Society/Urban Co-operative Bank/Primary Co-operative Society dealing with credit activities” shall be substituted.

(6) in Appendix III, in serial No.1, in item “(c) Primary Credit Societies/Banks”,—

(i) in sub-item (i), in column No.(2), after the entries “Primary Agricultural Credit Societies/Farmers Service Co-operative Bank/Employees Credit Societies/Regional Banks/Rural Banks” the symbol and words “/Credit Societies” shall be added;

(A) under the sub-heading “Class I ( Special Grade)”,—

(a) in the entries against serial No. 2 in column (3), for the figures “28”, the figures “26” shall be substituted;

(b) in the entries against serial No. 3 in column (3), for the figures “23”, the figures “22” shall be substituted;

(c) in the entries against serial No. 5, in column (3) the words “the last” shall be omitted;

(d) against the entries against serial No. 5 in column (3), for the words and symbol "Head Clerk/Accountant" in column (4) and the figure "4" in column (5), the words "Internal Auditor" and the figure "1" shall, respectively, be substituted;

(e) against the entries against serial No. 6 in column (3), for the words "Internal Auditor" in column (4) and the figure "1" in column (5), the words and symbol "Head Clerk/Accountant" and the figure "4" shall, respectively, be substituted.

(B) under the sub-heading "Class I",—

(a) in the entries against serial No. 1 in column (3), for the figures "22", the figures "20" shall be substituted;

(b) in the entries against serial No. 2 in column (3), for the figures "20" and "28", the figures "18" and "26" shall, respectively, be substituted;

(c) in the entries against serial No. 3 in column (3), the figures "18", the figures "16" shall be substituted;

(d) in the entries against serial No. 5 in column (3), for the words "the last three years", the words "two years" shall be substituted;

(e) against the entries against serial No. 5 in column (3), for the words and symbol "Head Clerk/Accountant" in column (4) and the figure "3" in column (5), the words "Internal Auditor" and the figure "1" shall, respectively, be substituted;

(f) against the entries against serial No. 6 in column (3), for the words "Internal Auditor" and the figure "1" in column (5), the words and symbol "Head Clerk/Accountant" and the figure "3" shall, respectively, be substituted.

(C) under the sub-heading "Class II",—

(a) in the entries against serial No. 1 in column (3), for the figures "16" and "22", the figures "14" and "20" shall, respectively, be substituted;

(b) in the entries against serial No. 2 in column (3), for the figures "14" and "20", the figures "12" and "18" shall, respectively, be substituted;



(c) in the entries against serial No. 3 in column (3), for the figures "11", the figures "10" shall be substituted;

(d) in the entries against serial No. 5 in column (3), the words "the last" shall be omitted.

(e) against the entries against serial No. 3 in column (3), for the words and symbol "Head Clerk/Accountant" in column (4), the words "Internal Auditor" shall be substituted;

(f) against the entries against serial No. 4 in column (3), for the words "Internal Auditor", the words and symbol "Head Clerk/Accountant" shall be substituted;

(g) in Note (1), for the figures "18", the figures "16" shall be substituted;

(h) in Note (2), for the figures "20", the figures "18" shall be substituted.

(D) under the sub-heading "Class III",—

(a) in the entries against serial No. 1 in column (3), for the figures "10" and "16", the figures "8" and "14" shall, respectively, be substituted;

(b) in the entries against serial No. 2, in column (3), for the figures "9" and "14", the figures "7" and "12" shall, respectively, be substituted;

(c) in the entries against serial No. 3 in column (3), for the figure "8", the figure "6" shall be substituted.

(d) against the entries against serial No. 2 in column (3), for the words "Accountant" in column (4) and the figure "1" in column (5), the words "Internal Auditor" and the figure "1" shall, respectively, be substituted;

(e) against the entries against serial No. 3 in column (3), for the words "Internal Auditor" and the figure "1" in column (5), the words "Accountant" and the figure "1" shall, respectively, be substituted;

(f) against the entries against serial No. 4 in column (4), for the figure "6" in column (5), the figure "5" shall be substituted;

(g) against the entries against serial No. 6 in column (3), the words and symbol "Typist/Data Entry Operators" in column (4) and the figure "1" against them in column (5) shall be omitted;

(h) in Note (1), for the figures "13", the figures "11" shall be substituted.

(E) under the sub-heading "Class IV",—

(a) in the entries against serial No. 1 in column (3), for the figures "6" and "10", the figures "4" and "8" shall, respectively, be substituted;

(b) in the entries against serial No. 2 in column (3) for the figures "5" and "8", the figures "3" and "7" shall, respectively, be substituted;

(c) in the entries against serial No. 3 in column (3), for the figure "5", the figure "3" shall be substituted;

(d) against the entries against serial No.1 in column (3), the words "Assistant Secretary" in column (4) and the figure "1" against them in column (5) shall be omitted;

(e) against the entries against serial No. 3 in column (4), for the figure "4" in column (5), the figure "3" shall be substituted;

(f) against the entries against serial No.4 in column (4), for the figure "2" in column (5), the figure "1" shall be substituted;

(g) against the entries against serial No.6 in column (3), the words and symbol "Typist/Data Entry Operator" in column (4) and the figure "1" against them in column (5) shall be omitted;

(h) in the Note, for the figure "8", the figure "6" shall be substituted.

