

The Rajasthan Agricultural Produce Markets Rules, 1963

RAJASTHAN

India

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Rule

THE-RAJASTHAN-AGRICULTURAL-PRODUCE-MARKETS-RULES-1963 of 1963

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The Rajasthan Agricultural Produce Markets Rules, 1963 Published vide Notification No. F. 2(114)/Agriculture 5/59, dated 22.10.1963-Rajasthan Gazette, Part 4-C, dated 6.2.1964 In exercise of the powers conferred by section 36 of the Rajasthan Agricultural Produce Markets Act, 1961 (Rajasthan Act 38 of 1961), the State Government hereby makes the following rules the same having been previously published as required by sub-section (4) of the said section, namely :-

Part I – Short title and Definitions

1. Short title.

- These rules may be called the Rajasthan Agricultural Produce Markets Rules, 1963 and they shall come into force at once.

2. Definitions.

- In these rules unless there is anything repugnant in the subject or context:-(i)"Act" means the Rajasthan Agricultural Produce Markets Act, 1961.(ii)"A' Class Broker" means a Commission Agent which is included in a 'Broker' as defined in the clause (iii) of section 2(1) of the Act.(iiA)["Agriculture Produce of Particular Specification" means notified agricultural produce specified in the license issued under section 5-C and section 14 of the Act. [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, page 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/page 549/H. 484.](iiB)"Chemical Composition" means different parts with which notified agriculture produce is made of.](iii)"B'

Class Broker" means Broker other than the Commission Agent.(iv)"Collector" means the Collector of that District within the limits of which the Principal Market Yard falls.(v)"Government" means the Government of Rajasthan.(vi)"Form" means form appended to these rules.(vii)"Market Committee's Official Year" means the year commencing on the first day of April and ending on 31st March every year.(viii)"Commission Agent" means a person who on behalf of another person and in consideration of a commission makes or offers to make a purchase or sale of any Agricultural Produce or does or offers to do anything necessary for completing or carrying out such purchase or sale.(ix)"Seller" includes a person selling or offering to sell agricultural produce on behalf of another as his duly authorised agent.(x)"Secretary" means a person appointed as Secretary of the Market Committee or any officer or servant appointed for the time being to perform the duties of the Secretary.(xi)[^ ^laLFkk** ls vfHkizsr gS vkSj mlesa lfEefyr gS] ml xzke iapk;r ds flok;] fldh vf/kdkfjrk esa iz/kku e.Mh ;kMZ vofLFkr gS] e.Mh {ks= dh xzke iapk;rsa] iapk;r lfefr;ka vkSj ftyk ifj"knSa- [Substituted by Notification No. F.7(18)/Agriculture/Group-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.]](xii)"Section" means the section of the Act.(xiii)[Central Financing Agency means the Central Co-operative Bank of the District in which the Principal Market Yard is situated.] [Substituted firstly by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 21.10.1975 and again by Notification No. F. 10(4)/Agriculture/Group II-B/73, dated 24.6.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 25.6.1986, page 89, dated 24.6.1986.](xiv)["Private sub-market yard" means a private sub-market yard set-up under the Act for all or any agricultural produce specified in the notification issued under Section 40 of the Act, including a private sub e-market managed by a person other than Market Committee.] [Added by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]

Part II – Constitution of Market Committees and Elections

[3- e.Mh {ks=ksa dk oxhZdj.k %& [Substituted by Notification No.

F.7(18)/Agriculture/Group-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.]](1)

Market areas shall be classified into "Super" Class "A", Class "B", Class "C" and Class "D" on the basis of annual income from market fee, as follows:-

Class	Annual Income from market fee (in Rupees)
"Super" class	500 lacs or more
"A" class	350 lacs or more but less than 500 lacs
"B" class	200 lacs or more but less than 350 lacs
"C" class	75 lacs or more but less than 200 lacs
"D" class	less than 75 lacs.]

(2)izR;sd e.Mh lfefr esa mrus lnL; gksaxs tks vf/kfu;e dh /kkjk 7 ds vf/ku fufnZ"V fd;s x;s gSA leLr lnL; bu fu;eksa esa micaf/kr jhfr ls fuokZfpr ;k ukefunsZfkr fd;s tk;saxsA(3)e.Mh lfefr ds d`"kd lnL; e.Mh {ks= dh laLFkkvksa }kjk fuokZfpr fd;sa tk;saxsA]

4. Disqualification for membership.

- A person shall be disqualified for being chosen as a member of market committee:- [Substituted by Notification No. F.7(18)/Agriculture/Group-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.](1) ;fn mldk uke fo/kku lHkk fuokZpu&{ks=@fuokZpu&{ks=ksa ds ,sls fdUgh Hkh [k.M+ks@Hkkxksa dh ernkrk lwph esa lfEefyr ugha gS] tks e.Mh {ks= esa vkrs gS (2)if he has not attained the age of 21 years;(3)if he has been adjudged by a competent Court to be of unsound mind;(4)if he is an undischarged insolvent;(5)if he has been convicted and sentenced by a Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months unless such disqualification has been removed by an order passed by the Government;(6)if he has made a default in payment of any fees or cesses due to market committee;[7- ;fn og e.Mh lfefr dk dksbZ lsod gS ;k ,slh lfefr ls QqVdj fodzsrk ds :i esa dksbZ vuqKfIr /kkj.k djrk gS [Substituted by Notification No. F.7(18)/Agriculture/Group-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.]](8)if he has directly or indirectly any share or interest in any contract or employment with or on behalf of or under the market committee;[Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](9) d`"kd fuokZpu&{ks=ksa ls] ;fn mlds ikls vius Lo;a ds uke ls e.Mh lfefr ds {ks= esa vkus okys fdllh Hkh jktLo xkao ds jktLo vfHkys[k (tekcUnh) esa lfEefyr] d`f`k Hkwfe ugha gS ;](10)[In case of elected members, - [Inserted by Notification No. G.S.R. 160, dated 17.3.2016 (w.e.f. 6.2.1964).](a)if he has not passed secondary school examination of the Board of Secondary Education, Rajasthan or of an equivalent Board;(b)if he does not have a functional sanitary toilet in the house and any of his family members defecate in the open; or(c)if he has more than two children;]Provided that -(i)[fdllh O;fDr dks] O;kikfj;ksa ;k nykyksa ds fuokZpu&{ks= ;k] ;FkkfLFkfr] rkykbZdkjksa] ekidksa] losZ{kdkksa] Hkk.Mkxkjikyksa vkSj vU; O;fDr;ksa ds fuokZpu&{ks= ls fHkUu fuokZpu&{ks=ksa dk izfrfuf/kRo djus ds fy, lnL; ds :i esa ugha pquk tk;sxk ;fn og] fu;e 69 ;k fue; 72 ds lkFk ifBr] vf/kfu;e dh /kkjk 4 dh mi&/kkjk [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](2) ds v/khu ;k /kkjk 14 ds v/khu vuqKfIr /kkj.k djrk gS ;k ;fn og ,slh vuqKfIr /kkj.k djus okyh QeZ dk Hkkxhnkj ;k deZpkjh gS(ii)fdllh O;fDr dk O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks= ;k ;FkkfLFkfr] rkykbZdkjksa] ekidksa] losZ{kdkksa] Hkk.Mkxkjikyksa vkSj vU; O;fDr;ksa ds fuokZpu&{ks= dk izfrfuf/kRo djus ds fy, lnL; ds :i esa ugha pquk tk;sxk ;fn og e.Mh {ks= esa fuokl ugha djrk gS vkSj tks fuokZpu ds o`kZ dh igyh tuojh dks vuqKfIr/kkj.d ugha gS] ;k ftls fdllh U;k;ky; jkjk Qhl dk lank; ugha djus ds fy, ;k mlds fuca/kuksa vkSj 'krksZa dk Hkax djus ds fy, nks"kfl) Bgjk;k x;k gS %](iii)[a person having more than two children shall not be disqualified under clause (10) for so long as the number of children he had on the date of commencement of the Rajasthan Agricultural Produce Market (Amendment) Rules, 2016 does not increase.][Li"Vhdj.k I. & ,d ls vf/kd e.Mh {ks=ksa esa vuqKfir j[kus okyh dksbZ QeZ ;k dksbZ dEiuh ;k dksbZ fuxe ,d ls vf/kd e.Mh lfefr dk lnL; gksus ds fy, vfgZr ugha gksxkA][Explanation-II. - For the purpose of clause (10) of this rule.-(i)"sanitary toilet" means a water sealed toilet system or setup surrounded by three walls, a door and a roof; and(ii)"family members" means spouse of such person, children and his parents living with such person.][Added by Notification No. G.S.R. 160, dated 17.3.2016 (w.e.f. 6.2.1964).][xxx] [Notification No. F. 7(18)

Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39]

5.

- fuokZpu {ks= & [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](1)fdlh e.Mh lfefr ds lnL;ksa dks fuokZfpr djus ds iz;kstu ds fy, fuEufyf[kr fuokZfpr&{ks= gksaxs] vFkkZr~ %&(d)mRd`"V vkSj d oxZ dh e.Mh lfefr;ksa ds fy, %(i)d`"kd fuokZpu&{ks=((ii)O;kikfj;ksa vkSj nykyksa dk fuokZpu&{ks=((iii)rkykbZdkjksa] ekidksa] losZ{kdkksa vkSj Hkk.Mkxkjikyksa vkSj vU; O;fDr;ksa dk fuokZpu&{ks=((iv)LFkkuh; izkf/kdkfj;ksa dk fuokZpu&{ks=((([k] "[k]" "x" vkSj "?k" oxZ dh e.Mh lfefr;ksa ds fy, %&(i)d`"kd fuokZpu&{ks=(ii)O;kikfj;ksa vkSj nykyksa dk fuokZpu&{ks=((iii)LFkkuh; izkf/kdkfj;ksa dk fuokZpu&{ks=(Li"Vhdj.k & vfHkO;fDr LFkkuh; izkf/kdkfj;ksa dk fuokZpu&{ks= ls og uxjikydk cksMZ ;k uxj ifj"kn~ ;k uxj fuxe ;k] ;FkkfLFkfr] xzke iapk;r vfHkizsr gS ftlesa iz/kku e.Mh ;kMZ vofLFkr gSA(2)lacaf/kr ftys dk dysDVj ;k mlds }kjk fufeRr izkf/kd`r dksbZ vf/kdkjh] fuokZpuksa ds iz;kstu ds fy,] e.Mh {ks= dks brus fuokZpu&{ks=ksa esa foHkkftr djsxk tks /kkjk 7 dh mi&/kkjk (1) ds [k.M (d) ds mi&[k.M (i) ;k] [k.M ([k] ds mi&[k.M (i) ds v/khu d`"kdkksa }kjk fuokZfpr fd;s tkus okys lnL;ksa dh la[k ds cjkj gksa vkSj ,sls izR;sd fuokZpu&{ks=ksa ls ,d lnL; fuokZfpr fd;k tk;sxA(3)dyDVj ;k mlds }kjk bl fufer izkf/kd`r dksbZ vf/kdkjh] /kkjk 7 dh mi&/kkjk (1) ds [k.M (d) ds mi&[k.M (ii) ds v/khu O;kikfj;ksa vkSj nykyksa ("d" oxZ ;k "[k" oxZ) }kjk fuokZfpr fd;s tkus okys lnL;ksa ds fy, Hkh e.Mh {ks= dks nks fuokZpu&{ks=ksa esa foHkkftr djsxk vkSj ,sls izR;sd fuokZfpr&{ks= ls ;g lnL; fuokZfpr fd;k tk;sxA(4)izR;sd fuokZpu {ks= dks ,d i`Fkd dze la[k;kad leuqfn"V fd;k tk;sxA(5)dksbZ Hkh ernkrk dyDVj ;k mlds }kjk bl fufer izkf/kd`r fdlh vf/kdkjh }kjk fuokZpu&{ks=ksa ds foHkktu ds laca/k esa ikfj vkns'k ds nl fnu ds Hkhrj] dksbZ fyf[kr vk{ksi] dkj.k nsrs gq, dyDVj ;k mlds }kjk bl fufer izkf/kd`r fdlh vf/kdkjh ds le{k izLqr dj ldsxA dysDVj ;k mlds }kjk bl fufer izkf/kd`r vf/kdkjh] vkosnd dks lquokbZ dk volj nsus ds i'pkr~ vk{ksi izLqr djus ds fy, fofgr vof/k dh lekfiR ds i'pkr~ lkr fnu ds Hkhrj ekeys dks vfUre :i ls fofuf'pr djsxA]

5.

