

The West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982

GOVERNMENT OF WEST BENGAL Department of Agriculture

(M W & C – Branch)

NOTIFICATION

NO.19162 MW&C

Dated, Calcutta the 8 November 1982

In exercise of the power conferred by section 38 of West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to make the following rules, namely:

CHAPTER I

PRILIMINARY

1. Short title

these rules may be called the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982.

2. Definitions

- (1) In these rules, unless the context otherwise requires, -
 - (a) "the Act" means the West Bengal Agricultural Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972);
 - (b) "bye-laws" means the bye-laws made under section 38A;
 - (c) "Form" means a Form appended to these rules;
 - (d) "Schedule" means a Schedule appended to these rules;
 - (e) "Section" or "Sub-section" means a section or sub-section of the Act.
- (2) Words and expressions used in these rules but not defined and defined in the Act have the same meaning as in the Act.

CHAPTER II

LICENCING

- 3. Application for licence for purposes other than that of setting up storage / hat / bazaar / mela for renewing licence

Every person desiring to carry on business or act as a trader, commission agent, broker, weighman, measurer, warehouseman or surveyor, or sale or purchase agricultural

produce or engage processing or preservation of agricultural produce shall make an application to the market committee jurisdiction for the grant of a licence under sub-section (1) of section 13 in form 1 and for renewal thereof under sub-section (4) section 13 in form 3:

Provided that an application for renewal of a licence shall be made at least thirty days before the expiry of the licence.

4. Application for licence for setting up storage/hat/bazaar/mela or renewal of licence

Every person desiring to set up, establish or continue a place for storage, sale or purchase of any agricultural produce within a market area shall make an application to the market committee having jurisdiction over the market area for the grant of a licence under sub-section (1) of section 13 in Form 2 and for renewal thereof under sub-section (4) of section 13 in Form 3:

Provided that an application for the renewal of a licence shall be made at least thirty days before the expiry of the licence.

5. Fee for applying for grant or renewal licence

(1) (a) Every application for the grant of a licence under rule 3 or rule 4, shall be accompanied by the fee as may be applicable as specified in column (2) of schedule A.

(b) Every application for renewal of licence under rule 3 or rule 4, shall be accompanied by such fee as may be determined by the market committee from time to time subject to the limit specified in sub-section (4) of section 13:

Provided that a person desiring to take a licence for a specified period exceeding six months shall be charged such amount of reduced fee as may be determined by the market committee from time to time.

Provided further that if any question arises as to whether a person belongs to one or the other of the categories mentioned in column (1) of schedule A the decision of the Chairman the market committee on such question shall be final.

(3) Where a market committee has not determined any rate of fee under clause (b) or sub-rule (1), the fee specified in column (2) of scheduled A shall apply.

6. Grant or renewal of licence

(1) On receipt of an application under rule 3 together with the fee prescribed in clause (a) of sub-rule (1) of rule 5 or the fee fixed by the market committee, as the case may be, the market committee may, after making such enquiries as it may consider necessary and after satisfying itself as to the capacity and the conduct of the applicant and in case of renewal, the past performance of the applicant as a licensee, grant the applicant a licence or renew the licence, as the case may be, in form 4:

(2) On receipt of an application under rule 4 together with the fee prescribed in clause (a) of sub-rule (1) of rule 5 or the fee fixed by the market committee, as the case may be, the market committee, may grant or renew the licence in form 5, if:

- (a) it is satisfied that the applicant is solvent and a desirable person to whom licence may be granted or renewed:
- (b) cash security or Bank's guarantee if so required is given:
- (c) it is satisfied that there is need to establish or set up or continue the storage or hat or bazar or mela or other place for storage, sale or purchase of agricultural produce, and that the applicant has provided necessary facilities and amenities in the place for its use as a storage, or hat or bazar or mela.

7. Terms and conditions of licence

(1) A licence granted or renewed under sub-rule (1) 6 shall be subject to the following terms and conditions, namely,-

- (a) the licensee shall abide by the provisions to the Act and the rules, and the buy-laws made by the market committee, and the directions issued by the market committee, for the purpose of carrying out the provisions of the Act and the rules made thereunder,
- (b) the licence shall be valid for one year or such lesser period as the market committee may determine, and shall expire unless it is renewed,
- (c) the licence may, at the discretion of the market committee, be renewed for one year or such lesser period as the market committee may determine,
- (d) the licence shall be valid for the person in whose name it is issued and shall not be transferred,
- (e) the licence shall carry on business in such capacity only and at such place for which the licence is issued and shall not carry on any other business at such place or places or the same business in any other place in the concerned market area,
- (f) the licensee shall not adulterate or cause any agricultural produce to be adulterate,
- (g) the licensee shall provide for standard weights and measures, and shall conduct his business honestly according to the principles of fair dealing,
- (h) the licensee shall help the market committee in preventing evasion of market fees, shall not permit evasion or infringement of any provision of the Act, the rules and bye-laws and shall report to the market committee such evasion or infringement taking place with his knowledge,
- (i) the licensee shall not engage the services of any assistant other than those mentioned in the licence, in connection with the business for which the licence is taken and shall not boycott or encourage boycotting of any other licensee,
- (j) all acts of assistants or agents engaged by the licensee shall be deemed to be the acts done on behalf of the licensee with his express or implied permission,
- (k) the licensee shall maintain books, registers and records in manner required by the market committee and shall furnish such information and returns to the market committee as may be required by it from time to time,

- (l) the licensee shall render all reasonable facilities for inspection, verification and checking of weights and measured and books of accounts, registers and records, maintained by him, by the market committee or its Secretary or any officer duty authorised on that behalf by him,
- (m) the licensee shall properly inspect the produce before taking delivery, get it weighed and measured and shall not repudiate any deal once made on any account latter on,
- (n) the licensee shall not solicit or receive any fee or recover any charge other than those he is entitled to receive or recover in accordance with the provisions of the Act and the rules and the bye-laws made thereunder,
- (o) the licensee shall not make or recover any trade allowance,
- (p) the licensee shall settle all transactions in cash, unless he has deposited with the market committee a cash security or bank guaranty and taken permission for credit transaction and shall submit all his dispute to the market committee for conciliation,
- (q) the licensee shall not accept any employment with any other licensee,
- (r) the licensee shall keep his place of business neat, clean and accessible to the satisfaction of the market committee, and shall not indulge in activities and transaction detrimental to the trade and proper functioning of the market,
- (s) the licensee, if he is a company or a firm shall inform the market committee of any change in the partnership / board of directors,
- (t) the licensee shall be able to be suspended or cancelled in accordance with the provisions of the Act and the rules made thereunder,
- (u) in the event of suspension or cancellation of the licence, the licensee shall surrender if forthwith to the market committee,
- (v) the licensee shall not cancel or discontinue business except after giving to the market committee one month's notice of his intension of doing so and shall surrender his licence immediately so such suspension or discontinuation of business,
- (w) the licensee, if a broker, shall furnish to the market committee weekly report showing the quantity of agricultural produce purchased or sold by each trader though his mediation of shall not act as a broker or more than one partly in a transaction,
- (x) the licensee, if a surveyor, measurer or weighman, shall survey, measure and weigh agricultural produce in the presence of the owner, trader or commission agent and correctly record the report of the measure or weighment in the weighment report or slip and get it endorsed by the buyer and seller, shall not take up any service under any trader, buyer or commission agent and shall only use standard and authorised scales and weights and measures.

