

**THE WAREHOUSING CORPORATIONS ACT, 1962**  
**(ACT 58 OF 1962)**

(The text of the Act printed here is as on 30.4.1985)

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## STATEMENT OF OBJECTS AND REASONS

"Under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956, two interdependent bodies, namely the National Co-operative Development and Warehousing Board and the Central Warehousing Corporation were established and they were under administrative control of the Ministry of Food and Agriculture. Subsequently, as a result of re-allocation of business among the Ministries, the two bodies came under the administrative control of two different Ministries, namely, the Ministry of Community Development and Co-operation and the Ministry of Agriculture and Food. In the interest of better functioning of the two bodies and for administrative convenience it has been decided that the two bodies should function independently under separate enactments. A Bill has already been introduced for establishing a separate National Co-operative Development Corporation in place of the existing Board. The present Bill seeks to provide for the establishment of a Central Warehousing Corporation and for each State, a State Warehousing Corporation.

Under this Bill, the Central Warehousing Corporation will continue to perform same functions as the existing Corporation. The Central Government will be a share holder to the extent of forty percent of the shares of the Corporation in place of National Co-operative Development Board, while the other shareholders of the existing Corporation will become the other shareholders of the new Corporation. The new Corporation will also maintain the Warehousing Fund. The existing State Warehousing Corporations shall be deemed to be the Warehousing Corporations established for the respective States under the new law.

Amending Act 34 of 1963 - Section 3 (2) of the Warehousing Corporations Act, 1962 provided that the head office of the Central Warehousing Corporation shall be situated at New Delhi. Government consider that they should be in a position to locate the head office at any place which might be convenient and suitable. This would be in consonance with the Scheme of the Government of India for the dispersal of offices from Delhi. The Bill seeks to amend section 3(2) of the Act suitably so that the proposal might be implemented, if necessary." - Gaz. of Ind... 13-6-1963, Pt. II, S.2 Ext., p.476".

Amending Act 42 of 1976 - The Warehousing Corporation Act, 1962, was enacted 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. Under the scheme of the Act, the Central Warehousing Corporation and State Warehousing Corporations, have been entrusted with the tasks of building of and providing scientific storage facilities in different parts of the country. With the growing activities of the Central and State Warehousing Corporations in providing scientific storage facilities, some difficulties have been experienced, which are now proposed to be removed. This has become particularly necessary in the context of creation of additional warehousing capacities during the Fifth Plan period. The authorised share capital of the Central Warehousing Corporation and of some of the State Warehousing Corporations has been fully paid up. Provision is therefore being made to empower the Central Government to increase the share capital of the Warehousing Corporations. At present a Warehousing Corporation can borrow money only from the Reserve Bank or State Bank, among the various financial institutions. The need for a Warehousing Corporation seeking finances from additional non-budgetary resources has also been felt. Provision is therefore being made to enable a Warehousing Corporation to borrow money also from nationalised banks or such other financial institutions as may be approved by the Central Government. Similarly, provision is being made to enable a Warehousing Corporation to deposit money in any nationalised bank in the same manner as in the Reserve Bank or State Bank. There is no provision in the Act for meeting from the Warehousing Fund, the expenditure incurred in relation

to the administration of that Fund and this is being met from the General Fund. It is proposed to provide that expenditure incurred on the administration of the Warehousing Fund and on the training of personnel and publicity and propaganda for the promotion of warehousing scheme in relation to agricultural produce and notified commodities shall be met out of the Warehousing Fund. In pursuance of Government decision on the recommendations of Administrative Reforms Commission provision is also being made for submission by the Warehousing Corporation of such returns, statistics, accounts and other information with respect to its property and activities as Government may require. Opportunity is also being taken to amend the rule laying formula to bring it in conformity with the recommendation of the Committee on Subordinate Legislation.

2. The Bill seeks to achieve the above objects.

### **COGNATE ACTS AND PROVISIONS**

(1) National Co-operative Development Corporation Act, 26 of 1962 (2) Customs Act 52 of 1952, S.9 and Ch.IX, (3) Warehousing Corporations (Supplementary) Act 20 of 1965.

### **ACT NOW AFFECTED BY SUBSEQUENT LEGISLATION**

- Amended by Acts 34 of 1963, 42 of 1976.

**[THE] WAREHOUSING CORPORATIONS ACT, 1962**  
**(ACT 58 OF 1962)**

(19 December, 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.

