

GOVERNMENT OF KERALA

CO-operation (C) Department

G. O. (Rt.) 383/86/Co-op. Dated, Trivandrum, 30th September 1986.

KERALA CO-OPERATIVE EMPLOYEES WELFARE FUND AND ITS CONSTITUTION AND ADMINISTRATION

RULES

- 1. Title.—These rules shall be called "the Rules for the Constitution and Administration of the Kerala Co-operative Employees Welfare Fund".
 - 2. Objects.—The objects of the Fund are—
- (a) to raise and administer funds for the Welfare of the Employees of the institution registered or deemed to be registered constituted established under the Kerala Co-operative Societies Act, 1969 (Act 21 of 1969) under the control of the Registrar of Co-operative Societies, generally and to alleviate the distress of the said employees and their dependents in indigent circumstances; and
- (b) to do what is incidental to the above object such as providing relief by grant of money or other aid or to help otherwise as the Managing Committee may deem fit.
- 3. Definitions.—In these rules unless the context otherwise requires,—
- (a) "Nominee" means a member of the family of an employee or any other person nominated by the employee for the purpose of these rules and 'family' shall mean wife husband, children, dependent parents and children of a deceased son of the subscriber.
- (b) 'Employee' means an employee of a Co-operative Society registered or deemed to be registered or an Institution constituted or established under the Kerala Co-operative Societies Act, 1969 (Act 21 of 1969) and coming under the administrative control of Registrar of Co-operative Societies.
- Fund. (c) 'Fund' means the Kerala Co-operative Employees Welfare
- (d) 'Managing Committee' means the Managing Committee constituted under rule 4.
- (e) "Secretary-Treasurer" means the Secretary-Treasurer appointed under clause (h) of rule 4.

- (f) "Year" means the period commencing on the 1st date of July of any year and ending with 30th June of the succeeding year.
- 4. Management.—The management and administration of the Fund shall vest with a managing committee consisting of the following persons:—
 - (a) Minister in charge of Co-operation (Chairman—Ex-Officio).
 - (b) Secretary (Co-operation) to Government of Kerala (Vice-Chairman—Ex-Officio).
 - (c) Registrar of Co-operative Societies, Trivandrum.
 - (d) The President, Kerala State Co-operative Bank Limited.
 - (e) The Chairman, Kerala State Co-operative Union.
 - (f) Joint or Deputy Secretary to Government, Finance Department (to be nominated by Government of Kerala).
 - (g) Two representatives of Associations of Co-operative Employees (to be nominated by the Government).
 - (h) The Secretary-Treasurer of the Fund.

A Joint Registrar of Co-operative Societies to be nominated by Government.

- 5. Not less than five members of the committee shall form the quorum. Each member present shall have one vote and every issue shall be decided by majority of votes, and in the event of equality of votes the Chairman shall exercise a second or casting vote.
- 6. The Managing Committee may function notwithstanding any vacancy in its constitution.
- 7. Subject to the provisions herein contained, the Managing Committee shall have power to frame subsidiary rules for the conduct of its business.
- 8. The Funds of the Welfare Fund shall vest in the Managing Committee.
- 9. The Managing Committee may make subsidiary rules for the regulation and management of the fund and for any other purpose connected with the management of the fund.
- 10. The Managing Committee may delegate to the Secretary-Treasurer such of its powers as in the opinion of the committee are necessary for the management of the fund.

- All contracts and agreements shall be in the name of the Managing Committee and signed on its behalf by the Secretary-Treasurer and any other person of the Managing Committee duly authorised in this behalf by the Managing Committee.
- 12. The Secretary-Treasurer shall be the person to sue and be sued on behalf of the Fund.
- 13. The Managing Committee shall be the authority for sanctioning the assistance to the employees or their dependents and the Secretary-Treasurer shall communicate the order sanctioning the assistance.
- 14. The Term of Nominated Members in the Managing Committee.—(a) A nominated member of the Managing Committee may hold office during the pleasure, of the nominating authority.
- (b) A member of Managing Committee shall cease to be a member if he dies, resigns his membership or becomes of unsound mind of insolvent or is convicted of a criminal offence involving moral turpitude.
- (c) Resignations of membership shall be tendered to the Chairman of the Managing Committee and shall become effective from the date of its acceptance or on the expiry of 30 days after the date of resignation whichever is earlier.
- 15. Filling up of vacancies in the Managing Committee.—Vacancies in the Managing Committee shall be filled up in the manner in which the Committee was originally constituted.
- 16. Meeting of the Managing Committee.—The Managing Committee shall meet as and when it is found necessary for the transactions of the Fund, but in any case at least four times a year.
- 17. Powers and Functions of Secretary-Treasurer of the Managing Committee.—It shall be the duty of the Secretary-Treasurer:—
- (a) to keep in safe custody all records of the Managing Committee;
- (b) to conduct the Official correspondence on behalf of the Managing Committee;
- (c) to issue all notices for convening the meetings of the Managing Committee.

