
DELHI AGRICULTURE PRODUCE MARKETING (REGULATION) (GENERAL) RULES, 1978

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DELHI AGRICULTURE PRODUCE MARKETING (REGULATION) (GENERAL) RULES, 1978

DELHI AGRICULTURE PRODUCE MARKETING (REGULATION)
(GENERAL) RULES, 1978

CHAPTER 1 PRELIMINARY

1. Short title and commencement :-

- (i) These rules may be called the Delhi Agricultural Produce Marketing (Regulation) (General) Rules, 1978.
- (ii) They shall come into force at once.

2. Definitions :-

(i) In these rules, unless the context otherwise requires

(a) "Act" means the Delhi Agricultural Produce Marketing (Regulation) Act, 1976;

(b) "buyer" includes a person buying any agricultural produce on behalf of any other person as his agent or servant or as commission agent;

(c) "co-operative society" means a co-operative society registered or deemed to be registered as such under the Delhi Co-operative Societies Act, 1972 or any other corresponding law for the time being in force which deals in and holds a licence for a marketing agricultural produce or for operating as process or in respect of agricultural produce;

(d) "Development Commissioner" means Development Commissioner, Delhi Administration, Delhi;

(e) "export" means the export of agricultural produce outside India;

(f) "financial year" means the year commencing on the 1st day of April and ending on 31st March, next following;

(g) "form" means a form appended to these rules;

(h) "incidental service fee" means the fees payable by the seller;

(i) "licence" means a person 'holding a licence issued under these rules or the rules thereby repealed;

(j) "maintenance" in relation to house shall include the payment of local rates and taxes and charges for electricity and water;

(k) "market service fee" means the fee payable by the buyer;

(l) "market functionaries" means the functionaries determined as such in its bye-laws by a committee;

(m) "marketing" means and includes transportation, weighment, sale, purchase, processing or storage of agricultural produce;

(n) "notice board" means the board placed in or near the office of a committee for the purpose of displaying notices thereon;

(o) "palledar" means a person who assists in loading, unloading, weighing, measuring, cleaning and dressing of agricultural produce;

(p) "person" includes a firm and company whether private or

public;

(q) "progressive agriculturist" means an agriculturist who in the opinion of the Director, carries on agricultural practices on improved lines;

(r) "section" means section of the Act;

(s) "seller" includes a person selling agricultural produce, on behalf of any other person as his agent or servant or commission agent;

(t) "vehicle" includes a motor vehicle, a boat or other vessel, animal or conveyance of any kind;

(u) "warehouse man" includes a person or firm owning or operating a cold storage, godown or warehouse.

3. Procedure for holding enquiry for considering objection and suggestions :-

(i) The Administrator may, if he considers necessary so to do, authorise any officer to enquire into any suggestions and objections received by him to the notification issued under section 3 of the Act and require the officer to submit to him his report within a reasonable time.

(ii) The Administrator or the officer so authorised may by notice require the persons making the suggestions and objections to appear before him not earlier than fifteen days from the date of the notice in person or through a representative at the place and time specified in the notice.

(iii) The Administrator shall after considering the suggestions and objections received by him and after hearing the persons either by himself or by the officer so authorised, decide the question of regulating marketing of agricultural produce in the area specified in the notification. After the question is decided, the Administrator may issue the notification under sub-section (1) of section 4 in terms of such decision.

CHAPTER 2

BUDGET AND ACCOUNTS

4. Budget and Board :-

(i) The Board shall meet not later than the first week of January every year to pass the budget for the next financial year;

(ii) The budget passed by the Board shall be submitted to the Administrator, not later than 31st January preceding the year to which the budget relates, for his sanction;

(iii) No expenditure shall be incurred by the Board unless there is a specific provision in the budget for the same;

(iv) The Board may reappropriate any amount from one Head of Account to another without approval of the Administrator, but within the overall budget allotment sanctioned by the Administrator;

(v) The Board may prepare supplementary budget wherever necessary and obtain prior approval of the Administrator before any expenditure, not provided in the original sanctioned budget, is incurred.

5. Budget of Committee :-

The provision of rule 4, so far as the preparation, submission, approval and the incurring of expenditure by the committee is concerned, shall apply mutatis mutandis for the preparation, finalisation and submission for sanction of the budget estimates of the committee by the Board. The reappropriation from one Head of Account to another Head of Account will be done only with the prior approval of the Board.

6. Allowances to Members of Board and Committees :-

(i)

(a) A member of the Board shall be paid a sitting allowance of ¹[Rs. 100.00 (one hundred Rupees) only for attending each meeting of the Board or its Committee or sub-committee subject to a maximum of ²[Rs. 1000 (One Thousand Rupees)] only in a month.

(b) A member of the Board shall be entitled to travelling allowance for journey undertaken by him for the work of the Board for which he may be deputed by the Board or its Chairman at the maximum rates admissible to an officer of Group 'A' of Delhi Administration.³

(ii) For journey undertaken by the members of the Committee for attending meeting or meetings and for any other work of the Committee, for which they are deputed, they shall be paid travelling allowance/daily allowance at the maximum rate as admissible to Class I officer of Delhi Administration subject to the maximum of ten daily allowances per month. Explanation. For the

purpose of this rule, a meeting of the Board or as the case may be, a meeting of the Committee shall include meeting of its sub-committee.

1. Subs, vide Noli. No.F/I(4)/88-DAM Est. Dt. 1.6.1990.
2. Subs, vide Noti. No.F/I(4)/88-DAM Est. Dt. 1.6.1990.
3. Notification No. F.6(2)/85-DAM/779-808 dt.19th February, 1986.

7. Allowances and other facilities admissible to the Chairman of the Board :-

In case a serving officer is appointed as Chairman of the Board in addition to his own duties, he shall draw the same scale of pay he is getting as such and will be paid other additional allowances as may be approved by lending authority/appointing authority as per normal financial rules.

8. Allowances and facilities admissible to the Secretary of the Board :-

The Secretary of the Board, in addition to the pay and allowances drawn from the Government would also be paid additional allowances and may be approved by lending authority/appointing authority as per normal financial rules.

9. Accounts of the Board and Market Committees :-

(i) The amount to the credit of Market Development Fund and Market Fund shall be deposited in their respective accounts in any of the scheduled banks.

