|  |  |
| --- | --- |
| The Karnataka State Co-operative Urban Banks Federation Ltd., Bengaluru-27  **Amendments to be carried out to the Bye-laws consequent on the amendments to KCS Rules 1960 dated July 29 , 2017** | |
| CHAPTER -1 | |
| **4. INTERPRETATION OF WORDS :**  (31)“Returning officer” means any officer of the State Government or a local authority other than jurisdictional Assistant Registrar/Deputy Registrar/ Joint Registrar of Co-operative Societies appointed as returning officer by the co-operative election authority for conducting the election of the representatives or the general election of the directors of the board or the election of the office-bearers of a co-operative society including elections to fill up a casual vacancy in the office of a representative or a director or an office-bearer. This includes an assistant returning officer performing any of the functions of the returning officer.  (36) New | **4. INTERPRETATION OF WORDS :**  (31)“Returning officer” means any officer of the State Government or a local authority other than jurisdictional registrar as returning officer by the co-operative election authority for conducting the election of the representatives or the general election of the directors of the board or the election of the office-bearers of a co-operative society including elections to fill up a casual vacancy in the office of a representative or a director or an office-bearer. This includes an assistant returning officer performing any of the functions of the returning officer.  (36) **“Jurisdictional Registrar” means the Additional/ Joint/Assistant Registrar as under section 2A of the Act.** |
| **31. REGISTER OF MEMBERS :** The bank shall prepare a list of members in the manner prescribed by the board as on the last day of each co-operative year. The list of members shall be revised on the 15th day prior to the date of the general meeting or the date of election of the board of the bank and shall include members admitted and exclude members removed during the period commencing from the date when the list was last revised ending with the date of the revision of the list. | **31. REGISTER OF MEMBERS :** The bank shall prepare a list of members in the manner prescribed by the board as on the last day of each co-operative year. The list of members shall be revised on the 15th day prior to the date of the general meeting or the date of election of the board of the bank **including casual vacancies** and shall include members admitted and exclude members removed during the period commencing from the date when the list was last revised ending with the date of the revision of the list. |
| **47.VOTING :**  (3) A member who is a defaulter shall not have the right to vote. A member shall be deemed to be a defaulter and shall not have the right to vote at a general meeting / an election of the bank, if he has failed to pay overdue amount of loan or arrears of any kind due to the bank at least 15 days before the date of such meeting /election, after notice of not less than 45 days before the date of such meeting/ election has been given to him; | **47.VOTING :**  (3) A member who is a defaulter shall not have the right to vote. A member shall be deemed to be a defaulter and shall not have the right to vote at a general meeting / an election of the bank, if he has failed to pay overdue amount of loan or arrears of any kind due to the bank at least **30 days** before the date of such meeting /election, after notice of not less than **50 days** before the date of such meeting/ election has been given to him; |
| **53. ELECTION OF OFFICE BEARERS:**  3) A motion of no confidence against an office bearer of the bank may be moved only after two years of his assumption of office. No motion of no confidence shall be moved unless there is a request from not less than one-third of the elected members of the board of the bank. In case, the motion of no confidence is once defeated, a fresh motion shall not be introduced within one year thereafter.  (4) An office bearer of the bank shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed by a majority of two third of the total number of elected directors of the bank at a meeting specially convened for the purpose. The procedure for no confidence motion shall be as prescribed in the Rules. | 53. ELECTION OF THE DIRECTORS OF THE BOARD :  3) A motion of no confidence against an office bearer of the bank may be moved only after two years of his assumption of office.  (i) No motion of no confidence shall be moved unless there is a written notice from not less than one-third of the elected members of the board of the bank.  (ii) The Chief Executive shall send the copy of such notice to the Jurisdictional Registrar within seven days of receipt of notice of no confidence motion.  **(iii) An officer authorized by the Jurisdictional Registrar (authorized officer) shall give a notice to all elected members of the board of not less than 15 clear days of meeting to consider no-confidence motion.**  **(iv) The notice shall clearly state date, time and agenda of the meeting.**  **(v) Notice may be served through hand delivery or through registered post.**  **(vi)The quorum for the meeting shall be number next to fifty percent of the elected members of the board. The members attending the meeting shall sign the book kept for the purpose before commencement of the meeting. The authorized officer shall preside over the meeting. If within half an hour after the time fixed for the meeting, the quorum is not formed, the meeting shall stand cancelled.**  **(vii)The meeting called for the purpose of considering no-confidence motion shall not be adjourned for any reason.**  **(viii) As soon as the meeting commences, the authorized officer shall readout to the board the no-confidence motion and the motion shall be put to vote without any debate.**  **(ix)The votes shall be taken by secret ballot.**  **(x)If the no-confidence motion is carried with the support of not less than 2/3rd of the elected members present in the meeting, the authorized officer shall declare the result. The proceedings shall be displayed in the notice board and communicated to the Jurisdictional Registrar.**  **(xi)Immediately after the no-confidence motion is carried, the office bearer or bearers as the case may be shall not discharge any function and shall be deemed to have vacated his or their office forthwith.**  **(xii)The Chief Executive shall take action for election of office bearers as per Sec 29E and 29F. The person/persons so elected shall hold office for residual term of his/their predecessor/s.**  **(xiii)** In case, the motion of no confidence is once defeated, a fresh motion shall not be introduced within one year thereafter.  **(xiv) The Quorum for the meeting of the board conveyed for election of office bearers including casual vacancy shall be next to fifty percent of the strength of the board.**  (**4) Deleted** |