- d- LFkkuksa dk vkj{k.k & [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](1) vf/kfu;e dh /kkjk 7 dh mi&/kkjk (1) ds [k.M (d) ds mi&[k.M (i) vkSj [k.M ([k] ds mi&[k.M (i) ds v/khu izR;sd d`"kd fuokZpu&{ks= ls fuokZfpr fd;s tkus okys lnL;ksa dk ,d&,d LFkku vuqlwfr tkfr;ksa] vuqlwfr tutkfr;ksa] fiNM+s oxksZa vkSj efgykksa izR;sd ds fy, dysDVj ;k mlds }kjk bl fufer izkf/kd`r vf/kdkjh }kjk ykV fudky dj vkfj[kr fd;k tk;sxA(2)mi & fu;e (1) ds v/khu vkfj[kr LFkku] mRrjorhZ fuokZpuksa esa ,sls vkj{k.k ds fy, ykV fudkyrs le; pdzkuqdze iwjk gksus rd vofitZr fd;s tk;sxA]

5.

&[k & v/; {k ds inksa dk vkj{k.k & (1) jkT; ljdkj vf/kfu;e dh /kkjk&7&[k ds vuqlj.k esa vuqlwfpr tkfr;ksa] vuqlwfpr tutkfr;ksa vkSj fiNM+s oxksZa ds fy, vkjf{kr fd;s tkus okys v/; {k ds inksa dk vo/kkj.k ykV fudkydj djsxhA(2)mi & fu;e (1) ds v/khu vkjf{kr v/; {k ds dqy inksa esa ls 33 izfr'kr in ljdkj }kkj vuqlwfpr tkfr;ksa] vuqlwfpr tutkfr;ksa vkSj fiNM+s oxksZa dh efgykksa ds fy, ykV fudkydj vkjf{kr fd;s tk;saxsA(3)jkT; esa e.Mh lfefr;ksa ds v/; {k ds dqy inksa esa ls vuqlwfpr tkfr;ksa] vuqlwfpr tutkfr;ksa vkSj fiNM+s oxksZa dh efgykksa ds fy, vkjf{kr inksa lfgr 33 izfr'kr in ljdkj }kkj ykV fudkydj efgykksa ds fy, vkjf{kr fd;s tk;saxsA(4)mi & fu;e (1) mi & fu;e (2) vkSj mi & fu;e (3) ds v/khu vkjf{kr in mRrjorhZ fuokZpuksa esa ,sls vkj{k.k ds fy, ykV fudkyrs le; pdzkuqdz e iwjk gksus rd vofrZr fd;s tk;saxsA

5.

&x- vkjf{kr LFkkuksa dk vo/kkj.k & fu;e 5&[k ds v/khu v/; {kksa ds inksa ds LFkk] ljdkj }kkj fu;e 5&d ds v/khu vuqlwfpr tkfr;ksa] vuqlwfpr tutkfr;ksa] fiNM+s oxksZa vkSj efgykksa ds fy, LFkkuksa dk vkj{k.k djs ds iwoZ vkjf{kr fd;s tk;saxsA]

6.

- er nsus ds fy, vfgZr O;fDr & izR;sd fuokZPku&{ks= ds lnL;ksa dks fuokZfpr djs ds iz;ksu ds fy, fuEufyf[kr O;fDr er nsus ds fy, vfgZr gksaxs %& [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](I)d`"kd fuokZpu&{ks=ksa ds fy, & e.Mh {ks= dh laLFkkvksa ds leLr lnL; fdlh d`"kd fuokZpu&{ks= esa er nsus ds fy, vfgZr gksaxs %&ijUrq ,sls lnL;ksa dk lEiw.kZ okMZ ;k mldk vf/kdka'k Hkkx lacaf/kr e.Mh lfefr ds e.Mh {ks= esa vkuk pkfg,ALi"Vhdj.k & xzke iapk;r ds lnL; ds vUrxZr ljiap Hkh gksxkA(II)O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks=ksa ds fy, & fu;e 69 ds lkFk ifBr vf/kfu;e dh /kkjk 4 dh mi&/kkjk (2) ;k /kkjk 14 ds v/khu] fuokZpu ds o"kZ dh igyh tuojh dks O;kikjh nyky ("d" oxZ ;k "[k" oxZ) dh fof/kekU; vuqKflr ;k dksbZ la;qDr vuqKflr j[kus okyk dksbZ Hkh O;fDr O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks=ksa esa er nsus ds fy, vfgZr gksxkALi"Vhdj.k & (i) O;fDr ls vfHkizsr gS vkSj blesa lfEefyr gS QeZ] dEifu;ka ;k fuxe](ii)QqVdj fodzsrk O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks= esa er nsus ds fy, vfgZr ugha gksxkA(iii)rkykbZdkjksa] ekidksa] losZ{kdkksa] HkkaMkxkjikyksa vkSj vU; O;fDr;ksa ds fuokZpu {ks=ksa ds fy, & fdlh e.Mh lfefr }kkj e.Mh {ks= esa fu;e 72 ds v/khu] fuokZpu o"kZ dh igyh tuojh dks ;k mlds iwoZ vuqKflr rkykbZdkj] ekid] losZ{kdk] HkkaMkxkjiky vkSj vU; O;fDr bl fuokZpu {ks= esa er nsus ds fy, vfgZr gksaxsA(iv)LFkkuh; izkf/kdkfj;ksa ds fuokZpu&{ks=ksa ds fy, & ,sls uxjikydk cksMZ ;k uxj ifj"kn~ ;k uxj fuxe ds leLr ;k] ;FkkLFkfr] ,slh xzke iapk;r ds iap ljiap lfgr] ftlesa eq[e.Mh ;kMZ gS /kkjk 7 dh mi&/kkjk (1) ds [k.M (d) ds mi&[k.M (vii) , ;k [k.M ([k) ds mi&[k.M (iv) ds v/khu ;Fkk&visf{kr vius izfrfuf/k;ksa dk fuokZpu djsaxsA]

6.

&d- e.Mh lfefr esa lgdkjh foi.ku lkslkbv;ksa ds izfrfuf/k dk ljdkj }kkj ukefunsZ'ku fd;k tkuk & e.Mh

{ks= esa dk;Z dj jgh lgdkjh foi.ku lkslkbV;ksa ds izfrfuf/k dk ukefunsZ'ku ljdkj }kjk e.Mh lfevr esa fd;k tk;sxkA [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39]

6.

&[k- e.Mh lfevr esa dsUnzh; lgdkjh foRr iks"k.k ,tsUlh ds izfrfuf/k dk ljdkj }kjk ukefunsZ'ku fd;k tkuk & e.Mh {ks= esa dsUnzh; lgdkjh foRriks"k.k ,tsUlh dk izfrfuf/k dk ukefunsZ'ku ljdkj }kjk e.Mh lfevr esa fd;k tk;sxkALi"Vhdj.k & bl fu;e ds iz;kstu ds fy,] dsUnzh; lgdkjh foRr iks"k.k ,tsUlh ls vfHkizsr gS vkSj bls vUrxZr gS ml ftys esa] ftlesa e.Mh lfevr vofLFkr gS] jkT; ljdkj ds lgdkjh foHkkx ds v/khu dk;Z djus okyk dsUnzh; lgdkjh cSad] izkFkfed Hkwfe fodkl cSad vkSj vcZu lgdkjh cSadA]

7.

- er nsus ds fy, vfgZr O;fDr;ksa ds ukeksa dh fjiksVZ dyDVj ;k mlds }kjk bl fufeRr izkf/kd`r fdllh vf/kdkjh dks fd;k tkuk & [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](1)izR;sd laLFkk er nsus ds fy, vfgZr vius lnL;ksa ds ukeksa dh fjiksVZ dyDVj ;k mlds }kjk bl fufer izkf/kd`r fdllh vf/kdkjh dks] dyDVj }kjk fu;r rkjh[k dks ;k mlds iwoZ djsaxsA

2.

- bu fu;eksa ds v/khu O;kikfj;ksa vkSj nykyksa ds fdllh fuokZpu&{ks= esa er nsus ds fy, vfgZr izR;sd QeZ] daiuh ;k fuxe mldh vkSj ls er nsus ds fy, fdllh O;fDr dks ukefunsZ'kr djsxh vkSj bl izdkj ukefunsZ'kr O;fDr dk uke] fu;e 6 ds mi & fu;e (2) ds v/khu ;Fkkvisf{kr fof/kekU; vuqKfIr j[kus ds lcwr ds lkFk e.Mh lfevr dks] dyDVj }kjk bl fufeRr rkjh[k ds vi'pkr~ fyf[kr esa lwfpr djsxh %ijUrq &(i)fdllh LoRo/kkjh QeZ dk LoRo/kkjh Lo;a er nsus ds fy, vfgZr gksxkA(ii)fdllh Hkkxhnkj QeZ] daiuh ;k fuxe dh n'kk esa QeZ] daiuh ;k fuxe vius ,d Hkkxhnkj dks er nsus ds fy, ukefunsZ'kr djsxkA

3.

- fdllh rqykbZdkjksa ekid] losZ[kd] HkaMxkjiky vkSj vU; O;fDr (O;kikfj;ksa vkSj nykyksa ds fuokZpu {ks= esa er nsus ds fy, vfgZr O;fDr;ksa dks NksM+dj) ds :i esa er nsus ds fy, vfgZr izR;sd O;fDr vius uke dh fjiksVZ] fu;e 6 ds mi & fu;e (3) ds v/khu visf{kr fof/kekU; vuqKfIr j[kus ds lcwr ds lkFk] dyDVj ;k mlds }kjk bl fufeRr izkf/kd`r vf/kdkjh dks] dysDVj }kjk fu;r rkjh[k dks ;k mlds iwoZ djsxkA]

8. Voters List.

- [(i) dyDVj ;k mlds }kjk bl fufeRr izkf/kd`r dksbZ vf/kdkjh [Notification No. F. 7(18) Agriculture/Gr-2/2005, dated 26.9.2005-Rajasthan Gazette Extraordinary Part IV-C(1), dated

3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39](ftls blesa bl ds i'pkr~",slk vf/kdkjh" ds :i esa fufnZ"V fd;k x;k gS)] fu;e 5 ds mi & fu;e (1) (d) vkSj (1) ([k] esa fufnZ"V d`"kd fuokZpu&{ks=ksa] O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks=ksa vkSj rkykbZdkjksa] ekidksa] losZ{kdkksa] Hkk.Mkxkjikyksa vkSj vU; O;fDr;ksa ds fuokZpu&{ks=ksa esa er nsus ds fy, vfgZr ernkrkvksa dh i`Fkd&i`Fkd lwfp;ka rS;kj djok;sxkA ,slh izR;sd lwph ml rkjh[k ls] ftldksa e.Mh lfeFr dh vof/k lekIr gksus okyh gS] de ls de 2 ekl iwoZ iquZjhf{kr dh tk;sxhA dyDVj ;k ,slk vf/kdkjh bl iz;kstu ds fy, e.Mh lfeFr ls O;kikfj;ksa vkSj nykyksa ds fuokZpu&{ks=ksa vkSj rkykbZdkjksa] ekidksa] losZ{kdkksa] Hk.Mkxkjikyksa vkSj vU; O;fDr;ksa ds fuokZpu&{ks=ksa esa er nsus ds fy, vfgZr leLr O;fDr;ksa ds uke e.Mh jftLV~j ls rS;kj djus vkSj mldks Hkustus dh vis{kk djsxkA og] e.Mh {ks= ds Hkhrj dh laLFkkyksa ls d`"kd fuokZpu&{ks=ksa ds v/khu er nsus ds fy, vfgZr O;fDr;ksa ds uke mls lwfpr djus dh Hkh vis{kk djsxkA](ii)[Every list of voters prepared under sub-rule (i) shall show the serial number of the voters, his or her full name, [age] [Notification No. F. 10(2)/Gr. V/67, dated 30.7.1968-Rajasthan Gazette Extraordinary Part IV-C, dated 31.7.19638, page 382.], his/her father s or husband s name, his or her residence and the nature of his or her qualification.](iii)Every such list shall be published provisionally in such manner as the Collector or such person may deem fit.(iv)When publishing the list provisionally, the Collector or such person shall fix a date not later than one month from the date of publication of the list before which any application for the inclusion, exclusion or correction of any entry shall reach him. The Collector or such person or any other officer appointed by the Collector for the purpose shall hear and decide any applications and objections received before the date so fixed and the decisions of the Collector or such person or the other officer relating to such application or objection shall be final.(v)The Collector or such person shall cause the lists to be amended in accordance with the orders passed under sub-rule (iv) and shall cause them to be republished finally in such manner as he may deem fit.(vi)If, after the final publication of the list of voters under sub-rule (v) the Collector on application or otherwise is satisfied after such inquiry as he deems fit, that any entry or entries in the list is or are erroneous or defective in any particular, the Collector may cause a list of amendments to be prepared thereupon the provisions of sub-rules (ii) to (v) shall apply in the case of such list in like manner as they apply in the case of the list of voters.(vii)Copies of such final lists including the final lists of amendments shall be made available for inspection and sale in whole or in part in the office of the Collector or such person.(viii)The final list as also the final lists of amendments republished under sub-rule (v) shall remain in force and continue in operation as the list of voters for the purpose of any bye-election.

