

TO BE PUBLISHED IN PART-IV OF DELHI GAZETTE EXTRA ORDINARY)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEVELOPMENT DEPARTMENT)

DIRECTORATE OF AGRICULTURAL MARKETING
49-ALIPUR ROAD, OLD SECTT., DELHI-110054

No. F.S/29/2002/DAM/MP/4473

dated 20/12/2002

Whereas with the previous sanction of the Delhi Agricultural Marketing Board and in exercise of the powers conferred upon it by sub-section (1) of section 65 of the Delhi Agricultural Produce Marketing (Regulation) Act, 1976, Yamuna Par Krishi Upaj Mandi Samiti, Shahdara (hereinafter called the 'Committee') made the following Bye-laws for determining the quantity of agricultural produce which may be provided for retail sale for the regulating of business (including meetings, quorum and procedure) of the committee and conditions of trading in the Market Area, including the rates and manner of collection of refund of market fee of any other fee levied under the Act, namely:-

Chapter - I

1. **Short title and Commencement:** - These bye-laws may be called the Agricultural Produce Marketing Committee, Shahdara, New Delhi Bye-Laws, 2002.
2. **Commencement:** - These shall come into force with effect from their publication in the official Gazette.
3. **Definition:** - (1) In these bye-laws, unless the context otherwise requires: -
 - (a) 'Act' means the Delhi Agricultural Produce Marketing (Regulation) Act, 1998 (Delhi Act No. 7 of 1999).
 - (b) 'Agricultural produce' has the same meaning as assigned under section 2(a) of the Delhi Agricultural Produce Marketing (Regulation) Act, 1998.
 - (c) 'Auction Site' means the place or places in the market approved by the Marketing Committee for the purpose of auction of notified agricultural produce.
 - (d) 'committee' means the Agricultural Produce Marketing Committee, Shahdara, Delhi and shall also include the successive marketing committee as the case may be, for the market area within which the marketing of agricultural produce is regulated. Chairman, Vice-Chairman and Members means The Chairman, Vice-Chairman and members of the committee.
 - (e) 'Director' means the Director of Agricultural Marketing, Govt. of NCT of Delhi.
 - (f) 'licensee' means the person, firm, company or any Govt. Organization holding a valid licence granted by the committee.
 - (g) 'Marketing functionary' has the same meaning as assigned under the Act.

- (h) 'office' of the committee means the main office of the Agricultural Produce Marketing Committee, Shahdara, Delhi including branches if any as may be specified by the committee from time to time.
- (i) 'Principal yard/sub-yard' means the area which have been notified/established as principal yard/sub-yard under Section 23 of the Act.
- (j) 'Proposition' means the formal proposal.
- (k) 'rules' means the Delhi Agricultural Produce Marketing (Regulation) General Rules 2000 or other rules which may be enforced from time to time.
- (l) 'transporter' means the person who is either owner or the person in charge of the vehicle engaged for carrying agricultural produce for sale/purchase in the market yard/sub-yard and includes all public vehicle including three wheelers and Rickshaw, thela etc.
- (m) 'unit' means the quantity/weight of produce to be filled in the container approved by the committee for various items of agricultural produce.
- (n) 'Palledar' means the person who gives the service for loading and unloading on charging prescribed rates by the committee.
- (o) 'weighing' include putting filled petti, bag, tokri or other container on the scale adjustment of weight and putting it down from the scale and noting down the actual weight of the agricultural produce.
- (2) Terms and expressions used in these bye-laws but not defined herein shall have the same meaning as respectively assigned to them in the Act and the rules.