(ii) All payments to be made by the Board and Committee, except from the imprest, shall be made by cheques;

(iii) No cheque shall be drawn except against a bill which has been examined and passed by an officer of the Board duly authorised by it in this behalf in case of Board, and by the Chairman and Secretary of the Committee in the case of Committees;

(iv) No bill shall be prepared unless there is budget provisions for incurring the expenditure;

(v) Purchases upto Rupees Two hundred may be made without calling quotations but purchases between Rupees two hundred one to Rupees ten thousand shall be made by calling sealed quotations or tenders and the purchases exceeding Rupees ten thousand will be made by inviting quotations/tenders through advertisement in

the newspaper :

Provided that in the matter of purchases, preference will be given to Government patronised or co-operative institutions;

(vi) A receipt in form K shall be issued forthwith for the money receipts in the Board of the Committees as the case may be;

(vii) In the matter of maintenance of accounts and audit in the Board and the Committees, instructions issued by the Secretary of the Board or by the officer so authorised by him shall be observed;

(viii) The accounts of all receipts and expenses shall be maintained by the Secretary of the Committee and the Board and shall be subject to audit;

(ix) The balance remaining after meeting the initial expenses of the Board and the Committee, may be invested in short term or long term deposit schemes of the Government and scheduled banks or in other schemes as may be approved by the Administrator in case of market development fund and by the Secretary of the Board, in case of market fund.

10. Remittance :-

(i) The contribution payable by the Committees to the Board under section 39 of the Act shall be remitted by the Committees every month;

(ii) If the remittance of contribution is delayed by a period of over three months without reasonable cause or excuse, it shall be considered as a default in the performance of duties on the part of the Chairman of the Committee.

11. Audit of Accounts :-

(i) The accounts of the Board shall be got audited by a Chartered Accountant to be approved by the Board once a year immediately after close of the financial year and the audit report of the Chartered Accountant shall be submitted to the Development Commissioner by 30th September of the succeeding year;

(ii) Payment of audit fee for the audit of the accounts of the Board shall be made by the Secretary of the Board after getting sanction of the same from the Chairman of the Board;

(iii) The accounts of the Market Committee shall be got audited

once in a year after the close of the financial year by a Chartered Accountant appointed by the Secretary of the Board by 30th September of the succeeding year;

(iv) Audit fee on the accounts of the Market Committee shall be paid by the Committee at such rates as may be approved by the Secretary of the Board from time to time;

(v) The Development Commissioner may depute any officer to inspect the Accounts of the Board at any time if he deems fit. The Secretary of the Board shall produce all books of accounts etc. to such officer for the inspection;

(vi) The Secretary of the Board shall himself or depute any officer to inspect the cash and Store Accounts of the Market Committee at least half yearly and it shall be the duty of the Market Committee to afford all facilities and produce all documents for such periodical inspection;

(vii) At the time of audit, the Secretary of the Board or any other officer authorised by him, in case of audit of this account, or the Chairman or any other member of the Market Committee or officer authorised by him in case of audit of accounts of a Market Committee, shall produce or cause to be produced all accounts, registers, documents and other relevant papers which may be called by the audit officer for the purposes of audit. Any explanation called by such officer for the settlement of any discrepancy shall also be immediately furnished to him.

CHAPTER 3

GRANT RENEWAL, SUSPENSION OR CANCELLATION OF LICENCE

12. Grant of Licences :-

(i) A person desirous of obtaining a licence under section 34 shall apply in Form A or D, in duplicate to the Secretary of the Committee in whose jurisdiction he wishes to carry on his business or marketing of agricultural produce and shall deposit with the committee, the requisite licence fee and requisite security in cash;

(ii) The licence fee and the security for licences issued under this rule shall be as under :

Details Indicating the Charges Payable by the Purchasers, Commission Agents and the Sellers to the "Palledars" for market service fee etc.

	Particulars of Market Charges	Amt Payable (in
--	-------------------------------	-----------------

S. no.	Particulars of Market Charges	Amount Payable (in Rs.)
(1)	(2)	(3)
	"A"	
Market Service Charges Payable by the Seller		
1.	Unloading and stocking per bag (approx. weight 80 Kg.)	0.55
2.	Unloading of stock brought in loose heaping of the stocks per quintal	0.55
3.	Takai :	
	(a) Per bag upto 50 Kg.	0.30
	(b) Per bag above 50 Kg.	0.40
4.	Jharai per bag (single)	0.55
	Jharai per bag (double)	0.55
	(for each subsequently Jharai)	
5.	Filling into bags, putting the bags on the weigh-bridge and weighing per bag	0.80
6.	Filling into bags, stitching and stocking in the shop godown per bag	1.10
	(only in case the seller does not sell the produce and the same is kept in godown)	
	"B"	
Market Charges Payable by the Purchaser		
1.	Removing the bags from the weigh-bridge, stitching of bags and loading into the transport vehicle/stocking in the godown per bag	1.00
2.	Takai :	
	(if it is a post sale operation)	
	(i) per bag upto 50 kg.	0.30
	(ii) per bag above 50 kg.	0.50
3.	Cartage charges in rehari, etc. from one point to another point in the entire principal yard per bag	1.25
4.	Making dara, i.e., mixing of different varieties of produce, refilling into bags/weighing, stitching and loading or stocking per bag	2.60 (without kaat) 2.85 (with kaat)
5.	Loading from shop per bag	0.70
6.	Commission/Brokerage	2.00

6.	Commission/ Brokerage	2.00
		(per hundred)
7.	Arhat	1.50
		(per hundred)

Form B-1

[See By-Law No.25(5)]

Weighment Counting Slip

No Dated.

Name of the Weighman. . Licence No.

Gate Pass No.	Name of produce	Quality/ Weight/ number	Weight of container/Number of container	Net weight/ quantity in No.
1	2	3	4	5

Signature of weighman

Form B-2

[See By-law 29(2)]

No..

Date..

Received the following agricultural produce from.....

Name of the Warehouseman with Address.....

Issued the following agricultural produce to.....

STORAGE			WITHDRAWAL		
Name of Agricultural Produce	No. of Packages/ Bags	Weight	R. No.	No. of Packages/ Bags	Weight
1	2	3	4	5	6
1.					
2.					
3.					

4.					
5.					

Rate. (Period)

For

Signature of Warehouseman Storage charges paid

Received the above goods in good and satisfactory condition with a copy of this Form.

Signature of the owner of produce.

By resolution of Delhi Agricultural Marketing Board No 14/84 date 27.4.84.

