

**The Rajasthan State Warehousing Corporation
Rules, 1975**



2010

Upto 30 September, 2010

Rajasthan State Warehousing Corporation

H.O.: BHAWANI SINGH ROAD, JAIPUR-302015

The Rajasthan State Warehousing Corporation Rules, 1975

CO-OPERATIVE DEPARTMENT

NOTIFICATION

Jaipur, December 23, 1975.

G.S.R. 258 (35) :- In exercise of the powers conferred by Section 41 of the Warehousing Corporations Act, 1962 (Central Act 58 of 1962) the Government of Rajasthan hereby makes the following rules, namely:

CHAPTER - 1

PRELIMINARY

1. Short title and commencement :- These rules may be called the Rajasthan State Warehousing Corporation Rules, 1975 and shall come into force the date of publication in the Rajasthan Rajpatra.

2. Definitions* :- *In these rules unless the context otherwise require -*

- (a) 'Act' means the Warehousing Corporations Act, 1962 (Central Act No.58 of 1962);
- (b) 'Board' means the Board of Directors of the Rajasthan State Warehousing Corporation constituted under section 20 of the Act;

- (c) 'Chairman' means the Chairman of the Board appointed under sub-section (2) of section 20 of the Act;
- (d) 'Corporation' means the Rajasthan State Warehousing Corporation established under sub-section (1) of section 18 of the Act;
- (e) 'Director' means a Director of the Board;
- (f) 'Executive Committee' means the Executive Committee of the Rajasthan State Warehousing Corporation constituted under sub-section (1) of section 25 of the Act;
- (g) 'Forms' means form appended to these rules;
- (h) 'General Fund' means the General Fund referred to in sections 15 and 17 of the Act;
- (i) 'Government' means the Government of Rajasthan;
- (j) 'Managing Director' means the Managing Director of the Rajasthan State Warehousing Corporation appointed under Clause (c) of sub-section (1) of section 20 of the Act;
- (k) 'Section' means a section of the Act; and
- (l) 'Warehousing Fund' means the Central Warehousing Fund referred to in section 15 of the Act.

CHAPTER-II

NOMINATION OF DIRECTORS OF STATE WAREHOUSING CORPORATION

3. *Nomination of Directors :-*

(1)** Five Directors shall be nominated by the Central Warehousing Corporation out of Whom one shall be in consultation with the State Bank and one at least shall be a non-official.

(2)** Five Directors shall be nominated by the State Government from amongst the following:

- * (i) The Secretary to Government of Rajasthan, Agriculture Department;
- (ii) A representative of finance Department, Government of Rajasthan, at least of the status of Deputy Secretary;
- (iii) The Registrar or Additional Registrar, Co-operative Societies, Rajasthan;
- (iv) A representative of Food Department, Government of Rajasthan;
- (v) The Director of Agriculture;
- (vi) The Chairman, Rajasthan State Co-operative Bank;

* Amended vide order No. 5 (84) Agr-1756 Dated 14-11-1995
Government of Rajasthan wef. 8-8-1995

** Renumbered vide Rajasthan Gazette Notification dated 22-04-2010.

(vii) A representative of the Traders;

(viii) A representative of the producers.

(3)** The Chairman of the Board of Directors shall be appointed by the State Government from amongst the Directors of the State Warehousing Corporation *under intimations to the Central Warehousing Corporation.

(4)** The Managing Director shall be appointed by the Government in consultation with the Directors referred to in sub-rules (1) and (2) and *under intimation to the Central Warehousing Corporation.

4. *Terms of office and filling up to casual vacancies among the members of the Board of Directors of the State Warehousing Corporation :*

(i) The term of office of every director nominated under sub-section (a) and (b) of section 20 (1) of the Act shall, in the case of an official director, be for the period for which he continues to hold office, and shall in other cases, be 3 years from the date of his appointment:

Provided that it shall be open to the authority competent to nominate the Directors (Official and non-Official) to rescind or modify the nominations any time or re-nominate a director for a further period of 3 years or till a successor is nominated in his place, whichever is later;

* Substituted vide Rajasthan Gazette Notification dated 4-5-2002

** Renumbered vide Rajasthan Gazette Notification dated 22-04-2010.

- (ii) vacancies of the office of director shall be filled up by nomination by the authority competent to nominate;
- (iii) a non - official member on the Board or the Executive Committee may resign his office as such member by writing under his hand addressed to the chairman of the Corporation and such resignation shall be effective from the date on which it is accepted by the Board.