BE it enacted by Parliament in the Thirteenth year of the Republic of India as follows:

- (a) For Objects and Reasons, see Gaz. of Ind., 3-9-1962, Pt.II, S.2, Ext., P.766.

**CHAPTER I**  
**PRELIMINARY**

1. Short title, extent and commencement -

(1) This Act may be called THE WAREHOUSING CORPORATIONS ACT, 1962.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

(a) The date appointed is 18-3-1963- See Gaz. of Ind. 18-3-1963, Pt. II, S.3(1), Ext. P. 155.

The Act has been extended to an enforced on 1-1-1984 in Sikkim - See S.O.529 (E) of 1983 and G.S.R. 926(E) of 1983.

(4) In exercise of the powers conferred by sub section 2 of section 1 of the Warehousing Corporations (Amendment) Act 2001 (23 of 2001), the Central Government hereby appoint the first day of November, 2001 as the date on which said Act shall come into force (GSR 804(E) dtd 29 Oct. 2001 (File No.6-60/97-SG) No.545 dtd 29 Oct. 2001)

2. Definitions - In this Act, unless the context otherwise requires:-

(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 unginned, 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;

(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:

(dd) "Nationalised Bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of undertakings) Act, 1970;

(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 1962;
- (h) "Reserve Bank" means the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934.
- (i) "Scheduled Bank" means a bank for the time being included in the Second Schedule to the Reserve Bank of India Act, 1934 (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 Warehousing Corporation for a State established or deemed to be established under this Act; and
- (l) "Warehousing Corporation" means a Warehousing Corporation for a State established or deemed to be established under this Act; and
- (m) "year" means the financial year.
  - (a) Inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.2(24-3-1976).
  - (b) (1) Iron and Steel (Metal), (2) Iron and Steel structurals, (3) Insecticides, fungicides and weedcides, (4) Rubber, (5) Portland Cement, (6) Coir fibre and coir products, (7) Textiles, (8) Paper and pulp including paper products and (9) Leather, leather goods and pickers are so notified by G.S.R. 1039 published in Gaz. of India, 1963, Pt. II, S.3(1), P.1202; Tobacco, Iac and wool are so notified under G.S.R. 1714, published in Gaz. of Ind., 1965, Pt. II, S.3(i), P.1876; Tea chests, panels and battons are notified by G.S.R. 990, published in Gaz. of Ind., 1966, Pt. II, S.3(i), P.1124; Mutton tallow, soda ash and washing soda so declared under G.S.R. 173 published in Gaz. of Ind. 1968, Pt.II, S.3(i), p.100; Polythene Granules and sheets so notified by G.S.R. 1967, published in Gaz. of Ind., 1970, Pt.II. S.3(i), P.4430.
- ii) For modified application of this section in certain States, see the Warehousing Corporations (Supplementary) Act, 1965 (20 of 1965), S.2 (20.11.1965). The text of this Act is printed after this Act in this volume.

## CHAPTER -II

### THE CENTRAL WAREHOUSING CORPORATION

#### 3. The Central Warehousing Corporation

- (1) With effect from such date as the Central Government may be 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.
- (2) The head office of the Central Warehousing Corporation shall be at New Delhi ( or at such other place as the Central Government may, by notification in the official Gazette specify).
- (a) The Corporation was established on 18-3-1963- See G.S.R. 464 published in Gaz. of Ind., 1963, Pt. IIS.3(i), Ext. P. 156.
- (b) Inserted by the Warehousing Corporations (Amendment) Act, 1963 (34 of 1963), S.2 (22.9.1963).

#### 4. Share Capital and shareholders-

- (1) The authorised share capital of the Central Warehousing Corporation shall be Two crores of rupees divided into two hundred thousand shares of the face value of one thousand rupees each; 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;

(Provided that the Central Government may, from time to time, by order notified in the official Gazette, increase the authorised share capital of the Central Warehousing Corporation to such extent and in such manner as the Government may determine).

(2) (The Central Government shall, after due appropriation made by Parliament by law for the purpose) subscribe for forty percent 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 Central Government, by the following institutions namely:-

- (a) The State Bank
- (b) Other scheduled banks
- (c) Co-operative Societies;
- (d) Insurance Companies, investment trusts and other financial institutions;
- (e) Recognised associations and companies dealing in agricultural produce or any notified commodity.