9. Calling upon the constituencies to elect.

- As soon as may be after the final publication of lists of voters under sub-rule (v) of Rule 8, the Collector shall call upon constituencies to elect their representatives to the market committees on a date fixed by him in this behalf.

10. Notice to elect.

- Not less than 42 days before the date fixed for the election the Collector shall [issue a notice of election] [Substituted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.] and

post copies of such notice in Village Panchayat headquarters and other conspicuous places stating:-(a)the number of persons to be elected;(b)the date on which, the place at which, and the hours between which nomination papers shall be presented to him or to any other person authorised by him in this behalf, which date shall not be less than 14 days from the date of publication of notice;(c)the date on which scrutiny of nomination papers shall be made;(d)[the period of withdrawal of nominations as per Rule 17] [Inserted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.];(e)[] [Renumbered by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.] the date on which and the place or places at which the votes of the electors shall be taken, if there be a poll and the hours during which the poll shall be taken; and(f)[] [Renumbered by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.] the day on which and the place and hour at which the votes shall be counted.

11. Nominations.

(1)Each candidate shall on the date fixed under clause (b) of Rule 10 deliver to the Collector or to any other person authorised by him in this behalf a nomination paper in Form-I.(2)Every nomination paper shall be signed by two persons qualified to vote in the constituency concerned as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.(3)The same person may sign as proposer as many nomination papers as there are vacancies to be filled. Each candidate shall be nominated by a separate nomination paper.(4)The Collector or the person authorised by him in this behalf shall on receiving a nomination paper enter in the nomination paper its serial number and shall endorse thereon the date on which and the hour at which the nomination paper was delivered to him.(5)Where any person has signed whether as proposer or seconder a large number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received upto the number of vacancies to be filled shall be deemed to be valid.(6)Nomination papers received after the date and the time appointed under clause (b) of Rule 10 shall be rejected.

12. Deposit on Nomination.

(1)At or before the time of the delivery of a nomination paper, each candidate shall deposit with the Collector or any other person authorised under sub-rule (1) of Rule 11 a sum of [Rs. 500/-] [Substituted by Notification No. F.7(18)/Agriculture/Group-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.]. No candidate shall be deemed to be duly nominated unless the deposit referred to in this rule has been made.(2)If a candidate by whom the deposit referred to in sub-rule (1) has been made, withdraws his candidature in the manner and within the time specified in Rule 17 or if the nomination of any such candidate is rejected under Rule 16 the deposit shall be returned to the candidate; and if any candidate dies before the commencement of the poll, any such deposit shall be returned to his legal representative.(3)If a candidate by whom the deposit referred to in sub-rule (1) has been made, is not elected and the number of votes polled by him does not exceed [1/6th]

[Substituted by Notification No. F. 7(18)-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.] of the total number of voter polled divided by the number of members to be elected, the deposit shall be forfeited to the Market Committee.(4)For the purposes of sub-rule (3) the total number of votes polled shall be deemed to be the total number, of ballot papers other than rejected ballot papers, counted.(5)The deposit made by a candidate shall if it is not forfeited under sub-rule (3) be returned to the candidate, as soon as may be, after the publication of the result of the election in the Official Gazette.

13. Verification of Nominations.

- On the presentation of a nomination paper the Collector or the person authorised by him under Rule 11(1) shall verify the names of the persons, proposer, seconder and the candidate with the list of voters.

14. Publication of list of Nominations.

- As soon as may be after the date fixed for the presentation of nomination papers, the Collector or the person authorised by him under Rule 11, shall publish a list in Form-11 of all nominations received with a notice that the nomination papers shall be scrutinised on the date appointed under clause (c) of Rule 10 at the place and hour specified in the notice. The list of the nominations and the notice shall be published in such manner as the Collector or the person authorised as aforesaid may deem fit.

15. Scrutiny of Nominations.

- On the dates fixed for the scrutiny of nominations under clause (c) of Rule 10 the candidates and one of their agents duly authorised in writing by each candidate may attend at such time and place as the Collector or the person authorised by him under Rule 11 may appoint and the Collector or the person so authorised shall give them all reasonable facilities for examining the nomination papers of all candidates.

16. Disposal of objections and rejection of Nomination.

(1)The Collector or the person authorised by him under Rule 11 shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may either on such objection or on his own motion after such summary enquiry, if any, as he thinks necessary reject any nomination on any of the following grounds :-(i)that the candidate, the proposer or the seconder is a person whose name is not registered on the list of voters, or(ii)that the nomination has not been made in accordance with these rules.(2)The Collector or the person authorised as aforesaid shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected shall record in writing a brief statement of his reasons for such rejections. The scrutiny shall be completed on the day fixed in this behalf under

clause (c) of Rule 10, and shall not be adjourned on any ground.

17. Withdrawal of Candidature.

(1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered either in person by the candidate himself or by any of his proposers or seconders to the Collector or to the person authorised by him under Rule 11, within three days of the date succeeding that fixed for the scrutiny of nomination under clause (c) of Rule 10. (2) On completion of the scrutiny of nomination and after the expiry of the period within which candidature may be withdrawn under sub-rule (1), the Collector or the person authorised by him as aforesaid shall prepare a list of persons, whose nominations are in order and who have not withdrawn their candidature in Form-III, and cause it to be affixed in some conspicuous place in his office, in the Tehsil Office, Panchayat Samiti Office concerned and in the office of the market committee not less than 7 days before the date fixed for the election.

18. Procedure of Election.

(1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in sub-rule (1) of Rule 17 exceeds that of the vacancies to be filled, a poll shall be taken. (2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected. (3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be duly elected, and the Collector or the person authorised by him under Rule 11, shall call upon the constituency to fill the remaining vacancy or vacancies, as the case may be, within such time, as may be specified.

19. Assignment of Symbols.

- In the case of every contested election, the Collector or the person authorised by him in this behalf shall assign to each candidate a distinguishing symbol.

20. Form of Voting Paper.

- The voting paper shall be printed in [Form IV] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 19.3.1979-Rajasthan Gazette, Extraordinary, Part IV-C, dated 19.3.1979, page 401, dated 19.3.1979.] and shall contain the names of the candidates in alphabetical order (in Hindi), together with the distinguishing symbol assigned to each candidate under Rule 19: Provided that the names of candidates declared to be duly elected under Rule 18 shall not be entered in the voting paper.

21. Arrangements for the holding of Election etc.

- The Collector or the person authorised by him in this behalf shall make such arrangements as may be necessary for the holding and supervision of the election, for the scrutiny of the ballot papers and for declaration of the results of the election.[22. Voting. - Every voter shall have right to cast one vote in favour of a candidate in the constituency concerned.] [Substituted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.][x x x] [Proviso deleted by Notification No. F. 7(18)-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.][23. Procedure at Election when equality of votes exists. - If when a Poll has been taken at any election an equality of votes is found to exist between any candidate, the candidate shall be selected by the lot drawn by the Collector or the person authorised by him in such manner as the Collector or such person may determine.] [Inserted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.]

24. Death of Candidate before Poll.

- If after the taking of a poll has become necessary and before the poll is taken a candidate who has been duly nominated dies, the Collector shall being upon satisfied of the fact of the death of the candidate, countermand the poll and the election proceedings shall be commenced a new in all respects as if for a new election :Provided that no fresh nomination shall be necessary in the case of a candidate who stood validly nominated at the time of the countermanding of the poll.

25. [[Substituted by Notification No. F. 7(18)-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, page 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/page 95/H. 39.]

dyDVj dks izfrfuf/k;ksa ds ukeksa dh lwpuk +& (1) LFkkuh; izkf/kdkjh ds fuokpZu&{ks= ls izfrfuf/k og O;fDr gksxk tks ,sls uxjikfydk cksMZ ;k uxj ifj"kn ;k uxj fuxe ;k] ;FkklLFkfr] xzke iapk;r] ftlesa iz/kkue.Mh ;kMZ vofLFkr gS] }kjk lnL;ksa esa ls fuokZfpr fd;k tk;sA(2)LFkkuh; izkf/kdkjh] vf/kfu;e dh /kkjk 7 ds v/khu fuokZfpr O;fDr;ksa ds uke dyDVj ;k mlds }kjk bl fufer izkf/kd`r vf/kdkjh dks] dyDVj ;k mlds }kjk fufer izkf/kd`r vf/kdkjh }kjk fu;r rkjh[k ds iwoZ fyf[kr esa lwfpr djsxkA]

26. Filling in casual vacancies in the Market Committee.

- The procedure for holding a bye-election for purposes of sub-section (6) of section 7 shall be the same as that for a general election.

27. Publication of the names of elected and nominated members of the Market Committee.

- The names of the elected and nominated members shall be published in the Official Gazette as soon as conveniently may be after their election and nomination.

27A. Determination of validity of Election.

(1) If the validity of any election of a member of the market committee is brought in question by any person qualified either to be elected or to vote at the election to which such question refers, such person may, within seven days after the date of the declaration of the result of the election, apply in writing to the [Regional Assistant Director], [Substituted by Notification No. F.

10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.-1-1992 [in Hindi].](2) On receipt of an application under sub-rule (1), the [Regional Assistant Director] [Substituted by Notification No. F. 10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.-1-1992 [in Hindi].] shall after giving an opportunity to the applicant to be heard after making such enquiry as he deems fit, pass an order confirming or amending the declared result of the election setting the election aside [x x x] [Omitted by Notification No. F.

10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.1.1992 [in Hindi].]. If the [Regional Assistant Director] [Substituted by Notification No. F. 10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.-1-1992 [in Hindi].] sets aside the election, a date shall be forthwith fixed and the necessary steps be taken for holding afresh election.(3) [An appeal against the order of Regional Assistant Director passed under sub-rule (2) may be preferred before the Director within fifteen days of such order and the decision of the Director shall be final.] [Inserted by Notification No. F. 10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.1.1992 [in Hindi].](4) [All cases pending before the Director before the notification No. F.10(191) Agriculture/Group 11/74 dated 4th July, 1975, whether partly heard or are to be heard by the Director, shall be heard and decided by the Secretary of the Board in accordance with sub-rule (1) and (2)] [Inserted by Notification No. F. 10(191)/Agriculture/Group II/74, dated 27.1.1976-Rajasthan Gazette, Part IV-C, dated 5.2.1976, page 854-78, dated 27.1.1976 and renumbered by Notification No. F. 10(19)/Agriculture/II-B/78/ii, dated 21.1.1992-Rajasthan Gazette, Extraordinary, Part IV-C, dated 23.1.1992, page 363, dated 21.1.1992 [in Hindi].].

28. Person disqualified to cease to be a member.

- [(1)] [Renumbered by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.] A member of the Committee may be removed by the Government if at any time after his nomination or election as the case may be, he becomes subject to any of the disqualifications mentioned in Rule 4 and his seat shall thereupon become vacant: Provided that before the Government notify the removal of the member under this rule, the reasons for his proposed removal shall be communicated to the member concerned and he will be given an opportunity of tendering an explanation in writing :[x x x] [Deleted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated

20.10.1975.].(2)[Notwithstanding anything contained in sub-rule (1) a member elected from either the "Traders and Brokers' constituency, or Weighmen measures, surveyors and warehousemen and other persons' constituency or 'Local Authorities' constituency shall cease to hold office as such member, if he ceases to be a member of the electorate by which he was elected. Such member shall automatically cease to attend the meetings of the Mandi Committee in future.] [Substituted by Notification No. G.S.R. 81, dated 19.1.2011 (w.e.f. 6.2.1964).]

29. Expenditure in connection with or incidental to such elections.

- All expenditure incurred by the Collector or the person authorised by him under Rule 11 in connection with or incidental to the election of members of the market committee shall be recoverable under section 34 from the market committee.

30. Destruction of voting papers.

- On the expiry of three months from the date of publication of the names of elected and nominated members of the market committee under Rule 27, all voting papers in the possession of the Collector or any other person authorised by him in this behalf, may be destroyed in the presence of the Chairman or the Vice-Chairman or such officer as the market committee may appoint in that behalf on the date fixed by the Collector or any other person authorised by him in this behalf.

Part III – Market Committees, Powers and Duties, its Chairman, Vice-Chairman, Officers, Servants and Dispute Sub-committees

31. Powers and Duties.

- In addition to the powers and duties specified in the Act, the market committee shall have the powers and discharge the duties specified below-

1. Powers:-

(i)to recommend the removal from its office of its Chairman or Vice-Chairman;(ii)to have absolute control of the market;(iii)to prescribe qualifications required for the post of superior and inferior staff other than the Market Secretary;(iv)to draw up standard form of contract;(v)to employ auctioneers;(vi)to get reports of carts and loads brought into licensed premises;(vii)to withdraw licences granted to brokers and weighmen, measurers, surveyors and warehousemen;(viii)to require licencees to keep accounts, to send returns or to render assistance in collection of cess or prevention of evasion to pay cess;(ix)to remove the name of any trader as prescribed from the register;(x)to control weighments.

