

# ***The [Haryana<sup>1</sup>] Agricultural Produce Markets (General) Rules, 1962***

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*Dated 11.7.1962.*

**1. Short title, <sup>2</sup>[-] and commencement.** - These rules may be called the [Haryana]<sup>3</sup> Agricultural Produce Markets (General) Rules, 1962.

(2) They shall come into force at once.

**2. Definitions.** - In these rules, unless the context otherwise requires, -

(1) "Act" means the [Haryana]<sup>4</sup> Agricultural Produce Markets Act, 1961.

<sup>5</sup>[(1A) "agency" means an individual society registered as such under the provisions of the Haryana Cooperative Societies Act, 1984 (22 of 1984) or company registered as such under the Companies Act, 1956 (1 of 1956) or firm registered as such under the Indian Partnership Act, 1932 (9 of 1932) authorised by the Market Committee to collect fee in case of fruits and vegetables in notifies market area.]

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

(3) "Bye-law" means a bye-law made under sub-section (14) of Section 3 or sub-section (1) of section 44, as the case may be;

(4) "Commission Agent" means a dealer who, on behalf of any other person and in consideration of a commission makes or offers to make a purchase or sale of any agricultural produce or does or offers to do anything for carrying out such purchase or sale;

(4A) "Certified Seed" means seed that fulfills all requirements for certification provided by the Seed Act, 1966 (54 of 1966) and the Seeds Rules, <sup>6</sup>[1968] and to the container of which the certification tag is attached.]

(5) "Director of Agriculture" means the Director of Agriculture, Haryana;

(6) "Deputy Commissioner" means the Deputy Commissioner of the district having jurisdiction over the notified market area or, if such area is situated in more than one district, such Deputy Commissioner of one of these districts as may be specified by the State Government in this behalf;

[(6A) 'Farmers Producer Organization' means a registered Farmer Producer Organization playing the role of aggregator of farmer members produce who are resident of notified market area engaged in agriculture production.]<sup>7</sup>

(7) "Form" means a form appended to these rules;

(8) "Incidental charges" means the charges payable by the seller in lieu of the services rendered in connection with the handling of agricultural produce prior

<sup>1</sup> Substituted for the word 'Punjab' by Haryana Govt. Notification No. S.O. 13/H.A. dated the 23<sup>rd</sup> May, 2016.

<sup>2</sup> The word "extent" omitted by Haryana Notification dated 26.2.1982.

<sup>3</sup> Substituted for the word 'Punjab' by Haryana Govt. Notification No. S.O. 13/H.A. dated the 23<sup>rd</sup> May, 2016.

<sup>4</sup> Substituted for the word 'Punjab' by Haryana Govt. Notification No. S.O. 13/H.A. dated the 23<sup>rd</sup> May, 2016.

<sup>5</sup> Added by Haryana Notification No. 2310. Agri.S(1) 2003/25261 dated 15.11.2003.

<sup>6</sup> Substituted by Haryana Notification dated 2.2.1990.

<sup>7</sup> Inserted by Haryana Govt. Notification No. S.O. 13/H.A. dated the 23<sup>rd</sup> May, 2016.

to the finalisation of the bid at the auction, such as unloading, cleaning and dressing charges; <sup>1</sup>[-].

(9) "Kachcha Arhtia" means a dealer who, in consideration of commission, offers his services to sell agricultural produce;

(10) "Licensee" means a person holding a licence issued under these rules or the rules hereby repealed;

<sup>2</sup> [(10-A) "Maintenance" in relation to house shall include the payment of local rates and taxes and charges for electricity and water.

(11) "Market Charges" means all charges payable by the buyer in lieu of the services rendered in connection with the handling of agricultural produce after the finalisation of the bid at the auction, such as the commission of Kachcha Arhtia, brokerage, auction charges, remuneration for Palledari, filling, weighing and sewing]<sup>3</sup>

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

[(12(a) 'Premises' means an independent ground floor shop with open space for display of agricultural produce facing the common platform in the principal market yard/sub market yard;]<sup>4</sup>

(13) "Progressive Producer" means a producer who, in the opinion of the Director of Agriculture, carries on agricultural produce on improved lines;

(14) "Register" means the Registrar Co-operative Societies, Haryana; and

(15) "Seller" includes a person selling agricultural produce, on behalf of any other person as his agent or servant, or commission agent.

[(16) "Sub-Divisional Officer (Civil)" means the Sub-Divisional Officer (Civil) of the Sub-Division having jurisdiction over the notified market area or if such area is situated in more than one sub-division, the Sub-Divisional Officer (Civil) of one of the sub-divisions in whose jurisdiction the headquarters of the market committee are located];<sup>5</sup>

[(17) 'Trader' means a person who trades in notified agricultural produce;

(18) "Wholesale dealer" means a trader who buys in bulk agriculture produce from the seller in a market and sells to retailer.];<sup>6</sup>

### 3. Constitution of the Board. - [Sections 3 and 43 (2) (1)]. -

For the purpose of enabling the State Government to nominate non-official members-

- (i) under sub-clause (i) of clause (b) of sub-section (1) of Section 3, the <sup>7</sup>[Chief . Administrator] shall submit a panel of one name from each district;
- (ii) under sub-clause (ii) of clause (b) of sub-section (1) of Section 3, the Director of Agricultural shall submit a panel of three names.
- (iii) under sub-clause (iii) of clause (b) of sub-section (1) of Section 3, the Director of Agricultural shall submit a panel of [eight names]<sup>8</sup> two from each division;

<sup>1</sup> Omitted vide Notification No. 1593-RD-1 -74/8126 dated 3rd May, 1974.

<sup>2</sup> Substituted vide Haryana Notification dated 1.8.1969.

<sup>3</sup> Substituted by Haryana Notification dated 12.9.1975.

<sup>4</sup> Inserted by Haryana Notification No. 13/H.A. dated 23.5.2016.

<sup>5</sup> Added vide Haryana Notification dated 4.9.1973.

<sup>6</sup> Inserted by ibid.

<sup>7</sup> Substituted for the word "Director" by Haryana Notification dated 2.12.1980.

<sup>8</sup> Substituted for the words "four names" by Haryana Notification No. 1452-Agri.S.(I)-96/1183 dated 15.5.1996.



- (iv) under sub-clause (iv) of clause (b) of sub-section (1) of Section 3, the <sup>1</sup>[Chief Administrator] shall submit a panel of one name from each district;
- (v) under sub-clause (v) of clause (b) of sub-section (1) of Section 3, the Registrar shall submit a panel of [eight names]<sup>2</sup> two from each division.
- (vi) under sub-clause (vi) of clause (b) of sub-section (1) of sub-section 3, the [Chief Administrator]<sup>3</sup> shall submit a panel of one name from each district; and
- (vii) under sub-clause (vii) of clause (b) of sub-section (1) of Section 3, the [Chief Administrator]<sup>4</sup> of Panchayats shall submit a panel of [eight names]<sup>5</sup> two from each division.

(2) The panels of names received under sub-rule (1) shall not be binding upon the State Government.

(3) The casual vacancies among non-official members of the Board shall be filled by calling a panel names in the manner indicated in sub-rule (1).

(4) The term of office of non-official members shall commence from the date on which the appointment is notified in the Official Gazette.]

**[4. Functions and powers of Chairman, Chief Administrator and Secretary of the Board. [Section 3(1) and (2)] (1).- The Chairman of the Board shall preside over the meetings of the Board.**

(2) The Chief Administrator shall, -

- (a) be responsible for the administration of the Act and shall subject to any other provision contained in these rules, exercise general control over the employees of the Board and those of Committees;
- (b) enjoy the powers of the Head of the Department as are being enjoying by the Director of Agriculture in relation to matters pertaining to Agricultural Department;
- (c) be the competent authority for approving the budgets of the Committees; and
- (d) be responsible for the preparation of the annual budget of the Board;

(3) The Secretary of the Board shall, in relation to matters pertaining to the Board, enjoy the same powers as are being enjoyed by a Head of Office in the Agriculture Department in relation to matters of that Department.]<sup>6</sup>

**5. Matters on which Board may frame bye-laws.- [Section 3 (14) (C)]. -** In addition to the matters specified in sub-section (14) of section 3, the Board may frame bye-laws regulating -

- (a) better marketing of agricultural produce and marketing of agricultural produce on co-operative lines;
- (b) the grading and standardisation of agricultural produce;
- (c) the general improvement in the markets or their respective notified market areas;
- (d) the maintenance and regulation of rest-houses, staff quarters and other buildings of the Board;
- (e) the procedure for giving aid to financially weak committees;

<sup>1</sup> Substituted for the word "Director" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Substituted for the words "four names" by Haryana Notification No. 1452-Agri.S.(I)-96/1183 dated 15.5.1996.

<sup>3</sup> Substituted for the words "Director" vide Haryana Notification dated 2.12.1980.

<sup>4</sup> Substituted for the words "Director" vide Haryana Notification dated 2.12.1980.

<sup>5</sup> Substituted for the words "four names" by Haryana Notification No. 1452-Agri.S.(I)-96/1183 dated 15.5.1996.

<sup>6</sup> Substituted by Haryana Notification dated 2.12.1980.

- (f) the allowances payable to the members of the Boards or Advisory Committees;
- (g) propaganda, demonstration, publicity and education for improvement of marketing and agriculture;
- (h) the classification of the Committees on the basis of their income for the purpose of fixing the grades of their Secretaries and other employees;
- (i) the person or persons by whom, and the manner in which, a contract may be entered on behalf of the Board; and
- (j) any other purpose which, in the opinion of the Board, is calculated to promote the interests of the Board or the Committees, or to lead to improvement of marketing and agriculture in general.

**6. Budget of the Board and Committees.** [Section 3 (13) and 43(2)(xix)].— (1) The Board shall meet not later than first week of February every year to finalise the budget for the next financial year.

(2) The budget finalised by the Board shall be submitted to the State Government not later than the last week of February preceding the year to which the budget relates.

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

(4) The Board may re-appropriate any amount under the Head of Account to another without prior approval of the State Government.

(5) The provisions of sub-rules (1), (2) and (3) shall, as far as may be, apply to the preparation, finalisation and submission for sanction of the budget to the Committees:

<sup>1</sup>[Provided that the budget in the case of committees shall be submitted for sanction to the <sup>2</sup>[Chief Administrator]<sup>2</sup> of the Board through the Sub-Divisional Officer (Civil) and Deputy Commissioner. If it is not received back within two months from the date of dispatch by the Committee, it shall be presumed to have been sanctioned:

Provided further that the budget sent by the committees shall not be retained each by the Sub-Divisional Officer (Civil) and the Deputy Commissioner for more than ten days each.]

**7. Publication of notification under section 6.** [Section 6 (1)]. - (1) Copies of notification issued under section 6 shall be published, under the orders and at the discretion of the <sup>3</sup>[Chief Adnubustratir] of the Board, in one or more of the modes specified below:-

- (a) by publication in the <sup>4</sup>[Hindi]<sup>4</sup> language or in such other language and in such newspapers as in the opinion of the <sup>5</sup>[Chief Administrator] of the Board will give due publicity among persons likely to be affected thereby;
- (b) by affixing a copy of the notification in the <sup>6</sup>[Hindi] language or in such other language as may be considered necessary by the <sup>7</sup>[Chief Administrator] of the Board, in the office of every Municipal Committee, Notified Area Committee, Panchayat Samiti <sup>8</sup>[-] if any, within whose jurisdiction the notified market area or any part thereof is situated, and at some conspicuous place in the existing market, if any;

<sup>1</sup> Substituted vide Haryana Notification dated 18.7.1975.

<sup>2</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Substituted vide Haryana Notification dated 2.12.1980 for the words "Chairman of the Board".

<sup>4</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>5</sup> Substituted vide Haryana Notification dated 2.12.1980 for the words "Chairman of the Board".

<sup>6</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>7</sup> Substituted vide Haryana Notification dated 2.12.1980 for the words "Chairman of the Board".

<sup>8</sup> The words "and Zila Parishad" omitted vide Haryana Notification dated 26.3.1982.

- (c) by affixing a copy of the notification in the [Hindi]<sup>1</sup> language or in such other language as may be considered necessary by the <sup>2</sup>[Chief Administrator] of the Board, in the principal common meeting place, if any, of every village within the notified market area;
- (d) by beat of drum in the village within the notified market area.

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

(3) The expenses of publication under sub-rule (1) [for the copies of the Notification issued under section 6 shall be met out of the Marketing Development Fund.

**[8. Constitution of Committees. [Section 12(4) and 43(2)(i)].** - (1) For the purpose of enabling the State Government to nominate members under sub-section (2) of section 12, the Deputy Commissioner of the district concerned should send to the State Government a panel of names equal to double the number of members to be nominated on the committees.

(2) the panel of names received under sub-rule (1) shall not be binding upon the State Government.]<sup>3</sup>

**9. Term of office of Chairman and Vice-Chairman of Market Committee.** [Section 43 (2) (iii)]. - (1) The term of office of the Chairman and Vice-Chairman of a Committee shall be co-terminus with the term of office of the members who had elected them.

(2) A Chairman or a Vice-Chairman shall cease to function as such -

- (a) on the termination of his membership; or
- (b) on the acceptance of his resignation given in writing to the Board; or
- (c) on the confirmation by the [Chief Administrator]<sup>4</sup> of the resolution passed by the members under sub-section (2) of section 16; or
- (d) on his removal from the membership by the State Government under section 15.

**10. Powers of Chairman and Vice-Chairman of Committee.** [Section 43 (2) (iii)].- (1) The Chairman of the Committee shall be its Chief Executive Officer and the employees engaged in connection with the management of the affairs of the committee shall, subject to these rules and the bye-laws of the committees, be subject to his control. He shall initiate the confidential reports of the Secretary and Assistant Secretary of the Committee and send the same to the <sup>5</sup>[Chief Administrator] who shall make annual assessment.]<sup>6</sup>

(2) The Chairman shall convene and conduct meeting of the Committee.

(3) The Chairman shall conduct all correspondence and be responsible for the keeping of accounts and safe custody of cash and other assets of the Committee in accordance with the provisions of the Act, rules and bye-laws framed thereunder.

[(4) The Chairman shall forthwith report to the Secretary of the Board in case any member of the Committee dies or becomes subject to any of the disqualifications mentioned in sub-section (5) of Section 3 read with sub-section (4) of Section 12.]<sup>7</sup>

(5) The Chairman may by an order in writing delegate any of his powers to the Vice-

<sup>1</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>2</sup> Substituted vide Haryana Notification dated 2.12.1980 for the words "Chairman of the Board".

<sup>3</sup> Substituted vide Haryana Notification dated 3.6.1970.

<sup>4</sup> Substituted for the words "Chairman of the Board" vide Haryana Notification dated 2.12.1980.

<sup>5</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>6</sup> Substituted vide Haryana Notification dated 12.9.1975.

<sup>7</sup> Substituted vide Haryana Notification dated 12-9-1975.

Chairman or Secretary, generally, or for such period as may be determined by him and may, at any time and without assigning any reasons withdraw the delegation so made by a like order.

(6) The Chairman shall be competent to grant casual leave to the Secretary and Assistant Secretary of the Committee. For granting other kinds of leave the competent authority will be the [Chief Administrator]<sup>1</sup>.

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

**11. Resignation of member of Committee.** [Sections 17 and 43(2)]. - (1) Any member of a Committee may resign his office by tendering resignation in writing to its Chairman and if, the members tendering resignation is himself the Chairman, he shall submit it to the [Chief Administrator]<sup>2</sup>:

Provided that if no Chairman of a Committee has been elected the member may submit his resignation to the [Chief Administrator]<sup>3</sup>.

(2) Every resignation received under sub-rule (1) shall forthwith be forwarded by the Chairman of the Committee alongwith his comments to the [Chief Administrator]<sup>4</sup> who shall, with the least possible delay, forward the same with necessary comments to the State Government<sup>5</sup> [which will decide it within two months of its receipt.]

(3) The acceptance of every resignation shall be notified by [the State Government which will decide it within two months of its receipt]<sup>6</sup> in the Official Gazette and the member shall cease to function as such from the date of such notification.

