

No. 2503/dt. 10.2.2003.

To

The Chief Executives of All
Apex Coop. Societies / Central Coop.
Banks / Urban Coop. Banks.

Sir,

In the wake of constitution of nominated Committees doubts are being entertained regarding the entitlement of non-official president/Chair person and Members. It is felt necessary to intimate the statutory directions of the Government and clarify certain issues.

Under Sec. 29(2) (P) of the O.C.S. Act, 1962, the General body of the organisation is the competent authority to fix the entitlement of the non-official President/Chairman and Members subject to other limitation prescribed under the Act and Rules and the statutory direction issued by the State Government under Sec. 123-A of the Act.

The State Government have issued statutory direction under Sec. 123-A of the Act that the President/Chairman of loss making societies shall not be entitled to any remuneration and H.R.A. The State Govt. have also issued statutory direction limiting the remuneration payable to the President/Chairman (other than M.L.As) The ceiling prescribed is as follows.

1. Apex Societies - Not exceeding Rs. 3,000/-
2. Central Coop. Banks - Not exceeding Rs. 2,500/-
3. Primary Societies - Not exceeding Rs. 2,000/-

In this backdrop the following steps may be taken.

a) At the first instance the President/Chair-person and members may be persuaded not to take any remuneration and receive any perks voluntarily so as to give an message to the public as few of such Chairman/President gone to the press saying not to receive any amount from the organisation.

b) As per the earlier decision of the general body and prevalent practice, the President/Chairman and members of the committee may be paid sitting allowance T.A. and D.A. for the meeting day only.

c) The President/Chairman if undertakes to solely for the purpose or organisation, he must be paid T.A. and D.A. as per the Bye-law/subsidier the approved by the competent authority.

d) The organisation which has vehicle may provide the same to the President/Chairman for the official use only and in such an event no T.A. be paid.

e) The President /Chairman being not a whole time functionary, no vehicle be earmarked fully for his use but regulated as per the instructions issued with regard to the vehicles.

f) In case of organisations having no vahilce use of hired vehicle may be made sparingly only for the purpose of attending meetings convened by the competent authorities.

P.T.O.

g) The President/Chairman may be apprised of the position and the financial condition of the organisation very politely.

In case of any further doubt, reference may be made for further clarification. These instructions are for the consumption of the Chief Executives and not for public or the President and members of the Committee.

Yours faithfully,

Sd/-

Registrar of C.S., Orissa.

DIRECTORATE OF COOPERATIVE & IT: ORISSA: BHUBANESWAR.

Memo No. 3285 (16) / Dated: 25.5.2004
VI(1)21/03 Audit-8/

Copy forwarded to all Asst. A.G.C.S., of Circles for information and necessary action. They are requested to circulate copy of this R.C.S.(O) circular amongst the auditors of their circle with instructions to examine this aspect and reflect the audit findings in the audit reports, if any, contravention to the same is noticed during audit of there Societies.

Copy to Audit-I/A Legal/All Auditor of Central Audit in cluding C.A.Firms.

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Dash. 25.5.2004.

L. Hans
25.5.04
Sub-Asst. Auditor General of
C.S.(O).

Government of Orissa
Cooperation Department.

O. R. D. L. R.
Bhubaneswar,

Dtd. 4.4.97

No. 11 Legal 2/96 7090 Coop. Whereas, the General Body of the Cooperative Societies are empowered to fix the remuneration and other facilities to be allowed to the office bearers in connection with duties performed and meetings attended in their capacity as such under the provisions of clause (p) of sub-section (2) of section 29 of the Orissa Cooperative Societies Act, 1962 as amended vide Orissa Cooperative Societies (Amendment) Act, 1991;

And whereas, the State Government in Cooperation Department was pleased to impose ceiling on the remuneration and house rent allowances etc. so payable to their respective non-official Presidents/Chair persons (other than M.L.A) if their financial position permits, in their Order No. 21793/Coop. dated the 28th December 1996;

And whereas, instances have come to the notice of the Government that some Societies incurring losses or which are not financially sound, are paying or proposing to pay remuneration and house rent allowances to their Presidents/Chair persons as against the spirit of the said order of the Government, by mis-utilising their deposit resources and recovery due to be passed on to Financing Bank, which causes further financial losses to the Societies;

Now, therefore, in exercise of the powers conferred by section 123-A of the said Act, and in partial modification of the said order No. 21793/Coop. dated the 28th December, 1996, the State Government do hereby direct that the remuneration including house rent allowances may be paid to the non-official presidents/Chairmen, (Other than M.L.A) by the profit earning Societies only which should be limited to 10% of the net profit earned by the Society in a Cooperative year or the amount fixed by the Government in the said order which ever is less.

And, any remuneration and house rent allowances already paid to the Presidents/Chairmen in Contravention of the said Govt. order, shall be recovered by the Society from the President/Chairman concerned and for non-recovery of the same, the Chief Executive of the Society concerned shall be held responsible.

By Order of the Governor.

S. N. Das
Deputy Secretary to Government

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9/11
Memo No. 7091

Coop. Dtd. 4.4.97

Copy forwarded to the Director of Printings, Stationeries and Publications, Orissa Cuttack with a request to publish the above order in the extraordinary issue of the Orissa Gazette and to supply 200 (two hundred) copies of the reprints to this Deptt. early.

The Order is statutory.

7/14/97
Deputy Secretary to Government

p.t.d.