(3) If any portion of the sixty percent of the share capital referred to in subsection (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 associations or company dealing in agricultural produce or any notified commodity, in accordance with the regulations made by the Central Warehousing Corporation under this Act.

(a) Inserted by the Warehousing Corporations (Amendment) Act, 1976(42 of 1976), S.3 (24-3-1976).

(b) Substituted for the words "The Central Government shall", *ibid*.

(c) Substituted for the words "The State Bank, any scheduled bank", *ibid*.

**5. Shares to be guaranteed by Central Government and to be trust or approved securities:-**

(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 Act mentioned in this subsection, 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.

**6. Management of Central Warehousing Corporation:-**

(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. Directors -

- (1) The board of directors referred to in section 6 shall consist of the following, namely:-
- (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 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 clauses (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 subsection (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 powers and perform such duties as the 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 of 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, and the manner of filling casual vacancies among the directors shall be such as may be prescribed.

## 8. Disqualification for office of director of the Central Warehousing Corporation.

A person shall be disqualified for being chosen as, and for being, a director of the Central 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 the 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 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. Removal of directors from office:-**

- (1) The Central Government may at any time in consultation with the Central Warehousing Corporation remove the managing director from office after giving him a reasonable opportunity of showing cause against the proposed removal.
- (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 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. Appointment of officers, etc. and their conditions of service -**

- (1) The Central Warehousing Corporation may appoint such officers and other employees as it considers necessary for the efficient performance of the functions.
- (2) Every person employed by the Central Warehousing Corporation under this Act shall be subject to such conditions of services and shall be entitled to such remuneration as may be determined by regulations made by the Corporation under this Act.

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

- (a) acquire and build godowns and warehouses at such suitable places in India or abroad as it thinks fit;  
[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]
- (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 State Warehousing Corporation;
- (e) act as agent of the Government for the purposes of the purchase, sale, storage and distribution of agricultural produce, seeds, manures, fertilizers, agricultural implements and notified commodities;

"(ea) enter into with the previous approval of the Central Government Joint Ventures with any Corporation established by or under any Central Act or any State Act or with any company formed and registered under the Companies Act 1956 including foreign company or through its subsidiary company, for carrying out the purpose of this Act.

**Explanation:** For the purpose of this clause, the expression "Foreign Company" shall have the meaning assigned to it under clause (23A) of Section 2 of the Income Tax 1961;

- (eb) establish subsidiary companies; and  
[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]

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

## **12. Executive Committee -**

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

- (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 the one-third of the number of shareholders of the Corporation, call a special meetings 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 requisitionists and deposited at the head office of the Corporation, and may consist of several documents in like form each signed by one or more requisitionists.
- (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 requisitionists, 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. Grants and Loans by the Central Government -**

- (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 -
  - (a) by way of grants, such 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. **Corporation to maintain two funds** - The Central Warehousing Corporation shall maintain two separate funds namely :

- (a) the Central Warehousing Fund (hereinafter referred to as the Warehousing Fund; and
- (b) the General Fund.

16. **Warehousing Fund** -

(1) To the Warehousing Fund shall be credited -

(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 realised 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 Governments 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.

(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.

(a) Inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.4 (24-3-1976)

17. **General Fund**

(1) To the General 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 expenses of the Corporation; and

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

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

(a) Inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.5 (24-3-1976).

### CHAPTER III STATE WAREHOUSING CORPORATIONS

18. **State Warehousing Corporations** -

(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 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 the State under this Act.

#### **19. Share Capital and shareholders -**

(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.

a [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 issued 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 percent of such capital subscribe for the remaining fifty percent of the capital.

(a) inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.6 (24-3-1976)

#### **20. Management of a State Warehousing Corporation -**

(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

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

(2) The Chairman of the board of directors shall be appointed 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 allowance 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.

**21. Disqualification for office of director of the Corporation -** A person shall be disqualified from 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 a State Warehousing Corporation; or

[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]

(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. Removal of directors from office -**

(1) The State Government may, at any time under intimation to the Central Warehousing Corporation, remove the managing director from office after giving him a reasonable opportunity of showing cause against the proposed removal.

[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]

(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. Appointment of officers, etc. and their conditions of service**

(1) A State Warehousing Corporation may appoint such officers and other employees as it considers necessary for the efficient performance of its functions;

(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. **Functions of the State Warehousing Corporation** - 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 after consultation with Central Warehousing Corporation, determine;

[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]

(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 implements 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;

(da) enter into, with the previous approval of the State Government, Joint Ventures with the Central Warehousing Corporation; and

[Notification No.GSR 807(E), File No.6-60/97-SG dtd 1.11.2001 (No.545, 29 Oct. 2001)]

(e) carry out such other functions as may be prescribed

25. **Executive Committee** -

(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.

