NATIONAL COOPERATIVE DEVELOPMENT CORPORATION (GENERAL REGULATIONS)

*****

(As notified in Part III Section IV of the Gazette of India dated 22nd November, 1975)

No.NCDC.5-1/74-P&C - In exercise of the powers conferred by Sub-Section (1), read with Sub-Section (2), of Section 23 of the National Cooperative Development Corporation Act, 1962 (26 of 1962), and in supersession of the National Cooperative Development Corporation General Regulations 1966, the National Cooperative Development Corporation with the previous sanction of the Central Government, hereby makes the following Regulations, namely:-

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CHAPTER-I
PRELIMINARY

1. Short title and commencement: (1) These regulations may be called the National Cooperative Development Corporation General Regulations, 1975. (2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions:

In these regulations, unless the context otherwise requires:-

a) "Act" means the National Cooperative 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) "Committee" means the Committee constituted by the Corporation under Section 11 of the Act;

d) "Chairman" means the Chairman of the Board;

e) "Corporation" means the National Cooperative Development Corporation established under Sub-Section (1) of the Section 3 of the Act;

f) "General Council" means the General Council of the Corporation constituted under Sub-Section (4) of Section 3 of the Act;

g) "Managing Director" means the Managing Director of the Corporation;

h) "Member" means a member of the General Council;

i) "President" means the President of the General Council;

j) *"Deputy Managing Director" means the "Deputy Managing Director" of the Corporation;

k) "Vice-Chairman" means the Vice-Chairman of the Board of Management; and

l) "Vice-President" means the Vice-President of the General Council.

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CHAPTER-II

3. Functions of the General Council:

The functions of the General Council shall be:-

i) to lay down broad guidelines for achieving the objectives of the Corporation;

ii) to ensure that the policy directives issued by the Central Government and priorities laid down by them are implemented;

iii) to review periodically the implementation of various programmes sponsored by the Corporation;

iv) to consider Programme of Activities of the Corporation; and

v) to consider the Annual Report and Audited statement of Accounts of the Corporation.

2(j) * Substituted for earlier words "General Manager" (Amendment made vide Notification Published in the Gazette of India, Part-III, Section 4 dated 6th August, 1988 (deemed to be effective from 6th August, 1988)(File No.NCDC.2-3/88-Admn.)

4. Functions of the Board:

The functions of the Board shall be:-

a) to implement the guidelines laid down by the General Council;

b) to lay down subsidiary policies;

c) to prescribe criteria, conditions and patterns in respect of financial assistance for various programmes;

d) to sanction specific projects in respect of which the assistance of the Corporation exceeds Rs.50 crore* or as may be laid down by the Board;

e) to undertake review and supervise implementation of various programmes;

f) to deal with general matters relating to staff and general administration of the Corporation;

g) to deal with matters relating to borrowing of money in terms of Section 12A (1) of the Act;

h) to determine the lines of investment of the funds of the Corporation;

i) to frame detailed regulations for the conduct of business of the Corporation; and

j) to deal with matters relating to delegation of powers.

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CHAPTER-III

5. Meetings of the General Council and Board of Management:

The General Council shall ordinarily meet twice a year and the Board may meet as often as necessary.

6. Notice of Meetings:

Ordinarily a notice of 14 days shall be given to the members for a meeting of the General Council and a notice of 7 days for a meeting of the Board.

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* As approved by BOM in its 204th Meeting held on 27.02.2018.

An emergent meeting of the General Council or the Board may be called at a shorter notice.

7. Manner of convening meeting and business to be transacted thereat:

A meeting of the General Council or the Board shall be convened by the Managing Director in consultation with the President or the Chairman, as the case may be. The notice of a meeting of the General Council or the Board shall be sent to each member of the General Council or the Board, as the case may be at his registered address specifying the time, date and place of the meeting and shall also specify the business to be transacted at the meeting. No business other than that specified in the notice or of which clear 7 days notice has been given shall be transacted at a meeting. However, with the permission of the member presiding at the meeting, any other matter may be considered.

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8. Presiding Officer:

(1) The President or in his absence the Vice-President or in the absence of both, any member chosen by the members present from amongst themselves, shall preside at a meeting of the General Council.

(2) The Chairman or in his absence the Vice-Chairman or in the absence of both, any member chosen by the members present from amongst themselves, shall preside at a meeting of the Board.

