
Assam Agricultural Produce Markets (General) Rules, 1975

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Assam Agricultural Produce Markets (General) Rules, 1975

1. Short Title, Extent And Commencement :-

(1) These Rules may be called the Assam Agricultural Produce Markets (General) Rules, 1975.

(2) These Rules shall come into force at once.

2. Definitions :-

(1) Act means the Assam Agricultural Produce Market Act, 1972.

(2) Buyers includes a person buying any Agricultural Produce himself or on behalf of any other person or organisation or firm as his/its agent or as commission agent for resale.

(3) Deputy Commissioner means the Deputy Commissioner of the district having jurisdiction even the notified market areas or if such area is situated in more than one district such Deputy Commissioner of one of these district, as may be specified by the Government in this behalf.

(4) Form means a form appended to these Rules.

(5) Incidental charges means the charge, payable by the seller in lieu of the service rendered in connection with handling of Agricultural Produce prior to the finalisation of the bid at the auction, such as unloading, cleaning and dressing charges and also include remunerations for weighing of Agricultural Produce, after finalisation of the bid at the auction.

(6) Faria means a petty dealer and also includes an agent who in consideration of commission offers his service to purchase or sell Agricultural Produce.

(7) Maintenance in relation to office premises shall include the payment of local rates and taxes and charged for electricity and water as also charges for telephone including trunk calls made in connection with the affairs of the Board or of the Market Committee and in relating to residential quarters shall include the payment of local rates and taxes and charges for water as also charges for telephone including trunk calls made in connection with affairs of the Board or of the Market Committee, provided the residential quarters are the property of the Board or of the Market Committee and in case of private residences it shall include only the charges for telephone including trunk calls made in connection with the affairs of the Board or of the Market Committee.

(8) Market Charges means all charges payable by the buyer in lieu of services rendered in connection with the handling of Agricultural Produce after the finalisation of the bid at auction, such as the Commission of Faria, Brokerage, auction charges, remuneration for helper, filling and sewing but does not include remuneration for

weighing.

(9) Helper means a person who assists in loading, unloading, weighing, measuring, cleaning and dressing of Agricultural Produce.

(10) Seller includes a person selling Agricultural Produce himself, or on behalf of any other person as his agent or servant or commission agent.

3. Constitution Of The Board :-

(1) For the purpose of enabling the Government to nominate Non-Official members:-

(i) 1 (ii) 1 (iii) Under Section 3(1)(c)(ii) the Director of Agriculture, Government of Assam shall submit a panel of four names from amongst the Chairman of the Agricultural Farming Corporations to the Government of Assam for nomination of one member to the Board from the Agricultural Farming Corporations.

(iv) 1

(v) 1 (vi) 1 (2) 1 (3) 1 (4) The term of office of Non-Official members shall commence from the date on which the appointment is notified in the Official Gazette.

(5) For removing the Chairman or a Non-Official member of the Board who has become subject to any of the disqualifications specified in SubSection

(5) of Section 3 of the Act, as per Sub-Section (7) of Section 3 of the Act the specified time to submit replies to the invitation thereof by the State Government shall be three weeks from the date of issue of the letter inviting replies by the State Government.

(6) In the event of super session of Board under Section (9) of the Act the powers, function and duties of the Chairman and on the Board shall be exercised by the Director. 1 Deleted vide Clause 2 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

4. Control And Superintendence Of The Market Committee :-

For the purpose of enabling the Board to exercise superintendence and control over the Market Committees as per Sub-Section (10) of Section 3 of the Act:-

(1) All the employees of the Market Committees shall be under control and superintendence of the Board.

(2) The Market Committee shall be guided by the Board. The Board may also frame Bye-laws

(a) for better marketing of Agricultural Produce on Co-operative lines;

(b) for uniform grading and standardisation of Agricultural Produce;

(c) for the general improvement of the markets or their respective notified market areas;

(d) for the classification of the Committees on the basis of their income for the purpose of fixing the grades of their Secretaries and other employees; and

(e) for any other purpose which in the opinion of the Board, is calculated to promote the interest of the Committees or to lead to improvement of marketing Agricultural Produces and Agriculture in general.

(3) The Board shall sanction the budget of the Committee and the Committees shall submit their annual budget to the Board not later than the last week of February preceding the year to which the budget relates. If the budget is not received back by the Committee concerned within two months of the date of despatch, it shall be presumed to have been sanctioned.

(4) The Board shall examine the annual assessment of work and progress of the Committees sent by the Chairman of the Committees in the form of Annual Reports including the audited accounts of the Committees for the preceding financial year not later than the last week of May of the succeeding year. In case the Board disagrees with the Chairman of the Committee concerned, the Chief Executive Officer 1 of the Board shall convey the opinion of the Board to the Chairman of the Committee concerned and in that case the Chairman of the Committee shall send appropriate replies to the objections within the time specified by the Chief Executive Officer 1 of the Board.

(5) If the Board in its opinion finds that the financial position of Committee does not warrant the payment of travelling and daily allowances and also the remuneration etc. if any, to the members of the Committee, in the rates approved by the Committees, the Board may fix such scales of daily and travelling allowances or remunerations as the Board may think proper. Substituted vide Section 7 of the Assam Agricultural Produce Market (Amendment) Act, 2000.

(6) References from Committees to any Government Department other than district authorities and local bodies shall be made through the Chief Executive Officer 1 of the Board. For the purpose of this Sub-Rule the term Government includes the State and also the Government of India as the case may be.

(7) The Chairman or the Chief Executive Officer 1 of the Board or any other employees of the Board not lower than the rank of that of an Inspector authorised in this behalf by the Chief Executive Officer 1 of the Board may at any time inspect, examine and check the weighing instruments, weights, measures kept by the Committee. After inspection the inspecting authority may give such directions as it may deem proper and the Committee shall be bound to comply with such directions. The inspecting authorities as prescribed herein may at any time and without previous notice, inspect, examine and test any weighing instrument, weight or measures used, kept or posed within notified market area by a licensee and every such licensee in possession of any such weighing instrument, weight or measure shall when required, be bound to produce before the person entitled so to inspect, examine and test it.

(8) The Chairman or the Chief Executive Officer 1 of the Board or any other employees of the Board authorised by the Board may at any time inspect and examine the records and the accounts of the Committee and issue directions to the Committee as deem proper and the Committee shall be bound to comply with such directions.

(9) The Board shall issue instructions and directions to the Committees wherever necessary towards the fulfilment of the objects and purposes of the Act and the Committee shall be bound to follow such instructions and directions.

5. Budget Of The Board And Committee :-

(1) The Board shall meet not later than first week of February every year to finalise the budget for the next financial year. The budget shall be prepared by the Chief Executive Officer of the Board met for the purpose.

(2) The budget finalised by the Board shall be submitted to the State Government for sanction not later than the last week of February preceding the year to which the budget relates. The State Government shall sanction the budget and return the budget within two months from the date of receipt thereof. If it is not received within two months it shall be presumed to have been sanctioned.

(3) In case the budget approved by the Board and submitted the State Government with comments to revise it within two months the date of receipt of Budget from the Board, the Board shall convene its meeting immediately thereafter and finalise the revised budget as per comments 1 Substituted vide Section 7 of the Assam

Agricultural Produce Market (Amendment) Act, 2000. of the State Government. The budget so revised and approved by the Board shall thereafter be immediately submitted to the State Government for sanction. The State Government shall sanction the revised budget within 15 (fifteen) days of receipt thereof and if the sanction of the revised budget is not received within 15 days of receipt by the State Government it shall be presumed to have been sanctioned.

(4) Until the date stipulated under Sub-Rules (2) and (3) under this Rule the Board shall incur the minimum interim expenditure within the budget submitted for sanction with prior approval of the State Government.

(5) No expenditure shall be incurred by the Board unless there is a provision in the budget to meet the same.

(6) The Board may re-appropriate any amount from one sub-head to another under a Head of Account without prior approval of the State Government. The Board shall obtain prior approval of the State Government for re-appropriation of amounts exceeding 10% of the total budget provision within different Head of Accounts.

(7) The Market Committee shall follow the provisions of Sub-Rule (3) under Rule 4 and Sub-Rule (1), (2), (3), (4), (5) and (6) under Rule 5 for the purpose of preparation, approval and submission for sanction of budget and also for expenditure incurred under the sanctioned budget except that in the case of the Market Committees the sanctioning authority shall be the Board.

6. Functions And Powers Of Chairman And The Chief Executive Officer 1 Of The Board :-

(1) The Chairman of the Board shall preside over the meeting of the Board. In case of absence of the Chairman the meeting of the Board shall elect its Chairman for the particular sitting of the meeting from amongst the members of the Board present. In the event of the removal of the Chairman by the State Government as per Sub-Section (7) under Section 3 of the Act and also in the event of resignation by the Chairman as per Sub-Section (6) under Section 3 of the Act, the State Government shall nominate one amongst the members of the Board to preside over the meetings of the Board till such time regular Chairman is nominated by the State Government.

(2) The Chairman of the Board shall be responsible for the administration of the Assam Agricultural Produce Market Act, 1972

and shall subject to any other provision contained in these Rules, exercise general control over the employees of the Board and these of Committees.

(3) Notwithstanding anything contained in the Act and in these Rules the Chairman shall be competent authority for according sanction of any expenditure not more than Rs. 25,000 2 in each item provided that such items of expenditure are in sanctioned budget and for any expenditure Substituted vide Section 7 of the Assam Agricultural Produce Market (Amendment) Act, 2000. 2 Substituted vide Clause 3 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003. beyond Rs. 25,000 2 on individual item the Chairman shall obtain the approval of the Board.

(4) The Chairman shall exercise overall supervision on the Market Committees he shall review the working and progress of the Market Committees and place such review before the Board for consideration and decision to be taken there under.

(5) The Chairman shall review the working and progress of the Board and direct the Chief Executive Officer 1 to include such review in the annual report of the Board to be placed before the annual budget meeting of the Board.

(6) The Chief Executive Officer 1 of the Board shall prepare the Agenda notes for the meeting of the Board and submit to the Chairman for his approval.

(7) The Chief Executive Officer 1 of the Board shall attend the meeting of the Board and keep notes and prepare the proceedings of the meeting.

