

DELHI AGRICULTURAL MARKETING BOARD(BUSINESS) REGULATION, 1978

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DELHI AGRICULTURAL MARKETING BOARD(BUSINESS) REGULATION, 1978

DELHI AGRICULTURAL MARKETING BOARD(BUSINESS)
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1. Short title and commencement :-

(1) These regulations may be called as the Delhi Agricultural Marketing Board (Business) Regulation, 1978

(2) They shall come into force at once

2. Definitions :-

In these regulations unless the context otherwise requires

(a) "Act" means the Delhi Agricultural Produce Marketing (Regulation) Act, 1976 (No. 87 of 1976)

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(b) "Administrator" means the Administrator as defined in Clause (a) of Section 2

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(c) "Board" means the Delhi Agricultural Marketing Board constituted under sec. 5.

(d) "Chairman" means the Chairman of the Board nominated by the

Administrator under section 5.

(e) "Secretary" means the Secretary of the Board specified in sub-section (2) of section 5.

(f) "Section" means the Section of the Act.

3. Interpellations :-

(1) The right to interpellate by a member shall be subject to the following conditions, namely

(i) At least not less than 3 days notice in writing specifying the questions shall be given to the Chairman.

(ii) Not more than two questions shall be sent by any member for being answered at any ordinary meeting.

(iii) No question shall

(a) bring in any name or statement not strictly necessary to make the question intelligible;

(b) contains arguments, ironical expression, imputation, epithets or defamatory statements;

(c) ask for any expressions of opinion or the solutions of hypothetical propositions;

(d) ask as to the character or conduct of any person except in his official or public capacity;

(e) relate to a matter which is not primarily the concern of the Board or of and of its authorities;

(f) make or imply a charge of personal nature;

(g) raise questions of policy too large to be dealt with within the limits of any answer to a question;

(h) repeat in substance questions already answered or to which an answer has been refused;

(i) ask for information on trivial matters;

(j) ordinarily ask for information on matter of past history;

(k) ask for information set forth and inaccessible documents or in primarily responsible to the Board; or

(l) raise matters under the control of bodies or persons not primarily responsible to the Board; or

(m) ask for any information on matter which is under adjudication by a Court of Law

(2) The Chairman shall disallow any question which is in contravention of the provisions of the Act, Rules and these Regulations.

(3) If any doubt arises whether any question is or is not in contravention of the provisions of the Act, Rules and the Regulations, the Chairman shall decide the matter and his decision shall be final.

(4) The Chairman shall not be bound to answer a question if it asks for information which has been communicated to him in confidence or if in his opinion it cannot be answered without prejudice to public interest or interest of the Board.

(5) Unless otherwise directed by the Chairman, every question shall be answered by the Chairman at a meeting of the Board.

4. Time and place of Meeting :-

Generally, the meeting of the Board will be held once in two months but in the time of emergency the meeting can be called even earlier and when required.

5. Manner in which Notice shall be given :-

(1) The notice of every meeting shall state the place, date and hour fixed for it and shall be signed by the Chairman or the Secretary.

(2) The notice shall be accompanied by a duly attested list of business to be transacted at the meeting hereinafter called "agenda".

(3) The agenda shall include every item that any member may desire to put to meeting, provided that a copy of the motion thereon signed by such member and by a seconder is delivered to the Secretary at the Board's office at least seven days (clear) before the meeting.

(4) The notice and the agenda shall be despatched through a peon or by registered post to each member at the address, which has been given by him to the Board for this purpose. The notice shall be issued in such manner so that at least one clear day for an

urgent meeting and seven clear days for any other meeting shall intervene between the date of despatch and the date of meeting

6. . :-

The Chairman shall give notice of an adjourned meeting on the spot and the same shall as soon as thereafter possible be sent to all members, who are not present :

Provided that it shall be lawful for the Chairman, to alter in emergency, the place, date or hour of such meeting with due notice and with the approval of members present

7. Quorum of Meeting :-

(1) The quorum necessary for the transaction of business at a meeting of the Board shall not be less than five

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(2) If quorum at a meeting of the Board is not complete within half an hour of the scheduled time of meeting, or if it falls short while the meeting is continuing, it shall deem to have been adjourned

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(3) If a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting called for transacting the same business

(4) If any member fails to attend three consecutive meeting without any valid reasons, the Chairman shall forthwith report the matter to the administrator

8. Conduct of Proceedings and the Adjournment of Meetings :-

(1) Every meeting shall commence with a motion by the Chairman that the minutes of the previous meeting be confirmed. Such minutes shall ordinarily, be taken as read but if for any reason they have not been previously circulated to the members they shall be read before they are taken into consideration. Any member may object to the confirmation of the minutes by moving an amendment on the ground that the matter is not correctly recorded or expressed

(2) The Chairman shall decide all points of order of the procedure and his decisions shall be final

(3) The items on the agenda shall be dealt with in their order, provided that the Chairman, with the consent of the majority of the members present, may vary such order or bring before the meeting any matter not included in the Agenda

(4) If more than one member rise to speak at the same time, the Chairman shall name the member who is to speak

(5) No written speech shall be delivered

(6) So far as possible and consistent with the matter under discussion, no member shall direct personal or objectionable remarks at any other member. For the purpose of this regulation, the ruling of the Chairman shall be final.

