

# The U.P. Godam Niyamavali, 1972

UTTAR PRADESH

India

## The U.P. Godam Niyamavali, 1972

### Rule THE-U-P-GODAM-NIYAMAVALI-1972 of 1972

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The U.P. Godam Niyamavali, 1972 Published vide Notification No. 809-C-4/12-C-W-19-66, dated May 4, 1972, published in U.P. Gazette, Part 1-ka, dated 20th May, 1972 In exercise of the powers under Section 38 of the Uttar Pradesh Warehouse Act, 1958 (U.P. Act No. III of 1959), the Governor is pleased to make the following rules for carrying out the purposes of the said Act:

## Chapter I Preliminary

### 1. Short title and commencement.

- (i) These rules may be called the Uttar Pradesh Godam Niyamavali, 1972. (ii) They shall come in to force with effect from the date of their publication in the U.P., Gazette.

### 2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context: (a) "Act" means the U.P. Warehouse Act, 1958; (b) "Classifier" means a person licensed under the Act to classify the goods according to grade and issue certificate thereof; (c) "Form" means a form appended to these Rules; (d) "Licensing Authority" means the authority specified in Rule 3; (e) "Negotiable receipt" means a receipt by which the goods specified therein shall be delivered to the bearer or the order of a person named therein; (f) "Non-negotiable receipt" means a receipt by which the goods specified therein shall be delivered only the person who tenders the goods to the Warehouseman for storage in the Warehouse; (g) "Registrar" means the Registrar of Co-operative Societies U.P. appointed under any law relating to Co-operative Societies in force in the State from time to time or any officer of the Co-operative Department (not below the rank of an Assistant Registrar), authorised by the State Government in this behalf; (h) "Sampler" means a person licensed under the Act to sample the goods and to issue certificate thereof; (i) "Section" means a section of the Act; (j) "Weigher" means a person

licensed under the Act to weigh goods and to issue certificate thereof;(k)"Warehousing Corporation" means a Warehousing Corporation established under the Warehousing Corporation Act, 1962 or any other Central Act for the time being in force;(l)"Year" means the financial year commencing from the first day of April;(m)Words and expressions not defined in these rules but defined in the Act shall have the same meaning assigned to them in the Act.

### 3. Licensing Authority.

- The Registrar shall be the Licensing Authority for the purposes of the Act and these rules.

## Chapter II Licences

### 4. Application for licence.

- (i) Application for grant of a licence under Section 4 or for its renewal under Section 6 shall be made in Form No. 1 and application for issue of a duplicate licence under Section 10 in Form No. 2. The application shall be signed by the applicant and he shall be bound to supply such additional information as may be required by the Licensing Authority.(ii)The application for renewal of a licence shall be made at least one month before the expiry of the period for which it is valid.Note. - Head of Account shall be determined by the State Government.(iii)No application for a licence, or its renewal or issue of a duplicate licence shall be entertained unless it is accompanied by Treasury receipt for the deposit prescribed under Rule 4.(iv)A person desiring to conduct the business of a Warehouseman in more than one village or town shall submit separate applications for licence in respect of his business in each such village or town. In the case of his having more than one place of business in the same village or town, he may apply for only one licence in respect of such places of business, provided he specifies which of them shall be his principal place of business.

### 5. Scale of fee for grant and renewal of licence.

(1)The applicant shall deposit in the Treasury of the district the fee-

(a) for the grant or renewal of licence for each Warehouse at the following quarterly rates, for carrying on the business of a Warehouseman :

	Rs.
(i) Warehouse having a capacity up to 25,000 cubic feet,	12.50
(ii) for every additional storage capacity of cubic feet or part thereof.	12.50
(b) for the issue of a duplicate licence under Section 10.	5.00

(2)A person applying for a licence shall be liable to pay fee for the quarter of the year during which he applies and for the remaining quarters of that year.

## **6. Terms and conditions for grant of licence.**

- A licence granted under Section 4 or renewed under Section 6 shall be issued in Form No. 3, subject to the following conditions-(1)every Warehouseman shall have and maintain in respect of each Warehouse for which an application for a licence has been made net assets not being the cash or Government securities furnished as security under Rule 8 liable for payment of any indebtedness arising out of his business as a Warehouseman, to the extent of at least rupees fifty per 1,000 cubic feet storage capacity of the licensed Warehouse. Such assets may also consist of movable or immovable property of the required valuation. In case buildings, machinery or merchandise are induced in such assets, the Warehouseman shall keep them insured against any loss or damage with Tariff Insurance Company as defined under Insurance Act, 1938 (IV of 1938).Note. - In case of Warehouses other than those covered by the provisions of the Warehousing Corporation Act, 1962, the determination of the Insurance Company, will be in the discretion of the Licensing Authority.(2)Immediately upon receipt of a licence the Warehouseman shall paste the same and keep it pasted until suspended or revoked, in a conspicuous place in the principal office where receipts issued by such Warehouseman are delivered to depositors.(3)Whenever any of the conditions mentioned in clauses (a), (b) and (c) of Section 8 of the Act comes into existence it shall be the duty of every Warehouseman to notify the fact immediately to the Licensing Authority.(4)Every Warehouseman shall permit the Licensing Authority or an officer not below the rank of an Assistant Registrar, Co-operative Societies, deputed by him to enter and inspect or examine on any business day during the usual hours of business, any Warehouse, for the conduct of which such Warehouseman holds a licence, the office thereof, the books records and papers and documents relating thereto and the contents thereof and such Warehouseman shall furnish such person assistance necessary to enable him to make the inspection or examination.(5)The Warehouseman shall furnish such information with regard to the working of the warehouse as the Licensing Authority or any other person authorised by him in this behalf may require.(6)Before an application for licence is rejected the Licensing Authority shall give an opportunity to the applicant for removing within fifteen days the defects mentioned under clause 3 (a) and (b) of sub-section (3) of Section 4 and if the same are removed within the said period to the satisfaction of the Licensing Authority he shall grant the licence.