**[12. Language for transaction for business.** [Section 43 (2) (vi)]. - The business at the meeting of the Committee shall be transacted in the Hindi]<sup>7</sup>.

**13. Appointment of disputes sub-committee.** [Sections 19 and 43(2) (xiii)]. - (1) A Committee may appoint a sub-committee called the disputes sub-committee consisting [of]<sup>8</sup> such number of members and other persons as it may think fit, to arrange for the settlement by arbitration of any dispute between a buyer and seller of agricultural produce or their agents including disputes regarding quality or weight of the article, the price or rate to be paid, allowances for wrappings, dirt or impurities or deductions for any cost:

Provided that the Chairman of the Committee shall not be a member of the disputes sub-committee.

(2) The disputes sub-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 producer living in the notified market area, or dealer doing business in the market yard for which the panel has been appointed.

(3) Where any such dispute arises, the parties thereto may agree to the settlement

<sup>1</sup> Substituted for the word "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Substituted for the word "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Substituted for the word "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>4</sup> Substituted for the word "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>5</sup> Inserted vide notification dated the 2nd February, 1990 supra.

<sup>6</sup> Substituted for the word "the State Government" by Haryana Notification dated 2.2.1990.

<sup>7</sup> Substituted vide Haryana Notification dated 12.9.1975.

<sup>8</sup> Inserted by Haryana Notification dated 26.3.1982.

thereof in accordance with the following provisions:-

(a) The disputes shall be reported to the Secretary of the Committee who shall try to settle the dispute. If he fails, the dispute shall be settled in the manner provided in clauses (b), (c), (d) and (e).

(b) Each party to the dispute shall select one arbitrator from the panel appointed for the purpose by the disputes sub-committee. The arbitrators shall, before entering upon the reference, appoint a person from the panel to act as Umpire in case they fail to agree.

(c) If the arbitrators fail to agree the matter shall be referred to the Umpire appointed under clause (b) for decision.

(d) An appeal against the decision of the arbitrator or Umpire, as the case may be, shall lie to the disputes sub-committee and shall be filed within a period of [seven days]<sup>1</sup> from the date of the award.

(e) The decision of the arbitrators or Umpire or, where an appeal has been made to the dispute sub-committee, the decision of such sub-committee shall be final.

**14. Duties and powers of Secretary of Committee.** [Section 43(2)(ii)].- <sup>2</sup>[(1) The Secretary of the Committee shall be the Executive Officer of the Committee. All employees engaged in connection with the management of the affairs of the Committee shall be under his control, and all orders to them shall pass through him. He shall be competent to pass orders with regard to their postings in the principal market yard and sub-market yards, except in the case of assistant Secretaries, according to the requirements of the committee and to grant casual leave to such employees.]

(2) The Secretary shall work under the control of the Chairman of the Committee.

(3) The Secretary shall be entitled to attend all meetings of the Committee or a sub-committee or a joint committee or an ad hoc committee, except a meeting wherein anything pertaining to him or any of his relatives is to be considered.

*Explanation.* - Relative for the purpose of this sub-rule shall mean -

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

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

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

<sup>3</sup>[(4) The Secretary shall advise the Committee and its Chairman in the light of the provisions of the Act, rules and bye-laws framed under the act and directions of the Board or of the <sup>4</sup>[Chief Administrator], or Secretary of the Board issued from time to time and previous decisions of the Committee. His opinion shall be recorded in the proceedings of the Committee. The Secretary shall be responsible to send a copy of proceedings of the Committee and sub-committees to the Secretary of the Board immediately but in no case later than three days after the date of meeting.

(5) It shall be the duty of the Secretary to carry into effect the provisions of the Act, rules and bye laws framed under the Act and instructions of the Board, and the decisions of the Committee and of the <sup>5</sup>[Chief Administrator] of the Committee consistent with the Act, the rules and the bye-laws and instructions of the Board and of the <sup>6</sup>[Chief Administrator] or the Secretary of the Board and to effect maximum improvement in the

<sup>1</sup> Substituted for the word "fifteen" by Haryana Notification dated 12.9.1975.

<sup>2</sup> Substituted by Haryana Notification dated 12.9.1975.

<sup>3</sup> Substituted by Haryana Notification dated 12.9.1975.

<sup>4</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>5</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>6</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

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(6) The Secretary shall see that communications addressed to the Committee by the Chairman or Secretary of the Board are dealt with promptly and efficiently and all correspondence between the <sup>1</sup>[Chief Administrator] or Secretary of the Board and the Committee is laid before the <sup>2</sup>[Chief Administrator] of the Committee for information or action as the circumstances may require.

(7) Subject to sub-rule (5) the Secretary shall have immediate responsibility for carrying on the day-to-day working of the office of the Committee, maintenance of accounts, punctual rendering of returns, monthly review of the progress made in the enforcement of the Act and safe custody of the cash, the common seal, the minute book and other records and assets of the Committee.

<sup>3</sup>[(8) The Secretary shall make an annual assessment of the work of the employees engaged in connection with the management of the affairs of the Committee and he shall submit the same to the <sup>4</sup>[Chief Administrator] of the Committee who shall take this assessment into consideration while making final assessment of the work of such employees and shall send the same to the <sup>5</sup>[Chief Administrator] of the Board whose remarks shall be final.]

<sup>6</sup>[15. **Allowances of members of Board and Committees.** [Section 43(2) (xxvi)]. -  
<sup>7</sup>[(1) For journeys undertaken by the members of the Board for attending meetings or for any other work of the Board for which they specially deputed by it, they shall be paid daily allowance and travelling allowance at the rates to be fixed by the Government from time to time :

(2) For journeys undertaken by the members of the committee including Chairman and Vice-Chairman of the committee (other than the official members) for attending its meeting or for any other work of the committee for which they are specially deputed by it, they shall be paid travelling and daily allowance at the rate fixed by the Registrar, Co-operative Societies for the members of Group 'B' Co-operative Societies :]

<sup>8</sup>[Provided that in the case of members of the State Legislature they shall be paid travelling and daily allowances according to the rates fixed for such members under the rules governing their allowances.]

(3) For attending the meeting of the Board/Committee the member of the State legislature shall be paid travelling and daily allowance according to the rules covering their allowances.

(4) The Chairman of the Committee shall be paid an honorarium of [One Thousand]<sup>9</sup> rupees per month. The Vice-Chairman who performs the functions and duties of the Chairman continuously for a period of not less than fifteen days shall also be paid the said honorarium of [One Thousand Rupees]<sup>10</sup>:

Provided that the total amount of honorarium drawn by the Vice-Chairman in any financial year shall not exceed [Three Thousand]<sup>11</sup> rupees.

<sup>1</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Substituted by Haryana Notification dated 12.9.1975.

<sup>4</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>5</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>6</sup> Substituted by Haryana Notification dated 17.7.1972.

<sup>7</sup> Substituted vide No. 6146-Agri, II 94)-76/24447, dated the 2nd December, 1976.

<sup>8</sup> Proviso added vide No. GRS-118/8A-23/615-43/Amend (6)/64, dated the 17th April, 1964.

<sup>9</sup> Substituted by Haryana Notification No. 2385-Agri.S(I)-93/19820 dated 14.10.1993 for "Five hundred"

<sup>10</sup> Substituted by Haryana Notification No. 2385-Agri.S(I)-93/19820 dated 14.10.1993 for "Five hundred"

<sup>11</sup> Substituted by Haryana Notification No. 2385-Agri.S(I)-93/19820 dated 14.10.1993 for "Fifteen hundred"

[5] Notwithstanding anything contained to the contrary in sub-rules (1) and (2), the members of the committee, who may come to attend the meetings within a radius of 8 Kilometers of the place of meetings shall be paid allowance, equal to daily allowance fixed under sub-rule (2).]<sup>1</sup>

(6) If in the opinion of the Board, the financial position of a committee does not warrant the payment of travelling and daily allowances according to the scale prescribed above it may fix such scale of daily and travelling allowance in the case of committee as it may think proper.

<sup>2</sup>[15-A. Other allowances of Chairman of Board. - (1) There shall be paid to the Chairman of the Board monthly allowance not exceeding <sup>3</sup>[one thousand rupees] as the State Government may fix.

<sup>4</sup>[(2) The Chairman of the Board other than a serving or retired Government employee shall be provided with residential accommodation or in lieu thereof given a lodging allowance, fixed by the State Government from time to time.

(3) The Chairman of the Board, other than a serving or retired Government employee shall be provided with a staff car or in lieu thereof conveyance allowance, fixed by the State Government from time to time.]

<sup>5</sup>[(4) The Chairman if at the time of his appointment as such is a retired Government employee, shall be paid a monthly allowance not exceeding the pay drawn by him at the time of his retirement minus gross amount of pension (including the monthly equivalent of his Death-cum-Retirement Gratuity). He shall also be entitled to [dearness allowance, house rent allowance and Chandigarh compensatory allowance]<sup>6</sup> as admissible to other re-employed Government Employees from time to time.

(5) In case a serving Officer is appointed as Chairman of the Board in addition to his own duties, he shall continue to draw the same emoluments which he would have drawn in Government Service.

(6) In case a serving Officer is appointed as a whole time Chairman of the Board he shall treated to be on deputation and shall get such emoluments and other allowances as are admissible to him under normal Government rules.

**[15B. Emoluments and other allowances of the Chief Administrator. - (1) In case an officer of the Government is appointed as the Chief Administrator of the Board, in addition to his own duties, he shall continue to draw the same emoluments which he would have drawn in Government service.**

(2) In case an officer of the Government is appointed as a whole time Chief Administrator of the Board he shall be treated to be on deputation and shall receive such emoluments and other allowances as are admissible to him under normal Government rules.]<sup>7</sup>

**16. References. [Sections 3 (9) and 43 (1)]. - References from Committees to any Government Department other than district authorities and local bodies shall be made through the Secretary of the Board.**

<sup>1</sup> Substituted by Haryana Notification dated 18.5.1985

<sup>2</sup> Substituted by Haryana Notification dated 1.8.1969

<sup>3</sup> Substituted by Haryana Notification dated 24.3.1970.

<sup>4</sup> Substituted by Haryana Notification dated 11.12.1980.

<sup>5</sup> Substituted by Haryana Notification dated 25.9.1974.

<sup>6</sup> Substituted for the words "Dearness and House Rent Allowance" by Haryana Notification dated 5.5.1981 w.e.f. 1.10.1974.

<sup>7</sup> Added by Haryana Government notification No. G.S.R. 13/P.A. 23/61/S.43/Amd( 1)81. Dated 3<sup>rd</sup> February, 1981.

**[16A. Registration of contract farming under Section 8-A. - (1)** Any contract farming sponsor intending to register himself under Section 8A of the Act shall apply in Form A-I to the Secretary of the concerned Market Committee. In case the contract farming sponsor wants registration for more than one Market Committee, he may apply to the Secretary of the Board.

**[“(1a) Contract farming sponsor shall not enter into any contract for cultivation of any agricultural produce, extraction/production of which is prohibited under any law of the State or the Union of India for the time being in force.]<sup>2</sup>**

**(2)** Every such application shall be accompanied with a registration fee of Rs. 5,000/- . The amount shall be refundable only if the registration is denied for any reason. The period of registration shall be three years.

**(3)** The period of registration may be got renewed by applying to the Secretary of the concerned Market Committee or the Secretary of the Board as the case may be in Form A-II accompanied with a renewal fee of Rs. 2,000/- . The amount shall be refundable only if the renewal of registration is denied for any reason.

**(4)** Every application for registration/renewal shall also be accompanied with,

(a) a detailed project report of the business intended;

(b) a statement showing the financial status of the applicant with the support of income tax returns for the previous two assessment years or permanent assets with valuation assessed by a Chartered Accountant;

(c) balance sheet of last two years;

(d) proof of registration under the Companies Act, 1956 (1 of 1956), the Indian Partnership Act, 1932 (9 of 1932), the Haryana Co-operative Societies Act, 1984 (22 of 1984) or a Government agency, as the case may be.

**(5)** The Secretary of Market Committee or the Secretary of the Board as the case may be shall evaluate the application for registration or renewal submitted by the applicant and after evaluation shall issue the registration certificate to the applicant in Form B-I or renew the registration as the case may be. In case contract farming sponsor violates the provisions of Act, Rule & Bye-Laws or conditions of contract agreement, the Secretary of the Market Committee or the Secretary of the Board as the case may be, shall have the power to cancel his registration.

**(6)** [The contract farming agreement between the contract farming sponsor and contract farming producer shall be in Form C-1 and it shall be got registered with the District Marketing Enforcement Officer concerned in the presence of both the parties. The agreed rate/contract rate shall not be less than minimum support price of the preceding year. The buyer shall deposit an amount equal to five percent of the total price of the agricultural produce as per agreed rate or minimum support price (if the rate is not agreed upon) or bank guarantee for the sum with the committee in which the land is situated as security. Where there is no minimum support price and no agreed rate, the amount of security shall be calculated at the rate of five percent of the prevailing market rate at the time of agreement. The security or bank guarantee shall be released within a period of thirty days after the date of satisfactory performance of the agreement. The concerned District Marketing Enforcement Officer shall pass an order within thirty days and communicate to the sponsor. He shall record reasons, if the order cannot be passed within thirty days. The contract farming sponsor shall provide adequate insurance cover for the crops of the contract farming. The cost of insurance premium shall be borne by the

<sup>1</sup> Added by Haryana Notification No. 1545-AS-I-2007/14293, Dated 9.8.2007.

<sup>2</sup> Inserted by Haryana Govt. Notification No. S.O. 13/H.A. 23 dated 23.5.2016.

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contract farming sponsor and farmer in the ratio of 60:40].<sup>1</sup>

(7) In case both the parties want to change any of the terms and conditions of the contract farming agreement, the same shall be effected by the District Marketing Enforcement Officer concerned in the presence of both the parties from time to time as per requirement.

(8) The Secretary of the concerned Market Committee or the Secretary of the Board, as the case may be, shall maintain a record of the contract farming sponsors in Form D-I.

(9) The District Marketing Enforcement Officer concerned shall maintain a record of the contract farming agreements in Form E-I.

(10) The District Marketing Enforcement Officer concerned either himself or on the request of either party shall empower the officials of the Board/Committee or any other Government agency being expert to enter the premises/fields of the parties to contract farming agreement to inspect, supervise and monitor the farming practices adopted and the quality of the produce from time to time. A record as may be necessary in this regard in the form of Kisan Diary or otherwise may also be maintained.

(11) A contract farming sponsor shall submit annual accounts in Form F-I before 30th June every year, to the concerned Market Committee in respect of all transactions undertaken by him during the previous financial year.

(12) If the contract farming sponsor has purchased the produce with an intention to export or processing, then he shall inform to the concerned Market Committee, the same in Form G-I. The contract farming sponsor shall submit a declaration that he is exporting or processing the produce within a period of 90 days from the date of purchase.

(13) If any dispute arises between the parties in respect of any provisions of contract farming agreement, either of the party may submit an application to the Zonal Administrator concerned to resolve the dispute. Every such application shall bear the court-fee stamp of ten rupees. The Zonal Administrator shall resolve the dispute in a summary manner within a period of thirty days after giving the parties a reasonable opportunity of being heard.

(14) [\*\*\* Omitted]<sup>2</sup>

<sup>3</sup>[“17. Licence to dealer- (i) A person desirous of obtaining a licence under section 10 for a category as tabulated in sub-rule (2) shall apply in Form A in duplicate to the Chief Administrator or any other officer authorized by him, in writing, in this behalf through the Secretary in whose jurisdiction he wishes to carry on his business and shall also deposit with such Committee, the requisite licence fee/renewal of licence fee and the security in cash or by bank demand draft or bank pay order or postal order in favour of "Market Committee Fund" with the respective Committee:

Provided that in case,—

- (i) a licensee is desirous of conducting business in more than one Market Committee falling in one district then application shall be submitted to District Marketing Enforcement Officer concerned; and
- (ii) a licensee is desirous of conducting business in more than one Market Committee falling in one Zone than application shall be submitted to Zonal Marketing Enforcement Officer concerned; and
- (iii) a licensee is desirous of conducting business in more than one Market Committee falling in more than one Zone or entire State the application shall be submitted

<sup>1</sup> Substituted by Haryana Govt. Notification No. S.O. 13/H.A.23/1961 dated 23.5.2016.