Provided that the functionaries referred to in clause E will not be allowed to purchase from the Commission Agents except when so allowed by the Chairman of the Committee.

(iii) No Palledar, thella, rehra, rickshaw, tempo or truck (commercial carrier) plying on hire be allowed to operate in the market area except under a licence granted by a market committee;

(iv) Provided that if any owner or driver of thella, rehra, rickshaw, tempo or truck does not apply for getting licence under this rule, he shall pay per trip fee as may be fixed by the Administrator;

(v) For the purposes of regulating the entry of person and of vehicplar traffic into the market in accordance with the provision of clause (a) of sub-section (2), of section 25, no person other than one having a valid licence having intention to carry on the business of selling and purchasing agricultural produce shall enter or attempt to enter the market when directed not to do so by an officer authorised by the Market Committee in this behalf or when he refuses to abide by the instruction of such officer in regard to the payment of per trip fee as determined;

Explanation. For the purpose of this clause 'person' shall include a vehicle.

(vi) In case of licences issued before coming into force of these rules, the above rate of licence fee and security shall be applicable with effect from 1st April, 1978. These licenses shall obtain new licences in accordance with the rules with effect from 1.4.78 and shall pay licence fee/security as per these rules;

(vii) Unless otherwise provided in the licence, each licence issued under these rules shall expire on the 31st day of March following

the date of issue;

(viii) All classes of traders, weighmen, measurers and other functionaries operating in the market area shall pay fees as scheduled above for each financial year or any part thereof for obtaining licences;

(ix) The Secretary of the Committee shall, on receipt of the application form ensure that necessary licence fee and security have been deposited and shall, after verifying the correctness of the facts stated therein put up the same to the 'Committee;

(x) The Committee may grant a licence to the applicant in Form B of E or E-2, as the case may be. The licence shall be subject to the conditions mentioned therein;

(xi) A record of the licences issued under this rule shall be maintained by the Committee in Form C;

(xii) The security will be released by the Committee three months after the date of the closure of the business and on production of the clearance certificate issued by the Secretary of the concerned Committee;

(xiii) A licensee may apply for the change of the category of licence at any time by paying the respective fee and security for the licence of the changed category;

(xiv) Where a Market Committee has not been constituted or has not started functioning, the licence shall be granted by the Director. The provisions of sub-rules (i) to (xiii) of this rule shall, as far as may be, apply to the grant of licences by the Director;

Provided that the licence fee so realised will be credited to the Marketing Development Fund.

13. Persons exempted from taking licences :-

(i) The following persons shall be exempted from taking licence for the purchase of agricultural produce :

(a) Confectioner and purveyor of parched, fried or cooked food;

(b) person using kuhlu, provided that the number of kuhlus installed by him in the market area is not more than two;

(c) hawkers, having no fixed premises of business;

Provided that in the case of persons mentioned in clauses (a) and (b), the purchase shall be made for meeting the vocational needs only of the persons concerned.

(ii) The following shall be exempted from taking a licence for the sale of agricultural produce :

(a) scheduled banks when proceeding against any agricultural produce belonging to a producer or a licensee to whom money has been advanced against the security of such agricultural produce; and

(b) hawkers who do not engage in any dealing in agricultural produce other than such hawking;

(iii) The following shall be exempted from taking licence for processing of agricultural produce, namely :

(a) Chakkiwalas (including hullers and pulverisers) who do not make any sale or purchase of agricultural produce but have installed their chakkis including hullers and pulverisers only for grinding agricultural produce for consumers;

(b) persons engaged in hand pounding of paddy only.

(iv) Scheduled banks storing agricultural produce pledged with them by producer or a licensee to whom money has been advanced against the security of such agricultural produce shall be exempt from taking licence in respect of storage business;

(v) If a dispute arises whether a person is entitled to exemption under this rule or not, the Secretary of the Board shall decide the case after giving the affected person an opportunity of being heard. His decision shall be final. Explanation. For purposes of clause (c) of sub-rule (i), clause (b) of sub-rule (ii) of this rule, hawker includes a person engaged in selling agricultural produce by means of mobile vehicle, such as cycle, rickshaw, rehra, etc. and also includes the head-load vendors (Pheriwala).

14. Change in style and membership of form :-

(a) Where the firm changes its name without any changes in membership thereof, an intimation thereof shall, within two weeks from the date of such change, be given to the Secretary of the Committee. The Secretary of the Committee, on being satisfied about the correctness of the intimation, shall order necessary

corrections to be made in the licence;

(b) Notwithstanding anything contained in sub-rule (a) if the firm fails to give necessary intimation to the Secretary of the Committee within the specified time, the change in the membership or the name of the firm, as the case may be, it shall be deemed to result in the constitution of a new firm necessitating the grant of a fresh licence. Nothing in this rule shall apply in the case of a licence granted to a co-operative society.

15. Renewal of licence and issue of duplicate thereof :-

(i) A licence shall be valid for the period for which it is issued and shall, subject to any order passed, be renewable by competent authority on payment of fee prescribed for the issue of such licence. Renewal application shall be made in Form F or G, whichever relevant;

(ii) If any year is excluded from any market area and included in another one, the licences issued for the area so excluded shall be deemed to have been issued by the Committee of the market area in which the area is included and shall be renewable by the Committee of that area;

(iii) An application for the renewal of licence shall be made at least thirty days before the date on which the licence is due to expire :

Provided further that the authority competent to renew a licence may, on the applicant's paying a penalty equal to the amount of annual licence fee, grant an application for renewal made within thirty days after the date of expiry of the due date. The authority competent to renew a licence may remit the penalty in whole or in part if it is satisfied that the delay was for reasons beyond the control of the applicant

Provided further that no licence shall be renewed for a part of the year;

(iv) Every renewal of a licence granted under this rule shall be deemed to take effect from the date following that on which the licence has expired;

(v) Except as provided in sub-rule (iii), every application for renewal of a licence made after the date of expiry thereof shall be treated as an application for the grant of a fresh licence;

(vi) If a licence is lost, a duplicate may be issued by the authority which issued the original, on payment by the licensee of a fee of rupees ten.

(vii) The fee payable for the renewal of licence or its duplicate shall be paid to the Committee concerned.