(2) A licence granted or renewed under sub-rule (2) of rule 6 shall be subject to the terms and conditions mentioned in clauses (a) to (v) of sub-rule (1) and also to the terms and conditions:

- (i) the licensee or his agent shall comply with all orders issued by the market

- committee for the regulation of the storage/hat/bazaar/mela in accordance with the provisions of the Act and the rules and bye-laws made thereunder,
- (ii) the licence shall assist the market committee in collecting market fee from the storage/hat/bazaar/mela,
 - (iii) the licensee or his agent shall render all facilities and assistance to the market committee, its members, officers or employees to enter the storage/hat/bazaar/mela or any premises therein at any time for carrying out the provision of the Act and the rules and bye-laws made thereunder,
 - (iv) the licensee or his agent shall not collect from the storage/hat/bazaar/mela ground rent in excess of the schedule of rates or rent approved by the market committee and shall not collect or realise any other fee, charge, levy, toll or any other amount in addition to the said rates,
 - (v) the licensee shall cause the schedule of referred to in clause (iv) to be prominently exhibited in two conspicuous places of the storage/hat/bazaar/mela,
 - (vi) the licensee or his agent shall grant correct receipt to all person for ground rent collected from them and shall maintain correct accounts of all collections made by him and shall produce the same for inspection whenever called upon to do so by the Secretary of the market committee or any other officer deputed for that purpose,
 - (vii) the licensee shall be responsible for the proper maintenance and sanitation of the storage/hat/bazaar/mela and shall keep the place clean and in good state and free from all filthy in sanitary material and shall provide of such amenities as drinking water, parking place, drainage, sheds, platforms, culverts, etc. as the market committee may direct,
 - (viii) the licensee shall render necessary co-operation and assistance to the market committee in the matter of carrying out the provision of the Act in respect of the of the storage/hat/bazaar/mela, particularly in the matter of provision of facilities as required by sub-section (1A) of section 20 and shall not cause any obstruction to or interference with the provision of such facilities and shall allow use of necessary land for that purpose,
 - (ix) the licensee or his agent shall not allow to operate in the of the storage/hat/bazaar/mela any functionary who does not have a valid licence from the market committee,
 - (x) the licensee shall operate the storage/hat/bazaar/mela within the boundaries specified in the licence and on such days and time as the market committee may determine,
 - (xi) the licensee shall not assign or underlet his interest in the storage/hat/bazaar/mela to any person without the previous permission of the market committee,
 - (xii) the licensee shall stand automatically revoked and terminated on the issue of a notification by the State Government under sub-section (2) of section 4 of the Act, if the storage/hat/bazaar/mela falls within the area in respect of which such notification has been issued.

8. Licence Register

The Market committee shall cause a licence register to be maintained in form 6.

9. Cancellation or suspension of licence

(1) Whenever a market committee proposes to cancel or suspend a licence under sub-section (6) of section 13, its secretary shall cause a notice to be served upon the licensee either through messenger with proper receipt or by registered post stating therein the grounds of the proposed cancellation or suspension and directing him to show cause, if any, within fifteen days from the date of service of the notice, as to why the licence should not be cancelled or suspended.

(2) On the expiry of stipulated period the Secretary shall place the matter along with the explanation, if any, received from the licensee, before the market committee for consideration.

(3) On consideration of the explanation, if any and on making enquiry, if any, the market committee may issue such order as it deems fit under sub-section (6) of section 13.

10. Appeal against cancellation or suspension of licence.

Any person aggrieved by an order of the market committee canceling or suspending licence under sub-section (6) of section 13 may appeal to the Deputy Director or superintendent of Agricultural (Marketing), having jurisdiction over the area:

Provided that such jurisdiction shall be made within fifteen days from the date of communication of the order or cancellation or suspension.

11. Issue of duplicate licence

(1) An application referred to in sub-section (8) of section 13 for issue of a duplicate licence shall be accompanied by a fee of (i) ten rupees in case of traders, commission agents, persons engaged in processing and preservation of agricultural produce, (ii) five rupees in a case, of broker, warehouseman or surveyor, (iii) two rupees in case of weighman and measurer and sellers and producers of Agricultural produce, and (iv) fifteen rupees for persons setting up, establishing or continuing a place for storage, sale or purchase of any agricultural produce.

(2) A licence, which is torn, defaced or otherwise rendered illegible, shall be surrendered by the applicant along with the application for the issue of a duplicate licence under this rule.

(3) Immediately on receipt of the application, the Secretary shall, after satisfying himself about the genuineness of the case and that the conditions of sub-rule (1) or (2), as the case may have been met by the applicant, issue a duplicate licence.

(4) Every duplicate licence so issued shall bear in its face the number and date of the original licence of which it is the duplicate and shall be stamped "Duplicate".

CHAPTER III

REGULATION OF AGRICULTURAL MARKETING

11. Retail sale

Retail sale shall be deemed to have taken place if the quantity of agricultural produce involved in the sale does not exceed the limit specified in column (2) of schedule B in respect of the item of agricultural produce described in column (1) of the said Schedule.

13. Marketing of Agricultural produce in a market area

(1) All kinds of agricultural produce or processed in the market area except such quantity for retail sale shall be sold on the principal market yard or sub market yard or yards, as the case may be, and not yet any other place within the market area and the sale and purchase of such agricultural produce in such yards shall be made by open auction or by tender system or by sample or by open agreement as may be permitted by the market committee. The seller shall have the option to accept or reject any bid offered at the auction or, as the case may be, any price offered at the negotiation of sale made in any other way permitted by the market committee:

Provided that the market committee may, for special reasons, allow purchase and sale of agricultural produce referred to in this sub-rule at any premises or place outside the principal market yard or sub market yard or yards but within the market area, such premises or place being mentioned by the market committee in the licence granted to the market functionary.

(2) Details of agricultural produce to be sold or resold in the market area shall be reported by the sellers or the buyers, as the case may be, before sale or resale, to the market committee in such manner as the market committee may require.

(3) The price of agricultural produce shall not be settled in the market area by secret bids or secret bid and, subject to the provisions of section 33, no deductions shall be made from the agreed price of the agricultural produce concerned in any account either in by adjusting the price or weight or measure or otherwise.

(4) All price quotations given or offered in the market area by a tender, commission agent or broker shall be deemed to be for the agricultural produce only and shall not be deemed to include price for the articles used as containers thereof or other charges, unless the contrary is specifically stated in the quotation.