<sup>2</sup> Omitted vide Notification No. 308 AS (1)-2008/1749 dated 02-02-2008.

<sup>3</sup> Rule 17 substituted by Haryana Govt. No. S.O. 13/H.A. 23/1961 dated 23.5.2016.

to Chief Administrator Board along with the licence fee/renewal fee as well as security in shape of Demand Draft/Pay Order in favour of "Marketing Development Fund:

Provided further that a licence to operate in more than one market yard, shall be considered for preferential allotment of a shop plot as per provisions of the Haryana State Agricultural Marketing Board (Sale of Immovable Property) Rules, 2000 by considering the principal place of business of the licensee as business premises:

Provided further that no licensee of Kachcha Arhtia shall be eligible for allotment of more than one shop plot on reserve price throughout the State on the ground that he has a licence in more than one market yard or a licence to operate in more than one market yard.

(2) The licence fee/renewal of licence fee, the security or bank guarantee, if any, for the licence issued under this rule shall be as under:

Category of licence	Licence fee/renewal fee per annum	Licence fee per quarter or part thereof.	Security	Bank Guarantee
(i) (A) trader/ Wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill/or cold storage for sale, purchase, storage, packaging, sorting, grading, refrigeration of agricultural produce having annual turnover of Rs. 2.00 crores or above.	Rs. 10,000/- for entire State or  Rs. 2500/- per zone or  Rs. 1000/- for one Market Committee.	Rs. 2500/- for entire State or  Rs. 625/- per zone or  Rs. 250/- for one Market Committee.	Nil	Rs. 10.00 Lakhs for entire State or  Rs. 2.50 Lakhs for a Zone or  Rs. 1.00 Lakh for one Market Committee.
(B) Trader/Wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill/or cold storage for sale, purchase, storage, packaging, sorting, grading, refrigeration of agricultural produce whose annual turnover is Rs. 12.00 lakhs but does not exceeds Rs. 2.00 crores.	Rs. 10,000/- for entire State or Rs. 2500/- per zone or Rs. 1000/- per Market Committee.	Rs. 2500/- for entire State or Rs. 625/- per zone or Rs. 250/- per Market Committee.	Rs. 50,000/- for entire State or Rs. 12,500/- for a Zone or Rs. 5000/- for one Market Committee	Nil

(ii) Commission Agent or Kachcha Arhtia for sale, purchase or storage of agricultural produce.	Rs. 600/-	Rs. 150/-	Rs. 3000/-	Nil
(iii) Other dealers whose annual turnover of agricultural produce exceeds rupees two lakhs but does not exceed rupees twelve lakhs.	Rs. 200/-	Rs. 50/-	Rs. 1000/-	Nil

(3) The licence shall be granted/renewed for a maximum period of three years which shall expire on 31st day of March following the date of issue.

(4) The Secretary of the Committee or District Marketing Enforcement Officer or Zonal Marketing Enforcement Officer concerned, as the case may be, shall on receipt of the application on Form A, forward the case to the Chief Administrator or any other persons authorized by him, in writing, in this behalf within three days after verifying the credentials of the applicant, and he may reject or grant a licence in Form B. The licence shall be subject to the conditions mentioned therein.

(5) A record of the licence issued under this rule shall be maintained by the concerned authority as specified in sub-rule (1) in Form C.

(6) The security or bank guarantee shall be released after three months from the date of closure of the business, on production of the clearance certificate issued by the concerned Zonal Marketing Enforcement Officer in case of a licence issued for the entire State or more than one market committees or by the concerned in case of licence for a particular market committee.

(7) A licensee may apply for the change of the category of the licence at any time by paying the respective licence fee, security or bank guarantee for the licence of the changed category.

**17A. Licence for spot exchange-** (1) A person desirous of obtaining a licence under section 8C shall apply in Form-AI(A) to the Chief Administrator or any other officer authorized by him, in writing, in this behalf alongwith the licence fee and security, as mentioned in sub-rule (2) in the shape of demand draft or pay order or postal order along with bank guarantee in favour of "Marketing Development Fund". The Chief Administrator or any other officer authorized by him, in writing, in this behalf may reject or grant a licence in Form-B(A) for a period not exceeding five years after verifying the credentials of the applicant. The licence so granted shall be renewable for a period of five years every time on an application on Form FF and payment of fee. A record of licences issued under this rule shall be maintained by the Board in Form CC.

(2) The licence fee, security and bank guarantee for the licence issued under this rule shall be as under:-

Category of licence	Licence fee	Renewal of licence fee	Security or Bank Guarantee
Setting up of	Rs. 50,000/-	Rs. 50,000/-	Security of Rs. 5.00 Lakhs or

spot exchange for e-trading		Bank Guarantee of Rs. 10.00 Lakhs
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Provided further that in case total volume of trade carried out on the spot exchange exceeds Rs. Ten crores during a month then the licensee shall deposit an irrevocable continuous bank guarantee of Rs. Twenty lacs with the Chief Administrator.

(3) The licensee shall provide for delivery of agricultural produce backed by a warehousing receipt system. It shall have the system of the well-organized and capitalized brokerage houses, where members/brokers with reasonable capital adequacy can participate. The licensee shall provide for online real time price and trade information dissemination. Any information related to the trade shall be shared online with the market. It shall have transparency in operation and decision making. The Management running the spot exchange shall be reliable, effective and impartial and also with experience in handling commodities markets. The ownership/management and members/brokers of spot exchange shall be separate persons/bodies.

(4) The licensee shall install trading terminals in the market area for online trading at prominent locations, which are easily accessible to sellers.

(5) The licensee shall provide real time price and trade related information on notified agricultural produce in the market area, District, State and at National level and shall, as far as possible, provide permanent electronic price display board at yards of the Market Committees in the area of its locations.

(6) The licensee shall make arrangement for warehousing, weighment, grading and certification and for sanitary and phyto-sanitary provisions.

(7) The licensee shall ensure delivery of agricultural produce sold by the sellers only after full payment by the buyers.

(8) The licensee of the spot exchange shall be exempted from creation of infrastructure as required for Private Markets. However, facilities as indicated in this rule shall be provided by the Licensee.

(9) The licensee of the spot exchange shall be free to charge membership fee, security deposit, annual subscription, margin money and other charges from their market functionaries other than the agriculturists.

(10) The licensee of the spot exchange shall take physical delivery directly from agriculturist or through designate warehousing receipts as recognized by him.

(11) The licensee of the spot exchange shall guarantee payment on all trading executed in it and for this purpose shall maintain a settlement guarantee fund. The seller shall get full payment on the spot, notwithstanding any default on part of buyer.

(12) The prices quoted by the buyer shall be net payable to the seller excluding the market fee, other ancillaries charges etc. The transport cost and other miscellaneous costs delivered at warehouses shall be on the account of buyer and the buyer shall quote only the net payable price to the seller.

(13) The membership of Very Small Aperture Terminal (VSAT) shall be available to all including agriculturists or their groups/cooperative/companies. The membership fee of Very Small Aperture Terminal (VSAT) in respect of the agriculturists or their groups/cooperative if any, shall be fixed by the licensee with the prior approval of the Chief Administrator.

(14) The licensee of the spot exchange may, start grading or marking, as the case may be, from farmers of the area or areas specified in the licence only after receipt of the licence. However, in the event of cancellation of licence owing to failure to implement the

project, licensee shall forthwith stop making purchases under the licence.

(15) The Chief Administrator or any other officer authorized by him not below the rank of Secretary shall have power to inspect the spot exchange.

(16) The licensee of the spot exchange shall submit market area wise monthly returns of purchases made from the sellers to the respective committee alongwith consolidated return and pay the market fee on every Monday of the month to the Board. He shall also furnish the sale returns pertaining to processed goods as applicable:

Provided that no market fee shall be levied for the second time in any market area of the State for agricultural produce on which market fee has been levied and collected at the prescribed rate in a spot exchange.

(17) The licensee of the spot exchange shall ensure the payment of sale proceeds to the seller by issuing a sale slip on the day of sale and allow only such allowances and deductions, as are permitted under the rules, collect market charges as are applicable in the notified market area and maintain such registers and furnish such returns to the Board through Secretary concerned.

(18) A record of licence issued under this rule shall be maintained by the Board in Form C.]<sup>1</sup>

**18. Persons exempt from taking licences under section 8.** (1) Under section 8<sup>2</sup> the following persons shall be exempt from taking licences for the purchase of agricultural produce :-

- (a) confectioners and purveyors of parched, fried or cooked food;
- (b) persons using Kuhlus, provided that the number of Kuhlus installed by them in the notified market area is not more than two;
- (c) hawkers and petty retail shop-keepers who do not engage in any dealing in agricultural produce other than such hawking or retail purchases.

<sup>3</sup>[*Explanation.* – For the purposes of this clause and clause (b) of sub-rule (2), a person whose turnover of sales and purchase of agricultural produce does not exceed twelve lakh rupees during a year or one lakh rupees during a month shall be treated as a petty shop-keeper:]

Provided that a dealer importing agricultural produce from outside the State of Punjab shall not be treated as a hawker or a petty retail shop-keeper.

- (d) Officials of the State Government and the Central Government when making purchases on behalf of the Government:

Provided that in the case of persons mentioned in clauses (a) and (b) the purchases were made for meeting the vocational needs of the persons concerned.

- <sup>4</sup>(e) The Farmer Producer Organization sponsored by the Horticulture Department or the Agriculture Department and aggregating and selling the produce of their own members only shall be exempted from the provisions of section 10.

- <sup>5</sup>(f) Omitted.

- (g) The Haryana Khadi Gram Udyog Sangh when making purchases of wool for manufacturing purposes; and

<sup>1</sup> Substituted by Haryana Notification dated 23.5.2016.

<sup>2</sup> Substituted vide Haryana Notification dated 26.3.1982.

<sup>3</sup> Substituted by Haryana Notification dated 23.5.2016.

<sup>4</sup> Substituted by Haryana Notification dated 23.5.2016.

<sup>5</sup> Omitted by P.A.P.M. (General) (Third Amendment) Rules, 1964 omitted by P.A.P.M. (General) (Third Amendment) Rules, 1964 dated 3rd September, 1964.

(2) The following shall be exempt from taking licence for the sale of agricultural produce:-

- (a) Scheduled banks when proceeding against any agricultural produce belonging to a producer or a licensee under section 10 of the Act to whom money has been advanced against the security of such agricultural produce;
- (b) Hawkers and petty retail shop-keepers who do not engage in any dealing in agricultural produce other than such hawking or retail sales;
- (c) Officials of the State Government and Central Government when making sales on behalf of the Government.
- (d) Persons licenced under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 and the Punjab Warehousing Act, 1957 who carry on exclusively warehousing business, when selling out agricultural produce belonging to any person to whom money has been advanced against security of such agricultural produce.
- <sup>1</sup>[(e) The Farmers Producer Organization sponsored by the Horticulture Department or the Agriculture Department and aggregating and selling the produce of their own members only shall be exempted from the provisions of Section 10.]

<sup>2</sup>[(f) Omitted]

<sup>3</sup>[(2-A.) The following shall be exempt from taking a licence for processing of agricultural produce, namely:-

- (a) Chakkiwalas and Arewalas who do not make any sales or purchases of agricultural produce but have installed their chakkis and Aras (Saw Mills) only for grinding of agricultural produce or for sawing of timber for using it as fire wood as the case may be.
- (b) Persons engaged in hand pounding of paddy only.

(3) The officials of the State Government and Central Government exempted from taking licence under sub-rule (1) (d) and (2) (c) and the Haryana Khadi Gram Udyog Sangh exempted from taking licence under sub-rule (1) (g) shall be bound to comply with the provisions of the Act, Rules and bye-laws made thereunder, when making purchases or sales, otherwise than through the agency of a licensee.

(4) A person licenced under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 or the Punjab Warehousing Act, 1957 and the scheduled banks storing agricultural produce pledged with them by a producer or a licensee under section 10 of the Act to whom money has been advanced against the security of such agricultural produce shall be exempt from taking licence in respect of storage business.

(5) If a question arises whether a person is entitled to exemption under sub- rule (1) (c) or (2) (b), the [Chief Administrator]<sup>4</sup> shall assess the turnover of the person concerned after giving him an opportunity of being heard. His decision shall be final and conclusive.

**19. Licences to brokers, weighment, measurers, surveyors, godown keepers and Palledars.** - [Sections 13 and 43 (2) (vii)] - (1) A person desirous of obtaining a licence under sub-section (3) of section 13 shall make an application in Form D to the <sup>5</sup>[Secretary] of the Committee of the notified market area concerned after depositing with the Committee the requisite licence fee.

<sup>1</sup> Clause (e) added vide No. S.O. 13/H.A. dated 23.5.2016.

<sup>2</sup> Clause (f) deleted vide No. GSR-206/PA-23/61/S-43/Amd. (8)/64, dated the 3<sup>rd</sup> September, 1964.

<sup>3</sup> Added vide Notification dated 3.9.1964.

<sup>4</sup> Substituted vide Haryana Notification dated 2.12.1980.

<sup>5</sup> Substituted vide Notification dated 2.2.1990.

Provided that in case of Palledar no such application in Form D shall be necessary. The <sup>1</sup>[The dealer or Palledar himself] shall intimate to the <sup>2</sup>[Secretary] of the Committee in writing full particulars such as name, parentage, residence and full address of the Palledar engaged by him and such intimation shall be treated as an application for the grant of a licence.

(2) On receipt of application <sup>3</sup>[Secretary] of the Committee or any other officer duly authorised by the Committee in this behalf may after making such enquiries regarding the conduct and business of the applicant, as he may deem necessary, grant a licence in Form E. The licence shall be subject to the conditions mentioned therein.

(3) The Committee shall maintain a record of licences issued under sub-section (3) of Section 13 in Form C.

<sup>4</sup>[(4) The licence fee for licences issued under this rule shall be as follows :-

#### Licence fee

Category of licence	Per annum	Per quarter of the year or part thereof
	Rs.	Rs.
Weighman, measurer or surveyor	20.00	5.00
Broker	50.00	15.00
Godown-keeper	100.00	25.00

(5) The Committee may, on being satisfied that there has been a breach of any of the conditions specified in a licence, by an order in writing, cancel or suspend such licence and may also direct that such licence shall not be renewed for such period not exceeding five months for the first breach and not exceeding nine months for the second breach and not exceeding one year for every subsequent breach as may be specified in that order :

Provided that no such order shall be made without giving the licensee an opportunity to show cause why such an order should not be made.

<sup>5</sup>[20. Change in style and membership of firm.- [Sections 10 and 13]. - (1) (a) Where the licensee, holding a licence under Section 10, is a firm, any change occurring in the membership of such firm otherwise than through inheritance, shall mean the constitution of a new firm and shall necessitate a fresh licence:

Provided that in the case of a Hindu Joint Family firm, any addition on account of the birth or deletion on account of the death of any male member shall not be treated as bringing about any change in the membership of the firm :

<sup>6</sup>[Provided further that any change in the membership of the firm amounting to constitution of a new firm without any change in its title shall not be treated as bringing about any change in the membership of the firm where the continuing members undertake to own the liabilities of the predecessor-firm], and

(b) Where a change, not necessitating a fresh licence under Section 10 takes place in the membership of a firm, or the firm changes its name without any change in membership thereof, and intimation thereof shall, within two weeks from the date of such

<sup>1</sup> Substituted the word "dealer" by Haryana Notification dated 2.2.1990.

<sup>2</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.2.1990.

<sup>3</sup> Substituted for the Word "Chairman" by Haryana Notification dated 2.2.1990.

<sup>4</sup> Haryana Notification dated 12.9.1975.

<sup>5</sup> Haryana Notification dated 12.9.1975.

<sup>6</sup> Added by Haryana Notification dated 13.8.1987.

change be given to the <sup>1</sup>[Chief Administrator] through the Chairman of the Committee. The Chairman of the Committee shall, after making such enquiry as he may deem necessary, forward the application to the <sup>2</sup>[Chief Administrator] with his comments. The <sup>3</sup>[Chief Administrator] on being satisfied about the correctness of the intimation shall order necessary corrections to be made in the licence. Intimation of such order shall also be given to the Committee concerned, and necessary corrections shall be made in the Register in Form C maintained in the office of the Board and the Committee.

