

# **The Delhi Agricultural Produce Marketing (Maintenance, Management, Regulating of Vehicular Traffic and Conditions of use) Rules, 2000**

DELHI

India

## **The Delhi Agricultural Produce Marketing (Maintenance, Management, Regulating of Vehicular Traffic and Conditions of use) Rules, 2000**

### **Rule**

### **THE-DELHI-AGRICULTURAL-PRODUCE-MARKETING-MAINTENANCE of 2000**

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F.8/12/2000/DAM/MR(III)/4928 dated 13th December, 2000 - In exercise of the powers under Clause (r) of sub-clause (2) of Section 116 read with other relevant provisions of the Delhi Agricultural Produce Marketing (Regulation) Act, 1998 (Delhi Act No. 7 of 1999) the Government of National Capital Territory of Delhi, hereby makes the following rules, namely:-

#### **1. Short title, extent and commencement.**

(1)These rules may be called the Delhi Agricultural Produce Marketing (Maintenance, Management, Regulating of Vehicular Traffic and Conditions of Use) Rules, 2000.(2)They extend to the whole area of the market.(3)They shall come into force at once.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires'-(a)'Act' means the Delhi Agricultural Produce Marketing (Regulation) Act 1998, (7 of 1999);(b)'area' means any area within the local limits of market;(c)'Board' means the Delhi Agricultural Marketing Board constituted under

The Delhi Agricultural Produce Marketing (Maintenance, Management, Regulating of Vehicular Traffic and Conditions of use) Rules, 2000

sections;(d)'fifth' includes offensive matters, sewage and rubbish;(e)'offensive matter' includes animal carcasses, kitchen or stable refuse, dung, dirt and putrid or putrefying substance other than sewage;(f)'market' means a regulated market established under the Act, for a market area and includes a market of national importance established under Section 26 and a principal market and a subsidiary market established under Section 23;(g)'market area' means area declared to be a market area under Section 4.(h)'marketing committee' means a committee constituted for a market area under the Act;(i)'Public Place' means any place in a market which is open to use and enjoyment of the public whether it is actually used or enjoyed by the public or not and includes an auction platform, a storage shed or collection centre or cattle shed or parking places owned by or under the control of a public authority.(j)'public street' means a street vesting in any public authority;(k)'public authority' means-(i)a marketing committee;(ii)the Central Government;(iii)the Government of National Capital Territory of Delhi;(iv)The Delhi Development Authority, constituted under the Delhi Development Act, 1957;(v)a local Authority; or(vi)a public trust;(vii)Delhi Agricultural Marketing Board constituted under the Act.(l)'premises' means any land or building or part of a building in the market and includes-the garden, ground and outhouses, if any, appertaining to such a building or part thereof; and any fittings affixed to such a building or part thereof for the more beneficial employment thereof;(m)'rubbish' includes ashes, broken bricks, broken glasses, dust, malba, mortar and refuse of any kind;(n)'sewage' means night soil and other contents of latrines, urinals, cesspool or drains and polluted water from sinks, bathroom, stables, cattle shed and other like places and includes trade effluents and discharges from manufactures of all kinds ;(o)'street' includes any road, way lane, square, court, alley, gully, passages whether a thorough fare or not and whether build upon or not over which the public have a right of way and also the roadway or footway over the bridge or causeway in the market;(p)'vehicles' includes a motor vehicle, a cart whether driven by a man or animal or other vessel or any other mode of conveyance of any kind.All terms and expressions used in the rules but not defined shall have the same meanings as have respectively been assigned to them in the the Act.

### **3. Regulation of entry and exit form the market.**

(1)A marketing committee may set up check posts or barriers or both at any access to or from the market or at any place within the market with a view to controlling the flow of traffic into or from the market or to preventing the evasion of per trip fee or market fee.(2)A marketing committee may fix and notify separate means of access for entry into or for leaving from the market (hereinafter referred to as the entry point and/or exit point).(3)If an entry or an exit point is fixed and notified by the marketing committee no person or animal or vehicle shall enter into or leave from the market from any point other than the entry point or exit point as the case may be.(4)At every check post or barrier at entry point or exit point or in the market, the driver of a vehicle or person incharge for an animal shall stop the vehicle or animal, and keep it stationary so long as may be required by the officer incharge of the check post or barrier, and shall give his name and address, the name and address of the consignor or consignee of the goods and name and address of the owner of the vehicle or the animal and allow the inspection of the goods and the record if any carried by the vehicle or the animal.(5)No vehicle shall cause any damage to the check post or the barrier set up by the marketing committee. Without prejudice to any other action that may be taken, the owner or person incharge of a vehicle, shall be liable to pay the cost or damage caused to such check post or barrier

#### **4. Control of vehicular traffic.**

(1) No vehicle shall be driven or ridden in the market in such a way so as to endanger the safety of, or cause obstruction or inconvenience to, public at a speed in excess of the maximum speed fixed by the marketing committee. (2) There shall be a one-way traffic in the public street as may be notified by the marketing committee from time to time. (3) On such a road in the market where there is a central line of demarcation for regulating two way traffic, no vehicle shall overtake the other vehicle running in the same direction in such a manner so as to cross the demarcated line causing obstruction to the traffic flowing in the opposite direction. (4) No vehicle shall overtake the other vehicle in any public street or intersection in the market. (5) No heavy vehicle shall overtake another heavy vehicle in motion on a road running in the same direction in the market.