## **7. Period of licence.**

- A licence shall be granted upto the end of the year and shall be renewed for one year at a time.

## **8. Security.**

- Every Warehouseman shall, at the time of application for licence, furnish to the Licensing Authority a security deposit in cash or in Government Securities assessed at Rs. 5 per 100 cubic feet storage capacity or part thereof, subject to a minimum of Rs. 1,000 and execute a bond in Form No. 4 for the observance of the conditions and obligations arising out of his business as Warehouseman.

## **9. Issue of duplicate licences.**

- A duplicate licence shall be granted on payment of the fee prescribed in Rule 4 and after getting an indemnity bond executed by the applicant indemnifying Government against any loss or damage which may be caused by anyone using the licence lost by the applicant and shall bear on its face the number and date of the original licence in lieu of which it issued and shall be stamped "duplicate".

## **10. Publication of the grant, suspension or revocation of licences and list of Warehouses.**

- The names and location of Warehouses licensed under the Act as on the 1st day of April every year, shall be published in the Gazette as early as possible thereafter. Subsequent grant suspension, revocation or restoration of the licences shall also be published in the Gazette from time to time.

## **Chapter III**

## **Deposit and Maintenance of Goods**

### **11. Application for deposits and delivery of goods to Warehouseman.**

- An application for deposit of goods shall be made to a Warehouseman in Form No. 5 and an application for delivery of goods shall be made in Form No. 6.

### **12. Receipts.**

- A receipt issued under Section 30 shall be in Form No. 7 and shall specify therein : (i) the period for which the goods are likely to remain in deposit, (ii) particulars showing the ownership of, and liens, mortgages or other encumbrances on the goods covered by receipts be as declared by the depositor in application for deposit under Rule 11, (iii) the grade, class or quality and description of goods, and (iv) the location of warehouse where the goods are stored. Both the warehouse and the depositor shall be bound by the conditions of storage as detailed in Form No. 7.

### **13. Information regarding person authorised to sign receipts.**

- Every Warehouseman shall send to the Licensing Authority the names and addresses with specimen signatures of the persons authorised to sign on behalf of the Warehouseman. In case of any change regarding persons so authorised, information shall be given immediately to the Licensing Authority alongwith names, addresses and signatures of the newly authorised persons. Such information shall be sent under registered cover.

#### **14. Non-negotiable receipts.**

- Every Warehouseman who issues a "non-negotiable receipt" shall mark or cause to be marked upon it the words "Non-negotiable".

#### **15. Issue of duplicate receipts.**

(1)An application for grant of a duplicate receipt, if the original is lost or destroyed, shall be made by the depositor to the Warehouseman and shall be accompanied by-(a)an affidavit stating the circumstances in which the original receipt was lost or destroyed, the efforts made to find out in case of loss and that the applicant is lawfully entitled to the possession of the original receipt and Has not negotiated or assigned it,(b)an indemnity bond in favour of the State Warehousing Corporation for an amount double the value of the goods represented by the original receipt, and(c)a sum of Rs. 5.(2)The fact that the receipt is lost or destroyed shall be got published by the Warehouseman at the cost of the applicant at least in one newspaper having wide local circulation giving one week's clear notice to file objections regarding issue of duplicate receipt.(3)If no objection is received within the period specified in sub-rule (2), a duplicate receipt shall be issued by the Warehouseman. In case any objection is filed, the matter shall be referred to the Licensing Authority whose orders shall be final.(4)After the duplicate receipt has been issued the original receipt shall stand cancelled.

#### **16. Transferee or endorsee to supply information.**

- Every transferee or endorsee of a receipt shall inform the Warehouseman concerned about the endorsement, transfer, mortgage or encumbrance, as the case may be, within a week of such endorsement or transfer, and he shall also deposit, within the same period, his specimen signature duly attested by his endorser or transfer with the Warehouseman.

#### **17. Service charges to be made by Warehouseman.**

- No Warehouseman shall levy or recover charges for his services in excess of the schedule of charges, filed by him alongwith his application for licence and approved by the Licensing Authority from time to time. The schedule charges shall be displayed conspicuously by every Warehouseman as his principal place of business where receipts are delivered to the depositors. A provision shall be made by every Warehouseman for allowing a concession of ten per cent or such percentage as may from time to time be revised by the State Warehousing Corporation to Co-operative Societies in schedule of charges.