16. Prohibition against grant of certain licences :-

Except as hereinafter provided, no person shall at the same time hold licence for more than one category :

Provided that a licensee falling in category 'A' may have another licence of category 'B' or 'D' and vice versa, as referred to in sub-rule (ii) or Rule 12.

17. Books to be kept by the licensee :-

(i) Every licensee shall :

(a) Keep such books in such form as the Committee may from time to time prescribe in its bye-laws;

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

(ii) All forms prescribed under the rules shall be supplied to traders and other functionaries by the market committee on payment of fixed price.

18. Refusal to grant or renew a licence :-

(i) The Committee or the Director may, as the case may be, refuse the grant or renewal of a licence, inter alia, if

(a) a person applying for licence has been declared insolvent;

(b) the committee is satisfied that the purpose of applying for licence is none other than to obtain a licence for becoming voter for the purposes of elections to the Committee;

(c) the person applying is a benamidar or partner with any person to whom a licence has been refused, or whose licence is cancelled or suspended for the period of such cancellation or suspension;

(d) the person applying for a licence is convicted of an offence involving the said person's integrity as a man of business, within two years of such conviction;

(e) the person applying for licence has no premises to carry on

business or marketing of agricultural produce;

(f) any of the information stated by the applicant in his application form is materially incorrect;

(ii) No such order of refusal to grant or renew a licence shall be passed without giving a reasonable opportunity of being heard to the affected person;

(iii) If a grant or renewal of a licence is refused to a person, the licence fee and security deposited by him shall be refunded.

19. Procedure of appeal :-

(i) Every appeal preferred under section 36 of the Act shall bear the court fee stamp of rupees ten;

(ii) The appeal shall be in the form of a memorandum which shall set forth concisely the grounds of objection of the order appealed against and shall also be accompanied by a copy of such order, a copy of the show cause notice and reply thereto;

(iii) An appeal against the decision of the Committee suspending or cancelling the licence shall be presented to the Secretary of the Board by the appellant or his duly authorised agent. The Board, or the Secretary, if so authorised under sub-section (17) of section 5 of the Act, may issue a stay order against the decision of the Committee suspending or cancelling the licence as may be deemed proper;

(iv) The Board may confirm or revoke the stay granted by the Secretary of the Board till the decision of the case.

(v) The Board shall decide the case within a period of three months from the date of presentation of appeal after giving a reasonable opportunity to the parties of being heard.

(vi) When the order of suspension or cancellation of a licence is passed by the Director, the appeal shall be presented to the Administrator who may, if he deems proper, stay the operation of the impugned order :

Provided that the appeal shall be decided by the Administrator, as far as practicable, within three months after giving a reasonable opportunity of being heard to the parties;

(vii) The procedure indicated in sub-rules (i) to (v) shall, as far as

may be, be applied to the presentation of the appeal to the Administrator.

20. Appeals against the refusal to grant or renew of licences :-

The appeal shall be in the form of a memorandum setting forth concisely the ground of objection to the order appealed against and shall also be accompanied by a copy of such order, a copy of the show cause notice and a copy of the reply thereto. The appeal shall be presented to the Secretary of the Board and shall bear a court fee stamp of rupees ten.

21. Appeal against Fine :-

(i) An appeal against an order under section 71 (1) of the Act may be filed within thirty days of the payment of the penalty/penalties. The appeal so preferred shall contain full substance of the case and shall be accompanied by a court fee stamp of rupees five and a copy of the order appealed against;

(ii) In case the appeal filed under section 71(2) of the Act is accepted, refund of fine shall be made to the appellant.

CHAPTER 4

MARKETING OF AGRICULTURE PRODUCE

22. Employment of broker or commission agent not compulsory :-

(i) No person shall be bound to employ a broker or a commission agent in an) 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;

(ii) 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 broker's commission shall be payable by and may be paid out of the remuneration due to such commission agent;

(iii) The same person shall not act as broker both for the buyer and the seller of an agricultural produce in the same transaction :

Provided that no broker shall be employed in relation to marketing of any declared agricultural produce, except in relation to marketing :

(a) of poultry, cattle, sheep and goats; or

(b) of any specified agricultural produce by a trader with another trader.

23. Sale of agricultural produce :-

(i) All agricultural produce brought into the market for sale shall be sold by open auction in the principal or subsidiary market :

Provided that in special circumstances, the Director may for reasons to be recorded in writing permit sale by mutual agreement;

(ii) Nothing in the sub-rule (1) shall apply to a retail sale as may be specified in the bye-law of the committee;

(iii) A committee shall fix timings for the starting and closing of the auction in respect of any agricultural produce;

(iv) The price of agricultural produce shall not be settled by secret bids or secret bid and no deduction shall be made from the highest bid received and accepted in the open auction or highest prices mutually settled;

(v) The auction shall be conducted by the commission agent or auctioneer of the market committee in accordance with the timings fixed and instructions issued by the committee;

(vi) The highest bid offered by a purchaser at an auction sale and at which the seller of the produce has given his consent to sell his produce shall be the sale price of the produce;

(vii) The purchaser shall be considered to have thoroughly inspected the agricultural produce for which he has made a bid and he shall have no right to retract from it;

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

(ix) A register in Form I shall be maintained in the office of the committee and all heads of agricultural produce which remain unsold during the course of auction shall be entered in this register. It shall be the duty of every commission agent to report to the committee as soon as the unsold heaps or receptacles are disposed

of. The purchaser shall be responsible to get the agricultural produce weighed or counted or measured, as the case may be, immediately after the auction, if necessary;

(x) A person engaged by a producer to sell agricultural produce on his behalf shall not act as a buyer either for himself or another person in respect of such produce except with the prior consent of the producer;

(xi) The commission agent shall make payment to the seller immediately after the weighment is over;

(xii) Every commission agent shall prepare receipt in quadruplicate in Form J. Original receipt shall be given to the seller at the time of payment of sale proceeds, second copy shall be submitted to the Market Committee on the following day, the third one shall be given to the purchaser and the fourth copy shall be retained by the commission agent for his record. Where no commission agent is engaged, the buyer shall prepare the receipt in triplicate and shall deliver the same as above;

(xiii) In the absence of any written agreement to the contrary, the sale price of agricultural produce purchased under these rules shall be paid by the purchaser to the commission agent on delivery of Form J;

(xiv) Delivery of agricultural produce after sale shall not be made or taken unless and until the commission agent or if the seller does not employ a commission agent, the purchaser has given to the seller a sale voucher in Form J.

