THE HIMACHAL PRADESH ANTYODAYA CORPORATION ACT, 1979

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THE HIMACHAL PRADESH ANTYODAYA CORPORATION ACT, 1979

(ACT No. 17 of 1979)[1]

(Received the assent of the President of India on the 23rd June, 1979 and was published in R. H. P. Extra., dated the 3rd July, 1979, p. 1991-2001) **An Act to provide for the establishment of the Himachal Pradesh Antyodaya Corporation**.

1. For Statement of Objects and Reasons, see R. H. Extra, dated. 12-4-1979. p. 1457. For its Authoritative Hindi Text see R.H.P. Extra., dated 25-11-1993, p. 2187-2196.

Amended, replaced or otherwise affected by,-

1. Ord. No. 5 of 1979, published in R. H. P. Extra, dt. 24-9-79, p. 2280-2281, which was replaced by H. P. Act No. 27 of 1979[1], assented to by the Governor on 16-11-1979, published in R.H.P. Extra., dated 22-11-1979, p. 2525-2526.

2. H. P. Ord. No. 2 of 1981 replaced by "Act No. 17 of 1981[2] assented to by the Governor on 30-11-1981, published in R.

H. P. Extra., dated 18-11-1981 p. 1023-1024 . Effective w.e.f. 5-6-1981.

BE it enacted by the Legislature of the State of Himachal Pradesh in the Thirtieth Year of the Republic of India as follows:-

CHAPTER I

PRILIMINARY

1. Short title.- This Act may be called the Himachal Pradesh Antyodaya Corporation Act, 1979.

2. Definitions.-In this Act, unless there is anything repugnant in the subject or context,-

(a) "agricultural development" includes development of agriculture, horticulture, forestry, dairy, poultry, piggery, sheep and cattle breeding, pisciculture, sericulture and allied avocations;

(b) "antyodaya family" means a family and members thereof identified by the competent authority as such in accordance with the norms prescribed by the State Government in the notification published in the Official Gazette;

(c) [3]["bank" means,-

(i) a banking company as defined in the Banking Regulation Act, 1949 (10 of 1949);

(ii) the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955).

(iii) a Subsidiary Bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959);

(iv) a Regional Rural Bank established under the Regional Rural Banks Act, 1976 (21 of 1976);

(v) a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings)

1. For Statement of Objects and Reasons, see R. H. P., Extra, dt. 3-11-1979, p. 2449.

2. For Statement of Objects and Reasons see R. H. P. Extra, dt. 26-9-81, p. 851. 3. Sub. by Act No. 27 of 1979, [Sec. 2 (a)].

Act, 1970 (5 of 1970);

(vi) any banking institution notified by the Central Government under section 51 of the Banking Regulation Act, 1949 (10 of 1949);

(vii) the Agricultural Refinance and Development Corporation constituted under the Agricultural

Refinance and Development Corporation Act, 1963 (10 of 1963);

(viii) the Agro-Industries Corporation as defined in clause (c) of section 2 of the Himachal Pradesh Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act, 1972 (7 of 1973);

(ix) the Agricultural Finance Corporation Limited, a company incorporated under the Companies Act, 1956 (1 of 1956);

(x) any other Financial institution notified by the State Government in the Official Gazette as bank for the purposes of this Act;]

(d) "Board" means the Board of directors of the Corporation;

(e) "Chairman" and [1]["Vice Chairman"] means the Chairman and

(f) [2][Vice-Chairman] of the Corporation;

"committee" means a committee appointed under section 6(2) of this Act;

(g) "competent authority" means such officer specially empowered by the State Government to discharge the functions of a competent authority for the purposes of this Act;

(h) "Corporation" means the Himachal Pradesh Antyodaya Corporation established under section 3 of this Act;

(i) "Central Government" means the Government of India;

(j) "Director" means a director of the Board and includes the Chairman [3][and the Vice-Chairman];

(k) "margin money" means the money required as the share of the beneficiary for granting financial assistance by the financial banking institutions and other organisations;

(l) "marketing" means all activities relating to the transport, grading, pooling, marketing and sale of agricultural or industrial produce, whether in the primary form or in semi-processed or

1. Sub. vide Act No. 27 of 1979, [Sec. 2 (b)].

2. Ins. vide Act No. 27 of 1979.

3. Ins. vide Act No. 27 of 1979.

processed form;

(m) "prescribed" means prescribed by rules made under this Act;

(n) "processing" means all activities relating to the processing of agricultural produce so as to make it marketable or fit for consumption and includes purchase and storage of raw

material, purchase of equipment, and purchase, installation and running of machinery, required for such processing and storage of finished produce;

(o) "small scale industry" means all cottage and small scale industries including house-hold industries where the members of the house-hold are engaged in the manufacture, repairs, maintenance and fabrication of various types of goods, machinery and equipments;

(p) "State Government" means the Government of Himachal Pradesh; and

(q) "trade and business" means a commercial activity involving sale, purchase and manufacture of goods and other saleable articles for economic gain.