#### **18. Maintenance of Warehouse.**

- Every Warehouseman shall keep his warehouse in accordance with the conditions given below-(a)the warehouse shall be adequately damp-proof and rat-proof;(b)the warehouse shall be repaired, whenever necessary, and shall be kept disinfected;(c)the goods stored in the warehouse shall be arranged and stored in such a manner as to render physical stock taking and verification

easy and effective;(d)stacks shall not ordinarily be arranged touching the walls and a space of about 2 feet shall be left round each stack;(e)stacks shall not ordinarily exceed 30' x 20' in dimensions and shall not be more than 20 filled bags in height;(f)all goods received for storage in, a warehouse shall be measured individually or by random selection of at least 5 per cent of the bags or containers in cubic feet (length, breadth and height) or weight, as the case may be, and such weight or measure shall be taken by a licensed weigher;(g)each container or each stack shall bear the name of the depositor together with the distinctive marks, if any, in bold letters and shall be duly stencilled or labelled showing the date and quantity in weight or measure;(h)goods of different classes or grades shall be stored separately as far as possible. But hazardous and non-hazardous goods shall invariably be stored separately;(i)all leakages in roof and dampness in walls and floors shall be carefully watched and repaired in good time;(j)all appliances in a warehouse, such as scales, weights, measures, packers and ladders, shall be maintained correctly and in good condition;(k)every Warehouseman shall keep the goods stored in his warehouse reasonably clean at all times, and free from waste material, straw, rubbish or accumulations of materials which may increase the risk of fire or interfere with the handling of the goods.

## **19. Number of insuring goods.**

(1)The Warehouseman shall keep such goods; while in his custody as a Warehouseman, insured in his own name against loss or damage by fire and burglary.(2)No Warehouseman shall be liable for any loss or damage by floods, riot, civil commotion or any other contingency except fire and burglary unless the depositor has made a written request in the manner provided in sub-rule (3) and has actually paid the charges for additional risks before the commencement of storage.(3)On written request from the depositor and on his agreeing in writing at the time of deposit of goods to pay the charges for additional risk the Warehouseman may insure such goods also against loss or damage by all or any of the following events as may be specified by the depositor in his written request namely; floods, rain, riot, civil commotion or any other recognised insurable contingency :Provided that when such a request has been made in respect of goods deposited in warehouse belonging to a Warehousing Corporation such Warehousing Corporation may not insure the goods if it agrees to compensate the depositor against loss or damage by all or any of the following events as may be specified by the depositor in his written request namely; flood, rain, riot, civil commotion or any other recognised insurable contingency.(4)Any insurance made by warehouseman or the maximum compensation agreed to be paid by a Warehousing Corporation shall be for an amount not less than the market-value of the goods prevailing on the date of occurrence of any of the aforesaid events :Provided that the amount so payable by the Warehousing Corporation shall not exceed the market-value of the goods at the time of their deposit.(5)The goods deposited in the warehouse shall not be issued with the company which is on the list of companies approved for this purpose by the State Warehousing Corporation.(6)Every Warehouseman shall be entitled to recover from the depositor of goods or its owner, if the depositor refused to pay the charges, the insurance premia and other out pocket expenditure incurred by him for insurance of goods stored in his warehouse and where a Warehousing Corporation has agreed to compensate the depositor under the foregoing sub-rules it shall also be entitled to recover from the depositor such additional charges as it may decide, not exceeding tariff rate of the insurance premia for the risks which it has agreed to compensate.

## **20. Classification of goods.**

(1) Every Warehouseman shall keep goods stored in his warehouse in regular manner so as to permit easy access to all lots and to facilitate inspection, sampling, counting and identification of each lot. (2) Whenever the quality, standard or grade of any of the goods stored in a warehouse is stated or is required to be stated for the purposes of the Act, it shall be in accordance with quality, standards or grades, if any, determined for the particular goods by the Licensing Authority from time to time.

## **21. Notice of loss of, or damage to, goods.**

(1) At the time of taking delivery, the depositor shall be allowed by the Warehouseman to examine the condition of the goods stored. If any loss or damage is detected and there is a dispute between the depositor and the Warehouseman in respect thereto, the depositor shall collect three samples of 500 grams each of the goods alleged to be damaged and place them in bags or containers, sealed with respective seals of the Warehouseman and depositor. One of the samples will be given to the depositor. (2) The depositor shall, within seventy-two hours of the taking of delivery from the warehouse, give notice in writing with full particulars of the loss or damage, if any, caused to the goods. A copy of the notice shall also be sent to the prescribed authority. No claim against the Warehouseman shall be valid if the alleged loss or damage is not pointed out before taking of delivery and if the required notice is not given as aforesaid.

## **22. Partial delivery of goods.**

- If a Warehouseman delivers part of the goods for which receipt has been issued, he shall be bound to indicate clearly upon such receipt a statement of the goods or packages which have been so delivered. In case of failure to make such statement, the Warehouseman shall be liable to deliver all the goods specified in the receipt to anyone who purchases the receipt in good faith and for valuable consideration, whether the purchaser acquired title to the receipt before or after the delivery of any portion of the goods.

## **23. Maintenance of books, records, etc.**

- Every Warehouseman shall maintain records, and account books in respect of his business and shall, for this purpose, use forms, if any, enjoined by the Licensing Authority. He shall, in particular, maintain : (1) Stock register in Form No. 8. (2) Ledger of each depositor in Form No. 9. (3) General insurance account in Form No. 10. (4) Register of warehouse receipts issued and cancelled in Form No. 11.