#### **5. Precautions to be observed by the drivers and conductors.**

- No driver or person in charge of a vehicle shall stop or cause to be stopped a vehicle in the middle of a road or in a manner so as to cause obstruction in the smooth flow of traffic on a public street or to danger the safety of the vehicles or users of the public street.

#### **6. Observance of traffic signals.**

- Every person driving, riding, walking or accompanying an animal in a market shall obey traffic signals, traffic lights, hand signals and such other directions of the officers and employees of the marketing committee as may be posted for traffic duty by the marketing committee from time to time in the market.

#### **7. Control of animals on public street.**

(1) No person shall drive or permit to be driven any loaded animal of which he is in-charge through any public street in the market except at such hours as the marketing committee may notify in writing from time to time. (2) No person who is in-charge of an animal whether loaded or not shall drive or permit to be driven shall animal in the market unless the animal is accompanied by such number of attendants as may be necessary and sufficient to prevent such animal from causing obstruction or danger to the users of the public street. (3) No person shall, on any public street in a market, drive or permit to be driven any animal for the purpose of staging a show of that animal with a view to attract the attention of audience and in a manner so as to cause obstruction or hamper the smooth flow of traffic or endanger public safety on a public street. (4) No person shall sell any agricultural produce or any other article on a loaded animal or on any vehicle, on any public street in the market so as to cause obstruction to smooth running of traffic or cause inconvenience or endanger public safety on any such public street.

## **8. Animals driven vehicles to be in control.**

- Any person having the care or control of any vehicle or animal in a market shall not keep himself at such a distance from the vehicle or the animal as to lose control over such vehicle or animal so as to cause obstruction to traffic or inconvenience or endanger public safety.

## **9. Restriction on animal drawn or hand pulled vehicles.**

- No animal drawn or hand pulled vehicle shall be allowed to ply in the market or in any part thereof during such hours as may be specified by notice in writing by the marketing committee from time to time.

## **10. Improper use or occupation of any place in market area.**

- No person shall place or cause to be placed any box, package or any other article or commodity on a public street so as to hamper the smooth flow of traffic or cause inconvenience to the public.

## **11. Sale of goods on roads.**

- No person shall sell or expose for sale any goods on a public street so as to cause obstruction to the flow of traffic or cause inconvenience to the public.

## **12. Restriction on heavy vehicles and medium transport vehicle's.**

- Except under a written permission or a permit granted by it to any person the marketing committee may prohibit the plying of medium or heavy vehicles on any public street either totally or during such hours as may be specified by it.

## **13. Parking of Vehicles.**

- No person shall part or cause to be parked any vehicle at any place in a market other than notified as a parking place by the marketing committee provided that these provisions shall not apply to parking of a vehicle alongside a shop or platform or shed in the market while it is in the process of loading or unloading of goods.

## **14. Restrictions on loading and unloading vehicles during specified period.**

- The marketing committee may from time to time, restrict the time of loading and unloading of vehicles on their entry in the market. In case any Vehicle is found in the market during the prohibited hours or found parked at a place other than the notified parking place, without prejudice to any other action that may be taken for contravention of these rules, such vehicle shall be liable to be taken into possession by the officer of the marketing committee and to be removed at the cost and expense of the owner and shall be released to its lawful owner on payment of such cost and