(c). If in a case covered by clause (b) the firm fails to give necessary intimation to the <sup>4</sup>[Chief Administrator] within the specified time, the change in the membership or the name of the firm, as the case may be, shall be deemed to result in the constitution of a new firm necessitating the grant of a fresh licence.

<sup>5</sup>[(d) Omitted]

(2) (a) Where the licensee, holding a licence under Section 13 is a firm any change occurring in the membership of such firm otherwise than through inheritance shall mean the constitution of a new firm and shall necessitate a fresh licence:

Provided that in the case of a Hindu Joint Family firm, any addition on account of the birth of any male member shall not be treated bringing about any change in the membership of the firm:

<sup>6</sup>[Provided further that any change in the membership of the firm amounting to constitution of a new firm without any change in its title shall not be treated as bringing about any change in the membership of the firm where the continuing members undertake to own the liabilities of the predecessor firm.]

(b) Where a change, not necessitating a fresh licence under Section 13, takes place in the membership of a firm, or the firm changes its name without any change in the membership thereof, <sup>7</sup>[-] intimation thereof shall, within two weeks from the date of such change, be given to the Committee concerned <sup>8</sup>[which] if satisfied, after such enquiry as it may consider necessary about the correctness of such intimation, shall order necessary corrections to be made in the licence. The Register in Form C shall also then be corrected accordingly.

(c) If in a case covered by clause (b), the firm fails to give necessary intimation to the committee within the specified time, the change in the membership or the name of the firm, as the case may be, shall be deemed to result in the constitution of a new firm necessitating the grant of a new licence.

<sup>9</sup>[(3) Nothing in this rule shall apply in the case of license granted to a co-operative society.]

**21. Renewal of licence and issue of duplicate thereof.** [Section 43(2)(viii) and (ix)]. (1) A licence granted under section 10 or 13 of the Act shall be valid for the period for which it is issued and shall, subject to any order passed under Section 10(2) of the Act or rule 19(5) be renewable by the authority granting it, on payment of the annual fee prescribed for the issue of such licence. Renewal application shall be made in Form F for licences under Section 10 and in Form G for those under section 13.

<sup>1</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1989.

<sup>2</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>4</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>5</sup> Haryana Notification dated 12.9.1975.

<sup>6</sup> Added by Haryana Notification dated 13.8.1987.

<sup>7</sup> Deleted the word "and" by Haryana Notification dated 26.3.1982.

<sup>8</sup> Substituted for the word "who" by Haryana Notification dated 26.3.1982.

<sup>9</sup> Haryana Notification dated 12.9.1975.

(2) If any area is excluded from any notified market area and included in another, the licences issued under sections 10 and 13 for the area so excluded shall be deemed to have been issued by the Committee of the notified market area in which the area is included and shall be renewable by the Committee of that area.

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

<sup>1</sup>[Provided that 30 days period of grace will be allowed for getting a <sup>2</sup>[-] licence renewed :

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 period of grace. 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 the reasons beyond the control of the applicant.]

<sup>3</sup>[Provided further that no license shall be renewed for a part of the year.]

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

(5) Except as provided in sub-rule (3), every application for renewal of a licence made after the date of expiry thereof shall be treated as an application for the grant of a fresh licence.

(6) If a licence granted under sections 10 and 13 of the Act, or renewed under sub-rule (1) above is lost, a duplicate may be issued by the authority which issued the original, on payment by the licensee of a fee of <sup>4</sup>[Five rupees.]

(7) The fee payable for the renewal of a licence under section 10 or section 13 for its duplicate shall be paid to the Committee concerned.

**22. Prohibition against grant of certain licences.** [Sections 10, 13 and 43(2)(viii) and (ix).]- (1) Except as hereinafter provided, no person shall at the same time hold a dealer's licence under section 10 as well as a licence under section 13 or hold more than one licence under section 13 to act as a functionary in more than one capacity:

Provided that nothing in this rule shall apply to persons dealing in vegetable and fruits:

<sup>5</sup>[“Provided further a license of category-I shall not be granted a licence of Kachcha Arhtia.]

<sup>6</sup>(2) Nothing in sub-rule (1) shall be deemed to [prohibit any] person licensed as weighman, surveyor or measurer to act in all the three aforesaid capacities.

**23. Employing a broker.** [Section 43(2)(xii) and (xiv).] - (1) No person shall be bound to employ a broker in any transaction, or be required to pay for a broker employed by any other party to the transaction, or to pay for broker when none has been employed.

(2) Where any person enters into any transaction for the purchase or sale of any agricultural produce through a commission agent, and the commission agent, without a written authority from his principal, employs a broker in connection, with such transaction, the broker's commission shall be payable by, and may be paid out of the remuneration due to, such commission agent.

<sup>1</sup> Substituted by GSR-I/POA-23/61/S 43/Amd. (I)/63, dated 3.1.1963.

<sup>2</sup> Haryana Notification dated 12.9.1975.

<sup>3</sup> Haryana Notification dated 12.9.1975.

<sup>4</sup> Haryana Notification dated 12.9.1975.

<sup>5</sup> Inserted by Haryana Govt. Notification No. S.O. 13/HA dated 23.5.2016.

<sup>6</sup> Substituted for the word "prohibit" by Haryana Notification dated 2.2.1990.

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

**24. Sale of agricultural produce.** [Section 43(2)(iv)].- (1) All agricultural produce brought into the market for sale shall be sold by open auction in the principal or sub-market yard.

(2) Nothing in sub-rule (1) shall apply to a retail sale as may be specified in the bye-laws of the Committee.

(3) A Committee may, and on being directed by the <sup>1</sup>[Chief Administrator] shall, fix timings for the starting and closing of the auction in respect of any agricultural produce, other than fruits and vegetables.

(4) The price of agricultural produce shall not be settled by secret signs or secret bid and no deduction shall be made from the agreed price of the consignment.

(5) The auction shall not be conducted by any person other than the person engaged by the Committee :

Provided that under special circumstances the <sup>2</sup>[Chief Administrator] may allow a Committee to make or permit any alternative arrangement:

Provided further that nothing in this sub-rule shall apply to the auction of vegetables and fruits.

(6) The highest bid offered by a buyer at an auction and at which the seller of the produce gives his consent to sell his produce, shall be the sale price of the produce.

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

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

<sup>3</sup>[Provided that the vegetable and fruit dealers shall be allowed to note down the auction in Mundi Bahi instead of register in Form H and the Mundi Bahi shall be paged, properly bounded in a book of at least one hundred pages or multiple thereof and the first and last page thereof shall be signed, stamped and dated by the Secretary of the Committee or any other official authorised by him in this behalf.

(8-A) A register in Form H shall be maintained in the office of the committee and all heaps of agricultural produce which remain unsold during the course of auction shall be entered in this register. It shall be duty of every Kachcha Arhtia to report to the Committee as soon as the unsold heaps are disposed <sup>4</sup>[of].

(9) The buyer shall be responsible to get the agricultural produce weighed immediately after the auction or on the same day the produce is purchased by him and the seller or the buyer shall be liable for any damage to, or loss of, or deterioration in, the produce <sup>5</sup>[—].

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

<sup>1</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Haryana Notification dated 12.9.1975.

<sup>4</sup> Substituted for the word "off" by Haryana Notification dated 26.3.1982.

<sup>5</sup> Omitted the words "after the auction according to the local usage or custom" by Haryana Notification dated 2.2.1990.

<sup>1</sup>[Provided that this sub-rule shall not apply to a Co-operative Society];

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

(12) Every Kachcha Arhtia shall, on delivery of agricultural produce to a buyer, execute a memorandum in Form 1 and deliver the same to the buyer on the same day or the following day, mentioning sale proceeds plus market charges admissible under rules and bye-laws. The counterfoil shall be retained by the Kachcha Arhtia:

Provided that nothing in this sub-rule shall apply where agricultural produce, being vegetable or fruit, not exceeding one quintal in weight is delivered.

(13) 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 buyer to the Kachcha Arhtia on delivery of Form 1.

(14) Delivery of agricultural produce after sale shall not be made or taken unless and until the Kachcha Arhtia or, if the seller does not employ a Kachcha Arhtia, the buyer has given to the seller a sale voucher in Form J, the counterfoil whereof shall be retained by the Kachcha Arhtia or the buyer, as the case may be.]

**25. Weighment.** [Section 43(2)(x)] (1).- The Board shall fix standards of net weight of agricultural produce to be filled in a packing unit such as a bag, a half bag or a Palli within each notified market area.

(2) No person shall fill or cause to be filled any agricultural produce except in accordance with standards fixed under sub-rule (1).

(3) All 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).

(4) Immediately on the completion of weighment of a lot of agricultural produce within a notified market area, either party to the contract may cause a test weighment of ten per cent 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 is held at the site, the produce shall be deemed to have been correctly weighed.

(5) Test weighment under sub-rule (4) shall be carried out in the presence of both the parties to the contract. In case any of the parties refuses 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 <sup>2</sup>[rank than] that of an Inspector, who, after satisfying himself as to the correctness of the report, shall cause the test weighment to be made in his presence or in the presence of any other official of the Committee authorised by him in this behalf, and the result of such test weighment shall be final, conclusive and binding on both the parties.

(6) Before any agricultural produce weighed in pursuance of a contract of sale or purchase within a notified market area is removed from the place of its weighment, the Chairman, the Secretary of the Committee or any employee <sup>3</sup>[engaged in connection with the management of the affairs of the Committee as authorised by him or the inspecting officers of the Board] shall, with a view to satisfying himself that such 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

<sup>1</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>2</sup> Substituted for the words "rank to" by Haryana Notification dated 26.3.1982.

<sup>3</sup> Haryana Notification dated 12.9.1975.

may be carried out in the presence of any two persons present there.

(7) If the weighment checked under sub-rule (6) is found to be defective, the persons checking the weighment may order the lot to be 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 (1), and at the cost of the weighman concerned, if the weighment is otherwise defective. Such orders shall be final and the buyer or the weighman, 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, these rules or bye-laws made thereunder.

**26. Use of weighing instruments, weights and measures, their inspection and seizure.** [Section 43(2)(x) and (xi).] - (1) Only such weighing instruments as satisfy requirements of, and such weights and measures as are prescribed by the Punjab Weights and Measures Act, 1958, and the rules made thereunder shall be used for weighing or measuring agricultural produce in a notified market area:

Provided that in transactions of sale and purchase of agricultural produce in the principal market yard and sub-market yards of the notified market area the beam scale (Kanda) or platform scale shall only be used.

(2) Every Committee shall keep in the market yard at least one weighing instrument of the capacity of one quintal and two sets of weights, and in places where measures are used two sets of measures, verified and stamped in accordance with the provisions of the Punjab 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.

(3) The Chairman 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.

(4) Weighing instruments, weights and measure kept by a Committee under this rule may at any time be inspected, examined and checked by the <sup>1</sup>[Chief Administrator] or the Secretary of the Board or by any other employee not lower in rank than that of an Inspector authorised in this behalf by the <sup>2</sup>[Chief Administrator] of the Board. After inspection the inspecting authority may give such directions as it may deem proper. The Committee shall be bound to comply with such direction.

(5) The <sup>3</sup>[Chief Administrator] or the Secretary of the Board or the Committee, and any other person authorised in this behalf by the <sup>4</sup>[Chief Administrator] <sup>5</sup>[or Secretary of the Board] shall be entitled at any time and without previous notice to inspect, examine and test any weighing instrument, weight or measure used, kept or possessed within a notified market area by a licensee under Section 10 or 13 of the Act, and every such licensee in possession of any such weighing instrument, weight or measure shall, when required, be bound to produce the same before the person entitled so to inspect, examine and test it.

(6) Any person authorised to inspect, examine and test any weighing instrument, weight or measure under sub-rule (5) shall, while so acting, have all the powers of an Inspector, Weights and Measures, appointed under Section 15 of the Punjab Weights and

<sup>1</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>3</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>4</sup> Substituted for the word "Chairman" by Haryana Notification dated 2.12.1980.

<sup>5</sup> Haryana Notification dated 12.9.1975.

Measures Act, 1958.

**27. Weigh-bridges, measuring yards and certificates of weighment or measurement.** [Section 43(2)(x) and (xi).]- (1) The Committee may erect in the market a weigh-bridge for the weighing of agricultural produce on payment of such fees as may be prescribed by its bye-laws.

(2) In places where it is customary for any agricultural produce to be measured instead of being weighed, the Committee may specify a place within 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.

(3) The Committee shall be responsible for maintaining such weigh-bridge or measuring yard in proper condition, 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.

(4) A certificate issued under sub-rule (3) 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 measures.

**28. Places at which agricultural produce shall be weighed or measured.** [Section 43(2)(x)] - (1) In any notified market area for which tobacco [timber]<sup>1</sup> or chillies has been notified as agricultural produce under section 6, the Committee may prescribe the places at which the aforesaid commodities may be weighed, measured or sold.

(2) Subject to the provisions of sub-rule (1), weighments and measurements of agricultural produce intended for sale, shall be made through licensed weighmen or measurers in the principal or a sub-market yard.

**29. Levy and collection of fees on the sale and purchase of agricultural produce.** [Sections 23 and 43(2).] - (1) Under section 23(a) Committee shall levy fees on the agricultural produce <sup>2</sup>[bought or sold or brought for processing] by licensees in the notified market area <sup>3</sup>[at the rates] to be fixed by the Board from time to time:

Provided that no such fees shall be levied on the same agricultural produce more than once in the same notified market area. A list of such fees shall be exhibited in some conspicuous place at the office of the Committee concerned:

<sup>4</sup>[Provided further that no such fee shall be levied on the wheat imported from a foreign country.] <sup>5</sup>[or wheat or cotton brought for storage, processing or distribution from within the State by the Government or a Corporation in which the Government has the substantial interest.]

<sup>6</sup>[Provided further that no such fee shall be levied on the certified seed];

<sup>7</sup>[Provided further that no such fee shall be levied on the wool imported from a foreign country for the purpose of sale, purchase, storage or processing only:]

<sup>8</sup>[Provided further that lump-sum fee as fixed by the Board from time to time shall be

<sup>1</sup> Inserted by Haryana Govt. Notification No. S.O. 13/H.A. 23 dated 23.5.2016.

<sup>2</sup> Haryana Notification dated 12.9.1975.

<sup>3</sup> Substituted by GSR 303/PA 23/61/S.43/42/Amd. (5)/63 dated 10.12.1963.

<sup>4</sup> Inserted by GSR 204/PA 23/61/S.43/Amd. (10)/66, dated 5.9.1966.

<sup>5</sup> Inserted vide Haryana Notification dated 12.9.1975.

<sup>6</sup> See Rule 1st Amendment Rules, 1979.

<sup>7</sup> Added by Haryana Notification No. 2427-Agri.S.(I)-97/17697 dated 8.9.1997.

<sup>8</sup> Substituted vide Haryana Government Notification No. 1339-Agri.Sec.(1)-2022/7525 date 28. 11. 2022 published in Haryana Gazette on 06. 12. 2022

levied on a license who has obtained license for processing under this Act and bought or brought such processed agricultural produce as specified in Part-II of the Schedule in the notified market area for further processing on such standard operating procedure as laid down by the Board.]

(2) The responsibility of paying the fees prescribed under sub-rule (1) shall be of the buyer and if he is not a licensee then of the seller who may realise the same from the buyer. Such fees shall be leviable as soon as an agricultural produce is bought or sold by a licensee,

<sup>1</sup>[(3) ["The fees shall be paid to the Committee or officer or to agency duly authorized to receive such payment within seven days of the date of transaction.

3(a) The collection of market fee may be leased or auctioned to any agency by the Committee with the prior approval of the Chief Administrator, for any period not exceeding one year at the time on such terms and conditions as laid down by the Committee. However, it shall be applicable only in case of fruits and vegetables in notified market area.

*Explanation.-* In computing the period of seven days specified in sub-rule (3) of rule 29 and sub-rule (1) of rule 31, the day of transaction shall be included.