| **68. CONDITIONS OF SERVICE OF THE EMPLOYEES OF THE BANK :-**  **(1) Appointment by direct recruitment –**  **(a) :** The board of the bank shall follow a transparent procedure like conducting a written test, an aptitude test and an interview of the candidates for making an appointment to any post by direct recruitment. The board shall call for applications from the eligible candidates by notifying the same in two newspapers of which one shall be in Kannada having wider circulation in the area of operation of the bank. The board shall entrust the entire process of conduct of written test to Karnataka Examination authority, Indian institute of management, Institute of Social and economic change and such other external reputed institution, in the interest of ensuring transparency, professionalism and objectivity in recruitment.  Provided that this restriction shall not apply:-   1. to the appointment of an officer whose services have been lent by the Government or any commercial bank or any other higher co-operative bank or any other reputed institution related to the banking field;   (ii) to the filling up of a post on compassionate grounds;  (iii) to the filling up of a post through campus placement in reputed Management institutions approved by the Registrar.  (iv) to an appointment on contract basis in the exigency of service of the bank for a period not ordinarily exceeding eleven months;  (b)Five member committee consisting of President, one director, Registrar or his nominee, one expert with experience in the field of co-operation and banking to be nominated by the board and Chief Executive shall be constituted for conducting direct recruitment. The President will preside over the committee and Chief Executive will act as secretary. The quorum for meeting will be three.  **(c)** The marks obtained in the written test conducted by the external agency shall be reduced to 85% and the aptitude test and the interview shall carry 15 marks and a merit list of the candidates shall be prepared based on the total of the marks obtained in the written test reduced to 85% and the marks obtained in the aptitude test and the interview. A select list shall be prepared following the reservation policy to the extent applicable on the basis of the merit list.  **(2) Age limit for appointment by direct recruitment -** (a) Every candidate for appointment by direct recruitment to any post in the services of the bank must have attained the age of eighteen years and not attained the age of :-   1. forty years in the case of a person belonging to any of the Scheduled Castes or Scheduled Tribes or Backward Tribes;   (ii) thirty eight years in the case of a person belonging to any of the Backward Castes or Backward communities;  (iii)thirty five years in the case of others  on the last date fixed for the receipt of application or on such other date as may be specified by the Appointing authority or the Recruitment Committee, as the case may be.  Provided that this restriction shall not apply to a person appointed on contract basis or to a person who is already in the service of any co-operative society, if his age at the time he entered such service was in accordance with the rules then in force applicable to the area concerned.  **(4) Age of retirement -** The date of retirement on superannuation of an officer or employee of the bank is the date on which he attains the age of sixty years. If an employee attains the age of superannuation on any day after the first day of a month but before the last day of the month bank may permit him to retire on last day of the month. However, the board of the bank may permit an employee to retire voluntarily on any date after he attains the age of fifty years if he makes a written representation to that effect.  **(8) Transfer and Promotion -** (1) An employee who has the minimum qualification prescribed for recruitment to a post and who has put in a satisfactory service of at least five years in that post shall be eligible for being considered for promotion to the higher post as per cadre and recruitment rules of the bank.  Provided that no employee of the bank shall be promoted to the next higher post, if he has not successfully completed a short term training programme/course conducted by the following institutions on the subject which is relevant to the objects/activities of the bank:-  Regional Institute of Co-operative Management, Bengaluru or Karnataka Institute of Co-operative Management (a unit of Karnataka State Co-operative Federation) or National Institute of Rural Banking, Bengaluru or Vaikunt Mehta Institute of Co-operative Management, Pune  Provided further that each employee of the bank shall be deputed by the board for a short term training programme conducted by the institutions mentioned above or any other institutions approved by the Registrar once in three years and no exemption shall be granted by the board in attending and completing the training;  Provided also that no annual increment shall be sanctioned to the employee, if he has not attended the training programme.  (2) The chief executive or any other competent authority may transfer an employee from one post to another post but a minimum tenure of at least three years in a post shall be ensured while considering for transferring an employee except where the employee is charged with committing serious / grave irregularities like misappropriation or embezzlement of funds, fraud, misclassification of accounts etc., | **68. CONDITIONS OF SERVICE OF THE EMPLOYEES OF THE BANK :-**  **(1) Appointment by direct recruitment –**  **(a) :** The board of the bank shall follow a transparent procedure like conducting a written test, and an interview of the candidates for making an appointment to any post by direct recruitment. **The board shall call for applications from the eligible candidates by notifying the same in two Kannada newspapers and in an English newspaper having wider circulation in the area of operation of the bank. For recruitment of posts of Second Division Assistant and above the written test shall carry 200 marks consisting of Kannada language for 50 marks, General English for 25 marks, General knowledge for 25 marks, Co-operation matters for 50 marks, Constitution of India for 25 marks and subject relevant to the objectives and activities of the bank for 25 marks. For recruitment to the post of Computer Programmer, Data Entry Operator, Stenographer and Typist, instead of subjects like Constitution of India, Co-operation matters and activities related to bank, Computer test and Shorthand or typing test for 100 marks may be conducted.