(8) The Chief Executive Officer 1 of the Board shall prepare the annual budget of the Board and submit it to the Chairman for his approval for placing it in the meeting of the Board convened for the purpose of finalising annual budget of the Board.

(9) The Chief Executive Officer 1 of the Board shall have the overall control over the office of the Board and act as Head of Office of the Board.

(10) The Chief Executive Officer 1 of the Board shall have the power of transfer and posting of the employees of the Board and the Market Committees. Provided that in case of deputed staff of the state Government, the Chief Executive Officer 1 shall obtain prior approval of the State Government.

(11) The Chief Executive Officer 1 of the Board shall be the

competent authority to accord sanction on expenditures not more than Rs. 10,000 1 on individual item provided that such items of expenditure are in the sanctioned budget.

(12) Subject to any other provision contained in these Rules the Chief Executive Officer 1 shall delegate powers to the employees of the Board to inspect, examine, check and test the weighing instrument, weights and measures kept and possessed by the Market Committees and also by a licensee within a notified areas.

(13) The Chief Executive Officer 1 of the Board shall be appointed by the State Government on such terms and conditions as may determined by the Government and the pay and allowances of the Chief Executive Officer 1 of the Board shall be as charge on the fund of the Board. His tours shall be approved by the Chairman and T.A. Bills will be passed by the Chairman of the Board. 1 Substituted vide Section 7 of the Assam Agricultural Produce Market (Amendment) Act, 2000. 2 Substituted vide Clause 3 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

(14) The Chief Executive Officer 1 shall approve the tours of the employees of the Board and shall pass their Travelling Allowance bills. The Chief Executive Officer 1 shall approve the tours and pass the Travelling Allowance bills of those employees of the Market Committees deputed by the State Government.

(15) The Chief Executive Officer 1 of the Board shall convene meetings of the Board with approval of the Chairman.

7. Matters On Which Board May Frame Bye-Laws :-

In addition to the matters specified in Sub-Section (14) of Section 3 of the Act and in addition to the matters specified in Sub-Rule (2) of Rule 4, the Board may frame Bye-laws regulating:

- (a) The maintenance and regulation of the rest-house, staff quarters and other buildings of the Board;
- (b) The procedure for giving aid to financially weak Committees;
- (c) The allowances payable to the members of the Board, Market Committees or Advisory Committees;
- (d) Propaganda, demonstration, publicity and education for improvement of Marketing and agriculture, and
- (e) The person or persons by whom, and the manner in which a contract may be entered into on behalf of the Board and Market Committees.

8. Publication Of Notification Under Section 4 (1) And 5(1)

:-

(1) Copies of notification issued under Section 4 of the Act shall be published by the Chief Executive Officer 1 of the Board under the orders of the Chairman of the Board, in one or more of the modes specified below:

(a) by publication in the regional language or in such other language and in such newspapers as in the opinion of the Chairman of the Board will give due publicity among the persons likely to be affected thereby;

(b) by fixing a copy of the notification in the regional language or in such other language as may be considered necessary by the Chairman of the Board, in the office of every Town Committee, Municipal Board, Market Committee, Mahkuma Parishad, Gaon Panchayat, Block Development Officer, Agriculture Officer, Sub-Divisional Officers (civil), Sub-Deputy Collector, if any, within whose jurisdiction the notified market area or any part thereof is situated, and at some conspicuous place in the existing market, if any; Substituted vide Section 7 of the Assam Agricultural Produce Market (Amendment) Act, 2000.

(c) by affixing a copy of the notification in the regional language or such other languages as may be considered necessary by the Chairman of the Board, in the principal common meeting places, if any of every village within the notified market areas;

(d) by beat of drum in the village within the notified market areas;

(e) by announcement in the radio in regional language or in such other language as may be considered necessary by the Chairman of the Board.

(2) The time of publication under Clause (a) to (c) and (e) and time of frequency of drum beating under Clause (d) shall be determined by the Chairman of the Board.

(3) The expenses of publication under Sub-Rule (1) of copies of the notification issued under Section 4 of the Act shall be met by the Board.

9. Constitution Of Market Committees For The First Time: Section 8(3) Of The Act :-

(1) A panel of ten names from amongst the agriculturist voters of the Gaon Panchayat/Panchayats of the market area shall be submitted by the Director of Agriculture, Government of Assam to

the State Government for nomination of seven agriculturist members of the Market Committee.

(2) A panel of five names from amongst the traders of the market area holding valid licence under this Act shall be submitted by the Director of Agriculture, Government of Assam to the State Government for nomination of three members to the Market Committee.

(3) A panel of two names from amongst the members of the Managing Committee or Board of Directors, as the case may be, of the Cooperative Marketing Societies of the market area shall be submitted by the Registrar to the State Government for nomination of one member to the Market Committee.

(4) A panel of two names representing Co-operative Banks in the State Government for nomination of one member to the Market Committee.

(5) One officer of the Agricultural Department having jurisdiction in the market area shall nominated by the State Government.

(6) A panel of three names from amongst the members of Municipal Boards, Town Committees or Gaon Panchayats as the case may be, within the jurisdiction of the market area shall be submitted by the Director of Agriculture, Government of Assam to the State Government for nomination of one member to the Market Committee.

(7) Name of one officer of the Assam State Warehousing Corporation shall be submitted by Managing Director, Assam State Warehousing Corporation to the State Government for nomination of one member to the Market Committee and provided that if no Warehouse has been established by the Assam State Warehousing Corporation within the Market Area one more member shall be nominated by the State Government under Sub-Rule(3) of this Rule in place of a member from the Assam State Warehousing Corporation.

(8) The State Government shall nominate one amongst the members so nominated under Sub-Rules (1), (2), (3), (4), (5), (6) and (7) of this Rule to be the Chairman of the Market Committee and another to be the ViceChairman of the Market Committee.

9A. Constitution Of Market Committee Other Than The One Constituted For The First Time :-

(under Sections 8 (1), 9 (1), 9(6) and 49 (2) (i) of the Act).

(1) For the purpose of conducting election for re-constitution of a market Committee there shall be an Election Authority consisting of the following, namely :-

(i) The Deputy Commissioner of the District in whose jurisdiction the major portion of a notified market area is situated- as Chairman.

(ii) The District Level Head of Cooperation Department within whose jurisdiction the major portion of the notified market area is situated as Member.

(iii) The District Agricultural Officer within whose jurisdiction the major portion of the notified market area is situated- as Member Secretary.

(2) The Election Authority shall have all the powers for preparing, supervising and conducting the election to the Market Committees. The power of over all superintendence is also vested with the Election Authority.

(3) The Assam State Agricultural Marketing Board shall issue notification constituting the Election Authority for the purpose of election of a particular Market Committee and shall publish the same in 2 (two) vernacular news papers circulated in that area. The notification constituting the Election Authority shall be issued by the Chief Executive Officer of the Board within 3 (three) months before the date of expiry of the tenure of a Market Committee reckoning the date on which the first meeting of the outgoing Committee was held.

(4) Within 15 (fifteen) days from the date of publication of the notification constituting the Election Authority, the Election Authority shall form the constituencies as follows and publish the same in 2 (two) vernacular news papers circulated in the area :-

(i) For the purpose of electing 7 (seven) Agriculturists under section 8(1)(i) of the Act, 7 numbers of Agriculturists constituencies, dividing the entire notified market area into seven portions equally, Inserted vide Clause 4 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003. so far as practicable, shall be constituted. Each of the constituencies shall be single member constituency for electing representatives of Agriculturists.

(ii) For the purpose of electing 3 (three) Traders under section 8(1)(ii) of the Act, 3 numbers. of Traders constituencies, dividing the entire notified market area into three portions equally, so far as practicable, shall be constituted. Each of the constituencies shall be a single member constituency for electing representatives of Traders.

(iii) For the purpose of electing a member (or 2 members, if the provisions contained in section 8(1)(vii) of the Act are to be invoked in case of necessity) from amongst the members of Managing Committees or Boards of Directors of Cooperative Marketing Societies under section 8(1)(iii) of the Act, there shall be one constituency (or 2 constituencies, dividing the entire notified market area equally into 2 parts as far as practicable in case of necessity as narrated above. If so required, each of the constituencies shall be a single member constituency) for the entire notified market area for electing one representative from amongst them. The Chief Executive Officer of the Board shall inform the Election Authority within 7 (seven) days from the date of its constitution whether there is any necessity for forming 2 (two) numbers of constituencies under this clause. If no such information is received from the Chief Executive Officer of the Board within 7 (seven) days from the date of constitution of the Election Authority, it shall be presumed by the Election Authority that there is no such necessity. The Chief Executive Officer of the Board before informing the Election Authority must obtain prior information in this respect beforehand from the Managing Director of the State Warehousing Corporation.

(iv) For the purpose of electing a member of the concerned Municipal Board or Town Committee or Gaon panchayat within whose jurisdiction the principal market yard is situated from amongst its members under section 8(1)(vi) of the Act, the concerned Municipal Board or Town Committee or Gaon Panchayat, as the case may be, shall form one constituency for electing one representative from amongst such members.

(5) The Election Authority will deploy the necessary staff at their disposal for this purpose. (6) Any communication with the Election Authority shall be made at the official address of the Member-Secretary. Any communication on behalf of the

Election Authority shall be made by the Member-Secretary.

(7) After formation of constituencies and on its publication, the Election Authority shall undertake the task of preparation of constituency-wise voters lists under four categories in the following manner :-

(i) For 7 numbers of Agriculturists constituencies, 7 numbers. of separate voters list constituency-wise shall be prepared. Each of the list will contain the names of members of the concerned Gaon Panchayats falling within the constituency as formed and published.

(ii) For 3 numbers of Traders constituencies, 3 numbers of separate voters lists shall be prepared separately for each constituency as formed and published. Each of the list shall contain the names of traders holding valid licence of the concerned Market Committee for whose election the list has been taken up for preparation. The trader should be in possession of a valid licence, the validity of which should not have expired already on any date before the election of the Market Committee to make him eligible to be a voter in a traders constituency. Such a list of traders shall be submitted by the Secretary of the concerned Market Committee with full address of each (so that the list can be divided constituency-wise by the Election Authority) to the Election Authority under his signature on being requested by the Election Authority for submission of the same within a specified period.