CHAPTER II

INCORPORATION OF HIMACHAL PRADESH ANTYODAYA CORPORATION AND ITS CAPITAL

3. Establishment of the Himachal Pradesh Antyodaya Corporation.- (1) The State Government may, by notification from such[1] date as it may specify in this behalf, establish for the purposes of this Act a Corporation to be called the Himachal Pradesh Antyodaya Corporation.

(2) The Corporation shall be a body corporate with the name aforesaid having perpetual succession and a common seal with powers, subject to the provisions of this Act to acquire, hold and dispose of property and to contract, and may, by that name, sue and be sued.

[2][(3) If the State Government is satisfied that either the Corporation has made default in performing of any duty imposed on it by or under this Act, or it is expedient so to do in the public interest, the State Government, notwithstanding anything to the contrary contained in the Act, may, by order in writing published in the Official Gazette, supersede the Corporation.

(4) After the supersession of the Corporation and until it is reconstituted, the powers, duties and functions of the Corporation and its Board under this Act shall be carried on by the State Government or by such

1. Corporation established w.e.f. 2-10-1979 vide Not. No. Uday-ka (4)4/ 9 dated 29-9-79 published in R. H. P. Extra dated 11-10-1979 p. 2378.

2. Sub-sections (3) to (6) added vide Act No. 17 of 1981 (effective w.e.f. 5-6-1981)

officer or officers as the State Government may appoint for this purpose.

(5) Notwithstanding anything to the contrary contained in the preceding sub-sections or in the Act, the State Government may, by

notification in the Official Gazette, declare that with effect from such date as may be specified in the notification, the Corporation shall be dissolved.

(6) With effect from the date specified in the notification under sub-section (5)-

(a) all properties, funds and dues which are vested in or realizable by the Corporation shall vest in and be realizable by the State Government;

(b) all liabilities enforceable against the Corporation shall be enforceable against the State Government to the extent of the properties, funds and dues vested and realised by the State Government.]

4. Head Office of the Corporation.- (1) The Head Office of the Corporation shall be at Shimla or at such other place as the State Government may specify by notification.

(2) The Corporation may establish its Sub-Offices or agencies at such places within or outside Himachal Pradesh as it may think fit.

5. Capital of the Corporation. - (1) The capital of the Corporation shall be such sum, not exceeding five crores of rupees, as the State Government may fix:

Provided that where the capital initially fixed is less than five crores of rupees, the State Government may, from time to time, increase the capital to such sum not exceeding five crores of rupees, as it may think fit.

(2) Such capital may be provided, subject to such terms and conditions, as may be determined, by the State Government from time to time.

Explanation.-For the purpose of this section the expression "capital" shall not include grants-in-aid, subsidies or gifts received by the Corporation for the specified purpose(s).

CHAPTER III

MANAGEMENT OF THE CORPORATION

6. Management.- (1) The general superintendence, direction and management of the affairs and business of the Corporation shall vest in a Board which may exercise all such powers and do all such acts and things, as may be exercised or done by the Corporation under this Act.

(2) Subject to any rules made in this behalf, the Board may from time to time appoint one or more committees for the purpose of securing the efficient discharge of its functions.

(3) The Board in discharging its functions shall act on such principles which shall be in consonance with the policy of the

Government having regard to public interest, welfare of antyodaya families and solvency of the Corporation and shall be guided by such instructions on question of policy as may be given to it by the State Government.

(4) If any doubt arises as to whether a question is or is not a question of policy, the decision of the State Government thereon shall be final.

7. Board of Directors.- (1) The Board shall consist of nine Directors who shall be nominated by the State Government:

Provided that the Chief Minister, Himachal Pradesh, shall be ex-officio Director and Chairman of the Board:

Provided further that not less than two Directors shall be nominated from amongst the persons who have special knowledge of rural conditions of Himachal Pradesh and interest in the upliftment of antyodaya families:

[1][Provided further that if it is expedient so to do the State Government may nominate any of the Directors to be the Vice-Chairman of the Board and he shall perform such duties and exercise such powers as may be assigned to him or conferred upon him, as the case may be, by the Board under sub- section (3) of section 15 of the Act.]