2. Duties:-

(i)to keep copies of the Act, the Rules and Notifications issued thereunder and of its bye-laws up-to-date;(ii)to keep a minute book of the proceedings;(iii)to keep the market in good and sanitary conditions;(iv)to maintain an account of each cart or load brought into the market yard or sub-yard;(v)to take security from its officers and servants;(vi)to maintain a register of fees or cess collected;(vii)to provide persons authorised to collect fees, a cash box and counterfoil receipt books;(viii)to issue licences to traders, brokers, weighmen, measurers and surveyors;(ix)to keep a set of authorised weights and scales;(x)to have plans and estimates prepared for works;(xi)to keep accounts in such forms as may be prescribed by the Government;(xii)to publish a statement of assets and liabilities;(xiii)to secure check on receipts and expenditure;(xiv)to regulate expenditure according to the budget;(xv)to prepare and adopt budget for the ensuing year;(xvi)to provide marketing information;(xvii)to arrange for temporary storage of agricultural produce.

32. [] [Renumbered by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, page 382, dated 30.7.1968.] Election of Chairman & Vice-Chairman of the Committee. - [(1) The Collector or any person authorised by him in this behalf shall call the first meeting of a newly constituted market committee to elect its Chairman and Vice-Chairman [from amongst its members subject to section 7(8) of the Act.] [Substituted by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, page 382, dated 30.7.1968.] For the purpose of this election, the Collector or the person authorised by him in this behalf shall preside over the meeting but shall not vote]

(2)At such meeting, candidates for the office of Chairman and Vice-Chairman shall be separately proposed and seconded. The proposer and seconder shall not be the same person. The names of all the candidates proposed and seconded shall be read out by the President of the meeting.(3)If there is only one candidate for each of the offices of Chairman and Vice-Chairman he shall be declared to have been elected.(4)If there are two or more such candidates, the votes of the members present at the meeting shall be taken.(5)Every member wishing to vote shall be supplied with a voting paper on which the names of all the candidates for the office of Chairman or Vice-Chairman, as the case may be, shall be written legibly in English and in Hindi. Every voting paper shall be initialled on the reverse by the President.(6)A voter shall then place a mark against the name of the candidate for whom he wishes to vote, fold it up and deposit it in a ballot box placed before the President. If a voter is unable to do so, the President may mark the voting paper in the presence of the members according to the voter's directions and deposit it in the ballot box.(7)The President shall then open the ballot box and count the votes in the presence of the members and declare the member who secures the largest number of votes to have been elected as the Chairman, or the Vice-Chairman, as the case may be. If there is an equality of votes among two or more candidates the President shall draw lots in the presence of the members and the person whose name is first drawn shall be

declared to have been elected.(8)Any voting paper, which contains the signature of the voter on or which the mark is placed against more than one name or the reverse of which does not contain the initials of the President, shall be invalid.(9)Immediately after the meeting, the President shall cause the notice declaring the names of the persons declared to have been elected as Chairman and Vice-Chairman to be affixed in some conspicuous place in the office of the market committee.(10)The voting papers shall be sealed by the President and retained in safe custody in the office of the Market Committee, and the packet containing the voting papers, shall not be opened or destroyed except under the orders of the Collector.(11)If during the course of election of a Chairman or Vice-Chairman any dispute arises as to the correctness or otherwise of the decision given or procedure followed by the Collector or the person authorised by him it shall be referred to the [Director, Agricultural Market] [Substituted by Notification No.7(18)-2/2005, dated 12.4.2006-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.4.2006, page 5, vide G.S.R. 3 = 2006 RSCS/Part II/page 474/H. 324.] and the decision of [Director, Agricultural Market] [Substituted by Notification No.7(18)-2/2005, dated 12.4.2006-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.4.2006, p. 5, vide G.S.R. 3 = 2006 RSCS/Part II/P. 474/H. 324.] in respect of such dispute shall be final.[32A. x x x] [Deleted by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, p. 382, dated 30.7.1968.]

33. Functions and powers of the Chairman.

- [x x x] [Omitted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.] The Chairman or in his absence, the Vice-Chairman shall-(i)preside over the meeting of the market committee and conduct business at such meetings;(ii)watch over the financial and executive administration;(iii)direct in cases of emergency the execution or stoppage of any work or the doing of any work which requires the sanction of the market committee;(iv)[x x x] [Deleted by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, p. 382, dated 30.7.1968.](v)he shall be responsible for all correspondence with the Government or the Director;(vi)he shall be the authority competent to grant casual leave to the Secretary. For other kinds of leave the Secretary shall apply through the Chairman to the Director who shall take action to sanction leave in accordance with leave rules governing a Government servant;(vii)[x x x] [Omitted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]

34. Term of office and casual vacancy in the office of the Chairman or the Vice-Chairman.

(1)Any person elected as Chairman or Vice-Chairman shall hold office for [five years] [Substituted in place of 'three years' by Notification No. F. 7(18)-2/2005, dated 26.9.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 3.10.2005, p. 77(1), vide G.S.R. 49 = 2006 RSCS/Part II/P. 95/H. 39.] from the date of his election as Chairman or Vice-Chairman as the case may be or for the duration of the market committee except in case of the Chairman and Vice-Chairman of the first nominated market committee referred to in sub-section (3) of section 7.(2)In the event of the expiry of the term of office of the Chairman or the Chairman dying, resigning or ceasing to hold office for

any reason before the expiry of his term of office, the Collector or any other person authorised by him in this behalf shall call a meeting of the market committee to elect another person as Chairman. The Collector or the person authorised by him, shall preside over such meeting but shall not vote. Every Chairman elected under this sub-rule to fill a casual vacancy shall hold office so long as the Chairman in whose place he is elected, would have held it if the vacancy had not occurred.(3)In the event of the expiry of the term of office of the Vice-Chairman or the Vice-Chairman dying, resigning or ceasing to hold the office for any reason before the expiry of his term of office, the Chairman shall call a meeting of the market committee to elect another person as Vice-Chairman. The Chairman shall preside over such meeting and shall be entitled to vote. Every Vice-Chairman elected under this sub-rule to fill a casual vacancy shall hold office so long as the Vice-Chairman in whose place he is elected would have held it if the vacancy had not occurred :Provided that when the offices of the Chairman is vacant, the Vice-Chairman shall perform the functions of the Chairman till a new Chairman is elected:Provided further that when both the offices of the Chairman and Vice-Chairman are vacant or when neither of them is able to perform the functions of a Chairman, any person appointed by the [Director] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975 and again by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] shall perform such functions till a new Chairman or Vice-Chairman is elected.(4)Subject to the provisions of sub-rules (2) and (3) the provisions of Rule 32 shall so far as may, apply to the election of a Chairman or Vice-Chairman under sub-rule (2) or (3) as the case may be.

35A. Resignation by Chairman or Vice-Chairman and members.

- The Chairman, Vice-Chairman or any member of the market committee shall resign his office by a written application to the [Director] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975 and again by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.]. No such resignation shall take effect until it is accepted by the [Director] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975 and again by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.].

[35B. Motion of No-Confidence against Chairman or Vice-Chairman. - (1) Notice of a motion of no confidence against the Chairman or Vice-Chairman of the Market Committee shall be in writing addressed to the Collector of the District in which the Principal Market Yard of the Market Committee is situated and it shall be in Form X signed by the members of Market Committee who intend to move the motion and it shall be signed by not less than one third of the total number of members of the market Committee. In case, the motion of no confidence is against the Chairman and Vice-Chairman, separate notices, one in respect of the Chairman and the other in respect of the Vice-Chairman shall be given in the manner aforesaid.(2)On the receipt of the notice under sub-rule (1) the Collector or any other officer authorised by him shall call a meeting of the Market Committee within 30 days of the receipt of the notice and shall preside over the meeting.(3)The Collector or the authorised officer shall communicate forthwith [to the Director] [Substituted by Notification No. F.

10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.], the decision taken by the Market Committee on any motion of No Confidence together with the names of all the members of the Market Committee present at the meeting and number of votes given in favour or against such motion. He shall also paste on the Notice Board of the Market Committee the decision taken at such meeting.]

36. Meetings of the Committee.

(1) Every meeting of the Market Committee other than those referred to in clause (1) of Rule 32 shall be presided over by the Chairman or in his absence by the Vice-Chairman or in the absence of both by a member elected by the meeting to preside for the occasion. [A quorum for each meeting shall be of 5 members but for adjourned meetings for want of quorum no quorum will be necessary. The meeting will be held in accordance with the procedure contained in the bye-laws.] [Added vide Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.](2) A person presiding over the meeting shall be entitled to speak and vote on all questions at the meeting.(3) A member presiding over a meeting shall, for that meeting or during the period in which he presides over it, have all the powers of the Chairman.(4) All questions which may come before the committee at any meeting shall be decided by the vote of the majority of the members present at the meeting and in every case of equality of votes, a member presiding over a meeting shall have and exercise a second or casting vote.(5) [The quorum for the meeting of the Market Committee, other than adjourned meeting, shall be one-third of the total membership of the Market Committee.] [Inserted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.]

37. Persons entitled to convene and attend meetings.

(1) A meeting of the market committee shall be convened by the Chairman if such a meeting is desired to be convened by the Director or by a requisition signed by not less than 2/3rd of the number of members of the committee for considering any matter of importance.(2) The Collector or any person authorised by him in this behalf, the [Director and the Secretary of the Board or any person authorised by them] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] in this behalf shall be entitled to attend any meeting of the market committee, but they shall not be entitled to vote. A copy of the notice convening every meeting shall be sent to the [Collector, the Director and the Secretary of the Board] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] or any person authorised by them in this behalf.

38. Minute Book.

- A minute book shall be kept by every market committee and record of the proceedings of every meetings shall be entered therein by, or under the supervision of, member presiding over the meeting and shall be signed by him. The minute book shall be permanently preserved. It shall be

opened, to the inspection at all reasonable hours to members of the market committee and also to the [Director and the Secretary of the Board and the Collector or any other person authorised by them] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] in this behalf. The proceedings of the market committee shall not be treated as public documents and copies thereof shall not be supplied except when so required by orders of a court. The Secretary of the market committee shall be responsible for the writing of the minute book and he shall also sign the minute book.

39. Copy of proceedings of meeting.

- A copy of the proceedings of every general meeting of the market committee shall be forwarded to the Collector and to the [Director and the Secretary of the Board or any other person authorised by them] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] in this behalf.

40. The market committee to provide for certain matter.

- After paying all sums due to Government, the market committee shall, so far as the funds at its disposal permit but subject to the provisions of the Act and these rules, provide-(i)for the maintenance and improvement of any enclosure or building which may constitute the market yard;(ii)for the construction and repairs of buildings, chabutras and other erections necessary for the purpose of the market; and(iii)for the health, convenience and safety of the persons using the market.

41. Appointment of Dispute Sub-Committee.

(1)The market committee may appoint a sub-committee called the dispute sub-committee consisting of-(a)one of the nominated members of the committee, shall be the Chairman of the sub-committee;(b)one of the representatives of the agriculturists on the market committee;(c)one of the representatives of the traders on the market committee;(d)one of the representatives of the local authorities on the market committee;(e)one of the representatives of the co-operative societies or Cooperative Central Financing Agency.(2)The dispute sub-committee shall arrange for the settlement of dispute between buyers or sellers or their agents including disputes regarding the quality or weight of the articles, the allowance for wrappings, containers, dirt or impurities or deductions for any cause.(3)The dispute sub-committee shall appoint in respect of each market yard a panel of not less than 10 persons but not more than 15 persons to act as arbitrators in the settlement of the disputes aforesaid. Every person included in the panel shall be either an agriculturists living in or near the market or a trader doing business in such market where any such dispute arises, the parties thereto may agree to the settlement thereof in accordance with the following provisions-(a)[x x x] [Deleted by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, p. 382, dated 30.7.1968.](b)Each party to the dispute shall select one arbitrator from the panel appointed for the

purpose by the dispute sub-committee.(c)If the arbitrators fail to agree, they may appoint an umpire who shall also be chosen from the panel aforesaid to settle the dispute.(d)An appeal shall lie against the decision of the arbitrators or umpire to the disputes sub-committee.(e)The decision of the arbitrators or umpire or, where an appeal has been made to the disputes sub-committee, the decision of such subcommittee shall be final.(f)No business shall be transacted at a meeting of such sub-committee unless there be present atleast three members.(g)Every meeting of the sub-committee shall be presided over by the Chairman of the sub-committee and in his absence by a member elected by the meeting to preside on the occasion.(4)The dispute shall be decided on the same day as far as possible.(5)All questions which may come before the dispute sub-committee at any meeting shall be decided by the vote of majority of members present at the meeting and in every case of equality of votes, the Chairman or the presiding member shall have and exercise a second/or casting vote.(6)The Market Committee shall maintain a full record of all the disputes which come before the dispute sub-committee; and the Secretary of the Market Committee shall be the Secretary of such a sub-committee.