✓ Chapter - II

- 4. **Time and place of meeting:** - Ordinarily there shall be a meeting of the marketing committee once in a month in the office of the committee at the date and time fixed by the Chairman. The Chairman shall be empowered to call any urgent meeting at any time at a short notice of less than two days. For the purpose of convenience, the Chairman can get the important matters passed by way of circulation amongst the members. The papers so circulated shall however, be placed before the committee for confirmation at its next meeting. Papers relating to any subject included in the agenda of any meeting shall be open for inspection to every members at the office of the committee during the usual office hours.
- 5. **Manner of convening a meeting and of giving notice thereof:** - The Secretary of the committee shall issue meeting notice/agenda with the approval of Chairman at least seven days before the date of meeting. Every such notice shall state the place, the date and the hour of such meeting. However, in urgent cases the notice shall be sent two days before the meeting. The copy of agenda/minutes shall be sent to vice-chairman/Secretary of the Board for information and approval if so required under the Act, Rules etc.

6. **Quorum of meeting:-**(1) Five members will constitute the quorum of general meeting and three members of sub- committee if any.
- (2) If the quorum is not completed within half an hour of scheduled time or the quorum falls short during the course of meeting it shall be deemed to have been adjourned for the next working day at the same time and place for which no separate notice shall be given but no quorum shall be essential for the same agenda transacted in the next meeting.
- (3) No business shall be transacted at a meeting of the committee or sub committee, as the case may be unless there is a quorum.
- (4) If any member fails to attend three consecutive meetings without leave of the committee, it shall amount to a misconduct and negligence on his part. The committee may proceed to take action against him under section 50 of the act.
- (5) If a meeting has been adjourned for want of a quorum no quorum shall be necessary for the adjourned meeting for transacting business.
7. **Conduct of proceedings and presidency of meeting :-** (1) Any member of the committee wishing to move any proposal, he will give written intimation with a draft of proposition with full particulars to the chairman at least ten days before the date of meeting and every such proposition with the approval of chairman shall be included in the agenda of the meeting.
- (2) The chairman may or may not accept such proposal if it is not inconsistent with the provisions of Act, Rules and Bye-laws.
- (3) Any addition, deletion, alteration in the proceedings of a meeting shall be made by the chairman on a proposal duly moved by a member and supported by another member and decided by majority of members. If such addition, deletion is accepted and passed by the committee, necessary rectification shall be made in the proceedings/minutes of the meeting.
- (4) Every meeting shall be presided over by the chairman of the committee and in case of his absence by the vice- chairman of the committee but if both are absent by any one of the members, elected by the members present to act as chairman for the occasion and such chairman shall have for that meeting all the powers of the chairman and be designated as such provided if the chairman or vice chairman turns up during the meeting, he shall assume his power as chairman from the temporary chairman.
- (5) The chairman shall ensure for keeping the decorum in the meeting and in each case the decision of the chairman will be final.
- (6) The chairman shall be empowered to ask any member of the committee to leave the meeting in case of any misbehavior on the part of that member\members and postpone the meeting.
- (7) Any meeting fixed for a certain day but cannot be hold because of unavoidable circumstances, the chairman shall cancel that meeting and inform the committee members accordingly.

- (8) All the matter shall be decided by the majority of votes and in case of equality the chairman shall have the power of casting second vote to decide the matter.
8. **Manner of voting :-**(1) Except as otherwise provided in the act, rules or these byelaws, all question that may come up before the meeting of the committee, shall be decided by the majority of votes of the members present and in case of equality of votes, the chairman of the meeting shall have and may exercise second or casting vote.
- (2) Voting shall be done by show of hands. Voting by proxy shall not be permissible and any member may decline to vote on any subject without assigning any reason thereof.
9. **Proceedings of the meeting :-**(1) The proceedings of the meeting shall be recorded by the secretary of the committee in consultation with the chairman and shall be signed by the secretary and the chairman and got confirmed in the next meeting with any modification if required.
- (2) No member shall make public, the proceedings of the committee.
- (3) The secretary attending the meeting shall give his opinion regarding feasibility/legality on the points being discussed in the meeting.
- (4) The chairman can refuse any member to give any information/document which to his mind is against the interest of the committee.
- (5) No proposal shall be moved within three months for the matter which has already been decided.
- (6) No member shall be allowed to attend that meeting in which a discussion against his conduct is being held.
10. **Powers and duties of members:-** Every member of the committee shall be watchful over the activities of the market functionaries in the market and all cases of contraventions of the provisions of the act, rules and the byelaws shall be reported promptly to the chairman or the secretary in writing.

