

NATIONAL COOPERATIVE DEVELOPMENT CORPORATION RULES, 1975

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NATIONAL COOPERATIVE DEVELOPMENT CORPORATION RULES, 1975

STATEMENT OF OBJECTS AND REASONS The National Co-operative Development and Warehousing Board and the Central Warehousing Corporation were set up as two interdependent bodies under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956, the former being in over-all charge of all aspects of development (including Warehousing) of agricultural produce on co-operative principles. Both the bodies were under the administrative control of the Ministry of Food and Agriculture. Subsequently, there has been a re-allocation of business by which the administrative control of the National Co-operative Development and Warehousing Board has been transferred to the Ministry of Community Development and Co-operation while the administrative control of the Central Warehousing Corporation continues to be in the Ministry of Food and Agriculture. The two bodies are thus under the administrative control of two different Ministries. In the altered situation and in the interest of the better functioning of the two bodies and for administrative convenience, it is considered that the

two bodies should function independently under separate enactments. The present Bill accordingly provides for the establishment of the National Co-operative Development Corporation in the place of the existing National Co-operative Development and Warehousing Board. The new Corporation will continue to perform more or less the same functions as the existing Board, but the Corporation shall cease to be a shareholder in the Central Warehousing Corporation and all shares held by the existing Board in the Central Warehousing Corporation and all liabilities as to the payment of unpaid calls on such shares shall stand transferred to the Central Government ; the Warehousing Fund which is now administered by the Board will stand transferred to and be maintained by the Central Warehousing Corporation. Opportunity has been taken to incorporate some minor changes in the constitution of the Corporation and also to empower it to appoint Committees for general or special purposes. S.K. DEY NEW DELHI : The 16th April, 1962 MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (Department of Civil Supplies and Cooperation) New Delhi, the 5th April, 1975

1. Short title and commencement :-

- (1) These rules may be called the National Co-operative Development Corporation Rules, 1975.
- (2) They shall come into force on the 7th April, 1975.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) 'Act' means the National Co-operative Development Corporation Act, 1962 (26 of 1962) ;
- (b) 'Board' means the Board of Management of the Corporation constituted under Section 10 of the Act :
- (c) 'Corporation' means the National Co-operative Development Corporation established under sub-section (1) of Section 3 of the Act ;
- (d) 'Form' means a form appended to these rules,
- (e) 'General Council' means the General Council of the Corporation constituted under sub-section (4) of Section 3 of the Act :
- (f) 'managing director' means the managing director of the

Corporation ;

(g) 'member' means a member of the General Council ;

(h) 'President' means the President of the General Council ;

(i) 'section' means a section of the Act.

3. President and Vice President :-

(1) The President shall be the Minister incharge of the Ministry of the Central Government dealing with Co-operation.

1 ["(2) The Minister of State in the Ministry of the Central Government dealing with Cooperation or when he is not in position the Minister of State dealing with Animal Husbandry and Dairying or when he is also not in position the Secretary to the Government of India in the Department of Agriculture and Cooperation, to be nominated by the Central Government, shall be the Vice-President of the General Council.]

1. Substituted by G.S.R. 238 (E) dated 30.4.1997.

4. Term of office of members :-

Every member nominated under clauses (viii), (xiv), (xv), (xvi) and (xvii) of sub-section (4) of Section 3 shall hold office for a period of three years from the date of his nomination.

5. Filling in casual vacancy of a member :-

A person nominated to fill the casual vacancy of a member shall hold office for so long as the member, whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

6. Register of members :-

(1) The Corporation shall maintain a register in which the name and address of each member shall be entered.

(2) If a member changes his address, he shall notify his new address to the Managing director and the managing director shall amend the relevant entry in the register accordingly.

7. . :-

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1. Omitted by G.S.R. 445 dated 27.3.1976.

8. A member absenting himself from three consecutive meetings of the General Council :-

A member nominated under clauses (viii), (xiv), (xv), (xvi) and (xvii) of sub-section (4) of Section 3 who, without the permission of the President, absents himself from three consecutive meetings of the General Council, may subject to the provisions of section 6 , be removed from membership of the General Council by the Central Government.

9. Managing Director :-

(1) The Managing Director shall draw such salary and allowances as the Central Government may deem fit to fix in each case.

(2) If the managing director is not an officer in the service of the Central Government-

(i) his leave and leave allowances and travelling allowances shall be the same as those admissible to the class of officers to which the Central Government may declare him to correspond in status :

(ii) the other conditions of service shall be such as the Central Government may determine in each case.

(3) If the managing director is an officer in the service of the Government the Corporation shall make such contribution towards the leave allowances, pension, gratuity and provident fund as may be required, by the conditions of his service under the Government to be made by him or on his behalf.

(4) The Central Government may terminate the services of the managing director at any time without giving any reasons therefor by giving three months notice and the managing director may resign his office at any time by giving three months notice in writing to the Central Government.

10. Financial Adviser of the Corporation :-

The Corporation shall appoint, with the approval of the Central Government a Financial Adviser to advise the Corporation on all matters relating to income and expenditure.

11. Vice-Chairman of the Board :-

The Vice-Chairman of the Board shall be the Secretary or the Special Secretary or the Additional Secretary as the case may be, for the time being in charge of the Department of the Central Government dealing with Co-operation.

12. Resignation by members of the Board :-

A member of the Board nominated under clauses (iv), (v), (vi) and (vii) of Section 10 , may resign his office as such member by writing under his hand addressed to the managing director and such resignation shall be effective from the date on which it is accepted by the Board or on the expiry of a period of one month from the date of its receipt by the managing director, whichever is earlier.

13. Annual Statement of Accounts :-

The books of the Corporation shall be balanced on the last working day of the month of March in each year and the annual statement of accounts shall be set out as in Forms 'A', 'B' and 'C'.

Notes.-Forms 'A"B"C', depict the statement of accounts for the year ended 31st March, statement showing the activity wise receipt of loans and grants from Central Govern mem during the year statement showing the activity-wise receipt of loans and grants from Central Government during the year, statement showing the activity-wise disbursement of loans and grants advanced/paid by National Cooperative Development Corporation during the year, income and expenditure account for the year ending 31st March, and balance sheet as on 31st March, respectively.

14. Returns and Reports :-

(a) The returns, statements and other particulars to be furnished by the Corporation under sub-section (1) of Section 14 in regard to the discharge of its functions under the Act shall be in Form 'D' and they shall be submitted every half year to the Central Government.

Notes.-Form 'D' appended to these rules depicting Returns and Statement under Section 14 (1) of the Act.

(b) The report required to be submitted to the Government under sub-section (2) of Section 14 shall be made in Form "E" within nine months from the expiry of the period to which the report relates.