42. Other Sub-Committees.

- [(1) Notwithstanding anything contained above, there may be the following sub committees in each Market Committee for purposes of delegation of powers on behalf of the Market Committee :- (i)Executive Sub-Committee. - This sub-committee shall decide the creation of posts, terms and conditions and allied service matters regulation of trade practices, management of markets, preparation of bye-laws issue of licences and their suspension, cancellation, inclusion or exclusion of market area, declaration of sub-market yard.(ii)Finance Sub-Committee. - This sub-committee shall decide the budgets, investment of funds, procedure of purchases/acquisition or disposal of land and other properties, obtaining of loans, investment of provident fund amounts.(iii)Development Sub-Committee. - This sub-committee shall decide the construction programmes of the Market Committees, priorities thereof.(2)The sub-committees so formed shall not have less than three and not more than five members but one member out of them shall be a Government nominee.(3)The Chairman of the Market Committee, if he is a member of the subcommittee shall be the convener thereof and in other cases, Market Committee shall appoint the convener at the time of formation of the sub-committees.(4)The Market Committee shall not decide about any subject on which the sub-committee has been delegated powers without first being processed by such sub-committee.(5)Every sub-committee shall maintain a minute book of its proceedings and the Secretary of the Market Committee shall be responsible for writing of the proceedings of the meetings held by the sub-committees.] [Substituted by Notification No. F. 10(42)/Agriculture/Group II-B/76, dated 12.12.1979-Rajasthan Gazette, Part IV-C, dated 24.1.1980, p. 372, dated 12.12.1979 [24.1.1980].]

43. Servants of the market committee.

- [(A) (i) Every market committee shall have a Secretary appointed by the State Government on deputation or such scale of pay and allowances as may be fixed by the Government.(ii)In case, the Director recommends that there is a necessity of Additional Secretary in a particular class of Market Committee, the State Government shall also appoint Additional Secretary on deputation on such

scale of pay and allowances as may be fixed by Government].(B) Powers and functions of the Secretary. - (1) The Secretary shall be the Executive Officer of the market committee and carry into effect the resolution of the market committee.(2) All other officers and servants of the committee shall be subject to his control. He shall also be responsible for directing their work in such manner as to ensure proper and efficient working of the market.(3) It shall be the duty of the Secretary to supervise the work of the officers and servants of the committee and to take necessary disciplinary action against any of the officers and servants of the committee for their neglect, misconduct etc.(4) He shall be responsible for the proper execution of all orders issued by the committee. He shall take or cause to take action against any of the officers and servants of the committee in accordance with the directions given by the committee.(5) The Secretary shall be the head of the establishment entertained by the committee.(6) Subject to the control of the Chairman the Secretary shall be responsible for maintaining proper accounts of money received and or/spent for and on behalf of the committee. He shall conduct all routine correspondence and attend to other Secretarial work of the office.(7) All correspondence with offices subordinate to Government or Director shall be conducted through the Chairman or with the previous approval of the Chairman who shall be bound to transmit them to the authorities concerned with his remarks, if any.(8) He shall also be responsible for maintaining complete records of all the disputes which come up for the decision before the dispute sub-committee in the form to be prescribed by the committee.(9) He shall also maintain a record of the dispute settled by him in the form to be prescribed by the committee.(10) On receipt of a complaint either written or oral regarding all matters concerning sale and purchase of agricultural produce in the market, the Secretary shall conduct an enquiry and shall make a report of the same to the Chairman for taking such action as he may think necessary in accordance with the provisions of the Act, rules and bye-laws.(11) He shall call meetings of the market committee and shall have the right to speak at and otherwise, take part in any meeting of the committee or subcommittee thereof, but shall not be entitled to vote or move any resolution. He shall maintain the proceedings of the meeting and sign the same.(12) Whenever a short vacancy on the post of a Secretary arises, the Director in consultation with the market committee may direct any member of the staff of the market committee to hold additional charge of the post.(13) Besides a Secretary, the market committee may employ such other officers and servants as may be necessary and proper for the efficient execution of its duties. Such officers and servants shall be divided into two classes-(a) Superior Officers and Servants, and (b) Inferior Servants. Superior officers and servants shall be the Assistant Secretary, Accountants, Treasurers, Supervisors, Qanungoes, Clerks and such officers and servants as the Director may determine besides a Secretary. The inferior servants shall be peons, watchman and other menial servants.(14) The terms and conditions of the superior officers and servants shall be such as are approved by the Director and those of the inferior servants shall be such as the market committee itself may decide.(15) The appointment of superior officers and servants shall be made by the Market Committee subject to the approval of the Director. Any punishment, revision in pay or terms of service or dismissal of the superior officers and servants shall also be subject to the approval of the Director. All inferior servants shall be under the full control of the Market Committee but the committee shall make an immediate report to the Director in regard to their appointment, pay, punishment, dismissal and other matter relating to such servants.(16) The Director may by order in writing delegate any of his powers and duties under this rule to any of his subordinate officers subject to such conditions as he thinks fit.(17) No Government servant employed by the Market Committee shall be punished except by the authority

which would have been competent to do so if he were in service of that Government at that time or otherwise than in accordance with the rule relating to conditions of the service of that Government.(18)The Market Committee shall take sufficient security from such of its officers and servants as are entrusted with the handling of money.[44. Travelling allowance of the Chairman, members and officers and servants of the Market Committee. - A Market Committee may pay to its members, officers and servants travelling allowance for the journeys undertaken by them at its meetings or any other Market Committee work at the following rates:-A. Fares:(1)For journeys by Railway:-(i)Member including Chairman and Vice-Chairman. - First class fare or the actual fare if the journey is performed in a lower class.(ii)Secretary and other officers and servants. - As per T.A.Rules of the State Government.(2)For journey by Road:-(i)If places are connected by regular bus service. - Actual Bus fare.(ii)For places not connected by train or regular bus service:-(i)Member, including Chairman and Vice-Chairman. - Rs.0.40 paise per K.M.(ii)Secretary and other officers and servants.-As per T.A.Rules of the State Government:Provided that the journeys must be performed by the cheapest and the shortest route.B. Incidental charges:(1)For journey by Rail or Bus:-(i)Members including Chairman and Vice-Chairman. - Rs.0.40 paise per K.M. or a fraction thereof but exceeding 5 Kms.(ii)Secretary and other officers and servants. - As per T.A. Rules of the State Government.The amount of incidental charges shall be limited to one daily allowance for the actual journey period of every 24 hours or portion thereof.C. Daily allowance:(1)[Chairman, Vice-Chairman and Members :-

S. No.	Name of Post	@ Rs. per day of 24 hours or fraction thereof For Delhi, Mumbai, Chennai, Kolkatta and other metropolitan cities
Within Rajasthan except Jaipur and out-sideRajasthan	For Jaipur and Capitals of other States	
(i)(ii)(iii)	ChairmanVice-ChairmanMembers	656555 807060 10010080]
[Substituted by Notification No. F. 10(40)/Agriculture V/69/Group II, dated 20.10.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 21.10.1975, dated 20.10.1975.](2)Secretary and other officers and servants. - As per T.A. Rules of the State Government:Provided that if any member [including Chairman and Vice-Chairman] [Inserted by Notification No. F. 6(66)/Agriculture/Group 2/97, dated 6.7.1997-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.6.1997, p. 67(2), vide G.S.R. 40 = 1998 RSCS/Part II/P. 321/H. 274] does not get a conveyance on the day after the meeting is over he shall be eligible to get half daily allowance for the next day.D. Sitting Fees:A member including Chairman and Vice-Chairman residing in the town, in which the head-quarter of the Market Committee is situated, shall get the sitting fees for attending a meeting of the Market Committee at the rate of [the daily allowance as specified above.] [Substituted by Notification No. F. 6(66)/Agriculture/Group 2/97, dated 6.7.1997-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.6.1997, p. 67(2), vide G.S.R. 40 = 1998 RSCS/Part II/P. 321/H. 274.]E. Journey on Transfer:(1)Secretary and other officers and servants. - As per T.A.Rules of the State Government.F.		

A Market Committee shall not allow its members, Secretary and employees to incur any expenditure for performing journey outside the region, as may be determined by the [Director] [Substituted Inserted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93.], in which it is situated without the previous sanction of the [Director or the person authorised by him in this behalf.] [Substituted Inserted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93.] G. No Chairman or Vice-Chairman shall claim T.A. or D.A. for the journey performed by him to the headquarter of the Mandi Samiti and to any of its sub-yards for than [5] [Substituted by Notification No. F. 6(66)/Agriculture/Group 2/97, dated 6.7.1997-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 18.6.1997, p. 67(2), vide G.S.R. 40 = 1998 RSCS/Part II/P. 321/H. 274.] days in a month. Provided that the Chairman and Vice-Chairman may claim conveyance charges @ Rs. 5,50 per day for 5 days in a month.]

44A. [Honorarium. [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.]

- The Chairman of Market Committee shall be paid Honorarium as per rates mentioned below:-(a)in Special Class and 'A' Class Market Rs. 2000/- per month Committee(b)in 'B', 'C' and 'D' Class Market Rs. 1000/-per month Committee]

Part IV – Markets Fund, Expenditure and Accounts

45. The Market Committee Fund.

- All money received by the Market Committee shall be credited to the fund called the Market Committee fund. Except where Government on application by the Market Committee or otherwise shall direct, all money paid into the Market Committee fund shall be credited at least once a week in full into Government treasury or sub-treasury, or a bank duly approved for this purpose by the [Director] [Substituted for the word 'Secretary of the Board' by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.] [x x x] [Deleted by Notification No. F. 10(2)/Agriculture/Group 2/75-169, dated 9.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 9.3.2007, p. 471, vide S.O. 405 = 2007 RSCS/Part II/P. 237/H. 176.]. All balance from the fund shall be kept in such treasury or sub- treasury or bank and it shall not be withdrawn upon except in accordance with these rules.

46. Expenditure.

(1)All payments except from imprest shall be on cheque drawn on behalf of Market Committee.(2)[No cheque on behalf of the Market Committee shall be drawn except against a bill, which has been examined and passed by the Secretary; and the Secretary shall not pass any bill for payment unless

the expenditure detailed therein has received the previous sanction of the Market Committee, except-(i)For payment of salary and allowances of establishment.(ii)For the payment of works and repairs which have been duly sanctioned by competent authority.(iii)For meeting any urgent expenditure for which there is budget provision or which does not exceed [Rs.2000/-].(3)[(i) Cheque of the value of Rs. 50,000/- and below, drawn on behalf of the Market Committee, shall be signed by the Secretary and all other cheques drawn on behalf of the Market Committee shall be signed jointly by the Secretary and the Chairman:Provided that if the cheques submitted by the Secretary' to the Chairman for signature, are not signed by the Chairman within a period of fifteen days from the date of submission, such cheques shall be signed jointly by the Secretary and the Regional Dy./Assistant Director concerned :Provided further that, where the Secretary' is a gazetted officer, he shall be competent to sign such cheques, the value of which does not exceed one lac rupees:Provided also that in the market committees where an administrator, has been appointed, the cheques shall be signed jointly by the Secretary and the Administrator for amount exceeding Rs. 50,000/- where the Secretary is a non-gazetted officer and for amount exceeding Rs. 1.00 lac, where the Secretary is a gazetted officer.] [Substituted by Notification No. F. 4(77)/Agriculture/Group 2/03-II, dated 22.9.2006-Rajasthan Gazette, Extraordinary, Part IV-. C(I), dated 27.9.2006, p. 72, vide G.S.R. 48 = 2007 RSCS/Part II/P. 399/H. 343.](ii)No payment shall be made from any Government treasury or bank, of any cheque, purporting to be drawn on behalf of the Market Committee, unless it is signed as aforesaid.]

47. Remittance to treasury or bank.

- All remittance to the Government treasury or sub-treasury or bank shall be accompanied by challans or deposit slips in duplicate. The monthly or periodical statement of accounts furnished by the treasury or bank shall be regularly filed and made available for audit.

48. Pass book.

- The pass book shall be got written upto date at least once a month by the treasury or sub-treasury or the bank by which the original account is kept.

49. Submission of budget.

(1)The market year shall be held to commence on the 1st April and end on 31st March.(2)The Market Committee shall hold a meeting each year during the first week of January to prepare budget of income and expenditure for the ensuing market year. The budget shall be submitted to the [Director] [Substituted/Inserted/Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975 and again by Notification No. F. 10(191)/Agriculture II/Group II-B/74, dated 24.9.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 24.9.1986, p. 119, dated 24.9.1986.] or any officer authorised by him in this behalf not later than the fifteenth January for approval and the abstract accounts of the receipts and expenditure of the previous market year shall be submitted to the [Director] [Substituted Inserted Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975 and again by Notification No.