(F) under the sub-heading "Class V",—

(a) in the entries against serial No.1 in column (3), for the figures "3" and "6", the figures "2" and "4" shall, respectively, be substituted;

(b) in the entries against serial No.2 in column (3), for the figures "2" and "5", the figures "1.5" and "3" shall, respectively, be substituted;

(c) in the entries against serial No.3 in column (3), for the figures "2" and "5", the figures "1" and "3" shall, respectively, be substituted;

(d) against the entries against serial No. 3 in column (4), the words and symbol "Typist/Data Entry Operator" in column (4) and the figure "1" against them in column (5) shall be omitted;

(e) in the Note, for the figure "5", the figure "3" shall be substituted.

(G) under the sub-heading "Class VI",—

(a) in the entries against serial No.1 in column (3), for the figure "3", the figure "2" shall be substituted;

(b) in the entries against serial No.2 in column (3), for the figure "2", the figure "1.5" shall be substituted;

(c) against the entries against serial No.2 in column (4), for the figure "2" in column (5), the figure "1" shall be substituted.

(H) under the sub-heading "Class VII", in Note (8), after item No. (ii), the following proviso shall be inserted, namely:—

"Provided that Employees", Co-operative Societies/Banks need only satisfy the conditions 1,3,7 and any 2 of the remaining conditions for classification into Class III, IV and conditions 1,3,5 and anyone of the remaining conditions for classification into Class V".

(ii) in sub-item (ii),—

(A) under the sub-heading "Class I", in the entries against serial No.7 in column No.(4), the repetition of the words "Peon/Watchman" and the figure "4" against them in column (5) shall be omitted;

(B) under the sub-heading "Class VI",—

(a) the entries against Serial No.2 in column (4) and the figure "1" against them in column (5) shall be omitted;

(b) against the entries against serial No.4 in column (4), for the figure "2" in column (5), the figure "1" shall be substituted;

(c) against the entries against serial No.5 in column (4), for the figure "2" in column (5), the figure "1" shall be substituted;

(d) in Note (1), the following sentence shall be added at the end, namely:—

“However the Banks having branches other than head office branch can appoint one Branch Manager, one Clerk and one Peon for each branch with the approval of Registrar of Co-operative Societies.”;

(e) after Note 15, the following note shall be inserted, namely:—

“(16) In order to calculate the amount for working capital, deposit, loan outstanding for classifying the banks, the average of the total amount outstanding at the end of each month of the preceding year shall be taken into account.”.

(iii) in sub-item (iii),—

(A) under the sub-heading “Class I”, in the entries against serial No. 5 in column (3) after the words “Below 20%”, the words “of the demand” shall be inserted;

(B) under the sub-heading “Class II”, in the entries against serial No. 5 in column (3), for the word figures, and symbol “Above 20%”, the words, figures and symbol “below 20% of the demand” shall be substituted;

(C) after the entries under sub-heading “Class III”, the following Notes shall be inserted, namely:—

“Note:— (1) In order to be classified as Class I Urban Co-operative Society, the society should satisfy the conditions 1 to 3 and any two of the remaining conditions other than condition (6).

(2) In order to be classified as Class II Urban Co-operative Society, the society should satisfy the conditions 1 to 3 and anyone of the remaining conditions other than condition (6).

(3) In order to be classified as Class I Agricultural Improvement Society, the society should satisfy conditions 1, 2, 3, 6 and any two of the remaining conditions.



- (4) In order to be classified as Class II Agricultural Improvement Society, the society should satisfy conditions 1, 2, 3, 6 and anyone of the remaining conditions.
- (5) In order to calculate the amount for working capital, deposit, loan outstanding for classifying the society, the average of the total amount outstanding at the end of each month of the preceding year should be taken into account.
- (6) Societies having branches can appoint one Branch Manager, one Clerk and one Peon for each branch with the approval of the Registrar of Co-operative Societies. But the newly sanctioned branches should be run by deploying existing staff of the society and those branches will become eligible for staff pattern only after one year of its functioning and the Registrar of Co-operative Societies will sanction the posts after assessing the transaction of the branch.
- (7) Classification made by the societies should be approved by the Registrar of Co-operative Societies before being implemented."

By order of the Governor,

S. VIJAYAKUMAR,

*Additional Secretary to Government.*

33/7/11

### **Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

As per notification issued under G.O.(P)No. 2/2010/Co-op. dated the 4th January, 2010 and published as S.R.O. No.9/2010 in the Kerala Gazette Extraordinary No. 30 dated the 4th January, 2010, the classification norms for Primary Credit Societies/Banks, ie., Primary Agricultural Credit Co-operative Societies, Regional Banks, Rural Banks, Farmers Service Co-operative Banks, Employees Credit Co-operative Societies, Urban Co-operative Banks prescribed in Appendix III of the Kerala Co-operative Societies Rules, 1969 has been revised and introduced classification norms for Urban Co-operative Societies and Agricultural Improvement Societies. As Government have received suggestions and objections from different angles after issuing the said final notification, the Government consider it necessary to modify some norms in the Appendix III of the Kerala Co-operative Societies Rules, 1969. The Government have also decided to amend the term of the Presiding Officers of the Co-operative Arbitration Court and to make other some minor amendments in the Kerala Co-operative Societies Rules, 1969.

The notification is intended to achieve the above object.