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**THE WAREHOUSING CORPORATION
ACT, 1962**

THE WAREHOUSING CORPORATIONS ACT, 1962

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THE SCHEDULE

THE WAREHOUSING CORPORATIONS ACT, 1962

No. 58 of 1962

An Act to provide for the Incorporation and Regulation of Corporations for the purpose of Warehousing of Agricultural Produce and certain other commodities and for matters connected therewith.

[19th December, 1962]

Be it enacted by Parliament in the Thirteenth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Warehousing Corporations Act 1962¹ short title, extent and commencement
- (2) It extends to the whole of India.²
- (3) It shall come into force on such date^{2a} as the Central Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires, — Definitions
- (a) "agricultural produce" means any of the following classes of commodities, namely :-
- (i) foodstuffs, including edible oil-seeds;
 - (ii) cattle fodder, including oil-cakes and other concentrates;
 - (iii) raw cotton, whether ginned or un ginned, and cotton seed;
 - (iv) raw jute; and
 - (v) vegetable oils;
- (b) "appropriate Government" means in relation to the Central Warehousing Corporation, the Central Government, and in relation to a State Warehousing Corporation, the State Government;
- (c) "Central Warehousing Corporation" means the Central Warehousing Corporation established under section 3;

¹This Act has been supplemented by the Warehousing Corporations (Supplementary) Act, 1965 (20 of 1965).

²The words "except the state of Jammu & Kashmir omitted by Act No 37 of 1989"

^{2a}18th March, 1963; vide G.S.R. 463, dated 16-3-1963, see Gazette of India, Extraordinary, Pt. II, Sec. 3(i), p. 155.

(d) "co-operative society" means a society registered or deemed to be registered under the Co-operative Societies Act, 1912, or under any other law with respect to co-operative societies for the time being in force in any State, which is engaged in the processing, marketing, storage, export or import of agricultural produce or any notified commodity or in insurance business and includes a co-operative land mortgage bank;

³[(dd) "nationalised bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of undertakings) Act, 1970;] "of a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980"

(e) "notified commodity" means any commodity (other than agricultural produce) which the Central Government may, by notification in the official Gazette, declare to be a notified commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III in the Seventh Schedule to the constitution;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "recognised association" means an association which is for the time being recognised by the Central Government under section 6 of the Forward contracts (Regulation) Act, 1952;.

(h) "Reserve Bank" means the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934;

(i) "schedule Bank" means a bank for the time being included in the Second Schedule to the Reserve Bank of India Act, 1934³, and includes a nationalised bank];

(j) "State Bank" means the State Bank of India constituted under the State Bank of India Act, 1955;

(k) "State Warehousing Corporation" means a Warehousing Corporation for a State established or deemed to be established under this Act;

(l) "Warehousing Corporation" means a Warehousing Corporation established or deemed to be established under this Act; and

(m) "Year" means the financial year.

2A. "Any reference in this Act to any Law which is not in force,

³ Ins by Act 42 of 1976, s. 2.

⁴The words "of a corresponding Act 1980" inserted by Act No. 37 of 1989."

or any functionary not in existence, in any State, shall, in relation to that state, be construed as a reference to the corresponding Law in force, or the corresponding functionary in existence, in that state"¹

CHAPTER II

THE CENTRAL WAREHOUSING CORPORATION

3. (1) With effect from such date² as the Central Government may, by notification in the Official Gazette, specify in this behalf, the Central Government shall establish a Corporation by the name of the Central Warehousing Corporation which shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract, and may, by the said name, sue and be sued.

THE CENTRAL
WAREHOUSING
CORPORATION

(2) The head-office of the Central Warehousing Corporation shall be at New Delhi³[or at such other place as the Central Government may, by notification in the Official Gazette, specify].

4. (1) The authorized share capital of the Central Warehousing Corporation shall be twenty crores of rupees divided into two hundred thousand shares of the face value of one thousand rupees any shares remaining to be issued may be issued, with the sanction of the Central Government from time to time, as and when the Central Warehousing Corporation may deem fit

SHARE
CAPITAL AND
SHAREHOLD-
ERS

⁴[Provide that the Central Government may, from time to time, by order notified in the Official Gazette, increase the authorized share capital of the Central Warehousing Corporation to such extent and in such manner as that Government may determine.]

(2) ⁵[The Central Government shall, after due appropriation made by Parliament by law for the purpose,] subscribe for forty per cent. of the share capital issued at any time and the remaining Sixty percent of the share capital may be subscribed for, within such period and in such proportion as may be specified by the Central Government, by the following institutions, namely :-

- (a) the State Bank;
- (b) other scheduled banks;
- (c) co-operative societies;

Ins. by Act 37 of 1989

²18th March, 1963, vide G.S.R. 464, dated 16-3-1963, see Gazette of India, Extraordinary, Pt. II, Sec. 3(i), p 155.

³Ins. by Act 34 of 1963, s. 2.

Ins. by Act 42 of 1976, s. 3.

⁵Subs. by s. 3, ibid.

(d) Insurance companies, investment trusts and other financial institutions;

(e) recognized associations and companies dealing in agricultural produce or any notified commodity.

(3) If any portion of the sixty per cent. of the share capital referred to in sub-section (2) remains unallotted, it may be subscribed for by the Central Government and the State Bank in such proportion as may be agreed upon between them and in default of such agreement, as may be determined by the Central Government.

(4) The shares of the Central Warehousing Corporation shall not be transferable except to the Central Government [the State Bank or any other scheduled bank], any insurance company, any investment trust or other financial institution or any co-operative society or any recognised association or company dealing in agricultural produce or any notified commodity, in accordance with the regulations made by the Central Warehousing Corporation under this Act.

Shares to be guaranteed by Central Government and to be trust or approved securities.

5. (1) The shares of the Central Warehousing Corporation shall be guaranteed by the Central Government as to the repayment of the Principal and the payment of the annual dividend at such minimum rate as may be fixed by the Central Government, by notification published in the official Gazette, at the time of the issue of the shares.

(2) Notwithstanding anything contained in the Acts mentioned in this sub-section, the shares of the Central warehousing Corporation shall be deemed to be included among the securities enumerated in section 20 of the Indian Trusts Act, 1882, and also to be approved securities for the purpose of the Insurance Act, 1938 and the Banking Companies Act, 1949.

Management of Central Warehousing Corporation

6. (1) The general superintendence and management of the affairs and business of the Central Warehousing Corporation shall vest in a board of directors who, with the assistance of an Executive Committee and a managing director, may exercise all the powers and discharge all the functions which may be exercised or discharged by the Central Warehousing Corporation under this Act,

(2) The board of directors shall act on business principles having regard to public interest and shall be guided by such instructions on questions of policy as may be given to them by the Central Government.

(3) If any doubt arises as to whether a question is or is not a question of policy, the decision of the Central Government shall be final.

7. (1) The board of directors referred to in section 6 shall consist of the following, namely :-

Directors.

- (a) six directors to be nominated by the Central Government;
- (b) one director to be nominated by the National Co-operative Development Corporation established under the National Co-operative Development Corporation Act, 1962;
- (c) one director to be nominated by the State Bank;
- (d) one director to be elected by other scheduled banks;
- (e) one director to be elected by co-operative societies;
- (f) one director to be elected by insurance companies, investment trusts and other financial institutions, recognised associations and companies dealing in agricultural produce or notified commodities;
- (g) a managing director, appointed by the Central Government in consultation with the directors referred to in clause (a) to (f) :

Provided that the three directors to be elected under clauses (d), (e) and (f) may, for the first constitution of the board of directors, be nominated by the Central Government in such manner as to give representation to each class of institutions (whether they have become shareholders of the Corporation or not) referred to in those clauses, but a director so nominated shall hold office only until he is replaced by a director elected as provided in that clause, and the director so elected shall hold office only for so long as the director replaced would have held office had he not been replaced.

(2) The directors referred to in clauses (d), (e) and (f) of sub-section (1) shall be elected in the prescribed manner.

(3) If, within the period prescribed in this behalf, or within such further period as the Central Government may allow, the institutions referred to in clause (d) or clause (e) or clause (f) of sub-section (1) fail to elect a director, the Central Government may nominate a director to fill the vacancy.

(4) The board of directors shall have a Chairman and a Vice-Chairman who shall be appointed by the Central Government from among the directors.

(5) The managing director shall-

(a) exercise such power and perform such duties as the

Disqualification
for office of
director of the
Central
Warehousing
Corporation.

board of directors or the Central Warehousing Corporation may entrust or delegate to him; and

(b) receive such salary and allowances as the Central Warehousing Corporation may, with the approval of the Central Government, fix.

(6) The directors of the Central Warehousing Corporation other than the managing director shall be entitled to receive by way or remuneration such sums as the Central Warehousing Corporation may, with the approval of the Central Government, fix :

Provided that no official director shall be entitled to receive any remuneration other than the allowances, if any, admissible to him under the rules regulating his conditions of service.

(7) The term of office of, any the manner of filling casual vacancies among the directors shall be such as may be prescribed.

8. A person shall be disqualified for being chosen as, and for director of the Central Warehousing Corporation-

- (j) if he is found to be a lunatic or becomes of unsound mind; or
- (ii) if he is, or at any time has been, adjudicated insolvent or has suspended payment of his debts or has compounded with his creditors; or
- (iii) if he is or has been convicted of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months, unless a period of five years has elapsed from the date of expiry of the sentence; or
- (iv) if he has been removed or dismissed from the service of Government or a Corporation owned and controlled by the Government; or
- (v) except in the case of the managing director, if he is a salaried official of the Central Warehousing Corporation or any State Warehousing Corporation; or
- (vi) if he is personally interested in any subsisting contract made with, or in any work being done for the Central Warehousing Corporation except as a shareholder (other than a director) in any public company as defined in the Companies Act, 1956 :

Provided that where any such person is a shareholder, he shall disclose to the Central Warehousing Corporation the nature and extent of shares held by him in such company.

9. (1) The Central Government may, at any time in consultation with the Central Warehousing Corporation, remove the managing director after giving him a reasonable opportunity of from office showing cause against the proposed removal. Removal of directors from office

(2) The board of directors may remove from office any director who—

(a) is or has become subject to any of the disqualification mentioned in section 8; or

(b) is absent without leave of the board of directors for more than three consecutive meetings of the board without cause sufficient in the opinion of the board, to exonerate his absence.

10. (1) The Central Warehousing Corporation may appoint such officers and other employees as it considers necessary for the efficient performance of its functions Appointment of officers, etc., and their conditions of service

(2) Every person employed by the Central Warehousing Corporation under this Act shall be subject to such conditions of service and shall be entitled to such remuneration as may be determined by regulations made by the Corporation under this Act.

11. Subject to the provisions of this Act, the Central Warehousing Corporation may - Functions of Central Warehousing Corporation.

(a) acquire and build godowns and warehouses at such suitable places in India as it thinks fit;

(b) run warehouses for the storage of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities offered by individuals, co-operative societies and other institutions;

(c) arrange facilities for the transport of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities to and from warehouses;

(d) subscribe to the share capital of a State Warehousing Corporation;

(e) act as agent of the Government for the purposes of the purchase, sale,

(f) storage and distribution of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities; and

(g) carry out such other functions as may be prescribed.

12. (1) There shall be an Executive Committee of the Central Warehousing Corporation which shall consist of - Executive Committee

Meetings of the Corporation

- (a) the Chairman and the Vice-Chairman of the board of directors;
 - (b) the managing director; and
 - (c) two other directors chosen by the Corporation in the prescribed manner.
- (2) The Chairman and the Vice-Chairman of the board of directors shall be the Chairman and the Vice-Chairman respectively of the Executive committee.
- (3) Subject to the General control, direction and superintendence of the board of directors, the Executive Committee shall be competent to deal with any matter within the competence of the Central Warehousing Corporation.

13. (1) The annual general meeting of the Central Warehousing Corporation (hereinafter referred to as the annual general meeting) shall be held every year either at its head-office or at any other office of the Corporation within six months of the close of the financial year, and any other general meeting may be convened by the board of directors at any other time.

(2) The shareholders present at the annual general meeting shall be entitled to discuss the annual accounts, the report of the board of directors on the working of the Corporation during the year under report, as well as the auditor's report on the annual balance sheet and accounts.

(3) The board of directors of the Central Warehousing Corporation shall, on the requisition of one-third of the number of shareholders of the Corporation, call a special meeting of the Corporation.

(4) The requisition for a special meeting under sub-section (3) shall state the object of the meeting, and shall be signed by the requisitioners and deposited at the head-office of the Corporation, and may consist of several documents in like form each signed by one or more requisitioners.

(5) If the board of directors of the Central Warehousing Corporation do not proceed within twenty-one days from the date of the requisition being so deposited to cause the special meeting to be called, the requisitioners, or a majority of them, may, themselves call the meeting, but in either case, the meeting so called shall be held within three months from the date of the deposit of the requisition.

(6) The Central Warehousing Corporation shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at meetings) as may be provided by regulations made by the Central Warehousing Corporation under this Act.

14. (1) The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Central Warehousing Corporation for the purposes of either fund maintained by the Corporation - Grants and loans by the Central Government.

(a) by way of grants, such sums of money as the Central Government may consider necessary; and

(b) by way of loans, such sums of money on such terms and conditions as the Central Government may determine.

(2) When making a payment under sub-section (1), the Central Government shall specify the fund for the purposes of which the payment is made.

15. The Central Warehousing Corporation shall maintain two separate funds, namely :- Corporation to maintain two

(a) the Central Warehousing Fund (hereinafter referred to as the Warehousing Fund); and funds.

(b) the General Fund.

16. (1) To the Warehousing Fund shall be credited-

Warehousing fund.

(a) all moneys and other securities transferred to the Central Warehousing Corporation under clause (c) of sub section (2) of section 43;

(b) such grants and loans as the Central Government may make for the purposes of the Warehousing Fund; and

(c) such sums of money as may, from time to time, be realized out of the loans made from the Warehousing Fund or from interest on loans or dividends on investments made from that fund.

(2) The Warehousing Fund shall be applied—

(a) for advancing loans to State Government on such terms and conditions as the Central Warehousing Corporation may deem fit for the purpose of enabling them to subscribe to the share capital of State Warehousing Corporations;

(b) for advancing loans and granting subsidies to State Warehousing Corporations or to State Governments on such terms and conditions as the Central Warehousing Corporation may deem fit for the purpose of promoting the warehousing and storage of agricultural produce and notified commodities otherwise than through co-operative societies;

General Fund

[(c) for meeting the expenses incurred in relation to the training of personnel, or publicity and propaganda, for the purpose of promoting warehousing and storage of agricultural produce and notified commodities;

(d) for meeting the expenses, including the salary, allowances and other remuneration of the officers and other employees, incurred in relation to the administration of the Warehousing Fund.]

17. (1) To the Central Fund shall be credited-

(a) all sums received by the Central Warehousing Corporation other than those referred to in sub-section (1) of section 16; and

(b) such grants and loans as the Central Government may make for the purposes of the General Fund.

(2) The General Fund shall be applied -

(a) for meeting the salary, allowances and other remuneration of the officers and other employees of the Central Warehousing Corporation;

(b) for meeting the other administrative expense of the Corporation; and

(c) for carrying out the purposes of this Act:

²[Provided that the General Fund shall not be applied for meeting the expenses referred to in clause (c) or clause (d) of sub-section (2) of section 16.]

CHAPTER III STATE WAREHOUSING CORPORATIONS

State Ware-
housing Cor-
poration

18. (1) The State Government may, by notification in the official Gazette and with the approval of the Central Warehousing Corporation, establish a warehousing Corporation for the State under such name as may be specified in the notification.

(2) A State Warehousing Corporation established under sub section (1) shall be a body corporate by the name notified under that sub-section, having perpetual succession and a common seal, with power to acquire, hold and dispose of property and to contract, and may, by the said name, sue and be sued.

(3) The head-office of a State Warehousing Corporation shall

¹Ins. by Act 42 of 1976, s.

4. ²Ins. by s. 5, *ibid*.

be at such place within the State as may be notified in the Official Gazette.

(4) Notwithstanding anything contained in sub-section (1), (2) and (3), it shall not be necessary for the State Government to establish a Corporation under sub-section (1) where, under clause (g) of sub-section (2) of section 43, a Corporation is deemed to be established for that State under this Act

19. (1) The authorised capital of a State Warehousing Corporation shall be such sum not exceeding two crores of rupees as may be prescribed, divided into shares of the face value of one hundred rupees-each, of which such number as may be determined by the Corporation in consultation with the State Government shall be issued in the first instance and the remaining shares may be issued, from time to time, as and when the Corporation may deem fit after consultation with the Central Warehousing Corporation and with the sanction of the State Government:

¹ [Provided that in respect of any State Warehousing Corporation the Central Government may, after consultation with the State Government concerned, from time to time and by order notified in the Official Gazette, increase the maximum limit of the authorised capital aforesaid to such extent and in such manner as the Central Government may determine.]

(2) .Of the share capital issue in the first instance and of any subsequent issue of such capital, the Central Warehousing Corporation shall, in any case where the State Government has subscribed for fifty per cent. of such capital subscribe for the remaining fifty per cent. of the capital.

20. (1) The general superintendence and management of the affairs of a State Warehousing Corporation shall vest in a board of directors which shall consist of the following, namely :-

(a) five directors nominated by the Central Warehousing Corporation, of whom one shall be nominated in consultation with the State Bank and one at least shall be a non-official;

(b) five directors nominated by the State Government; and a managing director, appointed by the State Government in consultation with the directors referred to in clause (a) and (b) and under intimation to the Central Warehousing Corporation.

(2) the Chairman of the board of directors shall be appointed

Shares capital and shareholders.

Management of a State Warehousing Corporation.

by the State Government from among the directors of the State Warehousing Corporation under intimation to the Central Warehousing Corporation.

(3) The managing director shall-

(a) exercise such powers and perform such duties as the board of directors or the State Warehousing Corporation may entrust or delegate to him; and

(b) receive such salary and allowances as the State Warehousing Corporation may, in consultation with the Central Warehousing Corporation, and with the previous approval of the State Government, fix.

(4) The board of directors shall act on business principles having regard to public interest and shall be guided by such instructions on questions of policy as may be given to them by the State Government or the Central Warehousing Corporation.

(5) If any doubt arises as to whether a question is or is not a question of policy, or, if the state Government and the Central Warehousing Corporation give conflicting instructions, the matter shall be referred to the Central Government whose decision thereon shall be final.

(6) The directors of a State Warehousing Corporation, other than the managing director, shall be entitled to receive by way of remuneration such sums as may be prescribed :

Provided that no official director shall be entitled to receive any remuneration other than any allowances admissible to him under the rules regulating his conditions of service.

(7) The term of office of, and the manner of filling casual vacancies among, directors shall be such as may be prescribed.

Disqualification
for office of
director of the
Corporation

21. A person shall be disqualified for being chosen as, and for being a director of a state Warehousing Corporation -

(i) if he is found to be a lunatic or becomes of unsound mind; or

(ii) if he is, or at any time has been, adjudicated insolvent or has suspended payment of his debts or has compounded with his creditors; or

(iii) if he is or has been convicted of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months, unless a period of five years has elapsed from the date of expiry of the sentence; or

(iv) if he has been removed or dismissed from service of Government or a corporation owned and controlled by the Government; or

v) except in the case of the managing director, if he is a salaried official of the Central Warehousing Corporation or a State Warehousing Corporation; or

(vi) if he is personally interested in a subsisting contract made with, or in any work being done for, the State Warehousing Corporation except as a shareholder (other than a director) in any public company as defined in the Companies Act, 1956 :

Provided that where any such person is a shareholder, he shall disclose to the Warehousing Corporation the nature and extent of the shares held by him in such company.