(5) The units of price quotation in every market area shall be in standard weight and standard measure.

(6) In the market area the same person shall not act as a broker both for the buyer and the seller of an agricultural produce in the same transaction.

(7) No weights, measures and weighing instruments or measuring instruments other than the standard ones shall be used in any transaction in the market area.

(8) The tender and commission agent and if a commission agent is not employed, the purchaser shall make arrangements for immediate weighment or measurement of the agricultural produce brought into the market area for marketing or storing therein.

(9) Immediately after any agricultural produce is weighed or measured the purchaser shall settle the account and pay the seller or his commission agent, as the case may be, for the sale of the produce so weighted or measured, on the same day, and the commission agent shall pay the seller, for the produce sold, on the same day.

(10) In a market area, no person shall, in the absence of an express agreement, be compelled to employ a broker or a commission agent when none is so employed.

(11) Hours of business in the market area shall be such as may be determined by the market committee.

(12) The charges payable to commission agents, broker, weighmen, measurers, warehousemen or surveyors for their service to the sellers or buyers may from time to time be fixed by the market committee with prior approval of the Board.

14. Inspection and verification

(1) The Secretary or any other person authorised by the market committee or Board in this behalf shall be entitled to examine, without notice and at all responsible hours, books of accounts of the licensed traders, brokers, commission agents, weighmen, warehousemen, surveyors etc. for carrying out the purpose of the Act.

(2) Every market functionary shall, on requisition in writing being made to him by the market committee or its Secretary, immediately produce for examination such books of accounts or other documents as may be specified in such requisition.

(3) The Secretary, every member of the market committee and any other person authorised by market committee or by the Board in this behalf shall be entitled to inspect, examine any compare, without notice and at all reasonable hours, any weight, measure or weighing instruments and measuring instruments used, kept or possessed by any market functionary or any person or persons under this authority or control in the market area.

(4) Every market functionary shall, on requisition in writing made to him by the Secretary, immediately produce for examination every scale, weight or measure used, kept or possessed by him or any other person or persons under this authority or control and shall allow the person authorised by the Secretary in this behalf to inspect, examine and compare the same.

15. Confiscation of non-standard scale, weight and measures

(1) If any of the weights, measures or weighing instruments or measuring instruments is, on examination, found or suspected to be not conforming to a standard scale, weight or measure as the case may be, the Secretary or a member of the market committee or any other person authorised by the market committee or by the Board in this behalf and holding the inspection and verification, may at once seize such scale, weight or measure in presence of two or more witness and submit a report forthwith to the market committee.

(2) On examination of the report and further verification, if deemed necessary, to the scale, weight or measure in presence of the persons affected, the market committee may, in addition to any other action that it may decide to take against the market functionary concerned under the provisions of the act, confiscate and destroy such non-standard scale, weight or measure, as the case may be.

16. Prohibition of adulteration of agricultural produce

No market functionary or any other person operating in any market area shall adulterate any agricultural produce or shall cause such produce should be adulterated.

17. Payment of fees to the market committee

(1) When a licensed trader is the buyer of an agricultural produce, he shall within a week from the date of the instruction, pay the fees prescribed under subsection (1) of section 17, to the market committee or any office or employee or any other person authorised by the market committee in this behalf, either in cash or by bank draft along with a statement showing the date of transaction, the agricultural produce bought together with quantities and money value thereof and the amount of fees payable therefore.

(2) When a licensed trader is the seller of an agricultural produce, he shall recover the fees from the buyer and pay the amount so recovered, within a week from the date of the transaction, to the market committee or any of its officers or employees authorised by the market committee in this behalf, in cash or by Bank draft along with a statement showing the date of transaction, in the name of the buyer, the quantity of agricultural produce purchased with money value thereof and the amount recovered from the buyer.

18. Submission of returns and assessment of fees

(1) Every licensed trader shall submit to the Secretary returns of turn over in form 7 for every forth night by the third working day of the following fortnight.

(2) Every such return shall be accompanied by the duplicate receipt issued by the market committee for payment of fees under Act in terms of the fortnightly return.

- (3) The notice to be issued under sub-section (4) of section 17A shall be in form 8.
- (4) If a trader fails to submit any return of turnover as required under subsection 1 of section 17A or fails to comply the terms of a notice under subsection (4) of section 17A, the Secretary shall, after giving the trader an opportunity of being heard, make the assessment of fees on the basis of past records of turn over of the licensee available with the market committee or on the basis reasonable estimates to be recorded in writing.

19. Settlement of disputes between buyers and sellers

If any market area any dispute arises between and sellers of agricultural produce or their agents the market committee shall arrange for the settlement thereof in the following manner, namely:

- (a) the dispute shall immediately be reported to the Secretary who himself or any person authorised by him in this behalf shall settle the same amicably. The dispute shall, as far as possible, be decided on the spot on the same day,
- (b) If the Secretary or the authorised person fails to settle the dispute, each of the two parties to the dispute shall, as soon as may be, select one arbitrator other than the two selected by the parties, from the panel of arbitrators prepared for the purpose by the market committee under clause (e):
Provided that if both the parties to the dispute select the same arbitrator, the market committee shall not select any other arbitrator,
- (c) Where three arbitrators have been selected, the market committee shall, immediately after such selection, refer the dispute to them and the three arbitrators shall expeditiously decide the dispute by majority of votes and make an award accordingly, and where only one arbitrator has been selected, the market committee shall immediately refer the dispute to him and he shall expeditiously decide the dispute and make an award,
- (d) the decision on the dispute given and award made by the arbitrator or arbitrators shall be final,
- (e) a market committee shall prepare in April every year a panel of twelve arbitrators from agriculturists or traders living in the market area:
Provided that no member of the market committee or any professional lawyer shall be included in the panel of arbitrators,
- (f) no fee shall be payable to the arbitrator or arbitrators by the parties to the dispute.

20. Promotion of grading and standardisation of agricultural produce

(43)

(1) The market committee shall preserve, for the guidance and inspection of the sellers and buyers, samples of standard grades of non-perishable agricultural produce sold in the market area.

(2) The market committee shall take all necessary steps for grading and standardisation of such agricultural produce as may be specified by the Director from time to time and for prevention of agricultural produce in the market area.

Explanation – For the purpose of this rule, as also of rule 7 and rule 16 adulteration of agricultural produce shall include mixing of inferior stuff with superior produce mixing of different varieties of different qualities, mixing of sieved remains of the agricultural produce with the agricultural produce and mixing of earth, dirt and stones or any other extraneous matter with any agricultural produce, affecting the quality, colour, composition or standard of the agricultural produce.

21. Dissemination of information etc.

(1) The market committee shall preserve in its office a copy of the Act and the rules and notifications issued thereunder and the buy-laws made by it for inspection of the public, free of charge, at all responsible hours.