9. Decision by Majority:

All questions at a meeting of the General Council or the Board, as the case may be, shall be decided by a majority of vote. In case of equality of votes, the member presiding shall have and exercise a second casting vote.

10. Quorum:

15 members shall form a quorum for a meeting of the General Council and 5 members shall form a quorum of a meeting of the Board. If there is no quorum at any meeting of the General Council or the Board, as the case may be, the meeting shall be adjourned. At the adjourned meeting, the business of the last meeting shall be conducted irrespective of whether there is quorum or not.

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11. Place of Meeting:

The meeting of the General Council and the Board shall be held at New Delhi or at any other place in India as may be decided by the President of the General Council or the Chairman of the Board, as the case may be.

12. Record of Minutes:

A record of minutes shall be maintained in which typed proceedings of the meetings of the General Council shall be kept. A similar record shall be maintained for the proceedings of the Board. The proceedings of a meeting of the General Council or the Board shall be signed by the member presiding over the meeting and the Managing Director. The minutes of a meeting of

the General Council and the proceedings of a meeting of the Board shall be circulated as soon as possible after the meeting for the information of the members and shall be placed before the next meeting of the General Council or of the Board, as the case may be, for confirmation.

CHAPTER-IV

MEETINGS OF COMMITTEES

13. Meetings of Committees:

Committees of the Corporation may meet so often as necessary. Ordinarily, a notice of 7 days shall be given to the members for a meeting of such committees.

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14. Emergent Meetings:

Emergent meetings of the Committees may be called at a shorter notice, if so required by the Managing Director.

15. Manner of convening meetings of Committees and business to be transacted thereat:

Meetings of the Committees shall be convened by the Managing Director or an officer of the Corporation authorised by him and a notice of the same shall be sent to each member of the Committee at his registered address, specifying the time, date and place of the meeting as well as the business to be transacted at the meeting. No business other than that specified in the notice or for which necessary prior notice has been given shall be transacted at a meeting. However, with the permission of the member of the Committee presiding at the meeting, any other matter may be considered.

16. Presiding Officer:

The Chairman of the Committee or in his absence, any member chosen by the members of the Committee present amongst themselves, shall preside at a meeting.

17. Place of Meetings:

The Meetings of the Committees may be held at New Delhi or at any other convenient place in India as may be decided by the Managing Director.

18. Proceedings of the Meetings:

The proceedings of the meetings of the Committees shall be circulated as soon as possible after the approval by the member presiding over such meetings for the information of the members of the Committee and shall be placed before the next meeting.

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CHAPTER-V

ALLOWANCES FOR MEMBERS AND OTHERS FOR ATTENDING MEETINGS:

19. The grant of travelling allowance and daily allowance to the members of the General Council or the Board and other for attending the meetings of the General Council or the Board or any other Committee appointed by the Corporation or any other meetings convened by the Managing Director or in respect of journeys undertaken by them in connection with any other business of the Corporation will be regulated as follows:-

A Members of the General Council other than members of Parliament and State Legislature, the Managing Director and salaried officers of the Central and State Governments or

of a Government Company or a Statutory body or any other organisations.

(a) Travelling Allowance:

i) JOURNEY BY AIR: *[One standard fare for each single journey].

In case of air journey involving an overnight halt (either due to non-availability or to the cancellation of the connecting service), at an inter-mediate station, for which the Indian Airlines Corporation does not provide at its expense any facility for boarding or lodging to the touring member, half daily allowance at the rate applicable to that inter-mediate station may be drawn by him in respect of each such overnight halt in addition to the incidental expenses.

ii) JOURNEY BY RAIL: One fare for air-conditioned 1st class accommodation, if the same is availed of or the actual fare of the class by which the member travels.#

iii) JOURNEY BY ROAD:

a) In respect of journeys by road between places not connected by rail, a member will be entitled to $[actual fare paid for public conveyance limited to road mileage @ Rs.3.50 per km.]

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(a) i) * Substituted for the earlier words and figures "One standard fare plus 1/5th thereof subject to maximum of Rs.20/- for incidental expenses for each single journey."

(a)ii) # Omitted the words and figures "and incidental charges at the rate of 0.35 ps. for every 10 kms. provided that allowance for incidental expenses shall be restricted to a maximum of one daily allowance for every 24 hours of journey by rail or part thereof."