F. 10(191)/Agriculture II/Group II-B/74, dated 24.9.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 24.9.1986, p. 119, dated 24.9.1986.] or any such officer not later than thirteenth April.(3)No expenditure shall be incurred for which there is no budget provision unless it can be met by re-appropriation from savings under other heads or by a supplementary in the available reserve which should be sanctioned unanimously at a meeting of the Market Committee and approved by the [Director]. [Substituted Inserted Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975 and again by Notification No. F. 10(191)/Agriculture II/Group II-B/74, dated 24.9.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 24.9.1986, p. 119, dated 24.9.1986.][50. Works to be included in the budget. - No works for which forecast estimates have not been previously prepared and sanctioned by the engineer appointed by the Board shall be included in the budget.] [Substituted Inserted Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975.][51. x x x] [Substituted Inserted Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975][52. Execution of works. - All works to be taken up by the Market Committees shall be executed and carried out by the Board in such manner as may be decided by the Board from time to time:[ijUrq jkT; ljdkj eaMh lfefr dks [Substituted Inserted Deleted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975] [8-oo yk[k :o] dh lhek rd dk lafuekZ.k ;k ejEer dk;Z djkus ds fy, izkf/kd`r dj ldsxhA [Substituted by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.] [Substituted by Notification No. F. 10(4)/Agriculture/Group II-B/73, dated 24.6.1986-Rajasthan Gazette, Extraordinary, Part IV-C, dated 25.6.1986, p. 89, dated 24.6.1986.]]Provided further that the detailed estimates and plans of the works for all such works shall be approved by engineer appointed by the Board before such execution.

53. Permanent fund.

(1)The surplus amount of the Market Committee fund, at the close of each market year, shall be credited to the permanent fund of the Committee within three months of the close of the year and it shall be used only to towards incurring the expenses of a permanent nature such as the construction of buildings, acquisition or, purchase of sites or for such other purpose as the [Director] [Substituted for the words 'Secretary of the Board' by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.] may specify.(2)The Market Committee may invest or deposit its surplus funds:-(a)in the Government Savings Bank, or(b)with any bank or person carrying on the business of banking approved by the [Director] [Substituted for the words 'Secretary of the Board' by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.] or(c)in National Savings Bonds or Certificates, or(d)in any of the securities specified in section 20 of the Indian Trust Act, 1882:Provided that no investment shall be made on the mortgage of immovable property. Any amount so invested including the interest thereon should be withdrawn after the approval of the [Director] [Substituted for the words 'Secretary of the Board' by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette,

Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.]

54. Annual report.

- At the end of each market year, the Market Committee shall prepare an annual report and submit copies of it to the Director and to such other officer as may be appointed by the [Director] [Substituted for the words 'Secretary of the Board' by Notification No. F. 4(37)/Agriculture/Group 2/98, dated 17.10.1998-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.10.1998, p. 190, vide G.S.R. 64 = 2000 RSCS/Part II/P. 181/H. 46.].

55. Accounts, audit and inspection.

(1)The accounts and records of a Market Committee shall be kept in such manner as the Government may direct.(2)[The account of the Market Committee shall be audited by such auditors as may be appointed by the Government on the recommendation of the Board on such terms and conditions as may be decided by the Government.] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975.](3)At the time of audit, the Secretary or any other person authorised in this behalf shall cause to be produced all accounts, registers, documents and other relevant papers which may be called for by the audit officer for the purposes of the audit. Any explanation called for by such officer for the settlement of any discrepancy shall also be immediately furnished to him.(4)The audit memorandum may be inspected by the members of the Market Committee, traders, licence holders or the public free of charge in the office of the [Secretary of the Board] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975.] or at any other place specified by the [Secretary of the Board] [Substituted by Notification No. F. 10(19)/Agriculture/Group II/74, dated 4.7.1975-Rajasthan Gazette, Part IV-C, dated 10.7.1975, dated 4.7.1975.] and certified copy thereof may be obtained by any person from the said office on payment of a fee of Rs.0.25 paise per folio.[Part IV-A] [Inserted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.] State Agricultural Marketing Board

55A. Election of members under sub-section (1) of section 22-B.

(1)The State Government shall by order divide the State in ten single members constituencies in such a manner that at least five Market Committees are included in one constituency so as to enable each constituency to elect one member by the Chairman of the Market Committee in each constituency.(2)State Government shall call upon the Secretaries of the Market Committees in the State to intimate the names of the Chairman of each Market Committee as well as the trader members of the Market Committee and on receipt of the above information, the list of Chairman of each constituency as well as the list of trader members shall be got prepared and published in accordance with provisions contained in Rule 8.(3)The State Government shall also decide the place of election for the members of the Board from amongst the Chairman of Market Committees in each

constituency, and the Collector of the District where such election is to be held shall get the election conducted as per provisions contained in Rules 9 to 24 of the said rules: Provided that the election of two members of the trader members of the Market Committee shall be held at the head quarter of the Board by the State Government and the elections shall be conducted as per provisions contained in rules 9 to 24 of the said rules. (4) All expenditures incurred in connection with these elections shall be met out of the marketing development fund and shall be recoverable from the Board.

55B. Determination of validity of election.

(1) If the validity of any election of a member of the Board is brought in question by any person qualified to be elected at the elections to which such question refers, such person may, within seven days after the date of declaration of the result of the election, apply in writing to the State Government. (2) On receipt of an application under sub-rule (1), the State Government shall, after giving an opportunity to the applicant to be heard and after making such enquiry as he deems fit, pass an order confirming or amending the declared result of the election or setting aside the election, and such order shall be final. If the State Government sets aside the elections, a date shall be forthwith fixed and necessary steps be taken for holding a fresh election.

55C. Budgets of the Board and investment of surpluses and maintenance of accounts.

(1) The Board shall by the 15th January of each year, pass the budget for the next market year showing the estimated income and expenditure on various heads and forward to the State Government supported by such information as may be required by the State Government. (2) All money received by the Board shall be credited to the fund called the State Marketing Development Fund except where Government on application by the Board or otherwise shall direct, all money paid into the marketing development fund shall be credited at least once a week in full into a bank duly approved by the State Government for the purpose. All balances from the fund shall be kept in such bank and it shall not be withdrawn upon except in accordance with these rules. (3) The accounts of the Board shall be maintained in such manner as the Government may direct and shall be subject to audit as the Government may specify. (4) Every cheque drawn on behalf of the Board shall be signed by the Secretary or any other officer authorised by the Board. The cheque shall be drawn against a bill which has been examined and passed by the Secretary or any other officer authorised by the Board.

55D. Powers and functions of the Secretary.

- The Secretary of the Board shall - (a) issue, under the instructions of the Chairman, notices for the meetings of the Board and the sub-committees thereof; (b) be present at such meetings and record and keep the minutes thereof; (c) carry out the decisions of the Board and its sub-committees; (d) work as drawing and disbursing officer of the Board; and (e) exercise such other powers and perform such other functions as are conferred or imposed on him by or under the Act or the rules or as may be delegated to him by the Board.

Part V – Market Yard and Market Proper

56. Declaration of market yard and market proper.

- Government may by notification in the Official Gazette, declare-(a)any enclosure, building or locality in any market area to be a market yard,(b)any area, including all land with the buildings thereon, within such distance of the market yard, as it thinks fit, to be a market proper:Provided that a market proper so declared shall include industrial concerns in the said area with their compound, godowns and warehouses, where the agricultural produce is stored.

56A. [Establishment of Private sub-market yard or Private Consumer-Farmer Market. [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.]

(1)Any person including a co-operative society may apply to the Director or the authority empowered by the State Government in this behalf for establishment of a private sub-market yard or a private consumer-farmer market in Form XII.(2)The minimum land required for establishment of private sub-market yard shall be five hectares and establishment of private consumer-farmer market shall be two hectares. The land should be in the name of the applicant.[Provided that on the recommendation of the director, the State Government may, if it is satisfied that the establishment of a private mandi yard in a particular location will promote the effective and better regulation of sale and purchase of agricultural produce, relax the requirement of minimum area of land.](3)The applicant shall pay a licence fee as may be specified by the Government from time to time.(4)The Director or the empowered authority may grant a licence for establishment of a private sub-market yard or for a private consumer-farmer market in Form XIII. The licensee shall abide by all the terms and conditions mentioned in the license.(5)The Market Committee shall collect market fee from the licensees/Traders of a private sub market as per the provisions of the Act and shall pay such part of the market fee to the licensee of the private sub-market yard, as may be specified by the Government, from time to time.(6)Subject to sub-section (2) of section 5, the licensee of private consumer-farmer market shall collect service charges from the sellers at such rate as may be specified by the Government, from time to time.(7)The sellers of the private consumer-farmer market shall not sell more than such quantities of their produce to a consumer at one time, as may be specified by the Government from time to time.(8)The producer shall sale his produce in the private consumer farmer market directly to the consumer at mutually agreed price.]

56B. [Private sub e-market. [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]

(1)Any person including a Cooperative Society or Company may apply in Form XVIII to the Director or the Authority empowered by the State Government in this fee half for establishment of private sub e-market. Th applicant shall pay such application fees and in such manner as may be specified b

the State Government from time to time Application fees shall be non refundable.(2)Every application shall be accompanied with a detailed project report. Th project report shall contain details of,-(a)financial status of the applicant supported by the Income Tax returns for previous three assessment years or permanent assets with valuation assessed by a Chartered Accountant.(b)locations of trading terminals proposed to be established;(c)amount proposed to be spent for setting up of facilities, for purchase/sale and storage of notified agricultural produce including establishment for processing, grading, packing, storing and for sale/export of the agricultural produce by way of value addition;(d)outlay earmarked for providing facilities, if any, like lodging, boarding for the producer who bring produce to the private sub e-market; and(e)laboratory facilities to evaluate and determine the quality of the agricultural produce.(3)Applications received for establishment of private sub e-market shall be entered in the register in Form XIX.(4)Every applicant shall have,-(i)online trading, efficient clearing facility;(ii)settlement and guarantee system of national reach;(iii)well organized and capitalized brokerage houses, where members/brokers with reasonable capital adequacy can participate;(iv)a mechanism to ensure transparency in its operations and decision making; and(v)working experience in Agricultural Produce markets.(5)The Director or the Authority empowered by the State Government shall, on receipt of application, evaluate the application within a period of thirty days and after satisfaction, the Director or the Authority empowered by the State Government shall inform the applicant to deposit the license fee, as may be specified by the Government from time to time, within the period of 30 days by way of demand draft payable at Jaipur in favour of Director, Agriculture ^Marketing. On receipt of license fee the Director or Authority empowered by the State Government may issue licence in Form XX, with such conditions as. specified in it, for a period not exceeding 5 years, which may be renewed for further period of 5 years at a time, on an application and payment of renewal fees as may be specified by the State Government from time to time. The application for renewal shall be made on plain paper. The licence, issued under this rule, shall be entered in the register in Form XXI.(6)A bank guarantee of Rupees 25 Lakhs (Rs. Twenty Five Lakhs) shall be deposited by the licensee in favour of the Director, within one month from the date of grant of license or before commencement of business, whichever is earlier.(7)The Licensee may commence operation in private sub e-market after furnishing bank guarantee.(8)The Licensee of private sub e-market shall,-(i)install trading terminals in the one or more market area for on-line trading at prominent locations, which are easily accessible to agriculturists;(ii)provide real time price and trade related information relating to notified agricultural produces through its trading terminal and web site;(iii)make arrangements for warehousing, weighment, grading and certification and for sanitary and phyto-sanitary provisions;(iv)not sell or purchase notified agricultural produce for him self;(v)facilitate collateral financing and borrowing against warehouse receipt;(vi)ensure that the payment of notified agricultural produce to the produce seller on the same day as per provision of Sec. 15-D of Act. The deliveries of the sold agricultural produce shall be made only after the full payment of price to produce seller. The price quoted by the buyer shall be net payable to the producer seller, the market fees, brokerage charges etc. shall be borne by the purchaser, notwithstanding any default committed by the buyer, the Licensee of private sub e-market shall ensure the payment strictly as per provision of Sec. 15-D of the Act;(vii)collect the market fees and deposit the same with the Market Committee concerned, along with the details of the Agricultural Produce transacted;(viii)maintain a settlement guarantee fund, as may be specified by the State Government from time to time, and adopt proper risk management system to ensure