CHAPTER-III

Market committee fund, income, expenditure and accounts

11. **Marketing committee fund:-**(a) All amount received by marketing committee shall be deposited in the bank by the cashier or the person authorized in this behalf through duplicate challan and get the entry made in the pass book and books of accounts of marketing committee shall be checked daily by the OIC, Accounts/Asstt. Secretary or any person authorized in this behalf and the person shall be responsible for proper maintenance of the book of accounts and if any discrepancy is noticed the same shall be brought to the notice of the bank and chairman/secretary APMC at once.
- (b) The Asstt. Secretary/Branch Officer/Accountant shall ensure monthly reconciliation of APMC's account with bank account and shall submit a copy/certificate to the

chairman/secretary, marketing committee as well as vice chairman, Delhi Agricultural Marketing Board.

12. **Budget :-** The committee shall annually hold a special meeting to prepare a budget of income and expenditure for ensuing year. The budget shall be submitted to the Vice-Chairman of the Board by due date as may be prescribed in the rules or as may be prescribed by the Board by its resolution. No expenditure shall be incurred for which there is no sanctioned budget provision unless it is met from the savings from other heads to be located for reappropriation with the approval of the Vice-Chairman of the Board.

Rules

- (a) As per direction of the Board the marketing committee shall furnish the R.E./B.E. within the prescribed manner and time for approval and no bill shall be prepared unless there is a budget provision.

Rules

- (b) All the cheques drawn on the market fund and kept in the bank (s) shall be signed by Chairman and Secretary jointly.

Rules

13. **Imprest :-** A sum of (Rs.5000/-) shall be kept as imprest money to meet the immediate expenditure and the imprest amount shall remain in the custody of OIC Accounts.

14. **Passing of executive sub-committee:-** (1) The committee will appoint once in a year, the executive Sub-Committee consisting of the following five members :-

15. **Formation of executive sub-committee:-** (1) The committee will appoint once in a year, the executive Sub-committee consisting of the following five members:-

- (a) Chairman of committee will act as Ex-officio chairman of it.
(b) Two members will be from the agriculturist members of the committee.
(c) Two members from the traders constituency, one of which shall be from licensed Co-operative Marketing Society.

This Sub-committee will prepare the annual budget estimates sanction by the committee and recommend budget appropriation and also put recommendations of any type of amendments to the budget proposal from time to time to the committee.

- (2) **Dispute sub-committee:-** The Committee may constitute from amongst its members, as per provisions of section 83 of Act, a dispute Subcommittee consisting of the following:-

- (a) Vice chairman of the committee – chairman of dispute Sub-committee.
(b) One member of marketing committee representing the traders/agents to be nominated by the marketing committee Member.
(c) Two Agriculturist member of the marketing committee to be nominated by the marketing committee-Member.
(d) One member of the marketing representing the interest of the consumers to be nominated by the marketing committee-Member.

5. **Note:** Member representing the interest of co-operative societies and the Member representing the licensed weighman and measures may be co-opted in case the necessity so arises.

The aggrieved party/parties shall make the written representation addressed to the chairman of the dispute sub-committee giving full details of his/their case. He/they shall also enclose the requisite documents to substantiate their representation/claim. The aggrieved party shall also deposit an amount of Rs.500/- as fee in cash or through an A/C payee cheque along with representation to the marketing committee.

In case any dispute is referred to an arbitrator/arbitrators, an amount of arbitration fee shall be such may be decided by the marketing committee by way of its resolution depending upon the case/cases.

CHAPTER-IV

16. **Rules of market fee:-** Subject to the provision of section 62 of the Delhi Agriculture produce marketing (Regulation) Act, 1998 purchaser of notified agriculture produce in the principal yard/sub yard market area shall pay market fees @ 1% on advalorem basis through the commission agent on the following day of the transaction and in case no commission agent is engaged market fee shall be paid by the purchaser himself.