(a)iii)(a) $ Substituted for earlier words and figures **"Rs.2.00 per Km".

(Amendments made vide Notification published in the Gazette of India, No. 24 Part-III, Section 4, dated 13.6.1992 (deemed to be effective from 13th June, 1992 (File No.NCDC:1-1/78-P&C).

(a)iii)(a) ** Substituted for the earlier words and figures "Rs.0.60 ps. per km." Published in the Gazette of India No.4 (Part-III, Section 4) dated 22.1.1983. Amendment given effect from 22.1.1983.

b) In case where journey between two places connected by rail is performed by road, rail being the ordinary mode of travel, the road mileage will be regulated as follows:-

*[Actual fare by public conveyance or road mileage @ Rs.3.50 per km. limited to 1st Class/A/C 2 Tier Sleeper Fare.]

Provided that if in any individual case, Chairman is satisfied that such journeys by road were performed in the interests of the Corporation, full road mileage may be allowed without imposing the limits of rail mileage.

iv) JOURNEY BY STEAMER: 1-3/5th of fare at the lowest rate of first class fare.

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(a) iii)(b)* Substituted for the earlier following words and figures:

"a) when the journey is performed by taking a single seat in public conveyance, actual fare plus incidentals by rail;

b) Where the journey is performed otherwise the road mileage at ****[Rs.2.00 per km.]** but limited to rail mileage by shortest route (first class or ACC according to the availability of the accommodation between the two places);"

(Amendments made vide Notification published in the Gazette of India, No. 24 Part-III, Section 4, dated 13.6.1992 (deemed to be effective from 13th June, 1992 (File No.NCDC:1-1/78-P&C).

(a)(iii)(b)** Substituted for earlier words and figures of "Rs.1.30 per km." Published in Gazette of India No.39(Part-III, Section 4) dated 27.9.1986 w.e.f. 27.9.1986.

(b) DAILY ALLOWANCE:

*[The Board of Management/General Council of the National Cooperative Development Corporation has been decided by Ministry of Finance to be treated as a High Powered Body vide Deptt. of Expenditure's U.O. No. 280/E.IV/95 dated 25.4.95. The non official members will be entitled for daily allowance for their entire period of absence from the place of residence/business at the following rate:-

i) For the day(s) of the meeting : Rs.300.00 per day]

ii) For period spent in journey(transit time): Rs.100.00 per day

iii) In addition to daily allowance admissible at higher rates for the day(s) of meeting, a member shall also be entitled to full DA for the day preceding and/or the day following the meeting, if he arrives at the place of meeting earlier or departs one day later;

iv) For this purpose, the entire absence will be worked out on a calendar day basis to be reckoned from mid-night to mid-night and DA will be calculated as under:-

(a) for absence not exceeding 6 hours : NIL

(b) for absence exceeding 6 hours, but not exceeding 12 hours : 70%

(c) for absence exceeding 12 hours : FULL

v) While calculating DA in the manner indicated above, the total number of DA will first be calculated. From this, the number of DA for the period of halt at the place of meeting for which DA at higher rates is admissible, will be allowed. The remaining number of DA will then be calculated at lower rates prescribed in Regulation 19A(b)(ii) above."

(b) * Substituted for the earlier following words and figures:

** "For the entire absence from the place of residence/business, a member will be entitled for daily allowance at the following rates:-
i) For the day(s) of meeting : Rs.150.00 per day

(Amendments made vide Notification published in the Gazette of India, No. 24 Part-III, Section 4, dated 12.8.1995 (deemed to be effective from 6th May, 1994 (File No.NCDC:1-1/94-P&C).

** Substituted for

" i) for each day of the meeting a member will be

(c) Conveyance Allowance:

A member, resident at a place where the meeting of the Committee is held, will not be entitled to travelling and Daily allowance but will be allowed only the actual cost of conveyance $[hire charges.]

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entitled to daily allowance at Rs.75/-* per day.

ii) In addition to the daily allowance for the day(s) of the meeting, a member shall also be entitled to full daily allowance for the day preceding and/or the day following the meeting, if:-

a) he arrives in the forenoon the day preceding the day of the meeting or on an earlier day and/or

b) he departs at 12 noon or in the afternoon of the day following the day of the meeting or on a latter day.

but he will be entitled to only half daily allowance for the day preceding and/or for the day following the meeting, if

a) he arrives at 12 noon or in the afternoon of the day preceding the day of the meeting, and/or

b) he departs in the forenoon of the day following the day of the meeting.

