

## **DELHI AGRICULTURAL MARKETING BOARD(DELEGATION OF DUTIES AND POWERS)REGULATIONS, 1978**

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### PART 1

#### GENERAL

#### **1. Short title :-**

These regulations may be called the Delhi Agricultural Marketing Board (Delegation of Duties and Powers) Regulations, 1978.

#### **2. Commencement :-**

These shall come into force at once.

#### **3. Definitions :-**

Under these regulations, unless the context otherwise requires :

(a) "Act" means the Delhi Agricultural Produce Marketing (Regulations) Act, 1976.

(b) "Board" means the Delhi Agricultural Marketing Board constituted under section 5.

(c) "Chairman" means the Chairman of the Board appointed under sub-section (1) of section 5.

(d) "Schedule" means schedule appended to these regulations.

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

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

(g) "Rules" means rules made under section 5.

(h) All other words and expressions used in these regulations but not defined shall have the meanings respectively assigned to them in the Act and the rules.

#### **4. Delegation of Powers :-**

(1) The duties and powers relating to superintendence, control and duties of the Board specified in the first schedule shall be exercised by such authorities as specified against each entry in the corresponding column of the said Schedule.

(2) The duties and powers of the board relating to the administrative and financial matters specified in the second schedule shall be exercised by such authorities as indicated against each entry in corresponding column of the Second Schedule.

#### **5. Conditions subject to which powers shall be exercised by the delegates. :-**

(1) The delegation of power to the Chairman/Secretary under regulation 4 shall be subject to the budget provision in the financial year for the purpose and the observance of the procedure laid down in the General Financial Rules, 1963 made by the Central Government.

(2) The powers and delegation under regulation 4 shall be exercised subject to the following conditions, namely

(i) The expenditure should not be prima facie more than the occasion demands.

(ii) No expenditure should be incurred for the benefit of a particular section or person unless a claim therefor could be enforced in court of law or the expenditure is in pursuance of approved policy of the Board.

(iii) No authority should exercise the powers for sanctioning expenditure or to pass an order which will be directly or indirectly to its own advantage.

(iv) The amount of the allowance granted to meet a particular type of expenditure should be so regulated that the allowance is not on the whole a source of profit to the recipients.

(v) No part of expenditure should be split up, just to bring it within the financial powers of lower competent authority.

(vi) The powers in the second schedule regarding losses shall be exercised by the authorities provided the loss does not disclose a defect in the rules and procedure.

### **6. Powers to interpret :-**

The powers of interpreting these regulations is reserved to the Board.

### **7. Powers to relax or withdraw :-**

Notwithstanding anything contained in these regulations, the Board may, by general or by special orders, relax or withdraw any provision of these regulations.

#### SCHEDULE 1

#### SCHEDULE

<b>SCHEDULE 1</b>			
<b>Stating Power of Superintendence, Control and Direction Delegated to Various Authorities</b>			
<b>Serial No.</b>	<b>Reference to the section</b>	<b>Nature of Power</b>	<b>Authority to whom the powers under Col. 2 are delegated</b>
<b>1.</b>	5(11)	To authorise other officials of the Board to exercise the powers under sub-section 11 of Section 5.	Secretary
<b>2.</b>	5(12)	Power to transfer the Secretary or any employees dealing in accounts from one Market Committee to another.	Secretary
<b>3.</b>	25(i)(ii)	To direct a Market Committee to provide facilities for marketing of agricultural produce.	Secretary
<b>4.</b>	36(2)	To make an order on appeal preferred under clause (a) of subsection (1) of section 36 as he may	Chairman

		deem just and proper.	
<b>5.</b>	37(3)	Power to hear and to make order on the appeal preferred under sub-section (3) of section 37 as he may deem just and proper.	Appeal Sub-committee to be constituted by the Board.
<b>6.</b>	43	To authorise any officer by general or special order in this behalf. (a) To inspect the accounts and affairs of Market Committee. (b) To hold enquiry into the affairs of Market Committee. (c) To call for any return, statement or account or report which he may think fit to require to furnish. (d) To require a Market Committee to comply with the provisions of clauses (d) and (e) of section 43.	Secretary
<b>7.</b>	45	To issue order for authorising a person to seize and take possession of books, records and funds and property of a Market Committee.	Chairman

**SCHEDULE 2**  
**SCHEDULE**

[See Regulation No. 4(2)]