## **24. Manner in which perishable or deteriorating goods are to be dealt with.**

- (i) Where goods are of perishable nature or will deteriorate greatly in value or damage other property, the warehouseman may serve a notice within such period as may be fixed by the Licensing Authority, and in case no such period is fixed by it, then within such period as is

reasonable under the circumstances calling upon the holder of the receipt for the goods, but if his name and address is not known to the warehouseman then upon the original depositor, to satisfy the lien upon the goods and to remove them from the warehouse. If such person fails to satisfy the lien and remove the goods within the period aforesaid, the warehouseman may sell the goods by public sale at the risk and cost of the depositor. The information regarding the date, time, place and other necessary particulars of the auction shall be duly published by beat of drum and in a local paper, besides being exhibited on the notice board of the warehouse at least three days before the auction. Notice shall be given by the warehouseman to the depositor and holder of receipt, if any, the Licensing Authority and the Collector at least forty-eight hours before such sale.(ii)If the warehouseman, after a reasonable effort, is unable to sell the goods, he may dispose them of in any manner he thinks fit, and shall incur no liability by reason thereof.(iii)The warehouseman may, from the proceeds of any sale made pursuant to this provision, satisfy his lien but shall hold, the balance, if any, in trust for the holder of the receipt.

## **25. Accounting of proceeds of auction sale.**

- Every warehouseman shall be bound to render to the depositor or the holder of the receipt, correct accounts and tender him the payment of the sale-proceeds after deducting all charges legally due to him including all reasonable charges for the removal of the goods and its public auction within a period not exceeding fifteen days from the date of such auction or surrender of the receipt by the depositor or the holder of the receipt whichever is later, duly discharged and on payment of all charges due to the warehouseman.

## **26. Removal or transfer of goods by warehouseman.**

- No warehouseman shall remove any goods stored in his warehouse or transfer them to another warehouse without first obtaining the receipt in respect thereof, cancelling the same and issuing a new receipt:Provided that the warehouseman may transfer the goods from one godown to another of the same warehouse.

# **Chapter IV**

## **Weighers, Samplers and Classifiers**

## **27. Applications for licence by weighers, samplers and classifiers.**

(1)Every application for obtaining licence to act as a weigher or sampler or a classifier shall be accompanied by a fee as may be notified by the Licensing Authority from time to time subject to a minimum of Rs. 2 and maximum of Rs. 5 and shall be made, in writing, in Form No. 2 to the Licensing Authority who may, after making such enquiries as may be considered necessary for the efficient working of the warehouse grant the licence applied for, subject, however, to the condition that the applicant shall execute an agreement in the form to be specified by the Licensing Authority and on his agreeing to comply with the requirements of these rules and the following conditions :  
(i)(a)every weigher, sampler or classifier, to whom a licence is granted under Section 25, shall



maintain such books of accounts in such forms and in such manner as may be directed by the Licensing Authority from time to time in this respect.(b)every application for licence to act as weigher, sampler or classifier shall be accompanied by a security of Rs. 50, in cash, treasury challan or gilt-edged securities and be in Form No. 4.(c)every licensed weigher, sampler or classifier shall maintain such equipment as may be laid down by the Licensing Authority.(d)no licensed weigher, sampler or classifier shall charge for the service rendered by him at a rate higher than the rates laid down by the Licensing Authority from time to time.(e)every weigher, sampler or classifier when plying his trade shall wear a distinguishing badge as may have been specified and supplied by the Licensing Authority. A fee of Rs. 5 shall be payable to the Licensing Authority as cost of one such badge.(ii)Qualifications required for grant of a licence to a person who wants to act as a weigher, sampler or classifier. - An applicant to whom a licence may be granted to act as weigher, sampler or classifier, should-(a)have passed at least Vernacular Final Examination (or Junior High School or its equivalent),(b)possess good character and sound physique,(c)not be below 18 years and above 40 years of age on the date the application and can work up to age of 60 years,(d)have some practical experience of handling agricultural produce.(2)The Licensing Authority may, for reasons to be recorded in writing, suspend or cancel the licence granted to any weigher, sampler or classifier if he contravenes any of the conditions of the licence, or any of the provisions of the Act or Rules or if in the opinion of the Licensing Authority his continuance as a licensee is likely to be detrimental to the working of the warehouse.

## **28. Period of licences granted to weigher, sampler and classifier.**

- A licence issued to a weigher, sampler or classifier shall remain in force from the date on which it is granted till the 31st December following and shall be removed for one year at a time.

## **29. Certificates to be issued by weighers, samplers and classifiers.**

- The certificate to be issued by weighers, samplers or classifiers shall be in Form No. 13.

## **30. Renewal of licence of weighers, samplers and classifiers.**

- Every application for renewal of a licence issued to weighers, samplers and classifiers shall be made at least one month prior to the expiration of the period of the licence and shall be accompanied by a fee of Rs. 5. The conditions for renewal of a licence shall be the same as prescribed for the issue of a new licence.

## **31. Issue of duplicate licences to weighers, samplers and classifiers.**

- If the original licence is lost or destroyed, a duplicate thereof shall be issued on payment of a fee of Rs. 2 and on the execution of an indemnity bond by the applicant indemnifying the Government against any loss or damage which may be caused by any one using the original licence. Such duplicate licence shall be stamped as "Duplicate".

## **Chapter V**

### **Appointment of Board of Arbitrators**

#### **32. Appointment of Board of Arbitrators.**

- Appointment of Board of Arbitrators under Section 29 shall be made in the following manner :On receipt of written complaint against a weigher, sampler, classifier or warehouseman relating to quality, weight or grade of goods stored or to be stored in a warehouse, the Licensing Authority shall require both the parties to the dispute to appoint their nominees, one each, on the Board of Arbitrators within fifteen days from the date of the notice. In case either party fails to do so within the period of notice, the Licensing Authority shall nominate an Arbitrator on his behalf. When the arbitrators of both the parties have been appointed either by the parties or by the Licensing Authority, the Licensing Authority shall also nominate a third Arbitrator to act as Chairman of the Board of Arbitrators. In case of difference, the opinion of the majority shall prevail.