(2) On the occurrence of any vacancy in the Office of a director [2][or the Vice Chairman] due to death, resignation or otherwise, the same shall be filled up by the State Government in the manner provided in sub-section (1).

(3) Subject to the provisions of this Act, the terms and conditions of appointment of the directors [3][and the Vice-Chairman] and the fees and allowances payable to them, shall be such as may be prescribed.

8. Term of Office.- The term of office of the directors, other than the Chairman and the managing director shall be three years and they shall be eligible for reappointment.

9. Disqualifications for office of Director.- A person shall be disqualified for being nominated as, and for being a director-

(a) if he is or at any time has been adjudicated insolvent or has suspended payment of his debts or has compounded with his creditors;

(b) if he is of unsound mind and stands so declared by a competent court;

(c) if he is or has been convicted of any offence which in the opinion of the State Government involves moral turpitude; or

1. Proviso added vide Act No. 27 of 1979, (Sec. 3 (a). 2 . Ins. vide Act No. 27 of 1979, Sec. 3 (b).
3 . Ins. vide Act No. 27 of 1979, Sec. 3(c).

(d) if he has been removed or dismissed from the service of any State Government or Central Government or a Corporation owned or controlled by any State Government or Central Government.

10. Director not to participate in certain cases.- A director who has any direct or indirect pecuniary interest in any matter coming up for consideration at a meeting of the Board or a committee thereof shall, as soon as possible, after the relevant circumstances have come to his knowledge, disclose the nature of his interest at such meeting and the disclosure shall be recorded in the minutes of the meeting of the Board or the committee, as the case may be, and the director shall not take any part in any deliberation or decision of the Board or the committee with respect to that matter.

11. Removal and resignation.- (1) The State Government may, at any time, remove any director from office, if in its opinion such director-

(a) is or has become subject to any disqualification mentioned in section 9;

(b) is absent without leave of the Board from more than three consecutive meetings thereof without a cause sufficient in the opinion of the Board to exonerate his absence;

(c) has acted in contravention of the provisions of section 10; or

(d) has been found guilty for any other reason which may be considered sufficient by the Board:

Provided that no order of removal shall be passed without giving the director a reasonable opportunity of showing cause against the proposed order.

(2) A director may resign his office by giving notice thereof in writing to the State Government and on such resignation being accepted he shall be deemed to have vacated his office.

12. Meetings.-(1) The Board shall meet at such times and places and 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 Corporation under this Act.

[1][(2) The Chairman, and in his absence the Vice-Chairman, and in the absence of both, any other director elected by the directors from amongst themselves, shall preside at every meeting of the Board.]

(3) All questions which come up before any meeting of the Board shall be decided by a majority of votes of directors present and voting, and in the event of an equality of votes, [2][The Chairman, the Vice-Chairman or the

1. Subs. vide Act No. 27 of 1979, sec. 4(a)
2. Subs. vide Act No. 27 of 1979, sec.4(b)

person presiding, as the case may be], shall have and exercise a second or casting vote.

13. Managing Director.-(1) The State Government shall appoint one of the directors, being an officer of the State Government, as managing director who shall hold that office during its pleasure.

(2) The managing director of the Corporation shall-

(a) be its chief executive officer;

(b) be responsible for the operational management of the corporation and implementation of the general policies approved by the Board;

(c) perform such duties as the Board may by regulations or otherwise assign to him;

(d) receive such salary and allowances and be governed by such terms and conditions of service as may be determined by the Board and approved by the State Government.

(3) If the managing director is by infirmity or otherwise rendered incapable of carrying out his duties or is absent on leave or otherwise in circumstances not involving the vacation of his appointment, the State Government may appoint another director who is an officer of the State Government to act in his place during his absence.

14. Defect in appointment not to invalidate acts, etc..- (1) No act or proceeding of the Board or any of its committees shall be questioned or be invalid on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Board or the committee, as the case may be..

(2) No act done by any person acting in good faith as a director or member of any committee shall be deemed to be invalid, merely on the ground that he was disqualified to be a director or member or there was any other defect in his nomination.

