REGULATIONS

G.S.R. 118 - In exercise of the powers conferred by sub-section (4) read with sub-section (1) and (2), of section45 of the Food Corporations Act, 1964 (37 of 1964), the Central Government hereby makes the following regulations namely:-

1. Short title – These regulations may be called the Food Corporations Regulations, 1965.
2. Definitions - In these regulations-

(a) "Act" means the Food Corporations Act, 1964 (37 of 1964);
(b) "Board" means the Board of Directors referred to in section 6;
(c) "Chairman" means –
(i) in relation to the Board, the Chairman of the Board.
(ii) in relation the Executive Committee, the Chairman of the Executive Committee;
*2 (iii) in relation to a Committee, the Chairman of the Committee.
(d) "Committee" means a committee other than the Executive Committee constituted under Section 14.
(e) "Corporation" means the Food Corporation of India established under Section 3.
(f) "Director" means –
(i)in relation to the Board, a Director of the Board;
(ii) in relation to the Executive Committee, a Director of the Executive Committee.
*2 (iii)in relation to the Committee, a Director of the Committee.
(g) "Executive Committee" means the Executive Committee constituted under Section 14.
(h) "Member" means a member of the Committee;
(i) "Section" means a section of the Act.

3. Time and place of meetings of the Board – The Board shall meet at such time and place as the Chairman may, time to time, determine:
*1 Provided that the Board shall meet once at least in every three months.
4. Power to call a meeting of the Board – The Chairman may, at any time, call a meeting of the Board and shall do so if a requisition for that purpose is presented to him in writing by not less than three Directors specifying the subject of the meeting proposed to be called.

*---

1. Substituted vide notification No. FCR 2 of 1965 dt. 23.8.65
2. Added vide notification No. 8-1/73-BC dt. 24/27.6.74

5. Notice for meetings – (1) Not less than fifteen clear days' notice of every meeting of the Board shall be given to each Director who is for the time being in India.

(2)A notice may be served upon any Director either personally or by post in an envelope addressed to such Director.

(3) Any accidental omission to give any such notice to any of the Directors shall not invalidate any resolution passed at any such meeting.

(4) Notwithstanding anything contained in sub-regulation (1), a meeting of the Board at which any matter which is considered urgent by the Chairman has to be taken up, may be called at a shorter notice.

6. Quorum

(1) No business shall be transacted at a meeting of the Board unless there are present at least five Directors.

*1,2,3 (2)If within half an hour from the time appointed for holding the meeting and quorum is no present, the meeting shall stand adjourned to a time, date and place to be determined by the Chairman:

Provided that the meeting so adjourned shall be held with 15 days of the date on which it was originally proposed to be held.

(3) A notice shall be given immediately to each Director, who is not present at the meeting, by post or telegram or special messenger as the needs of he case may require.

(4) If at any such adjourned meeting also, the quorum is not present within half an hour from the time appointed for holding the meeting, the Directors present at the meeting shall form the quorum.

7. Presidency over meetings

(1) The Chairman shall preside over every meeting of the Board.
(2) If the Chairman is not present at any such meeting, the Directors present shall choose one from among themselves to be Chairman of the meeting.

8. Adjournment of meeting

(1) The Chairman may, with the consent of the Directors present at any meeting of the Board, adjourn the meeting from time to time.

(2) No Business other than that which is included in the agenda shall be transacted at any such adjourned meeting except with the consent of the Chairman.

(3) Notwithstanding anything contained in regulation 5, it shall not be necessary to give any notice of a meeting adjourned under this regulation.

*

1 Substituted vide notification No. FCR1 if 1965 dt, 6.8.65
2. Substituted vide notification No. FCR4 of 1967 dt. 12.7.67
3. Substituted vide notification No 8-1/73-BC dt. 24/27.6.74

9. Transaction of business by circulation of papers

(1)Any business which it may be necessary for the Board to transact may, if the Chairman so directs, be dealt with by circulation of papers under registered cover among all the Directors for the time being in India at their usual address, and any resolution so circulated and approved by a majority of the members signing, shall be as effectual and binding as if the resolution had been passed at a meeting of the Board.

(2) When any business is so referred to the Directors by circulation, a period of not less than ten clear days shall be allowed for the receipt of replies from the Directors, such period to be counted from the date on which the notice of business is issued.

(3) If a resolution is circulated, the results of circulation shall be communicated to all the Directors.

10. Record of business

(1) A record shall be maintained of all business transacted by the Board.

(2) All Decisions of the Board shall, as far as possible, be recorded in the form of resolutions and an entry of such decisions in the book of the proceedings of the Board shall be conclusive evidence of the fact that such decisions were taken by the Board.

(3) The proceedings of every meeting of the Board shall be circulated to all the Directors.

11. Times and places of meeting of Executive Committee

(1) The Executive Committee shall meet at such times and places as the Chairman may, from time to time, determine:

*1 Provided that the Executive Committee shall meet once at least in every two months.

12. Notice for meeting of Executive Committee

(1)Not less than seven clear days' notice of every meeting of the Executive Committee shall be given to each Director who is for the time being in India.

(2)A notice may be served upon any Director either personally or by post in an envelope addressed to such Director.

(3)Any accidental omission to give any such notice to any of the Directors shall not invalidate any resolution passed at any such meeting.

(4)Notwithstanding anything contained in sub-regulation (1), a meeting of the Executive Committee at which any matter which is considered urgent by the Chairman has to be taken up, may be called at a shorter notice.

*----------

1. Substituted vide notification No. FCR2 of 19655 dt. 23.8.65

13. Quorum for meeting of the Executive Committee

(1)No business shall be transacted at a meeting of the Executive Committee unless there are present at least three Directors.

