No.RCS/Planning/Emp.Cr./No.P.454/2022/ 37

Government of Puducherry

Cooperative Department (Planning Section)

V.V.P.Nagar, Thattanchavady Post, Puducherry – 605009.

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Puducherry dated 2.2.2023

PROCEEDINGS OF THE REGISTRAR OF COOPERATIVE SOCIETIES, PUDUCHERRY

Present: Thiru S. YESVANTHAIYAH
Registrar of Cooperative Societies, Puducherry.

Sub: The Oulgaret Municipality Staff Co-operative Credit Society Ltd., No. P. **454** -Subsidiary regulations governing the creation, maintenance and utilization of Death Benefit Fund for the benefit of the members – Approval – Accorded.

Read: Letter dated **21.11.2022** received from the President of the **Oulgaret** Municipality Staff Co-operative Credit Society Ltd., No. P. 454, along with a copy of **Resolution No. 5 dated 30.09.2021** of the General body meeting.

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ORDER:

In pursuance to the reference cited and in exercise of the powers conferred on me under the bye-laws of the Oulgaret Municipality Staff Co-operative Credit Society Ltd., No. P. 454, I approve the **"Subsidiary regulations governing the creation, maintenance and utilization of Death Benefit Fund for the benefit of the members of the Oulgaret Municipality Staff Co-operative Credit Society Ltd., No. P. 454** framed vide resolution cited. A copy of the said regulations, as approved, is annexed. The said regulations shall take effect from the date of issue of this order.

-/Sd/-
(S. YESVANTHAIYAH)
REGISTRAR OF COOPERATIVE SOCIETIES

To:
The President,
The Oulgaret Municipality Staff Co-operative Credit Society Lt., No. P. 454,
Puducherry.

Copy to:
1) Reference Regulations
2) Web Editor, Cooperative Department
3) Stock File, 2023

-/ By order of the Registrar of Co-op. Societies /-

7/10 **(V. VENCATA SRINIVASSACHARIOLOU)**
DEPUTY REGISTRAR (PLANNING)

Annexure to the Proceedings No.Rcs/Plg/Emp.Cr./Plg/No.P.454/2022/ 37/Dated 02.02.2023

SUBSIDIARY REGULATIONS GOVERNING THE CREATION, MAINTENANCE AND UTILISATION OF DEATH BENEFIT FUND FOR THE BENEFIT OF THE MEMBERS OF THE OULGARET MUNICIPALITY STAFF CO-OPERATIVE CREDIT SOCIETY LIMITED. NO.P.454.

1. **Name:** These regulations shall be called as "Subsidiary regulations governing the creation, maintenance and utilization of Death Benefit Fund for the benefit of the members of the Oulgaret Municipality Staff Co-operative Credit Society Limited.No.P.454".

2. **Commencement:** It shall come into force from the date of its approval by the Registrar of Co-operative Societies, Puducherry.

3. **Definitions:**

   a) **"Committee"** means the committee of management of the society.

   b) **"Fund"** means "Death Benefit Fund" created under these regulations.

   c) **"Legal heir"** means the person(s), who have been declared as the legal heir of the deceased member of the society by the competent legal authority.

   d) **"Loan dues"** means the principal and interest, payable by deceased member of the society towards the loan borrowed from the society, which includes both the overdue and non-overdue loan outstanding and the interest and penal interest payable thereon.

   e) **"Overdue Loan Outstanding"** means the principal, interest and penal interest and other charges outstanding on the date of the death of the member of the society which was not paid in time.

   f) **"Non-overdue Loan Outstanding"** means principal including interest outstanding on the date of the death of the member of the society which is not overdue.

   g) **"Loan"** means the loan borrowed by the deceased member from the society.

   h) **"Member"** means "A" Class member of the society.

   i) **"Registrar"** means the Registrar of Co-operative Societies, Puducherry.

   j) **Regulations"** means the subsidiary regulations governing the creation maintenance and utilization of Members Death Benefit Fund for the benefit of the members of the Oulgaret Municipality Staff Co-operative Credit Society Limited.No.P.454".

   k) **"Society"** means Oulgatert Municipality Staff Co-operative Credit Society Limited.No.P.454".

   l) **"Subscriber"** means a member of the Society, who joins as a subscriber in the Death Benefit Fund created under these regulations.

   m) **"Deceased member"** means a member of the society who borrowed from the society and dies while in service.