- (d) to keep minutes of all meetings of the Managing Committee.
 - (e) to manage the properties and funds of the Fund;
- (f) to maintain or cause to be maintained the accounts of the Fund; and
- (g) to exercise all other powers and execute such other functions as may be assigned to him by the Managing Committee.
- 18. Assets of the Fund.—(a) Assets of the Fund shall consist of the following:—
 - (1) Monthly contribution from the Employees.
 - (2) Contribution from Co-operative Institutions.
- (3) Contributions, recurring or non-recurring, from Public, Local bodies or any other statutory or non-statutory bodies set up by the State and Central Governments.
 - (4) Donations from any other source.
- (5) The income arising out of the investment of the funds.
- (b) All assets of the fund shall vest in the Managing Committee of the Fund.
- 19. Employees Contributions.—(a) Every employee shall exercise his her option to come over to the scheme in the form prescribed in Annexure I, within an year of the coming into force of these rules or the date of entry in service whichever is later. One copy of the option statement shall be pasted in the Service Book of the employee concerned duly accepted by the President of the institution after making necessary entries thereon. Another copy shall be forwarded to the Secretary-Treasurer who on receipt of the same will allot a code number and intimate the same to the institution concerned.
- (b) Every employee below the grade of Clerks Accountants Typist etc., and who has exercised his her option to come over to the scheme to enjoy the previlages under the rules shall pay a monthly contribution of Rs. 5 (Rupees five only) to the Fund from the date on which he joins the scheme.
- (c) Every employee belonging to the grade of Clerks Accountants Typists etc., and above and who has exercised his option to come over to the scheme shall pay a monthly contribution of Rs. 7 (Rupees Seven only) to the Fund from the date on which he joins the scheme.

- event of his her death while in service. If the employee has a family at the time of making nomination, the nomination shall be in favour of one or more persons belonging to his family and any nomination made by him her in favour of a person not belonging to his family shall be invalid. In the case of an employee who does not have a family as defined, he may nominate any other person. However such nomination will become invalid in the event of his her acquiring a family. On acquiring a family, the employee should make a fresh nomination in favour of his family. The nominations should be filed in the form given as Annexure 2 duly witnessed and countersigned by the President of the Co-operative Society.
- 20. Contribution by Management.—Every society, all or any of the employees of which have exercised their his option to come over to the scheme, shall contribute @ 50% of the amount contributed by the employee(s) towards the Fund.
- 21. Recovery and Deposit of Contributions.—(a) Every institution shall recover the monthly contributions at the rates prescribed in Rule 19, from the salary of the employee who exercised their option to come over to the scheme. Separate ledger shall be maintained by the institution for each employee in the form prescribed in Annexure 3.
- (b) The amount so recovered along with contribution by institution under Rule 20 shall be remitted by the institution in the nearest branch of the concerned District Co-operative Bank within five days from the date of recovery, along with a schedule in quadruplicate in the form prescribed in Annexure 4.
- (c) The concerned branch shall after making necessary entries thereon send one copy of the schedule to the Secretary-Treasurer of the Fund one copy to the Joint Registrar of the District concerned. One copy of the schedule to be returned to the financing society concerned and one copy to be retained in the branch of the District Co-operative Bank concerned.
- (d) On the basis of the schedules received, the Secretary shall maintain separate ledger accounts of each employee besides other accounts and registers.
- (e) The amount received by the branches of District Co-operative Banks shall be credited in a separate D. D. Account (maximum interest bearing account), in the name of the Joint Registrar, Secretary-Treasurer, Kerala Co-operative Employees Welfare Fund, Trivandrum, opened in the Head Office branch of the concerned District Co-operative Bank.