#### **33. Procedure to be followed in the proceedings before the Board of Arbitrators and mode of executing awards.**

(1)In the conduct of proceedings before them the Board of Arbitrators shall, as far as possible, follow the procedure laid down in the [Indian Arbitration Act, 1940] [See now Arbitration and Conciliation Act, 1996 (Act No. 26 of 1996).].(2)Every award passed by the Board shall if not carried out, be executed in the same manner as an award under [Indian Arbitration Act, 1940] [See now Arbitration and Conciliation Act, 1996 (Act No. 26 of 1996).].

## **Chapter VI**

### **Miscellaneous**

#### **34. Return of licence.**

- When a licence granted to a weigher, sampler or classifier under the Act expires or is removed, cancelled or suspended, it shall be returned to the Licensing Authority within seven days of such expiration, revocation, cancellation or suspension.

#### **35. Procedure regarding the forfeiture of security money.**

- When a warehouseman, weigher, sampler or classifier contravenes any of the provisions of the Act or these rules or orders of the Licensing Authority, he shall be served with a notice to show cause as to why his security money should not be forfeited. If he fails to submit a satisfactory explanation within the prescribed time or comply with the orders, the Licensing Authority may order forfeiture of the security money in full or in part.

### **36. Procedure regarding refund of licence fee or security money.**

- When any applicant is not granted a licence due to any reason, the Licensing Authority shall on an application made in this behalf to him order refund of the licence fee and security, if any, deposited by him.

### **37. Dissolution of partnership firm holding licence .**

- Where a licence is held by a partnership firm and such partnership is dissolved, every partner of the firm shall send a report of dissolution to the Licensing Authority within a week of such dissolution.

### **38. Use of standard weights and measures by warehouseman.**

- Every warehouseman shall use only such standard scales, weights and measures and weighing or measuring machines as are laid down in the Standard Weights and Measures Act, 1956 (Act 89 of 1957).

### **39. Supply of reports by warehouseman.**

- Every warehouseman shall, from time to time, make such reports as may be required by the Licensing Authority or any officer authorised by him, concerning the condition and contents of the warehouse and operation of his business as warehouseman.

### **40. Hours of business of warehouses.**

- Without prejudice to the provisions of the U.P. Dookan Aur Vanijya Adhistan Adhiniyam, 1962 as amended from time to time, the business shall be transacted in every warehouse for at least 8 hours a day on every working day. The actual hours when business can be transacted shall be conspicuously exhibited at the public entrance of the warehouse and communicated to the Licensing Authority. The changes, if any, will also be communicated well in time, at least-fifteen days before the change.

### **41. Appeal against the orders of the Licensing Authority, refusing, revoking, suspending or cancelling the licences.**

- Any person aggrieved by the order of the Licensing Authority refusing to grant or renew a licence or by an order suspending, revoking or cancelling a licence may appeal to the Government within thirty days of the communication of the order.

## **42. Head of account.**

- The security money will be taken credit of under the head "I - Deposits and Advances, II - Deposits not bearing interest - (c) Other deposit accounts - (b) Departmental and Judicial Deposits-Civil Deposits - Revenue Deposits", and the receipts on account of fee will be credited under the receipt head "XXVIII - Corporation - Miscellaneous Receipts - (e) Other Receipts".

## **43.**

The appeals under Section 34 shall lie to the State Government or to such authority not below the rank of Assistant Registrar as may be authorised by the State Government on its behalf and shall be preferred within thirty days from the date of the order appealed against.

## **44.**

Every warehouseman shall allow during its working hours necessary facilities to a depositor or such person, as may be authorised by him, to inspect and satisfy himself that his goods are properly cared for. Forms Form No. 1 [See Rule 4] Applications for grant/renewal of licence To The Registrar, Cooperative Societies, Uttar Pradesh, Lucknow Sir, I/We ..... son ..... of ..... residing at ..... P.O. .... tehsil ..... district ..... request that I/we may be granted a licence as Warehouseman/Licence No. .... granted to me/us for the storage of goods during the year ending December 31, 19 ..... may be renewed for

**2. I/We agree to abide by the terms and conditions of the licence, to be granted/renewed.**

**3. I/We attach a treasury receipts for the payment of Rs. .... as licence fee in ..... Treasury Sub-Treasury.**

**4. I/We agree to abide by the provisions of the Uttar Pradesh Warehouse Act, 1958 (U.P. Act No. III of 1959) as amended from time to time and the rules made thereunder and also to the terms and conditions regarding the maintenance of a warehouse and any other administrative or other orders issued by the Licensing Authority or such other officers as may be authorised by the Government in this behalf.**

**5. I/We have filed along with this application a schedule of charges that would be recoverable from the depositors of goods stored in the warehouse.**

**6. I/We enclose herewith a solvency certificate to the extent of Rs.**

.....

**7. I/We hereby solemnly declare that all information herein given is true to the best of my/our knowledge and that in case it proves to be untrue. I/we undertake to indemnify person or persons concerned in this business against any loss arising out of such false or untrue information.**

**8. I/We declare that each of the warehouses specified below is suitable for the stores of goods respectively mentioned against it and that it is in good condition.**

**9. I/We undertake to execute the security bond of the required amount and in the manner prescribed under Rule 7 of the rules made under the Act.**

Dated :Signature. Description of premises to be used as a warehouse or warehouses

**1. Village or town ..... tehsil .....**

**2. House No. .... than a .....**

	Description of the warehouse and of the rooms for storage.	Distinguishing letter or No. or letter and No. of each.	Detailed description of each.	Purpose of each.
3.				