(2) All directions issued by a market committee for the guidance of persons using market shall be displayed on the notice board and such display shall be deemed to be sufficient notice of its contents to all such persons:

Provided that the market committee may, if it thinks necessary, cause such notice to be served on persons concerned or to be published in the local news papers.

(3) All papers relating to general market information and instructions as may be issued by the Director of the Board from time to time under the provisions of the Act and the rules made thereunder shall be displayed on the notice board.

CHAPTER IV

MARKET COMMITTEE, ITS SUB-COMMITTEES, SECRETARY, OFFICERS AND OTHER EMPLOYEES

22. Transaction of business of the market committee

(1) The market committee shall cause to be maintained minuted book which shall be opened to all for inspection in its office at all responsible hours. The Secretary shall be in charge of this minute book, wherein record of the proceedings of every meeting of the market committee in the next meeting. The minute book shall be permanently preserved.

(2) A copy of the proceedings of every meeting of the market committee shall be forwarded by the Secretary on behalf of the market committee within seven days of such meeting to the Director and Board.

(3) All business of the meeting and office of the market committee shall, as far as possible be conducted –

- (a) in the three hill sub-division of Darjeeling, namely, Darjeeling, Kalimpong and Kurseong, in the Bengali language and in the Nepali language and
- (b) elsewhere, in the Bengali language.

23. Function of the market committee

The market committee shall discharge the duties and functions under section 12 of the Act and also such other functions at the State Government may direct it to perform to carry out the purpose of the Act and in the general interest of agricultural marketing in the State.

24. Terms and conditions of appointment of members of the committee

(1) Subject to the provisions of sub-rule (2), no member of the market committee shall be entitled to draw any salary, wages, fee, honorarium or allowances from the market committee fund and shall not hold any office to profit under the market committee

(2) the market committee may grant to a non-official member such traveling allowance as may be determined by it with the approval of the Board to meet expenditure that may be incurred by him for attending a meeting of the market committee:

Provided that no such traveling allowance shall be paid for attending a meeting of the market committee held in the market area.

Explanation – For the purpose of this sub-rule a non-official means a member who has been appointed to represent the small growers or agriculturists or licensed traders.

(3) No member of a market committee shall enter into a contract with the market committee and shall, draw any amount from the market committee fund for execution of any contract or for marketing payment to a contractor,

Explanation – Taking out a licence from the market committee for acting as a market functionary shall not constitute entering into a contract with the market committee for the purpose or this sub-rule.

(4) No member of a market committee shall indulge in or encourage any activity prejudicial to the interest of the market committee or contrary to the accepted decisions of the

market committee or contrary to the purposes of the Act and the rules and bye-laws made thereunder.

(5) No member of a market committee shall remain absent from two or more consecutive meetings of a market committee except on leave of absence from the market committee.

(6) Every member shall be liable for loss, waste or misapplication of the fund or other property belonging to the committee, if such loss, waste or misapplication is proved to the satisfaction of the Board to be the consequence of his neglect or misconduct in the performance of duties as a member of the committee and he may, after being given an opportunity to show cause why he shall not be required to make good the loss, be surcharged with the value of such property or the amount shall be recoverable from the member by the market committee.

(7) A member against whom an order to make good the loss been made under sub-rule (6) may, within one month from the service of such order, appeal to the State Government which shall have the power of confirming, modifying or setting aside the order.

25. Constitution of sub-committee by the market committee

(1) A sub-committee that may be constitute by a market committee under sub-rule (2) of section 12 shall consist of not more than five members:

provide that the Chairman or the Vice-Chairman of the market committee shall be one of the sub-committee.

(2) The Chairman of the mark committee, or in his absence Vice-Chairman shall be the ex-officio Chairman and the Secretary of the market committee shall be the ex-officio Secretary of the sub-committee.

(3) The Secretary shall record the minutes of the meetings of the sub-committee.

(4) Two member shall from the quorum of the meetings of a sub-committee.

(5) Every sub-committee shall conduct and regulate its business and such manner as may be specified in the bye-laws made by the market committee or in the decision of the market committee constituting the sub committee.

26. Terms and conditions of appointment of Secretary

(1) The Secretary of the market committee shall be appointed by the State Government and shall held office during the pleasure of the State Government.

(2) The Secretary shall be the principal officer of the market committee and shall carry into effect the resolution of the market committee and shall be responsible for keeping the

accounts of the market committee and also for timely submission of all returns, statements and reports by the market committee to the Director, Board and State Government.

(3) The Secretary shall discharge such other function as are entrusted to him by the Act and the rules and the bye-laws made thereunder.

(4) No market committee shall pass an order of dismissal, removal, suspension or reduction in rank of a Secretary without the previous approval of the State Government.

(5) The Secretary may send at any time any report or communication regarding the affairs of the market committee to the Director Board and the State Government.

(6) At the end of each market year the Chairman of the market committee shall send a report on the performance of the Secretary to the Director and the Board.

(7) The pay or scale of pay, if any, attached to the post of a Secretary shall be such as may be determined by the State Government from time to time.

(8) If the Secretary is an officer of the State Government or of the Board deputed to the market committee, he shall draw pay and allowances in terms of the order of the deputation, and his other conditions of service shall be governed by the rules of the service organisation to which he belongs.

(9) If the Secretary is not an officer of the State Government or of the Board, deputed to the market committee, his pay or scale of pay shall be such as may be determined by the market committee subject to the approval of the Board.

27. Appointment of others and employees

(1) No market committee shall appoint any officer or employee except with the prior sanction of the Board.

(2) Proposal for sanction under sub-rule (1) shall be sent to the Board by the market committee with full supporting facts and figures at least on month before the proposed date of appointment.

(3) The market committee may, subject to the approval to the Board in terms of sub-section (4) of section 14, frame rules for:

- (a) recruitment to various posts,
- (b) pay or scale of pay attached to various posts,
- (c) categories and scale of allowances admissible to its officers and employees,
- (d) payment of traveling allowances, grant of leave and leave salary, loans, advances, ex gratia payments, honorarium,

- (e) establishment and maintenance of provident fund for its officers and employees,
- (f) furnishing of security bonds, guarantees etc. by its officers and employees,
- (g) conduct, discipline and punishment of its officers and employees and
- (h) other conditions of service for its officers and employees.

28. Appeal against the decision of the Board in service matters

A market committee or any person dissatisfied with the decision of the Board in the matter of section of appointment or approval of service rules, in terms of sub-section (3) and (4) of section 14 may, within thirty days from the date of communication of the decision, appeal in writing to the State Government –

- (a) the facts of the case,
- (b) the original proposal of the market committee,
- (c) the decision of the Board,
- (d) the ground of the appeal, and
- (e) the relief sought for.