- 22. Withdrawal of Funds.—Withdrawal of any amount from the accounts of the Fund shall be regulated in the manner to be determined by the Managing Committee. Such withdrawal shall be made by cheque or requisitions (as the case may be) signed by the Secretary-Treasurer.
- 23. Administrative Expenses.—Administrative expenses shall be a legitimate charge on the assets of the Funds.
- 24. Establishment.—(a) The Secretary-Treasurer of the Fund shall be a Joint Registrar of Co-operative Societies.
- (b) The Managing Committee may appoint such other staff or make such other arrangements as they may deem necessary for the efficient control, management and administration of the fund.
- 25. Remuneration to Members and Officers.—(a) No remuneration shall be paid to any of the members of the Managing Committee except T. A. and D. A. at such rates as may be determined by the Managing Committee with the approval of Government.
- (b) The days of attendance of meeting of the Managing Committee, in case of ex-officio members, shall be treated as days on duty. They will be eligible for T.A. and D.A. at the rates admissible to them as in the case of official tours.
- 26. Amount of Financial Assistance to the Family.—(a) If an employee coming under clause (b) of Rule 19, dies while in service an amount of Rs. 7,500 (Rupees seven thousand and five hundred only) shall be paid to his/her family.
- (b) In the event of death of an employee included under clause (c) of Rule 19, while in service, an amount of Rs. 10,000 (Rupees ten thousand only) shall be paid to his/her family.
- (c) On retirement/relief on other grounds, of an employee coming under the scheme the actual amount contributed by him/her along with the contribution by the management shall be paid to him/her.
- (d) In the event of death of an employee covered by the scheme the President of the institution shall obtain an application, in the form prescribed in Annexure 5, addressed to the Secretary-Treasurer of the Fund from the nominees claiming the amount and forward the same with the relevant details, duly recommended by the District/Taluk level officer of the concerned Administrative Department of Government, to the Secretary-Treasurer of the Fund within 60 days from the date of death of the employee.

- (e) On the retirement/relief on other grounds, of an employee coming under the scheme the President of the institution shall obtain and forward an application in the form prescribed in Annexure-6, from the employee with all details, duly recommended by the District/Taluk level officer of the concerned Administrative Department of the Government, to the Secretary-Treasurer of the Fund within 60 days from the date of retirement.
- 27. Sanctioning of the Claims.—After thorough scrutiny of applications received the Secretary-Treasurer of the Fund shall place them before the Managing Committee of the Fund for sanctioning the claims. On getting the sanction from the Managing Committee, the Secretary-Treasurer shall issue orders to disburse the amount admissible to the employees according to rule 26.
- 28. Disbursement of the Amount.—(a) In a case where some person/persons other than a member of the family has/have been nominated, and it is found on an enquiry conducted or cause be conducted by the Managing Committee that the deceased employee had a family at the time of his/her death, then the amount due shall be paid to the family of the deceased. The order of preference for payment shall be that given in the definition of family contained in Rule 3(a). Provided that in case any of the nominee(s) or family member to whom the amount due happen to be a minor, the amount/share due to such minor(s) under the scheme should be paid to the surviving wife/husband ie. mother/father of the minor of the deceased subscriber for the benefit of the minor after obtaining stamped receipt for the payment. In the absence of wife/husband (ie. mother/father of the minor) of the deceased, the amount will be paid to legal guardian of the minor for the benefit of the minor.
- (b) If the enquiry shows that the subscriber had not acquired a family, the amount can be disbursed to the nominee(s) specified in the nomination filed by him.
- (c) In case of subscribers who do not have a family but die in harness without filing a nomination, the Managing Committee shall consider the claim for payment, if any, preferred and on being satisfied of the genuiness of the claim, after making or causing to make such enquiries as they deem fit, sanction the same. The payment shall be made only after getting an indemnity bond duly executed by the claimant in the form prescribed in Annexure-7 duly stamped for the gross amount due for the payment with two sureties of known financial stability. The claimant as well as the sureties executing the bond should be persons who have attained majority. Where two or more persons claim the amount, each should execute indemnity bond individually.