**Note-I.** the payment of fees to any extent shall be deposited by the Licensee in the authorized Bank in the account of the concerned Committee either in cash or through demand draft/pay order payable in favour of Committee Funds or through Real Time Gross Settlement (RTGS) i.e. online payment subject to the condition that collection charges, if any, shall be borne by the License.

**Note-II.** In cases where uncounted agricultural produce is detected by the officers of the Board or the Committee, as the case may be, the fees shall have to be paid immediately, and the provisions of payment within seven days shall not apply in such cases.]

(4) A receipt in Form K shall be granted forthwith to the person making payment in respect of any fees paid under these rules.

(5) 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.

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

(7) For the purpose of this rule agricultural produce shall be deemed to have been bought or sold in a notified market area -

- (a) If the agreement of sale or purchase thereof is entered into in the said area; or
- (b) If in pursuance of the agreement of sale or purchase the agricultural produce is weighed in the said area; or
- (c) If in pursuance of the agreement of sale or purchase the agricultural produce is delivered in the said area to the purchaser or to some other person on behalf of the purchaser.

(8) If in the case of any transaction any two or more of the acts mentioned in sub-rule (7) have been performed within the boundaries of two or more notified 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

<sup>1</sup> Substituted by Haryana Notification No. S.O. 13/HA23 dated 23<sup>rd</sup> May, 2016

weighment has taken place, to the Committee, within whose jurisdiction the agricultural produce is delivered.

**[30. Exemption from payment of market fees.** [Sections 23 and 43(2)(vii)]. [(1) No market fee shall be levied on the sale or purchase of any agricultural produce manufactured or extracted from the agricultural produce in respect of which such fee has already been paid <sup>2</sup>[in the notified market area in which the same was manufactured or extracted.]

<sup>3</sup>[(2) The dealer concerned in the sale or purchase of any quantity of agricultural produce from which he manufactures or extracts any other agricultural produce shall maintain in Form L true and correct accounts of the sale, purchase or processing, as the case may be, of the said agricultural produce and of any agricultural produce manufactured or extracted from it.]

<sup>4</sup>[(3) The dealer who claims exemption from the payment of market fee leviable on any agricultural produce mission in respect of which the market fee has already been paid in another notified market area, shall make declaration and give certificate to the committee in Form L-I, where the fee has already been paid within fourteen days of the days of bringing of agricultural produce within the notified market area. Form L-I shall be prepared in quadruplicate from the booklets duly attested be issued by the Secretary of the Market Committee against the payment fixed by the Committee. It will be the duty of the dealer claiming exemption from the market fee under this sub-rule to send the original copy of Form L-I to the committee within whose market area the agricultural produce is brought. The second copy shall be sent to the office of the committee within whose market area such agricultural produce was bought, and the third and fourth copies shall be retained by the dealer-purchaser and the dealer-seller, respectively and the same shall be kept as a part of their accounts maintained in respect of market fees. It shall be mandatory for the dealers to produce Form L-I within a period of fourteen days to the Secretary, failing which no exemption in paying the market fee shall be granted].

(4) It shall be the duty of the dealer claiming exemption from market fee under <sup>5</sup>[sub-rules (3),(5) and (6)] above to produce a copy of the R/R, forwarding not, bility or challan, as the case may be, duly signed by him or his authorised agent in the office of the committee from whose market area the agricultural produce is brought <sup>6</sup>[-] the second copy in the office of the committee within whose market area the agricultural produce is brought <sup>7</sup>[-] and the third copy to be retained by him :

Provided that if no such copy of R/R, forwarding note, bility or challan is produced in the office of the concerned committee, no claim for exemption shall be entertained.

**[5] The agricultural produce brought for processing from within the State <sup>9</sup>[or from out side the State]and for which market fee has already been paid in any market in the State <sup>10</sup>[or out side the State] shall be exempt from payment of market fee second time :**

<sup>1</sup> Haryana Notification dated 12.9.1975.

<sup>2</sup> Substituted for the words "in any notified market area within the State" by Haryana Notification dated 21.10.1982.

<sup>3</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>4</sup> Substituted by Haryana Notification dated 23.5.2016.

<sup>5</sup> Substituted for the words "sub-rule (3) and (5)" by Haryana Notification No.I 158-Agri.Sec. (D-2006/12017 dated 6.7.2006

<sup>6</sup> Deleted by Haryana Notification dated 21.10.1982.

<sup>7</sup> Deleted by Haryana Notification dated 21.10.1982.

<sup>8</sup> Inserted by Haryana Notification dated 21.10.1982.

<sup>9</sup> The words 'or from outside the State' and 'or outside the State', respectively, inserted vide No. 1352-Agri. S(I)-93/10233, dated the 31st May, 1993.

<sup>10</sup> The words 'or from outside the State' and 'or outside the State' respectively, inserted vide No.1352-Agri. S(I)-

<sup>1</sup>[Provided that the dealer who claims exemption from the payment of fee leviable on any agricultural produce brought for processing shall make declaration and give certificate to the committee in Form L-II duly attested by the Secretary of the Committee where fee has already been paid, within fourteen days of the bringing of agricultural produce within the notified market area and complies with the provision of sub-rule (2):

Provided further that there shall be no exemption from payment of market fee second time on any agricultural produce brought for processing from outside the State if the Form L-II is not submitted within a period of fourteen days by the dealer/licensee.]

<sup>2</sup>[(6) No market fee shall be levied on agricultural and horticultural produce which is used as raw material in food processing Industries within the State except Paddy, Wheat (Kanak), Indian Colza (Sarson), Indian Rale (Toria), Rocher (Tara Mira), Til, sun-flower Seed (Surajmukhi Beej), Cluster Bean (Guara) and Cotton.

Provided that the dealer who claims exemption under sub-rule (6) from the payment of fee leviable on any agricultural produce purchased for using as raw material shall maintain a record in Form L under sub-rule (2) and shall mark declaration and give a certificate to the committee in Form L-III. In case such agricultural produce is brought from another notified market area then the dealer shall make declaration by giving a certificate to the committee in Form L-III duly verified and attested by the Secretary from where the agricultural produce has been purchased, within twenty days of the bringing of agricultural produce.]

<sup>3</sup>[(7) No market fee shall be levied on fruits and vegetables in respect of which market fee has already been paid in any market within the State:

Provided that the proof of making payment of market fee in any market within the State along with purchase bill, documents relating to transportation is furnished by the dealer to the concerned Committee within whose market area the agricultural produce is brought before it is unloaded. If no such purchase bill, documents relating to transportation is furnished in the office of the concerned Committee before the agricultural produce is unloaded, no claim for exemption shall be entertained.

(8) The agricultural produce brought for job work from within the State or outside the State and for which market fee has already been paid shall be exempted from payment of market fee to the extent already paid in any Committee in the State or outside the State. However, difference of rates of market fee, if any, shall be payable:

Provided that the dealer who claims such credit for market fee already paid on any agricultural produce brought for job work shall make declaration in this regard and give certificate to the committee in Form L-II duly attested by the Secretary of the committee where fee has already been paid, within, fourteen days of the bringing of agricultural produce within the notified market area and further shall comply with the provision of sub-rule (2):

Provided further that there shall be no exemption from payment of market fee second time on any agricultural produce brought for job work from outside the State if the Form L-II is not submitted within a period of fourteen days by the dealer/licensee.]

**31. Account of transaction and of fees to be maintained.** [Sections 23 and 43(2)(vii)] - (1) Every licensed dealer and every dealer exempted under rule 18 from obtaining a licence shall submit to the Committee a return in Form M <sup>4</sup>[showing his

93/10233, dated the 31st May, 1993.

<sup>1</sup> Substituted by Haryana Notification No. S.O. 13/H.A. dated 23.5.2016.

<sup>2</sup> Added Vide Notification dt. 27-11-2006 & 01-12-2006

<sup>3</sup> Added by Haryana Notification No. S.O. 13/H.A. dated 23.5.2016.

<sup>4</sup> Haryana Notification dated 12.9.1975.

purchases and sales of each transaction of agricultural produce or each transaction of agricultural produce brought for processing within <sup>1</sup>[seven days] of the day of transaction;]

<sup>2</sup>[Provided that a person exempted from taking a licence under rules 18(2)(b) and 18(2)(c) shall stand exempted from the provisions of this sub-rule in respect of sale of agricultural produce by him;]

<sup>3</sup>[Provided further that every contract farming sponsor, who enters into the contract farming agreement shall maintain a register in Form Q and furnish information in Form R to the committee within a period of fifteen days of the purchase.]

Provided further that in case of a dealer, who exclusively deals in fruits and vegetables, it shall not be necessary to fill in Form M the particulars of the person to whom any quantity of fruits and vegetables less than one quintal is sold:

Provided further that in case the Kachcha Arhtiya sends one copy of Form J to the Market Committee, the Kachcha Arhtiya will be exempted from sending Form 'M' to the Market Committee and the buyer shall indicate in Form M only the total quantity and the gross value in respect of each commodity purchased from each seller.

(2) The Committee shall maintain a register in Form N showing the total purchases and sales made by dealers and the fees recoverable and recovered from them.

(3) The Committee shall levy the fee payable under Section 23 on the basis of the return furnished under sub-rule (1).

<sup>4</sup>[(4) If any dealers fails to submit a return as prescribed in sub-rule (1) or the Chairman of the Committee has reason to believe that any such return is incorrect he shall, after giving a notice in Form O 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 the dealer's business during the period in question.]

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

(6) After an order under sub-rule (4) is made, the Committee shall inform the dealer of the date and place fixed for the inspection :

Provided that if the dealer so desires, and pays such fee as the Committee may fix in this behalf, the inspection shall be made at the dealer's premises.

(7) The Committee may authorise one or more of its members to carry out the inspection ordered by it under sub-rule (5). Such member or members shall be assisted by such employees of the Committee as may be deputed by it for that purpose.

(8) Such member or members may after inspection prepare a return or may amend the return already furnished, on the basis of transactions, appearing in the dealers accounts books, and the Committee may levy a fee or, as the case may be, an additional fee, under Section 23 on the basis of such return or amended returns, but if the account books are reported to be unreliable, or as 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 levy fee on the basis of such assessment.

(9) In addition to the fee or additional fee levied under sub-rule (8) the Committee

<sup>1</sup> Substituted for the words "four days" by Haryana Notification dated 31.8.1987.

<sup>2</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>3</sup> Added by Haryana Notification No. 1545-AS-I-2007/14293, dated 9.8.2007.

<sup>4</sup> Haryana Notification dated 12.9.1975.

may recover from the defaulter <sup>1</sup>[a] penalty equal to the fee or additional fee so levied.

(10) Habitual default in the submission of returns and habitual submission of false return shall be a sufficient ground for suspension or cancellation of, or refusal to renew, a licence, and the provision of this rule shall apply in addition to and not in derogation of any other law, penal or otherwise, applicable to non-compliance, or defective compliance with any duty imposed upon a dealer by the Act or by these rules, or by any bye-law or order of a Committee.

(11) An assessment order made under sub-rules (8) and (9) shall be communicated to him by means of a demand notice in Form P and a copy thereof, shall be granted to the dealer on his making a written application and paying a sum of two rupees as copying fee to the committee. Every Committee shall maintain a register of copying fees.

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

(13)[\*\*\*]

**32. Books to be kept by licensed brokers and <sup>2</sup>[godown-keepers].** - [Section 43(2)(xxxii)]. Every broker and every godown-keeper licensed under these rules shall -

- (a) keep such books in such form as the Committee granting the licence may, from time to time, prescribed by its bye-laws;
- (b) render such return at such times and in such forms as the Committee may prescribe; and
- (c) render such assistance as may be required by the Committee, in the collection of fees due under the Act or under the rules or bye-laws made thereunder, in preventing evasions of payment thereof, and generally in the prevention of breaches of the Act or of these rules or of any bye-laws made thereunder.

**33. Refund of certain amounts.** [Section 43(2)(vii)(viii) and (ix)].- (1) When -

- (a) any sum has been deposited for the grant of a licence which has in fact not been issued; or
- (b) a person has wrongly applied and paid for and been granted two or more licences of the same nature for the same notified market area; or
- (c) any market fee has been recovered in excess of the amount actually due; or
- (d) any market fee has been recovered on a transaction which is exempt under these rules; or
- (e) any money has been paid by mistake; <sup>3</sup>[the Chief Administrator or the Chairman of the Committee], as the case may be, shall, on a written application being made within six months of such deposit and after such enquiry as he or it may consider necessary, order the refund of the appropriate amount which shall be repaid to the person concerned, after preparing a refund bill out of the Marketing Development Fund or the Market Committee Fund, according as it was credited in the first instance to the Marketing Development Fund or the Market Committee Fund.

<sup>1</sup> Substituted by Haryana Notification dated 26.3.1982.

<sup>2</sup> Substituted for the word "godown-keeper" by Haryana Notification dated 26.3.1982.

<sup>3</sup> Substituted for the words "the Chairman of the Board or the Committee" by Haryana Notification dated 2.12.1980.

(2) The powers conferred on the <sup>1</sup>[Chief Administrator] by sub-rule (1) may also be exercised by such Officer subordinate to him as he may appoint in this behalf.

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

**34. Prevention of adulteration of agricultural produce.** [Section 43(2)(xxxiii)]. -

(1) No person shall adulterate agricultural produce, or place or offer adulterated agricultural produce for sale, in a notified market area.

(2) It shall be the duty of a Committee to prevent adulteration of agricultural produce in the notified market area. The Chairman or Secretary of the Committee may take 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 extraneous matter with any agricultural produce.

**35. Preservation of the prescribed form** <sup>2</sup>[-] [Section 43(2)(xxxi)].- (1) The counterfoils of Form I, J and M shall be preserved by the dealer concerned for a period of two years from the date of issue of the foil to which the counter foils relate. The register in Form L shall be preserved by the dealer concerned for a period of two years of the date on which the last entry was made in that register.

<sup>3</sup>[(2) and (3) Omitted]

**4[36. Procedure for supply of copies.** [Section 40A].- (1) A copy of the order passed under the Act or the rules shall be supplied to the Board or the Committee concerned free of charge.

(2) Any other person may apply for the certified copy of the order in writing to the authority, which has passed such order and the same shall be supplied on the payment of two rupees per page.]

**37. Publication of marketing information.** [Sections 28(vii) and 43(1)].- (1) A Committee may, as and when required by the <sup>5</sup>[Chief Administrator] shall, for the benefit of the persons using the market, <sup>6</sup>[exhibit at] a suitable place outside its office and at such other place or places as may be determined by it, bulletins of information on such matters as the prices of agricultural produce ruling at the principal marketing centres in the State and the ports serving the State and the stocks held by mills and the like.

(2) The daily rates of all important agricultural commodities authenticated by a person authorised by the Committee in this behalf shall be exhibited in the <sup>7</sup>Hindi [at conspicuous places]

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

**38. Storage accommodation.** - [Section 43(2) (xv)].- (1) A committee may arrange when necessary, accommodation for the temporary storage or stocking of agricultural produce.

<sup>1</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>2</sup> Haryana Notification dated 12.9.1975.

<sup>3</sup> Haryana Notification dated 12.9.1975.

<sup>4</sup> Substituted by Haryana Govt. Notification No. 308-AS-(I)-2008/1749, dated 2.2.2008.

<sup>5</sup> Substituted for the words "Chairman of the Board" by Haryana Notification dated 2.12.1980.

<sup>6</sup> Substituted for the words "exhibit in" by Haryana Notification dated 26.3.1982.

<sup>7</sup> The word 'Hindi' substituted vide notification, dated the 12th September, 1975.

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

<sup>1</sup>[39. **Procedure for imposing penalties.** [Section 37].- (1) the authority to impose penalty shall issue a show cause notice to all the concerned in Form S.

(2) All the affected parties shall be given an opportunity of being heard either in person or through their authorised representatives/agents.

(3) After hearing the parties, the authority shall impose the penalty as per provisions of the Act].

<sup>2</sup>[40. **Procedure for appeal.** [Section 40].- (1) Every appeal preferred under Section 40 shall bear a court-fee stamp of fifty rupees and shall be presented to the appellate authority in the form of a memorandum by the appellant or his duly authorised agent. The memorandum shall set forth concisely the grounds of objection to the order appealed against and shall also be accompanied by a certified copy of such order and the proof of payment of fee, if due, as per the impugned order.