CHAPTER V

MARKET COMMITTEE FUND, ACCOUNTS AND AUDIT

29. Market committee fund

(1) All money accruing or payable to the market committee fund shall be deposited to the credit of an account of the market committee fund to be maintained with such nationalised co-operative bank or banks as may be approved by the market committee:

Provided that an impressed cash balance not exceeding five hundred rupees may be kept at the office of the market committee at the custody of the Secretary or any other officer of the market committee to meet petty expenses:

Provided further that when payments have already been received to the credit of the market committee fund but the market committee has not taken any decision as to the bank with which the account of the fund shall be maintained, the Chairman and the Secretary of the market committee shall open an account with the local branch of the State Bank of India or, if no such branch is available, with the nearest branch of any nationalised bank, subject to approval at a subsequent meeting of the market committee.

(2) The Bank or Banks and the names of branches thereof with which accounts of the market committee fund are maintained shall be reported by the Secretary to the Director and the Board as soon as the accounts are open and a similar report shall be sent in case of transfer or closure of the accounts.

(3) The market committee may, with the sanction of the Board, invest its surplus fund in the Government savings Bank or in any other security specified in section 20 of the Indian Trusts Act, 1882 (2 of 1882) and in Government Savings Certificates.

(4) The Pass Book or Pass Books shall be got updated at least once a month by the Secretary from the banks concerned.

30. Receipts

(1) The market committee shall maintain registers showing the licence fees and market fees collected by it and a receipt duly signed by the person authorised by the market committee shall be granted to every person in respect of fees collected from him.

(2) Where a market committee has acquired or taken on less a market under clause (i) of sub-section (1) of section 20 and is collecting toll from the market, it shall maintain a register showing the tolls collected by it and a receipt or toll token duly signed or authenticated by the person authorised by the market committee, shall be issued to every person in respect of the toll collected from him.

(3) Separate registers shall be maintained for each market under sub-rules (1) and (2), as far as practicable.

(4) The receipts and toll tokens under sub-rules (1) and (2) shall be printed in standard forms and sizes, serially numbered and bound in books of convenient numbers. The printing, checking, custody and issue of the books shall be controlled and fully accounted for by the Secretary or other officer authorised by the market committee in this behalf.

(5) All person authorised to collect fees and toll under sub-rule (1) and (2) shall be render full account of the collection and shall tender the total amount collected without any deduction whatsoever to the Secretary or to an officer or to a bank account as may be designed by the market committee on the day of the collection by the next working day at the latest, in such manner as may be determined by the market committee.

(6) Receipts for rentals, other collections, security deposits, loans, advances, subsidies, grants, etc. received by the market committee, shall be countersigned by the Secretary.

(7) The market committee shall maintain a register for subsidies received from different agencies in cash or in kind and the subsidies so received, shall be credited to the appropriate Subsidy Fund Account.

Illustrations:

- (a) where the State Government has transferred to the market committee a piece of land free of cost for construction of its principal market yard the book value of the

land as may be determined by the State Government, or when the State Government, has not determined the book value, the market committee with the approval of the Board, shall be debited by means of an entry in the Journal to the Land Account with corresponding credit to the State Government Subsidy fund for Principal Market Yard Land Account.

- (b) Where the State Government has transferred to the market committee to recover the loss it has sustained in its operation for prevention of distress sale by farmers subsidy so received shall be entered in the Cash Book with credit to the State Government Subsidy fund for Prevention of Distress Sale Account.

31. Payments

(1) All payments except payments for petty expenses shall as far as possible be made by cheques drawn on behalf of the market committee and receipt for all payments shall be obtained from the payees.

(2) No cheque on behalf of the market committee shall be drawn and no payment made except on the basis of a payment voucher shall be numbered in one running serial for the market year and filled together with the relevant bill, challan, cash memo, muster roll etc. as the cash may be

(3) The Secretary and the Chairman shall not pass any payment voucher unless the expenditure proposed therein has received the previous sanction of the market committee:

Provided that no such previous sanction shall be necessary for payment of-

- (a) salaries and allowance of the sanctioned establishment of the market committee,
- (b) works and repairs sanctioned by the competent authority,
- (c) essential expenses in pursuance of order of the State Government or of a court of law,
- (d) urgent expenditure for which there is budget provision and which does not exceed Rs.250.

(4) Subject to the provisions of sub-rule (3), no payment shall be made out of the market committee fund or any item not provided for in the approved budget of the market committee or in excess of the amount so provided or for any purpose not directly connected with the affairs of the market committee.

(5) All items of equipments, furniture, stationery articles, books and periodicals etc. purchased out of the market committee fund shall be used exclusively for the work of the market committee and the Secretary shall be responsible for the proper custody, utilisation and accounting of all such items.

(6) Where a grant or subsidy or loan or advance has been received by the market committee for a specific purpose no part of it shall be diverted either temporary or permanently

to any other purpose without the previous sanction of the State Government.

32. Accounts

(1) The accounts of the market committee shall be kept on the double entry book keeping system and maintained in such manner as the Board may direct.

(2) Unless otherwise directed by the Board, the market committee shall maintain the following books of accounts and subsidiary financial registers viz.,

- (i) Cash Book
- (ii) Journal
- (iii) General Ledger
- (iv) Individual Ledger
- (v) Licence Fee Register
- (vi) Market Fee Register
- (vii) Toll Collection Register
- (viii) Register of Bills Receivable
- (ix) Register of Bills Payable
- (x) Register of Security Deposit
- (xi) Register of Forms and Account Books
- (xii) Stationery Register
- (xiii) Register for Dead Stock
- (xiv) Property Register
- (xv) Register for Loans and Advances, and
- (xvi) Register for Subsidies and Grants.

(3) The Secretary shall prepare at the end of each month a receipt and payments Accounts incorporating a classified summary of cash and bank transactions during the month and showing the balance of cash in hand and bank or of bank overdrafts, as the case may be, and place and Account before the market committee for its ratification or orders.

(4) The Secretary shall prepare within one month from the end of a market year a consolidated Receipt and Payment Account for the market year, an Income and Expenditure Account for the market year and a Balance Sheet as on the closing date of the market year and place them before the market committee for ratification or orders.

Explanations:

- (a) The Income and Expenditure Account shall only include revenue items relating to the market year it covers irrespective of whether or not they are actually received or paid within the market year and shall capital items.
- (b) The Income side of the Income and Expenditure Account shall include all revenue

income of the market committee such as income from licence fees, market fees, tolls, rentals, interests on bank deposits and investment but shall not include such receipts as subsidies, loans, advances, security deposits etc.:

Provided that when the market committee has received a subsidy from any agency to cover any revenue expenditure in full or in part, such part of the corresponding subsidy fund Account as may have been utilized in meeting the revenue expenditure may be transferred to the income and expenditure account with the prior sanction of the Board.