(iii) For the purpose of electing one member from amongst the members of the Managing Committee or Board of Directors of the Cooperative Marketing Societies there shall be one voter list consisting of the names of all members of such Managing Committee or Board of Directors of all the Cooperative Marketing Societies in existence in the notified market area and in case of formation of 2 numbers of constituencies for electing such members from amongst them, the voters list containing the names of members of such Managing Committee or Board of Directors of the Cooperative Marketing Societies shall be prepared constituency-wise separate from each other. The list of the members of the Managing Committee or the Board of Directors of all the Cooperative Marketing Societies in existence in the notified Market Area shall be submitted by the concerned official of the Cooperation Department under his signature to the Election Authority on being requested for submission of the same within a specified period.

(iv) For the purpose of electing a member of the concerned Municipal Board or Town Committee or Gaon panchayat within whose jurisdiction the principal market yard is situated from amongst them, the voter list for this constituency shall consist of the names of all members of the concerned Municipal Board or Town Committee or Gaon Panchayat as the case may be.

(8) (i) a) The candidate for an Agriculturists constituency should be an agriculturist engaged in farming activities within the market area, for the membership of which he intends to contest. A certificate to that effect shall have to be obtained from the concerned Agricultural Extension Officer which should be countersigned by the concerned Sub-Divisional Agricultural Officer.

(b) The candidate should be a voter of the concerned Gaon Panchayat where he is engaged in farming activities.

(ii) The candidate for a Traders constituency should hold the valid licence as such from the concerned Market Committee for the membership of which he intends to contest.

(iii) The candidate for constituency meant for members of Managing Committee or Board of Directors of Cooperative Marketing Societies should himself be a member of such Managing Committee or Board of Directors.

(iv) A candidate for the constituency consisting of the entire area of a Municipal Board or Town Committee or Gaon Panchayat shall be a member of the concerned Municipal Board or the Town Committee or the Gaon Panchayat.

(9) Without prejudice to the preceding sub-rule a candidate for any constituency should also conform to the following :-

(i) He should be an Indian Citizen above the age of 21 (twenty one) years on the day of submitting the application for election.

(ii) He should ordinarily reside within the notified Market Area for whose membership he intends to contest.

- (iii) He should not be of unsound mind.
- (iv) He has not been declared as insolvent or sentenced by a criminal court whether within or outside the State of Assam for an offence involving moral turpitude during a period of preceding four years from the last day of submitting the application for election.
- (v) Has not been removed earlier under section 30 of the Act.
- (10) (i) A voter for any Agriculturists constituency shall be a member of any Gaon Panchayat falling within the area of that Agriculturists constituency.
- (ii) The voter of the Traders Constituency shall possess the same qualification as that of a candidate for the election to the Market Committee from the traders constituency.
- (iii) The voter for a constituency for election from amongst the members of the Managing Committee or the Board of Directors of the Cooperative Marketing Societies shall possess the same qualification as that of a candidate for election to the Market Committee from that constituency.
- (iv) The voter for the election from the constituency meant for election of one member from the concerned Municipal Board or Town Committee or Gaon Panchayat, shall possess the same qualification as that of a candidate for election to the Market Committee from that constituency.
- (11) Within 15 (fifteen) days from the date of publication of the formation of constituencies under sub-rule (4) the Chairman of the Election Authority shall issue a notification to be published in 2 numbers of vernacular newspapers circulated in that area inviting applications from the intending candidates for election to the Market Committee, constituency-wise specifying the following:-
 - (i) Date or dates of the proposed election.
 - (ii) The period within which applications along with documents are to be submitted.
 - (iii) Place or places where and hours of a day between which the applications are to be submitted.
 - (iv) Place or places, date or dates with hours between which the applications shall be scrutinized.
 - (v) Time for withdrawal of applications.
 - (vi) Format in which the applications are to be submitted and the documents to be enclosed with the application. Explanation: The Format in which the applications are to be submitted shall invariably contain the following :-
 - (i) The name, age, present and permanent address and fathers name of the candidate for election.
 - (ii) Category and the constituency shall be clearly expressed.
 - (iii) In case of an Agriculturist, the description of land in his occupation and cultivation, the description of Agricultural Produce cultivated by him and all the details like serial no., polling station and the Gaon Panchayat constituency in which his name figures as a voter shall be mentioned. In case of a Trader, the full detail of his licence and the description of Agricultural Produce with trading of which he is associated shall be mentioned. In case of a member of the Managing Committee or Board of Directors of a Cooperative Marketing Society, the full description in brief of the activities of his Society along with detail of registration and address and in case of a member of the Gaon Panchayat, Town Committee or Municipal Board, the name and a brief description regarding the places comprised in his constituency shall be given.
 - (iv) The copy of document in respect of age for all, the copy of document in respect of voter of a Gaon Panchayat and certificate as an Agriculturist in case of an Agriculturist candidate, the copy of valid licence in case of a Trader candidate, the copy of registration certificate of the concerned Cooperative Marketing Society in case of a member candidate of the Managing Committee or Board of Directors of such society, the copy of certificate relating to membership of a Gaon Panchayat, Town Committee or Municipal Board in case of a member candidate of such body shall invariably be enclosed with the application.
 - (v) Any other matter which may be decided by the Election Authority or copy(s) of any other document that may be required by the Election Authority.
- (12) The time, date(s), place and the official responsible for receiving applications

for election to the Market Committee from different categories of candidates constituency-wise shall be worked out and finalised by the Election Authority. However, the last date for receiving application for election shall not exceed 15 (fifteen) days from the date of issuance of the notification under the preceding sub-rule. Provided that the time gap between the first day fixed for receiving the application and the last date fixed for the purpose shall not exceed 10 (ten) days.

(13) The Election Authority shall fix a date for scrutiny of the applications received from the intending candidates for election to the Market Committee and shall scrutinise the applications in conformity with this rule so far as eligibility of a candidate and single membership of a constituency are concerned. The scrutiny shall be done in presence of the candidate only. If the candidate is found to be absent on the day of the scrutiny, his application shall be treated as rejected. The Election Authority will invariably mention the date, time, place of the scrutiny and the requirement of the presence of the candidate himself at the time of the scrutiny, in the notification mentioned in sub-rule 11; Provided that the time-gap between the last day fixed for the purpose of receiving application and the day fixed for the scrutiny of the same shall not exceed 3 (three) days.

(14) After the scrutiny, the Election Authority shall prepare the list of candidates category-wise and constituency-wise. If there is not more than 1 (one) candidate for any constituency, the Election Authority shall declare that candidate as elected against that constituency from the concerned category. If there is more than 1(one) candidate for any constituency, the Election Authority will fix up a date and time for holding election for the same. The Election may be held category-wise and different dates and time may be fixed for different categories but within the same category elections are to be held on the same date and within the same time for different constituencies.

(15) For the purpose of election, the Election Authority shall fix up the date(s) and time for the election category-wise and constituency-wise, finalise the design, size, the detail contents and colour of the Voting Paper to be used category-wise and constituency-wise and prepare the same. Explanation: Voting Paper shall mean a piece of paper through which a voter will caste his vote or express his consent in favour of a candidate.

(16) Secrecy in respect of voting is to be maintained and for that purpose a separate corner in a room in the Voting Station and a box for putting the Voting Papers are to be kept prepared by the Election Authority. Explanation: Voting Station shall mean the place where the election will take place.

(17) The manner in which secrecy in respect of voting to be maintained and the manner in which a voter will express his consent for a candidate shall be decided by the Election Authority.

(18) The Election Authority shall prepare and finalise category-wise and constituency-wise Voting Station; Provided that there shall be only one Voting Station for entire constituency for any category.

(19) The Election Authority shall deploy the necessary personnel for conduct of the poll in a Voting Station and shall provide Voting Paper, Boxes for keeping Voting Papers, Voters list, list of candidates and any other material that may be required for conducting election in that constituency.

(20) The date, time and the Voting Station fixed for the purpose of election under sub-rule 14, along with the list of candidates category-wise and constituency-wise, are to be published by the Chairman of the Election Authority in the form of a notification in 2 (two) vernacular newspapers circulated in the area; Provided that the date(s) are to be fixed in such a manner that the period between the date of scrutiny and the last date fixed for the purpose of election does not exceed 30 (thirty) days.

(21) The Election Authority shall arrange for declaration of result of the election within 2 (two) days after the day of poll for that constituency and deploy necessary personnel for the same.

(22) The results of the election category-wise and constituency-wise are to be communicated to the Government of Assam in Agriculture Department by the Election Authority forthwith. A copy of the same shall be simultaneously displayed

in conspicuous places in the offices of the Deputy Commissioner, District Agriculture Officer and the District Level Head of the Cooperation Department of the concerned District. All copies containing the results of election are to be signed by the Chairman and other members of the Election Authority.

(23) Any aggrieved candidate may make an appeal before the Government of Assam in the Agriculture Department for review of the result of election within 7 (seven) days from the day of declaration. The Government's decision thereon shall be final.

(24) All expenses that may be incurred to implement the provisions contained in these rules are to be normally borne by the respective Regulated Market Committees with the approval of the Board. However, the Election Authority shall have to submit their requisition before hand to the Government of Assam in Agriculture Department and whose decision thereon shall be final including the amount fixed for the purpose.

10. Powers And Duties Of Chairman, Vice-Chairman And Secretary Of The Market Committees :-

(Section 49(2)(IV) of the Act)

(1) The Chairman of the Market Committee shall preside over the meetings of the Market Committee and in absence of the Chairman of the Market Committee the Vice-Chairman will preside over the meetings.

(2) The Chairman of the Market Committee shall be responsible for the administration of the Assam Agricultural Produce Market Act, 1972 in the respective market areas.

(3) The Chairman of the Market Committee shall exercise general control over the employees of the Committee.

(4) The Secretary of the Market Committee shall convene meetings of the Committee with approval of the Chairman.

(5) The Secretary shall conduct all correspondence and be responsible for the keeping of accounts and safe custody of cash and other assets of the Committee in accordance with the provisions of the Act, Rules and Byelaws framed there under.

(6) The Chairman shall forthwith report to the Chief Executive Officer of the Board in case any member of the Committee dies or become subject to any of the disqualifications mentioned in Sub-Section (1) of Section 30 of the Act.