24. Appointment of disputes sub-committee :-

(i) The market committee may appoint a sub-committee called the Disputes Sub-Committee consisting of

(a) The Vice-Chairman of the committee as its Chairman;

(b) Three of the representatives of agriculturists of the Market Committee;

(c) One of the representatives of the traders on the Market Committee.

(ii) The Market Committee shall for each market yard appoint a panel of not less than six persons to act as arbitrators in the settlement of the aforesaid disputes. Every person included in the

panel shall be either produce living in the market area or a dealer doing business in the market yard for which the panel has been appointed. A list of panel of arbitrators shall be pasted on the notice board and also at some conspicuous place in the market;

(iii) The party at whose instance a dispute is referred to arbitration or to the dispute Sub-committee for the settlement shall pay in advance to the market committee a sum of rupees ten as fee.

25. Settlement of Dispute :-

(i) Where any dispute referred to in section 37 arises between any parties operating in the market area, the Secretary of the Market Committee or any person authorised by the Market Committee in that behalf may, if the parties agree to settle such disputes by arbitration, refer the dispute to arbitration and in the absence of any such agreement, to the Dispute Sub-Committee constituted under rule 24;

(ii) Where the parties agree to settle the dispute by recourse to arbitration, each party to the dispute and the Secretary of the Market Committee or any person authorised by the Market Committee in that behalf shall select one arbitration from the panel of arbitrators appointed under sub-rule (ii) of rule 24;

(iii) The arbitrators shall, as far as possible, try to reach a unanimous decision; but in the case of disagreement, the decision of the majority shall prevail. The decision shall be communicated to the parties in writing with the reasons therefor;

(iv) Every dispute shall be decided, as far as possible, at the spot and on the same day;

(v) The arbitrators or the Dispute Sub-Committee when recording their decision shall also decide the quantum of fees to be paid by each party to the dispute. The amount of fee to be paid by the party at whose instance the dispute was referred to arbitration or the Dispute Sub-Committee shall be adjusted against the sum paid by him in advance under sub-rule (iii) of rule 24;

(vi) If the party at whose instance the dispute is referred to arbitration or to the Dispute Sub-Committee is not liable to pay any fees, then the amount of fee paid by him in advance shall be refunded to him by the Market Committee on the day on which the decision of the arbitrators or the Dispute Sub-Committee, as the

case may be, is announced.

26. Transaction of business by the Dispute Sub-Committee

:-

(i) No business shall be transacted by the Dispute Sub-Committee unless three members including the Vice-Chairman are present : Provided that presence of representatives at the parties in disputes shall not be counted for the purpose of quorum under sub-rule (1);

(ii) Every meeting of the Dispute Sub-Committee shall be presided over by the Vice-Chairman, and if he is absent, by such one of the members of the committee present as may be chosen by the other members of the Market Committee in the meeting to be the presiding authority for the occasion;

(iii) All questions shall be decided by the majority of votes of the members present and voting, the presiding authority having a second or casting vote in all cases of equality of vote;

(iv) Any party aggrieved by the decision of the arbitrator or the Dispute Sub-Committee may appeal to the Secretary of the Board within a week;

(v) The appeal shall be presented in the form of a memorandum which shall set forth concisely the grounds of objection to the order appealed against and shall be accompanied by a copy of such order. The appeal shall be presented by the appellant or by his duly authorised agent to the Secretary of the Board;

(vi) The memorandum of appeal shall bear a court fee stamp of Rupees five. The Secretary of the Board shall decide an appeal after giving reasonable opportunity of being heard to the parties within three months. The decision of the Board shall be final and conclusive;

(vii) Every Market Committee shall maintain a complete record of all disputes.

27. Weighment :-

(i) The Board shall fix standards of net weight of agricultural produce to be filled in a packing unit such as bag, half bag or a palli or container within each market area;

(ii) No person shall fill or cause to be filled the packing unit of agricultural produce except in accordance with standards fixed

under sub-rule (1);

(iii) All transactions in a market in terms of packing units shall be deemed to have been entered into in accordance with standards fixed under sub-rule (1);

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

(v) 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 refuse or otherwise evades presence, the other party may report in writing to the Secretary of the Committee or any employee of the Board not lower in rank to that of an Inspector readily available on the spot, 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 authorised by him in this behalf and the result of such test weighment shall be final, conclusive and binding on both the parties;

(vi) Before any agricultural produce weighed in pursuance of a contract of sale or purchase within a market area is removed from the place of its weighment, the Chairman or the Secretary of the Committee or any employee of the committee as authorised, either of them or an inspecting officer of the Board, shall with a view to satisfying himself that the weighment has been correctly made or is filled in accordance with standards fixed under sub-rule (1), be entitled at any time and without any previous notice, to check the weighment by means of weights 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 the presence of any two persons present there;

(vii) If the weighment checked under sub-rule (vi) is found to be defective, the persons checking the weighment may order the lot to be reweighed. The reweighment shall be made at the cost of the buyer, if it is not filled in accordance with the standards fixed under

sub-rule (i) and at the cost of the weighman concerned, if the weightment is otherwise defective. Such orders shall be final and the buyer or the weighmen, as the case may be, shall immediately comply with the order. This sub-rule shall operate without prejudice to any other punishment that may be awarded under the Act, or the rules.

28. Incidental and Market Service Fees :-

The fees payable to licensed commission agents, brokers, weightment measurers, surveyors, warehousemen, palledars, transporters and other persons operating in market area in connection with the sale and purchase of agricultural produce shall be such as may be specified in the bye-laws of the committee.