17. **Exemption from payment of fees:-** No market fees shall be levied or collected on the sale or purchase of any agricultural produce in respect of which such fees has already been paid in the market area.

18. **Refund of certain amount dues:-**(1) If-

- (a) any amount has been deposited for the grant of licence which has in fact not been issued, or
- (b) a person has wrongly applied and paid for and been granted two or more licensors of the same nature in the market area, or
- (c) any market fees has been recovered in excess of the amount actually due or,
- (d) any market fees has been recovered on a transaction which is exempted under the act for payment of the market fee, or
- (e) any amount has been paid by mistaken notion of law;

the chairman of the committee shall, on a written application, being made within six months of such deposits/payments and after such inquiry as he may consider necessary to the satisfaction of the committee, order that refund of the amount due through account payee cheque which shall be paid to the person who may be entitled to such refund out of the market fund on a bill to be drawn and prepared.

(2) The application for refund shall contain such particulars as are necessary to enable the amount of refund to be obtained. The applicant shall furnish to the committee such other information, as may be called for by it from the applicant.

19. **Grant of licence:-** (1) Subject to the provisions of section 55 & 100 of the act, the committee shall be competent to grant, renew, refuse any licence. The prescribed form in duplicate on charge of Rs.5/- per application from shall be available in the office of the committee.

(2) All applications in the prescribed form for licence may be tendered in the office of the committee accompanied by the proof of the payment of prescribed licence fee.

- security amount and copies of documents of lawful and effective/peaceful possession over the place of business of the applicant for which a licence is applied for.
- (3) All applications received shall be chronologically entered in the register maintained for this purpose by the committee and acknowledgement of the receipt of licence fee and security shall be issued by the concerned official of the committee.
- (4) After making such enquiry as may be deemed fit and satisfying itself about the correctness, the completeness of the application and entitlement under the rules, the committee shall grant a licence to the applicant.
20. **Non-transferability of licence :-** (1) Every licence issued by the committee is valid for the person or firm in whose name it is issued.
- (2) No licence shall be transferable or sublet and in case of violation the licence shall be deemed to have been automatically cancelled. The decision of the committee whether, a licence was transferred or assigned, shall be final.
21. **Marketing of agricultural produce in retail sale:-** All sales to a person other a trader or a commission agent of one or more than one agricultural produce in a day not exceeding 40Kg. in aggregate shall be deemed to have been made in retail sale.
22. **Sale/Marketing of agricultural produce:-** (1) All consignment of agricultural produce processed or unprocessed arriving in the market area of the marketing committee for the purpose of the sale, shall be brought into the market yard by the farmer/agriculturist/seller in the first instance and if the farmer/agriculturist/seller does not bring his produce in the market yard and intentionally tries to make sale of his goods outside the notified yard, the stocks of the notified produce shall be recovered/seized as per the provisions of Section 57 and 58 of the Act.
- (2) All agricultural produce notified for sale shall be brought into the notified yard/subsidiary yard in such manner and at such time as the marketing committee may specify from time to time.
- (3) All vehicles and persons with head-load entering the market yard shall pass through entry gate of the yard after obtaining necessary gate-pass issued by the committee at the time of entry and on payment of the prescribed per trip fee.
- (4) As soon as the vehicle load or head-load arrives at the premises of the commission agents, it shall be incumbent on such commission agents to get them unloaded at the auction site for inspection of the purchasers.
- (5) Soon after the transaction is over, the purchaser shall arrange its counting or weighment through a licensed weighman and weighment or counting slips shall be prepared in quadruplicate on Form B-1, which shall be signed by licensed weighman, seller, purchaser and the commission agent. One copy of the weighment/counting slip shall be issued to seller, one copy shall be retained by the commission agent and one copy each shall remain with the licensed weighman and purchaser. It shall be incumbent to every commission agent to produce the weighman/counting slips to the officer/official of the committee for inspection on demand.