(7) The Chairman may by an order in writing delegate any of his powers to the Vice-Chairman or Secretary. Generally, or for such period as may be determined by him and at any time and without assigning any reasons withdraw the delegation so made, by a like order.

(8) The Chairman shall be the competent authority to grant Casual Leave to the Secretary of the Committee, but other kind of leave to him shall be granted by the Chairman of the Board or by the Chief Executive Officer of the Board, as the case may be.

(9) If the Chairman is likely to be absent from the notified market area, or on account of illness or other circumstances, is unable to perform his duties, he shall inform the Vice-Chairman in writing accordingly. The Vice-Chairman shall thereupon act for the Chairman, and while so doing he shall have all the powers and privileges of and be responsible for all the duties of the Chairman. In the event of death of a Chairman the powers, privileges and responsibilities of Chairman shall be discharged by Vice-Chairman who shall act as Chairman until a new Chairman is elected.

(10) The Secretary of the Market Committee shall be the Executive Officer of the Committee. All office establishment of the Committee shall be under his control and all orders to any member of the staff of the Committee shall pass through him.

(11) The Secretary of the Market Committee shall obtain advice from the Chairman of the Committee for convening the meeting of the Committee and prepare agenda notes for the meeting. He shall attend all meetings of the Committee or a Sub-Committee or Joint Committee or an Adhoc Committee and keep proceedings of meetings. He shall, however, not attend any meeting wherein anything pertaining to him or any of his relatives is to be considered. Explanation:- Relative or the purpose of this Sub-Rule shall mean-

(a) Farther, mother, son, daughter, brother and sister of the person concerned, and

(b) brother and sister of the father of the person concerned, and

(c) father, mother, son, daughter, brother and sister of the wife or husband of the person concerned.

(12) The Secretary shall advise the Committee and its Chairman in the light of the provision of the Act, Rules and Bye-laws framed under the Act and the directions of the Board or the Chairman of the Board or the Chief Executive Officer of the Board or of the Director of the State Government issued from time to time and also on the previous decisions of the Committee. His opinion shall be recorded in the proceedings of the Committee.

(13) It shall be the duty of the Secretary to carry into effect the provisions of the Act, Rules and Bye-laws framed under the Act and the decisions of the Committee and of the Chairman of the Committee consistent with the Act, the Rules and the Bye-laws and instruction of the Board and of the Chairman of the Board and to effect improvement in the Market Areas.

(14) The Secretary of the Committee shall see that Communications addressed to the Committee by the Chairman or

Chief Executive Officer of the Board or by the Director or by the State Government are dealt with promptly and efficiently and all correspondence between the Chairman or the Chief Executive Officer of the Board and the Committee are laid before the Chairman of the Committee for information or action as the circumstances may require.

(15) Subject to Sub-Rule (13) of this Rule the Secretary of the Market Committee shall have immediate responsibility for carrying on the day to day working of the office of the Committee maintenance of punctual attendance, rendering of returns, monthly review of the progress made in the enforcement of the Act and safe custody of the cash, the common seal, the minute book and other records and assets of the Committee.

(16) The Secretary of the Committee shall make an annual assessment of the work of the employees of the Committee, which shall be submitted to the Chairman of the Committee. The Chairman of the Committee shall take this assessment into consideration while making final assessment of the work of the employees.

(17) The Secretary of the Committee shall prepare the annual budget of the Committee and submit it to the Chairman of the Committee for his approval for placing at the meeting of the Committee convened for the purpose.

(18) The Secretary of the Committee shall be the competent authority to accord sanction for an expenditure not more than Rs. 1,500/- 1 on each individual item provided such expenditure are sanctioned in the budget. The Chairman of the Committee shall be the competent authority to accord sanction for an expenditure not more than Rs. 3,000/- 1 on each individual item provided such expenditure are in the sanctioned budget. For all expenditure above Rs. 3,000/- 1 the Chairman shall have to take approval of the Committee.

(19) The Secretary of the Committee shall approve the tours of the employees of the Committee and he shall pass the Travelling Allowance bills of the employees of the Committee.

(20) The Secretary of the Committee shall be the Drawing and Disbursing Officer of the Committee.

11. Removal Of Chairman Or Vice-Chairman Of The Committee :-

Section 11(1) and 11(2) (1) For the purpose of removal of the Chairman of the Committee at least two-thirds of the total number

of members of the Committee shall give requisition of a meeting of the Committee to the Secretary of the Committee. Such requisition shall contain the reasons for which the members desire removal of the Chairman.

(2) The Secretary of the Committee on receipt of the requisition of the meetings for removal, of the Chairman shall convene the requisitioned meeting within 20 days from the date of receipt of the requisition.

(3) The requisitioned meeting shall be presided over by the Vice-Chairman of the Committee or in the absence of the Vice-Chairman by any other member so elected by the members present for the purpose. The Chairman shall not be invited to attend such meeting. The quorum of such a meeting shall be two-thirds of the total numbers of members of the Committee. 1 Substituted vide Clause 5 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

(4) The resolution for removal of the Chairman shall be moved by one of the members requisitioning the meeting and shall be supported by another or more members.

(5) The resolution shall thereafter be discussed by the members and put to vote by the Chairman elected for the meeting.

(6) The voting shall be by secret ballot stating for or against the resolution and the voting shall be conducted by the Secretary of the Committee.

(7) Just after the closing of the voting the Secretary shall count the votes for or against and place the result before the Chairman of the meeting. The resolution shall be adopted by at least two-third majority of the total number of members of the Committee present and voting at the meeting convened for the purpose.

(8) The Secretary of the Committee shall through Board Communicate the decision of the meeting convened for removal of the Chairman to the State Government for necessary action as per Section 11(2) of the Act.

(9) For Removal of the Vice-Chairman of the Committee the procedure as stated in Sub-Rule (1) to (8) shall be applicable substituting the word Vice-Chairman in place of Chairman in these Sub-Rules.

12. Licences To Trader, Commission Agent, Broker, Weigh-Man, Measurer, Surveyor, Warehouseman, Persons And

Firms Engaged In Processing Of Agricultural Produce Section 13(2) And 49(2)(Vi) :-

(1) A trader or commission agent desirous of obtaining licence under Section 13(2) of the Act shall apply in Form A (to be submitted in duplicate) to the Chairman of the Board through the Committee of the market area in which he wishes to carry on his business and shall deposit with the Committee the requisite licence fee.

(2) A Broker or Weigh-man or Measurer or Surveyor or Warehouseman desirous of obtaining licence under Section 13(2) of the Act shall apply in Form D (to be submitted in duplicate) to the Chairman of the Board through the Committee of the market area in which he wishes to carry on his business and shall deposit with the Committee the requisite licence fee.

(3) The licence fee for licence issued under this Rule shall be ten rupees per annum or part thereof.

(4) If any person, who is not a licensee, carries on his business as a trader or commission agent or Broker, or Weigh-man or Measurer or Surveyor or Warehouseman in a notified market area on the date of issue of notification under Sub-Section.

(5) Of Section 6 of the Act and fail to apply for a licence on or before the date specified therein for obtaining licence, the licensing authority may, before a licence is issued, impose upon the applicant a penalty according to the following scale:-

(i) if the application is made by him within thirty days of the date specified in the notification- one rupee per day.

(ii) if the application is made after the expiry of thirty days of the date specified in the notification- one rupee per day for the first thirty days and rupees two per day for each day thereafter.

(6) Unless otherwise provided in the licence, each licence issued under the Act shall expire on the 31 st day of March following the date of issue.

(7) A separate licence shall not be required by a licensee for setting up, establishing or continuing or allowing to be continued, more than one place for the purchase, sale, storage and processing of Agricultural Produce in the same notified market area.

(8) The Secretary of the Committee, or such other official as may be appointed by the Committee to receive such application, shall on receipt of the application, ensure that the necessary licence fee has been paid and shall, after verifying the correctness of the facts stated therein, forward the same to the Chairman of the Board

within three days of its receipt in the office of the Committee.

(9) 1 On receipt of the application, the Chairman of the Board shall ask for a scrutiny of the same by the officials of the Board and after being satisfied as to the correctness or otherwise of the application, shall approve or disapprove the same. He shall send it back to the concerned Market Committee with a direction for issuance of the licence or withholding the same by that Market Committee. On getting approval from the Chairman of the Board, the Chairman of the concerned Market Committee shall grant a licence to an applicant in Form B to a trader or commission agent, and in Form E to a broker or a weigh man or a measurer or a surveyor or a warehouse man. The licence shall be subject to the conditions mentioned there in.

(10) A record of licence issued under this Rule shall be maintained by the Board as well as by the Committee in Form-C.

(11) The Committee may, on being satisfied that there has been a breach of any of the conditions specified in a licence by order in writing, cancel or suspend such licence and may also direct that such licence shall not be renewed for such period not exceeding five months for the first breach and not exceeding nine months for the second breach and not exceeding one year for every subsequent breach as may be specified in that order. Provided that no such order shall be made without giving the licensee an opportunity to show cause why such an order should not be made.

(12) Where the licensee holding a licence under this Rule is a firm any change occurring in a membership of such firm other than through 1 Substituted vide Clause 6 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003. inheritance shall mean the constitution of a new firm shall necessitated a fresh licence. Provided that in the case of a Hindu Joint Family firm any addition on account of birth of any male member shall not be treated as bringing about any change in the membership of the firm.

(13) The licensee may apply to the licensing authority for making and addition or deleting in particulars of the business for which a licence has been issued to him, by paying a fee of one rupee. The licensing authority may by an order allow such an addition or deletion whereupon the licence shall be amended accordingly. 1 Explanation.- For the purposes of this sub-rule or any other rule framed under the Act the Licensing Authority shall be the Chairman

of a Regulated Market Committee.

13. Renewal Of Licence :-

(Section 49(2) (vi)).

(1) A licence granted under Section 13 of the Act and Rule 12 shall be valid for a period for which it is issued and shall be subject to any order passed under Section 13 of the Act or Rule 12 be renewable by the authority granting it, on payment of the annual fee prescribed for the issue of such licence. Renewal application shall be made in Form-F for a Trader or a Commission Agent and in Form-G for a Broker or a Weigh-man or a Measurer or a Surveyor or a Warehouseman.