(Amendments made vide Notification published in the Gazette of India, No. 24 Part-III, Section 4, dated 13.6.1992 (deemed to be effective from 13th June, 1992 (File No.NCDC:1-1/78-P&C).

(b)(i)* Substituted for the earlier figures "Rs. 51/-."

(c) $ Substituted for earlier words " hired, subject to a maximum of Rs.50/-** per day." Published in the Gazette of India No.4 (Part -III, Section 4) dated 13.6.1992 w.e.f. 13.6.1992.

(C)** Substituted for the earlier words "Rs.25/- per day" Amendment published in the Gazette of India No.4 (Part-III, Section 4) dated 22.1.1983. Amendment given effect from 22.1.1983.)

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B - Members of Parliament/State Legislatures:

a) Travelling Allowance:

i. Journey by Air: As admissible under Para A, Sub-Para (a) (i)

ii. Journey by Rail: As admissible under Para A, Sub-Para (a) (ii)

Provided that ordinarily a Member of Parliament shall use his free first class railway pass when he travels by rail and in such cases he shall not be entitled to any rail fare except to reimbursement of the difference between the fares of AC-I Class and I Class if he travels by AC-I Class.

iii. Journey by Road: Same as in Para A(a) (iii).

iv. Journey by Steamer: Same as in Para A(a)(iv).

b) Daily Allowance:

When the Parliament/State legislature is/or is not in Session, the member will draw his daily allowance as under:-

MPs:- as applicable under Salary, Allowances & Pension of members of Parliament Act, 1954 or *[Rs.300/-], whichever is more.

MLAs:- as applicable under the payment of Salaries and Allowances and Removal of disqualification Act of the State Legislature or *[Rs.300/-], whichever is more.

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B(b) * Substituted for the earlier words ** "Rs.150/-" Amendment published in the Gazette of India No.4 (Part-III, Section 4) dated 12.8.95. (deemed to be effective from 6th May, 1994(File No.NCDC:1-1/94-P&C).

B(b) ** Substituted for the following words and figures:

"when the Parliament/State Legislature is/or is not in session, the member will draw his daily allowance under the provisions of the Salaries and Allowances of Member of Parliament Act, 1954 or Payment of Salary

C Non-officials other than Members of Corporation Members of Parliament or State Legislatures and Salaried Officers of Government, etc.

A non-official, other than a member of the Corporation or a Member of Parliament or a State Legislature and Salaried Officers of Government, shall be entitled to travelling and daily allowance in accordance with Sub-Paras (a), (b) and (c) under Para A of this Regulation except that he will be entitled to a daily allowance at** ` Rs.75/-' per day and air journey and rail journey by air-conditioned Ist Class shall not ordinarily be admissible provided that the Managing Director may permit such journeys where they are urgent/or necessary in the interest of the Corporation.

D Salaried Officers of Central or State Governments or a Government Company or a Statutory body or any other organisations.

Travelling & Daily Allowance:

A salaried Officer of State Government or Central Government or a Government Company or a statutory body or any other organisation shall be entitled to claim from the Corporation travelling and daily allowance at rates admissible to a first grade officer of the Corporation drawing an equivalent salary.

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and Allowances and Removal of Disqualifications Acts applicable to him as a member of the State Legislature or***`Rs.75/- per day, whichever is more.'

(Amendments made vide Notification published in the Gazette of India, No. 24 Part-III, Section 4, dated 13.6.1992 (deemed to be effective from 13th June, 1992 (File No.NCDC:1-1/78-P&C).

B(b) *** Inserted "or Rs.75/- per day whichever is more"

C ** Substituted for the earlier word "Rs.50/-"

CHAPTER -VI

ADMINISTRATION AND CONDUCT OF AFFAIRS OF THE CORPORATION

20. Expenditure on Administration : The Corporation shall determine from time to time the amount of expenditure on its administration.

21. Powers of Chairman : In matters calling for urgent action, the Chairman may pass any order or perform any act within the competence of the Board provided that any order passed or action taken under this Regulation shall be placed for ratification before the next meeting of the Board.