**4. Area.**

**5. Storage capacity.**

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

**7. Quantities and varieties of goods stored in the previous year, if any.**

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

Form No. 2[See Rule 3]Application for issue of duplicate licenceToThe Registrar,Cooperative Societies,Uttar Pradesh,LucknowSir,I/We ....., son of ..... residing at .....Post Office , tehsil ..... district ....., request that my/our warehouse licence No. .... granted on ..... for the period ending ..... has been lost/ destroyed in the following circumstances :(\*)

**2. I/We, therefore, request you to grant me/us a duplicate licence on the same terms and conditions on which the aforesaid licence was granted.**

**3. I/We have affixed stamp in payment of the fee of Rs. 5/-.**

**4. I/We hereby solemnly declare that the information herein given is true to the best of my/our knowledge.**

Date :SignatureWitness 1. Signature Name ..... Address .....Witness 2.  
Signature Name ..... Address .....(\*) Here state the circumstances under which the licence was lost, destroyed or damaged.Form No. 3[See Rule 6]Licence of carrying on the business of a warehousemanLicence No. .... of 19 .....,Licence is hereby granted to ..... (hereinafter referred to as licensee), on payment of a fee of Rs. .... for the conduct of the business of warehouseman in the warehouse situated at ..... subject to the provisions of the Uttar Pradesh Warehouse Act, 1958 (U.P. Act III of 1959), as amended from time to time and the rules made thereunder and on the following conditions, namely :

**1. This licence shall be valid upto December 31,19 .....**

**2. The licensee shall not carry on the business of warehouseman at any place other than the said warehouse.**

**3. The licence is not transferable.**

**4. No correction or alteration in the schedule of charge, shall be valid unless approved by the Licensing Authority.**

**5. In the event of cancellation, revocation, or suspension of this licence, the licensee shall surrender it to the Licensing Authority along with all the unused warehouse receipts in his possession.**

Licensing Authority.PlaceDateRenewal of the licence.Date of renewal, period for which renewalSignature of the Licensing AuthorityForm No. 4[See Rules 8 and 27 (i) (b)]Form of Security BondWhereas I/We ..... resident(s) of ....., P.O. .... district ....., have applied for grant of licence as Warehouseman Weigher/Sampler/Classifier at ..... under the Uttar Pradesh Warehouse Act, 1958 (U.P. Act III of 1959), as amended from time to time subject to such conditions as may be laid down by the Licensing Authority.I/We furnish herewith security deposit of Rs. .... under Treasury Challan No. ...., dated ..... of the State Bank of India ..... district ..... or in cash/ gilt edged securities in accordance with the rates prescribed in Rule 7/27 (i) (b) of the Rules made under the Act for the observations of conditions and obligations arising out of my/our business as

Warehouseman/Weigher/Sampler/Grader and agreed that the amount of the security deposited by me/us under this bond shall be liable to be forfeited by Government in case of default of any of the conditions of the licence or breach of any of the provisions of the Act or the Rules and that the amount due under this bond shall be recoverable from me/us or my/our heirs or legal representatives as arrears of land revenue. Signature and name of Warehouseman/Weigher/Sampler/Classifier, Designation

Signature  
of  
witnesses-

1. Name.....Designation.....Address.....Date.....

Form No. 5[See Rule 11]Form of application of deposit of goodsToThe Warehouseman, Dear Sir, Please take delivery of the following goods for storage into Warehouse -

Description of the goods	No. of packages, bags and quantities withdistinguishing mark, if any	Measurement and weight	Market price at....	Total valuation of goods	Remarks if any
1	2	3	4	5	6

I certify that the goods mentioned above are my bona fide property and no other person has any claim against them.(When an agent deposits the goods on behalf of an owner, the form should be as under):I certify that the goods above mentioned are the bona fide property of ..... son of ..... address ..... and no other person has any claim against them.Yours faithfully, Depositor/Agent Address. Certified that the written description of goods, their grade or quantity and weights and/or measurements and price have been verified and are correct.

Place ..... Warehouseman's Signature

Date.....

Form No. 6[See Rule 11]Form of application for delivery of goodsToThe Warehouseman, Dear Sir, Please deliver the goods described below to self or to ..... whose specimen signatures are attested below. These goods were deposited with you on ..... The Warehouse receipt granted by you is attached. Description of goods to be delivered

Description of goods	No. of packages, etc.	Weight and/or measurement	Market price	Special Marks, if any	Remarks
1	2	3	4	5	6

Specimen signatures of Sri.....

1.

.....

2.

.....

3.

.....Yours faithfullySignature,Depositor's NameAddressAttested.Signature of the depositor.Received the above noted goods in..... condition.

Place ..... Depositor/Agent

Date.....

Form No. 7[See Rule 11]Warehouse receipt[Issued subject of U.P. Warehouse Act, 1958 (U.P. Act No. III of 1959) as amended from time to time].Negotiable/Non-negotiableLocation of Warehouse.....Serial No. of Warehouse Receipt ..... date of Issue ..... Warehouse Licence No. .... Valid up to .....Received from (Name and address of the depositor) ..... goods of the followings description :

Name and kind of commodity	Class, standard, grade of quality of goods	No. of packages or lots	Net quantity in Qtls./Kgs. by weight or measure
1	2	3	4

Identification marks of depositor on packages	Market rate at the time of depositor	Value of goods in Rs. at the time of deposit	Rate of storing and other charges
5	6	7	8

Name and licence No. of Weigher/Sampler/Classifier .....Insured indemnified against risks (to be specified) .....If insured, the name of the Insurance Company ..... for Rs. .... The initial period for which goods are accepted for storage is from ..... to .....Signature of the Warehouseman or his Agent.The goods mentioned below are hereby released from this receipt for delivery from Warehouse. Any unreleased balance of goods is subject to a lien for unpaid charges and advances on the released portion.