(2) If any area is excluded from any notified market area and included in another, the licence issued under Section 13(2) of the Act for the area so excluded shall be deemed to have been issued by the Committee of the notified market area in which the area is included and shall be renewable by the Committee of that area.

(3) An application for the renewal of licence shall be made at least 30 days before the date on which the licence is due to expire; Provided that 30 days period of grace shall be allowed for getting annual licence renewed. Provided further that the authority competent to renew a licence may, on the applicants paying a penalty equal to the amount of licence fee grant and application for renewal made within 30 days after the date of expiry of the licence or in the case of an annual licence within 30 days of the expiry of the period of grace. The authority competent to renew a licence may refund the penalty in whole or in part if it is satisfied that the delay was for the beyond the control of the applicant.

(4) Every renewal of licence granted under this Rule shall be deemed to take effect from the date following that on which the licence expired.

(5) Except as provided in Sub-Rule (3), every application for renewal of a licence made after the date of expiry thereof shall be treated as an application for grant of a fresh licence. Inserted vide Clause 6 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

(6) If a licence granted under Section 13 of the Act or renewed under SubRule (1) above is lost a duplicate may be issued by the authority which issued the original, on payment by the licensee of fee of rupees two.

(7) The fee payable for the renewal of licence under Section 13 shall be paid to the Committee concerned.

14. Prohibition Against Grant Of Certain Licences :-

(Section 49(2)(vi)).

(1) Except as hereinafter provided, one person shall at the same time hold more than one licence under Section 13 of the Act to act as a functionary in more than one capacity.

(2) Nothing in Sub-Rule (1) shall be deemed to prohibit a person licensed as Weigh-man, Surveyor or Measurer to act in all the three aforesaid capacities.

15. Employment Of Broker :-

(Section 49(2)(xviii)).

(1) No person shall be bound to employ a Broker in any transaction or be required to pay for a Broker employed by any other party to the transaction or to pay for Broker when none has been employed.

(2) Where any person enters into any transaction for the purchase or sale of any Agricultural Produce through a Commission Agent, and the Commission Agent, without a written authority from his principal employs a Broker in connection with such transaction, the Brokers commission shall be payable by, and may be paid out of the remuneration due to, such Commission Agent.

(3) The same person shall not act as Broker both for the buyer and the seller of an Agricultural Produce in the same transaction.

16. Sale Of Agricultural Produce :-

(Section 49(2)(xviii)).

(1) All Agricultural Produce brought into the market for sale shall be sold by Open Auction in the Principal or Sub-Market Yard.

(2) Nothing in Sub-Rule (1) shall apply to a retail sale as may be specified in Bye-laws of the Committee.

(3) A Committee shall fix timing for the starting and closing of the auction in respect of any Agricultural Produce.

(4) The price of Agricultural Produce shall not be settled by secret bids or secret bid and no deduction shall be made from the agreed price of the consignment.

(5) The auction shall not be conducted by any person other than the person engaged by the Committee. Provided that under special circumstances the chairman of the Board may allow a Committee to make or permit any alternative arrangement.

(6) The highest bid offered by a buyer at an auction and at which

the seller of the produce give his consent to sell his produce, shall be the sale price of the produce.

(7) The buyer shall be considered to have thoroughly inspected the Agricultural Produce for which he has made a bid and he shall have no right to retreat from it.

(8) As soon as the auction for a lot is over the auctioneer shall fill in the relevant particulars in a book to be maintained in Form H and shall secure the signature of both the buyer and the seller or their respective representative, whoever may be present at the spot.

(9) The buyer shall be responsible to get the Agricultural Produce weighed immediately after the auction or on the same day the produce is purchased by him and the seller shall be liable for any damage to or loss of or deterioration in the produce after the auction and before or after the weighment as the case may be.

(10) A person engaged by a producer to sell Agricultural Produce on his behalf shall not act as a buyer either for himself or on behalf of another person in respect of such produce without the prior consent of the producer.

(11) The Faria shall make payment to the seller immediately after the weighment is over.

(12) Every Faria shall, on delivery of Agricultural Produce to a buyer, execute a memorandum in Form I and deliver the same to the buyer on the same day or the following day, mentioning sale proceeds plus market charges admissible under Rules and Bye-laws. The counterfoil shall be retained by the Faria.

(13) In the absence of any written agreement to the contrary the sale price of Agricultural Produce purchased under those Rules shall be paid by the buyer to the Faria on delivery of form I.

(14) Delivery of Agricultural Produce after sale shall not be made or taken unless and until the Faria or, if the buyer does not employ a Faria, the buyer has given to the seller a sale voucher in form J, the counterfoil whereof shall be retained by the Faria or the buyer, as the case may be.

17. Weighment: (Section 49 (2) (X) :-

(1) The Board shall fix standards of net weight of a Agricultural Produce to be filled in a packing unit bag, a half tin, or a basket, a half tin, or a bale, or a basket, a half basket within each notified market area subject to the specifications prescribed by law in force or under orders issued by the competent authority.

(2) No person shall fill or cause to be filled any Agricultural Produce

except in accordance with standards fixed under Sub Rule (1).

(3) All transaction in a market in terms of packing units shall be deemed to have been entered into in accordance with standards fixed under SubRule (1).

(4) Immediately on the completion of weighment of a lot of Agricultural Produce within a notified market area, either of the parties to the contract may cause a test weighment of a ten percent of the units of packing in a lot or two units whichever is more. The test weighment shall be carried out at the site of weighment and if no test weighment is held at the site, the produce shall be deemed to have been correctly weighed.

(5) Test weighment under Sub-Rule (4) shall be carried out in the presence of both the parties to the contract in case any of the parties to the contract refuses or otherwise evades presence, the other party may report in writing to the Secretary of the Committee or any employee of the Committee not lower in rank to that of an Inspector who, after satisfying himself as to the correctness of the report, shall cause the test weighment to be made in his presence or in the presence of any other Official of the Committee not below the rank of the Inspector authorised by him in this behalf. The result of such test weighment shall be final, conclusive and binding on both the parties.

(6) Before any Agricultural Produce weighed in pursuance of a contract of sale or purchase within a notified market area is removed from the place of each weighment, the Chairman, the Secretary of the Committee or any employee of the Board not below the rank of an Inspector shall, with a view to satisfying himself that such weighment has been correctly made or is filled in accordance with any previous notice to check the weighment by means of weigh and instruments kept by the Committee or any other agency in the presence of the purchaser and the seller and if either or both of them evade presence, test weighment may be carried out in presence of any two persons present there.

(7) If the weighment checked under Sub-Rule (6) is found to be defective the persons checking the weighment may order the lot to be reweighing shall be made at the cost of the buyer, if it is not filled in accordance with the standards fixed under Sub-Rule (1) and at the cost of the weighment concerned if the weighment is otherwise defective. Such orders shall be final and the buyer or the weighment, as the case may be, shall immediately comply with the order. This Sub-Rule operate without prejudice to any other punishment that may be awarded under the Act, these Rules or

Bye-laws made there under.

18. Use Of Weighing Instruments, Weights And Measures, Their Inspection And Seizure :-

(Section 49(2) (x) & (xi) (1) Only such weighing instruments as satisfy the requirements of, and such weights and measures as are prescribed by the Assam Weights and Measures (Enforcements) Act 1956, and the Rules made there under shall be used for weighing or measuring Agricultural Produce in notified market area.

(2) Every Committee shall keep in the market yard at least one weighing instrument of the capacity of one quintal and two sets of weights, and in places where measures are used to sets of measures, verified and stamped in accordance with the provisions of the Assam Weights and Measures (Enforcement) Act, 1956, and the Rules framed there under. The Committee shall cause such weights and measures to be tested and verified once in the course of each calendar year through the agency appointed and in accordance with the requirements of the said Act and Rules.

(3) The Chairman of a Committee shall allow any person to check free of charge any weigh or measures in his possession against the weights and measures maintained under this Rule.

(4) Weighing instruments, weights and measures kept by a Committee under this Rule may at any time be inspected, examined and checked by the Chairman or Chief Executive Officer of the Board or by any other employee not below the rank of an Inspector authorised in this behalf by the Chairman of the Board. After inspection the inspecting authority may give such directions as it may deem proper. The Committee shall bind to comply with such direction.

(5) The Chairman or the Chief Executive Officer of the Board or of the Committee, and any other employee authorised in this behalf by the Chairman of the Board shall be entitled at any time and without previous notice to inspect, examine and test any weighing instrument, without or measures used, kept or possessed within notified market area by a licence under Section 13 (2) of the Act, and every such licence in possession of any such weighing instrument, weight or measure shall, when required, be bound to produce the same before the person entitled so to inspect, examine and test it.

19. Weigh-Bridges, Measuring Yards And Certificates Of Weighment Or Measurement :-

(Section 49(2) (x) & (xi) (1) The Committee may correct in the

market a weigh-bridge for the weighing of Agricultural Produce on payment of such fees as may be prescribed by its Bye-laws.

(2) The Committee shall be responsible for maintaining such weigh bridge or measuring yard in proper condition, and for issuing free of cost certificates of weightment and measurement as the case may be in such forms as may be prescribed.

(3) A certificate issued under Sub-Rule (2) above shall be accepted as final by all persons transacting business in the notified market area, unless it is provided to the satisfaction of the Chairman of the Committee or its authorised representative that the weightment or measurement was done on a defective weigh-bridge or measuring yard or by means of an incorrect scale or weights or measures.

20. Place At Which Agricultural Produce Shall Be Weighed Or Measured :-

(Section 49 (2) (x) (1) In any notified market area for which tobacco or chillies or fish by products and cattle have been notified as Agricultural Produce under Section 4 of the Act, the Committee may prescribe the places at which the aforesaid commodities may be weighed, measured or sold. (2) Subject to the provisions of Sub-Rule (1) weightments and measurements, of Agricultural Produce for sale, shall be made through licensed weightment or Measurer in the principal or a sub-market yard.

21. Levy And Collection Of Cess On The Sale And Purchase In The Agricultural Produces :-

(Section 21 and 49(2) (v)-

(1) The cess levied on the sale and purchase of Agricultural Produce in a notified market area under Section 21 of the Act shall be applicable only once in the same notified market area.