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

(3) The appeal shall be decided after notice to and hearing the parties concerned and after making such further enquiry as the appellate authority may consider necessary].

<sup>3</sup>[41. **Payment of interest.** [Section 46] - On any sum due to a Committee or the Board, as the case may be, after the expiry of the stipulated period, an interest @ 12% per annum shall be payable.

**41A. Relaxation in rules.** [Section 43].- The State Government may, on being satisfied with the sufficient reasons, grant relaxation to any Government or Semi Government agency from the provisions of these rules.]

**42. Preservation of records.** - The respective records of the Board and the Market Committees shall be preserved for the period noted against each in the schedule hereto annexed :-

#### SCHEDULE

Description	Period
Budget	... 5 years
General Cash Book	... Permanently
Establishment Bill	... 35 years
General Bills	... 3 years
Balance Sheet	... 10 years
Ledger	... 10 years
Register of Deposits	... Permanently
<sup>4</sup> Application in Form A	... Permanently
<sup>5</sup> Other Application Forms	... 5 years
Returns of daily purchases and sale	... One year after audit sales
Receipts	... 3 years

<sup>1</sup> Substituted by Haryana Govt. Notification No. 308-AS-(I)2008/1749, dated 2.2.2008.

<sup>2</sup> Substituted by Haryana Govt. Notification No. 308-AS-(I)-2008/1749, dated 2.2.2008.

<sup>3</sup> Rule 41 and 41A added by Haryana Govt. Notification No. 308-AS-(I)-2008/1749, dated 2.2.2008.

<sup>4</sup> The word 'in' and 'A' Inserted vide No. 5766.Agr. II (4).73/15638 dated 12-9-1975.

<sup>5</sup> The word 'other' and figure '5' substituted vide No. referred in 1\*

Register of sale and purchase of agricultural produce	... 10 years
Register of Licences	... 10 years
Provident Fund Register	... 10 years or till all accounts to which it relates are closed
Service books of the employees	... 5 years after retirement or death (whichever is earlier)
Register of proceedings of the Board or Committee or Sub-Committee	... Permanently
Register of correspondence	... Permanently
Cheque Books	... 10 years
Pass Books	... 10 years
Travelling Allowance Bills	... 3 years
Lease Deeds Allowance Bill	... 10 years from the date they cease to have effect
Security Bonds	... -do-
Treasury Challans	... 3 years
Imprest Account Register	... 3 years
Attendance Register	... 1 year
Movable Property Register	... 10 years
Library Register	... 10 years
Demand and Collection Register	... 10 years
Register of stamps	... 3 years
Stock register	... 10 years
Register of Court cases	... 10 years
Investment Register	... Permanently
Files about the appointment, removal and dismissal of employees	... 35 years
Other record which the Board or Committee may decide to preserve for more than three years	... Such period (not less than 10 years) as may be prescribed by the Board or Committee

\* Substituted by Haryana Notification No. 1452-Agri.S.(I)-96/I 183 dated 15.5.1996

**43. Repeal and Savings.**- The Punjab Agricultural Produce Markets Rules, 1940, and the Patiala Agricultural Produce Markets Rules, 2004 B.K., are hereby repealed:

Provided that such repeal shall not affect -

- the previous operation of any rule so repealed or anything duly done or suffered thereunder; or
- any right, privilege, obligation or liability acquired or incurred or any license issued under any rule so repealed; or
- any penalty, forfeiture or punishment incurred in respect of any offence committed against any rule so repealed; or
- any investigation, legal proceeding or remedy in respect of any such right, privilege obligation, liability, licence, penalty, forfeiture or punishment as

aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if these rules had not been passed :

Provided further that anything done or any action taken under these rules so repealed shall be deemed to have been done or taken under these rules, and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under these rules.

<sup>1</sup>[**FORM A**

*[See Rule 17 (1)]*

**Application for licence under section 10**

To

The Chief Administrator,

Haryana Agricultural Marketing Board,

Through Secretary, in HSAMB, Panchkula or the Executive Officer-cum-Secretary, Market Committee concerned as the case may be.

Sir,

The particulars of my business are given below:-

1	Name of the applicant with full address	
(i)	Aadhar Number (wherever applicable)	
(ii)	PAN Number	
(iii)	Mobile Number	
(iv)	E-mail address	
(2)	For a Notified Market Area or prescribed Zones or Entire State in which the applicant wants to carry on business.	
(3)	Place of business for which licence is applied for (give the name or number of the building and the name or number of the street or other description sufficient to identify the premises) ( For licensee of category-II i.e. Kacha Arhtia/Commission Agent the premises should be within the notified market yard)	
4	If the applicant is a firm, is it a Hindu-Joint Family firm, or	

<sup>1</sup> Form "A" substituted by Haryana Govt. Notification No. S.O. 13/H.A. 23 dated 23.5.2016.

	otherwise constituted and has it been registered or not?		
5	If the applicant is a firm, give the names of all persons constituted the firm with.		
Sr. No.	Name	Father's/Husband's name	Full address
6	Name of Managing Proprietor or Manager of the firm:		
7	Name and style under which the applicant will work;		
8	Has the applicant or, where the applicant is a firm, has any member thereof, single or in collaboration with anybody else, been granted a dealer's licence in any notified market area in the State and has such licence been suspended or cancelled? If so when, for what period and for what reason?		

**9. Category of licence applied for:**

1. (A) Trader/Wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill/or cold storage for sale, purchase, storage, packaging, sorting, grading, refrigeration of agricultural produce having annual turnover of Rs. 2.00 crores or above.

(B) Trader/wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill or cold storage for sale, purchase, storage, packaging, soiling, grading, refrigeration of agricultural produce whose annual turnover is Rs. 12.00 lakhs but does not exceeds Rs. 2.00 crores.

2. Commission Agent or Kachcha Arhtia for sale, purchase or storage of agricultural produce.

3. Other dealers whose annual turnover of agricultural produce exceeds rupees two lakhs but does not exceed rupees twelve lakhs.

Certified that the facts set out in the application are true to the best of my knowledge, I understand to abide by provisions of the Haryana Agricultural Produce Markets Act, 1961, rules and bye-laws made thereunder.

I shall be responsible for all acts of my employees. It is requested that a licence under section 10 of the Haryana Agricultural Produce Markets Act, 1961, may kindly be granted.

Signature of Applicant]

**<sup>1</sup>[FORM A-1***(See Rule 16A (1))***Application for licence under section 8 A (1)**

To

The Secretary,  
Haryana State Agricultural Marketing Board,  
Panchkula

Sir,

We, the undersigned, hereby apply for the registration as contract farming sponsor. Necessary particulars are given as under:

1. Name of the applicant

2. Full address with H.No.

Village/Town/City and State

3. Place of business:

4. Registration No:

(Under the Companies Act, 1956 (1 of 1956), the Indian Partnership Act, 1932, (9 of 1932) and the Haryana Cooperative Societies Act, 1984 (22 of 1984) or a Government agency):

5. If the applicant is a firm, particulars of persons constituting the firm:

S.No.	Name	Father's/Husband's Name	Full Address

6. Name of the Managing Proprietor of the firm:

7. Name of Managing Director or Competent Authority:

(In case of a Company or Society or Government Agency)

8. Particulars regarding income tax returns:

Serial Number	Year	Turn over	Tax paid

9. Particulars of area intended to be agreed for contract farming :

Serial Number	Village	Tehsil and District	Total land	Commodity

10. Name and style under which the applicant shall work.

11. We want registration for Market Committee, \_\_\_\_\_/whole State.

Certified that the facts set out in the application are true to the best of my knowledge. I undertake to abide by provisions of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961), rules and bye-laws made thereunder.

I shall be responsible for all acts of my employee.

Signature of applicant

(With full Name and Designation/Proprietor  
along with official seal)".

<sup>1</sup> Form A-1 added by Haryana Notification No. 1545-AS-I-2007/14293, dated 9.8.2007.

<sup>1</sup>[FORM A 1(A)]

See Rule 17A(1)

## APPLICATION FOR GRANT OF LICENCE FOR SPOT EXCHANGE

To

The Chief Administrator,  
 Haryana State Agricultural Marketing Board,  
 Panchkula,

I/We (Name).....

(Address).....

(Phone No)..... Aadhar No..... E-mail address..... am/are making an application for the grant of licence for Spot Exchange for e-fradine for following notified agricultural produce..... in the State. The necessary documents as required are enclosed..... am/are ready and willing to pay the necessary licence fee of Rs..... as per Rules for obtaining the above mentioned Licence. You are requested to grant me the Licence.

Yours faithfully,  
 Signature of the Applicant

## Documents submitted with this application:-

- (i) Certificate of Incorporation or Registration in respect of Company, Co-operative Society, Trust, Corporation, Partnership, etc.
- (ii) Memorandum of Association or Articles of Association.
- (iii) Names and Address and Telephone number of all the Directors and owners and partners, etc.
- (iv) Receipt in support of having paid the licence fee.
- (v) Operational and working guidelines as to how Spot Exchange shall be run or operated.
- (vi) Undertaking/Affidavit that the applicant shall abide by all the provisions of the Act and Rules made thereunder and in case of violation he shall be liable to punitive action including cancellation of licence.
- (vii) A Bank Guarantee as provided in Rule 17A (2).
- (viii) Income tax return.
- (ix) Authenticated copy of letter of permanent recognition granted by concerned authority.

Date:

Place:

Signature of the Applicant]

<sup>1</sup> See Haryana Govt. Notification No. S.O. 13/HA 23 dated 23.5.2016.

## Form A-II

[See Rule 16A(3)]

## Application for renewal of registration under Section 8A(I)

To

The Secretary,

Haryana State Agricultural Marketing Board,

Panchkula.

Sir,

We, the undersigned, hereby apply for the registration as contract farming sponsor.  
Necessary particulars are given as under :-

1. Name of the applicant:
2. Full address with H.No., Village/Town/City and State :
3. Place of business :
4. Registration No.

(Under the Companies Act, 1956 (1 of 1956), the Indian Partnership Act, 1932 (9 of 1932) and the Haryana Cooperative Societies Act, 1984 (22 of 1984) Or a Government agency):

5. If the applicant is a firm, particular of persons constituting the firm :

Serial Number	Name	Father's/Husband's Name	Full address

6. Name of the Managing Proprietor of the firm :
7. Name of Managing Director or Competent Authority :

(In case of a Company or Society or Government Agency)

8. Particulars regarding income tax returns :

Serial Number	Year	Turn over	Tax paid

9. Particulars of area intended to be agreed for contract farming :

Serial Number	Village	Tehsil and District	Total land	Commodity

10. Name and style under which the applicant shall work :
11. Date on which registration expires :
12. Fee paid : Rs. \_\_\_\_\_
13. Penalty paid, if any : Rs. \_\_\_\_\_
14. We want registration for Market Committee /whole State.

Certified that the facts set out in the application are true to the best of my knowledge. I undertake to abide by provisions of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961), rules and bye-laws made thereunder.

I shall be responsible for all acts of my employee.

Signature of applicant  
(With full Name and Designation/Proprietor  
along with official seal)

**[FORM B***[See Rule 17(4)]***Licencee under Section 10**

This licence is granted to M/s. \_\_\_\_\_ for the notified market area of a Market Committee or Zone or Entire State \_\_\_\_\_ subject to conditions prescribed hereunder:

1	Serial number of licence	
2	Name of Managing Proprietor or Manager of the firm with parentage.	
3	Date from which the licence takes effect.	
4	Date on which the licence expires.	
5	Category of licence granted	<p>(i). (A) Trader/Wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill/or cold storage for sale, purchase, storage, packaging, sorting, grading, refrigeration of agricultural produce having annual turnover of Rs.2.00 crores or above or (B) Trader/Wholesale Dealer, factory including ginning factory, sheller, flour mill, oil expeller, dal mill/or cold storage for sale, purchase, storage, packaging, sorting, grading, refrigeration of agricultural produce whose annual turnover is Rs. 12.00 lakhs but does not exceeds Rs.2.00 crores or (ii) Commission Agent or Kachcha Arhtia for sale, purchase or storage of agricultural produce or (iii) Other dealers whose annual turnover of agricultural produce exceeds rupees two lakhs but does not exceed rupees twelve lakhs.</p>
6	Notified Market Area of Market Committee or prescribed Zone or Entire State in which the Licence is valid.	
7.	Place of business.	

Chief Administrator

<sup>1</sup> Substituted by Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.

Place

Date

Haryana State  
Agricultural Marketing Board.**Conditions of licence:**

1. The licensee shall comply with the provisions of the Haryana Agricultural Produce Markets Act, 1961, rules and bye-laws framed thereunder and instructions issued from time to time.
2. He shall not permit evasion or infringement of any of the provisions of the Act, the rules and by-laws and shall report in writing to the Market Committee any evasion or breach which comes to his knowledge.
3. He shall surrender his licence, on demand, to the Chief Administrator of the Board or any other officer authorized by him in this behalf or the Chairman of the Market Committee against a receipt to be given to the licensee in this connection.
4. He shall conduct his business honestly and properly according to the principles of fair dealings.
5. He shall display his licence at a conspicuous place on his business premises.
6. He shall keep his business premises clean and in a suitable condition for storage of agricultural produce.
7. He shall not boycott or encourage boycott of any other licensee.
8. He shall not indulge in activities and practices, which are detrimental to the interest of the trade and proper functioning of the market.
9. He shall not take or continue in his service any licenced broker, weighman, measurer, surveyor or palledar.
10. He shall be responsible for the safe custody and protection of the agricultural produce brought to his shop for sale or storage.
11. He shall not form a pool or combination with other buyer for eliminating competition and shall not make or abet an attempt to do so in order to deprive the seller of a fair price of his produce.
12. He shall, on the expiry or sooner termination of the licence, surrender the same to the Committee.
13. He shall, when desired by the Market Committee or any other officer authorized by it, furnish correct information on the matters pertaining to his business relating to sale and purchase of agricultural produce under the Act.
14. The security shall be liable to be forfeited in part or in full by the licencing authority in case the licensee makes a breach of any condition of the licence].

<sup>1</sup>[FORM-B(A)]

[See Rule 17A(1)]

**LICENCE FOR SPOT EXCHANGE**

Licence is hereby granted to .....(Name and Address).....(Phone number).....hereinafter referred to as the Licensee) on payment of fee of Rs.....for Spot Exchange for e-trading of agricultural produce in the Market area of Market Committee....., subject to the provisions of the Rule 17A of Punjab Agricultural Produce Markets (General) Rules, 1962 on the following conditions:

1. The Licensee shall abide by the provisions of the Haryana Agricultural Produce Markets Act, 1961 and Rules and the conditions of agreement entered into by the licensee with the Chief Administrator.
2. This Licence is not transferable.
3. This Licence may be suspended or cancelled in accordance with the provisions of the said Act and Rules made thereunder if the Licence holder commits any act against the provisions of the Act and Rules or abstains from carrying out his normal business in the market with the intention of wilfully obstructing, suspending or stopping the marketing of agricultural produce in the market area.
4. In the event of suspension or cancellation of this Licence, it shall be surrendered to the Chief Administrator forthwith.
5. The Licensee shall not adulterate or cause any declared agricultural produce to be adulterated.
6. The Licensee shall assist the Chief Administrator in preventing evasion of market fees.
7. The Licensee, after grant of licence by the Chief Administrator, shall within a period of fifteen days inform about the authorized representative of the Licensee who shall be responsible on his behalf.
8. The Licensee shall maintain books, registers and records in the manner, required by the Chief Administrator and shall make them available for inspection to the Chief Administrator or person authorized by him.
9. The Licensee shall furnish information and returns to the Chief Administrator as may be required by him from time to time.
10. The Licensee shall ensure payment to the seller the price of the agricultural produce so sold on the same day.
11. The licensee shall not solicit or receive any fees or recover any charges other than those which he is entitled to receive or recover in accordance with the provisions of the Act and the Rules.
12. The Licensee shall not make or recover any trade allowance. (It is related to 2nd proviso under (m) of Rule 17A.)
13. The Licensee shall provide for authorized weights and measures.
14. The Licensee shall pay to the licensed weighman or measurer and hamals only at the rates fixed by the Board/Market Committee.
15. The Licensee shall inform the Chief Administrator of any change in the constitution of the Company.
16. The Licensee shall refer all his dispute in relation to the marketing of the notified agricultural produce in the manner provided under Section 8C (8) of the Haryana

<sup>1</sup> See Notification No. S.O. 13/H.A. dated 23.5.2016.