*1&2 (2) If within half an hour from the time appointed for holding the meeting the quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place and notice of such adjourned meeting shall be given o each Director who is not present at the meeting on the same day by post or telegram o special messenger as the needs of the case may require.

(3) If at any adjourned meeting also the quorum is not present within half an hour from the time appointed for holding the meeting, the Directors present shall form the quorum.

14. Presidency over meeting of Executive Committee – (1) the Chairman shall preside over every meeting of the Executive Committee.

(2) If the Chairman is not present at any meeting, any other Director duly authorized by the Chairman shall preside over the meeting of the Executive Committee.

15. Adjournment of meting of Executive Committee

(1)The Chairman may, with the consent of the Directors present at the meeting, adjourn the meeting from time to time.

(2)No Business other than that which is included in the agenda shall be transacted at any such adjourned meeting except with the consent of the Chairman.

(3)Notwithstanding anything contained in regulation 12, it shall not be necessary to give any notice of a meeting adjourned under this regulation.

16. Voting

All matters submitted to a meeting of the Executive Committee shall be decided by a majority of the members present and voting thereat and in case of an equality of votes, the Chairman or the person presiding shall, have a casting vote, in addition to the vote to which he may be entitled as a member.

17. Record of decisions

All decisions arrived at by the Executive Committee shall, as far as possible, be recorded in the form of resolutions and an entry of such decisions in the book of proceedings of the Executive Committee shall be conclusive evidence of the fact that such decisions were taken by the Committee.

*---

1. Substituted vide notification No. FCR 1 of 1965 dt. 6.8.65
2. Substituted vide notification No. FCR 4 of 1967 dt. 12.7.67

*1 18. Times and places of meetings of the Committee – (1) The Committee shall meet at such times, and places as the Chairman may, from time to time, determine.

19.Notices for meeting of the Committee

(1)Not less than seven clear days notice of every meeting of the Committee shall be given to each member who is for the time being in India.
(2)A notice may be served upon any member either personally or by post in an envelope addressed to such member.
(3)Any accidental omission to give any such notice to any of the members shall not invalidate any resolution passed at any such meeting.
(4)Notwithstanding anything contained in sub-regulation (1), a meeting of the Committee at which any matter which is considered urgent by the Chairman has to be taken up, may be called at a shorter notice.

20.Quorum for meeting of the Committee
(1)No business shall be transacted at a meeting of the Committee unless there are present, as near as may be, one half of the total number of the members of the Committee:

Provided that at least one Director nominated by the Board of Directors on the Committee, is present in the meeting.

(2)If within half an hour from the time appointed for holding the meeting the quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place and notice of such adjourned meeting shall be given to each member , who is not present at the meeting on the same day by post or telegram or special messenger as the needs of the case may require.

(3)If at any adjourned meeting also the quorum is not present within half an hour from the time appointed for holding the meeting the members present shall form the quorum.

21.Presidency over meetings of the Committee

(1)The Chairman shall preside over every meeting of the Committee.
(2)If the Chairman is not present at any such meeting, the Members present shall choose one from among themselves to be the Chairman of the meeting.

22. Adjournment of meeting of the Committee-
(1)The Chairman may, with the consent of the members present at the meeting, adjourn the meeting from time to time.
(2)No business other than that which is included in the agenda shall be transacted at any such adjourned meeting except with the consent of the Chairman.
(3)Notwithstanding any thing contained in Regulation 19, it shall not be necessary to give any notice of a meeting adjourned under this Regulation.

*----------

1. Added vide notification No. 8-1/73-BC dt. 24/27.6.74

23. Voting

(1)All matters submitted to a meeting of the Committee shall be decided by a majority of the members presents and voting thereat, and in case of an equality of votes, the Chairman/ or the pe5rson presiding shall have a casting vote, in addition to the vote to which he may be entitled as a member.

24. Report of the Committee

(1) The Board of Directors may fix the period for the presentation of the report by the Committee to it depending upon the complexity of the subject entrusted to such a Committee for examination.

25. Fess of members

(1)Every member, not being a whole-time officer of the Corporation, o an officer of Government, performing journeys for attending the meeting of he committee or for attending to any other work of the Corporation shall be entitled to be paid by the Corporation such fees, traveling allowance, daily allowance and conveyance allowances as are admissible under the Food Corporations Rules, 1965 to the member of the Board of Management established under section 16.

(2) Every member, being a whole-time officer of the Corporation or an officer of Government, shall be entitled to such traveling and daily allowances for the performance of journeys for attending the meetings of the committee or for attending to any other work of the Corporation, as are admissible under the rules applicable to him for journeys performed on official duty.

(3) Where any traveling and daily allowances are paid to a member, being an officer of Government, the Corporation shall make necessary arrangements for reimbursement of the amount so paid to the authority employing such officer.

*1 26. Managing Director to exercise powers of Chairman during vacancy in office of Chairman-

During any period when the office of Chairman is vacant, the powers and duties of the Chairman under these regulations be exercised by the Managing Director.

*2 27. Chairman to exercise the powers of the Managing Director during vacancy in the office of the Managing Director

During any period when the office of the Managing Director is vacant, the powers and duties of the Managing Director under these regulations and any other regulations framed under the Act be exercised by the Chairman, if so authorized to him by the Central Government and while so exercising the powers of the Managing Director, the Chairman shall be deemed to be the Managing Director.

F.NO. 4-1/64-F.C.I.

*----------

1. Added vide notification No. FCR 3 of 1966 dt. 18.2.66
2. Added vide notification No. 4(4)/89-BC dt. 6.10.89