## **15. Maintenance of the market.**

(1) No person shall—(i) obstruct the flow of water or flush off, draw off or divert or take water from any water works in the market belonging to a public authority or any water course by which any such water is supplied; (ii) obstruct the flow of sewage or flush off, draw off, divert or take sewage from any sewage works belonging to a public authority; (iii) break or damage any electricity transmission line maintained by a public authority; (iv) obstruct any officer or employee of the marketing committee in the discharge of his duties in this connection, or refuse or neglect to furnish him with the remarks necessary, for making any entry, inspection, examination or inquiry in relation to any water or sewage work; (v) bath in, at or upon any water work or wash or throw or cause to enter therein any animal, or throw any rubbish, or filth into any water work or wash or clean therein any cloth, or do any other act whereby the water in any water work is fouled or likely to be fouled. (2) No person shall erect, set up, add or place against to in front of any premises in the market any structure or fixture which will (i) cover and put or project into, or in any way encroach upon or obstruct in any way the safe or convenient passage of public along any public street, or (ii) put or project or encroach upon any drain or open channel in any street in the market so as in any way to interfere with the use or proper working of such drain or channel or impede the construction or cleaning thereof. (3) Any officer authorised by the marketing committee in this behalf may, by notice, require the occupants of any premises to remove, or to take such other direction as he may direct, in relation to any structure, fixture which has been erected, set up, added to, placed against, or in front of such premises in contravention of the preceding sub-rule. (4) No person shall, except with the permission in writing granted by the marketing committee erect, set up any wall, fence, or any, structure whether of a permanent or temporary nature, or any fixture in or upon any street or upon or over any channel, drain, well, or in any street so as to form an obstruction to or encroachment upon, or a projection over, or to occupy any portion of such street, channel, drain, well or tank in the market. (5) (a) No person shall, except with the permission in writing of the marketing committee and on payment of such fee as in each case it may think fit, place or deposit upon any street or upon any open channel drain or well in any street or upon any public place in the market any stall, chair, bench, box, bale or any other thing whatsoever so as to form an obstruction thereto or encroachment thereon. (b) Without prejudice to any other action that may be taken for the contravention of these rules any officer authorised by the marketing committee in this behalf may, without notice, cause to be removed summarily: (i) Any stall, chair/bench, box, bale or any other thing whatsoever placed, deposited, projected, attached or suspended in, upon, from, or to any place in contravention of the Act and these rules; (ii) Any article whatsoever hawked or exposed for sale in any public street or in any other public place in the market in contravention of the Act and the rules made thereunder.

## **16. Collection and removal of filth.**

(1) It shall be the duty of the owner and occupier of all premises in the market—(a) to have the premises swept and cleaned; (b) to cause all filth, rubbish and other polluted or obnoxious matter to be collected from their respective premises and to be deposited at such times as the marketing

committee by notice specify in public receptacles or depot or place provided or appointed by the marketing committee for this purpose;(c)to provide receptacles of the type and in the manner specified by the marketing committee for the collection therein of all filth, rubbish and polluted or obnoxious matter from such premises and to keep such receptacles in good condition and repair.(2)Without prejudice to any other action that may be taken for the contravention of these rule, if any premises in the market are not properly and regularly scavenged or cleaned or are in a filthy or unwholesome condition, the marketing committee may cause them to be scavenged and/or cleaned and recover the expenses incurred thereon from the owner or, as the case may be, occupier as arrears of land revenue.

## **17. Prohibitions of nuisances.**

(1)No person shall in any public street or a public place in the market:-(i)case himself or urinate himself; or(ii)without proper authority, affix upon any building, post, wall, fence, tree or any other thing, any bill, notice or any other document; or(iii)let loose any animal so as to cause, or negligently allow any animal to cause, injury, danger or annoyance to any person; or(iv)loiter or beg for alms or expose or exhibit, with the objecting exciting charity, any deformity or disease or any offensive sore or wound;(v)use any apparatus for amplifying or reproducing the human voice or animal sounds such as a megaphone or loudspeaker;(vi)leave his shop without extinguishing any fire or electrical light in his building/shop before closing the same which in any manner, is dangerous to the safety of such building or shop;(vii)sell or expose for sale any obnoxious meat or fish or decomposed vegetable matter or any other article not fit for human consumption;(viii)enter the market if suffering from any infectious or contagious disease;(ix)being owner or in-charge of any dog shall bring the dog in the market;(x)being the owner or keeper of any animal shall allow it to stray in the market; if any animal is found straying, it may be removed by an officer or employee of the marketing committee to a cattle pond at the cost and expense of the owner or keeper.(2)The marketing committee may, by public notice restrict in such manner or prohibit for such period as may be fixed in this behalf, the sale or preparation of an article of food or drink for human consumption in the market.(3)No person shall, without the prior approval of the marketing committee or any other officer authorised by it in this behalf, open, break up, displace or make any alteration or cause any injury to the soil or pavement or any wall or other material belonging to a public authority.(4)No person shall throw, deposit or permit his servant or his household member to throw or deposit earth or material of any description or refuse, rubbish or offensive matter of any kind upon any street or public place or in drains in the market.(5)No exhibition of pictures or other optic effects by means of cinematograph or other similar apparatus in which films are used, shall be given in the market.(6)No trader shall keep any building or trading premises in the market area without providing adequate fire-fighting equipment in the shop premises as may be prescribed by the marketing committee from time to time.

## **18. Penalties.**

- Whosoever contravenes any of the provisions of these rules shall be punished with fine which may extend to five hundred rupees.

## **19. Power to exempt from rules.**

- The Lt. Governor may, by general or special order, exempt any person or any class of persons from any of the provisions of these rules or may direct that any such provisions shall apply to such person or class of persons with such modifications and/or conditions as may be specified by him in the order.

## **20. Removal of doubts.**

- If any doubt arises as to the interpretation of any of the provisions of these rules, the same shall be referred to the Lt. Governor whose decision on such matter shall be final and conclusive.

## **21. Repeal.**

- The Rules supersede the Delhi Agricultural Produce Marketing (Maintenance, Management, Regulating of Vehicular Traffic and conditions of use) Rules, 1985.