22. (1) The State Government may, at any time, with the previous approval of the Central Warehousing Corporation, remove the managing director from office after giving him a reasonable opportunity of showing cause against the proposed removal. Removal of directors from office

(2) The board of directors may remove from office any director who-

(a) is or has become subject to any of the disqualifications mentioned in section 21; or

(b) is absent without leave of the board of directors for more than three consecutive meetings of the board without cause sufficient, in the opinion of the board, to exonerate his absence.

23. (1) A State Warehousing Corporation may appoint such officers and other employees as it considers necessary for the efficient performance of its functions. Appointment of officers, etc., and their conditions of service

(2) Every person employed by a State Warehousing Corporation under this Act shall be subject to such conditions of service and shall be entitled to such remuneration as may be determined by regulations made by the Corporation under this Act.

24. Subject to the provisions of this Act, a State Warehousing Corporation may -

(a) acquire and build godowns and warehouses at such places within the state as it may with the previous approval of the Central Warehousing Corporation, determine; Functions of the State Warehousing Corporation.

(b) run warehouses in the State for the storage of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities;

(c) arrange facilities for the transport of agricultural produce, seeds, manures, fertilizers, agricultural imple-

merits and notified commodities to and from warehouses;

- (d) act as an agent of the-Central Warehousing Corporation or of the Government for the purposes of the purchase, sale, storage and distribution, of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities; and
- (e) carry out such other functions as may be prescribed.

Executive
Committee

25. (1) There shall be an Executive Committee of a State Warehousing Corporation which shall consist of -

(a), the Chairman of the board of directors;

(b) the managing director; and

(c) three other directors chosen in the prescribed manner, of whom one shall be a director referred to in clause

(a) of sub-section (1) of section 20.

Submission of
programme of
activities and
financial
estimates.

(2) The Chairman of the board of directors shall be the Chairman of the Executive committee.

(3) Subject to any general or special directions as the board of directors may from time to time, give, the Executive Committee shall be competent to deal with any matter within the competence of the State Warehousing Corporation

CHAPTER IV FINANCE, ACCOUNTS AND AUDIT

26. (1) Every Warehousing Corporation shall prepare before the commencement of each year a statement of programme of its activities during the forthcoming year as well as a financial estimate in respect thereof.

(2) A statement prepared under sub-section (1) shall, not later than three months before the commencement of each year, be submitted for approval -

(a) in the case of the Central Warehousing Corporation, to the Central Government;

(b) in the case of a State Warehousing Corporation, to the Central Warehousing Corporation and the State Government.

(3) The statement and the financial estimate of a Warehousing Corporation referred to in sub-section (1) may, with the approval of the Central Government in the case of the Central Warehousing

Corporation, or with the approval of the Central Warehousing Corporation and the State Government in the case of a State Warehousing Corporation, be revised by the Warehousing Corporation.

27. (1) A Warehousing Corporation may, in consultation with the Reserve Bank and with the previous approval of the appropriate Government, issue and sell bonds and debentures carrying interest for the purpose of raising funds :

Borrowing
Powers of
Warehousing
Corporation.

Provided that the total amount of bonds and debentures issued and outstanding and of the other borrowings of the Corporation shall not at any time exceed ten times the amount of the paid-up share capital and the reserve fund of the Corporation.

(2) A Warehousing Corporation may, for the purpose of carrying out its functions under this Act, borrow money -

(i) from the Reserve Bank, or

(ii) from the State Bank, for such periods for which, and upon any of the securities against which, it is authorised to advance and lend moneys, under the provisions of the State Bank of India Act, 1955, or]

²[(iii) from any nationalised bank or,

(iv) from such insurance company, investment trust or other financial institution as may be approved by the Central Government in this behalf.]

(3) Subject to the proviso to sub-section (1), the Central Warehousing Corporation may borrow money from the Central Government and a State Warehousing Corporation may borrow money from the State Government and the Central Warehousing Corporation on such securities and on such terms and conditions as may be agreed upon between the borrowing corporation and the lender, in each case.

(4) The bonds and debentures of a Warehousing Corporation may be guaranteed by the appropriate Government as to the repayment of principal and the payment of interest at such rate as may be fixed by the appropriate Government on the recommendation of the board of directors of the Corporation at the time the bonds or debentures are issued.

28. All moneys belonging to a Warehousing Corporation shall be deposited in the Reserve Bank or the State Bank ³[or any nationalized bank] or subject to any rules made under this Act, in ⁴any

Deposit
account.

other schedule bank] or co-operative bank.

Investment of funds 29. A Warehousing Corporation may invest its funds in the securities of the Central or any State Government or in such other manner as may be prescribed by the appropriate Government.

Disposal of profits. 30. (1) Every Warehousing Corporation shall establish a reserve fund out of its annual net profits.

(2) After making provision for bad and doubtful debts, depreciation on assets and all other matters which are usually provided for by companies registered and incorporated under the Companies Act, 1956, a Warehousing Corporation may, out of its net annual profits, declare a dividend :

Accounts and audit of Warehousing Corporation. Provided that for so long as the reserve fund is less than the paid-up share capital of the Central Warehousing Corporation and until there has been repaid to the Central Government such sum, if any, as that Government may have paid under a guarantee given in pursuance of sub-section (1) of section 5 or subsection (4) of section 27, the rate of such dividend, in the case of the Central Warehousing Corporation, shall not exceed the rate guaranteed by the Central Government under sub-section (1) of section 5.

31. (1) Every Warehousing Corporation shall maintain proper *accounts and* other relevant records and prepare an annual statement of accounts including the profit and loss account and the balance sheet in such form as may be prescribed :

Provided that, in the case of the Central Warehousing Corporation, the accounts relating to the Warehousing Fund and the General Fund shall be maintained separately.

(2) The accounts of a Warehousing Corporation shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956.

(3) The said auditor shall be appointed by the appropriate Government on the advice of the Comptroller and Auditor-General of India.

(4) The auditor shall be supplied with a copy of the annual balance sheet and the profit and loss account of the Warehousing Corporation and it shall be his duty to examine them together with the accounts and vouchers relating thereto, and he shall have a list delivered to him of all books kept by the Corporation and shall at all reasonable times have access to the books, accounts and other documents of the Corporation and may require from any officer of the Corporation such information and explanations as the auditor may think necessary for the performance of his duties as auditor

(5) The auditor shall make a report to the shareholders on the accounts examined by him and on the annual balance sheet and the profit and loss account and in every such report, he shall state whether in his opinion the accounts give a true *and fair view* —

(a) in the case of the balance sheet, of the State of the Corporation's affairs at the end of its financial year, and

(b) in the case of the profit and loss account, of the profit or loss for its financial year,

and in case he has called for any explanation or information from the officers, whether it has been given and whether it is satisfactory.

(6) The appropriate Government may, after consultation with the Comptroller and Auditor-General of India at any time issue directions to the auditor requiring him to report to the appropriate Government upon the adequacy of measures taken by the Warehousing Corporation for the protection of his shareholders and creditors or upon the sufficiency of his procedure in auditing the accounts of the Corporation and may enlarge or extend the scope of the audit or direct that a different procedure in audit may be adopted or direct that any other examination may be made by the auditor if in the opinion of the appropriate Government public interest so requires.

(7) A Warehousing Corporation shall send a copy of every report of the auditor to the Comptroller and Auditor-General of India and to the Central Government at least one month before it is placed before the shareholders.

(8) Notwithstanding anything hereinbefore contained in this section, the Comptroller and Auditor-General of India may, either of his own motion or on a request received in this behalf from the appropriate Government, undertake in respect of a Warehousing Corporation such audit and at such time as he may consider necessary :

Provided that where the Central Government is required to make any payment *on account* of the guarantee given by it under sub-section (1) of section 5, such audit shall be undertaken by the comptroller and Auditor-General of India or any person authorized by him in this behalf.

(9) The Comptroller and Auditor-General of India and any person authorized by him in connection with the audit of the accounts of a Warehousing Corporation shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents

and papers and to inspect the office of the Corporation.

(10)The annual accounts of a Warehousing Corporation together with the audit report thereon shall be placed before the annual general meeting of the Corporation within six months of the close of the financial year.

(11)Every audit report under this section shall be forwarded to the appropriate Government within a month of its being placed before the annual general meeting and that Government shall as soon thereafter as may be cause the same to be laid before both Houses of Parliament or the Legislature of the State, as the case may be.

¹[31A. A Warehousing Corporation shall furnish to the appropriate Government such returns, statistics, accounts and other information with respect to its property or activities as that Government may, from time to time, require.]

Return and reports

CHAPTER V

MISCELLANEOUS

Vacancies, etc., not invalidate acts and proceedings of Warehousing Corporations.

32. No acts of proceeding of a Warehousing Corporation shall be invalid by reason only of the existence of any vacancy among its directors or any defect in the constitution thereof.

Delegation.

33. A Warehousing Corporation may, by general or special order in writing, delegate to the Secretary or other officer of the Corporation, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act as it may deem necessary for the efficient performance of its functions.

Voting rights shareholders.

34. In any meeting of the shareholders of a Warehousing Corporation, every member shall have one vote in respect of each share held by him in the Corporation.

Disputes between Central Warehousing Corporation and State Warehousing Corporation.

35. If there is any difference of opinion between the Central Warehousing Corporation and a State Warehousing Corporation regarding their respective functions and powers under this Act, such difference shall be referred to the Central Government whose decision thereon shall be final.

36. Every director, auditor, officer or other employee of a Warehousing Corporation shall, before entering upon his duties, make a

Declaration of fidelity secrecy.

declaration of fidelity and secrecy in the form set out in the Schedule.

37. (1) Every director of a Warehousing Corporation shall be indemnified by the Corporation concerned against all losses and expenses incurred in the discharge of his duties except such as are caused by his own wilful act or default.

Indemnity of
directors

(2) A director of a Warehousing Corporation shall not be responsible for any other director or for any officer or other employee of the Corporation or for any loss or expense resulting to the Corporation by the insufficiency or deficiency of value of, or title to, any property or security acquired or taken on behalf of the Corporation in good faith, or by the wrongful act of any person under obligation to the Corporation or by anything done in good faith in the execution of the duties of his office or in relation thereto.

38. (1) Whoever, without the consent in writing of a Warehousing Corporation used the name of that Corporation in any prospectus or advertisement, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Offences

(2) No court shall take cognizance of any offence under subsection (1) otherwise than on a complaint in writing by an officer authorised in this behalf by the Warehousing Corporation concerned.

39. For the purpose of the Income-tax Act, 1961, a Warehousing Corporation shall be deemed to be a company within the meaning of that Act and shall be liable to income-tax and super-tax accordingly on its income, profit and gains :

Provisions relating to income-tax and super-tax

Provided that, in the case of the Central Warehousing Corporation, any sum paid by the Central Government under the guarantee given in pursuance of sub-section (1) of section 5 or, in the case of a Warehousing Corporation, any sum paid by the Central or a State Government under any guarantee given in pursuance of subsection (4) of section 27 shall not be treated as income, profits and gains of a Warehousing Corporation, and any interest on the debentures or bonds issued by that Corporation out of such sums shall not be treated as expenditure incurred by it:

Provided further that in the case of any shareholder or debenture-holder, such portion of a dividend or interest as has been paid out of any such sum advanced by the Central Government shall be deemed to be his income from interest on securities declared to the income-tax-free within the meaning of section 86 of that Act.

Winding up of Warehousing Corporations.

40. No provision of law relating to the winding up of companies or corporation apply to a Warehousing Corporation and *any* such Corporation shall not be placed in liquidation save by order of the appropriate Government, and in such manner as it may direct.

Power of make rules.

41. (1) The appropriate Government may, by notification in the official Gazette, make rules to carry out (he purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for -

- (a) the additional functions which a Warehousing Corporation may perform;
- (b) the *manner* of nomination and election of the directors of the Central Warehousing Corporation and the period within which such directors shall be nominated or elected;
- (c) the term of office of, and the manner of filling casual vacancies among, and the remuneration payable to, the directors of a Warehousing Corporation;
- (d) the *manner* of choosing directors on the Executive Committee of a Warehousing Corporation;
- (e) the authorized capital of a State Warehousing Corporation ¹ [within the maximum limit specified by or under, sub-section (1) of section 19];
- (f) the form of the annual statement of accounts and the balance sheet to be prepared by a Warehousing Corporation;
- (g) the deposit of moneys of a Warehousing Corporation in a scheduled bank or a co-operative bank;
- (h) the manner of issuing shares of a Warehousing Corporation, the calls to be made in respect thereof, and all other matters incidental to the issue of shares;
- ²[(i) the form and manner in which returns, statistics, accounts and other information are to be furnished, under section 31A., by a Warehousing Corporation;]
- ³[(j) any other matter which has to be or may be prescribed.

(3) Every rule made by the Central Government under this section shall be laid as soon as maybe after it is made, before each House of Parliament while it is in session for a total period of thirty

¹Sub. by Act 42 of 1976 S 10 for pertain words.

²Ins. by s. 10, *ibid*.

³Cl. (i) was retettered as *cl*, (j) by s. 10, *ibid*.

days which may be comprised in one session or in two or more successive sessions, and ¹[if before the expiry of the session immediately following the session] or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

42. (1) A Warehousing Corporation may, with the previous sanction of the appropriate Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made the rounder to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

Power of Warehousing Corporations to make regulations.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for-

- (a) the conditions of service of, and the remuneration payable to, the officers and other employees of a Warehousing Corporation;
- (b) the manner in which, and the conditions subject to which, shares of the Central Warehousing Corporation may be transferred;
- (c) the manner in which meetings of a Warehousing Corporation and the Executive Committee thereof shall be convened, the fees for attending such meetings and the procedure to be followed thereat;
- (d) the duties and conduct of officers and employees of a Warehousing Corporation;
- (e) the powers and duties which may be entrusted or delegated to the managing director of a Warehousing Corporation;
- (f) generally, the efficient conduct of the affairs of a Warehousing Corporation.

(3) The appropriate Government may, by notification in the Official Gazette, rescind any regulation which it has sanctioned and thereupon the regulation shall cease to have effect.

43. (1) With effect from the date on which the Central Warehousing Corporation is established under section 3, the Agricultural Produce (Development and Warehousing) Corporations Act, 1956,

Repeal and savings.

in so far as it has not been repealed by the National Co-operative Development Corporation Act, 1962, shall stand repealed.

(2) Notwithstanding such repeal, -

- (a) the shares allotted and the share certificates issues by the Central Warehousing Corporation established under the repealed Act (hereinafter referred to as the said Corporation) shall be deemed to have been allotted and issued by the Corporation established under section of this Act as if this Act had been in force on the day on which the shares were allotted and the share certificates were issued;
- (b) every shareholder of the said Corporation shall become the holder of as many shares in the Corporation established under section 3 of this Act as are equivalent in number and value to the shares held by him in the said Corporation;
- (c) all moneys and other securities belonging to the National Warehousing Development Fund which, immediately before the said date, was maintained by the said Corporation shall stand transferred to and be maintained by the Corporation established under section 3 of this Act;
- (d) anything done or any action taken (including any appointment, nomination, delegation, rule or regulation made) under the repealed Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under this Act;
- (e) every share held by the said Corporation in a State Warehousing Corporation under the repealed Act shall be deemed to be a share held by the Corporation established under section 3 of this Act in the corresponding State Warehousing Corporation deemed to be established under this Act;
 - (f) all rights, liabilities and obligations of the said Corporation, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations respectively of the Corporation established under section 3 of this Act;
- (g) a State Warehousing Corporation established for a state under the repealed Act shall be deemed to be the State Warehousing Corporation established for that State under this Act.

THE SCHEDULE

(See section 36)

DECLARATION OF FIDELITY AND SECRECY

, declare that I will faithfully, truly and to the best of my judgment, skill and ability execute and perform the duties which are required of me as a director, officer, employee or auditor (as the case may be) of the Warehousing Corporation and which properly relate to the office or position in the said Corporation held by me.

I further declare that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the said Corporation nor will I allow any such person to inspect or have access to any books or documents belonging to, or in the possession of, the Corporation and relating to the business of the Corporation.

Signature

Signature

Signature

Signed before me
DATE

**The Punjab Warehouses
Act, 1957**

THE PUNJAB WAREHOUSES ACT, 1957

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THE PUNJAB WAREHOUSES ACT, 1957

(Punjab Act 2 Of 1958)

[Received the assent of the President on the 30th January, 1958 and first published in the Punjab Government Gazette (Extraordinary), of the 6th February, 1958]

1	2	3	4
Year	No.	Short title	Whether effected by late legislation
1958	2	The Punjab Warehouses Act, 1957	Amended by Punjab Act 1 of 1961 ² . Punjab Act 30 of 1952 ³ . Punjab Act 18 of 1965 ⁴ . Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

AN

ACT

To Provide for the regulation and licensing of warehouses in the State of 5[Haryana].

Be it enacted by the Legislature of the State of Punjab in the Eighth Year of the Republic of India as follows :-

¹For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1957, pages 1633-34.

²For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1960 page 1965.

³For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1962, page 1648.

⁴For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1965, page 360.

-Substituted for the word "Punjab" by the Haryana Adaptation of Laws (State and Concurrent Subjects) order, 1968,

CHAPTER I
PRELIMINARY

1. (1) This Act may be called Punjab Warehouses Act, 1957. Short title,
(2) It extends to the whole of the State of ¹[Haryana]. extent and
(3) It shall come into force on such date as the Government may, by commencement.
notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires, - Definition
- (a) "Co-operative Society" means a society registered or deemed to be registered under the Punjab Co-operative Societies Act, 1954 or the Co-operative Societies Act, 1912, as in force in the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab State Union;
- (b) "Depositor" means a person who has deposited goods with a warehouseman for storing, and includes any person who (aw fully holds the receipt issued by warehouseman in respect of such goods and derives title thereto by a proper endorsement or transfer thereof to him by the depositor or the depositor's lawful transferee;
- (c) "goods" means any of the articles specified in the Schedule to this Act;
- Provided that the Government may, by notification in the official Gazette, add to or omit from the Schedule any article;
- (d) "Government" means the [Government of Haryana];
- (e) "licensed warehouse" means a warehouse licensed under this Act;
- (f) "person" includes any company or association or body corporate;
- (g) "prescribed" means prescribed by rules made under this Act;
- (h) "receipts" means a warehouse receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;
- (i) "warehouse" means any building, structure or other protected enclosure which is or may be used for the purpose of storing goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other pub-

Warehouse-
man.

lic carriers, and the like;

(j) "Warehouseman" means a person who has obtained licence under-its Act in respect of his warehouse.

Application for
grant of
licence.

CHAPTER II

LICENSING OF WAREHOUSES

Conditions of
licence.

3. No person shall carry on the business of a warehouseman except under licence granted under this Act and in accordance with such terms and conditions thereof as may, from time to time, be prescribed.

4. (1) Every application for a licence under section 3 shall be made in the prescribed form to the prescribed authority.

(2) The prescribed authority may, on receiving such application and on payment of such fees as may be prescribed, grant a licence.

5. (1) Before granting a licence the prescribed authority shall satisfy itself-

(a) that the warehouse is suitable for proper storage of the class or classes of goods in respect of which the licence has been applied for;

(b) that the applicant is financially sound;

(c) that the applicant has paid the fee prescribed for the licence and has also paid or given the prescribed security, if any.

(2) The Government may, by notification in the official Gazette, add to or alter the conditions under this section.

Term and
renewal of
licence.