(2) The Chairman of the board of directors shall be the Chairman of 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. **Submission of programme of activities and financial estimates** -

(1) Every Warehousing Corporation shall prepare before the commencement of each year a statement or 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. **Borrowing powers of Warehousing Corporation** - (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 purposes of raising funds;

Provided that the total amount of bonds and debentures issued and outstanding and if 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
- (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 provision to sub-section (i), 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.

(a) Substituted for the words "the State Bank of India Act, 1955" by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.7 (24-3-1976).

(b) Inserted, *ibid*.

28. **Deposit account** - All moneys belonging to a Warehousing Corporation shall be deposited in the Reserve Bank or the State Bank (or any nationalised bank) or subject to any rules made under this Act, in (any other scheduled bank) or co-operative bank.

(a) Inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976) S.8 (24-3-1976).

(b) Substituted for the words "any scheduled bank", *ibid*.

29. **Investment of funds** - 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.

30. **Disposal of profits** -

(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.

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 repair 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 sub-section(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. Accounts and audit of Warehousing Corporation -**

(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 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 the 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 a Warehousing Corporation for the protection of its 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 herein before 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 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 authorised by him on his behalf.

(9) The Comptroller and Auditor General of India or any person authorised 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.

[31A. **Returns and reports** - 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]

(a) Inserted by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976). S.9 (24-3-1976).

## CHAPTER V MISCELLANEOUS

32. **Vacancies, etc. not to invalidate acts and proceedings of Warehousing Corporations** - No act or proceedings of a Warehousing Corporation shall be invalid by reason only to the existence of any vacancy among its directors or any defect in constitution thereof.

33. **Delegation** - 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.

34. **Voting rights of shareholders** - 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.

35. **Disputes between Central Warehousing Corporation and State Warehousing Corporation** - 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. **Declaration of fidelity secrecy** - Every director, auditor, officer or other employee of a Warehousing Corporation shall, before entering upon his duties, make a declaration of fidelity and secrecy in the form set out in the Schedule.

37. **Indemnity of Directors** - (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.

(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. **Offences** - (1) Whoever, without the consent in writing of a Warehousing Corporation, uses 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.

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

39. **Provisions relating to Income tax and super tax** - For the purposes 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, profits and gains.

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 sub-section(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 sums advanced by the Central Government shall be deemed to be his income from interest on securities declared to be income tax free within the meaning of section 86 of that Act.

40. **Winding up of Warehousing Corporations** - No provisions of law relating to the winding up of companies or Corporation shall 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.

In exercise of power conferred by Section 58(4) of M.P. Reorganization Act 2000 read with Section 18(1) and 40 of the Warehousing Corporation Act, 1962 and with the consent of the Central Warehousing Corporation (CWC), the State Government is pleased to hereby constitute the Madhya Pradesh Warehousing & Logistics Corporation w.e.f. 31st March 2003. The Madhya Pradesh State Warehousing Corporation (MPSWC) will cease to do business from the same date in terms of Govt. of India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Food & Public Distribution Order No.7-1/2002-SG dated 27.9.2002.

[Notification No.F-12-1/2001/29-2 (1). dtd 26.3.2003]

41. **Power to make rules** -

(1) The appropriate Government may, by notification in the official Gazette, make rules to carry out the 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 or 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 authorised capital of a State Warehousing Corporation (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;

[(i)] the form and manner in which returns, statistics, accounts and other information are to be furnished, under section 31A, by the Warehousing Corporation;)

[(i)] 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 may be after it is made before each House of Parliament while it is in session for total period of thirty days which may be comprised in one session or in two or more successive sessions, and (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 rules of 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.

