

The Haryana State Agricultural Marketing Board Business Bye-Laws, 1973

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Rule

THE-HARYANA-STATE-AGRICULTURAL-MARKETING-BOARD-BUSIN of 1973

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The Haryana State Agricultural Marketing Board Business Bye-Laws, 1973Published vide notification No. R.E. 2-79/19913, dated the 21st June, 1973.In exercise of the powers conferred by Section 3(14) of the Punjab Agricultural Produce Markets Act, 1961', and all other powers enabling him in this behalf, the Haryana State Agricultural Marketing Board, Chandigarh, confirms and notifies its following bye-laws :

1. Short-Title.

- The bye-laws may be called the Haryana State Agricultural Marketing Board bye-laws regulating the transactions of the business at Board's meeting.

2. Commencement.

- These shall-come into force at once.

3. Definitions.

- 'Act' means the Punjab Agricultural Produce Markets Act, 1961.

4.

'Board ' means the Haryana Stale Agricultural Marketing Board, established and constituted under Section 3 of the Act.

5.

'Chairman' means the Chairman of the Haryana State Agricultural Marketing Board.

6.

'Secretary' means the Secretary of the Haryana State Agricultural Marketing Board.

7. Time and Place of Meeting.

- Meeting of the Board shall be held at the time and place mentioned in the notice. Provided that the chairman or in his absence or where the board has no chairman, the secretary Board may, for sufficient reasons, convene a meeting at any time or place . Generally, a meeting of the board will be called after 3 months but at the time of emergency, meetings can be called even earlier and when required. [Provided further that in case where it is not expedient to convene regular meeting and there is urgency, the approval of the board may be obtained through circulation.] [Second proviso to Bye-law 7 added under the Haryana Government notification No. Admn. 1-86/37357, dated the 30th July, 1986.]

8. Manner in which notice shall be given.

(a) The notice of every meeting under rule I shall state the place, date and the hour fixed for it and shall be signed by the chairman or the secretary. (b) The notice shall be accompanied by a duly attested list of business to be transacted at the meeting here-in-after called 'agenda'. (c) The agenda shall include every item that any member may desire to put the meeting, provided that a copy of the notice thereon signed by such member and by a seconder is delivered to the secretary of the board at the board's office seven days (clear) before the meeting. (d) The notice and the agenda shall be despatched through a peon or by registered post to each member at the address, which has been given by him to the board for this purpose. The notice shall be issued in such manner so that at least one clear day for an urgent meeting and seven clear days for any other meeting shall intervene between the date of the despatch and the date of meeting.

9.

The Chairman of the Board shall give notice of an adjourned meeting on the spot and the same shall as soon as thereafter possible, be sent to all members of the Board, who are not present. Provided that it shall be lawful for the Chairman or, in his absence any other member acting as Chairman to alter in emergency, the place, date or hour of such meeting with due notice and with the approval of

the members present.

10. Quorum at meeting.

(1)The quorum necessary for the transaction of business at an ordinary meeting of the Board shall not be less than four.(2)The quorum necessary for the transaction of business at the meeting at which the annual budget of the Board is to be considered, shall not be less than 2/3 strength of members of the board, provided that if at any meeting of the Board a quorum is not present within half an hour of the scheduled time of the meeting, or if it falls below the minimum while the meeting is continuing, it shall, deem to have been adjourned.(3)If quorum at a meeting of the Board is not complete within half an hour of the scheduled time of meeting, or if it falls short while the meeting is continuing it shall deem to have been adjourned.(4)If a meeting is adjourned for want of quorum shall be necessary at the next meeting called for transacting the same business, except budget meeting.(5)If any member fails to attend three consecutive meetings, without any valid reasons, the Chairman shall forthwith report the matter to the State Government.

11. Conduct of proceedings and the adjournment of meeting.

- Every meeting shall commence with a motion by the Chairman that the minutes of the previous meeting be confirmed, such minutes ordinarily be taken as read, but if for any reason they have not been previously circulated to the members they shall be read before they are taken into consideration. In case the Chairman is unable to attend the meeting, the members present shall by majority of vote, elect any member as the Chairman- to conduct the business of the meeting. Any member may object to the confirmation of the minutes by moving an amendment on the ground that the matter is not correctly recorded or expressed.

12.

The Chairman shall decide all points of order or procedure and his decision shall be final.

13.

The items on the agenda shall be dealt with in their order, provided that the Chairman, with the consent of the majority of the members present, may vary such order or bring before the meeting any matter not included in the agenda.