6. Every licence granted under section 4 shall be valid for the prescribed period, and may, on application and payment of the prescribed fee, be renewed from time to time by the prescribed authority and for the prescribed period, provided the other conditions referred to in section 5 continue to be fulfilled.

Notice of
refusal to
grant or
renew licence.

7. If the prescribed authority refuses to grant or renew a licence under the foregoing provisions, it shall record its reasons for such refusal in writing and communicate the order to the applicant by forwarding a copy thereof.

Suspension
and
cancellation of
licence.

8. (1) Every licence granted under section 4 or renewed under section 6 shall be liable to be suspended, cancelled or revoked either temporarily or permanently by the prescribed authority for valid reasons stated in writing and in particular if the warehouseman -

(a) has applied for being declared or been adjudicated an insolvent, or

(b) has parted, in whole or in part, with his control over the ware-

house, or

- (c) has ceased to conduct the business of such a warehouse, or
- (d) has made unreasonable charges for the service rendered by him, or
- (e) has in any other manner become incompetent to conduct the business of such warehouse, or
- (f) has contravened, or failed to comply with, any of the conditions of the licence or any of the provisions of this Act or the rules made thereunder.

(2) if a licence is suspended, revoked or cancelled, the prescribed authority shall make an entry to that effect in the licence.

9. (1) Before passing an order for suspension, revocation or cancellation under section 8, the prescribed authority shall give notice to the warehouseman stating the grounds on which it is proposed to suspend, revoke or cancel his licence and call upon him to show cause why the proposed action should not be taken.

Notice of suspension and cancellation of licence.

(2) After considering the explanation, if any, of the warehouseman, the prescribed authority may pass such orders as it deems just.

10. When a licence expires or is suspended, revoked or cancelled, the Return or warehouseman shall cease to work as such and shall return the licence to the licence prescribed authority, who shall give reasonable time to the warehouseman to enable him to wind up the business or, who may acquire the business in the manner as prescribed.

Return of licence.

11. (1) Where a licence granted to a warehouseman is lost, destroyed, torn, defaced or otherwise becomes illegible, the prescribed authority shall issue a duplicate licence on the application of the warehouseman and on payment of the prescribed fee.

Duplicate licence.

(2) When a duplicate licence is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of issue of the duplicate and that of the original from the record of the office issuing the licence.

CHAPTER III

DUTIES OF A WAREHOUSEMAN.

12. Every warehouseman shall take such care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

Reasonable care of the goods deposited.

Precautions against damage or injury to goods. 13. (1) Every warehouseman shall keep his warehouse clean and free from damp necessary precautions against rats and other pests; and fulfill such conditions as may be prescribed.
(2) No warehouseman shall accept such goods for deposit as are likely to cause damage to other goods which are, or may be deposited, in the warehouse.

Preservation of identity of goods. 14. Every warehouseman shall keep the goods of one depositor separate the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times the identification and delivery of the goods deposited :

Provided that where standardized and graded goods are stored in a warehouse, then, subject to an agreement between the warehouseman and a depositor, the same variety of goods belonging to different depositors may be stored together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

Goods deteriorating in warehouse and their disposal. 15. (1) Whenever goods deposited in a warehouse begin to deteriorate from from causes beyond the control of the warehouseman, he shall forthwith give notice of such fact to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

Explanation - Loss of weight or bulk by shrinkage or drayage or gain in weight or bulk by absorption of moisture shall be deemed to amount to deterioration within the meaning of this sub-section, if the loss or gain exceeds such limits as may be prescribed.

(2) If the depositor does not, within a reasonable time as prescribed, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction on such conditions as may be prescribed at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof; and if such person requests in writing that intimation be given to him regarding the condition of the goods and agrees to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

Delivery of goods. 16. (1) Every warehouseman, in the absence of any reasonable excuse shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouse-

man.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

17. (1) For the purposes of sub-section (1) of section 15 and of section 16, loss of weight or bulk by drayage or shrinkage within prescribed limits and gain in weight by absorption or moisture within such limits shall not be deemed to amount to deterioration.

Liability of warehouseman for shortage or excess in goods stored.

(2) If there is any excess in the goods stored in a warehouse by absorption of moisture or other causes, the warehouseman shall not be entitled thereto.

(3) if there is any shortage in the goods stored in a warehouse by dry age or other causes beyond his control the warehouseman shall not be responsible therefore.

(4) In the event of a dispute arising as to whether such shortage or excess is due to dryage or absorption of moisture or is due to other causes beyond the control of the warehouseman, the matter shall be referred to the appellate authority referred to in section 29 whose decision thereon shall be final and binding.

¹[18. (1) Every warehouseman shall insure goods stored in his warehouse against such risks and in such manner as may be prescribed. Provided that a depositor may at his own cost insure his goods against other risks :

Insurance of goods in warehouses.

Provided further that nothing contained in this sub-section shall apply to the goods deposited in a warehouse belonging to a Warehousing Corporation established under the Warehousing Corporations Act, 1962 (Parliament Act 58 of 1962) where such warehousing corporation has agreed, in the prescribed manner, to compensate the depositor against loss or damage arising from the prescribed risks.

(2) Every warehouseman shall be entitled to recover from the depositor at the rate prescribed the charges for insurance in respect of the depositor's good before delivery thereof, and where a Warehousing Corporation established under the Warehousing Corporations Act, 1962 (Parliament Act 58 of 1962), has agreed to compensate the depositor under the second provision to sub-section (1), such corporation shall be entitled to recover from the depositor such additional charges as it may decide, not exceeding the tariff rate of the insurance premia, for the risk which it has agreed to compensate.].

Discrimination prohibited.

19. No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his *ware* house.

Section 18 substituted by Punjab Ac) 18 of 1965, section 2. It was previously substituted by Act 30 of 1962.

Provided that the warehouseman shall show such preference to co-operative societies in the State and allow them such concessional rates as may be prescribed.

Warehouse-men
not to deal in or
lend against
goods in
warehouse.

20. Notwithstanding anything contained in any other law for the time being in force, no warehouseman, other than a Co-operative Society, ¹[* * **] shall, either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in his warehouse.

Accounts, etc., to
be maintained.

21. A warehouseman shall maintain accounts, books and records in such form and be prescribed.

CHAPTER IV

INSPECTION AND GRADING OF GOODS

Inspection.

22. The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined any licensed warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this act and the rules made there under are being complied with.

Weighers,
Samplers and
Graders to
obtain
licences.

23. (1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications entitling them to act as weighers, samplers and graders of any goods deposited or to be deposited in a licensed warehouse and to issue certificates as to the weight, bulk, quality or grade of the goods which they have examined.

(2) The prescribed authority may appoint a Board of Arbitrators whose decisions on any complaint against weighers, samplers and classifiers or warehouseman relating to weight, quality or grade of the goods stored in the warehouse shall be final. The certificates issued by weighers, samplers and classifiers as to weight, quality or grade of the goods stored in the warehouse shall be final. The certificates issued by weighers, samplers and classifiers as to weight, quality or grade of the goods stored in the warehouse shall be binding on the warehouseman and the depositor subject to any order in appeal preferred by them to the Board of Arbitrators.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

¹The words "or the Central or any State Warehousing Corporation set up under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956" omitted by Punjab Act 1 of 1961, section 2.

24. (1) Every licence granted to a weigher, sampler or grader under section 23 shall be valid for the prescribed period and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority. Provisions regarding such licences.

(2) The prescribed authority may cancel any such licence after communication to the licensee the grounds on which it proposed to take action and giving him a reasonable opportunity of showing cause why the proposed action should not be taken.

(3) The prescribed authority may suspend any such licence without such notice after recording in writing its reasons therefore.

(4) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or canceling it, return the licence to the prescribed authority.

25. Every warehouseman shall provide facilities for weighing, sampling and grading any goods deposited or to be deposited in his warehouse. Facilities to be given for weighing goods etc.

CHAPTER V

WAREHOUSE RECEIPTS

26. For the goods deposited in his warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form. Receipt to be issued.

27. The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle its lawful holder to receive the goods specified in it on the same terms and conditions as the original depositor. Receipt deposits warehouse for in

Explanation. - The provisions of this section shall not apply to any receipt issued by a person who has not obtained a licence under this Act.

28. If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in the rules made under this Act. Duplicate receipt.

CHAPTER VI

Miscellaneous

29. (1) An appeal against any order of the prescribed authority refusing to grant or renew a licence or suspending, revoking or canceling any such licence in respect of a warehouseman shall be made to such authority and within such time as may be prescribed. Appeals against certain orders of prescribed authority.

No compensation for suspension or cancellation of licence.	(2) The decision of such appellate authority on such appeal shall be final.
Contracts and agreements inconsistent with Act to be void	30. Where any licence is suspended, revoked or cancelled under this Act, the licensee shall not be & entitled to any compensation therefore, nor shall he be entitled to refund of any fee paid by him for the licence.
Penalty and procedure.	31. Every contract or agreement which is inconsistent with the provisions of this Act or rules made hereunder shall, to the extent of such inconsistency, be void.
Forfeiture of security.	<p>32. (1) Whoever -</p> <p>(a) acts or holds himself out, as a licensed warehouseman without having obtained a licence under this Act, or</p> <p>(b) knowingly contravenes or fails to comply with any of the provisions or requirements of this Act or the rules made there under shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.</p> <p>(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons whether incorporated or not, the manager, secretary, agent or other principal officer, managing the affairs of such company, association or body shall be deemed to be guilty of such offence.</p>
Power of make Rules.	<p>33. The prescribed authority would be entitled to forfeit the security of the warehouseman, in case the warehouseman fails to return the goods deposited within the reasonable time as provided under sections 10 and 16 of the Act and the forfeited security may be used in full or part payment of the damages or losses incurred by the depositor on account of such failure of the warehouseman.</p> <p>34. (1) The Government may, by notification, make rules to carry out the purposes of this Act</p> <p>(2) in particular and without prejudice to the generality of the foregoing power, such rules may provide for —</p> <p>(a) The matters expressly required or allowed by this Act to be prescribed;</p> <p>(b) the form of licences granted to warehouseman;</p> <p>(c) the publication of the grant, suspension, revocation or cancellation of licences to warehousemen and of consolidated lists of warehousemen and licensed warehouses;</p>

- (d) the charges to be levied by warehousemen for their services;
- (e) the books, accounts and records to be maintained by warehouse men;
- (f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;
- (g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;
- (h) the disinfection of licensed warehouses and the disinfection of goods stored therein;
- (i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;
- (j) the efficient conduct generally of the business of warehousemen;
- (k) the qualifications to be possessed by persons applying for the grant of licences as weighers, samplers or graders; the conditions to be inserted in their licences; the form of the certificates to be issued by them and the grounds for which the licences may be suspended or cancelled;
- (l) the standard weights, measures and gradations of goods to be used in licensed warehouses;
- (m) the authority to which and the time within which an appeal under section 29 should be made;
- (n) the manner of giving notices under this Act,

(3) The power to make rules under this section shall be subject to the condition of previous publication and the rules shall be laid before '[the House]' of the State Legislature as soon as may be after they are made.

THE SCHEDULE

[See Section 2 (c)]

GOODS TO WHICH THE ACT APPLIES

Foodgrains –

Wheat.

Maize.

Gram.

Barley.

¹Substituted for the words "both houses" by the Haryana Adaptation of Laws (State and Concurrent Subject) Order, 1968.

Oats.

Rice

Bajra

Pulses -

Mung.

Mash.

Moth.

Masur.

Kulth.

Peas.

Beans.

Oilseeds -

Sarson.

Toria.

Groundnuts.

Till.

Linseed.

Cotton.

Cotton seed.

Fodder -

Senjee.

Metha.

Barseem.

Chattala.

Chari.

Guwara.

Oats.

Bhussa.

Vegetables -

Potatoes.

Tomatoes.

Onion.

Chillies.

Others -

Gur.

Shakkar,

**The Punjab warehouses
Rules. 1958**

COOPERATIVE DEPARTMENT NOTIFICATION

The 3rd December 1958

No. 3771 -Coop -58/792-With reference to the Punjab Govt. Cooperative Department, Notification No. 2274-Coop. 58/2892, dated 24th Sept. 1958, and in exercise of the powers conferred by section 34(3) of the Punjab Warehouses Act, 1957, the Governor of Punjab is pleased to make the following rules :-

I
V
E

PRELIMINARY

1. These rules may be called the Punjab Warehouses Rules, 1958.
2. In these rules unless there is anything repugnant to the subject or context-
 - a) "Act" means the Punjab Warehouses Act, 1957 (Punjab Act No. 2 of 1958).
 - b) "Form" means a form appended to these rules ;
 - c) "Non-negotiable receipt" means a receipt on the production of which the goods specified therein shall be delivered to "the person who tendered the goods to the Warehouseman for storage"
 - d) "Registrar" means the Registrar of Cooperative Societies appointed under the Punjab Cooperative Societies Act, 1954, or any officer of the Cooperative Deptt. not below the rank of an Assistant Registrar authorized by the Govt. in this behalf;
 - e) "Year" means the calendar year commencing from the first day of January.

LICENSING OF THE WAREHOUSES

- Section 4 (i)
11 and 34 (i)
3. a) Every application for a licence under Section 3 and for renewal under section 6 of the Act shall be made to the Registrar in Form I and a duplicate license under section 11 in Form II. The application shall be signed by the applicant who shall be bound to supply such additional information as may be required by the Registrar. An application for renewal of a licence shall be made every year at least one month prior to the commencement of the year for which it is required.
 - b) No application for a license or its renewal shall be entertained unless it is accompanied by the fees specified in rule 14.

d) A *person* desiring to conduct the business of a Warehouseman in more than one village or town shall submit separate applications for licence in respect of his business in each such village or town. In the case of his having more than one place of business in the same village or town he may apply for only one license in respect of such places of business provided he specifies which of them shall be his principal place of business.

4. a) The scale of annual fees prescribed for the grant of licence or its renewal for the conduct of the business of a Warehouseman shall be as follows :-

- * i) warehouses having a storage capacity upto 25,000 eft. Rs. 100/-
- * ii) for every additional 25,000 eft. storage capacity or fraction thereon Rs. 100/-.

Section 4 (2).
11 and 34 (2)
(a).

b) For the issue of a duplicate license under Section 11 a fee of Rs. 10/- shall be charged.

5. A *licence under sub section (2) of section 4 of the Act shall be granted* in Form III, subject to the following conditions :-

- i) every warehouseman shall maintain in respect of each warehouse for which a license has been granted, net assets liable for the payment of any indebtedness arising from the conduct of a warehouse to the extent of at least Rs. 5 per 100 eft. storage capacity of the *licensed* warehouse. Such assets may consist of movable -or immovable property. These assets shall be suitably insured against any loss or damage according to the directions issued from time to time by the Registrar in this behalf;
- ii) a warehouseman shall display his license in his principal space of business where receipts are delivered to the depositors;
- iii) whenever any warehouseman has become incompetent or has ceased to conduct the business of a warehouse, he shall inform the authority granting the license immediately ;
- iv) the Registrar or any other person authorized by him in this behalf shall be competent to inspect or examine the warehouse licensed under the Act and shall have access at all usual hours of business to all the books, records, papers and accounts relating to the warehouse ;
- v) the warehouseman shall furnish such information with regard to the working of the warehouse, as the Registrar or any other person authorized by him in this behalf may require.

Section 3
and 34 (2)
(b).

6. A license shall be granted for a period of one year provided that a

Section 6.

Section 5

licence issued during a year shall expire on 31st December of the same year.

7. 1) An applicant for a licence of a warehouseman shall, at the time of application, furnish to the Registrar a security deposit in cash or in Govt. securities assessed at Rs. 5 per hundred cubic feet of the storage capacity subject to a minimum of one hundred rupees :

Provided that no security shall be required if the applicant is a corporation established under the Warehousing Corporations Act, 1962.

Section
32 (2) (c)

2) The security furnished under sub-rule (1) shall be liable to forfeiture in part or in whole by the Registrar if he is satisfied that the warehouseman has violated any of the provisions of the Act or these rules.

Section 9 (2)
and 34 (2) (c)

8. The names and locations of the warehouses and the names and address of warehouseman licenced under the Act, as on the 1st day of January every year shall be published in the Punjab Govt. Gazette before the 15th of February of the same year.

9. The orders passed under subsection (2) of section 9 of the Act, by the prescribed authority for the suspension, revocation or cancellation of a licence shall take effect from the date of communication of such orders. All cases of suspension, revocation or cancellation of the licences shall be published in the Punjab Government Gazette.

Section 12 (2)
16 (1) & 34 (1)

DEPOSIT & MAINTENANCE OF GOODS

Section 13 (2)
16 (1) & 34 (1)

10. Application for the deposit of goods shall be made to the warehouseman in form IV and of goods shall be made in Form V.

Section 34 (1)

11. The warehouseman shall issue receipts of the goods received by him in Form VI

12. Every warehouseman shall send the names, addresses and signatures of the persons authorized to sign on behalf of the warehouseman, to the Registrar. In the case of any change made in the persons so authorized, information in respect of that shall be supplied immediately to the prescribed authority along with the names, addresses and signatures of the newly authorized persons.

Section 27
& 34 (1)

13. Every warehouseman who issues a non-negotiable receipt shall cause to be marked upon it the words "Not Negotiable".

Section 28 &
34 (1)

14. An application for grant of a duplicate receipt, if the original is lost or destroyed, shall be made by the depositor to the warehouseman and shall be accompanied by-

- a) an affidavit showing that the applicant is lawfully entitled to the possession of the original receipt that he has not negotiated or assigned it, the circumstances in which the original receipt was

lost or destroyed, and if lost, that diligent efforts had been made to find the receipt without success.

- b) an indemnity bond for an amount double the value of the goods represented by the original receipt; and
- c) a sum of rupees five.

Section 28 & 34
(1)

15. On receipt of application the fact that the receipt is lost shall be published by the warehouseman, at least in one local newspaper giving one month's clear notice of the issue of a duplicate receipt thereof. The expenses in this regard shall be borne by the applicant.

*Provided that no such notice shall be necessary in the case valuing upto Rs. 5000.

Section 28 & 34
(1)

16. After the expiry of the period referred to in the preceding rule, a duplicate receipt stamped as "duplicate" shall be issued by the warehouseman.

Section 28 & 34
(1)

17. The original receipt, after the issue of a duplicate receipt, if produced, shall not be made use of.

Section 27 & 34
(1)

18. Every depositor shall supply copies under his signatures of any endorsement regarding transfer, mortgage or encumbrance of goods as may be recorded on the warehouse receipt within 48 hours from making such endorsement.

Section 19 & 34
(1)

19. No warehouseman shall levy or recover charges for his services in excess of the schedule charges filled by him and approved by the Registrar. A provision shall be made for allowing a concession of 10 per cent to cooperative societies in the schedule of charges.

Section 19 & 34
(1)

20. Every warehouseman shall display conspicuously the approved schedule of charges at his principal place of business where receipts are delivered to the creditors.

Section 13 (1)
& 34 (1)

21. Every warehouseman shall maintain his warehouse in accordance with the directions issued by the Registrar, from time to time, in this behalf and in particular shall keep its warehouses in the following manner :-

- a) the warehouse shall be damp-proof and rat proof;
- b) The warehouse shall be repaired whenever necessary and shall be kept disinfested ;
- c) the goods stored in the warehouse shall be arranged and stored in such manner as to render stock-taking and verification easy and effective.
- d) Stacks shall not be constructed touching the walls and a space of about 2 feet shall be left round each stack ;
- e) except in the case of warehouses run by the CWC or the Pb.

*Added vide State Govt. Notification No. G.S.R.67/P.A.2/58/S.34/87 dated 28-8-1987.