Date Quantity released Balance of quantity due on receipt Signature of Warehouseman

1	2	3	4
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Details of endorsement of parties transferring or mortgaging goods or creating liens or other circumstances on the goods.Conditions for storage

**1. Tender for storage. - (a) All goods for storage shall be delivered by the depositor at the warehouse properly marked for identification and securely packed in fairly strong bags or containers. In case the Warehouseman**



**considers if necessary to mix the goods, make a 'Dara' standardise and change the packages, he will be entitled to do so and the depositors shall be liable to pay the charges actually incurred on that account. The Warehouseman may at his discretion, refuse to accept goods which are in a condition not likely to stand storage. The Warehouseman shall give his own identity mark on each lot or package.**

(b)The word lot as used herein means the unit or units of goods for which a separate account is to be kept by the Warehouseman. Delivery of all or any unit of a lot shall be made without subsequent charge.(c)The Warehouseman undertakes to store and delivery of goods only in the packages in which they are originally received, unless otherwise agreed upon in writing between the depositor and the Warehouseman.

**2. Storage charges. - (a) Storage charge will be levied on a monthly basis and number of days in excess of a months will be charged for on weekly basis. Unless otherwise provided by agreement in writing, where storage is for less than a month the charge will be for the whole month.**

(b)The Warehouseman can enhance or reduce the storage charges by giving 15 days notice to the depositor after they are approved by the Licensing Authority. The depositor shall have the option to take back his goods or pay revised charges. If goods are not removed within the stipulated period, it would be presumed that the depositor is agreeable to the revision in storage charges.

**3. Manner in which perishable goods or goods are liable to be dealt with. - (i) Where goods are of perishable nature or are liable to deterioration greatly in value during storage or injure other goods, the Warehouseman may serve a notice on the holder of Warehouse receipt of such a period as may be fixed by the Licensing Authority and in case no such period has been fixed, the period of notice shall be such as is reasonable and possible the circumstances. In case the name and address of the holder of Warehouse receipt is not known to the warehouseman, the said notice shall be served on the original depositor requiring him to satisfy the lien on the goods and to remove them within the time prescribed in the notice. On the failure of such person to satisfy the lien and to remove the goods within the time prescribed, the Warehouseman may sell the goods by public auction at the risk and cost of the depositor. The information regarding the date, time, place and other necessary particulars of the auction sale shall be duly published by beat of drum besides being exhibited on the notice board of the Warehouse three days before the auction sale. Information regarding auction**

**sale shall also be given to the depositor, the Licensing Authority and the Collector of the district by the Warehouseman at least forty-eight hours before the actual sale.**

(ii) If the Warehouseman after a reasonable effort is unable to sell the goods, he may dispose them of in any manner he may think fit, and shall incur no liability by reasons thereof. (iii) The Warehouseman shall, from the proceeds of any sale made pursuant to this provision satisfy his lien and shall hold the balance, if any in trust for the holder of the receipt.

**4. Delivery of goods. - (a) Instructions for delivery or transfer of goods shall always be in writing and signed by the depositor or by the holder in due course of Warehouse receipt or his authorised agent.**

(b) When a Warehouse receipt has been issued, no goods covered by that receipt shall be delivered unless the receipt properly endorsed is surrendered for cancellation or for endorsement of partial delivery thereon. (c) Should a Warehouse receipt be lost or destroyed, goods covered by it shall not be delivered until the person lawfully entitled to possession of the goods obtains and surrenders a duplicate receipt. The duplicate will be issued on such terms and conditions and on furnishing a bond to indemnify a Warehouseman against any liability, as provided in the Act and Rules framed thereunder.

**5. Liability. - (a) The Warehouseman undertakes to exercise reasonable care and diligence as required by law for keeping the goods.**

(b) The Warehouseman's liability is limited to the value of goods on the date of deposit. (c) Perishable goods or goods which are susceptible to damage through temperature or humidity changes are accepted only at owner's risk for such damage as might result from general storage conditions. (d) The depositor of goods shall be allowed to examine the contents of goods at the time of taking delivery and shall give notice in writing with full particulars of the loss or damage, if any, caused to the goods, to the Warehouseman within seventy-two hours of taking delivery and shall send a copy thereof to the Licensing Authority. On receipt of such notice, the Warehouseman shall collect three samples of 500 grams each of the goods alleged to be damaged and place them in bags or containers, sealed with respective seals of the Warehouse and depositor. One of the samples will be given to the depositor. No claim against the Warehouseman shall be valid if such notice of loss or damage has not been given by the depositor as aforesaid. (e) The Warehouseman is not responsible for the usual and customary shrinkage in weight and affect on quality during storage due to natural causes. (f) The quality, condition, value and contents of goods are unknown to the Warehouseman except when specifically mentioned in the Warehouse receipt.