29. Use of weighing instruments, weights and measures, their inspection and seizure :-

(i) Only such weighing instruments which satisfy the requirements of, and such weights, and measures as are prescribed by the Rajasthan Weights and Measures Act, 1958 as in force in the Union Territory of Delhi and the rules made thereunder shall be used for weighing or measuring agricultural produce in a market area :

Provided that in transaction of sale and purchase of agricultural produce in the principal market and subsidiary market of the market area beam scale (Kanta) or platform scale shall only be used;

(ii) 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, two sets of measures, verified and stamped in accordance with the provisions of the Rajasthan Weights and Measures Act, 1958, and the rules framed thereunder. 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;

(iii) The Secretary of a committee shall allow any person to check free of charge any weight or measure in his possession against the weights and measures maintained under this rule;

(iv) 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 the Secretary of the Board or by

any other officer not lower in rank than that of a Marketing Officer. After inspection, the inspecting authority may give such direction as it may deem proper. The Committee shall comply with such directions;

(v) The Chairman or the Secretary of the Board or the Committee, and any person authorised in this behalf by the Secretary of the Board shall be entitled at any time and without previous notice to inspect, examine and test any weighing instruments, weight or measures used, kept or possessed in the market area by a licensee, and every such licensee in possession of any such weighing instruments, weight or measures shall, when required, be bound to produce the same before the person entitled so to inspect, examine and test it;

(vi) Any person authorised to test and examine any weighing instrument, weight or measure, under sub-rule (v) shall, while so acting have the following powers :

(a) to seize or detain any disputed weights and measures or weighing or measuring instruments;

(b) to seize or detain any articles sold or delivered or caused to be sold or delivered by means of such weight or measure or weighing or measuring instrument together with any documents or records relating thereto;

(c) to enter into any place where weights and measures or weighing or measuring instruments are used or kept for use in transactions for trade or commerce and inspect such weights and measures and weighing and measuring instruments; and

(d) to require any trader or any employee or agent of a trader to produce for inspection all weights or measures or weighing or measuring instruments which are used by him or are in his possession or are kept in any premises used for trade.

30. Weigh-bridges, measuring yard and certificates of weightment or measurement :-

(i) The committee may erect in the market and outside a weigh-bridge for weighing agricultural produce on payment of such fees as may be prescribed by its bye-laws;

(ii) In places where it is customary for any agricultural produce to be measured instead of being weighed, the committee may specify

a place within or outside the market for that purpose and make arrangements for the measuring of such produce on payment of such fees as may be prescribed by its bye-laws;

(iii) The committee shall be responsible for maintaining such weigh-bridge or measuring yard in proper conditions and for issuing free of cost certificates of weighment and measurement, as the case may be, in such forms as may be prescribed by its bye-laws;

(iv) A certificate issued under sub-rule (iii) above shall be accepted as final by all persons transacting business in the notified market area, unless it is proved to the satisfaction of the Chairman of the committee or his authorised representative that the weighment or measurement was done on a defective weigh-bridge or measuring yard or by means of an incorrect scale or weight or measure.

31. Prevention of adulteration of agricultural produce :-

(i) No person shall adulterate agricultural produce or place or offer adulterated agricultural produce for sale, in a market area;

(ii) It shall be the duty of a committee to prevent adulteration of agricultural produce in the market area. The Chairman or Secretary of the Committee may take all or any steps within his power to stop, prevent or discourage such adulteration.

Explanation. For the purposes of this rule, adulteration of agricultural produce shall include mixing of inferior stuff with superior produce, mixing of different varieties or different qualities, mixing of sieved remains of the agricultural produce with agricultural produce and mixing of earth, dirt and stones or any other foreign matter with any agricultural produce.

32. Grading and standardisation of agricultural produce :-

(i) The Market Committee shall maintain for the use of sellers and buyers a set of samples of standard grades of the declared agricultural produce sold at the market and shall replace the same as may be necessary from time to time. The Market Committee shall also arrange to keep and exhibit samples of different grades of agricultural produce with indications of parity prices based on rates ruling in terminal and important markets for the information of sellers and buyers;

(ii) The Market Committee may :

- (a) carry out the work of grading of such declared agricultural produce as may be specified by the Secretary of the Board from time to time; and
- (b) supervise processing of agricultural produce in the market area with a view to preventing adulteration thereof.

CHAPTER 5

POWERS AND DUTIES OF MARKET COMMITTEE

33. . :-

(i) The Market Committee to provide for certain matters. After paying all sum due to the Government or Board, a Market Committee shall so far as the funds at its disposal permit, but subject to the provisions of the Act and the rules, provide :

(a) for the maintenance and improvement of any enclosure or building which may constitute the market;

(b) for the construction and repair of building and other erections necessary for the purpose of the market;

(c) for undertaking development and for providing amenities in the market;

(d) for the health, convenience and safety of the persons using the market;

(e) for undertaking welfare activities in the interest of the servants of the Market Committee or the agriculturists in the market area with the previous approval of the Secretary of the Board;

(f) for undertaking propaganda and development of marketing of declared agricultural produce;

(g) for miscellaneous expenses not exceeding one per cent of its total income in a year, so however, that such expenses do not exceed rupees three hundred at a time;

(h) for such other activities as would be conducive to the furtherance of the efficient working of marketing of declared agricultural produce in the market area; and

(i) for depreciating on wasting assets owned by the Market Committee including deadstock, furniture, fixture, machinery and other things.

(ii) Duties of Market Committee. A Market Committee shall furnish

all information which the Secretary of the Board or the officers duly authorised by him may require. In addition to the duties prescribed by the Act, Rules and Bye-laws made thereunder, a Market Committee shall also be responsible for :

(a) maintenance of proper checks on all receipts and payments by its officers;

(b) the proper execution of all works chargeable to the Market Fund;

(c) keeping a copy of the Act and other Rules and the notifications issued thereunder, and of its bye-laws open to inspection free of charge at its office; and

(d) doing such other things as may, from time to time, be necessary for the efficient working of the Market Committee.

(iii) On failure of a Market Committee to furnish any information or return on due dates, the Secretary of the Board may, after giving due notice to the Market Committee, depute any person working under him, to prepare the return or returns and submit it or them to him. The Chairman and the Secretary of the Committee shall furnish to such persons informations necessary for preparing such return or returns. The expenses incurred by the Secretary of the Board, in getting such return or information shall be borne by the Market Committee and shall be recoverable from the Market Committee under section 60 of the Act.

CHAPTER 6

LEVY AND COLLECTION OF MARKET FEES

34. Levy or collection of fee on the sale of the agricultural produce :-

(i) It shall be the responsibility of Commission Agent to realise the market fee from the purchaser and to deposit the same with the Market Committee the following day.

(ii) Where the agricultural produce is not bought or sold through a commission agent, the market fee shall be paid by the trader.

(iii) The market fee levied under section 28 of the Act shall be paid in cash to the officer of the Committee duly authorised to receive the payment on the day of transaction or on the next working day within the hours fixed by the Committee.

(iv) A receipt in Form K shall be granted by the aforesaid officer forthwith to the person making payment in respect of the said fees.