- (c) The Expenditure side of the Income and Expenditure Account shall include all items of revenue expenditure incurred in the market year but shall not include such payments as payments on construction accounts, repayments of principal amounts of loan and advances, refund of deposits, etc.
- (d) The surplus, if any, in the Income and Expenditure Account shall be appropriated in the manner laid down in subsection (2) of section 19.
- (e) The liabilities side of the Balance Sheet shall show the closing balance of all reserve and General Fund Accounts, Subsidy Fund Accounts, Loans or Advances or Overdraft Accounts, Sundry Liabilities and the net surplus of the Income and Expenditure Account.
- (f) The Asset side of the Balance Sheet shall show all fixed and floating assets, investments, advances and bills recoverable and cash and bank balances and the net deficit of the Income and Expenditure Account.

33. Audit

(1) The accounts of the market committee in respect of the market year shall be audited within three months from the close of the market year by such auditor as may be approved by the Board and the fees payable to the auditor shall be paid out of the market committee fund.

(2) The market committee shall cause to be produced all such accounts, registers, documents, vouchers, receipts and other relevant papers as may be called for by the auditor for the purpose of audit and shall furnish all explanations as may be called for by the auditor of the settlement of any discrepancy in the accounts or for understanding any point relating to the accounts.

(3) The audited statement of accounts of the market committee together with the audit report and the annual administration report shall be placed before the market committee at a special annual meeting for consideration and reply to the observations, if any, of the audit.

(4) The audited statement of accounts together with the audit report, the replies of the market committee to the audit observation and the annual administration report shall be authenticated by the Chairman or the Vice-Chairman, any other member of the market committee and its Secretary and preserved as a permanent record.

34. Submission of accounts

(1) The market committee shall, within four months of the closing of the market year, submit the audited statement of accounts for that market year with the audit report, the replies of the market committee to that audit observations, if any, and the administration report authenticated in the manner stated in sub-rule (4) of rule 33 to the Board and the Director.

(2) The market committee shall comply with all instruction and directions that may be given or issued by the Board from time to time in connection with the accounts or the audit report.

CHAPTER VI

MISCELLANEOUS PROVISIONS RELATING TO MARKET COMMITTEES

35. Appeal against order decree of the Director or the Board to the State Government

A market committee, dissatisfied with the decision with the Director or the Board under sub-section (1) of section 27, or any person aggrieved by the refusal to stay the execution of a decision or order to the market committee, may prefer an appeal in writing to the State Government within thirty days from the date of receipt of the communication of the decision or order as the case may be, starting –

- (a) the facts of the case,
- (b) the original decision of the market committee,
- (c) the decision of the Director of the Board,
- (d) the grounds of appeal, and
- (e) the relief sought for.

36. Publication of State Government orders regarding exemption

The market committee shall arrange for giving wide publicity to any notification issued under section 29 by displaying such notification with a translation thereof in the Bengali or in the Nepali language, as the case may be, in its office notice board in all market yards and in the office of the Panchayat Samity and Gram Panchayats situated in the market area.

37. Effect of dissolution of market committee

- (1) When a market committee stands dissolved under sub-section (4) of section 3, the

Director shall depute an officer not below the rank of a Deputy Director to make an inventory and take over charge of the unexpended balance of a market committee fund and other properties and liabilities of the dissolved market committee, and all bank accounts, securities, advances and properties and interests standing in the name of the dissolved market committee shall thereupon be controlled by such officer according to instructions issued by the Director from time to time.

(2) The value of the property of the dissolved market committee vesting in the State Government under cause (b) of sub-section (4) of section 3 shall be the book value of the property according to the last audited balance sheet to the market committee, subject to up-to-date provision of depreciation at rate recognised under the income tax law, but where no such Balance Sheet is available the value determined by the State Government shall be final.

CHAPTER VII

WEST BENGAL STATE MARKETING BOARD

38. Quorum for a meeting of the Board

The quorum for a meeting of the Board shall be one-third of its total strength or six members, whichever is less.

39. Meetings of the Board

(1) The Board shall meet at least once in every three months at such time and place as may be specified in the notice of the meeting.

(2) Notice of a meeting of the Board shall be given, in writing, to every member reasonably ahead of the time and date of the meeting:

Provided that a special meeting shall be called by giving not less than clear seven days notice in writing.

(3) The Board shall cause minutes of all proceedings of every meeting to be kept in minute books with their pages consecutively numbered, and the minutes shall be dated and signed by the Chairman.

(4) The minutes of a meeting shall give a correct summary of the proceedings and also contain the names of the members present in the meeting.

(5) The minute books shall be kept in the head office of the Board and be open, during office hours, to the inspection of any member without charge.

(6) It shall be the duty of the Secretary to the Board to maintain the minute books and circulate copies of proceedings to the members of the Board, the State Government and to such other person as may be directed by the Board.

(7) The Secretary of the Board or any other person authorised by the Board in this behalf, shall convene the meetings of the Board and fix the agenda with the approval of the Chairman of the Board.

40. Terms and condition of appointment of the Chief Executive Officer

(1) The Chief Executive Officer of the Board shall be appointed by the State Government and shall hold office during the pleasure of the State Government.

(2) The Chief Executive Officer shall be the principal officer of the Board and shall carry into effect the resolution of the Board and shall be responsible for keeping the accounts of the Board and for timely submission of all returns, statements and reports by the Board to the State Government.

(3) The Chief Executive Officer shall discharge such other function as such other functions as are entrusted to him by the Acts and the Rules made thereunder or as may be entrusted by the Board.

(4) The Board shall not pass an order or dismissal, removal, suspension or reduction in rank on the Chief Executive Officer without the previous approval of the State Government.

(5) The Chief Executive Officer may send at any time any report or communication regarding the affairs of the board to the State Government.

(6) At the end of each market year the Chairman of the Board may send a report on the performance of the Chief Executive Officer to the State Government.

(7) The pay or scale of pay, if any attached to the post of the Chief Executive Officer shall be such as may be determined by the State Government from time to time.

(8) The Chief Executive Officer is an officer of the State Government deputed to the Board he shall draw pay and allowances in terms of the order of the deputation and his other condition of service or department to which he belongs.

(9) If the Chief Executive Officer is not an officer of State Government deputed to the Board his pay or scale of pay shall be determined by the State Government and the other conditions of his appointment shall be determined by the Board subject to the approval of the State Government.

CHAPTER VIII

REPEAL AND SAVING

41. Repeal

(1) The West Bengal Agricultural Produce Marketing (Regulation) Rules, 1973, are hereby repealed.

(2) Any instruction issued, orders made or any thing done or action taken under the said rules shall be deemed to have been validly issued, made, done or taken under the corresponding provisions of these rules as if these rules were in force on the day when such instruction was issued, such orders were made, such thing was done or such action was taken.

SCHEDULE A**[See rule 5 (1) (a)]**

Maximum annual fees for grant of a licence payable by different categories of market functionaries.