(a) For Central Warehousing Corporation Rules, 1963, see Gaz. of Ind. 13-4-63, Pt.II, S.3(i), P.671; for Andhra Pra. State Warehousing Corporation Rules, See A.P. Gaz: 9-12-65, Pt.II (R.S.), P.465: for similar rules of 1964 in Gujarat see Guj.Gaz:1964, Pt.IV-A, P.1083 for such rules in Haryana of 1969 see Harya.Gaz. 1969, Pt. III(L.S.), Ext: P.315: for Kerala S.W.C. Rules, 1968 see Ker. Gaz.: 11-2-1968, Pt. 1. S.IV(c.2094): for M.P.S.W.C. Rules, 1971, see M.P. Gaz: 4-6-71, Pt. IV (Ga), P.261: for Maha. S.W.C. Rules, 1965, see Maha Gaz. 1965, Pt. IV-A, p.776: for S.W.C. (Mysore) Rules, 1967, see Mys. Gaz: 14-9-1967, Pt. IV S.2-C(i) p.1425: for Madras S.W.C. Rules, 1965, see Pt. St. Geo. Gaz. 22-9-1965, Pt. V.P.971.

(b) Substituted for the words "within the limits specified in sub-section (1) of section 10, by the Warehousing Corporations (Amendment) Act, 1976 (42 of 1976), S.10 (24-3-1976)".

(c) Clause (i) re-lettered as CI(j) and CI.(j) inserted *ibid*.

(d) Substituted for the words "if, before the expiry of the seasons in which it is so laid" *ibid*.

#### 42. **Power of Warehousing Corporations to make regulations -**

(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 there under to provide for all matters for which provisions is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(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 matter 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 there at;

(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. **Repeal and savings -**

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

**(2) Notwithstanding such repeal -**

(a) the shares allotted and the share certificates issued 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 3 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 the 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 regulations 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**

I, ..... 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 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 WAREHOUSING CORPORATIONS  
(SUPPLEMENTARY) ACT 1965  
(ACT 20 OF 1965)**

(22nd September 1965)

An Act to supplement the provisions of the Warehousing Corporations, Act, 1962.

WHEREAS, in pursuance of clause (1) or article 252 of the constitution, resolutions have been passed by the Legislatures of certain states to the effect that storage of commodities other than those covered by the Warehousing Corporations Act, 1962, in warehouses run by the Corporations established under that Act, shall be regulated in those States by Parliament by law.

AND WHEREAS, in consequence thereof it is necessary to supplement the provisions of the said Warehousing Corporations act for the purposes hereinafter appearing;

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

1. **Short title, application and commencement -**

(1) This Act may be called THE WAREHOUSING CORPORATIONS (SUPPLEMENTARY) ACT, 1965.

(2) It shall apply to the States specified in the Schedule :

Provided that the Central Government may by notification in the official Gazette add the names of any other State to the Schedule in respect where of resolutions have been passed by the Legislatures of those States adopting this Act Under clause (1) of Article 252 of the Constitution in respect of the storage of commodities other than those covered by the Warehousing Corporations Act, 1962, and on the issue of any such notification the States so added shall be deemed to be states specified in the Schedule with in the meaning of this sub-section.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. **Application of the Act with respect to notified commodities -** The Warehousing Corporation Act, 1962 shall, in its application to the States for the time being specified in the Schedule, have effect as if in clause(e) of section 2 of that Act the words and figures "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" had been omitted.

THE SCHEDULE  
(See Section 1(2))

1. Andhra Pradesh
2. [Assam, as it existed immediately before the 21st January 1972]
3. Gujarat
4. Kerala
5. [Tamil Nadu]
6. [Maharashtra]
7. Mysore
8. Punjab [as existed immediately before 1.11.1956]
9. Rajasthan
10. Uttar Pradesh
11. West Bengal

**SUBORDINATE LEGISLATION  
UNDER  
THE WAREHOUSING CORPORATIONS ACT, 1962  
(58 of 1962)**

(As modified upto 28.3.85)

Published by Government of India, Ministry of Food and Civil Supplies

**DATE OF OPERATION OF THE WAREHOUSING CORPORATIONS ACT (1)**

**G.S.R. 963, dated the 16th March 1963.** In exercise of the powers conferred by sub-section (3) of section 1 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government hereby appoints the 18th day of March 1963, as the date on which the said Act shall come into force.

[Ministry of Food and Agriculture No.F.26/52/62-SG.II.]  
(Gazette of India, Extraordinary, 1963, Part II, Section 3(i), page 155)

**DECLARATION OF CERTAIN COMMODITIES TO BE "NOTIFIED COMMODITIES"  
FOR THE PURPOSES OF THE ACT**

**G.S.R. 1039, dated the 13th June 1963** - In exercise of the powers conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government hereby declares the following commodities to be "notified commodities" for the purposes of the said Act, namely:-

1. Iron and steel (Metal)
2. Iron and steel structurals.
3. Insecticides, fungicides and weedicides.
4. Rubber
5. Portland cement
6. Coir fibre and products
7. Textiles
8. Paper and pulp including paper products.
9. Leather, leather goods and pickers.