5. ***Election of Directors to Executive Committee of the State Warehousing Corporation ;-*** * ***[Out of the three directors to be chosen by the Board under clause (c) of subsection (1) of section 25 of the Act two shall be from amongst the directors referred to in rule 3(b) (i) to (v) and one shall be from amongst the directors referred to in rule 3 (a).]***

6. ***Sub-Committee :-*** The Board may appoint as many Sub-Committees as it may deem necessary from amongst the directors, for the efficient performance of its functions.

* Substituted vide Rajasthan Gazette Notification dated 21-8-1980.

The three directors to be chosen by the Board under Clause (c) of Sub-Section (1) of Section 25 of the Act shall be from amongst the Directors referred to in Rule 3 (b) (i) to (iv) and one shall be a director from amongst the directors referred to in Rule 3 (a)]

CHAPTER - III

SHARES OF THE STATE WAREHOUSING CORPORATION

7. **Shares movable property :-** *The shares of the State warehousing Corporation shall be movable property.*
8. **Authorised Capital :-** The authorised capital of the State warehousing Corporation shall be *8 Crores of rupees made up fo *8,00,000 shares of Rs. 100/- each or such as may be notified by the Central Government in the official gazette from time to time.
9. **Conditions of first allotment of shares :**
- (i) Subject to the provisions of the Act and these Rules, shares of the Corporation shall be under the control of the Board;
 - (ii) the allotment of the shares shall be made by the Board in accordance with the provisions of Subsection (1) of Section 19 of the Act;
 - (iii) the Board may make allotment of shares either in full or in part depending on the number of shares to be issued by the Corporation;
 - (iv) the decision of the Board as to whether on a particular application for shares, there shall be full, partial or no allotment shall be final.

* Substituted vide Govt. of India Gazette Notification dated 2-8-1995,

[The authorised capital of the State Warehousing Corporation shall be 8 crores of rupees made up of 8,00,000 shares of Rs. 100/- each.]

- 10. Share Register** :- The Corporation shall maintain at the Head Office, a register of shares issued and shall maintain therein such particulars as may be deemed necessary by the Board.
- 11. Share Certificate** :- (1) *Every share certificate shall be issued under the common seal of the Corporation.*
- (2) Every share certificate shall specify its number and denote the distinctive number of shares in respect of which it is issued and shall be issued within three months the date of application for shares.
- 12. Shareholders entitled to one share certificate** : *The Central Warehousing Corporation and the State Government shall each be entitled, free of charge, to one certificate for all shares issued from time to time.*
- 13. Renewal of Share Certificate** :- If any share certificate is worn out or defaced, it shall be presented at the Head Office of the Corporation and the Corporation may order the same to be cancelled and may issue a new certificate in lieu thereof. if any share certificate is alleged to be lost or destroyed, then on receipt of intimation of the loss or destruction, the Corporation may issue free of charge, a new certificate in lieu thereof.
- 14. Instalments on shares to be duly paid** :- *If by the conditions of allotment of any share, the whole or part of the amount or issue price thereof is payable in instalment, every such instalment shall when due be paid to the Corporation by the allottee who, for the time being, shall be registered holder of the share.*

- 15. Calls :-** The Board may, from time to time, make* such calls, as it thinks fit, upon the share holders in respect of all moneys unpaid on the shares held by them and not by the conditions of allotment thereof made payable at fixed times and each share holder shall pay the amount of every call so made on such shareholder to the person and at the time and places appointed by the Board of Directors.
- 16. When the call will be deemed to have been made* :-** A call shall be deemed to have been made at the time when the resolution of the Board authorising such call was passed and the sanction of the state Government for the issue of share capital, after approval of the Central Warehousing Corporation, is issued.
- 17. Payment of calls in advance :-** The Board may, if it thinks fit receive from any shareholder willing to advance the same, all or any part of the capital due upon the shares held by such member beyond the same actually called for, and upon the amount so paid in advance, or so much thereof as from time to time, exceeds the amount of the calls then made upon the shares in respect of which such advance has been made, the Corporation may pay interest at such rate as the shareholder paying such sum in advance and the Board agreed upon.