smooth settlement;(ix)guarantee the performance of contracts executed on its platform.(x)submit market area wise monthly return of deliveries of notified agricultural produce in his designated warehouses. He shall also give separate figures of delivery of market fees paid goods/agricultural produce (where market fees was already paid before its delivery into designated warehouses) and such deliveries where it has been traded for the first time on private sub e-market platform;(xi)collect market fees from buyer as per provisions of the Act, in respect of sale of agricultural produce, for which market fees is not paid earlier.(xii)pay the market fees collected by him to the concerned market committee as per provision of Act, rules, by-laws.(9)All terms relating to quality parameters, grading, packing standards and deliveries, including discount and premium applicable for various grades, of agricultural produce is to be traded on its platform shall be clearly specified by the private sub e-market before trading in any produce. The size and grade of notified agricultural produce to be traded in the private sub e-market shall be decided by the Director or the Authority empowered by the Director.(10)Agriculturist may not be a member of the private sub e-market to sell his produce in private sub e-market.(11)The Licensee of private sub e-market shall ensure that membership is available to all, including agriculturists or their groups, cooperatives societies or companies. He shall be free to fix and charge membership fee, security deposit, annual subscription, margin money and other charges from their market functionaries other than the agriculturists:Provided that the membership fee or any other fees or charges for the agriculturists shall be fixed with approval of the Director.(12)All members of private sub e-market may appoint their sub-broker or franchise, with the permission of Licensee of private sub e-market, to provide service to their clients. These members, their sub brokers and clients shall not require any license from concerned market committee.(13)The Duties and rights of the members of the private sub e-market shall be decided by the Licensee.(14)Agriculturists shall give physical delivery at the warehouse designated by private sub e-market, where grading and quality certification shall be done and warehouse receipt shall be issued to the agriculturist. The charges of grading, quality certification, unloading, filling of bags and loading in scale of weighment shall be borne by the seller of agricultural produce.(15)Procurement and disposal* of agricultural produce shall be through on line trading and the clients and producers across the country can participate in electronic trading through the members of the private sub e-market. Agricultural produce sold in private sub e-market shall be regulated by the Act.(16)The Licensee shall issue a certificate as per Annexure (sic Form) XXII regarding payment of market fees on agricultural produce at the time of delivery from its warehouse. Such certificate shall be kept with the vehicle carrying the produce. Private sub e-market shall maintain complete record relating to issue of such certificate and the supporting evidence, which can be verified by the Director, at any point of time. Such certificate shall be sufficient proof of payment of market fees.(17)No market fees shall be payable on sale/resale on market fees paid agricultural produce lying in the warehouse of private sub e-market.(18)The Director or an officer duly authorised by him for this purpose or concerned Regional Deputy Director/Assistant Director or Secretary of concerned market committee shall have right to inspect the warehouses and delivery centers of the private sub e-market and to call for such information as he considers necessary.(19)The disputes between the agriculturists and management of the private sub e-Market or market functionaries shall be referred to concerned Regional Deputy Director/Assistant Director, Agriculture Marketing, within a period of 30 days of its occurrence by the party raising such dispute. The dispute shall be resolved in a summary manner within 30 days, after giving reasonable opportunity to the parties of being heard by the Deputy Director/Assistant Director concerned and

any party aggrieved by the decision, may prefer an appeal to the Director.(20)Any person who contravenes the provisions of this rule shall on conviction be punishable with a fine which may extend to two hundred rupees.(21)Other provisions of these rules except Rule 56-A save as otherwise provided in this rule shall mutatis mutandis apply to operations in private sub e-market.]

57. Control and conservancy of the market yard.

(1)The Market Committee shall maintain one or more market yards as may be declared under the preceding rule. Subject to these rules and to the general or special orders of the Government and to such controls as by these rules or by any other law vested in the Collector or Director or in the Municipality, or the District local Board, or the gram panchayat the Market Committee, shall manage market yards in the best interest of the trade having regard always to the convenience of the trade in agricultural produce and the purposes for which the control is vested in the Market Committee. The market yard shall be opened for trading at such hours as the Market Committee may from time to time fix. Carts or consignments or trucks of agricultural produce intended for sale shall be assembled in the market yard in such manner and at such times as may be permitted, and ingress and egress may be permitted, to such persons and at such times as the Market Committee may consider proper.(2)In the market proper and market area, the Market Committee shall exercise only such rights as may be necessary for the convenient control of the market and for the convenience and comforts of the persons using the market and for collection of the fees, in accordance with the provisions in the bye-laws.(3)(a)The Market Committee may require the owner or manager of any industrial concern located within the market area to furnish such information in respect all the agricultural produce for which the market is established and which is handled or used by the industrial concern, as the committee may think necessary for the purposes of the control of the market.(b)Any owner or manager so required to furnish information shall be entitled to appeal against such requisition within one fortnight from the date of the requisition to the Director whose decision in the matter shall be final.

57A. [Contract farming. [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.]

(1)The contract farming buyer, shall apply for registration in Form XIV to the market committee in whose area he wants to enter into contract farming agreement,(2)The market committee shall, thereupon register such person as contract farming buyer.(3)the contract farming agreement shall be in Form XV.(4)The contract farming buyer shall get the contract farming agreement registered with the market committee in whose area the land of the contract farming producer is located.(5)The agreement shall be written on stamp paper of the value of Rs. 100/-. (6)A separate agreement shall be made for each contract farming producer. In case one contract farming producer, he has more than one farm falling in the area of different market committees, a different agreement for each farm shall be made.(7)The agreement may be for a season or a-year but not more than 5 years. In case of long term tree crop, the agreement can be for a period mutually agreed

to by the parties.(8)The agreement shall be presented before the market committee for registration, alongwith a registration form in Form XVI.(9)Separate registration form shall be filled for each agreement.(10)The market committee shall register the agreement and issue a registration certificate in Form XVII.(11)The market committee shall charge Rs. 10/- as registration fee for each agreement.(12)The market committee shall maintain a register for registering the agreements in Form XVIII,(13)The contract farming buyer shall abide by all the provisions of the Rajasthan Agricultural Produce Markets Act, 1961, the Rajasthan Agricultural Produce Markets Rules, 1963 and the bye-laws of the market committee concerned.(14)The contract farming agreement shall not come into force until the contract farming buyer pays such part of the contracted amount to the contract farming producer as may be agreed mutually.(15)The contracting price shall be higher than the minimum support price of the model price, whichever is higher, for the contracted agricultural produce during the previous harvest season, in the market committee concerned.Note. - For the purpose of this rule model price shall mean the price at which the maximum transitions (sale & purchase) take place.(16)Contract agreement shall not contain any provision of penalty on the contract farming producer if he fails to supply the contracted agricultural produce mentioned in the contract agreement due to natural calamities.(17)In case the contract farming buyer fails or refuses to purchase the agreed quantity of the agriculture produce from the contract farming producer, he shall pay the amount of the difference between the agreed price and the actual sale price of the contracted produce in the market committee concerned to the producer.(18)In the eventuality of the contract farming purchaser's refusal to buy the contracted produce, the same shall be sold by auction by the market committee concerned and the amount shall be given to the contract farming producer.(19)The contract farming buyer shall furnish an undertaking equal to 20% of the value of the contracted amount i.e. the value of the contracted quantity multiplied by the contracted price, with the market committee concerned. The amount of the undertaking shall be utilised by the market committee to compensate the contract farming producer in the eventuality of refusal by the contract farming purchaser to purchase the contracted produce. If the difference between the agreed price and sale price is more than the 20% of the value of the contracted amount, the difference amount shall be payable by the contract farming buyer to the producer within 15 days from the date of claim of the amount of difference.(20)In case the contract farming producer fails or refuses to provide agricultural produce to the contract farming buyer as specified in the agreement, he shall be liable to make payment of the amount of difference between the agreed price and the average market price of the contracted produce during the agreed period of supply in the market committee concerned to the buyer.(21)The market fee for contracted agriculture produce shall be paid by the contract farming buyer at the rates as notified under section 17 of the Act. The date on which the supply of the contracted agriculture produce, in total or in-part has been made to the contract farming buyer shall be considered as the date of sale. The market fee payable on the purchase during the month, shall be paid by the contract farming buyer to the market committee upto 7th of next month by demand draft. He shall also furnish details of market fee in the proforma specified by the Director. If the contract farming buyer fails to deposit market fee within the aforesaid period, he may deposit market fee with a late fee at the rate of 2% per month or part thereof oh. due market fee due within first 3 months and thereafter at the rate of 3% per month or part thereof on market fee due up to the end of the financial year. If contract farming buyer fails to deposit market fee and late fee in the above prescribed time, the market committee shall initiate action against the contract farming buyer as per provisions of the Act and Rules/Bye-laws made thereunder and due amount

shall be recovered with the interest at the rate of 3% per month up to date of recovery from the date of market fee is due.]

Part VI – Cess and Fees-Levy and Collection

58. [Market area] [Substituted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] Cess.

(1)A [market area] [Substituted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] committee shall [x x x] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] collect cess on agricultural produce bought and sold in the [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] at such rate as may be specified [by the Government by way of notification] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.]:[Provided that no cess shall be levied on any such notified agricultural produce on which cess has been levied in any market area if the seller or the purchaser of such notified produce files a declaration in Form XI, in the prescribed manner, that on notified agricultural produce, cess has already been levied in any other market area of the State.] [Inserted by Notification No. F. 15(9)/Agriculture/II-B/90, dated 1.10.1991-Rajasthan Gazette, Extraordinary, Part IV-C, dated 3.10.1991, p. 81, dated 1.10.1991 (Hindi).]Explanation. - (a) For the purpose of this rule a sale of agricultural produce shall be deemed to have taken place in a [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] if it has been weighed or measured or surveyed by a licensed weighman, measurer or surveyor in the [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] for the purpose of sale, notwithstanding the fact the property in the agricultural produce has by reason of such sale, passed to a person in place outside the [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.].(b)Further for the purpose of this rule, all notified agricultural produce taken out or proposed to be taken out of the [market area] [Substituted/Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] shall, unless the contrary is proved, be presumed to be bought and sold within such [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.],(2)The cess levied as per sub-rule (1) shall not be levied more than once on agricultural produce bought or sold in the [market area] [Substituted Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.],(3)The [market area] [Substituted/Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] committee shall also levy and collect licence fee from trader's, brokers, weighman, measurer, surveyors, warehousemen and other persons operating in the [market area] [Substituted/Deleted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Act 10 of 1975, w.e.f. 14.7.1973.] as provided in the bye-laws.(4)[x x x] [Deleted by Notification No. F. 4(79)-2/2002, dated 27.4.2005-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 4.5.2005, p. 55, vide G.S.R. 46 = 2005 RSCS/Part II/P. 285/H. 213.][Provided that the burden of proof regarding source of the agricultural produce brought from outside the market area or outside the

State shall be on the industrial concern or on the exporter: Provided further that if such agricultural produce brought into the Market area for export is not exported or removed therefrom before the expiry of twenty days from the date on which it was so brought, the Market Committee shall levy and collect fee on such agricultural produce from the person bringing the produce into the Market area at such rates as may be specified in the bye-laws : Provided also that if the industrial concerns that brought the agricultural produce from outside the Market area or outside the State into the Market area for the purpose of use by them and who do not make any declaration and do not obtain a certificate in Form V as prescribed above, shall be deemed to be responsible for the contravention of this rule and shall, on conviction, be punished under sub-section (3) of section 36 of the Act with a fine which may extend to Rupees two hundred. (5) The seller who is himself the producer of the agricultural produce offered for sale and the buyer who buys such produce for his own private and/or household use, shall be exempted from payment of any cess under this rule.] [Substituted by Notification No. F. 9(24)/Agriculture/Group 2/94, dated 17.1.1995-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 21.1.1995, p. 375, vide G.S.R. 15 = 1995 RSCS/Part II/P. 276/H. 223 and kept dispense from prior publication by Notification No. F. 4(79)-2/2002, dated 27.4.2005-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 4.5.2005, p. 55, vide G.S.R. 46 = 2005 RSCS/Part II/P. 285/H. 213.]

58A. [User Charges. [Inserted by Notification No. G.S.R. 43, dated 23.6.2015 (w.e.f. 6.2.1964).]

- Market committee shall collect user charges on fruits and vegetables bought or sold in the principal market yard or sub-market yard, at such rate as may be specified in the bye-laws.]

59. Recovery of cess and fees.

(1) The cess on agricultural produce shall be payable as soon as it is bought and sold in the [market area] [Substituted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act 10 of 1975.] as may be specified in the bye-laws. (2) [The market fees shall be paid by the purchaser in the following manner:-(i) If the specified agricultural produce is sold through an "A" class broker the "A" class broker shall charge market fees from the purchaser and deposit the same with the Market Committee in accordance with the procedure specified in the bye-laws. (ii) If the specified agricultural produce is not sold through an "A" class broker, the seller shall charge market fees from the purchaser and deposit the same with the Market Committee in the manner specified in the bye-laws. (iii) In case the seller is not a licensee, the market fees shall be deposited by the purchaser in the manner specified in the bye-laws. Explanation. - The word "purchaser" means and includes a person who as a trader or broker or any other operator has obtained a licence for the purchase of agricultural produce in the market area.] [Substituted by Notification No. F.

10(4)/Agriculture/Group II/73, dated 28.11.1977-Rajasthan Gazette, Extraordinary, Part IV-C, dated 1.12.1977, p. 675, dated 28.11.1977.](3) [x x x] [Omitted by Notification No. F.