(Ministry of Food and Agriculture No.F.26/24/63-SG.II)  
Gazette of India, 1963, Part II, Section 3(i), Page 1202)

**G.S.R. 1714, dated the 18th November 1965** - In exercise of the powers conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962) read with section 2 of the Warehousing Corporations (Supplementary) - Act, 1965 (20 of 1965), the Central Government hereby declares the following commodities to be "notified commodities" for the purpose of the first mentioned Act, namely -

- (a) Tobacco
- (b) Lao
- (c) Wool

(Ministry of Food and Agricultural (Department of Food) No.F.26-8/64-SGII)  
(Gazette of India, 1965, Part II, Section 3(i), Page 1876)



**G.S.R. 990, dated the 14th June 1966** - In exercise of the powers conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), read with section 2 of the Warehousing Corporations (Supplementary) Act, 1965 (20 of 1965), the Central Government hereby declares the following commodities to be "notified commodities" for the purpose of the first mentioned Act, namely :-

- (a) Tea Chests
- (b) Panels
- (c) Battens

[Ministry of Food, Agriculture, Community Development and Cooperation]  
(Department of Food) No.F.26/24/63-SG II)  
[Gazette of India, 1966, Part II, Section 3(i), page 1124]

**G.S.R. 173, dated the 7th January 1968** - In exercise of the power conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), read with section 2 of Warehousing Corporations (Supplementary) Act, 1965 (20 of 1965), the Central Government hereby declares the following commodities to be "notified commodities" for the purpose of the first mentioned Act, namely :-

- (a) Mutton Tallow
- (b) Washing Soda
- (c) Soda Ash

[Ministry of Food, Agriculture, Community Development and Cooperation]  
No.F.26/24/63SG.II.)  
(Gazette of India, 1968, Part II, Section 3(i), page 160)

**G.S.R. 1967, dated the 17th November 1970** - In exercise of the powers conferred by clause (e) of Section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government hereby declares "Polythene Granules and Sheets" to be "notified commodities" for the purposes of the said Act.

(Ministry of Food, Agriculture, Community Development and Corporation)

No.F26-29/70-SG.II)  
(Gazette of India. 1970, Part II, Section 3(i), Page 4430)

**G.S.R. 1212, dated the 31st October 1974.** In exercise of the powers conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government hereby declares the following commodities to be "notified commodities" for the purposes of the said Act, namely :-

- (1) Drugs and Pharmaceuticals
- (2) Inorganic heavy chemicals
- (3) Organic heavy chemicals
- (4) Fine chemicals including photographic chemicals
- (5) Synthetic resins and plastics
- (6) Paints, varnishes and plastics
- (7) Synthetic rubbers
- (8) Man made fibres

- (9) Coke oven bye products
- (10) Coal tar distillation products
- (11) Textile auxiliaries
- (12) Sizing materials including starch
- (13) Miscellaneous chemicals
- (14) Soaps
- (15) Toilet preparations
- (16) Ferro alloys
- (17) Iron and steel pipes
- (18) Other products of iron and sheel
- (19) Non ferrous metals and alloys
- (20) Plywood
- (21) Matches
- (22) Miscellaneous (furniture components, bobbins, shuttles and the like)
- (23) Electrical motors
- (24) Electrical fans
- (25) X-ray equipment.
- (26) Household appliances such as electric irons, heaters and the like
- (27) Dry cells
- (28) Plastic moulded goods
- (29) Hand tools, small tools and the like
- (30) Scientific instruments
- (31) Asbestos cement
- (32) Coal, lignite, coke and their derivatives
- (33) Tyres and tubes
- (34) Surgical and medical products.
- (35) Other rubber goods
- (36) Grinding wheels and abrasives
- (37) Bicycles (their component parts and accessories)
- (38) Machine tools
- (39) Power driven pumps- reciprocating centrifugal and the like
- (40) Glue and gelatin
- (41) Sanitary wares
- (42) Tiles
- (43) China ware and pottery)
- (44) Refractories
- (45) Fire bricks
- (46) Textile machinery including textile accessories
- (47) Jute machinery
- (48) Rayon machinery
- (49) Sugar Machinery
- (50) Tea machinery
- (51) Mining machinery
- (52) Metallurgical machinery
- (53) Cement machinery
- (54) Chemical machinery
- (55) Pharmaceuticals machinery
- (56) Paper machinery