- 18. *If call or instalment not paid, notice may be given*** :-If any shareholder fails to pay any call or instalment on or before the day appointed for the payment of the same, the Board may at any time thereafter during such time as the call or instalment remains unpaid serve a notice on such shareholder requiring such shareholder to pay the same.
- 19. *Form of notice*** :- The notice shall name a day and a place or places on and at which such a call or instalment is to be paid. The notice shall also state that in the event of non-payment at or before the time and at the place mentioned**, the shares in respect of which the call was made or instalment is payable shall be liable to be forfeited.
- 20. *If notice not complied with share may be forfeited*** :-If the requisitions of any such notice as aforesaid are not complied with, any share in respect of which such notice has been given may, at any time thereafter, before payment of all calls or instalments, interest and expenses, due in respect thereof, be forfeited by a resolution of the Board to that effect. Such forfeiture shall include all dividends declared in respect of the forfeited shares and not actually paid before the forfeiture.
- 21. *Dividend*** :- (1)* Dividend may be declared at the discretion of the Board out of the net profits of the Corporation.
- (2)* The dividends shall be payable in proportion to the amount paid up by each shareholder before the expiry of the year for which the dividend is declared :

* Renumbered Vide Rajasthan Gazette Notification dated 22-04-2010.

** Substituted Vide Rajasthan Gazette Notification dated 22-04-2010.

Provided that in case shares have been allotted or calls made 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 remaining after the date of receipt of the share money.

(3)* Dividends shall not bear any interest.

* Renumbered Vide Rajasthan Gazette Notification dated 22-04-2010.

CHAPTER -IV

MISCELLANEOUS

22. ***Maintenance and operation of Bank Accounts and investment*** :-(1)* Subject to the provisions of this sub-rule, all moneys belonging to the Corporation shall be deposited to the account of the Corporation in the Reserve Bank of India or, the State Bank of India or any subsidiary of the State Bank of India, subject to the sub-rules below, in such scheduled nationalised bank or Co-operative Bank, as may be approved for this purpose by the State Government:

Provided that Current Saving Account may be opened with the Reserve Bank of India or its subsidiaries, the nationalised Banks or Co-operative Banks but the cash in such accounts should not exceed such amount as may be fixed from time to time by the Executive Committee.

(2)* All payment except those made to the employees of the Corporation in respect of their salaries and allowances, by or on behalf of the Corporation shall be made by cheques except for amount not exceeding Rs. 500/-, which may be made in cash from the amount of imprest sanctioned for such purposes.

(3)* Such cheques and all orders for making deposits or investments or for the withdrawal of the amounts from the Banks

and P.D. Accounts, the officers of the Corporation may be authorised to operate the accounts as below:

- (i) Upto Rs. 10,000/- Financial Adviser* (Accounts officer or Assistant Accounts officer in absence of Financial Adviser)*.

And

Secretary (Deputy Director Administration)

OR

Deputy Director (Plan & Business)

- (ii) Above Rs. 10,000/- Managing Director, (Secretary in absence of Managing Director and in absence of both Managing Director and Secretary ; Deputy Director (Plan & Business.)

And

Financial Adviser* (Accounts Officer in absence of Financial Adviser*).

(Substituted vide Rajasthan Gazette Notification dated 24-2-85)

(4)* No payment shall be made out of the accounts of the Corporation unless the expenditure is covered by the financial estimates referred to in section 26 of the Act;

**Provided, that the Executive Committee of the Corporation may, in its discretion, authorise expenditure in anticipation of such estimates. The statement of expenditure so incurred shall be submitted to the Board at its next meeting:

Provided further that reappropriation from one head of expenditure to another or from a provision made for one scheme to that of another may be made as under :

Chairman	Managing Director
from one group head to another there group head noted below:	Within group heads noted below:
(a) <i>Headquarter</i>	(a) <i>Headquarter</i>
(i) Capital	(i) Capital
(ii) Non-recurring	(ii) Non-recurring
(iii) Recurring	(iii) Recurring
(b) <i>Field Staff</i>	(b) <i>Field Staff</i>
(i) Non-recurring	(i) Non-recurring
(ii) Recurring	(ii) Recurring

The reappropriation will be subject to the condition that reappropriation from Capital or non-recurring to recurring will require the sanction of the Executive Committee.