Category (1)	Maximum annual fees payable for licence. (2) Rs.
(i) Tender	150
(ii) Commission Agent	200
(iii) Broker	100
(iv) Seller or purchaser of agricultural produce	150
(v) Warehouseman	100
(vi) Surveyor	100
(vii) Weighman	5
(viii) Measurer	5
(ix) Person engaged in processing and preservation of agricultural produce	200
(x) Person setting up, establishing or continuing a place for storage, sale or purchase of any agricultural produce	200

SCHEDULE B**[See rule 12]**

Maximum limit of sale for qualifying as retail sale.

Agricultural produce (1)	Quantity (2)
1. Cereals	20Kg of each kind
2. Pulses	4.5 Kg of each kind
3. Oilseeds	4.5 Kg of each kind
4. Oils	4.5 Kg of each kind
5. Fruits	(a) 2.5 Kg of each of mango, banana, lichi, melons, jack fruit, blackberry, guava and apple (b) 24no. of each of orange and lemon. (c) 3no. of pineapple.

Agricultural produce
(1)

Quantity
(2)

- | | |
|----------------------------------|--|
| 6. Vegetables | 4.5 Kg of each kind |
| 7. Fibres | 10 Kg of each kind |
| 8. Animal Husbandry products | (a) 2 heads each of cattle, sheep and goat |
| | (b) 2.5Kg of live weight of poultry |
| | (c) 24no. of egg |
| | (d) 2.5Kg of wool |
| | (e) 1Kg of butter |
| | (f) 2Kg of ghee |
| | (g) 5 liters of milk |
| | (h) 4.5Kg of fish |
| | (i) 4.5Kg of each of goat meat and mutton |
| | (j) 10Kg of hide and skin or 10Kg of flesh |
| 9. Condiments, apices and others | (a) 1Kg each of turmeric, chillies, garlic, coriander, ginger, cardamon, pepper, betelnuts & methi |
| | (b) 100no. of betel leaves |
| | (c) 2Kg of Ceshewnut |
| | (d) 1Kg of Methi or Jeera |
| 10. Grass and fodder | 10Kg |
| 11. Narcotics | 2.5Kg |
| 12. Miscellaneous | (a) 10Kg each of gur and sugar |
| | (b) 12.5Kg of Oil-cakes |
| | (c) 15Kg of sugercane |
| | (d) 2Kg of Kendu leaves |
| | (e) 1Kg of lac |

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FORM 1

[See rule]

Application for licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972, for purposes other than of setting up storage/hat/bazaar/mela

To
The Chairman
REGULATED MARKET COMMITTEE

Sir,

I apply for a licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972. Necessary particulars are given below:

- 1.(a) Name of the applicant
- (b) Father's/Husband's name
- (c) Address in full
- 2.(a) If the applicant is a firm or company or society whether registered or not
- (b) If registered with whom?
- (c) Particulars of registration
- (d) Name of the Managing Director or Manager or Principal Officer who will actually conduct the business
- 3.(a) Name or style under which the applicant will conduct business
- (b) Particulars of the business for which the licence is required (Broker / Commission Agent / Seller or purchaser of agricultural produce / Warehouseman / Trader / Measurer / Surveyor / person engaged in procuring and preservation of agricultural produce / sale or purchase of any agricultural produce)
- (c) Situation of the applicant's place of business with particulars as to the Principal Market Yard / Sub-Market Yard / Market Area (name of police station / village / town / house no. / plot number and boundary of premises to be given)
- (d) Market year or part thereof for which licence is applied for
- (e) The name / names of the agricultural produce he intends to deal in
- 4.(a) Has the applicant any bank or postal savings account? If so the name of the bank or post office should be furnished.
- (b) Whether the applicant has any experience in the business of the nature for which the licence is applied for. If so, the particulars should be furnished
- (c) Whether the applicant has any licence for any kind of market from this Market Committee. If so, full particular should be stated.

- (d) Did the applicant hold a licence from the Market Committee on any previous occasion? If so, give particulars including its suspension or cancellation, if any
- (e) Details godowns and other storage premises-particulars, capacity and location (not applicable to weighman and measurer)
- (f) Details of employees / assistant / agents
- (g) If importer or exporter, particulars about the commodities he is dealing in their volume and usual export destination and usual place of import.
- (h) Whether the applicant is prepared to furnish cash security or bank guarantee as may be required by the market committee

5. Has the applicant ever been found guilty of professional misconduct? If so, the details should be furnished.

6. Amount of licence fee deposited with particulars of receipt number and date.

7. Declaration -

I certify that the facts stated above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and the rules framed thereunder and the byelaws made thereunder by the Regulated Market Committee.

I shall be responsible for all acts, omissions and commissions of my employees, if it so happens.

Yours faithfully

Full address of the applicant

Signature (in full) of the applicant

Place:

Date:

FORM 2

[See rule]

Application for licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972, for purposes of setting up, establishing or continuing a storage/hat/bazaar/mela etc.

To

The Chairman

REGULATED MARKET COMMITTEE

Sir,

I beg to apply for a licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972. Necessary particulars are given below:

- 1.(a) Name of the applicant
- (d) Father's/Husband's name
- (e) Address in full

- 2.(a) If the applicant is a firm or company or society whether registered or not
- (e) If registered with whom?
- (f) Particulars of registration
- (g) Name of the Managing Director or Manager or Principal Officer who will actually conduct the business

- 3.(a) Whether the application is for a storage or hat or bazar or mela or any other place for sale or purchase
- (b) Name or style under which the storage / hat / bazaar / mela etc. will be conducted
- (c) Situation of the storage / hat / bazaar / mela or place as the case may be with particulars as to the police station / village / town / premises number / plot number / area boundary of premises (with a site map and plan)
- (d) Nature of the applicant's interest on the land and premises
- (e) Market year or part thereof for which licence is applied for

4. Applicants bank reference
- (a) Name of Bank with branch
- (b) Account Number

- 5.(a) Details of applicant's past experience in the business
- (b) Whether the applicants holds any licence from this or any Market Committee with full particulars thereof
- (c) Whether the applicant previously hold any licence from any Market Committee with full particulars thereof
- (d) Details of water supply, drainage, sanitation, shelter, parking, storage and other amenities made or proposed to be made by the applicant in the place of business for which the licence is applied for
- (e) Details regarding frequency (date on which held), usual hours of transaction, nature and volume of commodities to be handled, number of persons assembling
- (f) Whether the applicant is prepared to furnish cash security or bank guaranty as may be required by the Market Committee
- (g) Details of employees / assistant / agents
- (h) If the applicant had ever been held guilty of professional misconduct, details of convictions.

6. Amount of licence fee deposited with particulars of receipt number and date.

7. Declaration -

I certify that the facts stated above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and the rules framed thereunder and the byelaws made thereunder by the Regulated Market Committee.

I shall be responsible for all acts, omissions and commissions of my employees, if it so happens.