State Warehousing Corporation established under the Warehousing Corporations Act, 1962 and in which the stocks are deposited by the Govt., FCI and the Cooperative Societies, the stocks shall not ordinarily exceed 15' x 15' in dimensions and shall not be more than 15 bags in height.

- f) the container and the contents of each container shall be ordinarily uniform and shall be as advised by the Registrar from time to time.
- g) all goods received for storage in the warehouse shall be measured in cubic feet (length, breadth and height) or weighed as the case may be, and such weight or measure shall be duly stenciled on each container or labelled on each stack showing the date and quantity of weight or measure ;
- h) the container or the stack shall bear the name of the depositor together with the distinctive mark, if any, in bold letters ;
- i) Goods of different classes or grades or qualities shall be stored separately;
- j) all leakages in roof, dampness in walls and floor during the monsoons shall be carefully watched and repaired in good time.
- k) all appliances in the warehouses such as scales, weights, measures, packers and ladders shall be maintained correctly and in good condition.

22. Every warehouseman shall keep his warehouse clean, free from straw, rubbish or accumulation of materials which may increase the risk of fire or interfere with the handling of goods.

Section 19 &
34 (1)

23. 1) Every Warehouseman shall insure goods stored in his warehouse against loss of damages by fire, flood, theft and burglary, for an amount not less than the market value of the goods on the date on which they were deposited in the warehouse, and the insurance shall be made with a company which is on the list of Companies approved for this purpose by the Registrar.

Section 18

Provided that nothing in this sub-rule shall apply to the goods deposited in a warehouse belonging to a Warehousing Corporation established under the Warehousing Corporations Act 1962 (Parliament Act 58 of 1962) where such Warehousing Corporation has agreed in writing to compensate the depositor against loss or damage arising from fire, flood, theft and burglary at the market rate prevailing on the date of the occurrence of any of the aforesaid events provided that the amount so payable shall not exceed the market value of the goods at the time of deposit of the goods.

2) The Warehouseman shall insure goods against risk of riot and strike as may be required by the depositor for which the warehouseman shall be

entitled to recovery from the depositor such additional charges as the warehouseman may decide, not exceeding the tariff rate of the insurance premium for this risk ;

Provided that if in opinion of the Warehouseman there is an imminent danger of riot and strike then the Warehouseman may insure the goods against the said risk for which the Warehouseman shall be entitled to recover from the deposit or such additional charges as the Warehouseman may decide, not exceeding the tariff rate of the insurance premium for this risk.

24. The insurance charges will be recovered as part of storage charges except in respect of insurance against risk of riot and strike which will be charged for separately. Section 18

25. Every warehouseman shall keep the goods stored in his warehouse in an orderly manner so as to permit easy access to all lots and to facilitate inspecting, sampling, counting and identification of each lot. Section 13 (1) & 34 (1)

26. Whenever any quality, standard or grade of any of the goods stored in a warehouse is stated or is required to be stored for the purposes of the Act, it shall be in accordance with the quality, standard or grades, if any, determined for the particular goods by the Registrar from time to time. Section 34 (1)

27. If a Warehouseman delivers part of the goods for which a negotiable receipt has been issued, he shall record this fact clearly on the receipt. On his failure to make such entry on the receipt, the warehouseman shall be liable to deliver all the goods specified in the receipt; to any one who purchases the same in good faith and for valuable consideration whether the purchaser acquired title to the receipt before or after the delivery of any portion of goods.

28. The warehouseman, shall not be responsible for the loss of weight or bulk by dryage or shrinkage or gain in weight or bulk by the absorption of moisture within the limits specified in Appendix A and Appendix B to these rules. Section 15 (1) & 34 (2) (a)

29. Deleted.

30. All goods for storage shall be delivered at the warehouse, properly marked and packed for handling. The depositor shall furnish at or prior to such delivery a manifest showing marks, brands or seizes to be kept accounted for separately and the class of storage desired otherwise the goods may be stored in bulk or assorted lots in the discretion of the warehouseman and will be charged for accordingly. Section 34 (1)

31. In the absence of any contract to the contrary all goods shall be store on month to month basis. Section 16

Provided that where storage period consists of one or more months and a part of month, the storage charges for that part of the month may be on weekly basis

EXPLANATION - For the purposes of this rule the expression 'month' means a period of 30 days.

- Section 16 & 34 (1) 32. When a negotiable receipt has been issued, the good covered by that receipt shall not be delivered unless the receipt properly endorsed is surrendered for cancellation or for endorsement of partial delivery thereon.
- Section 16 (1) 33. In case a negotiable receipt is lost or destroyed, goods covered by it shall not be delivered until the person lawfully entitled to the possession of goods produces a duplicate receipt.
- Section 15 (1) 34. In case of the deterioration of goods, the warehouseman shall serve the depositor with a notice to remove the goods within a period of one week from the date of receipt of the said notice.
- Section 15 (2) 35. On failure of the depositor to remove the goods, within the period fixed under rule 34, the warehouseman shall proceed to sell the goods by public auction.
- Section 15 (2) 36. The public auction shall take place in front of the warehouse or in the regulated market as may be deemed fit by the warehouseman. The warehouseman shall cause to proclaim the fact of auction by beat of drum at least two days prior to the auction at the place where auction is to take place.
- Section 34 (1) 37. Every warehouseman shall be bound to render to the depositor correct accounts and tender to him payment of the sale proceeds of goods realised after deducting all charges legally due to him including all responsible charge for the removal of goods and sale by public auction, within a period not exceeding fifteen days from the date of such sale. He shall make such payment to the depositor on surrender by him of the receipt duly discharged.
- Section 34 (1) 38. No warehouse shall remove any goods stored in the warehouse or transfer them to another warehouse without first obtaining the receipt in respect thereof, canceling the same after issuing a new receipt.

WEIGHER SAMPLERS AND CLASSIFIERS

- Section 23 (1) 39. Any person desiring him to be licenced as weigher, sampler or classifier shall give an application in Form XI to the Registrar. Each such application shall be accompanied by a fee of Rs. 5. The Registrar shall after making such enquiries as he may consider necessary issue a licence on execution of any agreement by the applicant in such form as he may direct. The licence shall be issued in Form VII, subject to the following conditions :-
- i) No weigher, samplers or classifier will be licensed unless he is literate and has at least two years experience in such line of work in a firm or a market committee established under the Punjab Agricultural Produce Markets Act, 1939.
 - ii) Every licensed weigher, sampler or classifier shall keep books in

such form and *manner* and submit such returns and statements as the Registrar may, from time to time specify.

- iii) Every licenced weigher, sampler or classifier shall keep such equipment as may be directed by the Registrar.
- iv) No licenced weigher, sampler or classifier shall recover charges exceeding the rates laid down by the Registrar from time to time.
- v) Every licenced weigher, sampler or classifier, when plying his trade, shall wear a distinguished badge, approved by the Registrar
- vi) No licenced weigher sampler or classifier shall enter in the service of another person or do business other than that for which he holds a licence or licences.

(2) Notwithstanding anything contained in sub-rule (i) where a warehouse is situated within the principal market, yard or submarket yard of a notified market area, the weigher licenced by the market committee under the Punjab Agricultural Produce Markets Act, 1961, or law corresponding thereto in force in any part of the State shall be deemed to be licenced under the Act and these rules.

40. A licence issued to a weigher, sampler or classifier shall remain in force from the date on which it is granted till the 31st December of the same year. Section 24 (1)

41. The certificate to be issued by weigher, sampler or classifier shall be in Form X. Section 23 (1)

42. Applications for renewal of licences issued to weighers, samplers and classifiers shall be made at least one month prior to the termination of the licences and such applications shall be accompanied by a fee of Rs. 5. The conditions for the renewal of a licence shall be the same as those on which a new licence is issued. Section 24

43. If the original licence is lost or destroyed, a duplicate thereof shall be issued on payment of a fee of Rs. 5. Such duplicate licence shall be stamped "Duplicate". Section 24 (2)

44. (1) On receipt of a written complaint against a weigher, sampler or classifier relating to weight, sample or grade or goods stored or to be stored in a warehouse, the Registrar shall require both the parties to the dispute to appoint their nominees on the board of arbitrators within 7 days from the date of notice Section 23 (2) & 34 (1)

(2) in case either party fails to do so, the Registrar shall appoint arbitrators on his behalf.

(3) When the arbitrators of both the parties have been appointed either by the parties or by the Registrar, the Registrar shall nominate a person to

act as chairman of the Board of Arbitrators and the opinion of the majority shall prevail.

(4) In the conduct of proceedings before them the Board of Arbitrators shall follow the procedure prescribed in the Indian Arbitration Act, 1940. Every award passed by the board shall, if not carried out, be executed in the same manner as a decree of a civil court.

MISCELLANEOUS

Section 10 & 24 (4) 45. When a licence granted to a warehouseman or weigher, sampler or classifier under the act expires or when it is revoked, cancelled or suspended, it shall be returned to the Registrar within 7 days of such expiration, revocation, cancellation or suspension.

Section 9 (a) 46. At least a week's notice shall be given for suspension, revocation or cancellation of a licence under sub-section (1) of section 9 of the Act. The notice shall be sent by registered post. If the warehouseman fails to show cause within the specified time, the prescribed authority may decide the matter without giving any further notice.

Section 34 (1) 47. Where a licence is held by a partnership firm and such partnership is dissolved, every partner of the firm shall send a report of dissolution to the Registrar within a week of the dissolution.

Section 34 (2) (b) 48. Every warehouseman shall use only such standard scales, eights and measures & weighing and measuring machines as may be approved by Registrar.

49. A warehouseman shall maintain in the accounts book and such other records in connection with the accounts in such form and manner as may be directed by the Registrar and in particular shall maintain-

- 1) A stock register in Form VII.
- 2) A ledger for each depositor in Form VIII.
- 3) A general Insurance Account in Form IX.

Section 34 (1) 50. Every warehouseman shall, from time to time, make such reports as may be required by the Registrar concerning his business as a warehouseman.

51. (1) Any person, not satisfied with the orders passed for refusing to grant or renew a licence or for suspending, revoking or cancelling any licence, may appeal within 30 days from the date of communication of the orders to the :-

- a) Registrar, Cooperative Societies, if the order appealed against is passed by a subordinate authority exercising the powers of Registrar;

b) Government, if the order appealed against is passed by the Registrar Cooperative Societies.

2) No appeal shall be entertained by the Registrar Cooperative Societies or the Government, as the case may be unless the same is accompanied by a copy of the orders appealed against.

Sd/- R.I.N. AHOOJA
Secretary to Govt., Punjab,
Co-operative Deptt.

Note : The above rules also include the amendment made by the State Govt. vide their following notifications :-

1. Notification No. GSR 44/PA-2/58/S-34/64, dated 27-1-1964.
2. Notification No. GSR/88/PA-2/59/S-34/66, dated 12-4-66
3. Notification No. 5944-Agr. VIII-72/22564, dated 13-9-72.

FORM I
(See Rule 3)
(Application for grant/renewal of licence to the registrar)

To

The Assistant Registrar,
 Cooperative Societies,

Sir,

I/We S/o.....

Village P.O..... Tehsil

District..... request that I/We may be granted a
 licence.....during the year ending 31st December, 19

2. I/We agree to abide by the terms and conditions of the licence, to be granted.
3. I/We have paid Rs as licence fee in
 Treasury/sub-treasury.
4. I/We have agree to abide by the provisions of the Punjab Warehouses Act, 1957
 and the Punjab Warehouses Rules, 1958 and also to the terms & conditions re-
 garding the maintenance of a Warehouse and any orders issued by the Regis-
 trar or such other officer as may be authorised by the Govt. in this behalf.
5. I/We hereby solemnly declare that all information herein given is true to the best
 of my knowledge and that in case in proves to be untrue, I/we undertake to indem-
 nify person or persons concerned in this business against any loss arising out of
 such false or untrue information.
6. I/we declare that each of the warehouse specified below is suitable for the stor-
 age of goods respectively mentioned against it and that it is in good condition.
7. I/we undertake to execute the security bond of the required amount and in the man-
 ner prescribed under rule of the Punjab Warehouses Rules, 1958.

Dated

Signatures

Description of premises to be used as
 Warehouse or warehouses

1. Village or Town Tehsil Dated

2. House No

Sr. No.	Description of each	Detailed description/purpose of the ware- house of each
---------	------------------------	--

3. Area

4. Storage capacity

5. Suitability regarding storage of goods for which it is to be used.

6. Quantities & varieties of goods stored in the previous year, if any?

7. Estimated quantity of goods to be stored during the period of licence.

FORM II
(See Rule 3)
(Application for issue of duplicate licence)

To

The Asstt. Registrar,
Cooperative Societies,
Sir,

I/weS/o.....Village
P.O..... Teh..... Distt request that
my/our warehouse licence No granted on
for the period ending for the area has been lost/destroyed in the
following circumstances.

1. I/We therefore, request you to grant me/us a duplicate licence on the same terms and conditions on which the aforesaid licence was granted.
2. I/we affixed stamp in payment of the fee of Rs. 5/-.
3. I/we hereby solemnly declare that information herein given is true to the best of my/our knowledge.

1. Witness 1.
Witness 2.

Signature

FORM III
(See Rule 5) (Form for issue of
licence)

Licence for carrying on the business of a warehouse.

Licence No..... of 19

Licence is hereby granted to.....hereinafter referred to as the licensee) on
payment of fee of Rs.....for the conduct of the business of a ware
houseman in the warehouse situated at.....subject to the provision of the Pb. Ware
houses Act, 1957 and the rules made hereunder and on the following conditions
namely:

1. This licence shall be valid upto and inclusive of 31st. Dec, 19
2. The licensee shall not carry on the business of a warehouseman at any place other than the said warehouse.
3. The licensee shall carry on the aforesaid business for the storage of the following goods in the said warehouse :-
 - (i)
 - (ii)
 - (iii)
4. This licence is not transferable.
5. No correction or alteration in the Schedule of charges be valid unless approved by the Registrar.
6. This licence shall be liable to be cancelled, revoked or suspended in accord-

- ance with the provisions of Sections 8 & 9 of the Punjab Warehouses Act, 1957.
7. In the event of cancellation, revocation or suspension of this licence, the licence shall surrender it to the Registrar along with all the unused warehouse receipts in his possession.

Asstt. Registrar, Coop. Societies.

Place :

Date :

RENEWAL OF THE LICENCE

Date of renewal	Period for which renewed	Signature of the Registrar & date

FORM-IV

(See Rule 10)

(Form for application of deposit of goods)

To

The Warehouseman,

Dear Sir,

Please take delivery of the following goods :-

Description of goods	No. of packages bags and quantities with distinguishing mark if any.	Measurement or/and weight	Market price at....	Total valuation of goods	Remarks

I certify that the goods mentioned above are my bonafide property and no other person has any claim against them.

(When an agent deposits the goods on behalf of an owner, the form should be as under)

I certify that the goods above mentioned are the bonafide property of and no other person has any claim against them.

Yours faithfully,

Depositor/Agent

Certified that the written descriptions of goods, their grade or quantity and weights and/or measurements and price have been certified and are correct.

Place :

Warehouseman's signature

Dated :

FORM-V

(Form for delivery of goods)

The warehouseman.

Dear Sir,

Please deliver the goods described below to self or to receipt granted by
you accompanies. Description of goods to be delivered

Description of goods	No. of packages etc.	Weight or/and measurement	Market price	Special remarks, if any	Remarks
-------------------------	-------------------------	---------------------------------	-----------------	-------------------------------	---------

Yours faithfully,

Depositor.

Received the above noted goods in condition.

Place :

Dated :

Depositor

The goods mentioned below are hereby released from this receipt for delivery from
warehouse. Any unreleased balance of the goods is subject to a lien for unpaid charges
and advances on the released portion :

Date

Quantity released

Quantity due on receipt

Signature of warehouseman

FORM-VI

**(See Rule 11)
(Form for issue of receipt)**

Serial No. of receipt: Location &

No. of warehouse :

Warehouseman's-licence No.:

Valid upto :

Date of issue of receipt :

Received from :

Description :

Kind	Class or standard qty. and/ or grade	No. of packages of lots	Net quantity in mts. by weight or measure	Name and/or licence No. of the weigher/ classifier/sampler.
------	--------------------------------------	-------------------------	---	---

Condition of the goods..... (1) Good (2) Fair (3) Average

Private Marks of the depositor on the packages.

Rate of storing and other charges.

Insured for fire/theft/rain/floods/civil commotion with (Name of Insurance Co.) for the amount of Rs

The goods are accepted for storage fromto..

Signature of the
Warehouseman or his agent

FORM VII
(See Rule 49)
(Form for Stocks Register)

If the godown is hired period of hire from.....Rent fixed.

Godown No, to Whose name hires Rate payable
 Situated at Rate paid
 Owners Name

Name of Companies with which insured
 Amount for which insured.

DESCRIPTION & QTY, OF GOODS

RECEIVED & SPECIAL MARK ON

GOODS IF ANY

Date of dep-	Name of person who deposited the goods	No of units	Weight or measure	Grade of quantity standard	Special make, if any, then specify	No of receipts issued
		(a)	(b)	(c)	(d)	

1	2		3	4
---	---	--	---	---

Description of goods released or delivered No	Balance of stockMarket price						
No. units	Wt. or/and measurement	Grade or Qty. Stan- dard	Delivery order No.	Nos. or units	Wt. or/ and me- asure- ment	Grade of Qty. stand- ard	Market price of Goods on the date of deposit
(a)	(b)	(c)					

Particulars
 payment made
 by depositors

Balance of stock

Date of payment	Amount	Delivery order No.	Initials of Godown Keeper	No. of packages	Wt. or/ & measurement	Grade or quality standard	Market price of deposited goods on the date of deposit
(a)	(b)						
6		7	8	9			10

Name of transferee to whom goods are transferred or by whom they are held as security for advances, if any	Reference to the instrument of document transferring possession.	Remarks
11	12	13

FORM IX

(See Rule 49)

(Form for General Insurance Account)

Name of the depositor	Ware-house Receipt No.	Value of goods	Amount for which Insured	Name of Insurance co. With which insured	Period for which insured	No. of Insurance Policy	Amount of Insurance charges	Amount of other expenses	remarks
1	2	3	4	5	6	7	8	9	10

Dated:

Signature of Warehouseman

FORM X
(See Rule 41)

(Form of certificates to be issued by the Weigher, Sampler or Classifier)

Weight/grade certificate

Name & location of the warehouse in which
the grain or produce is to be stored

Date of certificate

Consecutive number of certificate

Weight of grain or product covered by the certificate

Grade and or weight of grain or produce as determined
by licenced weigher, sampler or classifier

This certificate is issued under the Punjab Warehouses Act, 1957 and the rules made therein.

Signature of the licenced
weigher, sampler or classifier

FORM XI

Application for a licence to weigh/sample/grade commodity.

To

The Registrar,
Cooperative Societies, Punjab. Sir

I hereby apply under the Punjab Whorehouses Act, 1957 and the rules prescribed there under for a licence to weigh/sample/grade and to certify the *weight/sample/grade of the stored or to be stored in the following warehouses licenced or for which application for licence has been made under the Punjab Warehouses Act, 1957.

Name of Warehouseman	Name and/or licence	Location of the warehouse
	number of warehouse	

2. I agree to comply with and abide by the provisions of the Act, and the rules so far as the same may relate to me.
3. I have attached a treasury receipt for the payment of the licence fee of Rs.

