

Andhra Pradesh State Warehousing Corporation Regulations, 1965

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-STATE-WAREHOUSING-CORPORATION-REGULATIONS of 1965

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Andhra Pradesh State Warehousing Corporation Regulations, 1965Published vide Notification No. G.O. Ms. No.2660, Food and Agriculture, dated 4th November, 1965Last Updated 22nd October, 2019No. G.O. Ms. No.2660. - In exercise of the powers conferred by Sub-Section (1) of Section 42 of the Warehousing Corporation Act, 1962 (Central Act 58 of 1962) and with the previous sanction of the Government of Andhra Pradesh, the Andhra Pradesh State Warehousing Corporation hereby makes the following regulations, namely:

Chapter I Preliminary

1. Short title, extent and commencement.

(a)These Regulations may be called the Andhra Pradesh State Warehousing Corporation Regulations, 1965.(b)They shall be deemed to have come into force on the 1st July, 1963.

2. Definitions.

- In these regulations, unless the context otherwise requires,(a)"Act" means the Warehousing Corporations Act, 1962 (Central Act 58 of 1962).(b)"Board of Directors" means the Board of Directors of the Corporation.(c)"Chairman" means the Chairman of the Board of Directors.(d)"Corporation" means the Andhra Pradesh State Warehousing Corporation established

under Section 18 of the Warehousing Corporations Act, 1962.(Central Act 58 of 1962).(e)"Director" means a member of the Board of Directors.(f)"Executive Committee" means the Executive Committee of the Corporation.(g)"Managing Director" means the Managing Director of the Corporation and(h)"Sub-Committee" means a Sub-Committee appointed by the Board of Directors or by the Executive Committee.

Chapter 2

3. Meetings of the Board of Directors and the Executive Committee.

- 1. A meeting of the Board of Directors shall be held ordinarily once in a quarter and that of the Executive Committee ordinarily once in two months.

2. Ordinarily not less than ten days notice shall be given to every director of a meeting of the Board of Directors and not less than seven days notice to a member of the Executive Committee of a meeting of the Executive committee.

3. An emergent meeting of the Board of Directors or that of the Executive Committee, may, however, be called at a shorter notice but such notice shall be sufficient to enable every Director or a Member of the Executive Committee who is at that time in India to attend such meeting.

4. A meeting of the Board of Directors or the Executive Committee shall be convened by the Managing Director in consultation with the Chairman. A notice of the meeting shall be sent to each Director or member of the Executive Committee, as the case may be, at his registered address, specifying the time, date and place of the meeting, and the business to be transacted at the meeting. No business other than that specified in the notice shall be transacted at a meeting except that of which seven day's clear notice has been given to the Chairman but with the permission of the authority presiding at the meeting any other matter may be considered.

4. Presiding Authority.

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

5. Decision by majority.

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

6. Quorum.

- The quorum for a meeting of the Board of Directors shall be Five and of the Executive Committee three. If there is no quorum at any meeting of the Board of Directors or of the Executive Committee, the meeting shall stand adjourned and at the adjourned meeting business of the last meeting shall be conducted irrespective of there being quorum or not.

7. Place of Meeting.

- A meeting of the Board of Directors and of the Executive Committee may be held at Hyderabad or at such other places in the State of Andhra Pradesh, as may be decided by the Chairman.

8. Minute Book.

- The Managing Director shall maintain a Minute Book in which the minutes of a meeting of the Board of Directors shall be recorded. He shall similarly maintain a Minute Book in which the proceedings of a meeting of the Executive Committee shall be recorded. The Minutes of the meeting of the Board of Directors as well as of the Executive Committee shall be circulated as soon as possible after the meeting for the information of the Directors, and shall be placed before the next meeting, of the Board of Directors or the Executive Committee, as the case may be, for confirmation, and shall bear the signature of the Chairman or the person presiding over the meeting.

9. Disclosure of Interest by A Director.

- Every Director who is in any way, whether, directly or indirectly, concerned or interested (except as a representative of a statutory body incorporate) In any contract, loan or agreement, entered into or proposed to be entered into, by or on behalf of the Corporation, shall disclose the nature of his concern or interest to the Board of Directors or the Executive Committee, as the case may be, before the commencement of such meeting and shall not participate in the meeting of the Board of Directors, or of the Executive Committee when such contract, loan or agreement is considered. CHAPTER - 3

10. Fees and allowances to Directors for attending meeting.

- "The Director (other than Chairman, Managing Director and official Directors) shall receive a fee of Rs.150/- (Rupees one hundred and fifty only) for attending each meeting of the Board of Directors and Executive Committee". IO-A, Fees and daily allowance payable to a Director who is