Yours faithfully

Full address of the applicant

Signature (in full) of the applicant

Place:

Date:

Form 3

[See rule 3 and 4]

**Application for renewal of licence under section 13(4) of the West Bengal
Agricultural Produce Marketing (Regulation) Act, 1972**

To
The Chairman
REGULATED MARKET COMMITTEE

Sir,

I request for the renewal of the Licence No.....of Book
No..... which was granted to me on for carrying on the
business of in market within
market area in (the name of the agricultural produce).

2. The necessary particulars are furnished below:

- (i) (a) Name of the applicant
- (b) Father's name
- (c) Address in full
- (d) Permanent address
- (e) Place of business
- (f) Name of the agricultural produce which he wants to deal in
- (ii) Past experience
- (a) Whether the terms and conditions of the licence were duly observed by the
 applicant
- (b) Whether any action was taken against him by the Market Committee for any
 breach of the terms and condition

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3. The amount of fee deposited with particulars of receipt number and date.
4. I certify that the facts stated in the application above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provision of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and the rules and bye-laws made thereunder.

Yours faithfully

Full address of the applicant

Signature (in full) of the applicant

Place:

Date:

FROM 4

[See rule 6(1)]

**Licence for operating as a * trader / commission agent / broker / surveyor /
Weighman / measurer / warehouseman / seller or producer or for producing and
preservation of agricultural produce**

The Regulated Market Committee

Licence No Book No

Licence is hereby granted to Shri/Sm
Son/wife of Shri of village/
town Police Station Post office
District (hereinafter referred to as the licensee) on payment of fee
Rs. (Rupees) to operate as to specified below
subject to the provision of the West Bengal Agricultural Produce Marketing (Regulation) Act,
1972 and the bye-laws made under the provisions of the Act and the following conditions
namely :

1. The licence takes effect from
2. The licence shall be valid upto
3. The licence is not transferable.
4. The licence is subject to the conditions set forth in the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982, particularly in rule 7 thereof.
5. Particulars of the premises / place covered by this licence

6. The licence shall abide by the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982 and the bye-laws made by the Regulated Market Committee thereunder and the directives issued by the Market Committee under the provision of the Act and the rules.
7. The licence may be suspended or cancelled for breach of any of the provisions of the said Act and the rules made thereunder or for violation of or non-compliance with any of the terms and conditions of the licence of set forth herein and the said Act and the rules.
8. The licensee shall not engage the services of any assistant / agent except the following person / persons in connection with the marketing of agricultural produce, namely: -

1. Shri..... son of
2. Shri son of
3. Shri son of

(The name or names of assistants / agents engaged by licensee to be entered here)

.....
Signature of Secretary

.....Regulated Market Committee
(Seal of Market Committee)

.....
Signature of Chairman

Place:

Date:Regulated Market Committee

Space for renewal of licence

Date of renewal	Period for which renewed	Signature of Chairman and date

* Delete items not applicable.

* Indicate the business for which the licence is granted.

FROM 5

[See rule 6(2)]

**Licence for setting up, establishing or continuing a *storage / hat / bazaar / mela or
Any other place for sale or purchase of agricultural produce**

The Regulated Market Committee

Licence No Book No

Licence is hereby granted to Shri/Sm
 Son/wife of Shri of village/
 town Police Station Post office
 District (hereinafter referred to as the licensee) on payment of fee
 Rs. (Rupees) to set up, establish or continue in
 the locality / premises specified below a *storage / hat / bazar / mela of for sale or
 purchase of agricultural produce subject to the provisions of the West Bengal Agricultural
 Produce Marketing (Regulation) Act, 1972, the West Bengal Agricultural Produce Marketing
 (Regulation) Rules, 1982 and the bye-laws made under provisions of the Act and the following
 conditions, namely :

1. The licence take effect from
2. The licence shall be valid upto
3. The licence not transferable.
4. The licence is subject to the conditions set forth in the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982 particularly in rule 7 thereof.
5. The licence shall set up the storage / hat / bazar / mela or at following place.

Name of the storage hat / bazar / mela	village or town	J.L. No.	Premises No.	Frequency of hat / bazar / mela (days on which held)	Boundary	Remarks
1	2	3	4	5	6	7

6. The licence shall abide by the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972, the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982 and the bye-laws made by the Regulated Market Committee thereunder and the directives issued by the Market Committee under the provisions of the Act and the rules.
7. The licence may be suspended or cancelled for breach of any of the provisions of the said Act and the rules made thereunder or for violation of or non-compliance with any of the terms and conditions of the licence as set forth herein and the said Act and the rules.
8. The licence shall not engage the services of any assistant / agent except the following person / persons in connection with the marketing of agricultural produce, namely: -
 1. Shri son of
 2. Shri son of
 3. Shri son of

(The name or names of assistants/agents engaged by licensee to be entered here)

.....
Signature of Secretary

.....Regulated Market Committee
(Seal of Market Committee)

.....
Signature of Chairman

Place:

Date:Regulated Market Committee

Space for renewal of licence

Date of renewal	Period for which renewed	Signature of Chairman and date
-----------------	--------------------------	--------------------------------

* Delete items not applicable.

* Indicate the business for which the licence is granted.

(65)

FORM 6

[See rule 8]

Licence Register

..... Regulated Market Committee

Sl. No.	Name and address of the licence holder	category of licence	Licence fee Amount No.	Paid receipt No.	Date	Resolution No. and date
1	2	3	4	5	6	7

Licence No. and date	Valid up to	Renewal particular fee receipt No. & date	Date of renewal	Valid up to	Remarks
8	9	10	11	12	13

(66)

FORM 7

[See rule 18 (1)]

Fortnightly Return of Turnover

..... Regulated Market Committee

Name of the Licensee:

Report for the fortnight ending

Licence No.:

.....

Date	From whom purchased		To whom sold (where the buyer is not a licensee)		Commodity
	Name and address	Bill No. if any	Name and address	Bill No. if any	
1	2	3	4	5	6

Quantity of No. Purchased/sold	Rate of which Purchased/sold	Total Value	Total market fee payable	Amount of market fee recovered from purchaser where he is not a licensee, with data	Remarks
7	8	9	10	11	12

Signature of the Licensee

Date:

Full name and address of the licensee

.....
.....

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FORM 8

[See rule 18(3)]

Notice on the Licensee

..... Regulated Market Committee

To
Shri
.....
.....

Licence No.

Whereas the fortnightly Return of Turnover in form 7 for the fortnight ending
..... submitted by him ondose not appear to be satisfactory:

Now, therefore, he is hereby directed under the provisions of Sec. 17A(4) of the West
Bengal Agricultural Produce Marketing (Regulation) Act, 1972, to appear before the under
signed either personally or through an authorised nominee, on at
..... and produced before the undersigned all oral and/or documentary evidence
in support of the return.

Dated this day of200

(Signed)
Secretary

(Seal of the RMC)

By order of the Governor
J. DUTTA GUPTA
Deputy Secretary to the
Government of West Bengal