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22. Managing Director to be Chief Executive Officer: Managing Director shall be the Chief Executive Officer of the Corporation and shall be responsible for the efficient conduct of its affairs.

23. @ [The Managing Director may declare any Group 'A' Officer working under him to be the drawing and disbursing Officer].

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23. @ Substituted for the earlier words "The General Manager shall be the drawing and disbursing Officer." Amendment made vide Notification published in Gazette of India No.44-(Part III Section 4) dated 1.11.1980 (No.1-1/80-Coord.) dated 6.10.1980". The amendment is given effect from 1.11.1980.

24. Powers of the Managing Director: The Managing Director shall exercise such administrative, financial and other powers of the Corporation, as may be delegated to him from time to time by the Board.

25. The Managing Director may redelegate his powers to other officers of the Corporation.

26. Mode of payment : All payments by and on behalf of the Corporation shall except, as authorised by the Managing Director, be made by cheque or bank drafts. The Corporation shall, however,** maintain an imprest of such amount as may be fixed by the Managing Director, from time to time, for the Head Office and each of the Regional/Project Offices for meeting the following types of expenditure:-

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1. Petty contingent expenditure and emergent bills upto Rs.100/- in each case.
2. Postage upto Rs.100/-
3. Tour advances to officers other than Class-I.

27. Common Seal of the Corporation: The Common Seal of the Corporation shall be affixed to an instrument under the orders of the Managing Director and such an instrument shall be signed on behalf of the Corporation by the Managing Director, or an officer authorised by him in presence of two witnesses.

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26. ** Substituted for the earlier words "have an imprest of Rs.1000/- in Head Office and Rs.150/- in each of the Regional Offices. Amendment published in Gazette of India No.8 (Part-III Section 4) dated 19th February, 1983. Amendment given effect from 19.2.1983.

28. Manner and Form in which contracts binding on the Corporation may be executed: Any contract on behalf of the Corporation which is by law required to be in writing shall be signed by the Managing Director or *[Deputy Managing Director] or#[person] authorised by the Board in this behalf.

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28. * Substituted for the earlier words ** "General Manager" Amendment made vide Notification published in the Gazette of India, Part-III, Section-4 dated 6th August, 1988 (deemed to be effective from 6th August, 1988) (File No. NCDC 2-3/88-Admn.)

28. ** Substituted for the earlier words "Secretary". Amendment made vide Notification No. NCDC: 1-1/78-P&C and Published in Gazette of India, Part-III, Section 4, dated 1.9.1979 (deemed to be effective from 24th February, 1979).

28. # Substituted for the earlier words "any other officer". Amendment made vide Notification No. NCDC: 1-1/78-P&C and Published in Gazette of India, Part-III, Section 4, dated 1.9.1979 (deemed to be effective from 1st November, 1979).

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29**.** @ **Plaints, etc., by whom to be signed:** Plaints, written statements, petitions, vakalatnamas, affidavits and such other documents connected with legal proceedings and instruments, like surety, guarantee deed, lease deed, etc., may be signed and verified on behalf of the Corporation by an officer of the Corporation not below the rank of Assistant Director with the prior approval of the Managing Director.

@ Substituted for earlier words "**Plaints, etc., by whom to be signed:** Plaints, written statements petitions, vakalatnamas, affidavit and other documents connected with legal proceedings may be signed and verified on behalf of the Corporation by the *[Deputy Managing Director, Deputy Director (Accounts) or Deputy Director (Administration), with the prior approval of the Managing Director. Besides the above officers, the Regional Directors are also authorized to sign and verify on behalf of the Corporation, the agreements, surety, mortgage and lease deed etc., for loans or advances to the employees of the Corporation working in the Regional or Project Offices under their respective jurisdiction and for hiring of office or residential accommodation by the Corporation subject to the administrative approval of the competent authority.]" Amendment made vide Notification published in Gazette of India No. 34 – (Part III Section 4) dated 7.3.2008 (No. NCDC:1-1/94-P&C dated 25.2.2008. The amendment is given effect from 7.3.2008.

* Substituted for the earlier words "Managing Director or any other officer authorized by the Board in this behalf." Amendment made vide notification No. 1-1/78-P&C and published in the Gazette of India (Part-III, Section 4) dated 13.6.87.

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