(Ministry of Agriculture, F.No.26-29/70-S.G.)  
 Gazette of India; 1974, Part II, Section 3(i), page 2806)

**G.S.R. 1301, dated 6th October 1979** - in exercise of the powers conferred by clause (e) of section 2 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Government hereby declares the following commodities to be "notified commodities" for the purpose of the said Act, namely :-

- (1) Photographic Raw Film and Paper:
  - (a) Cinema Film
  - (b) Photographic Amateur Film
  - (c) Photographic printing paper
- (2) Telecommunications:
  - (a) Telephones
  - (b) Telegraph Equipment
  - (c) Wireless communication apparatus.
  - (d) Road receivers including amplifying and public address equipment
  - (e) Television sets
  - (f) Teleprinters
- (3) Fermentation Industries:
  - (a) Alcohol
  - (b) Other products of fermentation industries
- (4) Miscellaneous industries:
  - (a) Cigarettes
- (5) Earth moving Machinery:
  - (a) Bulldozers
  - (b) Dumpers
  - (c) Scrapers
  - (d) Loaders
  - (e) Shovels
  - (f) Drag lines
  - (g) Bucket wheel excavators
  - (h) Road Rollers and the like
- (6) Electrical equipments:
  - (a) Electrical lamps
  - (b) Electrical furnaces
  - (c) Electrical cables and wires
  - (d) Electronic equipment
  - (e) Storage Batteries
  - (f) Equipment for generation, transmission and distribution of electricity including transformers
- (7) Commercial, Office and Household Equipment:
  - (a) Typewriters
  - (b) Calculating Machines
  - (c) Air Conditioners
  - (d) Refrigerators
  - (e) Vacuum Cleaners

- (f) Sewing and Knitting Machines
- (g) Hurricane Lanterns
- (8) Glass:
  - (a) Hollow Ware
  - (b) Sheet and Plate Glass
  - (c) Optical Glass
  - (d) Glass Wool
  - (e) Laboratory Ware
  - (f) Miscellaneous Ware
- (9) Defence Industries:
  - (a) Arms and Ammunitions
- (10) Transportation:
  - (a) Aircraft
  - (b) Automobile (motor, cars, buses, trucks, motor-cycles, scooters and the like.
  - (c) Others such as fork lift trucks and the lik.
- (11) Ceramics:
  - (a) Insulators
- (12) Fuels:
  - (a) Mineral Oil (Crude Oil)
  - (b) Motor and aviation spirit
  - (c) Diesel Oil
  - (d) Kerosene Oil
  - (e) Fuel Oil
  - (f) Diverse hydrocarbon oils and their blends including synthetic fuels
  - (g) Lubricating oils and the like.

**Explanation -** The articles at No.2, 5, 6 and 10 above shall include their component parts and accessories.

(Ministry of Agriculture and Irrigation, F.No.6-21/78-SG)  
(Gazette of India, 1979, Part II, Section 3(i), Page 2411)

Government of Madhya Pradesh  
Food, Civil Supplies and Consumer Protection Department,  
Mantralaya, Vallabh Bhavan

**NOTIFICATION**

Bhopal, Dtd 30th June 2003

No.F-12-1/2001/20-2. In exercise of the power conferred by Section 41 of the Warehousing Corporation Act 1962 (No.58 of 1962) and subject to the Rule 42 of 1971 the State Government hereby makes the following amendments in byelaws. Regulations and other legal provisions made for the Warehousing Corporation w.e.f. 31st March 2003.

**AMENDMENT**

In Madhya Pradesh State Warehousing Corporation rules 1971 and in all the Bye-laws, Regulations and provisions of law made for Madhya Pradesh State Warehousing Corporation for the words "MADHYA PRADESH STATE WAREHOUSING CORPORATION", the words "MADHYA PRADESH WAREHOUSING AND LOGISTICS CORPORATION" shall be substituted.

By Order and in the name of the  
Governor of Madhya Pradesh

Sd/-  
(R.K. TYAGI)  
Deputy Secretary,  
Government of Madhya Pradesh  
Food, Civil Supplies & Con. Prot. Department