**  **The candidates shall be called upon to take written test in the ratio of 1:20 of the total notified posts, based on the percentage of marks obtained in the qualifying examinations prescribed for posts. The candidates successful in the written test shall be called for interview in the ratio of 1:5 based on percentage of marks obtained in the written test.** The board shall entrust the entire process of conducting written test to Karnataka Examination authority, Indian institute of management, Institute of Social and economic change and such other external reputed institution, in the interest of ensuring transparency, professionalism and objectivity in recruitment.  Provided that this restriction shall not apply:-   1. **to the appointment of an officer whose services have been lent by the Government;**   (ii) to the filling up of a post on compassionate grounds;  (iii) **Deleted**  (iv) **to engage with the approval of the Registrar Second division Assistant or equivalent and below cadre posts on outsource basis in the exigency of service of the bank for a period not ordinarily exceeding eleven months.**  (b)Five member committee consisting of President, one director, Registrar or his nominee, one expert **other than the director of the bank** with experience in the field of co-operation and banking to be nominated by the board and Chief Executive shall be constituted for conducting direct recruitment. The President will preside over the committee and Chief Executive will act as secretary. The quorum for meeting will be three **including Registrar or his nominee**.  **(c)** The marks obtained in the written test conducted by the external agency shall be reduced to 85% and the aptitude test and the interview shall carry 15 marks and a merit list of the candidates shall be prepared based on the total of the marks obtained in the written test reduced to 85% and the marks obtained in the aptitude test and the interview. A select list shall be prepared following the reservation policy to the extent applicable on the basis of the merit list.  (d) **For recruitment to the post of Drivers and Group –D services, the candidates shall be called upon for interview in the ratio of 1:5 based on the percentage of marks in the qualifying examination prescribed for the posts. The marks obtained in the qualifying examination shall be reduced to 85% and interview shall carry 15 percent of marks.**  **(e) No process of recruitment shall be initiated during the last three months immediately prior to the expiry of terms of office of the board.**  **(2) Age limit for appointment by direct recruitment -** (a) Every candidate for appointment by direct recruitment to any post in the services of the bank must have attained the age of eighteen years and not attained the age of :-   1. forty years in the case of a person belonging to any of the Scheduled Castes or Scheduled Tribes or **Category -1 of other Backward classes**;   (ii) thirty eight years in the case of a person belonging to any of the other Backward classes or;  (iii)thirty five years in the case of others  on the last date fixed for the receipt of application. Provided that this restriction shall not apply to a person appointed on contract basis or to a person who is already in the service of any co-operative society, if his age at the time he entered such service was in accordance with the rules then in force applicable to the area concerned.  **(4) Age of retirement -** **The date of retirement on superannuation of an officer or employee of the bank shall be the last day of the month in which he attains the age of sixty years. However, if the date of birth of an employee or officer is the first day of the month he will retire in the afternoon of the last day of the month preceding the month in which he attains the age of 60 years.** **An employee can opt for voluntary retirement from service of the bank after he completes fifteen years of satisfactory service or attains the age of fifty years, provided a scheme of voluntary retirement is provided in the bye-laws of the bank.**  **(8) Transfer and Promotion -** (1) An employee who has the minimum qualification prescribed for **direct** recruitment to a post **currently held by him** and who has put in a satisfactory service of at least five years in that post shall be eligible for being considered for promotion to the higher post as per cadre and recruitment rules of the bank.  Provided that no employee of the bank shall be promoted to the next higher post, if he has not successfully completed **Higher Diploma in Co-operative management( HDCM)/Diploma in Co-operative Banking Management ( DCBM)/Diploma in Urban Co-operative Banking Management( DUCBM)/ General Diploma in Co-operative Management (GDC)/ Diploma in Co-operative Management(DCM) conducted by the recognized Institutes.**  **Provided further that each employee of the bank shall be deputed by the board for above training programme and no exemption shall be granted by the board in attending and completing the training;**  Provided also that no annual increment shall be sanctioned to the employee, if he has not attended the training programme.  (2) The chief executive or any other competent authority may transfer an employee from one post to another post but a minimum tenure of at least three years in a post shall be ensured while considering for transferring an employee except where the employee is charged with committing serious / grave irregularities like misappropriation or embezzlement of funds, fraud, misclassification of accounts etc., |

Prepared by Sudhakar Bhat, Amendments are marked in **BOLD** letters.