Memo No. 7092 - 2 : -
Coop. Ltd. 4/4/97

Copy forwarded to the Registrar of Coop. Societies, Orissa/
All the D.R.C.S. (in the Divisions)/ All the A.R.C.S. (in the Circles)/
All the A.O.C.S. (in the Audit Circles) for information and necessary
action.

Memo No. 7093
Coop. Ltd. 4/4/97
Deputy Secretary to Government

Copy forwarded to the Director of Fisheries, Orissa, Cuttack/
Director of Handicraft, and Cottage Industries, Orissa/ Director of Textiles,
Orissa/ Director of Industries, Orissa/ Director of Animal Husbandry and
Vety. Services, Orissa, Cuttack/ Secretary, Orissa Khadi and Village Industries
Board, Bhubaneswar/ Director of Indian Medicines and Homeopathy, Orissa,
Bhubaneswar for information and necessary action.

Memo No. 7094
Coop. Ltd. 4/4/97
Deputy Secretary to Government

Copy forwarded to All the Apex Cooperative Societies/ All the
Central Cooperative Banks for information and necessary action.

Memo No. 7095
Coop. Ltd. 4/4/97
Deputy Secretary to Government

Copy forwarded to the Deputy General Manager, ABARD,
Bhubaneswar for information with reference to his letter No. 42(=HU) IND(Coop.)/
5217/DAP 1/96-97 dated 20 March, 1997.

Memo No. 7096
Coop. Ltd. 4/4/97
Deputy Secretary to Government

Copy forwarded to All Sections/ Guard File (30 spare copies).

Deputy Secretary to Government

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Government of Orissa
Co-operation Department

J. R. D. T. R.

Bhubaneswar, Dated the 28.12.1996.

No. II-Legal-2/96: 21793 /Coop. Where as proposals for payment of remuneration and allowances to the President/Chairman of the Apex and Central Co-operative Societies including Central Co-operative Banks; and Primary Co-operative Societies have been received from different quarters for consideration of the Government in the line of payment of honorarium and other allowances to the Non-Official Chairman of the State Public Sector undertakings;

and, whereas, the General Body of the Co-operative Societies are empowered to fix the remuneration and other facilities to be allowed to the office bearer in connection with duties performed and meetings attended in their capacity as such, under the provisions under clause (v) of Sub-Section (2) of Section-23 of the Orissa Co-operative Societies Act, 1962 as amended vide Orissa Co-operative Societies (Amendment) Act, 1991;

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1194 and, whereas, it is necessary, to not only make payment the remuneration and house rent allowance to the President/Chairman of the Societies as they are devoting considerable time for the proper management and development of the Societies, and but also impose ceiling on the payment of such remuneration and house rent allowance to the President/Chairman by the concerned Society in the public interest and in the interest of preventing the affairs of any Society from being conducted in a manner detrimental to the interest of the members, depositors and creditors thereof;

Now, therefore, in exercise of the powers conferred by Section 423-A of the said act, the State Government have been pleased to impose ceiling on the remuneration and house rent allowance also payable to their respective non-official President/Chairman (Other than H.L.I.) if their financial position permits, at the rate specified in the schedule given below;

p. t. o.

It is further directed that all be entitled to receive remuneration and house rent allowance from only one Society.

Schedule

Class of Societies	Ceiling on Remuneration that may be paid per month.	Ceiling on House rent allowance that may be paid per month
Apex Societies.	Not exceeding Rs. 3000/-	Not exceeding Rs. 3000/-
Central Co-op. Banks.	Not exceeding Rs. 2500/-	Not exceeding Rs. 1500/-
Central Co-op. Societies.	Not exceeding Rs. 2000/-	Not exceeding Rs. 1500/-
Primary Societies.	Not exceeding Rs. 1000/-	Not exceeding Rs. 500/-

By order of the Governor

R. N. Dash,
Deputy Secretary to Government.

Memo No. 21794 /Coop., dated. 28.12.96
Copy forwarded to the Director of Printings, Stationery and Publication, Orissa, Cuttack with the request to publish the above order in the Orissa Gazette and supply 200 (Two hundred) copies of the reprints to this Department.

The Order is statutory.

Deputy Secretary to Government.

Memo No. 21795 /Coop., dated. 28.12.96

Copy forwarded to the Registrar of Co-operative Societies, Orissa/ All the Deputy Registrar of Co-operative Societies (in the Divisions)/All the Assistant Registrar of Co-operative Societies (in Circles)/All the Audit Officer of Co-operative Societies for information and necessary action.

Deputy Secretary to Government.

Memo No. 21796 /Coop., dated. 28.12.96

Copy forwarded to the Director of Fisheries, Orissa, Cuttack/Director of Handicraft and Cottage Industries, Orissa/ Director of Textiles, Orissa/Director of Animal Husbandry and Veterinary Services, Orissa, Cuttack/Secretary, J. I. and V. I. Board, Bhubaneswar/Director of Industries, Orissa/Director of Indian Medicine, Yoneopathy, Orissa for information and necessary action.

Deputy Secretary to Government.

B. M./

P. T. O.

Mem. No. 21797 / Coop., dated 28.12.1996.
Copy forwarded to all the local Co-operative Societies
(as per the list enclosed) / all the C.O. Banks for information
and necessary action.

P. S. Singh
27/12/96
Deputy Secretary to Government.

Mem. No. 21798 / Coop., dated 28.12.1996.
Copy forwarded to all the Section/Guard File (20 spare
copies).

P. S. Singh
27/12/96
Deputy Secretary to Government.