## Agricultural Produce Markets Act, 1961.

17. The Licensee shall provide electronic inter Board/Terminal at prominent place in the market to show the futures/spot prices daily.

Date :

Place:

Chief Administrator]

<sup>1</sup>[Form B-I]*[See Rule 16A(5)]*

## Registration Certificate

Registration No.

Dated :

Certified that pursuant to the provisions of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961), having its office at is hereby registered to enter in to an agreement with the contract farming producer on the terms and conditions as agreed upon between them. This certificate is valid for three years from the date of its issuance.

The conditions of registration are given below :-

1. Registration holder shall comply with the provisions of the Act, rules, bye-laws and the instructions issued in this regard.
2. The registration holder shall comply with the terms and conditions given in the contract farming agreement.
3. In case contract farming sponsor violates the provisions of Act, rules and bye-laws or conditions of contract agreement, the Secretary of the Market Committee or the Secretary of the Board, as the case may be, shall have the power to cancel his registration.

Sd/-

Secretary, Market Committee/Secretary,  
Haryana State Agricultural Marketing Board, Panchkula.]

<sup>2</sup>[FORM C]*[See Rules 17(5) and 19(3)]*

## Register of licences issued under Section 10/13

S.No.	Description
1	Notified market area
2	Name of the firm
3	Address of the premises
4	Name of the Managing Proprietor
5	Licence No.
6	Nature of licence

<sup>1</sup> Added by Haryana Notification No. 1545-AS-I-2007/14293,, dated 9.8.2007.

<sup>2</sup> Substituted by Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.

7	Name of partner		
S.No.	Name	Father's Name	Address
1			

1	2	3	4	5	6	7
Date of entry	Date from which the licence takes effect	Date on which the licence expires	Licence fee received	Receipt No. & date	Signature of issuing authority with designation	Remarks]

<sup>1</sup>[Form CC

[See Rule 17A(1)]

## REGISTER OF LICENCE HOLDERS OF SPOT EXCHANGE

Sr. No.	Name and Address of Applicant	Date of Receipt of Applicant for Licence	Type of Licence and Date of issuance	Market area(s)	Licence fee Rs.	Licence No. and Date	Validity of Licence	Remarks and Signature
1	2	3	4	5	6	7	8	9]

<sup>2</sup>[Form C-I]

[See Rule 16A(6)]

## Form of agreement for contract farming

THIS AGREEMENT is made and entered into at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_\_ between Shri \_\_\_\_\_ son of \_\_\_\_\_ age \_\_\_\_\_ residing at \_\_\_\_\_ hereinafter called the "party of the first part" (which expression shall, unless repugnant to the context or meaning thereof, mean and include his heirs, executors, administrators and assigns) of the one part, and \_\_\_\_\_ a Private/Public Limited Company/ Society/Firm/Government Agency registered under the provisions of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961) and having its registered office at \_\_\_\_\_ hereinafter called the "party of the second part" (which expression shall, unless repugnant to the context or meaning thereof, mean and include its successors and assigns) of the other part.

WHEREAS the party of the first part is the owner/cultivator of the agricultural land bearing the following particulars:

<sup>1</sup> See Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.<sup>2</sup> Form added by Haryana Notification No. 1545-AS-I-2007/14293, dated '9.8.2007.

Village	Tehsil and District	Description of area with Khasra No. and Khewat No.	Total land

AND WHEREAS, the party of the second part is trading in agricultural produce and also providing agricultural inputs and technical know-how in respect of land preparation, nursery, fertilization, pest management, irrigation, harvesting and alike things.

AND WHEREAS, the party of the second part is interested in the items of the agricultural produce more particularly mentioned in Schedule-I hereto annexed and at the request of the party of the second part, party of the first part has agreed to cultivate and produce the items of agricultural produce mentioned in the Schedule-I hereto annexed.

AND WHEREAS, the parties hereto have agreed to reduce in writing the terms and conditions in the manner hereinafter appearing :

**Terms and Conditions :**

*Clause 1:-* The party of the first part agrees to cultivate, produce and deliver to the party of the second part and the party of the second part agrees to buy from the party of the first part, the items of the agricultural produce as mentioned in the Schedule-I hereto annexed.

*Clause 2 :-* It is expressly agreed between the parties hereto that this agreement is for agricultural produce particulars of which are described in Schedule-I hereto. The duration of agreement shall be for the \_\_\_\_\_ season/months/year. After the expiry of said period, this agreement shall automatically terminate.

*Clause 3 :-* It is expressly agreed between the parties that:

- The party of the first part shall cultivate, produce and supply the items to the party of second part as per specifications mentioned in the Schedule-I hereto.
- The party of second part shall supply the seeds, fertilizer, pesticides and any other inputs for the cultivation and production of the agriculture produce as detailed in Schedule-1.
- The party of the first part agrees to adopt instructions/practices in respect of land preparation, nursery, fertilization, pest management, irrigation, harvesting and any other, as detailed in Schedule-I.

*Clause 4:-* The party of first part agrees to supply the quantity contracted according to the quality specifications stipulated in Schedule-I and it shall be the responsibility of the party of the second part to take into possession of the contracted produce after it is offered for delivery as per Schedule-II. If there is any dispute regarding quality specifications of the agricultural produce, either of the party can approach the committee for expert to assess the same. If the produce is not found as per the quality specifications, then the party of second part can refuse to take the delivery and the party of first part shall be free to sell the produce :

- to the party of second part at a mutually renegotiated price; or
- in the market yard and the party of the second part shall be entitled to recover the advance, if any, made by him to the party of first part.

If the produce is found as per the quality specifications and the party of second part refuse/fails to take the delivery for his own reasons then the party of first part shall be free to sell the agriculture produce in the market yard and if he gets a price less than the price contracted, he shall be compensated to the extent of loss, by the party of the second part

within ten days of an application made by the party of the first part to the party of the second part. A copy of such application shall be endorsed to the committee also. The party of the second part shall inform the committee about the action taken on such application. The party of the second part shall be entitled to deduct the advance cash/kind, if any, made by him to the party of the first part.

It shall be the responsibility of the party of the first part to deliver the contracted produce as per Schedule-II failing which the party of the second part shall intimate the committee and shall be free to purchase the produce from the market yard. The party of the second part can approach the authority prescribed for compensation to the extent of loss.

*Clause 5 :-* The party of the second part shall make the payment to the party of the first part at the time of delivery. If the party of the second part fails to make the payment within fifteen days of the delivery, an interest @ 18% shall be paid to the party of the first part.

*Clause 6:-* The party of the second part or its representatives agrees to have regular interactions with the farmer's forum set up/named by the party of the first part during the period of contract.

*Clause 7:-* The party of the second part or its representatives at their costs shall have the right to enter the premises/fields of the party of the first part to monitor farming practices adopted and the quality of the produce from time to time.

*Clause 8 :-* Neither the party of the second part shall have any right whatsoever as to the title, ownership, possession of the land/property of the party of the first part nor it shall, in any way, alienate the property of the party of the first part by way of mortgage, lease, sub-lease or transfer to any other person/institution during the continuation of this agreement.

*Clause 9:-* It is agreed that this agreement apart from the agreed covenants thereof shall be governed by the provisions of the Punjab Agricultural Produce Markets Act, 1961 and the rules framed thereunder;

*Clause 10 :-* In case both the parties want to change in the terms and conditions of the contract farming agreement, the same shall be effected by the registering authority concerned in the presence of both the parties from time to time as per requirement.

*Clause 11 :-* Dissolution, termination or cancellation of this contract shall be affected with the consent of both the parties. Such dissolution, termination or cancellation shall be communicated to the registering authority within a period of fifteen days of such dissolution, termination or cancellation failing which the registering authority shall be entitled to impose appropriate cost on the parties.

*Clause 12 :-* In the event of breach of contract farming agreement or any dispute or difference arising between the parties hereto or as to the rights and obligations under the agreement or as to any claim, monetary or otherwise of one party against the other or as to the interpretation and effect of any terms and conditions of this agreement, such dispute or difference shall be referred to the authority prescribed under the rules.

*Clause 13 :-* In case of change of address of any party to this agreement, it should be intimated to the other party and also to the authority concerned within a period of fifteen days.

*Clause 14 :-* The party of second part confirms that it has registered itself with the authority concerned vide Registration No. \_\_\_\_\_ dated \_\_\_\_\_ and the fee levied by the authority concerned shall not be deducted in any manner, whatsoever from the amount paid to the party of first part.

*Clause 15 :-* Each party hereto shall act in good faith diligently and honestly with the

other in the performance of their responsibility under this agreement and nothing shall be done to jeopardize the interest of the other.

In witness whereof the parties have signed this agreement on the \_\_\_\_\_ day \_\_\_\_\_ month and \_\_\_\_\_ year first above mentioned.

Witness \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

First Party \_\_\_\_\_

Witness \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Second Party \_\_\_\_\_

### Schedule-I

Serial No.	Name of Agricultural Produce	Inputs to be supplied by second party	Package of Practice to be supplied by second party as per annexure I	Grade	Specification	Quantity	Price/Rate	Value	Any other

### Schedule-II

Serial Number	Name of Agriculture Produce	Place of Delivery	Name of party who will transport and bear the cost of transportation of Agriculture Produce	Approximate time of Delivery

### FORM D

[See rule 19(1)]

#### Application for licence under section 13

To

The [Secretary]  
Market Committee,

Sir,

The particulars of my business are given below :-

1. Name of the applicant with parentage, residence and address in full
2. If the applicant is a firm, is it a Hindu Joint Family firm, or otherwise constituted, and has it been registered or not ?
3. Is the applicant is a firm, give the names of all persons constituting it with parentage, residence and address, in full of each

<sup>1</sup> Vide Haryana Gazette, Legislative Supplement Part III, dated Feb. 6, 1990.

Sr. No.	Name	Father's/Husband's Name	Full Address

4. Name of the managing proprietor or manager who will actually conduct the business
5. Name or style under which the applicant will conduct his business
6. Does the applicant wish to be licenced as a broker/weighman/measurer/surveyor/godown keeper/Palledar ?
7. Has the licence, if any, granted previously to the applicant, or if the applicant is a firm, to any member thereof, singly or in collaboration with any body else for working as a broker, weighman, measurer, surveyor, godownkeeper or Palledar in any notified market area been cancelled? If so, where, when, for what period and what reason ?

Certified that the facts set out in the application are true to the best of my knowledge. I undertake to abide by provisions of the Agricultural Produce Markets Act, 1961, and rules and bye-laws made thereunder.

I shall be responsible for all acts of my employees.

It is, therefore, requested that the licence under section 13 of the Punjab Agricultural Produce Markets Act, 1961, may kindly be granted to me.

Signature of the applicant

Notes :- (1) A licence to work as a weighman, a measurer or a surveyor shall only be granted to individuals and not to firm.

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

To be filled by office

Licence fee received	No. of receipt	Date of receipt	Page of cash book where entry made

Verified

Accountant

Secretary, Market Committee

Market Committee

### <sup>1</sup>Form D-I

[See Rule 16A(8)]

#### Register of Contract Farming Sponsor

Serial Number	Name and address of applicant	Date of receipt of application	Registration fee Rs.	District(s) in which the Registration is granted	for which Registration is granted	Period for which Registration is granted	No. and date of issue of Registration	Signature	Remarks

<sup>1</sup> Form added by Haryana Notification No. 1545-AS-I-2007/14293, dated 9.8.2007.

**FORM E***[(See rule 19(2))]***Licence under section 13**

This licence is granted to M/s \_\_\_\_\_ (name of the person or firm with full address) for doing his business as broker/weighman, measurer/godown-keeper/Palledar or surveyor in the notified market area \_\_\_\_\_

1. Serial No. of licence \_\_\_\_\_

2. Name of the Managing Proprietor \_\_\_\_\_

3. Date from which the licence take effect \_\_\_\_\_

4. Date on which the licence expires \_\_\_\_\_

5. Place of business \_\_\_\_\_

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of authority with seal

**Conditions of Licence**

1. The licensee shall comply with the provisions of the Punjab Agricultural Produce Markets Act, 1961, and rules and bye-laws framed thereunder and instructions issued from time to time.
2. He shall not permit evasion or infringement of any of the provisions of rules and bye-laws mentioned under (1) above, and will report in writing to the Committee any evasion or breach which comes to his notice.
3. He shall surrender his licence on demand to the Committee or any other officer authorised by the Committee in writing in this behalf.
4. He shall conduct his business honestly and properly according to the principles of fair dealings.
5. He shall not boycott or encourage boycott of any other licensee.
6. He shall not indulge in activities and practices which are detrimental of the interest of the trade and proper functioning of the market.
7. The licensee, except the godown-keeper, shall not accept any service under the dealer.
8. If the licensee is a weighman, measurer or surveyor, he shall abide by such arrangements which may be made by the Market Committee with a view to ensuring the availability of their services as and when required. The licensee shall bear the badge provided to him by the Market Committee, during the hours of his business.
9. If the licensee is a godown-keeper, he shall keep his godown neat, clean and tidy to the satisfaction of the Committee.

**Form E-I**

[See Rule 16A(9)]

**Form of Register of Contract Farming Agreement**

Sr. No.	Name of parties			Type of agricultural produce	Estimated quantity	Period of	Estimated value of agricultural produce	Date of agreement	Signature of registering officer	Remarks
	First party	Second party	Third party							

**FORM F**

[See rule 21(1)]

**Application for the renewal of licence under section 10**

To

The Chief Administrator,

Haryana State Agricultural Marketing Board,

Through

The Secretary, Market Committee,

Sir,

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

1. Name of the notified market area for which the licence has been issued	.....
2. Name of the applicant (with full particulars of the place of business)	.....
3. Name of Managing Proprietor or the Manager of the firm, if any	.....
4. Number of licence	.....
5. Date on which the licence expires	Rs.....
6. Period for which renewal is requested	Rs.....
7. Fee paid	.....
8. Penalty paid, if any	.....
9. Has the applicant or where the applicant is a firm, any member thereof singly or in collaboration with any body else, been ; (a) Granted a dealer's licence in any notified market area in the State and has such licence been suspended, or cancelled. If so, when, where, for what period and for what reasons ; or	.....

\* Form added by Haryana Notification No. 1545-AS-I-2007/14293 dated 9.8.2007.

(b) Convicted on an offence affecting the said person's integrity as a man of business. If so, the date of conviction ; or	
(c) declared as an undischarged insolvent.	

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

Dated \_\_\_\_\_

Signature of applicant

To be filled in by the Office of the Committee

Renewal licence fee received	Penalty received if any	No. of receipt	Date of receipt	Page of cash book where entry made	Remarks

No. \_\_\_\_\_

Dated \_\_\_\_\_

Accountant,  
Market Committee,

Contents of the Applicant verified.

Forwarded to the <sup>1</sup>Licencing Authority, Haryana State Agricultural Marketing Board ..... for necessary action.

Secretary  
Market Committee,

Report by the office of the <sup>2</sup>Licencing authority of the Board. \_\_\_\_\_

Date .....

Orders of the licencing Authority

.....  
Signature with designation

<sup>3</sup>[Form F-I]

[See Rule 16A (11)]

**Form of Annual Accounts of Contract Farming Sponsor**

Sr. No.	Name of the commodity	Number of farmers with whom contracts signed	Area under contract farming agreement	Quantity purchased in tonnes	Total value and quantity of produce purchased	Value paid to the farmers	Payment outstanding for more than 15 days
						Number of farmers	Amount in Rs.

Signature of Contract Farming Sponsor  
With full name, designation and official seal, if any.

<sup>1</sup> Substituted vide Notification No. H (13)-M-I-83/21424 dated 13<sup>th</sup>/14<sup>th</sup> Oct., 1987.