- (6) On the receipt of the weighment and counting slip, the commission agent will issue his bill in such form as prescribed in the rules or in such form as the committee may prescribe.
23. **Method of sale:-** (1) All sales shall be effected in lots or by sample, through open auction only in the presence of a representative of the committee.
- (2) Daily open auction of all agricultural produce shall start and close on all working days in all blocks in the market as per time fixed by the marketing committee provided that on special occasions and festive seasons, the committee may extend the timings as it may consider necessary.
- (3) Only licensed buyers shall be allowed to offer bids in the auction. All the respective buyers shall assemble at the auction sites, at least, half an hour before the start of the auction.
- (4) If any trader, commission agent or any other person is found trading in contravention of the instruction issued by the committee in this behalf, the Chairman, Secretary or any other officer of the committee duly authorized by its, may take his goods into his possession and dispose it of in the manner as may be specified by the committee after having heard all the concerned parties.

Chapter – V

Miscellaneous

24. **Acceptance of bids:** - Agricultural Produce shall be sold to the highest bidder. The seller, however, in order to avoid distress sale, shall have the option to refuse to sell to the highest bidder or to postpone the sale of his produce to a later hour or date.
25. **Units of quotation:** - All licensed traders shall give their quotations only in terms of such unit/units as are specified by the committee subject to rules, if any.
26. **Storage:** - (1) In case of agricultural produce which is brought into the market yard/sub-yard remains unsold, the seller/farmer shall be at a liberty to get it back or the commission agent concerned and/or seller/farmer may store the produce in the cold storage is available in the market yard or market area under intimation to the office of the committee.
- (2) In case the stocks of agricultural produce are taken back by the farmer/seller and are bought outside the market yard/sub-yard, the seller/farmer shall get a proper gate pass from the check post in the yard of the committee in which the details of the produce going out, shall be taken back without proper gate pass.
- (3) The owner of the godown with whom the agricultural produce has been stored or is withdrawn shall intimate the committee about the stored produced in Form B-2.
- (4) The committee may issue such direction as it thinks necessary for regulating the storage of agricultural produce in the market area as well as in the market yard.
27. **Trading hours and closing days:** - (1) The committee shall be competent to determine a day to be observed as weekly off for market yard and sub-yard/subyards and shall be open on all days except the day observed as weekly off and on all other national holidays.

- (2) Under the compelling circumstances and only on any particular day or days the Chairman or in his absence Vice-Chairman, with the written consent of two other members of the committee may order that trading may be done at hours other than those specified by the committee in respect of auction and other market activities.
- (3) Only licensed buyers shall be allowed to offer bids in auction to purchase through open auction.
28. **Duties of licensed commission agents and traders:** - (1) Every licensed commission agent shall furnish a weekly return of the purchases and sales made by him or made through him in such form as may be prescribed by the committee or as may be prescribed in the rules. Along with the return, he shall also deposit the amounts of market fee realized by him from the purchasers.
- (2) Every licensed trader shall also submit return/report as may be prescribed under the rules regarding purchases and sales made by him or made through him within the market area in such form as prescribed under the rules.
- (3) It shall be the duty of the buyer or his agent, if any, to examine the agricultural produce closely and make a separate note of the quality etc. of the lots to be sold by the sellers and/or their commission agents half an hour before the sale time so that he may bid when the produce is auctioned. When the rate is fixed, the transaction shall be entered in the form prescribed for it. The bargain so struck shall be binding on both of the parties.
- (4) Every trader acting as commission agent shall keep regular and separate accounts of his sales and purchases. Such an account shall be produced for inspection on demand by the Chairman of the committee or the Secretary and/or the field officials of the committee.
- (5) All licensed commission agents shall have their weighing machines, their weight and measures at their shops in the notified yard/sub-yard and weighment and measurement of the produce shall be done within the yard and at the respective shops of the commission agents during the trading hours prescribed by the committee.
- (6) All sales shall be conducted through open auction only and after the final bid, weighment, measurement and counting of the produce shall be done on the spot.
- (7) All licensed commission agents and traders shall maintain stock register and other register as may be prescribed by the committee.
- (8) Every commission agent shall prepare a receipt in quadruplicate in the prescribed form supplied by the marketing committee on payment. The original receipt shall be given to the seller at the time of payment of sale proceeds, the second copy shall be submitted to the committee, third copy shall be given to the buyer and fourth 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 distribute the same as above.
29. **Assistants of traders and commission agents:** - (1) Traders and commission agents may employ assistants to work on their behalf in the principal market yard/sub-yard and/or in the market area.