(Questions to be answered by the applicant)

1. Full name
2. Residential address
3. Date of birth Age Year
4. Present employment
5. Name and address of present employer
6. How were you employed during the past five years?
7. Have you ever been discharged from employment? If so, give name and address of the employer and the reasons for discharge.
8. Have you ever been licenced to perform services similar to those for which the licence is applied for? If so give details.
9. Have you ever performed service similar to those for which the licence is applied for? If so, give details.
10. Have you any special qualifications?
11. Are you physically fit to perform the duties of the post for which the licence is applied for? Have you any defect of sight or disease of the eye?
12. Names and addresses of three persons who have personal knowledge of your qualifications (Two of them must be engaged in commercial concerns handling the products covered by the application).

I declare that the foregoing statements are true to the best of my knowledge and belief.

Place:

Signature of the applicant

Date:

*Score out what is not wanted. Here enter the names of the goods.

FORM XII

(See Rule 39)

FORM OF LICENCE TO WEIGHT/SAMPLE/GRADE

..... commodity

Serial No. Valid upto the 31st December, 19
Under sub-section (1) of section 23 of the Punjab Warehouse Act, 1957 (Punjab Act 2 of 1958)

Shri Son of..... residing
at of..... tehsil.....
in the district of..... is hereby licenced to *weigh/sample/grade
and to certify the weight/class/grade of the..... stored or to be stored in
the following warehouse licenced or for which application for licence has been made
under this said Act.

Name of warehouseman	Name and licence number of warehouse	Location of warehouse
----------------------	---	-----------------------

Conditions of licence :-

1. This licence shall be valid upto the 31st December, 19
2. This licence shall be subject to the provisions of the Pb. Warehouses, Act, 1957 and the rules made there under.
3. This licence shall not be transferable.
- 4, This licence shall be produced whenever demanded by the prescribed authority or any other person authorized by him on this behalf.

*Strike out what is not wanted Registrar Cooperative Societies
Here enter the names of the goods Punjab.

APPENDIX A (See Rule 28)

Maximum percentage of loss in weight or bulk due to dryage or shrinkage

S.No.	Commodity	Maximum percentage of loss allowed for the period of			
		Two months	Four months	Six months	One year
1	2	3	4	5	6
1.	Paddy	2	2 ¹ / ₂	3	4
2.	Rice	1 ¹ / ₂	2	2 ¹ / ₂	3

3.	Wheat	1	1 ¹ / ₂	2	2 ¹ / ₂
4.	Wheat product	2	2 ¹ / ₂	3	4 ¹ / ₂
5.	Maize	2	2 ¹ / ₂	3	3 ¹ / ₂
6.	Barley	1	2	2 ¹ / ₂	3
7.	Qats	1	1 ¹ / ₂	2	2 ¹ / ₂
8.	Bazra	1	1 ¹ / ₂	2	2 ¹ / ₂
9.	Jowar	1	2	2 ¹ / ₂	3
10.	Bengal gram	1	2	2 ¹ / ₂	3 ¹ / ₂
11.	Bengal gram dal	1 ¹ / ₂	2	3	3 ¹ / ₂
12.	Kabuli gram	1	2		3
13.	Red gram	1	2	2 ¹ / ₂	3
14.	Red gram dal	1 ¹ / ₂	2	3	3 ¹ / ₂
15.	Black gram	1	2	2 ¹ / ₂	3
16.	Black gram dal	1 ¹ / ₂	2	3	3 ¹ / ₂
17.	Green gram	1	2	2 ¹ / ₂	3
18.	Green gram dal	1 ¹ / ₂	2	3 ¹ / ₂	3 ¹ / ₂
19.	Masoor	1 ¹ / ₂	2 2	3 ¹ / ₂	3
20.	Masoor dal	1 ¹ / ₂		3 ¹ / ₂	3 ¹ / ₂
21.	Peas	1 ¹ / ₂	2 ¹ / ₂	3	4
22.	Beans	1 ¹ / ₂	2 ¹ / ₂	3	4
23.	Groundnut kernels	1	1 ¹ / ₂	3	3
24.	Groundnut pods	2	3		4
25.	Gingli seeds	2	3	2 3 ¹ / ₂	5
26.	Cotton seeds	1	1 ¹ / ₂	4	2 ¹ / ₂
27.	Cotton Kapas	1	1 ¹ / ₂	2	2 ¹ / ₂
28.	Cotton lint	1	1 ¹ / ₂	2	2 ¹ / ₂
29.	Caster seeds	1	1 ¹ / ₂	2	2 ¹ / ₂
30.	Sunhemp fibre	1	2	3	-
31.	Sugar cane jaggery	2	3		4
32.	Palayya jaggery	2	3 1 ¹ / ₂	2 3	4
33.	Sugar Shakkar	1	2	3	4
34.	Peeper	1	2	1 ¹ / ₂	2 ¹ / ₂
35.	Peeper	1		2 ¹ / ₂	4
36.	Cardamoms	1 ¹ / ₂	1 2	3 ¹ / ₂	4
37.	Ginger	1		3 ¹ / ₂	2
38.	Chillies	2	3 3		4
39.	Turmeric	2		3	4
40.	Corriander	1	2	-	4
41.	Onions	4	6 4	6	-
42.	Garlic	3			-
43.	Potatoes	2	4	6	-
44.	Fertilizers	1	2	3	4

APPENDIX B (See Rule 28)

**MAXIMUM PERCENTAGE OF GAIN IN WEIGHT OR
BULK DUE TO ABSORPTION OF MOISTURE**

S.No.	Commodity	Maximum percentage of gain in weight allowed for absorption of moisture during the monsoon months of July to Oct.
1.	Paddy	1
2.	Rice	1
3.	Wheat	1
	Wheat Products	2
5.	Maize	1
6.	Barley	1
7	Oats	1
8.	Jowar	1
9.	Bazra	1
10.	All grams & their dals Peas	1
11.	Beans Groundnut kernels &	1
12.	Peas	1
13.	Groundnut kernels & pods	1
14.	Gingli seeds	2
15.	Sugarcane jaggery	2
16.	Palayya	2
17.	Shakkar	2
18.	Potatoes	1
19.	Cotton seeds	1
20.	Cotton kapas	1
21.	Cotton lint	1
22.	Sugar	1
23.	Castor seed	1
24.	Sunhemp fibre	1
25.	Peoper	1
26.	Cardamoms	1
27.	Ginger	1
28.	Chillies	1
29.	Turmeric	1
30.	coriander	1
31.	Onions	
32.	Garlic	1
33.	Fertilizer	1

H.S. ACHERIA
Secretary to Govt., Punjab,
Cooperation Department

**HARYANA WAREHOUSING CORPORATION
RULES, 1969**

(Extract from the Haryana Government (Extraordinary) Gazette dated the 20th July, 1969).

PART III
HARYANA GOVERNMENT
DEVELOPMENT AND AGRICULTURE DEPARTMENT

Notification
The 20th June, 1969

No. CSR - 87/C.A. 58/62/S. 41/69. - In exercise of the powers conferred by Section 41 of the Warehousing Corporations Act, 1962, the Governor of Haryana hereby makes the following rules, namely :-

CHAPTER I
PRELIMINARY

- Short title
- Definitions.
1. These rules may be called the Haryana Warehousing Corporation Rules, 1969
 2. In these rules, unless the context otherwise requires :-
 - (a) "Act" means the Warehousing Corporations Act, 1962.
 - (b) "Board" means the Board of Directors of the Corporation.
 - (c) "Corporation" means the Haryana Warehousing Corporation established under Section 18;
 - (d) "Director" means a director of Board ;
 - (e) "Executive" Committee" means the Executive Committee of the Corporation constituted under sub-section (1) of the Section 25 ;
 - (f) "Form" means a form appended to these rules ;
 - (g) "Government" means the Haryana State Government in the Administrative Department concerned;
 - (h) "Managing Director" means the Managing Director the Corporation;
 - (i) "Register" means the register of shareholders referred to in rule 9;
 - (j) "Section" means section of the Act;

CHAPTER II

ADDITIONAL FUNCTIONS OF THE CORPORATION

- Disinfestations Services, S. 41 (2) (a)
- Service as agent s. 41 (2) (a)
- (i) The Corporation may at its discretion and at the request of the parties concerned undertake dis-infestation service outside its warehouses in respect of agricultural produce or notified commodities as defined in Section 2.
 - (ii) The Corporation may, at its discretion, act as an agent for the purpose of purchase, sale, storage and distribution of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities as defined in Section 2, on behalf of a Company as defined in the Company Act, 1956 (One of 1956) or a body

incorporate established by an Act of Parliament or a State Legislature or a Cooperative Society.

3.(A) The Corporation may establish and run Inland Container Depot, Agreement Container Freight Station, Air Cargo Terminal and create infrastructure for joint work the purpose of handling, marketing and other warehousing related services 24(e) 41(2) in respect of agricultural produce, or notified commodity as defined in section (J)-2 of the Act, either alone or in partnership or as a joint venture with the Central or State Government departments or a body corporate or established by an Act of Parliament or a State Legislature or co-operative society or a company incorporated under the Companies Act, 1956, or private entrepreneur.

3.(B) The Corporation to promote and diversify its business, may aid, Assist and finance programmers or projects for diversification and production for of agriculture produce.

3. (D) Lending of money against good's in warehouses. The Corporation may lend money to the bonafied farmers of Haryana against good's deposited units warehouses on terms & conditions as may determine.

Agreement for joint working Section 24 (e) & 41 (2) (j)

Assistance for diversification & production of agricultural produce Section 24(e) & 41 (2) (j)

CHAPTER III

4. (1) The terms of office of a Director nominated under section 20 shall, in the case of official director, be for the period for which he continues to hold the office and in any other case be 3 years commencing on the date of appointment.

Provided that the Government *may* extend the *term of* office of such rector for a further period not exceeding one year or till a successor is nominated which ever is earlier.

(2) It shall be open to the Central Warehousing Corporation and the State Government to withdraw at any time any director and nominate other director in his place for the unexpired term of the office for which the director was originally nominated.

(3) A non-official director of the Board may resign his office by writing in his own hand addressed to the Government and such resignation shall be effective from the date on which it is accepted by the Govt. or on the expiry of a period of one month from the date of receipt by the Government, whichever is earlier. The casual vacancy so caused shall be filled by nomination by the Central Warehousing Corporation or by the Government, as the case may be, in the same manner as is laid down in clauses (a) and (b) of sub section (1) of section 20.

(4) A director nominated to fill a casual vacancy shall hold office for so long as the director whose place he fills would have been entitled to hold the office if the vacancy had not occurred; provided that no casual vacancy occurring within three months of expiry of the normal term of office of a director, shall be filled.

(5) The term of office of the Managing Director shall be for a period of

Term of office of directors & filling of casual vacancies among directors S. 42 (2) (a)

not less than three year commencing on the date of appointment which may be extended by the Government for a further period not exceeding three years.

Manner of choosing directors to Executive Committee, S. 20 (1) (a) 25 (1) (c) & 41 (2) (d)

5. The Board shall choose from among themselves three directors referred to in clause (c) section (i) of Section 25, one of which shall be from the directors referred to in clause (a) of sub-section (1) of section 20.

Resignation of non-official member of Executive Committee S. 41 (2)(J)

6. A non-official member of the Executive Committee may resign his office as such member by intimation in writing under his hand addressed to the Chairman who shall place it before the Executive Committee and such resignation shall be effective from the date on which it is accepted by the Executive committee or on the expiry of a period of one month from the date of its receipt by the Chairman, whichever is earlier.

Sub committee S. 41 (2) (J)

7. The Board may appoint as *many* sub-committees from amongst its directors as it may necessary for the efficient performance of its functions.

Fees & allowances to directors for attending meetings S. 20 (6), S. 41 (C).

8. A director, other than the Managing Director or salaried official of the Government, shall receive such fee and allowances for attending each meeting of the Board and of the Executive Committee or a Sub-committee as may be laid down in the regulations made under section 42.

CHAPTER IV

SHARES OF THE CORPORATION

Authorized Capital S. 19 41 (2) (a)

9. The authorized shares capital of the Corporation shall be 6.20 crore rupees.

Share register S. 41 (2)(h)

10. The Corporation shall maintain at its Head Office a register of shareholders and shares issued under the Act and shall enter therein such particulars as may be deemed necessary by the Board.

Share certificates S. 41 (2) (h)

11. (1) Every share certificate shall be issued under the common seal of the Corporation

(2) Every share certificate shall specify the number and denote the numbers of the shares in respect of which it is issued and shall be issued within three months from the date of receipt of share contribution the shares in respect of which it is issued.

Entitle to share certificate S. 41 (2)(h)

12. The Central Warehousing Corporation and the government shall each be entitled free of charge, to one certificate for all the shares registered in their names in respect of each share contribution amount, separately, at each allotment.

Issue of new certificate in place of worn-out defaced etc. certificate S. 41 (2)(h)

13. (1) if any share certificate is worn out or defaced, on production there of at the Head Office of the Corporation, the Corporation may order the same to be cancelled and issue a new certificate in lieu thereof, free of charge.

(²) If any share certificate is alleged to be lost or destroyed, the Corpo-

ration may, on production of adequate evidence of loss or destruction, issue a new certificate, free of charge, in lieu thereof.

14. (1) No dividend shall be declared or paid except out of the profits of the Corporation.

(2) The dividend shall be payable in proportion to the amount paid up on each share before the expiry of the year for which the dividend is declared.

Provided that, in the case of shares allotted in the course of the year for which the dividend is declared, the dividend shall be payable only in proportion to the period of the year from the date of receipt of share money by the Corporation.

(3) The dividend shall not bear any interest.

Dividend S.30

CHAPTER V MISCELLANEOUS

15. (1)* Subject to the provisions of this rule, all moneys belonging to the Corporation shall be deposited in any of the nationalized or cooperative banks, as may be decided by the Managing Director;

(2)** Any funds of the Corporation deposited under sub-rule (1) and not required for current expenditure, may be placed in fixed deposits or deposit at call account(s) with any nationalized bank or co-operative bank or scheduled bank, or invested in the securities of the Central or State Public Sector Enterprises engaged in Warehousing activities which embrace within their ambit warehousing and other allied activities.

(3)*** A current or savings account may be opened, closed or transferred by the Managing Director for Head Office and for each of the Warehouses, with any of the banks mentioned in sub-rule (1). The amount to be kept in the current or savings accounts shall ordinarily remain within the limits prescribed by the Managing Director from time to time,

(4)*** All payments by or on behalf of the Corporation shall be made by cheques except payment of the amount not exceeding one thousand rupees which may be made in cash from the amount of impress sanctioned for such purposes from time to time :

Provided that this will not apply in matters relating to the disbursement of pay and allowance and other similar payments to the employees of the Corporation.

(5)**** All cheques and all orders for making deposit or investments or for the withdrawal of the amount for disposal in *any other manner from* the funds of the Corporation, shall be signed by the Managing Director or by any officer of the Corporation authorized by the Board in this behalf"

(6) No payment should be made out of the accounts of the Corporation unless the expenditure is covered by the financial estimates referred to in

Maintenance
of and
operation
upon bank
accounts.
S41 (2)(g)

*Rule 15(1) substituted vide notification No. GSR. 31/CA. 58/62/S.41/89 dated 23.3.89.

**Rule 15(2)* sub. vide notification No. 1988-2. Agri. 11-95/14057 dated 17.11 1995.

***Rule15(3) & 15(4) sub. vide notification No. GSR. 31/CA.58/62/S.41/89 dated 23.3.89.

""Rules 15(5) Sub. vide notification No. 1131-Agri. 11(2).96/347 dated 7.1.97

sub-section.

Provide that the Executive Committee may, at its discretion, authorize any expenditure to be *incurred* In anticipation of such estimates and the statement of expenditure so incurred shall be submitted to the Board of Directors at its next meeting.

(7) Any excess expenditure over the budget provision occurring in the normal working on the Corporation and disclosed in the final accounts shall be got regularized with the approval of the Board.

(8) All monetary transactions shall be entered in the cash book as soon as they are conducted and attested by an officer of the Corporation duly authorized by the Managing Director in this behalf. The cash Book shall be closed daily and checked by the Managing Director or any Officer authorized by him for this purpose. At the end of each month the Managing Director or Officer so authorized shall verify the cash book and the cash in hand and record a signed and dated certificate to that effect.

(9) All payments by the Corporation shall be made on bills or other documents, duly prepared and passed by the Managing Director or any other officer authorized in this behalf. The paid bills shall be stamped 'PAID' and 'CANCELLED' so that they cannot be used a second time. The vouchers shall be passed by the officer deputed for the purpose by the Managing Director and the same duly supported by bills should then be kept serially numbered .

Annual state-
ment of accounts.
and balance sheet.
S. 31 (1), 41 (2)(f)

The Board shall cause the books of the Corporation to be balanced on the last working date of the month of March every year and the annual accounts shall be set out as follows:-

1. A balance sheet in Form A.
2. Profit & Loss account in Form B.

FORM 'A'
(See Rule 16)

HARYANA WAREHOUSING CORPORATION. CHANDIGARH

Balance Sheet as at 31st March

SHARE CAPITAL

- (a) Authorized Shares of Rs. 100/- each.
- (b) Issued Shares of Rs. 100-each.
- (c) Subscribed Shares of Rs. 100-each by :
 - (i) State Government,
 - (ii) & Shares of Rs. 100-each, by Central Warehousing Corporation
- (d) Paid up Shares of Rs. 100-each fully paid.

.. .

Call in arrear:

- (a) Reserve fund under Section 30(1) opening balance addition during the year.
- (b) Depreciation reserve fund
- (c) Other reserves.

BAD AND DOUBTFUL DEBTS FUND UNDER

SECTION 30(2) :

Other funds. :

Bonds and Debentures :

CASH IN HAND

- (a) Head Office
- (b) At Warehouse
- (c) In transit
- (d) Postage stamps in hand.
- (e) Cheques in hand.

Cash in Banks

- (a) At call deposit with (Name of Bank)
- (b) At fixed deposit with (Name of Bank)
- (c) On current Accounts with State Bank of India.
- (d) C.P.F. Bank account with State Bank of India.

Investments

- (a) Central government Securities;
- (b) State Government Securities;
- (c) Shares in Central Warehousing

Borrowing from :

- | | |
|--|---------------------------|
| (i) Reserve Bank of India under section 27(2)(i) | (a) Land |
| (ii) State Bank of India under section 27(2)(ii) | (b) Buildings |
| (iii) State Govt. under Section 23(3) | (c) Godown and Warehouses |
| (iv) Central Warehousing Corporation under Section 27(3) | |

Advances received for purpose of agricultural commodities.

Dead Stocks

Liabilities under guarantee by Institution-Government. agricultural

Advances to Co-operative
tion for purchase of
commodities under section 24(e).

held as
Provision for taxation.

Estimated value of stocks

agent of Government.

Other liabilities :
items :

Other

(a) Sundries creditors deposits.

(a) Interest accrued on

(b) Income tax payable. materials in

(b) chemicals and other

stocks

(c) Salaries and allowances payable

(c) Stationery in hand

(d) Due to directors.

(d) Prepaid expenses

(e) Security deposit

(e) Judicial Stamps in hand

(f) Staff income tax

(f) Construction Advances to

P.W.D.

(g) Proposed dividend (subject to recoverable deduction of tax.

(g) Storage charges

(h) Other expenses,
Recoverable from Food
Department, Other
Department/Bodies.