<sup>2</sup> Substituted vide Notification No. H (13)-M-I-83/21424 dated 13<sup>th</sup>/14<sup>th</sup> Oct., 1987.

<sup>3</sup> Form added by Haryana Notification No. 1545-AS-1-2007/14293, dated 9.8.2007.

<sup>1</sup>[FORM FF

[See Rule 17A(1)]

## Application form for the renewal of licence of spot exchange

To

The Chief Administrator,  
 Haryana State Agricultural Marketing Board,  
 Panchkula

Sir,

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

Particulars of the Spot Exchange for which the Licence has been issued	
Name of the applicant (with full particulars of the place of market yard)	
No. of Licence	
Date on which the Licence expires	
Period for which renewal is required	
Fee paid	Rs.
Penalty paid, if any,	
Has the applicant (s) or where the applicant is a firm has any member thereof singly or in collaboration with any body else, been	
(a) Granted any Licence in any other market area and his Licence has been suspended or cancelled. If so, when, where, for what period and for what reasons: OR	
(b) Convicted of any offence involving moral turpitude. If so, the date of Conviction; OR	
(c) Declared as an undercharged insolvent	
Defaulter of not paying the dues to the Market Committee/ Board	

I am enclosing a Demand Draft No..... dated..... amounting to Rs..... on account of renewal fee.

The particulars given above are true and correct to the best of my knowledge and belief.

Date.....

Signature of the applicant

## Renewal of Licence

Date of Renewal	Period for which renewed	Signature of Chief Administrator with date]

<sup>1</sup> See Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.

## FORM G

[See rule 21(1)]

## Application for the renewal of a licence under section 13

To

The Chairman,  
Market Committee,

Sir,

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

1. Name of the notified market area for which the Licence has been issued	..... ..... ..... ..... ..... ..... ..... .....
2. Name of the applicant (with full particulars of the place of business)	..... ..... ..... ..... ..... ..... ..... .....
3. Name of the managing proprietor or the manager of the firm, if any	..... ..... ..... ..... ..... ..... ..... .....
4. Number of licence	..... ..... ..... ..... ..... ..... ..... .....
5. Date on which the licence expired	Rs..... ..... ..... ..... ..... ..... ..... .....
6. Period for which renewal is requested	Rs..... ..... ..... ..... ..... ..... ..... .....
7. Fee paid	..... ..... ..... ..... ..... ..... ..... .....
8. Penalty paid, if any	..... ..... ..... ..... ..... ..... ..... .....
9. Has the applicant or where in the case of a godown-keeper the applicant is a firm, has any member thereof, single or in collaboration with any body else, been granted a licence for working as a broker, weighman, measurer, surveyor or godown-keeper or Palledar in any notified market area in the State and has such licence been suspended or cancelled ? If so, when, where, for what period and for what reasons.	..... ..... ..... ..... ..... ..... ..... .....
Certified that all the facts set out in the application are true to my knowledge.	

Signature of the applicant

Date \_\_\_\_\_

To be filled in by office of the Committee

Renewal licence fee received	Penalty received, if any	No. of receipt	Date receipt	of Page book entry	cash where made	Remarks

Verified  
Secretary,  
Market Committee,Accountant,  
Market Committee

<sup>1</sup>[Form G-I]

[See Rule 16A (12)]

**Form for informing the produce purchased with an intention to export or processing by the contract farming sponsor**

Return for the period of \_\_\_\_\_

Sr. No.	Quarter for which report pertains	Total quantity of agricultural produce in tonnes	Total value of agricultural produce	Total quantity of produce purchased for export, in tonnes (Rs.)	Quantity of agricultural produce purchased for processing in tonnes	Quantity of agricultural produce exported within 90 days of its purchase	Quantity of agricultural processed within 90 days of its purchase	Remarks

It is hereby certified that I/we undertake that the quantity of agricultural produce purchased for export/processing shall be exported or processed by me/us within a period of 90 days from its purchase. Failure to do so shall result in action/penalty against me/us as per the provisions of the Act and Rules.

Signature of Contract Farming Sponsor. FORM H

[See rule 24(8)]

**Auction Register**

Date	Name of Kachcha Arhtia	Name and Address of seller	Description of produce	Approximate quantity	Rate at which the produce has been sold	Name of buyer	Signature of Kachcha Arhtia and buyer

<sup>2</sup>FORM HH

[See rule 24(B-A)]

**Register of Agricultural produce which remained unsold during auction**

Date of 1st auction	Name of seller	Name of Kachcha Arhtia	Name of agricultural produce	Approximate weight	Signature of Kachcha Arhtia	Date of onward auction	Rate	Name of buyer	Signatures of buyer	Remarks
1	2	3	4	5	6	7	8	9	10	11

<sup>1</sup> Form added by Haryana Notification No. 1545-AS-1-2007/14293, dated 9.8.2007.<sup>2</sup> Inserted vide Notification No. 11913-M-III E3/9379 dated 4/5/88.

<sup>1</sup>[FORM I

[See rules 24(12) and 24(13)]

**Bill of Kachcha Arhita**

Book No. ....

Serial No. ....

Name of Market Committee: ....

Name of Kachcha Arhtia: ....

Name of Buyer: ..... Date: .....

Name of Commodity	Weight (in quintal kilogram)	Rate (@ rupees per quingal)	Total Amount	Market Charges	Bouns	Grand Total
		Rs.	Rs.	Rs.	Rs.	Rs.
				Commission..... Brokerage..... Palledari..... Filling & Sewing charges..... Other Charges.....		

Signature of Kachcha Arhtia]

**FORM J<sup>2</sup>**

[See rule 24(14)]

**Sale Voucher for the seller**

Book No. ..... Serial No. ....

Name of Market Committee: ..... Date of auction .....

Name of Kachcha Arhtiya ..... Address of seller .....

Name of seller

Name of commodity	Name of the buyer	Weight (in Quintal kilogram)	Rate (@rupees per quintal)	Incidental charges	Bonus	Net amount paid
			Rs. _____	Rs. _____	Rs. _____	Rs. _____

**Note:** - Where the agricultural produce, being vegetable or fruit, is delivered, it shall not be necessary to fill in column 2 relating to 'Name of the Buyer'.

Left thumb impression (LTI)/

Signature of farmer, his agent

Signature of Kachcha Arhtiya

<sup>1</sup> See Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.<sup>2</sup> See Haryana Govt. Gaz. Notification No. S.O. 13/H.A. dated 23.5.2016.

**FORM K***[See rule 29(4)]***RECEIPT**

Book No.....

Receipt No.....

Market Committee .....

Date of receipt .....

Nature of receipt .....

Amount received .....

Received from .....

Signature of person receiving payment

**FORM K-1***[See Sub-rule (1-A) of Rule 30]***<sup>1</sup>Form of Declaration and Certificate**

Kind of agricultural produce	Carts and package	Weight	Where bought	Name of the Seller	Through whom bought	Name of the buyer or his agent	Name of the Market Committee to which fee paid	Amount of fee paid
1	2	3	4	5	6	7	8	9

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

Date .....

Signature of the firm

Attestation of the Committee from where agricultural produce has been imported.....

**Certificate**

It is certified that the particulars given above are correct.

Secretary,

Market Committee .....

**FORM L***[See rule 30(2)]***Register of Processors**

Date of purchase	Name of agricultural produce	Notified market area where purchases were made	Weight of agricultural produce	Date of payment of market fee	Name of extracted commodity	Weight of extracted commodity and date of extraction	To whom sold			Remarks
							Date (a)	Name of purchaser (b)	Quantity (c)	
1	2	3	4	5	6	7	8	9		

<sup>1</sup> Form inserted vide No. GSR 230/PA-23/62/S-43/Amd (3)/63, dated the 5th October, 1963.

**FORM L-I**  
*[See rule 30 (3)]*  
**Form of Declaration Certificate**

Kind of agricultural produce extracted or manufactured from agricultural produce	Mode of Transport with Vehicle No.	Weight	Place of Purchase	Agricultural produce from which extracted or manufactured	Name of seller	Name of the buyer or his agent	Market Committee to which fee paid	Amount of fee paid	Receipt No. and date	Remarks
1	2	3	4	5	6	7	8	9	10	11

I hereby certify that the above mentioned agricultural produce has been brought from outside the limits of notified market area ..... for the purpose of ..... and the particulars given above are correct.

Signature of the firm.....

(Stamp)

**FORM L-II**  
*[See rule 30 (5)]*  
**Form of Declaration Certificate**

Kind of agricultural produce	Mode of Transport with Vehicle No., if any	Weight	Place of Purchase	Notified market area from where purchased	Name of seller	Name of the buyer or his agent	Market Committee to which fee paid	Amount of fee paid	Receipt No. and date	Remarks
1	2	3	4	5	6	7	8	9	10	11

I hereby declare that the particulars given above are correct.

Date :

Signature of the Commission

Place :

Agent/Dealer.....

Licence No. ....

Address .....

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

Date :

Signature .....

Place :

Address of the dealer claiming

exemption from payment of

Market Fee .....

Licence No. ....

**FORM L-III***[See rule 30 (6)]***Form of Declaration Certificate**

Date	Name of agricultural produce purchased for processing	Name of dealer/firm from whom purchased	Notified market area from where produce was purchased	Weight	Value of produce	Mode of Transport with number of bags	Name of the food processing Industry	Remarks
1	2	3	4	5	6	7	8	9

I hereby declare that the particulars given above are correct.

Date :

Signature of dealer

Place :

Licence No. ....

Address .....

I hereby certify that the above mentioned agricultural produce has been brought from outside the limits of notified market area ..... for the purpose of ..... and the particulars given above are correct.

Date :

Signature .....

Place :

Address of the dealer claiming exemption

No. MC .....

Dated

.....  
Verified and attested  
Secretary,  
Market Committee, .....

Office Stamp

**FORM LL<sup>1</sup>***[See Rule 30(3) & (5)]***Claim for exemption from payment of fee****Form of Declaration and Certificate**

1. Name of agricultural produce :
2. Mode of transport with number of bags/packages :
3. Weight:
4. Place from where purchased and market fee paid :
5. Amount of fee paid, by whom, with the number and date of receipt:
6. Through whom purchased :
7. Name and address of the buyer of his agent:
8. Remarks :

I hereby declare that the particulars given above are correct.

Signature of the Commission Agent

Licence No.: \_\_\_\_\_

Address : \_\_\_\_\_

I hereby declare that the above-mentioned agricultural produce has been bought from the notified market area ..... and has been brought within the limits of the notified market area ..... for the purpose of ..... and the particular given above are correct.

Signature \_\_\_\_\_

Address of the dealer claiming exemption  
from the payment of market fee : \_\_\_\_\_<sup>1</sup> Substituted vide No. GRS 64/PA-23/61/S-43/87, dated the 13th August, 1987.

Address: \_\_\_\_\_

Encl.:

## FORM M

<sup>1</sup> [See rules 29(3) and 31(1)]

[See rules 21(3) and 22(1)]

**Return of Agricultural Produce daily brought, sold or brought for processing**

**Market Committee**

Date \_\_\_\_\_

Name of Dealer \_\_\_\_\_

Name of Bus.  
Licence No.

Last date when market fee paid with receipt No. \_\_\_\_\_

Purchased									Sold						
Date of transaction	Name of commodity	Name of seller from whom purchased	Weight (in quintal kilogram)	Rate (@Rs. Per quintal)	Value	Whether fee is leviable if not, why ?	Amount of fee leviable	Name of buyer to whom sold	Weight (in quintal kilogram)	Rate (Rs. per quintal)	Value	Whether fee is leviable, if not, why ?	Amount of fee leviable	Bonus	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

**Total**

*(Note :- In the case of dealers dealing exclusively in vegetable or fruit, it shall not be necessary to fill in column 7 relating to 'Name of buyer" to whom sold.*

Signature of Dealer”

### FORM N

[See rule 31(2)]

## Register of sale and purchase of agricultural produce

**Register of sale and purchase of agricultural produce**

**Monthly Total**

<sup>1</sup>Notification No. 13/H.A. 23 dated 23.5.2016.

## FORM O

[See rule 31(4)]

## Assessment Notice

To

M/s.....

Whereas

(a) You, a dealer licensee No..... and licenced under section 10 of the Punjab Agricultural Produce Markets Act, 1961 of the ..... notified market area, have not furnished return/correct return in Form M for the period from ..... to .....

(b) You a dealer Licencee No..... and licenced under section 10 of the Punjab Agricultural Produce Markets Act, 1961 of the ..... notified market area have habitually made default in the submission of returns for the period from ..... to ..... and it appears to the Committee that you wilfully failed to furnish such returns in respect of the above mentioned period.

And it appears to be necessary to make assessment under rule 31 of the Punjab Agricultural Produce Markets (General) Rules, 1962 in respect of the above mentioned period.

You are hereby directed to attend in person or by an authorized agent at (place) ..... on (date) ..... at (time) ..... and produce or cause there to be produced, at the said time & place the accounts and documents specified below, for the purpose of such assessment, together with the objections which you may wish to prefer and any evidence you may wish to produce in support thereof and to show cause why in addition to the market fee levied on the basis of assessment a penalty prescribed under rule 31 (9) of the said rules should not be imposed upon you.

In the event of your failure to comply with this notice, the Committee shall proceed to assess under rule 31 (8) of the said rules to the best of its judgment.

Chairman,  
Market Committee

Date.....

## FORM P

[See rule 31(11)]

## Demand notice

Market Committee

No.....

Date.....

To

M/s.....

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

(a) Assessed value of business .....  
 (b) Market fee chargeable .....  
 (c) Deduct market fee already paid, if any .....

(d) Net payable (b-c) *Rs. 100/-*  
 (e) Penalty *Rs. 10/-*  
 (f) Total (d+e) *Rs. 110/-*

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

Secretary,  
Market Committee,

**<sup>1</sup>[FORM Q]**

[See Rule 31(1)]

Name of Dealer ..... Registration No. ....

S.No.	Date of transaction	Name and address of producer	Name of the agricultural produce	Approx. weight of produce	Rate of produce	Mode of transportation with type of vehicle with number	Actual weight	Signature of producer / seller	Name of Market Committee	Remarks
1	2	3	4	5	6	7	8	9	10	11

**<sup>2</sup>[FORM R]**

[See Rule 31(1)]

Market Committee.....

Name of Dealer ..... Registration No. ....

Sl. No.	Name of the Producer/Seller	Name of the agricultural produce	Actual weight	Rate	Amount of market fee payable	Remarks
1	2	3	4	5	6	7

I hereby certify that the above-mentioned information and particulars given above are true and correct.

(Signature)

along with full name of the firm/society/company.

<sup>1</sup> Form added by Haryana Notification No. 1545-AS-I-2007/14293, dated 9.8.2007.

<sup>2</sup> Form added by Haryana Notification No. 1545-AS-I-2007/14293, dated 9.8.2007.

**[FORM S]**

*[See Rule 39(1)]*

**Show Cause Notice**

No. \_\_\_\_\_

Date \_\_\_\_\_

To \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You are hereby informed that:

(a) you have violated the following provisions of the Act, rules, regulations or the bye-laws :

(Detail of the violation committed) \_\_\_\_\_

(b) during the inspection/checking of your shop/premises on unaccounted agricultural produce/evasion of fee has been detected by the officers of the Board/inspecting team. The detail of the unaccounted agricultural produce/evasion of fee detected is enclosed.

You are hereby issued this show-cause notice as to why the penalty should not be imposed upon you for violation of the provisions of the Act, rules, regulations or the bye-laws as stated above.

You are, therefore, given an opportunity of hearing and thus directed to appear in person or through an authorised representative/agent before the undersigned on (date) at (time) at (place) \_\_\_\_\_ to explain your position or to make submission, if any, either oral or in writing.

In the event of your failure with this notice, it shall be presumed that you have nothing to say about the abovesaid violation and *ex parte* decision shall be taken against you.

(Sd/-)

Full name and seal of the issuing authority.

Copy (to all the concerned)

1. \_\_\_\_\_

2. \_\_\_\_\_

<sup>1</sup> Form added by Haryana Govt. Notification No. 308-AS-(I)-2008/1749, dated 2.2.2008.