**SCHEDULE II**

**See Regulation No. 4(2)**

chedule showing the Powers Delegated to the Chairman and the Secretary

<b>S I. No.</b>	<b>Nature of Powers</b>	<b>Scope of Powers</b>	
		<b>Chairman</b>	<b>Secretary</b>
<b>1.</b>	To meet the emergent situation	Full powers subject to the conditions that he would make a report to the Board of the action taken and reasons for the same as also the expenditure, if any, incurred or likely to be incurred in consequence of such action.	Full powers in the absence of the Chairman subject to the condition that he would make a report to the Chairman/ Board of the action taken and the reasons for the same as also the expenditure, if any, incurred or likely to be
<b>2.</b>	Creation of posts.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>3.</b>	Promotion.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and	

		Other Conditions of Service) Regulations, 1978.	
<b>4.</b>	Engagement of staff on casual basis/ adhoc basis/during leave vacancy etc.	Subject to the provision of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978, full powers for engagement of staff (i) during leave vacancy in place of staff proceeding on leave for more than one month and in the absence of which suitable arrangements by readjustment cannot be made, (ii) on casual basis/adhoc basis for a period not exceeding three months at a time.	
<b>5.</b>	Appointment of Legal Adviser/Experts in various aspects of regulated marketing on contract basis.	Full powers to make appointment for a period of one year.	Nil.
<b>6.</b>	Completion and Extension of probation period.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>7.</b>	Prescribing of duties of officers/ employees of the Board.	Full powers.	Full powers.
<b>8.</b>	Assignment of duties (i.e., require employees to perform such duties as may be assigned to them).	Full powers.	Full powers.
<b>9.</b>	Sanctioning of all kinds of leave and increments.	In accordance with the provisions of the Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>10.</b>	Transfers.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>11.</b>	Deputing officials on official work out of Delhi.	Full powers.	Full powers.
<b>12.</b>	Deputation of officers/employees on Foreign Services.	Full powers.	Nil.
<b>13.</b>	Sanctioning of	Full Powers in respect of the	Nil.

	allowance, charge allowance, honorarium, officiating after the duties of higher posts or more than one post.	posts of which he is the appointing authority in consultation with the Accounts officers subject to the provisions of Service, Regulations and in the absence thereof according to Fundamental Rules.	
<b>14.</b>	Forwarding of applications for outside employment, grant of no objection certificate, retention of lien etc.	Full powers.	Full powers.
<b>15.</b>	Taking disciplinary action including dismissal, termination and suspension against the officers and employees.	In accordance with the provisions of Delhi Agricultural Marketing Board (Method of Recruitment), Scale of Pay and Other Conditions of Service) Regulations, 1978.	Nil
<b>16.</b>	Hearing of appeals and renewal of administrative and disciplinary orders.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	Nil
<b>17.</b>	Grant of extension to officers/employees beyond the age of superannuation.	Full powers to grant extension upto six months to all officers and employees of the Board and thereafter cases may be referred to the Board.	Nil
<b>18.</b>	Acceptance of resignation with or without notice including allowing the withdrawal of resignation.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>19.</b>	To require an employee or class of employees to undergo medical examination.	In accordance with the provisions of the Delhi Agricultural Marketing Board (Method of Recruitment,	
<b>20.</b>	To permit officers/employees take up work not connected with the Board.	Scale of Pay Conditions of Regulations, 1978. Full powers. and other Service)	Nil
<b>21.</b>	To permit employees (i) to give broadcast performances over A.I.R., Television	Full powers.	Nil

	and (ii) to accept the remuneration therefor paid by the authorities.		
	(iii) to act as an Examiner, paper setter of outside Agencies.		
	(iv) to write articles for magazines etc.		
	(v) any other work e.g., holding office in cooperative societies etc.		
<b>22.</b>	Payment of overtime allowance.	Full powers.	1 powers.
<b>23.</b>	To sanction incidental expenditure incurred by officers/employees in case of cancellation of journey and such other charges as may be incurred on telephonic messages for booking of return journeys.	Full powers.	1 powers.
<b>24.</b>	To sanction provisional payments to staff which become due but cannot be disbursed for want of authority/completion of documentation and formalities or scrutiny of the claim.	Full powers.	Full powers in consultation with Accounts Officer.
<b>25.</b>	To sanction disbursement of monthly salary to the employees before due date of payment.	Full powers.	Full powers in consultation with Accounts Officer.
<b>26.</b>	Refund or forfeiture and	Full powers.	Full powers in consultation with