Suspenses:

Other items

- (i)
- (j) etc.
- (k)
- (l)

FORM "B"
(See Rule 16)

HARYANA WAREHOUSING CORPORATION

Profit and Loss Account For the year ending 31 st March,

Expenditure		Income	
Previous year	Current year	Previous year	Current year
Rs.	Rs.	Rs.	Rs.
<p>1. Interest on</p> <p style="padding-left: 20px;">(a) Loans from Reserve Bank of India</p> <p style="padding-left: 20px;">(b) Loans from State Bank of India</p> <p style="padding-left: 20px;">(c) Loans from Central Govt.</p> <p style="padding-left: 20px;">(d) Loans from State Govt. ,</p> <p style="padding-left: 20px;">(e) Loans from Central Warehousing Corporation</p> <p style="padding-left: 20px;">(f) Bonds</p> <p style="padding-left: 20px;">(g) Debentures.</p> <p>2. (1) Establishment (2) Employer's Contribution to staff Provident Fund.</p> <p>3. Directors remuneration fees, travelling allowance etc.</p> <p>4. Rents, rates and taxes.</p> <p>5. Insurance.</p> <p>6. Chemicals.</p> <p>7. Warehouse licence fees.</p> <p>8. Repairs and maintenance.</p>	<p>1. Warehousing charges</p> <p>2. Interest on</p> <p style="padding-left: 20px;">(a) Securities</p> <p style="padding-left: 20px;">(b) Bank Accounts</p> <p style="padding-left: 20px;">(c) Loans & Advances</p> <p style="padding-left: 20px;">(d)</p> <p style="padding-left: 20px;">(e)</p> <p>3. Dividend on shares held.</p> <p>4. Other Income including agency commission.</p>		

9. Auditors fee or remuneration.
10. Stationery and printing.
11. Depreciation (including depreciation on furniture)
12. Publicity and propaganda.
13. Miscellaneous expenses.
14. Other items.

Net Profit

Net Loss

Profit and loss appropriation accounts.

By Profit and Loss Account

- (1) Income tax.
- (2) Dividend.
- (3) Reserves.

.Total: (i)

- (i)
- (ii)

Total :

B.S. GREWAL
Financial Commissioner & Secretary to
Government Haryana, Agriculture Department.

**HARYANA WAREHOUSING CORPRATION
GENERAL REGULATIONS, 1981**

HARYANA WAREHOUSING CORPORATION

S.C.O. 8, SECTOR 17-E, CHANDIGARH

The 11th February, 1981

No. HWC/G-2/81/69857. - In exercise of the powers conferred by section 42 of the Warehousing Corporations Act, 1962, and with the previous sanction of the State Government, the Haryana Warehousing Corporation hereby makes the following regulations governing the Haryana Warehousing Corporation for the purpose for giving effect to the provisions of the Warehousing Corporations Act, 1962, namely :-

1. *Short title & commencement.* - (i) These Regulations may be called the Haryana Warehousing Corporation General Regulations, 1981.

(ii) These rules shall come into force at once.

2. *Definitions.* - In these Regulations; unless the context otherwise requires :-

(a)* 'Act' means the Warehousing Corporations Act, 1962 (Parliament Act 58 of 1962).

(b) 'Board of Directors' means the Board of Directors of the Corporation.

(c) 'Chairman' means the Chairman of the Board of Directors.

(d) 'Corporation' means the Haryana Warehousing Corporation established under section 18 of the Warehousing Corporations Act, 1962-wcte Haryana Government Notification No. Agr. II(X)-67/27616, dated the 28th October, 1967,

(e) 'Director' means a member of the Board of Directors.

(f) 'Executive Committee' means the Executive Committee of the Corporation.

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(g) 'Managing Director' means the Managing Director of the Corporation.

(h) 'Sub-Committee' means a Sub-Committee appointed by the Board of Directors, or by the Executive Committee.

(i) 'Government' means the Haryana State Government.

CHAPTER - H

3. *Meeting of Board of Directors and the Executive Committee.* - (i) A meeting of the Board of Directors and of the Executive Committee shall be held at least once a quarter in each year,

(ii) Ordinarily not less than 10 days' notice shall be given to every Director, of a meeting of the Board of Directors, and not less than 7 days' notice to a member of the Executive Committee of a meeting of the Executive Committee.

(iii) An emergent meeting of the Board of Directors or of the Executive Commit-

tee may, however, be called at a shorter notice, but such notice shall be of sufficient duration to enable every Director or Member of the Executive Committee, who is that time in India, to attend such meetings.

(iv) A meeting of the Board of Directors or of the Executive Committee shall be conveyed by the Managing Director in consultation with the Chairman. A notice of the meeting shall be sent to each Director or Member of the Executive Committee, as the case may be, at his registered address, specifying the time, date and place of the meeting and the business to be transacted at the meeting. No business other than that specified in the notice shall be transacted at a meeting except that of which 7 days clear notice has been given to the Chairman but with the permission of the authority presiding at the meeting any other item may be considered.

(v) A special meeting of the Board of Directors shall be convened on a requisition received from not less than 3 Directors.

(vi) Resolution on matters of urgent nature may be passed by circulation of papers under registered cover or at personal level among all the Directors for the time being in India, at their usual addresses. The resolution shall be deemed to have been passed, if it has been approved by a majority of Directors. The resolution passed by circulation shall be placed in the next meeting of the Board of Directors for its information and shall be pasted in the minutes book maintained for the purpose.

4. *Presiding authority.* - The Chairman or in his absence a Director (Other than the Managing Director) chosen by the Directors present from amongst themselves shall preside over the *meeting of the* Board of Directors or the Executive Committee, as the case may be.

5. *Decision by majority.* - All questions at a meeting of the Board of Directors or of the Executive Committee, shall be decided by the majority of votes. In case of equality of votes, the person presiding shall have a second or casting vote.

6. *Quorum.* - The quorum for a meeting of the Board of Directors shall be five and of the Executive Committee three. If there is no quorum at any meeting of the Board of Directors or of the Executive Committee, the meeting shall be adjourned and at the adjourned meeting business of the last meeting shall be conducted, there being a quorum of two directors/members.

7. *Place of meetings.* - A meeting of the Board of Directors and of the Executive Committee may be held at Chandigarh or at such other convenient place within the State of Haryana, Union Territory of Chandigarh and Delhi.

8. *Minute book.* - The Secretary shall maintain a minute book in which the minutes of the meeting of the Board of Directors shall be recorded. He shall similarly maintain a minute book in which the proceedings of meeting of the Executive Committee shall be recorded. The minutes of a meeting of the Board of Directors as well as of the Executive Committee shall be circulated as soon as possible after the meeting, for the information of the directors/Members of the Executive Committee, as the case may be, and shall be placed before the next meeting of the Board of Directors or the Executive Committee as

the case may be for confirmation and shall bear the signatures of the Chairman or the person presiding over the meeting. The minutes of the Executive Committee shall also be placed before the next meeting of the Board for Information.

9. Disclosure of interest by a Director. - Every Director who is, in any way, whether directly or indirectly, concerned or interested (except as a representative of a statutory body incorporated) in any contract, loan or arrangement entered into or proposed to be entered into, by or on behalf of the Corporation, shall disclose the nature of his concern or interest to the Board of Directors or the Executive Committee, as the case may be and shall not participate in the meeting of the Board of Directors or of the Executive Committee when such contract, loan or arrangement is considered.

10. *Rate of fee and allowances to Directors for attending meeting etc.* - (i) A Director (other than the Managing Director, or a salaried officer of the Government) shall receive a fee of Rs. 150/- for attending each meeting of the Board of Directors and/or of the Executive Committee or Sub-Committee attended by him, provided that he shall not be entitled to more than Rs. 150/-, if two or more such meetings are held on the same day.

(ii) (a) In addition, such on-official Director shall be reimbursed their travelling expenses for attending the meeting of the Board of directors or of the Executive Committee or Sub-Committee or in respect of journeys undertaken by them in connection with the business of the Corporation, at the rates and subject to the conditions governing thereof, as admissible in case of Grade I officers of the Haryana Government.

(b) In case of directors who are members of the Parliament or of any State Legislature or any other non-official director other than the Members of Parliament/State Legislature, shall be entitled to draw traveling and daily allowance at the rates prescribed by the State Government from time to time or specially prescribed by the Government.

(c) A Director who is a salaried officer of State Government or the Central Government or a statutory body shall be entitled to draw such traveling and daily allowance as are admissible to him under the rules regulating his conditions of service. The cost thereof shall be charged from the Corporation if the journey performed by such Director was mainly in connection with the affairs of the Corporation.

CHAPTER III

ADMINISTRATION AND CONDUCT OF AFFAIRS OF THE CORPORATION

11. *Powers of the Managing Director.* - (i) The Managing Director shall have the powers to negotiate and carry on the authorized business of the Corporation in accordance with the instructions which the Board of Directors or the Executive Committee may issue from time to time and shall be the authority to decide whether any suit or proceedings be instituted or defended by or against the Corporation, subject to such directions as the Board of Directors may give from time to time.

(ii) The Managing Director shall act as the Controlling and disbursing officer in respect of funds of the Corporation and shall operate accounts either singly or jointly with

other officer(s) of the Corporation authorized in this behalf by the Board of Directors from time to time and draw, accept and endorse bills of exchange and other instruments in the current and authorized business of the Corporation and sign all other accounts, receipts and documents connected with such business.

(iii) Managing Director with the *approval* of the Board is authorized to delegate administrative and financial power to the Secretary and other officers of the Corporation for smooth and effective functioning of the Corporation.

(iv) Managing Director shall have the powers to incur expenditure to the extent * provided in the budget estimates approved by the Board from time to time.

(v) The Managing Director shall organize and supervise the office of the Corporation, maintain discipline and exercise such powers in connection with appointments, promotions, termination of a service and other disciplinary matters and leave of the staff of the Corporation as may be vested by the Board of Directors in this behalf and to allocate duties to the staff and make such other arrangement as may be necessary for the efficient discharge of the functions of the Corporation.

12. *Common Seal of the Corporation.* - (i) The common seal of the Corporation shall be in the custody of the Secretary of the Corporation.

(ii) The common seal of the Corporation shall not be affixed to any instrument except in pursuance of resolution of the Board of Directors or of the Executive Committee and except in the presence of the Managing Director, who shall sign his name to the instruments in token of his presence and such signing shall be independent of the signature of any person who may sign the instrument as a witness. Unless executed as aforesaid, such instrument shall have no validity.

13. *Manner and form in which contracts binding on the Corporation may be executed.* - (a) Any contract which is by law required to be made in writing may be made on behalf of the Corporation in writing by the Managing Director and may be in the same manner be varied or discharged.

(b) Any contract which will be valid if made by *parole* only may be made by parole on behalf of the Corporation by the Managing Director and may in the same manner be varied or discharged.

14. *Pleading, etc., by whom to be signed.* - Plaints, written statements, petitions, affidavits and other documents connected with legal proceedings, may be signed and verified on behalf of the Corporation by the Managing Director or such other Officer of the Corporation authorised by the Managing Director in this behalf.

CHAPTER IV

MEETING OF THE SHAREHOLDERS

15. *Notice for convening a general meeting.* - A notice in writing of at least 30 days shall be given by the Managing Director to the Shareholders for convening the Annual General Meeting of the Corporation.

16. *Business at the Annual General Meeting.* - At the Annual General Meeting the following business shall be transacted :-

- (a) Consideration of the annual accounts of the Warehousing Corporation together with the audit report thereon.
- (b) Any other business with the consent of the Chairman.

17. (i) *Voting by State Government.* - (i) The State Government may, by an order in writing, authorize any of its officers to act as its representative at the annual general meeting of the Corporation and the officer so authorized shall be entitled to exercise the same power on behalf of the State Government as if he was an individual shareholder of the Corporation. The officer so authorized shall not be deemed to be a proxy.

(ii) A copy of any order made under Sub-Regulation (i) shall be deposited with the Managing Director or any other officer of the Corporation deputed for the purpose by the Managing Director before the time fixed for the meeting.

(iii) An order made under Sub-Regulation (i) above may subsequently be revoked by the State Government by depositing a notice of revocation before the time fixed for the meeting and due revocation of an order shall in no way prohibit the issue of another order by the State Government and the deposit of a copy thereof with the Managing Director or any other officer of the corporation equated for the purpose by the Managing Director within the time limited by the Sub-Regulation (ii) above.

18. *Voting by Central Warehousing Corporation.* - The Managing Director of the Central Warehousing Corporation may authorize any official of the Central Warehousing Corporation or any other person to act as the representative of the said Central Warehousing Corporation at the Annual General Meeting of the Corporation and the person so authorized to act shall be entitled to exercise the same powers on behalf of the Central Warehousing Corporation as if he was an individual shareholder of the Corporation. The authorization so given may be in favor of two representatives in the alternative and shall be in writing signed by the Managing Director of the Central Warehousing Corporation. Such authorization shall be deposited with the Managing Director or any other officer of the Corporation deputed for the purpose by the Managing Director before the time fixed for the meeting. A person acting in terms of authorization given under this Regulation shall not be deemed to be proxy.

19. *Quorum of General Meeting.* - A quorum for the Annual General Meeting of the shareholders shall be one. If within 30 minutes from the time appointed for the meeting, quorum is not present, the meeting shall stand adjourned to such date and at such time and place as the Chairman may determine. At the adjourned meeting business of the last meeting shall be conducted irrespective of there being a quorum or not.

20. *Chairman of the General Meeting.* - The Chairman or in his absence, a Director (other than the Managing Director) chosen by the Members present and entitled to vote at the meeting shall be the Chairman at such a general meeting.

21. *Voting at General Meeting and Decision by Majority.* - (a) At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands. A

decision shall be taken by majority of votes. In case of equality of votes the Chairman of the general meeting shall have a second or a casting vote.

(b) A declaration by the Chairman of the General Meeting that resolution has been carried or rejected there at upon show of hands of the members present and entitled to vote, shall be conclusive and an entry to the effect in the books containing minutes of the proceeding of the Corporation shall be sufficient evidence to that effect with proof of the number of proportion of the votes in favor of or against such resolution.

22. *Minutes of the General Meeting.* - (a) the Corporation shall cause minutes of all proceedings of general meeting to be recorded in a book kept for that purpose.

(b) Any such minutes if signed by the Chairman of the meeting in which the proceedings are recorded or by the Chairman of the succeeding meeting shall be evidence of such proceedings.

(c) Until the contrary is proved, every general meeting in respect of the proceedings where minutes have been recorded, shall be deemed to have been duly called and held and all proceedings taking place therein to have duly taken place.

Chandigarh Dated
the 6th February, 1981

M. S. RATHEE,
Managing Director.

**HARYANA WAREHOUSING CORPRATION
(OFFICERS & STAFF) REGULATIONS, 1994**

HARYANA WAREHOUSING CORPORATION

Notification

The 22nd June, 1994

No. HWC/E14/A-5/94/14042. - In exercise of the powers conferred by section 42 of the Warehousing Corporations Act, 1962 (Act 58 of 1962) and all other powers enabling him in this behalf and with the previous sanction of the State Government the Haryana Warehousing Corporation, hereby makes the following regulations, to regulate the recruitment and conditions of service of persons appointed to the Haryana Warehousing Corporation, namely :-

The Haryana Warehousing Corporation (Officers & Staff) Regulations 1994.

In exercise of power conferred by section 42 of Warehousing Corporations Act 1962 (Central Act 1958 of 1962, and all other powers enabling him in this behalf and with the previous sanction of the State Govt. the Haryana Warehousing Corporation (Officers & Staff) Regulations 1994 have been amended vide

Notification No.HWC/E-14/EA-10/2003/22092 dated 28th April 2003,

Notification No.HWC/E-14/EA-10/2004/30992 dated 4th June 2003 and

Notification No.HWC/EA-10/2004/48772 dated 6th August 2004.

Now it reads as under:-

GENERAL

1. **Short title, commencement and application.** - (1) These regulations may be called the Haryana Warehousing Corporation (officers and staff) second amendment 2004 Regulations, 1994 & 2004.

(2) These shall come into force with immediate effect.

(3) These shall apply to all the employees of the Corporation.

2. **Definitions.** - In these regulations, unless the context otherwise requires-

- (a) "Board of Directors" means the Board of Directors of the Corporation;
- (b) "Corporation" means the Haryana Warehousing Corporation established under section 18 of the Warehousing Corporations Act, 1962 (act 58 of 1962);
- (c) "Direct Recruitment" means an appointment made otherwise than by promotion from within the Service or by deputation of an officer/official already in service of the Government of India, State Government, Central or State Public Undertaking;
- (d) "Employee" means a person in the whole time employment of the Corporation but does not include a person on deputation;
- (e) "Executive Committee" means the Executive Committee of the Corporation;
- (f) "Government" means the Government of the State of Haryana in the Agriculture Department;
- (g) "institution" means -
 - (i) any institution established by law in force in the State of Haryana; or
 - (ii) any other institution recognized by the Government for the purpose of these regulations;
- (h) "Managing Director" means the Managing Director of the Corporation;
- (i) "Recognized University" means -
 - (i) Any university incorporated by law in India; or

- (ii) in the case of degree, diploma or certificate obtained as a result of an examination held before the 15th August, 1947, by the Punjab, Sind or Dacca University; or
- (iii) any other university which is declared by the Government to be a recognized university for the purpose of these regulations;
- (j) "Service" means the Haryana Warehousing Corporation Service.

RECRUITMENT OF STAFF

3. Number and character of posts. - (1) The service shall comprise the post shown in Appendix A.

(2) The Board of Directors shall, from time to time, determine, the strength of staff in various categories required for carrying out its functions of the Corporation. The creation of new posts will be subject to the final approval of the Government.

(3) The Executive Committee shall be empowered to create temporary posts in Class III and Class IV within the norms of staff laid down by the Board of Directors and approved by the Government for Warehouses if exigencies of work so require. The conversion of newly created temporary posts into regular posts shall be subject to approval by the Board of Directors and the Government

4. Nationality, domicile and character of candidates appointed to service. -

(1) No person shall be appointed to any post in the service unless he is -

- (a) a citizen of india; or
- (b) a subject of Nepal; or
- (c) a subject of Bhutan; or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India :

Provided that a person belonging to categories (b), (c), (d) or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the service by direct recruitment, unless he produces a certificate of character from the principal academic officer of the university, college, school or institution, last attended, if any, and similar certificate from two other responsible persons not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

- 5. Appointing authority.** - (1) Appointments or promotions to Class I shall be made by the Executive Committee.
- (2) Appointments or promotions to posts in Class II, III and IV shall be made by the Managing Director. "Appointments of sports personnel shall be made by the Managing Director with the recommendations of selection committee".(vide notification dated 06.8.2004)

6. Qualifications and age. - no person shall be appointed to any post in the service, unless he is in possession of qualifications and experience and has attained age specified in column No. 4 and 3 respectively of Appendix B to these regulations in case of direct recruitment and those specified in column 5 of the aforesaid Appendix in the cases of appointment by promotions.;

Provided that in case of appointment by direct recruitment, if candidates with requisite qualifications and experience are not available, the appointing authority may relax qualifications and experience.

7. Disqualifications. - No person-

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
- (b) who having a spouse living, has entered into or contracted a marriage with any person; shall be eligible for appointment to any post in the service :

Provided that the Board of Directors, may, if satisfied that such marriage is permissible under the personal law applicable to such person and other party to the marriage, and there are other grounds for so doing, exempt any person from the operation of this regulation.

Method of recruitment, (I) to the Service shall be made,-

(a) in the case of Secretary-

- (i) by promotion from amongst Executive Engineer, Manager (Storage & Technical), Manager (Business), Manager (Accounts) or Manager (Personnel); or
- (ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking; or
- (iii) failing both by direct recruitment;

Note: - Post of Secretary involved the assumption of duties and responsibilities of greater importance than those of Executive Engineer, Manager (Storage and Technical), Manager (business), Manager (Accounts) and Manager (Personnel).