(2) The responsibility of paying the cess prescribed under Section 21 of the Act shall be of the buyer and such cess shall be levy able as soon as an Agricultural Produce is brought or sold by a licensee.

(3) The cess shall be paid to the Committee or to a Paid Officer duly authorised by the Market Committee to receive such payment within 4 days of the day of transaction. Explanation:- In computing the period of 4 days specified in SubRule (3) of Rule 21 the day of transaction shall be included.

(4) A receipt in Form-K shall be granted forthwith to the person making payment in respect of any cess paid under this Rules.

(5) Every officer or servant employed by a Committee for the collection of cess shall be supplied by the Committee with a badge

of office in such forms as may be prescribed by it. The badge shall be worn by the officer or servant concerned while discharging his duties.

(6) Every such officer or servant shall before entering on his duties furnish such security as may be prescribed by the Bye-laws of the Committee concerned.

(7) 1 (8) 1 In case of a transaction which involves the performance of one or more of the acts mentioned in clauses (i) to (iii) of the Explanation 1 of Section 21 of the Act, within the boundary of two or more notified market area, the Cess shall be payable to the Committee within whose jurisdiction the Specified Agricultural Produce is delivered. 1 Deleted vide Clause 7 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

22. Exemption From Payment Of Cess :-

(Section 21).

(1) The trader who claims exemption from payment of cess on goods manufactured from the Agricultural Produce on which cess is proposed to be levied and which are ultimately exported out of the country shall make declaration and give certificate to the Market Committee in FormK-1.

(2) The trader concerned in the sale or purchases of any quantity of Agricultural Produce from which he manufactures goods, which are ultimately exported out of the country shall maintain in Form-L true and correct accounts of the sale or purchase, as the case may be, of the said Agricultural Produce and of any goods manufactured from it.

23. Accounts Transaction And Cess To Be Maintained :-

(1) Every licensed dealer shall submit to the Committee a return in Form-M showing his purchases and sales of each transaction of Agricultural Produce within 4 days from the date of transaction. Provided that in case the Faria sends one copy of Form-J to the Market Committee, the Faria will be exempted from sending Form-M to the Market Committee and the buyer shall indicate in Form-M only the total quantity and the gross value in respect of each commodity purchased from each seller.

(2) The Committee shall maintain a Register in Form-N showing the total purchases and sales made by traders and the cess recoverable

and recovered from them.

(3) The Committee shall levy cess payable under Section 21 on the basis of the return furnished under Sub-Rule (1).

(4) If any trader fails to submit a return as prescribed in Sub-Rule (1) or the Committee has reason to believe that any such return is incorrect it shall after giving a notice in Form-O to the trader concerned to assess the amount of the traders business during the period in question.

(5) If a trader habitually makes default in the submission of returns or if in the opinion of the Committee, the trader habitually submits false returns, the Committee may order for the inspection of the traders accounts.

(6) After an order under Sub-Rule (5) is made, the Committee shall inform the dealer of the date and place fixed for the inspection. Provided that if the trader so desires and pays such fees as the Committee may fix in this behalf the inspection shall be made at the traders premises.

(7) The Committee may authorise one or more of its members to carry out the inspection ordered by it under Sub-Rule (5) such member or members shall be assisted by such employees of the Committee as may be deputed by it for that purpose. Substituted vide Clause 7 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

(8) Such member or members may after inspection prepare a return or may amend the return already furnished, on the basis of transaction, appearing in the traders accounts books, and the Committee may levy cess, or, as the case may be, an additional cess on the basis of such return or amended return, but if the account books are reported to be unreliable, or as not provided sufficient material for proper preparation or amendment of the return or if no such books are maintained or produced the Committee may assess the amount of the traders business on such information as may be available and levy cess on the basis of such assessment.

(9) In addition to the cess or additional cess levied under Sub-Rule (8) the Committee may recover from the defaulter penalty equal to the cess or additional cess so levied.

(10) Habitual default in the submission of returns and habitual submission of false returns shall be sufficient ground for suspension or cancellation of or refusal to renew a licence, and the provisions

of this Rule shall apply in addition to and not in derogation of any other law, penal or otherwise applicable to non-compliance, or defective compliance with any duty imposed upon a trader by the Act or by these Rules, or by any Bye-law or order of a Committee.

(11) As assessment order made under Sub-Rules (8) and (9) shall be communicated to him by means of a demand notice in Form-P and copy thereof shall be granted to the trader on his making a written application and paying a sum of rupees two as copying fee to the Committee. Every Committee shall maintain a Register of copying fees.

(12) The copy shall be prepared in the office of the Committee and certified to be correct by the Secretary or in his absence by another person appointed in this behalf by the Chairman. Such certificate shall give the dates on which the application was received and copy prepared and delivered to the applicant, and shall be conclusive evidence of the correctness of these dates.

(13) (i) An appeal against an assessment order made under Sub-Rules (8) and (9) shall lie to the Chairman of the Board. No such appeal shall be entertained unless the applicant has deposited the amount of cess assessed as due from him in full with the Committee concerned.

(ii) The Chairman of the Board after hearing the appellant and also the Committee making the assessment, or, if he deems necessary after such enquiry as he may think proper, may accept, modify or reject the assessment order appealed against.

(iii) The Chairman of the Board may waive the whole or a part of the penalty imposed under Sub-Rule (9), in a case where such penalty would, in his judgement mean under hardship to the appellant.

(iv) The order passed by the Chairman shall be final and conclusive.

24. Books To Be Kept By Licensed Brokers And Warehouseman (Section 49(2)) :-

Every Broker and every Warehouseman licensed under these Rules shall-

(a) Keep such books in such form as the Committee granting the licence may, from time to time prescribed by its Bye-laws;

(b) render such return at such times and in such forms as the Committee may prescribe; and

(c) render such assistance as may be required by the Committee, in the collection of cess due under the Act or under the Rules or Bye-laws made there under, in preventing evasions of payment thereof,

and generally in the prevention of breaches of the Act or of these Rules or of any Bye-laws made there under.

25. Refund Of Certain Amount (Section 49(2)) :-

(1) When -

(a) any sum has been deposited for the grant of licence which has in fact not been issued; or

(b) a person has wrongly applied and paid for and been granted two or more licences of the same nature for the same notified market area; or

(c) any market fee has been recovered in excess of the amount actually due; or

(d) any market fee has been recovered on a transaction which is except under this Rules; or

(e) any money has been paid by mistake, the Chairman of the Board or the Committee as the case may be, shall on written application being made within 6 months of such deposit and after such enquiry as he or it may consider necessary, order the refund of the appropriate amount, which shall be repaid to person concerned after preparing a refund bill, out of the Marketing Development Fund or the Market Committee Fund, according as it was credited in the first instance to the Marketing Development Fund or the Market Committee Fund.

(2) The powers conferred on the Chairman of the Board by Sub-Rule (1) may also be exercised by such officer subordinate to him as he may appoint in this behalf.

(3) The application for refund shall contain such particulars as are necessary to enable the amount for which is claimed to be traced.

26. Preventing Of Adulteration Of Agricultural Produce (Section 49(2)(Xxv)) :-

(1) No person shall adulterate Agricultural Produce, or place or offer adulterated Agricultural Produce for sale in a not notified market area.

(2) It shall be the duty of a Committee to prevent adulteration of Agricultural Produce in the notified market area. The Chairman or Secretary of the Committee may take, allot any steps within his power to stop, prevent or discourage such adulteration. Explanation:- For the purpose of this Rule adulteration of Agricultural Produce shall include mixing of inferior stuff with superior produce, mixing of different varieties or different qualities,

mixing sieved remains of the Agricultural Produce with Agricultural Produce and mixing of earth, dirt and stones or any other extraneous matter with any Agricultural Produce.

27. Preservation Of The Prescribed Forms And Production Thereof And Inspection Of The Account Books (Section 49(2)) :-

(1) The counterfoils I, J, and M shall be preserved by the trader concerned for a period of 2 (two) years from the date of issue of the foil to which the counterfoil relate. The Register in Form-L shall be preserved by the trader concerned for a period of two years of the date on which the last entry was made on that Register.

28. Publication Of Marketing Information (Section 25(Ix) And 49(1)) :-

(1) A Committee may, and when required by the Chairman of the Board shall for the benefit of the persons using the market exhibit in a suitable place outside its offices, and at such other place or places as may be determined by it, bulletins of information on such matters as the Prices of Agricultural Produce ruling at the principal marketing centres in the State and the ports serving the State, and the stocks held by mills and the like.

(2) The daily rates of all important agricultural commodities authenticated by a person authorised by the Committee in this behalf shall exhibited in the regional language in conspicuous places.

(3) Such bulletins shall be signed by the Chairman or other personas as may be appointed by him in writing and a copy of each such bulletin shall be kept for record in the office of the Committee.

29. Storage Accommodation (Section 49(2)(Xix)) :-

(1) A Committee may arrange, when necessary, accommodation for the temporary storage for stocking of Agricultural Produce.

(2) The Committee shall charge such fees for such storage and stocking as may be prescribed by its Bye-laws.

30. Penalties (Section 49(3)) :-

(1) Any person committing a breach of any of the provisions of these Rules or any of the conditions of his licence shall be punishable with fine which may extend to 200 (two hundred)

rupees. Provided further that no person shall be prosecuted under these Rules without affording him an opportunity to show cause.

31. Procedure For Appeals (Section 49(2)(Xii) :-

(1) Every appeal preferred under Sub-Section (2) of Section 8 and any other section of the Act and Rules made there under shall bear a court fee stamp of one rupee and shall be presented to the appellate authority in the form of a memorandum by the appellant or his duly authorised agent. The memorandum shall set forth concisely the grounds of objection to the order appealed from and shall also be accompanied by a copy of such order.

(2) The limitation for filling an appeal under Section 22(2) shall be 30 (thirty) days from the date of order appealed from.

(3) In computing the period in limitation for filling an appeal under the Act the period spent in obtaining a copy of the order shall be excluded.

(4) The appeal shall be decided after notice to and hearing the parties concerned, if they so desire, and after making such further enquiry as the appellate on payment of 50 (fifty) paise per page or a part thereof subject to a minimum of one rupee.