* Remembered Vide Rajasthan Gazette Notification dated 22-04-2010.

**Amended Vide Rajasthan Gazette Notification dated 22-04-2010.

(5)* All monetary transactions shall be entered in the Cash -Book as soon as they occur and shall be attested by an officer of the Corporation duly authorised in this behalf. The Cash-Book shall be closed daily and completely checked by the Managing Director or the officer authorised by him in this behalf **not below the rank of Assistant Accounts Officer. At the end of each month, the Managing Director or the Officer so authorised shall verify the cash in hand and record a signed and dated certificated to that effect.

(6)* All payment by the Corporation shall be made on bills or other documents duly prepared and passed by the Managing Director or other officer authorised in this behalf** not below the rank of Assistant Accounts Officer. The paid vouchers shall be stamped "Paid" or so cancelled that they cannot be used a second time. They should than be kept serially numbered and produced at the time of audit.

23. ***Deposit in Bank or investment in securities of surplus funds*** :- (i) "Any funds of the Corporation not required for current expenditure may, subject to such general or special directions if any given by the State Government, in this behalf, be placed in fixed deposits with the Reserve Bank of India or State Bank of India or any scheduled or cooperative Bank approved in this behalf by the State Government or invested in the name of the Corporation in interest bearing deposits or securities of the Central or State Government keeping in view the twin objectives of safety and return on investment."

* Remembered Vide Rajasthan Gazette Notification dated 22-04-2010.

**Amended Vide Rajasthan Gazette Notification dated 22-04-2010.

- (ii) The placing of money in fixed deposit and the investment thereof and the disposal of money so placed or invested shall require the sanction of the Executive Committee of the Corporation :

Provided that short term call deposits and fixed deposits for a period of less than one year may be made by the Managing Director.

- (iii) The Managing Director may raise loan against fixed deposit receipts from the Banks as and when necessary.

24. Annual statement of account and balance sheet : The Board shall cause the books of the Corporation to be balanced on the last working day of the month of March in every year and the Annual Accounts shall be set out as follows:

- (a) Balance Sheet* duly recommended by the Board in Form 'A'
(b) Profit and Loss Account in Form 'B'
(c) ** Profit & Loss Appropriation Account in Form 'C'

25. Additional functions of the State Warehousing Corporation :-

- (i) *Disinfestation Service :- The Corporation may in its discretion, and on the request of the parties concerned, undertake disinfestation service outside its Warehouses, in respect of agricultural produce or notified commodities as defined in section 2 of the Act.*
- (ii) Service as agent :- The Corporation may, in its discretion act as agent on behalf of the Government or private company defined in section 617 of the Companies Act, 1956

* Amended vide Rajasthan Gazette Notification dated 22-04-2010.

** Inserted vide Rajasthan Gazette Notification dated 4-11-1999.

(Central Act 1 of 1956) or a body corporate established by an Act of Parliament or of a State Legislature or a Co-operative Society, for the purpose of purchase, sales storage and distribution of agricultural produce, seeds, fertilisers, manures, agricultural implements and notified commodities as defined in section 2 of the Act.

26. Repeal :-

- (1) The Rajasthan State Warehousing Corporation Rules, 1957, and the Rajasthan State Warehousing Corporation (General) Regulations, 1962, to the extent covered by these rules, are hereby repealed.

- (2) Such repeal shall not however, in any way affect anything previously done or action previously taken under or in pursuance of the existing rules so repealed.