(b) in the case of Executive Engineer-

- (i) by promotion from amongst sub-divisional Engineer (Civil); or
- (ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking; or
- (iii) failing both by direct recruitment;

- (c) **in the case of Manager (Storage and Technical)**
- (i) by promotion from amongst Deputy Manager (Quality Control) or district Manager; or
 - (ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking; or
 - (iii) failing both by direct recruitment;
- (d) **in the case of Manager (Business)-**
- (i) by promotion from amongst Joint Manager or District Manager; or
 - (ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking; or
 - (iii) failing both by direct recruitment;
- (e) **in the case of Manager (Accounts)-**
- (i) by promotion from amongst Senior Assistant Manager (Accounts); or
 - (ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking; or
 - (iii) failing both by direct recruitment;
- (f) **in the case of Manager (Personnel)**
- (i) by promotion from amongst Assistant Manager (Administration); or
 - (ii) by deputation of an officer already in the service of the Government of India, State Government Central or State Public Undertaking; or
 - (iii) failing both the direct recruitment.
- (g) **in the case of Joint Manager or Senior District Manager-**
- (i) By promotion from amongst District Manager.

Note: - The post of Joint Manager or Senior District Manager, Involves the assumption of duties and responsibility of greter importance than those of District Manager.

- (h) **in the case of Sub Divisional Engineer (Civil)-**
- (i) by promotion from amongst Junior Engineer (Civil) or Head Draftsman; or
 - (ii) by direct recruitment as per following roster :-

Roster point	Category	Experience required
1.	Junior Engineer with Bachelor Degree/Associate member of Institution of Engineers	3 years
2.,3,4 and 5	Junior Engineer Diploma Holder	10 years
7,8 and 9	Direct	-; or

- (i) in the case of Sub Divisional Engineer (Electrical)-**
(i) by promotion from amongst Junior Engineer (Electrical); or
(ii) by direct recruitment; or
(iii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking;
- (j) in case of Deputy Manager (Quality Control)-**
(i) by promotion from amongst Assistant Manager (Quality Control); or
(ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking.
- (k) in the case of District Manager**
(i) 75% by promotion from amongst manager Grade-I; and
(ii) 25% by direct recruitment;
- (l) in the case of Systems Analyst-**
(i) by direct recruitment;
- (m) in the case of Private Secretary-**
(i) by promotion from amongst personal Assistant; or
(ii) by deputation of an officer already in the service of the Government of India, State Government, Central or State Public Undertaking;
- (n) in the case of Senior Assistant Manager (Accounts-)**
(i) by promotion from amongst Accountants; or
(ii) by deputation of an officer already in the service of the Government of India, state Government, Central or State Public Undertaking; or
(ii) failing both by direct recruitment ;
- (o) in the case of Internal Audit Officer-**
(i) by promotion from amongst Accountant ; or
(ii) by direct recruitment; or
(iii) by deputation of an officer already in the service of the Government of India, State government, Central or State Public Undertaking;
- (p) in the case of Assistant Manager (Quality Control)-**
(i) 75% by promotion from amongst Technical Assistants; and
(ii) 25% by direct recruitment;
- (q) in the case of Assistant manager (Business)**
(i) by promotion from amongst Manager Grade-II; or
(ii) by direct recruitment.
- (r) in the case of Manager Grade-I-**
(i) 67% by promotion from amongst Manger Grade-II; and Technical Assistant in the ratio of 4.1 respectively; and

- (ii) 33% by direct recruitment.
- (s) in the case of Assistant Manager (Administration)**
 - (i) by promotion amongst Assistant; or
 - (ii) by deputation of an official already in the service of the Government of India, State Government, Central or State Public Undertaking.
- (t) in the case of Manager Grade-II**
 - (i) 67% by promotion from amongst Manager Grade III, and Junior Technical Assistants in ratio of 5:1 respectively; and
 - (ii) 33% by direct recruitment;
- (u) in the case of Accountant-**
 - (i) 75% by promotion from amongst Accounts Assistant; and Junior Coach (Boxing); and
 - (ii) 25% by direct recruitment;
- (v) in case of Technical Assistant**
 - (i) 67% by promotion from amongst Junior Technical Assistant; and
 - (ii) 33% by direct recruitment;
- (w) in case of personal Assistant**
 - (i) by promotion from amongst Senior Scale Stenographers; or
 - (ii) by deputation of an official already in the service of the Government of India, State Government, Central or State Public undertaking;
- (x) in the case of Head Draftsman by promotion from amongst Draftsmen**
- (y) in the case of Manager Grade III**
 - (i) 67% by promotion from amongst Godown Keepers; and
 - (ii) 33% by direct recruitment;
- (z) in the case of Junior Technical Assistant-by direct recruitment;**
- (za) in the case of Accounts Assistant**
 - (i) 67% by promotion from amongst Accounts Clerks; and
 - (ii) 33% by direct recruitment
- (zb) in the case of Establishment Assistant-**
 - (i) 67% by promotion from amongst Clerks or Clerk-cum-Typist Jr. small Stenographer with Ratio.
 - (ii) respectively in case of non-a availability
 - (iii). 33% by direct recruitment;
- (zc) in the case of Junior Auditor-**
 - (i) 67% by promotion from amongst Accounts Clerks; and
 - (ii) 33% by direct recruitment
- (zd) in the case of Senior Scale Stenographer-**

- (i) by promotion from amongst Junior Scale Stenographers;
- (ze) in the case of Private Branch Exchange Operator by direct recruitment;
- (zf) in the case of Junior Engineer (Civil) by direct recruitment;
- (zg) in the case of Junior Engineer (Electrical) by direct recruitment;
- (zh) in the case of Draftsman-**
 - (i) 50% by promotion from amongst Tracers; and
 - (ii) 50% direct recruitment;
- (zi) in the case of Junior Scale Stenographer by promotion from amongst Steno Typists; or
- (zk) in the case of Data Entry Operator-**
 - (i) by promotion from amongst Steno Typist or Clerk-cum-Typist; or
 - (ii) by direct recruitment;
- (zl) in the case of Tracer** by direct recruitment;
- (zm) in the case of Accounts Clerk** by direct recruitment;
- (zn) in the case of Clerk-cum typist** by direct recruitment;
- (zo) in the case of Godown Keeper-**
 - (i) 40% by promotion from amongst Dusting Operators; and
 - (ii) 60 by direct recruitment;
- (zp) in the case of Steno Typist-**
 - (i) by direct recruitment; or
 - (ii) by promotion from amongst Typists or Clerks;
- (zq) in the case of Mechanic-**
 - (i) by direct recruitment; or
 - (ii) by promotion from amongst Class IV employees;
- (zr) In the case of Dusting Operator by promotion from amongst Godown-Attendant-cum-watchman and Sweeper-cum-Stitchers;
- (zs) in the case of Daftri-by promotion from amongst class IV employees;
- (zt) in the case of Jamader-by promotion from amongst Godown-Attendant-cum-Watchman and Sweeper-cum-stitchers;
- (zu) in the case Work Mistry-by direct recruitment;
- (zv) in the case of sweeper-cum-Stitcher by direct recruitment;
- (zw) in the case of Godown-Attendant-cum Watchman-by direct recruitment.

(2) "All promotions unless otherwise provided, shall be made on seniority-cum-merit basis and seniority alone shall not confer any right to such promotions" (vide notification dated 6.8.2004)

9. Resignation by an employee. - (1) No regular employee shall leave or discontinue his service in the Corporation without giving three months notice and in the case of employee on probation, one month notice in writing of his intention to" do so to the appointing authority.

(2) if an employee leaves or discontinues his service in the Corporation in Contravention of these provisions, such an employee shall be liable to pay as compensation to the Corporation a sum equal to his salary for the period by which the notice given fall short of the specified period of notice at the rate at which he was paid immediately before the date of his leaving the service or discontinuance therefrom ;

Provided that the Appointing Authority may, for reasons to be recorded in writing, waive off either wholly or in part, the requirement of the payment of such compensation.

10. Probation. - (i) Persons appointed to any post in the service shall remain on probation for a period of two years, if appointed by direct recruitment, and for one year if appointed otherwise :

Provide that -

- (a) *any* period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation ;
- (b) any period of officiating appointment shall be reckoned as period spend on probation, but no person who has so officiated shall, on the completion of the prescribed period of probation be entitled to be regularized unless he is appointed against a regular vacancy.

(2) if in the opinion of appointing authority the work or conduct of a person during the period of probation is not satisfactory, it may-

- (a) if such person is appointed by direct recruitment, dispense with his service, and
- (b) if such person is appointed otherwise than by direct recruitment -
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may -
 - (a) if his work and conduct has, in its opinion been satisfactory -
 - (i) regularize the service of such person from the date of his appointment, if appointed against a regular vacancy; or
 - (ii) regularize the service of such person from the date from which a regular vacancy occurs if appointed, otherwise ; or
 - (iii) declare that he has completed his probation satisfactorily, if there is no

regular vacancy; or (b) if his work and conduct has, in its opinion, not been satisfactory -

- (i) dispense with his services, if appointed by direct recruitment, revert him to his former post or deal with him in such other manner as the terms and conditions of previous appointment permit; or
- (ii) extend his period of probation and thereafter pass such order as it would have passed on the expiry of the first period of probation :

Provided that the total period of probation including extension, if any, shall not exceed three years.

11. Seniority. - Inter-se-seniority of the employees shall be determined by the length of continuous service on any post in the service :

Provided that where there are different cadres in the service, the seniority shall be determined separately for each cadre :

Provided further that in the case of employee appointed by direct recruitment, the order of merit determined by the appointing authority shall not be disturbed in fixing the seniority :

Provided further that in the case of two or more employees appointed on the same date, their seniority shall be determined as follows :-

- (a) an employee appointed by direct recruitment shall be senior to an employee appointed by promotion or by transfer
- (b) an employee appointed by promotion shall be senior to an employee appointed by transfer;
- (c) in the case of employees appointed by promotion or by transfer, seniority shall be determined according to the seniority of such employees in the appointments from which they were promoted or transferred.
- (d) "Provided further that seniority in the case of Accounts Assistnat and Junir Coach(Boxing) shall be combined. The seniority in the case of Godown Keeper and Godown Keepers-cum-Boxer shall also be combined." (vide notification dated 06.8.2004)

12. Liability to serve- (1) An employee shall be liable to serve at any place, whether within or outside the State of Haryana on being ordered to do so by the appointing authority.

(2) An employee may also be deputed to serve -

- (i) a company, an association or a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Government, a municipal Corporation or a local authority or university within the State of Haryana:
- (ii) the Central Government, or a company, an association or a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Government; or
- (iii) any other State Government, an international organization, an autonomous body, not controlled by the Government or a private, body : or
- (iv) The period of deputation and its terms and conditions shall be determined mutu-

ally keeping in view the instructions issued by Government on the subject from time to time.

Provided that no employee shall be deputed to serve the Central or any other State Government or any organization or body, referred to in clause (ii) or clause (iii) except with his consent.

13. Scale of pay and allowances.- (1) The power to fix or revise the scale of pay in the Corporation shall vest in the Board of Directors subject to final approval of the Government. The existing scales of pay for various posts are shown in Appendix A :

Provided that the scale of pay of the employees on deputation, shall be regulated in accordance with the terms and conditions of deputation.

(2) Dearness allowance, city compensatory allowance, house rent allowance etc. as sanctioned by the Government from time to time shall be released by the Managing Director:

(3) The Corporation, may, with the prior approval of the Board of Directors and subject to final approval of the Government, sanction any other allowance (s) and pre scribe terms and conditions on which such allowance (s) shall be granted.

14. Kind of leave entitlement of leave encashment, study leave, maternity leave, rules etc. - The leave rules as applicable to Haryana Government employees from time to time shall *mutatis mutandis* apply to the employees.

15. Discipline, penalties and appeals. - in matters relating to conduct, discipline and penalties, employees shall be governed by the provisions of Government Employees (Conduct) Rules, 1966 and the [Haryana Civil Services. (Punishment and Appeal) Rules, 1987 as amended from time to time :

Provided that the nature of penalizes which may be imposed, the authority empowered to impose such penalties and appellate authority shall be such as are specified in Appendix C to these regulations :

Provided further that the Managing Director may, form time to time, delegate any power(s) in this regard to any officer(s) under him.

16. Vaccination. - Every employee shall get himself vaccinated and revaccinated as and when the Corporation so directs by a special or general order.

17. Oath of allegiance - Every employee unless he has already done so, shall be required to take the oath of allegiance to India and the Constitution of India as by law established.

18. Acting allowance. - An employee appointed to hold a higher post in addition to his own duties shall be given an acting allowance equal to 10% of the minimum pay of the scale of the higher post in addition to his own pay.

19. Fixation of pay. - The provisions of Punjab Civil Services Rules Volume I Part I and the instructions issued by the Government from time to time shall apply *mutatis mutandis* to the employees of the Corporation;

Provided that in the interest of the Corporation, in deserving cases the appointing authority may, at its discretion, at the time of appointment by direct recruitment of any person to any such post may grant advance increments, not exceeding four at a time, to such a person.

20. Travelling allowance and daily allowance on tour or transfer. - Provisions of Punjab Civil Services Volume III (Travelling Allowance Rules) with regard to traveling allowance and daily allowance on tour or transfer as amended from time to time shall *mutatis mutandis* apply to the employees of the Corporation :

Provided that the employees undergoing training at Delhi or outside Haryana shall be paid full daily allowance, hotel charges and reimbursement of actual auto rickshaw or taxi charges as per their admissibility :

Provided further that the Managing Director shall be competent to reimburse actual hotel charges and auto-rickshaw or taxi charges to the employees, who undertake official tour outside Haryana.

21. Medical facilities. - Rules or instructions relating to medical facilities as applicable to the employees of Haryana Government shall apply *mutatis mutandis* to the employees of Corporation :

Provided that the Corporation may, with the approval of the Board of Directors, appoint authorized medical attendants for its employees.

22. Lien. - Lien of the employees of the Corporation who are selected in other institutions on equivalent or on higher posts by applying through proper channel will be retained keeping in view the exigencies of work and subject to the following conditions :-

- (i) the employees has put in at least 10 years service in the Corporation ;
- (ii) the lien will be retained for one year in the first instance which will be extended only for one year keeping in view the exigencies of work ;
- (iii) on the expiry of two years, the lien shall automatically stand terminated unless suspended earlier on the request of the employee concerned; and
- (iv) any other condition regarding leave salary, contributory provident fund, etc. which the appointing authority may like to impose at the time of keeping a lien.

23. Contributory Provident Fund. - Every employee shall be entitled for the payment of contributory provident fund as per the Haryana Warehousing Corporation Employees Provident Fund Regulations, as amended from time to time.

24. Leave Travel Concession. - Leave Travel Concession to the employees of the Corporation shall be applicable as per rules and instructions issued by the Government from time to time.

25. Loan and advances to the employees. - Loan to the employee for the purpose of purchase of conveyance, purchase of residential plots or construction of house, marriage of self or dependants shall be granted as per the rules and instructions applica-

ble to the Government employees.

26. Gratuity. - Every employee shall be entitled for the payment of gratuity as per the Haryana Warehousing Corporation Employees gratuity Regulations, 1992, as amended from time to time.

27. Reservation. - Nothing contained in these regulations shall affect reservations and other concessions required to be provided for scheduled castes, backward classes, ex-servicemen, physically handicapped persons or any other class or category of persons in accordance with the orders issued by the Government in this regard, from time to time:

Provided that the total percentage of reservation so made shall not exceed 50% at any time.

28. Superannuation Voluntarily compulsory retirement extension and invalidation. - The provisions of Punjab Civil Service Rules and the Instructions issued by the Government in this behalf from time to time, as applicable to the Haryana Government employees shall *mutatis mutandis* apply to the employees of the Corporation.

29. Repeal and savings. - Any regulation applicable to the Service and corresponding to any of these regulation which is in force immediately before the commencement of these regulations is hereby repealed :

Provided that any order made or action taken under the regulations so repealed shall be deemed to have been made or taken under the corresponding provisions of these regulations.

30. Power of relaxation. - Where the Board of Directors is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these regulations with respect to any class or category of persons.

31. Special provisions. - Notwithstanding anything contained in these regulations, the appointing authority may impose special terms and conditions in the order of appointment if it is deemed expedient to do so.

32. Application of Rules, regulations and order of Government in certain circumstances. - All matters, for which specific provision has not been made in these regulations, shall be governed by the Government rules as far as possible and to such extent as may be considered appropriate by the Board of Directors.

33. Interpretation. - Where any question to the interpretation of these regulations arises, it shall be referred to the Board of Directors who shall thereupon decide it. The decision "of the Board of Directors in this regard shall be final.

Appendix A
(See regulation 3)

Sr. No.	Designation of Posts	Classification	No. of Posts	Scale of pay of the post
1	2	3	4	5
1.	Secretary	I	1	Rs. 3000-100-3500-125-4500
2.	Executive Engineer	I	1	Rs. 3000-100-3500-125-4500
3.	Manager (Storage & Technical)	I	1	Rs. 3000-100-3500-125-4500
4.	Manager (Business)	I	1	Rs. 3000-100-3500-125-4500
5.	Manger (Accounts)	I	1	Rs. 3000-100-3500-125-4500
6.	Manager (Personnel)	I	1	Rs. 3000-100-3500-125-4500
7.	Joint Manager or Senior District, Manager (Joint Manager when posted at Head Office and Senior District Manager when posted in field)	II	1	Rs. 2200-75-2800-EB-100-4000
8.	Sub-Divisional Engineer (Civil)	II	9	Rs. 2200-75-2800-EB-100-4000
9.	Sub-Divisional Engineer (Electrical)	II	1	Rs. 2200-75-2800-EB-100-4000
10.	Deputy Manager (Quality Control)	II	1	Rs. 2200-75-2800-EB-100-4000
11.	District Manager	II	8	Rs. 2200-75-2800-EB-100-4000
12.	Systems Analyst	II	1	Rs. 2200-75-2800-EB-100-4000
13.	Private Secretary	II	1	Rs. 2000-60-2300-75-2900- EB100-3500 plus Rs. 200 per month as special pay

1	2	3	4	5
14	Senior Assistant Manager (Accounts)	II	2	Rs. 2000-60-2300-75-2900 Efficiency Bar-100-3500
15	Internal Audit Officer	II	1	Rs. 2000-60-2300-75-2900 Efficiency Bar-100-3500
16	Assistant Manager (Quality Control)	III	9	i) Rs. 1640-60-2600-Efficiency Bar-75-2900 ii) 2000-60-2300-EB-75-3200 w.e.f. 1.4.1995
17	Assistant Manager (Business)	III	1	i) Rs. 1640-60-2600-Efficiency Bar-75-2900 ii) 2000-60-2300-EB-75-3200 w.e.f. 1.4.1995
18	Manger Grade-I	III	35	i) Rs. 1640-60-2600-Efficiency Bar-75-2900 ii) 2000-60-2300-EB-75-3200 w.e.f. 1.4.1995
19	Assistant Manager (Administration)	III	2	i) Rs. 1640-60-2600-Efficiency Bar-75-2900 ii) 2000-60-2300-EB-75-3200 w.e.f. 1.4.1995
20	Manager Grade-II	III	28	Rs. 1600-50-2300-EB-60-2660
21	Accountant	III	12	Rs. 1600-50-2300-EB-60-2660
22	Technical Assistant	III	39	Rs. 1600-50-2300-EB-60-2660
23	Personal Assistant	III	1	(i) Rs. 1600-50-2300- Efficiency Bar-60-2600 plus Rs. 150/- per month as per special pay (ii) Rs. 1640-60-2600- Efficiency Bar-75-2900 w.e.f. 1.4.1995
24	Head Draftsman	III	1	i) Rs. 1600-50-2300-Efficiency Bar-60-2600 ii) Rs. 1640-60-2600- Efficiency Bar-75-2900 w.e.f. 1.4.1995
25	Manager Grade-II	III	41	Rs. 1400-40-1600-50-2300- EB-60-2600
26	Junior Technical Assistant	III	65	Rs. 1400-40-1600-50-2300- EB-60-2600