- (2) The maximum number of such assistant shall be such as the committee may from time to time determine.
- (3) The name and address of such assistants shall be stated in/along the application for grant or renewal of a licence for a trader and commission agent as the case may be.
- (4) No person or persons other than whose names appear in the licence of a trader and/or commission agent shall be allowed to work in the market area and/or yard/sub-yard on his behalf.
- (5) The licence of a trader, commission agent or broker is liable to be cancelled, if he allows or continue to allow any person/persons whose names does not/do not appear in the register of the committee to operate in market area and/or yard/sub-yard on his behalf irrespective of whether person/persons was/were once an authorized assistant/assistants working on his behalf.
- (6) The committee, may refuse to grant a licence to a trader or commission agent, if in its opinion any one or more of the assistants whose names are stated by the applicants in their applications are such that their operation in the market area and/or yard/sub-yard are detrimental to the efficient working of the market yard.
- (7) On valid grounds the committee may, at any time, remove any of the names of the assistants from the names appearing in the licence of a trader or a commission agent. The person whose name has been so removed shall not be allowed to work on behalf of his employer anywhere in the market area and/or yard/sub-yards.
- (8) All acts of assistants shall be deemed to have been performed by their employers, who shall be fully responsible for the acts and commission of the assistants.

- 30 **Duties of weighmen, measurers or surveyors: -** (1) Every licensed weighman and measure shall keep such books and in such manner and render such daily and monthly returns at such time and in such forms as the committee may prescribed from time to time with the approval of the Vice-Chairman of the Board.
- (2) He shall render such assistance in collection and prevention of the evasion of the market fee and/or any breach or rules and bye-laws as may be required by the committee.
- (3) He shall not take up any service under a trader or a commission agent.
- (4) He shall send the weighment, counting and the measurement books daily to the office of the committee for verification.
- (5) Every weighman, measurer shall use only the standard weights and measures.

- 31 **Prevention of unauthorized person from operating in the market area including market yard/sub-yard: -** (1) The Chairman, Vice-Chairman, members, Secretary and any other employee of the committee shall be empowered to demand the production of such proof of his bonafides from any person/persons suspected of operating in the market area including market yard/sub-yards without proper authorization.
- (2) All licensed shall report to the committee all cases of operating by persons suspected to be operating without a licence and/or badges, etc.
- 32 **Badges and token to be worn: -** (1) Every weighman, measurer and palledar shall be supplied free of cost with suitable badges as soon as the licence is issued.