14.

If more than one member rise to speak at the same time, the Chairman shall name the member who is to speak.

15.

No written speech shall be delivered.

16.

So far as possible and consistent with the matter under discussion no member shall direct personal or objectionable remarks at any other member. For the purpose of this bye-laws the ruling of the Chairman shall be final.

17.

A member desiring to raise any point of order or personal explanation shall rise and address the Chairman. The member speaking shall give way and remain seated. until the Chairman may permit him to speak again. The Chairman may permit any other member to speak on the said point.

18.

In case the ruling of the Chairman on any point or matter, is not accepted by majority of members, he may adjourn the meeting at once and once he declares the meeting adjourned on this or any other ground, the subsequent proceedings of the meetings or residue thereof shall be void and shall not appear in the minutes.

19.

The Chairman may, after calling the attention of the meeting to the conduct of the member, who persists in irrelevant or in tedious repetition of his own arguments or of the arguments used by other member, direct him to discontinue his speech.

20.

The Chairman may name any unruly member for report to the Government for consideration and action to be taken against him.

21.

The Chairman may direct any member, whose conduct is in his opinion gross or disorderly, to withdraw immediately from the meetings and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the meeting. The Chairman may order any member who disobeys an order to withdraw under this bye-law, for removing him summarily. The member shall not participate in the discussions in which his own conduct, or of his relations is being discussed.

22.

Every motion or resolution, read and seconded, shall be deemed to have been moved before the meeting for discussion. The mover shall speak first in support of the motion, then the seconder may speak or he may reserve speech to a latter period of the debate, if he desires so.

23.

A member may speak only once to each motion, but the mover or a seconder of substantive motion may reply at the conclusion of the debate thereon. Provided that the Chairman at his descretion may at any time allow a member, who has already spoken, to make a brief explanation.

24.

After a motion has been proposed and seconded any member may propose an amendment thereto. Any amendment that is not seconded falls through.

25.

Any number of amendments may be put up before the meeting at the same time but they shall be put to vote in the reverse order to that in which they were moved. After all the amendments have been disposed of, the resolution as amended shall be put to the vote.

26.

A member who has already spoken on a substantive motion before the meeting, is not thereby debarred from speaking on an amendment to the motion, provided that in so doing, he confines himself strictly to the fresh matter introduced by the amendment.

27.

No motion or amendment shall be withdrawn except with the consent of the majority of the votes of the members present. The Chairman of the meetings in case of an equality of votes, will have a second or casting vote.

28.

Every motion, resolution or amendment voted on, shall be put to the meeting both for and against.

29.

Unless a poll is demanded by any member present at the meeting, declaration made' at the meeting by the Chairman that a motion, resolution or amendment has been carried out or lost shall be final

for making an entry to that effect in the minutes. If a poll is demanded by any member, present, it shall be taken by show of hands and the result of such poll as declared by the Chairman shall be deemed to be the resolution of the Board.

30.

No decision of the Board shall be re-opened before the lapse of six months after it had been recorded except in compliance with the orders of the Government.

31.

Any officer of the Government or other person not being a member of the Board may, with the consent of the majority of the members and the Chairman, address the meeting.

32.

All meetings of the Board shall be open to the reporters of the Press and at the discretion of the Chairman, to the Public, provided that the reporters or the public or both shall withdraw, if any time so required by the Chairman.

33.

Except as provided in bye-law 31, no noise or expression of approval or disapproval on the part of the public or reporters present shall be permitted.

34.

The Chairman may cause any person other than a member or a member of the Board who interrupts the business of the meeting to be summarily removed from the building in which the meeting is held.

35.

No member may inspect the papers relating to a matter in which either he or his parents or any other dependent of his parents or the parents of the husband or wife as the case may be any descendant of those persons has a direct or indirect pecuniary interest subject to this exception : (a) Members of the Sub-Committee and members charged with the performance of any special duty may inspect the papers connected with their duties at the secretary's office during office hours. (b) Any other member may inspect documents and registers at the secretary's office during office hours, but he may, except in the case provided for in bye-law 10, do so only with the permission in writing of the Chairman or in his absence of the Secretary. An application for permission to inspect under clause (b) shall be in writing and state the papers to be inspected and the reasons for inspecting them. The Chairman or the Secretary of the Board as the case may be,

may refuse permission if the reasons given in his opinion are insufficient. Nothing in this bye-law shall be deemed to deprive any person of a right to inspect documents under any law other than the PA. PM. Act, 1961.