15. Officers and other employees of the Corporation.- (1) The Board may appoint such officers and employees as it considers necessary, for the efficient performance of the functions of the Corporation and determine by regulations or otherwise their conditions of appointment and service and the remuneration payable to them.

(2) The Board shall, in respect of reservation of appointments, and posts in favour of the members of scheduled castes, scheduled tribes, backward classes and antyodaya families, comply with such directions, as may be issued by the State Government, from time to time, for ensuring

adequate representation to such members in the service under the Corporation.

(3) The Board may, by general or special order, delegate to the

chairman, [1][the Vice-Chairman], the managing director, director or to any other officer or employee of the Corporation, subject to such conditions and limitations, if any, as may be specified, such of its powers and duties under this Act, except the power to make regulations, as it may deem necessary.

CHAPTER IV

FUNCTIONS AND FUNDS OF THE CORPORATION

16. Functions of the Corporation.- (1) Subject to the provisions of this Act, it shall be the primary duty of the Corporation to undertake the task of upliftment of antyodaya families.

(2) Without prejudice to the generality of the foregoing provisions, such functions shall include the functions-

(i) to plan, promote and undertake, on its own or in collaboration with or through other agencies whether governmental and non-governmental, programmes of agricultural development, marketing, processing, supply and storage of agricultural produce, small scale cottage and village industries, trade and business or any other activity which will, in the opinion of the Board, enable the members of the antyodaya families to earn a better living and help in the upliftment of their economic condition;

(ii) to undertake programmes for setting up employment-oriented industries by providing financial, technical and managerial assistance and any other assistance which will be required in achieving this objective;

(iii) to provide financial assistance to the members of the antyodaya families by advancing or arranging loans and by paying margin money for any of the purposes which will generate income to such families;

(iv) to give grants and subsidies to, and to guarantee loans, taken by the members of antyodaya families and such other organisations for the benefit of Antyodaya families;

(v) to arrange for the training of skills with a view to provide gainful employment to the members of antyodaya families;

(vi) to act as an agency of the State or the Central Government for disbursement of aid in cash or in kind to the antyodaya families;

(vii) to arrange for publicity and marketing of the finished goods manufactured by the antyodaya families;

1. Ins. vide H.P. Act No. 27 of 1979, sec. 5.

(viii) to borrow money from commercial banks or from any other organisation, including Government, subject to such conditions as the Board may specify;

(ix) to receive gifts, grants and donations and to issue bonds and debentures;

(x) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, hundies, bills warrants, debentures and other negotiable instruments;

(xi) to invest or deposit surplus funds of the Corporation in Government securities or in such other manner as the Board may decide;

(xii) to enter into contracts;

(xiii) to provide facilities for survey; research and study in relation to the problems relating to upliftment of the antyodaya families with a view to promote programmes for providing gainful employment to the members thereof;

(xiv) to undertake such other functions as are supplemental, incidental or consequential to any of the functions conferred on it under this Act or the rules made thereunder; and

(xv) to undertake such other programmes and discharge such other functions as may be prescribed by the State Government, from time to time.

17. Funds of the Corporation.- The Corporation shall establish and maintain the following funds, namely:-

(a) Development and Finance Fund;

(b) Guarantee and Bad Debts Fund;

(c) Relief and Common Good Fund;

(d) Grants-in-aid and Subsidies Fund; and

(e) Loan Fund.

18. Development and Finance Fund.- Save as otherwise provided in sections 19, 20, 21 and 22,-

(1) all amounts that are received by the Corporation from any source, whatsoever, shall be credited to the Development and Finance Fund.

(2) all amounts that are expended by the Corporation shall be debited to this Fund.

19. Guarantee and Bad Debts Fund.- The Guarantee and Bad Debts Fund shall consist of-

(i) the funds placed at the disposal of the Corporation by the State Government as grant for this purpose;

(ii) ten per cent of its own profits;

(iii) the interest accrued, from time to time, on this Fund;

(iv) such money as may be contributed to this fund specifically by any agency, organisation and by the Corporation itself, as may be decided by the Board:

Provided that nothing herein shall be deemed to debar the State Government, the Central Government or any other organisation or agency from giving such amounts by way of grant or donation for being credited to this Fund.

(2) This Fund shall be used in connection with furnishing of guarantees in respect of loans taken by the members of antyodaya families or organisations and to meet irrecoverable debts of the Corporation in such manner as may be prescribed.