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n) **"Surety"** means a member of the society who stood as surety for the loan borrowed by the deceased member.

4. **Objective:** The main objective of these regulations is to write-off the loan dues payable by a deceased member of the society, who borrowed loan(s) from the society, subject to the provisions of these regulations.

5. **Eligibility for membership:** Members of the society, who have loan dues payable to the society or who intend to borrow loan from the society, are entitled to join as a subscriber to the fund on application in form prescribed by the committee.

6. **Subscription to the fund:**

   a) Member, who voluntarily joined as a subscriber to the fund, shall forthwith contribute 1% of his / her existing loan dues or the new loan sanctioned, as the case may be, on the date of joining in the fund as subscription to the fund.

   b) **Subscription by the Society:** The Society may contribute to the fund from the general funds of the society every year as decided by the committee with the approval of the Registrar.

7. **Refund of subscription:** The amount of subscription paid by the members under these regulations will not be refunded to the members of the Society other than death.

8. **Cancellation of membership from the fund:** Any member of the society, who subscribed to the fund and fully repaid his / her loan dues and firmly decided to stop loan borrowings from the society, is not entitled to refund of his / her subscription.

9. **Investment of fund:** Members subscription shall be credited to "Death Benefit Fund" account. Such money can be invested by opening a separate savings account in a bank (s) approved by the Registrar. In bank, the interest received or receivable from bank shall be credited to the fund at the closure of every financial year.

10. **Utilization of fund:** Subject to the provisions of these regulations, the fund shall be utilized by the committee only for following purpose:

    To write-off the loan dues payable by a deceased member of the society, who joined in the fund and subscribed.

11. **Benefit to the deceased member from the fund:** In order to lessen the grief of the family/ surety of the deceased member and subject to the following, the fund shall be utilized to write-off the loan dues of the deceased member:

a) The information about the death of the member shall be placed before the committee and committee shall ensure that the member concerned was deceased.

b) Amount due by the society to the deceased member, such as, share capital contribution, thrift deposit, interest due on deposits, dividend on share capital contribution, etc, shall be adjusted towards the loan dues payable by the deceased member.

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c) The loan dues payable by the deceased member after the above said adjustment shall be taken into consideration to provide benefit under these regulations

d) The maximum amount of write-off shall be **Rs.10,00,000/- (Rupees Ten lakhs only)** or the actual loan dues arrived at under sub-clause (c) above, whichever is less.

e) Write-off shall be made only by making necessary adjustment entries in the books of accounts of the society.

12. **Recovery of loan dues payable by the deceased member:** Amount received by the society from the employer of the deceased member out of the terminal benefits payable to the deceased member, shall be adjusted to clear his / her loan dues. If the deceased member still owes loan dues even after write-off under these regulations and after adjusting the said terminal benefits money, it shall be recovered from the surety and / or the legal heir(s) of the deceased member in accordance with the law in force.

13. **Interpretation and dispute:** If any doubt arises as to the interpretation of any of the provisions laid down in these regulations or any dispute arise between a member of legal heir / surety of the deceased member and the society, it shall be referred to the Registrar for decision and the decision of the Registrar shall be final and binding.

14. **Power to modify or relax:** The committee may, with the approval of the Registrar, modify or relax, alter or amend any of these regulations.

31/10 **(V. VENCATA SRINIVASSACHARIOLOU)**
DEPUTY REGISTRAR (PLANNING)
CO-OPERATIVE DEPARTMENT

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES • PUDUCHERRY •