	deductions from securities deposited by the employees.		Accounts Officer.
<b>27.</b>	Sanction of delayed payments of salaries and allowances.	Full powers in consultation with Accounts Officer.	Nil
<b>28.</b>	To permit employees to travel by class of accommodation higher than the one to which they are entitled.	Full powers.	Nil
<b>29.</b>	Administrative approval of the proposal for purchase of stores.	Full powers to accord administrative approval with the concurrence of the Accounts Officer to the proposals not exceeding in value of Rs. 5000 at a time subject to the condition that the expenditure can be met out of the sanctioned budget.	To accord administrative approval with the concurrence of the Accounts Officer to the proposals not exceeding in value of Rs. 200 at a time subject to condition that the expenditure can be met out of the sanctioned budget.
<b>30.</b>	Administration approval for works.	Full powers to accord administrative approval with the concurrence of the Accounts Officer subject to the condition that the necessity for the sanction of the work has been accepted by the Board and Expenditure can be met out of the sanctioned budget.	Nil
<b>31.</b>	Payment of fees under the laws, rules or regulations in force including fees for obtaining copies of documents from Law Court tribunals etc.	Full powers.	Full powers.
<b>32.</b>	Payment of claims decreed by the court of law.	Full powers.	Full powers to pay the decretal amounts subject to the conditions that each case is reported to the Board where the decreed
			amount exceeds Rs. 1000. In other cases the matter shall be reported to the

			Chairman.
<b>33.</b>	Execution of agreements.	Full powers	Full powers provided there is competent administrative sanction for the works and estimates.
<b>34.</b>	To secure by agreement or otherwise office buildings or rent or lease.	Full powers to secure office accommodation and sanctioning of rent/fee therefor.	Nil
<b>35.</b>	To sanction local purchases of stationery, rubber stamps, books, periodicals, maps etc.	Full powers subject to the budget provision.	Subject to budget, provision, expenditure on each occasion should not exceed Rs. 250 upto a maximum of Rs. 5000 per annum.
<b>36.</b>	To sanction new telephone connection or shifting of telephones from one place to another.	(i) Full powers in so far as shifting of telephones from one place to another is concerned, (ii) Full powers to sanction a new telephone connection except for residential purposes.	Nil.
<b>37.</b>	To incur expenditure on postage and telegrams.		Full powers.
<b>38.</b>	Sanction of loan and advances from the provident fund account under the employees provident fund scheme.	In accordance with the provisions of Delhi Agricultural Marketing Board (Method of Recruitment, Scale of Pay and Other Conditions of Service) Regulations, 1978.	
<b>39.</b>	Sanctioning of advances for the purchase of conveyance and for such purposes as approved by the Board.	Full powers subject to the conditions laid down in the rules applicable to Delhi Adm.employees and subject to the budget provision.	Nil.
<b>40.</b>	Financial assistance to employees in case of prolonged illness.	Full powers not exceeding Rs. 200 in each case with the concurrence of the Accounts Officer for employees drawing pay upto Rs. 500.	Nil.
<b>41.</b>	(a) To write off losses of cash and store caused by theft, flood, fire or other causes of unforeseen nature not due to negligence.	Not exceeding Rs. 5000 in each case with the concurrence of the Accounts Officer and subject to proper enquiries and taking remedial measures.	Nil.
	(b) To write off losses of theft and fraud due to negligence.	Not exceeding Rs. 1000/- in each subject to proper enquiries and adopting remedial measures.	Nil.

	(C) Disposal of obsolete, unserviceable and surplus stores.	Full powers.	
<b>42.</b>	Reappropriate funds provided in the budget.	Full powers to sanction reappropriation of funds within the approved budget.	Nil
<b>43.</b>	To authenticate the budget of the Market Committee.	Full powers.	Full powers subject to having been passed by the Board in first instance and in consultation with Accounts Officer.
<b>44.</b>	To sanction imprest to the Board's officer.	Full powers subject to amount not exceeding Rs. 1,000.	Nil.
<b>45.</b>	Payments of petty expenditure from imprest.	Full powers.	Full powers subject to the norms for expenditure being followed.
<b>46.</b>	To incur expenditure on publicity.	Full powers.	Full powers subject to budget provision.
<b>47.</b>	To sanction actual cost of audit of accounts.	Full powers.	Full powers.
<b>48.</b>	Destruction of old and obsolete records.	Full powers.	Full powers in accordance with the prescribed Rules fixing the life of various types of records.
<b>49.</b>	To incur expenditure on refreshment and entertainment.	Full powers.	Full powers to incur expenditure upto Rs. 100 at a time subject to annual expenditure not exceeding Rs. 2000.
<b>50.</b>	Any other contingent expenditure not mentioned in this Schedule.	<b>Recurring</b> Not exceeding Rs. 1000 in any case limited in an aggregate of Rs. 3000 per annum subject to the budget provisions.	<b>Recurring</b> Not exceeding Rs. 50 in any case limited to an aggregate of Rs. 1000 per annum subject to budget provision.
		<b>Non-Recurring</b> Not exceeding Rs. 1000 in each case subject to budget provision.	<b>Non-Recurring</b> Not exceeding Rs. 350 in each case subject to the budget provision.