(v) Every officer or servant employed by a Committee for the collection of fees shall be supplied by the Committee with a badge of office in such form as may be prescribed by it. The badge shall be worn by the officer or servant concerned while discharging his duties.

(vi) For the purpose of this rule, an agricultural produce shall be deemed to have been sold in a market area :

(a) if the agreement of sale thereof is entered into in the said area; or

(b) if in pursuance of the agreement of sale, the agricultural produce is weighed in the said area; or

(c) if in pursuance of the agreement of sale, the agricultural produce is delivered in the said area to the purchaser or to some other person on behalf of the purchaser; or

(d) if in the case of any transaction two or more of the acts mentioned in sub-rule (vi) have been performed within the boundaries of two or more market areas, the market fee shall be payable to the Committee within whose jurisdiction the agricultural produce has been weighed in pursuance of the agreement of sale or, if no such weighment has taken place, to the Committee, within whose jurisdiction the agricultural produce is delivered.

35. Account of transaction and of fees to be maintained :-

(i) Every licensee shall submit to the Committee a return in Form L showing his purchases and sales of each transaction of agricultural produce on the day of transaction or on the following day :

Provided that in case of a dealer, who exclusively deals in fruits and vegetables, it should not be necessary to fill in Form L the particulars of the person to whom the quantity of fruits or vegetables less than one quintal or the monetary value of which is less than Rs. 100, whichever is less, is sold

Provided further that a commission agent who sends one copy of Form J to the Committee, will be exempt from sending Form 'L' to the Market Committee and the buyer shall indicate in Form L only the total quantity and the gross value in respect of each commodity

purchased from each seller.

(ii) The Committee shall maintain a register showing the total purchases and sale made by the dealers and the fees recoverable and recovered from them.

(iii) If any trader or commission agent fails to submit a return as prescribed in sub-rule (i) or the Secretary of the Committee has reasons to believe that any such return is incorrect, he shall after giving notice in Form M to the dealer concerned and after such enquiry as he may consider necessary, shall place the case before the Committee for proceeding to assess the amount of business of trader or commission agent during the period in question.

(iv) If any trader or commission agent habitually makes default in the submission of returns or if in the opinion of the Committee, he habitually submits false return, the Committee may order for the inspection of the dealer's accounts.

(v) After an order under sub-rule (iv) is made, the Committee shall inform the trader or commission agent, as the case may be, of the date and place fixed for the inspection.

(vi) The Committee may authorise one or more of its members to carry out the inspection ordered by it under sub-rules (iv) and (v). Such member or members shall be assisted by the Secretary of the Committee or such employees the Committee as may be deputed for that purpose.

(vii) 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 trader's account books, and the Committee may levy a fee after assessment as may be specified in the bye-laws. If the account books are reported to be unreliable, or are not providing 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 dealer's business on such information as may be available or on the basis of best judgment and may levy fee as may be specified in bye-laws on the basis of such assessment.

(viii) Habitual default in the submission of return and habitual submission of false return shall be a sufficient ground for suspension or cancellation or refusal to. renew a licence, and the provision of this rule shall apply in addition to and without

prejudice to any other law, penal or otherwise, applicable to non-compliance or defective compliance with any duty imposed upon a dealer by the Act or by these rules, or by any bye-laws or order of a Committee.

(ix) An assessment made under sub-rules (vii) and (viii) shall be communicated to the concerned functionary by means of a demand notice in Form N and a copy of the assessment order may be given to him on his making written application and paying prescribed copying fee to the Committee.

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

36. Inspection of accounts of licensee :-

Every licensee and person exempt under rule 12 from taking a licence working within the market area shall, on demand by the Secretary or Chairman of the Committee or any officer of the Board authorised by the Secretary of the Board in this behalf, produce all or any of the forms or account books maintained in respect of the sale, purchase, storage, transportation or processing of agricultural produce by him for inspection and examination at such time and at such place as he may be required and shall, if required by any of the inspection officers, hand over any or all of the said forms, or books against a receipt.

37. Preservation of the prescribed forms :-

The counterfoils of Forms J and L shall be preserved by the dealer concerned for a period of two years from the date of issue of the Form.

38. Power to order production of accounts, power of entry, inspection, seizure and stopping vehicles :-

(i) Subject to the provisions of section 22(5) any officer of the Board not below the rank of Secretary, Marketing Committee may require any dealer to produce before him the books and other documents maintained by him and to furnish jjpy information relating to the purchase, sale, storage or processing of agricultural produce and also such other information relating to the payment of the market fee by him as may be necessary.

(ii) All accounts and registers maintained by any dealer and documents relating to the purchase, sale, storage or processing of agricultural produce, in his possession, and his office, establishment, godown or vehicle shall be open to, inspection at all reasonable times by any of the officers authorised in sub-rule (1).

(iii) If such officer has reasons to believe that any person is attempting to have the payment of market fee due from him or that any person has purchased agricultural produce in contravention of any of the provisions of the Act or the Rules or bye-laws in force in any market area, he may for reasons to be recorded in writing, seize such accounts registers or documents of such person, as may be necessary and shall grant a receipt for the same and shall retain the same only so long as they may be necessary for examination thereof or for the prosecution of the person concerned.

(iv) Such officer if subordinate to the Secretary of the Board shall forthwith report the seizure to that officer.

(v) At any time when so required by the Director or by any officer of the Board not below the rank of Secretary Market Committee, the driver or any other person incharge of any vehicle or other conveyance which is taken or proposed to be taken out of the market area shall stop the vehicle or other conveyance, as the case may be, and keep it stationary as long as may reasonably be necessary and allow such officer to examine the agricultural produce carried in the vehicle or other conveyance and to inspect all records relating to such agricultural produce and furnish his name and address and the name and address of the owner of the vehicle or other conveyance and of the owner of the agricultural produce carried in such vehicle or other conveyance.

39. Qualification of Tribunal to be appointed under section 60(2) :-

(i) Subject to the provisions of sub-section (1) section 60, the person constituting a Tribunal under section 60 shall be either :

(a) a person who is holding or held the office of the Deputy Registrar, Assistant Registrar of the Co-operative Societies for not less than five years; or

(b) a person who has not less than ten years service as an

advocate or a pleader, or a person having not less than ten years experience in law or in the Grade I and Grade II gazetted post or a person who had worked as a Chairman or Vice-Chairman or a member of a Market Committee or a Secretary thereof for a period of not less than five years and who at the time of his appointment (as such) is not in any way connected with the Market Committee or with the person from whom the sum is alleged to be due; or

(c) a person who is or has been a member of the State Civil Services with at least ten years standing.