- (2) In case of loss, mutilation or any other defacement of the badge, the committee shall be entitled to require the licensee to reimburse to the committee the cost of badge as decided by the committee or by any other officer empowered in his behalf.
- (3) Badges shall be worn only by the persons holding a licence in respect of which such badges are issued and in any case badges shall not be transferable. A breach of this bye-law shall cause the cancellation or suspension of the licence.
32. **Equipment:** - The committee shall direct the traders, commission agent, weighman, measurer and surveyor to keep such equipment as it may think necessary.
34. **Price to be fixed for produce:** - The price/quotation given or communicated by the traders or the commission agents shall be deemed to be for the agricultural produce only and not for the articles used as a container thereof unless otherwise specifically provided in the bye-laws.
35. **Counter balance in weightment:** - The weighman, when the produce is weighed, shall in each case clearly state in his weightment slip, the counter balancing weight equivalent to the weight of the rope or gunny bags, or any other articles used as a container for the agricultural produce weighed which was added on the weight side of the scale.
36. **Payment of sale proceeds:** - (1) It shall be incumbent on the buyer to settle the accounts and to make arrangements for prompt payment of sale proceeds to the commission agent in case the produce is sold through the commission agent. In case produce is sold by the seller/agriculturist himself to the buyer, the buyer shall settle the accounts and shall make arrangement for prompt payment to the seller/agriculturist/farmer and in that case market fee shall be paid by seller/farmer along with accounts to the marketing committee.
- (2) When the produce is sold through a commission agent, it shall also be incumbent on the part of the commission agent to settle the accounts and to make arrangement for prompt payment to the seller/farmer/agriculturist.
37. **Advance to agriculturist:** - All licensed commission agents shall keep separate account books in respect of each borrower for the advance given by them.
38. **Disposal of complaints:** - On receipt of a written complaint regarding the matter concerning the sale and purchase of agricultural produce in the market/submarket, the Secretary of the committee or any other officer/official authorized by him shall conduct enquiry. If the enquiry has been conducted by the officer/official other than the Secretary, such officer/official shall submit his report to the Secretary for onward transmission to the Chairman. If the enquiry has been conducted by the Secretary of the committee, he shall send his report to the Chairman. The Chairman shall take such steps as he thinks necessary in accordance with the provision of the Act, the rules and the bye-laws.
39. **Publication of directions:** - (1) All directions issued by the committee for the general guidance of the persons using the market shall be deemed to have been published when notice containing such directions are pasted on the notice board.

- (2) The committee may, if it think necessary, cause such notices to be served on the persons concerned or to be published in the local newspapers.
40. **Licence to assist the field staff of the marketing committee:** - (1) In the interest of smooth marketing operations in the yard/sub-yard, it shall be incumbent on the part of every licensed trader/commission agent and other market functionaries to assist the field officials of the marketing committee. The licensee shall produce, on demand, all records relating to arrivals, sale purchase of the produce including the records relating to the payment, etc. to the staff of the committee.
- (2) The committee if observes or finds that any action of a licensee is impending the smooth working of the market and/or licensee is indulging in violation of any provision of act or the rules or the bye-laws, the committee may take appropriate action regarding suspension and cancellation of the licence and debarment from holding the licence from the committee and/or forfeiture of the security amount in full or in part and may impose penalty as per the provisions of the Act.
- (3) If any market functionary and/or any other person indulges in activities and practices which are detrimental to the interest of the trade and proper functioning of the market, his entry shall be banned in the market for such period as the committee may decide by way of its resolution. However, before issuing the order to ban the entry, the person concerned shall be given an opportunity of being heard.
41. **Penalty:** - If any market functionary or any other person violates or breaches any provisions of these bye-laws, the committee may impose penalty which may extend to five thousand rupees in each case and where the breach is a continuing one, with further penalty which may extend to one hundred rupees for every day after the imposition of the first penalty during which the same continues.
42. **Composition of offences:** - If any market functionary violates any provisions of the Act or the rules or these bye-laws and the offences so committed is resolved to be compounded under section 122 of the Act, the Secretary of the committee with the previous approval of the Director shall be competent to realize the amount of composition fee from the concerned market functionary. The amount of composition fee shall not exceed two thousand rupees and shall not be less than rupees five thousand for each offence.
43. **Inspection and submission of Accounts books:** - (1) All the traders and commission agents may be required to submit for examination and inspection, their accounts books, ledger, etc. on demand by the Chairman or in his absence by the Vice-Chairman of the committee, or the Secretary or other officer authorized by the Chairman of the committee.
- (2) Such inspection shall be limited to obtaining information relevant to the matter under investigation and information so obtained shall only for the legitimate purpose and in the interest on the committee.
- (3) Failure to comply with above instructions will be sufficient ground for suspension/cancellation of licence beside imposing penalty which may extend to five thousand rupees.