*** FORM 'A'**

RAJASTHAN STATE WAREHOUSING CORPORATION

BALANCE SHEET AS AT 31st MARCH

Figures for the previous year	Capital & Liabilities	Schedule	Figures for the current year	Figures for the previous year	Properties and Assets	Schedule	Figures for the current year	
Rs.	P.		Rs.	P.			Rs.	P.

Share Capital
Reserve & Surplus
Loans Current
liabilities & provisions

Fixed Assets
Gross Block
Less: Depreciation
Net Block

**Add: Capital Work
in progress Investment
Current Assets, loans and
advances** Notes on account

Notes on accounts :

Sr. Accounts Officer	Managing Director	Chartered Accountants	Chairman	Directors
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*** FORM 'B'**

RAJASTHAN STATE WAREHOUSING CORPORATION, JAIPUR

PROFIT AND LOSS FOR THE YEAR ENDED 31st MARCH

Figures for the previous year		Particulars	Schedule	Figures for the current year		Figures for the previous year	Particulars	Schedule	Figures for the current year	
Rs.	P.			Rs.	P.				Rs.	P.
1	2	3	4	5	6	7	8			
		Pay, Allowances, Bonus and other amenities to staff. Misc. Office & other expenses Financial & Service Charges, Rent, Rates & Taxes Chemical Consumed. Business Loss Bad Debts Provision for Bad & Doubtful Debts Loss on Sale of Assets Depreciation Profit of Appropriation A/C					Warehousing Charges Income form D.E.S. Other Income Interest (i) On deposits (ii) On loan to Staff Supervision Charges Misc. Income Profit on sale of Assets			

Sr. Accounts Officer

Managing Director

Chartered Accountants

Chairman

Directors

*** FORM 'C'**

RAJASTHAN STATE WAREHOUSING CORPORATION, JAIPUR

PROFIT AND LOSS APPROPRIATION ACCOUNT FOR THE YEAR ENDED 31st MARCH

Figures for the previous year		Particulars	Figures for the current year		Particulars	Figures for the current year	
Rs.	P.		Rs.	P.		Rs.	P.
1	2		3	4	5		6
		Adjustment pertaining to previous year			Balance as per last Balance Sheet		
		Proposed dividend for the year			Profit for the year		
		Self-Indemnification Reserve Fund			Adjustment pertaining to previous year		
		Reserve under Section 30 (1)			Excess Provision written back		
		Balance carried to balance sheet			Excess liability written back		
Sr. Accounts Officer		Managing Director	Chartered Accountants		Chairman	Directors	

MINISTRY OF FOOD

ORDER

(Published in the Gazette of India in Extra-ordinary Part II

Section 3 (1) dated March 29, 1993)

New Delhi, the 29th March, 1993

G.S.R. 341 (E) :- In exercise of the powers conferred by the proviso to sub-section (1) of Section 19 of the Warehousing Corporations Act, 1962 (58 of 1962) the Central Government, after consultation with the Government of Rajasthan hereby increases the maximum limit of the authorised capital of the Rajasthan State Warehousing Corporation to six crores of rupees, divided into six lakh shares of the face value of one - hundred rupees each.

(F. No. 7-7/91 - SG)

R. N. TIWARI,

Joint Secretary

(TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRA
ORDINARY PART II - SECTION 3 - SUB-SECTION (1)
DATED THE JULY, 1995

**GOVERNMENT OF INDIA
MINISTRY OF FOOD
(DEPARTMENT OF FOOD)**

New Delhi dated the 2nd, August 1995

ORDER

G.S.R. (E):- In exercise of the powers conferred by the proviso to sub-section (1) of section 19 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government, after consultation with the Government of Rajasthan, hereby increases the maximum limit of the authorised capital of the Rajasthan State Warehousing Corporation to eight crores of rupees, divided into eight lakh shares of the face value of one hundred rupees each.

(SUSHAMA NATH)

Joint Secretary to the Govt. of India

(F. No. 7-2/94-SG)

Note : The following orders were issued earlier in relation to the Rajasthan State Warehousing Corporation:

1.	G.S.R.	-	dated 12.5.78
2.	G.S.R.	504 (E)	dated 17.3.86
3.	G.S.R.	772 (E)	dated 11.9.90
4.	G.S.R.	341 (E)	dated 29.3.93