(5) A copy of the decision on the appeal shall be supplied to the Board or the Committee concerned free of charges and on demand to the appellant on payment of fifty paise per page or a part thereof subject to a minimum of one rupee.

32. Preservation Of Records :-

The respective records of the Board and the Market Committee shall be preserved for the period noted against each in the schedule here to annexed -

SCHEDULE	Description	Period	Budget
	General Cash Book	-	5 years
	Permanently Establishment Bill	-	35 years
	General Bills	-	3 years
	Balance Sheet	-	10 years
	Ledger	-	10 years
	Register of Deposits	-	Permanently
	Application Form	-	Permanently
	Returns of Daily Purchase and Sales	-	1 year after Audit
	Receipts	-	3 years
	Register of Sale and Purchase of Agricultural Produce	-	10 years
	Register of Licence	-	10 years
	Provident Fund Register	-	10 years or till all accounts or which it relates are closed
	Service Books of the Employees	-	5 years after retirement or death (whichever is earlier)
	Register of Proceedings of the Board Or Committee or Sub-Committee	-	Permanently
	Register of Correspondence	-	Permanently
	Cheque Book	-	10 years
	Pass Book	-	10 years
	Travelling Allowance Bill	-	3 years
	Lease Deeds Allowance Bill	-	10 years from the date they cease to have effect.
	Security Bonds	-	-

do - Treasury Challan - 3 years Interest Account Register - 3 years Attendance Register - 1 year Moveable Property Register - 10 years Library Register - 10 years Demand and Collection Register - 10 years Register of Stamps - 3 years Stock Register - 10 years Register of Court Cases - 10 years Investment Register - Permanently Files about the Appointment, Removal, and Dismissal of employees - 35 years Other Record which the Board or Committee may decide to preserve for more than three years - Such period (not less than 10 years) as may be prescribed by the Board or the Committee

33. Language Of Transaction Of Business (Section 49(2) (Xxx)) :-

The business at the meeting of the Committee and of the Board shall be transacted in the regional language.

34. Service Rules, Recruitment Rules, Provident Fund Rules, And Such Other Rules Of Employment Of The Staff Of The Board And The Market Committee (Section 49(2)(Xvi)) :-

Service Rules, Recruitment Rules, Provident Fund Rules and other Rules of employment as follows for the employees of the Department of Agriculture of the State Government shall be followed by the Board and by the Market Committee for their respective employees until such time that separate SubRules are framed under this Rule by the State Government.

35. Financial Rules :-

Until such time that separate Financial Rules are framed by the State Government for the employees of the Board and the Market Committee the Rules as applied for the State Government office shall be applicable for the offices of the Board and the Market Committees.

36. Travelling Allowance Rules :-

Until, such time that separate Travelling Allowance Rules are framed by the State Government for the Board and the Market Committees and also for the Chairman and Chief Executive Officer 2 of the Board, members of the Board, Chairman and Vice-Chairman of the Committees, members of the Committee and other officials and non-officials of the Board and the Committee, the Travelling Allowance Rules of the State Government for the employees of equivalent categories of officers and non-officials shall be followed, or the Board may, by a resolution prescribe the rates of such allowances.

37. Other Allowances Of The Chairman Of The Board, Chairman, Vicechairman Of The Market Committees And Other Members Of The Board And Committees :-

(1) The Chairman of the Board shall be paid a daily allowance of 50 (fifty) rupees on the days of the meetings of the Board.

(2) The Chairman of the Board shall be paid a monthly allowance of Rs. 5,000/- (Rupees five thousand) 3 in addition to the daily allowance mentioned at Sub-Rule (1) above.

(3) The Chairman of the Board shall be provided with a motor car to be used by him as an allotted car as per Rules of the State Government for Deleted vide Clause 8 of the Assam Agricultural Produce Market (General)(Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003. 2 Substituted vide Section 7 of the Assam Agricultural Produce Market (Amendment) Act, 2000. 3 Substituted vide Clause 9 of the Assam Agricultural Produce Market (General)(Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003. this purpose and he shall be paid a monthly allowance of 75 (seventy five) rupees for attending office and for his movements in and around a distance of 8 KM of the official Head Quarter.

(4) Members of the Board other than the officials shall be paid a daily allowance of 50 (fifty) rupees on the days of the meetings of the Board.

SCHEDULE 1

FORM 'A'

[See Rule 12(1)]

Application for licence under Section 13

To

The Chairman,

State Agricultural Marketing Board.

.....

Through

The Secretary, Market Committee

Sir,

The particulars of my business are given below:-

1. Name of the applicant with full address

2. Place of business for which licence is applied for (give the name or number of the building and the name or number of the street or other description sufficient to identify the premises

3. If the applicant is a firm give the names of all persons constituting the firm with parentages, residence and address

Sl.

No.

Name Fathers & Husbands name Full address

4. If the applicant is a firm, is it a Hindu Joint Family Firm, or otherwise constituted and has it been registered or not

5. Name of the Managing Proprietor or Manager of the Firm

6. Name and style under which the applicant will work

7. Has the applicant or, where the applicant is a Firm, has any member thereof, singly or in collaboration with anybody else been granted

A dealers licence in any notified market area in the State and has such licence been suspended or cancelled, if so, when for what period and for what reason-

8. Particulars of the business for which the licence is required

(1) Trader

(2) Commission Agent

(3) Storage

(4) Processing

(5) Faria

Certified that the facts set out in the application are true to the best of my knowledge. I undertake to abide by the provisions of the Assam Agricultural Produce Market Act, 1972 and Rules and Bye-laws made there under.

I shall be responsible for all acts of my employees.

It is requested that a licence under Section 13 of the Assam Agricultural Produce Markets Act, 1972 may kindly be granted to me.

Signature of Applicant

To be filled in by the office of the Committee

Licence fee received No. of Receipt Date of Receipt Page of Cash Book where entry made

Verified

Secretary Accountant

Market Committee Market Committee

SCHEDULE 2

FORM B

[See Rule 12(B)]

Licence under Section 13

This licence is granted to M/s.

Subject to conditions prescribed hereunder:-

Notified Market Area:-

1. Serial No. of Licence :-

2. Name of the Managing Proprietor, Manager of the firm with parentage:-

3. Date from which the licence takes effect:-

4. Date on which the licence expires:-

5. Particulars of the business for which the licence is valid:-

(1) Trader

(2) Commission Agent

(3) Storage

(4) Processing

(5) Faria

6. Place of business:-

Place:-

Date:-

Chairman,

1

- - - - -Regulated Market Committee

1

CONDITIONS OF LICENCE

1. The licence shall comply with the provision of the Assam Agricultural Produce Market Act, 1972 and Rules and Bye-laws framed there under and instructions issued from time to time.

2. He shall not permit evasion or infringement of any of the provisions of the Act, the Rules and Bye-laws and shall report in writing to the Market Committee any evasion or breach which comes to his knowledge.

3. He shall surrender his licence, on demand, to the Chairman of the Board or any other Office authorised by them in this behalf or the Chairman of the Committee against a receipt to be given to the licensee in this connection.

1

Substituted vide Clause 10 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide

Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

4. He shall conduct his business honestly and properly according to the principles of fair dealings.

5. He shall display his licence at a conspicuous place on his business premises.

6. He shall keep his business premises clean and in suitable condition for storage of Agricultural Produce.

7. He shall not boycott or encourage boycott of any other licences.

8. He shall not indulge in activities and practise which are detrimental to the interest of the trade and proper functioning of the market.

9. He shall not take or continue in his service any unlicensed, Broker, Weigh-man, Measurer, Surveyor.

10. He shall not form a pool or combination with other buyers for eliminating competition and shall not make or abet an attempt to do so in order to deprive the seller of a fair price of his produce.

11. He shall, on the expiry or on termination of the licence, surrender the same to the Committee.

12. He shall, when desired by the Committee or any officer authorised by it, furnish

correct information on the matters pertaining to his business relating to sale and purchase of Agricultural Produce under the Act.

SCHEDULE 3

FORM C

[See Rule 12 (9)]

Register of licences issued under Section- 13

1. Notified Market Area

2. Name of the firm/licence

3. Address of the premises

4. Name of the Managing Proprietor, Manager with parentage

5. Licence No.

6. Nature of licence

Sl. No. Name Fathers name Address

(1) (2) (3) (4) (5) (6) (7)

Date of entry Date from which
the licence takes
effect

Date on which
the licence
expires

Licence fee
received

Receipt No. and
Date

Signature of
Issuing Authority
with Designation

Remarks

SCHEDULE 4

FORM D

[See Rule 12(2)]

Application for licence under Section 13

To

The Chairman,
Market Committee,

.....

Sir,

The particulars of my business are given below:-

1. Name of the applicant with parentage, residence and address in full

2. If the applicant is a firm, is it a Hindu Joint Family Firm, or otherwise
constituted, and has it been registered or not-

3. If the applicant is a firm, give the names of all persons constituting it with
parentage, residence and address, in full of each

Sl.No. Name Fathers/Husbands Name Full Address

4. Name of the Managing Proprietor or Manager who will actually conduct the
business

5. Name and style under which the applicant will conduct his business

6. Does the applicant wish to be licensed as a Broker/ Weigh-man/ Measurer/
Surveyor/ Warehouseman-

7. Has the licence, if any, been granted previously to the applicant, or if the
applicant is a firm, to any member thereof, singly or in collaboration with
anybody else, for working as a Broker, Weigh-man, Measurer, Surveyor, or
Warehouseman in any notified market area been cancelled- If so, where, when,
for what period and for what reason-

Certified that the facts set out in the application are true to the best of my
knowledge, I undertake to abide by provisions of the Assam Agricultural Produce
Market Act, 1972 and Rules and Bye-laws made there under.

I shall be responsible for all acts of my employees.

It is therefore, requested that the licence under Section 13 of the Assam
Agricultural Produce Market Act, 1972 may kindly be granted to me.

Signature of the applicant

Note: (1) A licence to work as a Weigh-man, a Measurer or a Surveyor shall only
be granted to individuals and not to firm.