44. **Publication of proceedings:** - Proceedings of the committee or any of its sub-committee shall not be published in the press by any person unless so authorized by the Chairman.
45. **Sale of bye-laws:** - The committee shall make available copies of these bye-laws for sale at a price of one hundred rupees per copy.
46. **Market intelligence:** - (1) The committee shall collect the data of wholesale rates and arrivals and furnish the same to the authorities according to the directions given by the Director.
- (2) The committee shall collect information relating to arrival alongwith their places of origin, stock, dispatches destination-wise and submit weekly reviews and returns in the prescribed performa every Friday.
- (3) The information relating to ruling wholesale rates shall be sent by Post/Telephone/Fax to quarters concerned or any other agency suggested by the Director.
- (4) The committee shall disseminate weekly market records covering above data to concerned agencies for the information of producers.
- (5) The daily ruling wholesale rates shall be displayed by the committee on the notice board. The committee may prepare charts, graphs and other statistical data relating to the marketing and displaying the same in its office.
- (6) The committee shall follow any other instructions given to it by the Board and the Director from time to time in this behalf.
47. **Parking of Vehicles:** - All private vehicles shall be parked in the parking area and vehicles coming in the Mandi for bringing or taking agricultural produce shall be parked in such manner which may not cause traffic hazards failing which, vehicle driver including commission agent/trader concerned shall be held responsible and shall be liable to be punished for breaching the bye-laws by way of penalty as prescribed under rule 45 of the Delhi Agricultural Produce Marketing (Regulation) General Rules, 2000.
48. **Penalty for obstructing the marketing area from keeping neat and clean:** - The marketing committee or its Secretary or any other person authorized in this behalf will be competent to impose fine/penalty which may extend to Rs. 200/- upon any person who is found causing unhygienic condition i.e. spreading or throwing leaves, rotten fruits, vegetable at any place other than dhalao, or in any other way which includes bathing, toilet, washing clothes, easing urine other than specified place in Sulabh Sauchalaya or the space marked by this committee.
49. **Market Service fee and incidental Service Fee:** - No functionary shall charge in any transaction an amount more than the following maximum amount prescribed for his service actually rendered.

Market service fee and incidental charges to be paid by the purchaser and seller; namely:

(1) Incidental Charges payable by seller:

(A)	Unloading	Container upto 20Kg	Per Nug	Fifty Paise
	Unloading	Container 20to 40 Kg		One Rupee
	Unloading	Container above 40Kg		Two Rupees
(B)	Weighment	Upto 50 Kg		One Rupee
	Weighment	Above 50 Kg		Two Rupees

(2) Market service fee payable by the buyer:

(A)	Market fee	1% at advelorem basis	i.e. sale value
✓(B)	Commission	<u>6%</u>	
(C)	Loading	Upto 50Kg	One Rupee
	Loading	Above 50Kg	Two Rupees

50. Security amount: - The security amount for the different category of licence shall be as under: -

Category of Licence	Security amount (Rs)
A	Five hundred rupees
B	One thousand rupees
C	One thousand rupees
D	Five hundred rupees
E	One hundred rupees
F	Seventy five rupees

49 (2) (B)

AGERICULTRUAL PRODUCE MARKET COMMITTEE

Form No. B-I
[See Bye-law No. 25(v)]

Weighment /Counting Slip
(To be prepared in quadruplicate)

No.

Dated:.....

Name of the Weighman.....

Licence No.....

Gate pass No. Weight with date	Name of produce and quantity	Number of Containers	Gross Weight of containers in Kgs.	Net In Kgs.
1	2	3	4	5

Signature of
Seller

Signature of
Commission Agent

Signature of
Purchaser

Signature of
Weighman

AGRICULTURAL PRODUCE MARKET COMMITTEE

Form B-2
[See Bye-law 29(2)]

No.

Date:

Name of the Warehouseman with Address

Received the following Agricultural Produce From M/s Or Sh.
.....
.....

STORAGE			WITHDRAWAL		
Name of Agricultural Produce	Number of Packages/Bags	Weight	Number of Packages/Bags	Date of Withdrawal	Weight

Rate Per Container

Received above goods in satisfactory
Condition with a copy of this form

Period

Storage Charges paid

Signature of Warehouseman

produce

Signature of the owner of