either M.P. or M.L.A. for attending meetings: Notwithstanding anything in regulation 10, any Director who is also a member of parliament or a member of the State Legislature shall be entitled to receive towards daily allowance and the fees for attending such meeting of the Board of Directors or the Executive Committee, only an amount which is equal to the Daily Allowance admissible to him under the Parliament (Prevention of disqualifications) Act, 1959 or the Andhra Pradesh Payment of salaries and Removal of Disqualifications Act, 1953, as the case may be. In addition, each Director shall be reimbursed his travelling expenses for attending the meetings of the Board of Directors, or of the Executive Committee or of a sub-Committee in respect of the journeys undertaken by them in connection with the business of the corporation at the following Scales: (a) If the Journey is performed by air: (I) One standard air fare plus daily allowance: (II) If available, return tickets at reduced rates should always be purchased when the Director expects to perform the return journey by air within the period for which the return ticket is available: (The standard fare should be taken to mean the actual single journey fare of a company payable for the service by which the journey is performed). (b) If the journey is performed by rail. - One first class fare plus daily allowance: Note. - Directors of the Board of Directors who are member of Parliament shall use their free first class passes when they travel on business of the Corporation. They shall, however, be entitled to draw daily allowance on such journeys. (c) In respect of journeys by Road. - In respect of journeys in their own or borrowed conveyance Re.1/- per Kilometer plus daily allowance. The Chairman is entitled Re 1/- per kilometer plus daily allowance when he uses office vehicle meeting the propulsion charges. (d) In respect of journeys by steamer. - One first class fare at the lowest rate plus daily allowance: (e) Daily Allowance:

Mode of Travel	Mileage for Travel by own conveyance	Tours within the State
1	2	3
Air/1st A.C	Rs.2/- by own car	Rs.150 per day or actuals on production of bills
Metropolitan Cities	Places other than Metropolitan Cities outside the State	Remarks
4	5	6
Rs.300 per day or actuals on production of bills	Rs.200 per day or actuals on production of bills	Taxi fare and transport shall be paid on actuals on production of bills

(f) Allowances for Directors who are Government officers or Employees of Government companies or of statutory Bodies owned or controlled by Government: (1) A Director who is a salaried officer of Government or of a statutory body owned or controlled by the Government, shall be entitled to draw such travelling allowance and daily allowance as are admissible to him under the rules regulating his conditions of service: (2) The Travelling Allowance will be drawn by such Directors from their employing Department and the charges on that account will be later reimbursed by the Corporation to the employing Department: (3) Travelling allowances of the Directors who are employees of Government companies or of Government shall be regulated under the rules regulating his conditions of service and shall be payable directly to them: (4) For this purpose, the travelling allowance claims submitted to the Corporation will be supported by a certificate from the Accounts officer of the Government Company or the statutory body owned or controlled by the Government,

as the case may be, to the effect that the claim has been correctly prepared under such rules. CHAPTER - 4

11. Administration and Conduct of Affairs of the Corporation, powers of the Chairman in an emergency.

- In matter calling for an emergent action, the chairman, may, pass any order or perform any act within the competence of the Board of Directors provided that any orders passed under this provision shall be placed for confirmation before the next meeting of the Board of Directors or of the Executive committee, whichever is earlier.

12. Powers of the Managing Director.

- (I) The Managing Director shall have the powers to carry on the authorized business of the Corporation in accordance with the instructions which the Board of Directors or the Executive Committee may issue from time to time and the Managing Director shall decide whether any suit or proceedings be instituted or defended by or against the Corporation subject to such directions as the Board of Directors may give from time to time. (II) The Managing Director shall act as Controlling and Distributing Officer in respect of all funds of the Corporation and shall operate account either singly or jointly with a Director or any Officer of the Corporation authorized in this behalf by the Board of Directors from time to time and to draw, accept and endorse bills of exchange and other instruments in the current and authorized business of the Corporation and to sign all other accounts, receipts and documents connected with such business. (III) The Managing Director shall organize and supervise the office of the Corporation, maintain discipline and exercise such powers in connection with appointments, promotions, termination of service and other disciplinary matters and leave of the staff of the Corporation as may be vested by the Board of Directors, in this behalf and to allocate duties to the staff and make such other arrangements as may be necessary for the efficient discharge of the functions of the Corporation.

13. Expenditure on the administration of the Corporation.

- The Board of Directors shall determine from time to time the amount of expenditure on the administration of the Corporation.

14. Common Seal of the Corporation.

- The common seal of the Corporation shall not be affixed to any instrument except in pursuance of a resolution of the Board of Directors or of the Executive Committee and except in the presence of the Managing Director and one other Director who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signature of any person, who may sign the instrument as a witness. Unless executed as aforesaid such instrument shall have no validity. Provided that no such resolution shall be necessary for the issue of share certificates.

15. Manner and form in which contracts binding on the Corporation may be executed. Contracts on behalf of the Corporation may be made as follows.

(a) any contract which is by law required to be in writing may be made on behalf of the Corporation in writing signed by any person acting under its authority, express or implied, and may in the same manner be varied or discharged; (b) any contract which will be valid if made by parole may be made only by parole on behalf of the Corporation by any person acting under its authority, express or implied and may in the same manner be valid or discharged.

16. Pleading, etc. by whom to be signed.

- Complaints, written statements, petitions, vakalat namas, affidavits and other documents connected with legal proceedings may be signed and verified on behalf of the Corporation by the Managing Director or the Secretary or such other officer of the corporation as may be authorized by the Managing Director in this behalf.

17. Notice convening a General Meeting.

(a) A notice convening a General Meeting of the Corporation signed by the Managing Director or the Secretary of the Corporation shall be issued to the Share Holders at least twenty one days before the meeting. (b) A General Meeting of the Corporation may be called after giving a shorter notice than that specified in sub-rule (a) if the consent of the share holders to that effect is accorded.