1	2	3	4	5
27	Accounts Assistant	III	27	Rs. 1400-40-1600-50-2300-EB-60-2600
28	Establishment Assistant	III	20	Rs. 1400-40-1600-50-2300-EB-60-2600
29	Junior Auditor	III	3	Rs. 1400-40-1600-50-2300-EB-60-2600
30	Senior Scale Stenographer	III	1	Rs. 1400-40-1600-50-2300-EB-60-2600
31	Private Branch Exchanger Operator	III	1	Rs. 1400-40-1600-50-2300-EB-60-2600
32	Junior Engineer (Civil)	III	16	i) (a) Rs. 1400-40-1800-EB-50-2300 (b) RS. 1640-60-2600-EB-75-2900 as a promotional grade for 50% of the total number of posts of Junior Engineer with effect from 1 st February 1982
33	Junior Engineer (Electrical)	III	3	c (i) Rs. 1640-60-2600-EB-75-2900 (ii) RS. 2000-60-2300-EB-75-3200 w.e.f. 1.4.1995 (For those JE's who complete fifteen years regular and satisfactory service and have not been promoted to the next higher post) It has been decided to grant two advance increments to a J.E. who acquires AMIE or an equivalent degree subject to the condition that he has completed a minimum of 5 years regular and satisfactory service. Provided the incumbent fulfills the qualifications and experience required for these posts as per their counterparts in the State Government.
34	Draftsman	III	2	a (i) Rs. 1400-40-1800-EB-50-2300 (ii) Rs. 1400-2600 dated 1.4.1995

35 Junior Scale Stenographer	III	5	Rs. 1200-30-1560-EB-40-2040
36 Data Entry Operator	III	2	Rs. 1200-30-1560-EB-40-2040
37 Driver	III	(8+5) 13	Rs. 1200-30-1560-EB-40-2040 Rs. 200 per month as special pay when posted at Head Office and Rs. 100 per month as special pay when posted in the field.
38 Tracer	III	1	Rs. 975-25-1150-EB-30-1540
39 Accounts Clerk	III	36	Rs. 950-20-1150-EB-25-1500
40 Clerk-cum-Typist	III	15	i) RS. 950-20-1150-EB-25-1500 ii) 1200-2400 w.e.f. 1.4.1995
41 Godown Keeper	III	190	Rs. 950-20-1150-EB-25-1500 ii) 1200-30-1560-EB-40-2040 Plus Rs. 50 special allowance per month (To those incumbents who are graduate and having one year experience in handling of store) w.e.f. 1.4.1995
42 Steno Typist	III	8	i) Rs. 950-20-1150-EB-25-1500 plus Rs. 100 per month as special pay
43 Mechanic/Electrician	III	1	Rs 950-20-1150-EB-25-1500
44 Dusting Operator	IV	179	Rs. 800-15-1010-EB-20-1150
45 Daftri	IV	1	Rs. 800-15-1010-EB-20-1150
46 Jamadar	IV	1	Rs. 800-15-1010-EB-20-1150
47 Work Mistry	IV	19	i) Rs. 775-12-995-EB14-1025 ii) 800-15-1010-EB-20-1150 w.e.f. 1.4.1995
48 Sweeper-cum-Stitcher	IV	46	Rs. 750-12-870-EB-14-940 plus Rs. 65 per month as special allowance
49 Godown-Attendant-cum-watchman	IV	305	Rs. 750-12-870-EB-14-940

Appendix B
(See Regulation 6)

Sr. No.	Designation of post	Age limit for direct recruitment	Academic qualifications and experience, if any for direct recruitment or depuration	Academic qualification and experience, if any, for promotion
1	2	3	4	5
1.	Secretary	25-45	Graduate with Degree from Indian Institute of Company Secretary with 5 year administrative experience on the post carrying pay scale not below the pay scale of post of Class-II. Person with LLB Degree will be given preference.	Ten year experience as Executive Engineer, Managing (Storage and Technical), Manager (Business, Manager (Accounts) or Manager (Personnel) in the Corporation.
2.	Executive Engineer	24-45	B.E. (Civil) with atleast 10 year experience of Government Department, public Sector undertaking, Commercial Organization of repute on building side on the post carrying pay scale not below the pay scale of post of class II in the Corporation.	Ten year experience as Sub-Divisional Engineer (Civil)
3.	Manager (Storage and Technical)	24-45	At lease second class post graduate in Agriculture with Entomology or Microbiology or Bio Chemistry or at least second class post-graduate with seven years experience in storage of food-grains/maintenance of stocks inspection and analysis of food grains in Government Department/Public Sector Undertaking or Commercial Organization of repute on the post caring pay sale not below the scale post of class-II in the Corporation.	Deputy Manager (Quality Control) or District Manger who are B.S.c/B.S.c Agriculture and have put in ten years service as Deputy Manager (Quality Control) or District Manager.
4.	Manager	24-45	Master of Business	Ten year experience

	(Business)		Administration (Marketing) with 5 years experience of Government Department, public Sector undertaking or Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of class-II in the Corporation.	as joint Manager or District Manager.
5.	Manager (Accounts)	24-45	Chartered Accountant with five years experience of Government Department, Public Sector undertaking or Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of class II in the Corporation.	Senior Manager with ten years experience Assistant (Accounts) with ten years experience.
6.	Manager (Personnel)	25-45	Master of Business Administration with five years experience in Government Department or Public Sector Undertaking or Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of class II in the Corporation.	Ten years experience as Assistant Manager (Administration)
7.	Joint Manager or Senior District Manager (Joint Manager when posted at Head Office and Senior District Manager when posted in the field)	25-45	-----	District Manager having 5 years experience
8.	Sub-Divisional Engineer (Civil)	24-45	Bachelor of Engineering (Civil) or equivalent qualification with two years experience as Junior Engineer (Civil) on building side or equivalent post.	(i) Junior Engineer(Civil) with Bachelor of Engineering /Associate membership of Institute of Engineering Degree with three years experiences as per roster, (ii) Junior Engineer(Civil) diploma holders with ten years experience as per roster. (iii) Head Draftsman with ten years experience as per

roster.

9.	Sub-divisional Engineer (Electrical)	24-25	Bachelor of Engineering (Electrical) with two years experience as Sub-Divisional Engineer or equivalent post.	Junior Engineer (Electrical) with ten years experience. In case the official possesses Associate membership of Institute of Engineering certificate or degree in Engineering, the requirement of experience shall be reduced to five years and two years, respectively.
10.	Deputy Manager (Quality Control)	-	-----	Five years experience As Assistant Manager (Quality Control)
11.	District Manager	25-45	Graduate in Agriculture or Commerce or Biology or Economics or Chemistry with ten years experience in handling and preservation of agricultural produce in managerial capacity in a Government Department or Public Sector Undertaking or a Commercial Organization of repute on the post carrying pay scale equivalent to the pay scale of Assistant Manager (Quality Control) in the Corporation. In case of post graduates, seven years experience will be required. Preference will be given to persons holding Degree in Master of Business Administration (Marketing).	Five years experience as Manager Grad-I.
12.	System Analyst	25-45	Candidate should be 1 st Class Bachelor in Engineering in Computer Science or Electronics or Master of Computer Applications from recognized university or equivalent with minimum four years of practical experience.	
13.	Private Secretary	---	Graduate having five years experience as Personal Assistant, in a Government or Public Sector undertaking.	Five years experience as personal Assistant.

14. Senior Assistant Manager (Accounts)	21.35	Master of Commerce, State Accounts Services with five years experience in a Government Department Public Sector Undertaking, Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Accountant in the Corporation or person possessing institute of Cost and Works Accountants of India or Chartered Accountants qualifications without any experience.	Five years experience as Accountant.
15. Internal Audit Officer	21.35	Master of Commerce, State Accounts Services with five years experience in a Government Department, Public Sector Undertaking, Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Accountant in the Corporation or person possessing Institute of Cost and Works Accountants of India or Chartered Accountants qualifications without any experience.	Five years experience as Accountant.
16. Assistant Manager (Quality Control)	21-35	Graduate in Agriculture or Chemistry or Biology with as at least fifty percent marks and having seven years experience of quality determination, of agricultural produce in handling and preservation of agricultural produce by modern techniques in a Government Department or Public Sector Undertaking or Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Technical Assistant in the Corporation.	Five years experience as Technical Assistant.
17. Assistant Manager (Business)	25-35	Graduate in Agriculture or Commerce or Biology or Economics or Chemistry with seven years experience in handling and preservation of agricultural produce in a Government Department,	Five years experience as Manager Grade-II.

Public Sector Undertaking, Commercial Organization of repute in a managerial or Supervisory capacity on the post carrying pay scale not below the pay scale of post of Manager Grade II in the Corporation. Preference will be given to persons holding Diploma or Degree in Marketing Management.

- | | | | | |
|------------|------------------------------------|-------|--|---|
| 18. | Manager Grade I | 25-35 | Graduate in Agriculture or Commerce or Biology or Economics or Chemistry with seven years experience in handling and preservation of agricultural produce in a Government Department, Public Sector Undertaking, and Commercial Organization of repute in a managerial or Supervisory capacity on the post carrying pay scale not below the pay scale of post of Manager Grade II in the Corporation. Preference will be given to persons holding Diploma or Degree in Marketing Management. | Five years experience as Manager Grade-II or Technical Assistant. |
| 19. | Assistant Manager (Administration) | --- | ---- | Five years experience as Assistant in dealing with establishment matters. |
| 20. | Manager Grade-II | 25-35 | Graduate in Agriculture or Commerce or Biology or Economics or Chemistry with five years experience in handling and preservation of agricultural produce in a Government Department, Public Sector Undertaking, Commercial Organization of repute in a Managerial or Supervisory capacity on the post carrying pay scale not below the pay scale of post of Manager Grade III in the Corporation. Preference will be given to persons holding Diploma or Degree in Marketing Management. | Five years experience as Manager Grade-III or Junior Technical Assistant. |

21.	Accountant	21-35	Bachelor of Commerce with five years experience as Accounts Assistant or equivalent post in a Govt. Department, public Sector Undertaking, Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Accounts Assistant in the Corporation.	Five years experience as Accounts Assistant or Junior Auditor.
22.	Technical Assistant	18-35	Graduate in Agriculture or Chemistry or Biology with at least fifty percent marks and having five years experience quality determination of Agricultural produce and handling and preservation of Agricultural produce by modern techniques in a Government Department, Public Sector Undertaking, Commercial Organisation of repute on the post carrying pay scale not below the pay scale of the post of Junior Technical Assistant in the Corporation.	Five years experience as Junior Technical Assistant.
23.	Personal Assistant	----	Graduate having three years experience as personal Assistant in a Government Department or Public Sector undertaking.	Five years experience as Senior Scale Stenographer.
24.	Head Draftsman	---	----	Five years experience as Draftsman.
25.	Manager Grade-III	21-35	Commerce or Biology or Eccentrics or Chemistry with two years experience in handling and preservation of agricultural produce in a Government Department, Public Sector undertaking, Commercial Organization of repute in a managerial or supervisory capacity on the post carrying pay scale not be low the pay scale of post of Godown keeper in the Corporation. Preference will be given to persons holding Diploma or Degree in Marketing Management.	Five years experience as Godown Keeper.

26.	Junior Technical Assistant	18-35	Graduate in Agriculture or Chemistry or Biology with at least fifty percent marks.	----
27.	Accounts Assistant	18-35	Bachelor of Commerce with at least percent marks with three years experience in a Government Department, Public Sector Undertaking, Commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Accounts Clerk in the Corporation.	Five years experience as Accounts Clerk.
28.	Establishment Assistant	18-35	Bachelor of Arts with at least fifty percent marks with three years experience in a Government Department, Public Sector undertaking, commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Clerk or typist in the Corporation. Preference will be given to those who know English or Hindi typing with a speed of thirty words per minute.	Five years experience as Clerk or Clerk-cum Typist
29.	Junior Auditor	18-35	Bachelor of Arts with at least fifty percent marks with three years experience in a Government Department, Public Sector undertaking, commercial Organization of repute on the post carrying pay scale not below the pay scale of post of Accounts Clerk in the Corporation	Five years experience as Accounts Clerk.
30.	Senior Scale Stenographer	---	-----	Three years experience as Junior Scale Stenographer, subject to qualifying the test at a speed of 100/40 words per minute in shorthand/typing with four per cent mistakes.
31.	Private Branch Exchange Operator	18-35	Graduate with Diploma in Private Branch Exchange operation and having two years experience in Public Sector Undertaking or Commercial Organization of repute.	-----

32.	Junior Engineer (Civil)	18-35	Three years Diploma in Civil Engineering	---
33.	Junior Engineer (Electrical)	18-35	Three years Diploma in Electrical Engineering	---
34.	Draftsman	18-35	Three years Diploma in Draftsman	Diploma or ITI certificate in Draftsmanship with three years experience as Tracer.
35.	Junior Scale Stenographer	---		Two years experience as Steno typist subject to qualifying the test at the speed of 100/40 words per minute in shorthand/typing with eight per cent mistakes.
36.	Data Entry Operator	18-35	Intermediate with a certificate or diploma in Data Entry from recognized institution with three years typing experience. Or Intermediate with three years typing experience out of which tow years experience should be in Data Entry.	Steno typist who have passed the course of Data Entry Operator from a recognized institution with three years typing. Experience.
37.	Driver	15-35	Metric holding valid driving licence with five years experience in Government Department, Public Sector Undertaking, Commercial Organization of repute and driving jeep or staff car.	-----
38.	Tracer	18-35	Metric with Drawing.	
39.	Accountant Clerk	18-35	B.Com. with at least fifty percent marks. Preference will be given to those who know English or Hindi typing at a speed of 30 words per minute.	---
40.	Clerk-cum-typist	18-35	Graduate with English or Hindi typing at a speed of 30. words per minute.	---
41.	Godown Keeper	18-35	Graduate in any discipline from a recognized University	Substituted vide notification dated 28.4.2003 as under: - "D.Os/GACW/SCS who are metric or above will be eligible for promotion as Godown Keeper on Sonority-cum-merit basis provided that D.O./GACW/SCS should have at least 5 years

42.	Steno Typist	18-35	Graduate with shorthand/typing speed of 80/30 words per minute.	service in the Corporation.” Three years experience as Typist or Clerk subject to qualifying the test in shorthand/typing at the speed of 80/30 words per minute.
43.	Mechanic	18-35	ITI certificate in Mechanical Trade.	Class IV employee possessing ITI certificate in Mechanical Trade.
44.	Dusting Operator	---	----	Five years experience as Godown Attendant-cum-Watchman or Sweeper-cum-Stitcher.
45.	Daftri	---	----	Middle with five years experience on Class IV post.
46.	Jamadar	---	----	Five years experience as Godown-Attendant-cum-Watchman or Sweeper-cum-Stitcher.
47.	Work Mistry	18-35	Metric with one year experience or having worked with 'A' class building contractor.	-----
48.	Sweeper-cum-Stitcher	18-35	Should be able to read and write.	
49.	Godown Attendant-cum-Watchman	18-35	Middle	-----

APPENDIX C
(See Regulation 15)

Sr. No	Designation of the post	Appoin-ting Authority	Nature of Penalty	Autho-riety empo-wered to impose penalty	First appell-ate autho-riety	Second appell-ate autho-riety
1	2	3	4	5	6	7
1	Secretary	Executive Committee	(i) without holding of increments of pay with cumulative effect,	Executive Committee	Board of Directors	Govern-ment
2	Executive Engineer		(ii) reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will or will not have the effect of postponing the future increments of his pay;			
3	Manager (Storage and Technical)					
4	Manager (Business)					
5	Manager (Accounts)					
6	Manager (Personnel)		(iii) reduction to a lowerscale or pay, grade, post or service which shall or dinarily be a bar to the promotion of the employee to the time scale of pay, grade, post or service from			

which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or service;

(iv) compulsory retirement;

Executive
Committee

(v) removal from service which shall not be a disqualification for future employment ;

(vi) dismissal from service which shall ordinarily be a disqualification for future employment.

Managing
Director

Executive
Committee

Board of
Directors

**MINOR
PENALTIES:**

(i) warning with a copy in the personal file character roll;

(ii) censure;

(iii) withholding of promotions;

(iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders, to the Corporation or Central Government or a State Government or to a company and association or a body of individuals, whether

incorporated or not, which is wholly or substantially owned or controlled by the Government or to a local authority set up by an Act of Parliament or of the legislature of a State or an individual; and
 (v) withholding of increments of pay without cumulative effect.

7.	Joint Manager	Managing Director	MAJOR PENALTIES: (i) without holding of increments of pay with cumulative effect.	Managing Director	Executive Committee	Board of Directors
8.	Sub-Divisional Engineer (Civil)					
9.	Sub-Divisional Engineer (Electrical)		(ii) reduction to a lower stage in the time scale of pay for a specified period, with further			
10.	Deputy Manager (Quality Control)		directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reeducation will or will not have the effect of postponing the future increments of his pay;			
11.	District Manager					
12.	System Analyst					

- | | | |
|---|---|--|
| 13. Private Secretary | (iii) reduction to al lower scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced, with or with out further directions regarding conditions of restoration to the grade or post or service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or service; | |
| 14. Senior Assistant Manager (Accounts) | | |
| 15. Internal Audit Officer | | |
| 16. Assistant Manager (Quality Control) | | |
| 17. Assistant Manager (Business) | | |
| 18. Manager Grade-I. | | |
| 19. Assistant Manager (Administration) | | |
| 20. Manager Grade-II | | |
| 21. Accountant | | |
| 22. Technical Assistant | | (iv) compulsory retirement: |
| 23. Personal Assistant | | |
| 24. Head Draftsman | | |
| 25. Manager Grade-III | | (v) removal from service which shall not be a disqualification for future employment; |
| 26. Junior Technical Assistant | | |
| 27. Account Assistant | | (vi) dismissal from service which shall ordinarily be a disqualification for future employment |
| 28. Establishment Assistant | | |

29.	Junior Auditor					
30.	Senior Scale Stenographer	Managing Director	MINOR PENALTIES:	Managing Director	Executive Committee	Board of Director
31.	Private Branch Exchange Operator		(i) warning with a copy in the personal file (Character roll);			
32.	Junior Engineer (Civil)					
33.	Junior Engineer (Electrical)		(ii) censure;			
34.	Draftsman		(iii) withholding of promotion.			
35.	Junior Scale Stenographer		(iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders, to the Corporation or Central Government or State Government or to a Company and association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or substantially owned or substantially owned or controlled by the government or to a local authority set up by an Act of Parliament or of the legislature of an individual; and			
36.	Data Entry Operator					
37.	Driver					
38.	Tracer					
39.	Accounts Clerk					
40.	Clerk-cum- Typist					
41.	Godown Keeper					
42.	Steno-Typist					
43.	Mechanic					

44. Dusting Operator (v) withholding of increments of pay without cumulative effect.
45. Daftri
46. Jamadar
47. Work Mistry
48. Sweeper-cum-stitcher
49. Godown Attendant-cum-Watchman

MAHA SINGH
Managing Director
Haryana Warehousing Corporation
Panchkula

M.K. MIGLANI,
Commissioner and Secretary to Government
Haryana, Agriculture Department