(ii) The remuneration to be paid to the Tribunal appointed by the Administrator shall be determined by the Administrator.

40. Composition :-

(i) The amount realised by way of composition shall be in addition to any amount due from the offender under the Act or these rules or the bye-laws.

(ii) In the case of late payment of market fee if the Chairman of the Committee is satisfied that it was due to unavoidable circumstances beyond the reach of the concerned person, he may condone the violation committed :

Provided that the market fee is deposited with the Committee not later than four days from the day of transaction.

41. Penalties :-

Any person contravening any provision of these rules shall be punishable with fine which may extend to five hundred rupees : Provided further that no prosecution in this rule shall be launched against a person without affording him an opportunity to show cause.

42. Interest payable by buyer :-

Subject to the provision of sub-section (3) of section 60 of the Act, if any purchaser fails to make payment to the tenderer forthwith as required under section 27(6)(b) he will be liable to pay to the tenderer interest from the date of sale to the date of payment at such rates not being in excess of the maximum rate of interest fixed for unsecured loan. In case the payment is not made within thirty days from the date on which the agricultural produce is sold by the tenderer, the principal and interest thereon shall be recoverable by the Market Committee from the purchaser as an

arrear of land revenue.

43. Copies of documents etc :-

The Market Committee or the Board may on the application made in that behalf supply to the applicant a copy of the decisions, orders or resolutions of the Board or of the Committee or their officers on payment of rupee one per page or a part thereof subject to a minimum of rupees five :

Provided, in the cases where in an appeal, inspection or record is deemed necessary, the petitioner may apply to the Director, Agricultural Marketing for permission of such inspection and if this is allowed by him, the petitioner shall pay a fee of rupee one per case to the concerned agency to which these documents relate.

44. Preservation of records :-

The following records of the Board and the Market Committee shall be preserved for the periods noted against each :

45. Functions and Powers of Chairman and Vice-Chairman :-

(1) The Chairman shall

(a) convene, preside at the conduct meetings of a Market Committee;

(b) have access to the records of a Market Committee;

(c) discharge all duties imposed and exercise all powers conferred on him by or under the Act and the rules and bye-laws made thereunder;

(d) have control over all officers and servants of the Market Committee subject to these rules and to the directions, if any, given by the Committee;

(e) supervise and control the execution of all the activities of the Market Committee; and

(f) conduct or cause to be conducted correspondence and be responsible for the keeping of accounts for the punctual rendering of the accounts, reports and returns and for the custody of all amounts (other than those deposited in the treasury or with a bank approved by the Director).

(2) The Vice-Chairman shall

(a) in the absence of a Chairman, preside at the meetings of a Market Committee;

(b) exercise such of the powers and perform such of the duties of the Chairman as the Chairman may, subject to any bye-laws made by the Market Committee in this behalf, delegate to him by an order in writing;

(c) pending the election of a Chairman, or during the absence of the Chairman from the Market area, or by reason of leave obtained with the permission of the Market Committee, exercise the powers and perform the duties of the Chairman.

46. Leave of absence to Chairman or Vice-Chairman :-

(i) The Chairman or Vice-Chairman, if he wants to remain absent from any meeting of the Market Committee, or for a period not exceeding thirty days in aggregate in a year shall, on or before the date fixed for that meeting, or as the case may be, at any time before the date of the leave asked for, apply to the Committee for leave stating the reasons for which the leave is required.

(ii) The Board may, by a resolution passed in that behalf, grant the Chairman or Vice-Chairman the leave applied for.

(iii) Any absence from the meeting of a Market Committee without permission obtained in accordance with the provisions of this rule shall, for the purposes of section 20, be deemed from the meetings of the Committee without its leave.

47. Powers and functions of Secretary :-

The Secretary shall be the Chief Executive Officer of the Market Committee and carry into effect the resolutions of the Market Committee. He shall be under the control of the Chairman. He shall conduct correspondence and shall be responsible for keeping of accounts and for the punctual rendering of all the returns. He shall lay down duties of all officers and servants of the Market Committee and shall exercise control over the subordinate staff of the Market Committee. He shall have custody of all papers and documents of the Market Committee. He shall, in consultation with the Chairman, call and attend the meetings of the Market Committee and maintain the proceedings of the meeting. He shall submit in writing his view on the subjects discussed during the meeting. He shall exercise such other powers and perform such other functions as may be delegated or entrusted to him by the

Market Committee.

48. Administrative Report :-

At the end of each financial year, every Market Committee shall prepare an annual report which shall contain such information as may be required by the Secretary of the Board by general or special order issued from time to time and submit on or before 30th June copies of it to the Secretary of the Board and to such officer as may be specified by the Secretary of the Board, in that behalf.

49. The term of office of the Chairman and Vice-Chairman :-

(i) Every Chairman appointed under section 9(3) will hold office for a term of one year from the date of issue of notification for his appointment. The administrator may renominate him as Chairman under section 9(3) for further term or terms.

(ii) Vice-Chairman of a Committee will be elected annually.

50. Condition subject to which a Committee may give loan to another Committee :-

Subject to the provisions of sub-section (3) of section 29, a Market Committee may grant loan to another Market Committee. The loan so granted shall be regulated by the following general conditions :

(i) A specific term should be fixed which should be as short as possible, within which the loan should be fully repaid with interest due. The term may, in very special cases extend to 30 years.

(ii) The term is to be calculated from the date on which the loan is completely drawn.

(iii) The repayment of loans should be effected by instalments, which should ordinarily be fixed on annual basis, due dates of payment mentioned in the agreement.

(iv) Instalments paid before the due date will be taken entirely to principal unless any interest for a preceding period is overdue.

(v) The interest shall be charged on the loan at the rates prescribed by the Board :

Provided that a loan shall bear interest for the day of payment but not for the day of repayment.

(vi) When a loan is taken out in instalments, each instalment of the loan so drawn shall be treated as a separate loan for purposes of

repayment of principal and payment of interest thereon except where various instalments drawn during a financial year are, for the purpose, allowed to be consolidated into a single loan as at the end of that particular financial year. In the latter event, simple interest at the prescribed rate on the various loan instalments from the date of drawal of each instalment to the date of their consolidated drawal shall be separately payable by the borrower.