(2) In case the application is made by a firm it may be signed by the

Managing Partner only.
TO BE FILLED BY OFFICE
Licence fee No. of Receipt Date of Receipt Page of Cash Book
where entry made
Verified
Secretary Accountant
Market Committee Market Committee

SCHEDULE 5

FORM E

[See Rule 12 (8)]

Licence under Section 13

This licence is granted to M/s

(Name of the person or firm with full address) for doing his business as a Broker/
Weigh-man/ Measurer/ Warehouseman or Surveyor in the notified market area ...

...

(1) Serial No. of licence

(2) Name of the Managing Proprietor

(3) Date from which the licence takes effect

(4) Date on which the licence expires

Place

Date Signature of Authority
with seal

CONDITIONS OF LICENCE

1. The licensee shall comply with the provisions of the Assam Agricultural Produce Market Act, 1972 and Rules and Bye-laws framed there under and instructions issued from time to time.

2. He shall not permit evasion or infringement of any of the provisions of Rules and Bye-laws mentioned under (1) above, and with report in writing to the Committee any evasion or breach or which comes to his notice.

3. He shall surrender his licence on demand to the Committee or any other officer authorised by the Committee in writing in his behalf.

4. He shall conduct his business honestly and properly according to the principles of fair dealings.

5. He shall not boycott or encourage boycott of other licences.

6. He shall not indulge in activities and practices which are detrimental to the interest of the trade and proper functioning of the market.

7. The licensee, except the Warehouseman, shall not accept any service under the trader.

8. If the licensee is a Weigh-man, Measurer or Surveyor, he shall abide by such arrangements which may be made by the Market Committee with a view to ensuring the availability of their service as and when required. The licensee shall bear the badge provided to him by the Market Committee, during the hour of his business.

9. If the licensee is a Warehouseman, he shall keep his warehouse neat, clean and tidy to the satisfaction of the Committee.

SCHEDULE 6

FORM F

Application for the renewal of licence under Section 49(2)(vi)

To : The Chairman,

1

Market Committee

Sir,

I request for the renewal of my licence. The necessary particulars are given below:-

1. Name of the notified market area for which the licence has been issued.
2. Name of the applicant (with full particulars of the place of business).
3. Name of the Managing Proprietor or the Manager of the firm, if any.
4. Number of Licence.
5. Date on which the licence expires.
6. Period for which renewal is required.
7. Fee paid.
8. Penalty paid, if any.

1

Deleted vide Clause 11 of the Assam Agricultural Produce Market (General) (Amendment) Rules, 2003 issued by Govt. vide Notification No.AGA.363/97/218, dated 1-8-2003 and published in the Assam Gazette Extra Ordinary on 1-8-2003.

9. Has the applicant or where the applicant is a firm, has any member thereof singly or in collaboration with anybody else been.

(a) granted a dealers licence in any notified market area in the State and cancelled. If so when, where, for what period and for what reasons; or

(b) Convicted on an offence affecting the said persons, integrity as a man of business, if so, the date of conviction; or

(c) declared as an un-discharged insolvent.

Certified that the facts set out in the application are true to my knowledge.

(To be filled in by the office of the Committee)

Renewal licence

fee received

Penalty received,

if any

No. of Receipt Date of Receipt Page of Cash

Book where entry

made

Remarks

No. Date

Accountant

Market Committee

Contents of the application certified.

Forwarded to the Chairman, State Agricultural Marketing Board.

Date

Orders of the licensing authority

Signature with Designation

SCHEDULE 7

FORM G

[See Rule 13 (1)]

Application for the renewal of licence under Section 49(2)(vi)

To : The Chairman, Market Committee,

.....

Sir,

I request for the renewal of my licence. The necessary particulars are given below:-

1. Name of the notified market area for which the licence has been issued.
2. Name of the applicant (with full particulars of the place of business).
3. Name of the Managing Proprietor or the Manager of the firm, if any.
4. Number of Licence.
5. Date on which the licence expires.
6. Period for which renewal is requested.
7. Fee paid. Rs.
8. Penalty paid, if any. Rs.
9. Has the applicant or where in the case of a Warehouseman the applicant is a firm, has any member thereof, singly or in collaboration with anybody else, been granted a licence for working as a Broker, Weigh-man, Measurer, Surveyor or Warehouseman in any notified market area in the State and has such licence been suspended or cancelled. If so, when, where, for what period and for what reasons.

Certified that all the facts set out in the application are true to my knowledge.

Signature of the applicant

Date

(To be filled in by the office of the Committee)

Renewal licence

fee received

(1)

Penalty received,
if any

(2)

No. of Receipt

(3)

Date of Receipt

(4)

Page of Cash

Book where entry
made

(5)

Remarks

(6)

Verified

Secretary Accountant

Market Committee Market Committee

SCHEDULE 8

FORM H

[See Rule 16(8)]
Auction Register
Date Name of Faria Name & address
of Seller
Description of
Produce
Approximate
quantity
Rate, which
the produce
has been sold
Name of
Buyer
Signature of
Faria & Buyer
(1) (2) (3) (4) (5) (6) (7) (8)

SCHEDULE 9

FORM I

[See Rule 16(12) and 16(13)]

Bill of Faria

Book No.

Serial No.

Name of Market

Name of Faria

Name of Buyer Date

Name of

Commodity

Weight Rate

Rs.

Total Amount

Rs.

Market Charges

Rs.

Grand Total

Rs.

Commission

Brokerage

Weighment

Filling and Sewing

Other Charges

Total

Acknowledgement by the Buyer Signature of Faria

SCHEDULE 10

FORM J

[See Rule 16(14)]

Sale Voucher for the Seller

Counterfoil provided

Book No..... 29-9-63

Name of market Serial No.....

Name of Faria Date of Auction

Name of Seller Address of Seller

Name of Commodity Name of the Buyer Weight Rate Total Incidental charges Net amount paid

(1) (2) (3) (4) (5) (6) (7)

Signature of Seller or his Agent Signature of Purchaser

Note:- Where the Agriculture Produce being fruits and vegetables is delivered, it shall not be necessary to fill in Column 2 relating to name of Buyer.

SCHEDULE 11

FORM K

[See Rule 21(4)]

Book No..... Receipt Receipt No.....

Market Committee

Date of receipt

Nature of receipt

Amount received

Signature of person

receiving payment

FORM K-1

(See Sub-Rule)

Form of Declaration and Certificate

Kind of Agriculture

Produce

Cart and Packages

Weight

Where bought

Name of Seller

Through whom

bought

Name of Buyer or

his Agent

Name of the Market

Committee to whom

fee paid

Amount of fee paid

(1) (2) (3) (4) (5) (6) (7) (8) (9)

I hereby declare that the above mentioned Agricultural Produce has been bought from outside the limits of notified market area and has been brought within the limits of market for the purpose of and that the particulars given above are correct.

Date Signature

Attestation of the Committee from where Agricultural Produce has been imported.

CERTIFICATE

It is certified that the particulars given above are correct.

Secretary

Market Committee

SCHEDULE 12

FORM L

[See Rule 22(2)]

Register of Processor

Date of Purchase

Name of Agricultural

Produce
Notified market area
where purchases were
made
Weight of Agricultural
Produce
Date of Payment
Name of extracted
commodity
Weight of the extracted
commodity and date of
extraction
Remarks

SCHEDULE 13

FORM M

Counterfoil

[See Rule 23(1)]

Return of Daily Purchase and Sales

Date Market Committee

Name of Trader..... Last date when market fee paid with

Licence No. Receipt No.

Purchased Sold

Date of transaction

Name of Commodity

Name of Seller from
whom purchased

Weight

Rate

Value

Whether Cess is levy
able, if not, why-

Amount of Cess levy
able

Name of Buyer to
whom sold

Weight

Rate

Value

Whether Cess is levy
able, if not, why-

Amount of Cess levy
able

Remarks

Total Total

Signature of Trader

Note :- In case of Trader dealing exclusion in Vegetables and Fruits it shall not be necessary to fill Column (7) relating to name of Buyer to whom sold.

SCHEDULE 14

FORM N

[See Rule 23(2)]

Register of Sale and Purchase of Agricultural Produce

Market Committee Year Month

Name with the
number of
licence of Trader
Date
Description of the Agricultural Produce
As Seller
As Buyer
Quantity of Agricultural Produce sold
Rate
Value of Agricultural Produce
Whether Cess is levy able, if not why-
Fee chargeable
Fee recovered
No. and Date of the Receipt issued
Balance of fee to be recovered
Date of recovery of balance
Remarks
1 2
Monthly Total

SCHEDULE 15

FORM O

[See Rule 23(4)]

Assessment Notice

To : M/s

Whereas

(a) You, a Trader Licence No..... and licensed under Section 10 of the Assam Agricultural Produce Market Act, 1972 of the notified market area, have not furnished return/correct return in Form M for the period from to

(b) You, a Trader Licence No..... and licensed under Section 10 of the Assam Agricultural Produce Market Act, 1972 of the notified market area, have habitually made default in the submission of returns for the period from to and it appears to the Committee that you wilfully failed to furnished such returns in respect of the above mentioned period. And it appears to be necessary to make assessment under Rule 24 of the Assam Agricultural Produce Markets (General) Rules, 1975 in respect of the above mentioned period.

You are hereby directed to attend in person or by an authorised agent at (place) on (date) at (time) and produce or cause there to be produced, at the said time and place the accounts and documents specified below for the purpose of such assessment together with the objections which you may wish to prefer and any evidence you may wish to adduce in support thereof and to show cause why in addition to the market fee levied on the basis of assessment a penalty prescribed under Rule 23(8) of the said Rules should not be imposed upon you. In the event of your failure to comply with this notice, the Committee shall proceed to assess under Rule 23(8) of the said Rules to the best of its judgement.

Chairman

Date Market Committee

SCHEDULE 16

FORM P

Demand Notice

Market Committee

Date

No.

To : M/s

.....

You are hereby informed that your business during the period from
..... has been assessed for the levy of market fee and penalty etc., as
under-

(a) Assessed value of business

(b) Market fee chargeable

(c) Deduct market fee already paid, if any

(d) Net payable (b - c)

(e) Penalty

(f) Total (d + e)

You are hereby directed to pay the sum of Rs. to the Market
Committee at its office at (place) on or
before (date) Failing which the said sum will be recoverable from you
as an arrear of land revenue.

Chairman

Market Committee

R. DUTTA

Secretary to the Govt. of Assam

Agriculture Department