20. Relief and Common Good Fund.- (1) To the Relief and Common Good Fund shall be credited every year such amount, not exceeding ten percent of the net profits, if any of the Corporation, as the Board may decide:

Provided that nothing herein shall be deemed to debar the State Government, Central Government or any other organisation from giving such amount by way of additional grant for being credited to this Fund as it may think fit.

(2) The Relief and Common Good Fund shall be used for the purposes in connection with the welfare of the members of antyodaya families in such form and manner as may be decided by the Board.

21. Grants-in-aid and Subsidies Fund.- To Grants-in-aid and Subsidies Fund shall be credited amounts as may be received from the State Government, the Central Government or any other organisation/agency to be spent for a specified purpose by way of grant/subsidy to the antyodaya families or organisations for their economic upliftment. The conditions, if any, imposed by the guarantor shall be adhered to in the utilisation of this Fund.

22. Loan Fund.- The loans raised or obtained by the Corporation from the financial institutions/banks and the State or the Central Government or any other agency shall be credited to this Fund. The Loan Fund shall be used for the purpose of advancing loans at such rate of interest as may be determined, and on such conditions as may be imposed, by the Board for protecting the interest of the Corporation.

CHAPTER V

RECOVERY OF LOANS AND GRANTS

23. Power to resume grants and call repayment of loans.- Notwithstanding anything to the contrary contained in any agreement, the Corporation may, by notice in writing, require any beneficiary, including a guarantor and a debtor, to discharge forthwith, in full or any part of the amount advanced to him as subsidy, grant, loan or in any other fund, to the Corporation-

(a) if it appears to the Board that any false or misleading information or particular was given by the beneficiary before or at the time of receiving the benefit;

(b) if the recipient has failed to comply with any of the terms of such grants, subsidy or loan imposed by the Corporation at the time of payment;

(c) if he contravenes any of the provisions of the agreement or conditions imposed by the Corporation at the time of advancing such loan or making such grant, as the case may be;

(d) if there is reasonable apprehension that the beneficiary is unable to utilise the money for the purpose for which it has been given; or

(e) if for any other reason it is necessary to do so to protect the interest of the Corporation.

24. Recovery of money due to the Corporation.- (1) Where any amount is due to the Corporation from any person, including the surety of a debtor, in respect of loans, advances, grants, subsidies or any other financial accommodation granted by it, such amount shall on a certificate being issued by the managing director in the prescribed form, be recoverable as arrears of land revenue by the Collector of the district in which the person from whom the amount is due resides or carries on business or owns any property.

(2) The Certificate issued by the managing director under sub-section (1) shall be final and conclusive and shall not be called in question before any authority or court.

(3) For the purpose of recovering any amount due to the Corporation in respect of the loan or any other advance, it shall not be necessary to proceed against the principal before proceeding against the surety.

25. First charge of Corporation's dues.- Notwithstanding anything contained in any law for the time being in force, but subject to the provisions in any law made by the Parliament relating to priority of charges and to any prior claim of a bank or of the Government in respect of land revenue or any money recoverable by it as arrears of land

revenue, the dues of the Corporation as determined under the preceding section of this Act together

with interest accrued thereon and costs of recovery shall be the first charge on the property of the debtor and the guarantor if any.

CHAPTER VI

ACCOUNTS AND AUDIT

26. Accounts.-(1) The balance sheet and accounts including the profit and loss accounts of the Corporation shall be prepared and maintained in such form and manner as may be prescribed.

(2) The Board shall cause the books and accounts of the Corporation to be balanced and closed on the thirty-first day of March each year.

27. Audit.- (1) The accounts of the Corporation shall be audited once in every financial year, by auditors duly qualified to act as auditors under sub-section (1) of section 226 of the Companies Act, 1956 (1 of 1956), who shall be appointed by the Board and shall receive such remuneration from the Corporation as the Board may fix.

(2) The auditors shall be supplied with a copy of the annual balance-sheet and the profit and loss account of the Corporation and it shall be their duty to examine them together with the accounts and vouchers relating thereto, and they shall have a list delivered to them 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 director or officer of the Corporation such information as the auditors may think necessary for the performance of their duties as auditors.

(3) The auditors shall make a report to the Corporation upon the annual balance-sheet and accounts examined by them and in every such report they shall state whether, in their opinion, the balance sheet is a full and fair balance-sheet containing all necessary particulars and properly drawn up so as to exhibit a true and fair view of the State of affairs of the Corporation.