**6. Schedule of charges and Insurance. - (a) Whenever provision is made in these contract, terms and conditions for a charge or charges by the Warehouseman such charge or charges will not exceed the Warehouseman's**

**tariff in effect at the time the charge accrues or the service is performed.**

(b)The schedule of maximum tariff to be charged shall be that approved by the prescribed authority.(c)All goods stored in the Warehouse shall be insured as provided in Rule 18.(d)When goods are transferred from one room to another or from one Warehouse to another at the request of the depositor a charge for handling and transport, if any, will be made.(e)The Warehouseman may also transfer at his own expense, without notice any goods in storage from one room to another in the Warehouse provided transfer involves no change in the class of storage.(f)Charges for handling, loading and extra service such as repairing, drainage, refilling, weighing, etc. rendered in the interest of the depositor are to be paid for by the depositor of goods in addition to the usual Warehouse charges.

Form No. 8[See Rule 23 (1)]Stock Register

Rent fixed	Date payable	Date paid
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If the godown is hired, period of hire from ..... to ..... in whose name hired .....

Serial                                      Reference to policies of Insurance

Godown No.....                      Name of Cos. with whom insured.

Situated at.....                      Accounts for which insured.

Owner's name.....

Date of deposit	Name of person who deposited the goods	Description and quantity of goods received and special marks on goods, if any
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No. of units(a)	Weight and/or measurement(b)	Grade or quality standard(c)
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1	2	3
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Goods Receipt No.      Description of goods released or delivered      Delivery Order No.

No. of units(a)	Weight and/or measurement(b)	Grade or quality standard(c)
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4	5	6
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Balance of Stocks	Market price of goods on the date of deposit	Initials of the godown keeper/Warehouseman for having received or delivered the goods
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No. of units (a)	Weight and/or measurement (b)	Grade or quality standard (c)
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7	8	9
---	---	---

Initials of checking officer with the date of checking

10

Remarks, if Reference any of the to Ledger

11

Inspecting Officer

12

Form No. 9[See Rule 23 (2)]Depositor's Ledger

Deposit No.	Name of the Depositor	Address of the	Godown No.	Where stored	Godown	Name of the Co.	Particular of;	Amount	Period	Date of expiry
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DepositorNames of operators or transfereesReferenceto specimen signature card	RegistrationNo.	InsuranceNo.of policies
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Date of deposit	Expenses of stocking of cleaning and charges of safe custody	Goods receipt No.	Description of goods received
No. of package of bags or quantity (special marksof goods, if any)(a)	Weight and/or measurement(b)	Grade or quality Standard(c)	
1	2	3	4
Description of goods released or delivered	Particular of payment made by depositor		
No. of package of bags or quantity (a)	Weight and/or measurement (b)	Grade or quality Standard (c)	Date of payment (a)
5	6		Amount (b)

Delivery order No.	Initials of godown keeper/ Warehouseman	Balance of stock	Market price of goods deposited on the date of deposit
No. of packages	Weight or/and measurement	Grade or quality standard (a)	(b) (c)
7	8	9	10

Name of transferee to whom goods are transferredor by whom they are held as security, for advance, if any	Reference to the instrument or documenttransferring possession	Remarks
11	12	13

## Form No. 10[See Rule 23 (3)]Form of General Insurance Account

Name of depositor	Warehouse Receipt No.	Value of goods	Amount for which insured	Period for which insured
1	2	3	4	5

Name of Insurance company with which insured	Number of Insurance policy	Amount of Insurance charge (s)	Amount of other expenses	Remarks
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6

7

8

9

10

Signature of Warehouseman Form No. 11[See Rule 23 (4)]Register of Warehouse receipts issued and cancelled

Serial No. of the receipt	Date of issue of receipt	Name of the depositor	Date of cancellation of receipt	Signature of Warehouseman cancelling the receipt	Remarks
1	2	3	4	5	6

Form No. 12[See Rule 27 (1)]Application for licence to weigh/sample/classify commodityThe Registrar, Co-operative Societies, U.P., Lucknow.Sir,

**1. I hereby apply under the U.P. Warehouse Act, 1958 (U.P. Act No. III of 1959), as amended from time to time and rules prescribed [thereunder] [Score out what is not wanted.] for a licence to [Weigh/Sample/Classify] [Score out what is not wanted.] and to certify the [Weigh/Sample/Grade] [Score out what is not wanted.] of the [stored or to be stored] [Here enter the names of the goods.] in the following warehouse licensed or for which application for licence has been made under the Act:**

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

**2. I agree to comply with and abide by the terms of the Act and the rules so far as the same may relate to me.**

**3. I have attached a treasury receipt for the payment of the licence fee of Rs. ....**

Questions to be answered by the applicant

**1. Full name (in Block Letters).**

**2. Residential address.**

**3. Date of birth Age Years**

**4. Present employment.**

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

I declare that the foregoing statements are true to the best of my knowledge and belief. Signature of the applicant. Form No. 13[See Rule 29]Weight/Sample/Grade CertificateSerial Number of the CertificateThis is to certify that the goods deposited by ..... in the warehouse covered by licence No. .... known as ..... situated at ..... were weighed/sampled/graded by me and that their weight/sample/grade is :

Quantity of goods covered by the certificate	Kind of goods covered by the certificate	Weight	Sample	Grade of goods	
Weight	Sample	Grade	Identification		
1	2	3	4	5	6

This certificate is issued under the U.P. Warehouses Act, 1958 (U.P. Act No. III of 1959), as amended from time to time and the rules made thereunder.

Place.....Date..... SignatureName and Licence NumberofWeigher/Sampler/Classifier