(7) A member desiring to raise any point of order or personal explanation shall rise and address the Chairman. The member speaking shall give way and remain silent until the Chairman may permit him to speak again. The Chairman may permit any other member to speak on the said point

(8) In case, the ruling of the Chairman, on any point of matter, is not accepted by majority of members, he may adjourn the meeting at once and once he declares the meeting adjourned on this or any ground, the subsequent proceedings of the meeting or residue thereof be void and shall not appear in the minutes

(9) The Chairman may, after calling the attention of the meeting to the conduct of the member, who persists in irrelevant or in tedious repetition of his own arguments or of the arguments used by other member, direct him to discontinue his speech

(10) The Chairman may name any unruly member and report to the Administrator for consideration and action to be taken against him

(11) The Chairman may direct any member, whose conduct is in his opinion disorderly, to withdraw immediately from the meeting and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the meeting. The Chairman may order any member, who disobeys in order to withdraw under this regulation, for removing summarily. The member shall not participate in the discussions in which his own conduct, or that of his relations is being discussed

(12) Every motion or resolution shall be read and seconded, and

shall be deemed to be moved before the meeting for discussion. The mover shall speak first in support of the motion, then the seconder may speak or he may reserve his speech to a later period of the debate, if he so desires

(13) A member may speak only once to each motion, but the mover or a seconder or substantive motion may reply at the conclusions of the debate thereon, provided that the Chairman at his discretion may at any time allow a member, who has already spoken, to make a brief explanation

(14) After a motion has been proposed and seconded, any member may propose an amendment thereto. Any amendment that is not seconded falls through.

(15) Any number of amendments may be put up before the meeting at the same time but they shall be put to vote in the reverse order to that in which they were moved. After all the amendments have been disposed of, the resolution as amended shall be put to the vote

(16) A member who has already spoken on a substantive motion before the meeting, is not thereby debarred from speaking, on an amendment to the motion, provided that in so doing, he confines himself strictly to the fresh matter introduced by the amendment

(17) No motion or amendment shall be withdrawn except with the consent of majority of the votes of the members present. The Chairman of the meeting, in case of an equality of votes, will have a second or casting vote

(18) Every motion, resolution or amendment voted on, shall be put to the meeting both for and against

(19) Unless a poll is demanded by any member present at the meeting, declaration made at the meeting by the Chairman that a motion, resolution or amendment has been carried out or lost shall be final for making an entry to that effect in the minutes. If a poll is demanded by any member, present, it shall be taken by show of hands and the results of such poll as declared by the Chairman shall be deemed to be the resolution of the Board

(20) No decision of the Board shall be reopened before the lapse of six months after it had been recorded except in compliance with the orders of the Administrator

(21) Any officer of the Delhi Administration or other person, not being a member of the Board may, with the consent of the majority of the members or of the Chairman, address the meeting

(22) All meetings of the Board shall be open to the reporters of the press and the direction of the Chairman to the public :

Provided that the reporters or the public or both shall withdraw, if at any time so required by the Chairman

(23) Except as provided in sub-regulation (21), no noise or expression of approval or disapproval on the part of public or reporters present shall be permitted

(24) The Chairman may cause any person other than a member or a member of the Board who interrupts the business of the meeting to be summarily removed from the building in which the meeting is held

(25)

(i) No member may inspect the papers relating to a matter which either he or his parents or any other dependent of his parents or parents of the husband or wife, as the case may be, or any descendent of those persons has a direct or indirect pecuniary interest subject to this exception :

(a) Members of the sub-committee and members charged with the performance of any special duty may inspect the papers connected with their duties at the Secretary's office during office hours

(b) Any other member may inspect documents and registers at the Secretary's office during office hours

(ii) An application for permission to inspect under clause (1) shall be in writing and state the papers to be inspected and the reasons for inspecting them. The Chairman or the Secretary, as the case may be, may refuse permission if the reasons given in his opinion are insufficient :

Provided that nothing in this regulation shall be deemed to deprive any person of a right to inspect document under any law for the time being in force

9. Office Hours :-

The Board shall follow the working hours prescribed for the Delhi Administration Offices

10. Holidays :-

All Sundays, Second Saturdays and such other holidays as declared by the Administrator shall be the holidays for the Board.