(4) The Corporation shall furnish to the State Government within four months from the date on which its accounts are closed and balanced, a copy of its balance-sheet and accounts together with a copy of the auditor's report, and a report on the working of the Corporation during the relevant year and the State Government shall lay them as soon as possible before the Legislative Assembly while it is in session for the total period of ten days which may be comprised in one session or in two or more successive sessions.

(5) Without prejudice to anything contained in the preceding sub-sections, the accounts of the Corporation, as and when it is considered necessary and expedient to do so in public interest, may also be audited

by an agency specifically authorised in this behalf by the State Government, from time to time and any expenditure incurred by it in connection with such examination and report shall be payable by the Corporation to such agency.

CHAPTER VII

MISCELLANEOUS

28. Dissolution of Board.- (1) No provision of law other than this Act, relating to the winding up, dissolution or liquidation of the companies or corporations shall apply to the Corporation.

(2) The State Government may, if the Corporation exceeds its powers, or upon receipt of a report under section 27, call upon the Board to show cause why it should not be dissolved, and if no explanation is offered within the specified period, or if the State Government is not satisfied with the explanation, it may dissolve the Board from such date as may be specified.

29. Consequences of dissolution of the Board.-(1) When the Board is dissolved under section 28-

(i) all directors shall, from the date of dissolution vacate their offices;

(ii) all powers and duties of the Board shall, during the period of dissolution, be exercised and performed by such person or persons as the State Government may appoint in this behalf;

(iii) all funds and other property vested in the Corporation shall, during the period of dissolution, vest in the State Government.

(2) The State Government may, in its discretion, reconstitute the Board after such period as it may think fit.

30. Bar of jurisdiction.- Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Corporation or any officer or authority appointed under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

31. Protection of action taken in good faith.- No suit or other legal proceedings shall lie against the Corporation or any director including the managing director, or any officer or employee or any other person authorised by the corporation to discharge any functions under this Act for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act.

32. Officers and employees to be public servants.- The managing director and other employee of the Corporation shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

33. Indemnity of Directors.- (1) Every director shall be indemnified by the Corporation against all losses and expenses incurred by him in the

discharge of his duties except such as are caused by his own wilful act or default.

(2) A director shall not be responsible for any other director, or for any officer or other employee of the Corporation or for any loss or expenses resulting to the Corporation from 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 anything done in good faith, in the execution of the duties of his office or in relation thereto

34. Exemption from registration fee and stamp duty.-All instruments executed by or on behalf of the Corporation in relation to the discharge of its functions shall be exempted from payment of stamp duty and registration fee:

Provided that exemption from payment of stamp duty shall apply in the case of such instruments only as are specified in Schedule I-A to the Indian Stamp Act, 1899 (2 of 1899)[1]

35. Power to make regulations.-(1) Subject to the rules framed by the State Government under section 36, the Board may, from time to time, make regulations not inconsistent with this Act and the rules made thereunder for the purpose of giving effect to the provisions contained in this Act.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for-

(a) the time and places of meetings of the Board and the procedure to be followed in relation to such meetings, including the quorum necessary for the transaction of its business;

(b) the conditions which the Corporation may impose in granting loans or entering into other arrangements;

(c) the rate of interest on loans;

(d) duties which the managing director shall perform;

(e) the duties, conduct, salary, allowances and conditions of service of officers and other employees of the Corporation;

(f) the delegation of powers and functions to the officers and employees of the Corporation;

(g) the establishment and maintenance of provident and other benefit funds, for the officers and employees of the Corporation; and

(h) generally, the efficient conduct of the affairs of the Corporation.

1. Subs vide H. P. Act. No. 27 of 1979. Sec, 6.

36. Power to make rules.- (1) The State Government may, by notification, make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the fixation of norms for the identification of antyodaya families under clause (b) of section 2;

(b) the terms and conditions of appointment of directors [1][and the Vice Chairman] and the fees and allowances payable to them;

(c) the programmes and functions to be executed and discharged by the Corporation under clause (xiv) of sub-section (2) of section 16;

(d) the form in which certificate shall be issued by the managing director, and the procedure that shall be observed in determining the amount under section 24;

(e) the form and manner in which accounts shall be maintained, and the balance-sheet and profit and loss account shall be prepared;

(f) any other matter which is required to be or may be prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of ten days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, Assembly agrees to make any modification in the rule or decides that the rule should not be made, the rules 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.

37. Power to remove difficulty.-If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the official Gazette, make such provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of such difficulty.