10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.](4) The licence fee shall be paid along with the application for licence but in cases the [market area] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated

27.11.1975.] committee refuses the grant of a licence, the fees recovered shall be refunded to the applicant.(5)The [market area] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 28.11.1977-Rajasthan Gazette, Extraordinary, Part IV-C, dated 1.12.1977, p. 675, dated 28.11.1977.] committee may levy a subscription for collecting and disseminating among the subscribers, information as to any matter relating to statistics or/marketing in respect of the notified agricultural produce.

59A. [Recovery of User Charges. [Inserted by Notification No. G.S.R. 43, dated 23.6.2015 (w.e.f. 6.2.1964).]

- The user charges on fruits and vegetables, specified in schedule of the Act, brought or sold in principal market yard or sub-market yard shall be payable by the buyer at the rates specified in the bye-laws. The user charges shall be calculated on the basis of sale value of fruits and vegetables bought or sold.]

60. Receipt.

(1)The Market Committee shall maintain a register showing the cess and the fees collected by it. A receipt duly signed by the person authorised by the Market Committee shall be granted to every person in respect of cess and fees collected from him under these rules or the bye-laws.(2)Every person authorised by the Market Committee to collect cess shall pass receipt to the payees, keeping counterfoils of the receipt so granted and shall render account of all receipts at least once a day to the person duly authorised in this behalf by the Market Committee.

61. Collection of cess.

- The mode of collection of cess shall be prescribed by the Market Committee in the bye-laws.

62. Security.

- The Market Committee shall take such security as it thinks fit, from its employees who are entrusted with the handling of money.[63. x x x] [Omitted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]

Part VII – Sales and trading in market

64. Sale of agricultural produce.

(1)All the notified agricultural produce brought into the market or produced or processed in the market proper except such quantity for consumption as may be prescribed in the bye-laws shall pass through the principal market yard or some market yard or yards and shall not be sold at any other place within the market proper.Explanation. - For the purpose of this rule, processed agricultural

produce shall include all the notified agricultural produce processed in the market but not a manufactured produce.(2)Such details of all notified agricultural produce resold in the market area shall also be reported to the market committee in accordance with the provisions of the bye-laws.(3)The price of agricultural produce brought into the market for sale shall be settled by open auction and not by secret signs and no deductions shall be made from the agreed price of the consignment except for any authorised trade allowance:[x x x] [Deleted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.]Provided [x x x] [Deleted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] that the open auction system will not apply to the resale of the notified agricultural produce which had already been brought in the market yard.(4)Any person who contravenes the provisions of sub-rule (2) or (3) shall on conviction be punishable under sub-section (3) of section 36 with a fine which may extend to rupees two hundred.

65. Accounts of sales to be maintained.

- The Market Committee shall maintain a record in which regular and proper account of each consignment of the agricultural produce brought in for sale in the market shall be kept.Explanation.
- For the purpose of this rule entries collectively relating to more than one consignment shall not be deemed to be a proper and regular account of consignment.

66. [Maintenance of auction register and execution of agreement between buyer and seller. [Substituted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966, dated 28.5.1966.]

(1)The Market Committee shall keep an auction register in Form IX in which the entries of all the transactions shall be made. As soon as any auction transaction is effected the purchaser shall sign against the relevant entries in the register and he shall be bound to take delivery of the produce at the rates mentioned in the register:Provided that where a sale takes place by a open agreement under rule 64(3) every purchaser of the agricultural produce shall sign the agreement slip in triplicate in Form VI in favour of the seller as soon as any transaction is effected. One copy of this slip shall be kept by the purchaser, the second will be supplied to the seller and the third will be sent to the Market Committee.](2)Nothing in this rule shall apply to the purchasers of agricultural produce for their own private and/or household use. The purchase by such purchasers shall be subject to such conditions as may be specified in the bye-laws.

67. Publication of prices.

(1)The Market Committee shall as far as practicable place at the disposal of those using the market information on such matters as the prices of the important crop ruling at the principal marketing centre of the State. The information shall be published in such a manner as will be readily available

to all persons using the market.(2)The Market Committee shall be responsible for furnishing market intelligence as may be directed by the Director.

68. Penalty for disobedience of orders of Committee.

(1)No person shall-(a)enter a principal market yard or some market yard in contravention of a direction given by a servant or a member of the Market Committee;(b)disobey any of the directions of the Market Committee in regard to the places where carts ladden with agricultural produce may stand or loads of agricultural produce may be exposed or in regard to the road by which or in regard to the times at which they may proceed.(2)Any person contravening or disobeying any of the directions referred to sub-rule (1) shall, on conviction be punishable with fine which may extend to Rs. 10/- for the first offence and to Rs. 50/- for any subsequent offence.

69. Licensed traders and 'A' class brokers.

- [(1) Subject to the provision of section 14 of the Act] [Inserted by Notification No. F. 10(40)/Agriculture V/63, dated 16.11.1964-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.11.1964.] no person shall do business as a trader or an 'A' class broker in agricultural produce except under a licence granted by the Market Committee under this rule.(2)Any person desiring to hold such licence shall [make an application in Form VII] [Substituted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966 dated 28.5.1966.] for a licence to the Market Committee and shall pay such a fee as may be specified in the bye-laws subject to the maximum of Rs. 100/-.(3)[(a) On receipt of such application together with the proper amount of the fee, the Market Committee may, after making such enquiries as may be considered necessary for the efficient conduct of the market area and after obtaining the following, grant him a permanent licence in Form VIII subject to the conditions specified therein : -(i)On obtaining cash security or bank guarantee,(ii)On considering the conduct of the applicant.(b)The amount of cash security or bank guarantee under clause (a) shall be fixed by an order by the Director.](4)Notwithstanding anything contained in sub-rule (3), the Market Committee may refuse to grant a licence to any person, [who has been declared insolvent by a competent court] [Substituted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966 dated 28.5.1966.] or in the case of renewal of licence whose operations in the market area are not likely to further efficient working of a [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act No. 10 of 1975.] under the control of the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act No. 10 of 1975.] committee. [x x x] [Omitted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966, dated 25.5.1966.][x x x] [Deleted by Notification No. F. 7(11)-2/2005, dated 27.5.2005-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 31.5.2005, p. 27, vide G.S.R. 22 = 2005 RSCS/Part II/P. 309/H. 241.](5)The licence shall remain in force from the date on which it is granted until the 31st of March following and may be renewed [upto a maximum period of five years] [Substituted by Notification No. F. 10(19)/Agriculture/Group II-B/78, dated 12.3.1987-Rajasthan Gazette, Part IV-C, dated 9.4.1987, p. 24, dated 12.3.1987.] on a written application and after such enquiries as are referred to in sub-rule (3), as may be considered

necessary and on payment of fee specified in the bye-laws.(6)The names of all such traders and 'A' class brokers shall be entered in a register to be maintained for the purpose.(7)[Whoever, does business as a trader or an 'A' class broker in agricultural produce in any market without a licence granted under this rule shall, on conviction be punished in accordance with sub-section (1) of section 28 of the Act.] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]

70. Powers of the Market Committee to suspend or cancel the licence granted to traders and 'A' class brokers.

- The Market Committee, may, by a resolution passed by a majority consisting of not less than two third of its members present cancel or suspend for a fixed period upto a maximum of one year the licence granted to any trader or 'A' class broker, if he contravenes any of the conditions of his agreement or licence or of the rules or bye-laws or who, in the opinion of the market committee, is not solvent:Provided that no order cancelling a licence or sub-pending it for a period of more than six months shall be passed without previous approval of the Director.

71. Procedure to be adopted before taking a decision to cancel or suspend a licence.

(1)The Secretary of the committee shall first enquire into the matter and submit his report to the committee.(2)The committee shall on the basis of the Secretary's report frame a charge sheet.(3)The Chairman shall then call upon the person concerned to submit his explanation within a week.(4)If the person concerned fails to submit his explanation within the aforesaid time of a week giving reasons for his misconduct or producing evidence in support of the denial of an alleged offence, the view that a prima facie has been established should be accepted.(5)The Market Committee shall take the decision regarding cancellation or suspension of a licence on the basis of Secretary's report the charge sheet and the explanation of the person who is alleged to have committed the offence and record the reasons of cancelling or suspending the licence.(6)[In case of suspension of licence by the Chairman or the Secretary in exercise of the powers conferred under sub-section (3) of section 15, the Chairman or the Secretary shall not issue orders without reasonable opportunity to the party concerned and the order of the Chairman or the Secretary shall contain the specific reasons for taking recourse for such action.] [Added by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]

72. Licensed 'B' class brokers, weighmen, measurers, surveyors, [Chemical Composition Analysts] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] warehousemen and such other operators as may be determined by the Director.

(1)[Subject to the provision of section 4 and section 14 of the Act] [Inserted by Notification No. F. 10(40)/Agriculture V/63, dated 16.11.1964-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.11.1964.] no person shall do business as 'B' class broker or weighman or measurer or surveyor or warehouseman [or Chemical Composition Analysts] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] or operator in any other manner in any [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act 10 of 1975] except under a licence granted by the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act 10 of 1975.] committee.(2)Any person desiring to hold such licence shall [make an application in Form VII] [Substituted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966, dated 28.5.1966.] for a licence to the Market Committee and shall pay such a fee as may be specified in the bye-laws, subject to the maximum of Rs. 40/- if he is a 'B' class broker, Rs. 15/- if he is a warehouseman [or Chemical Composition Analysts] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] Rs. 10/- if he is a weighman, surveyor, measurer or any other operator.(3)[On receipt of such application together with the proper amount of the fee, the Market Committee may, after making such enquiries as may be considered necessary for the efficient conduct of the market area and after obtaining the following, grant him a permanent licence in Form VIII subject to the conditions specified therein : -(i)On obtaining the recommendation from a person holding licence under Rule 69,(ii)On considering the conduct of the applicant.](4)Notwithstanding anything contained in sub-rule (3), the committee may refuse to grant a licence to any person [who has been declared insolvent by a competent court] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act 10 of 1966.] or in the case of a renewal of licence, if the conduct of the person is found to be detrimental to the efficient functioning of the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act 10 of 1966.]; or if the person has not worked in the market area for more than a week without a valid reason [x x x] [Omitted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966, dated 28.5.1966.].(5)The licence shall remain in force from the date on which it is granted till 31st of March following and may be renewed [upto a maximum period of five years] [Substituted by Notification No. F. 10(19)/Agriculture/Group II-B/78, dated 12.3.1987-Rajasthan Gazette, Part IV-C, dated 9.4.1987, p. 24, dated 12.3.1987.] thereafter on a written application and after such inquiries as are referred to in sub-rule (3) as may be considered necessary and on payment of fees prescribed in the bye laws.(6)The Market Committee, may, by a resolution cancel or suspend licence granted to any 'B' class broker, weighman, measurer or surveyor or warehouseman [Chemical Composition Analysts] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] [or any other person operating] [Substituted Inserted by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette Extraordinary, Part IV-C, dated 28.5.1966.] in the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act No. 10 of 1975.] if he contravenes any of the conditions of his agreement of licence or the provisions of rules or byelaws or if in the opinion of the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with

effect from 14.7.1973, Rajasthan Act No. 10 of 1975.] committee his continuance as a licence holder is likely to be detrimental to the working of the [market area] [Inserted by Rajasthan Act No. 10 of 1975, with effect from 14.7.1973, Rajasthan Act No. 10 of 1975.] Provided that no order cancelling the licence or suspending it for a period exceeding six months shall be passed without the previous approval of the Director.

73. Refusal, cancellation or suspension of licence to be communicated to persons concerned.

(1) Whenever a Market Committee-(a)[refused to grant or renew a licence under sub-rule (4) of Rule 69 or of Rule 72; or] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.](b) cancels or suspends a licence under Rule 70 or sub-rule (6) of Rule 72; the Market Committee shall communicate its decision or order, as the case may be, to the person concerned-(i) by delivering or tendering to him personally a copy of such decision or order, as the case may be, or (ii) by sending the same to him by registered post. (2) Such decision or order as the case may be, shall be deemed to have been communicated to the person concerned on the date on which a copy of it was delivered, or tendered to him personally or sent to him by registered post as required by sub-rule (1). [74. x x x] [Omitted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.][75. Payment of market charges. - (i) The charges payable for unloading, filling of bags, sieving and loading in the scale for weighment etc. shall be borne by the seller of agricultural produce and the charges for weighment and unloading from scale and commission shall be borne by the purchaser of agricultural produce. (ii) The commission payable to 'A' class broker shall be [Rs.6.00] per cent in case fruits and [3.00 per cent in case of vegetables] [Substituted by Notification No.10(2)-2/75, dated 19.10.2006-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 27.10.2006, p. 215, vide S.O. 228 = 2007 RSCS/Part II/P. 26/H. 35.] and [Rs.2.00] [Substituted by Notification No. F. 9(4)-2/94, dated 20.11.1995-Rajasthan Gazette, Extraordinary, Part I-B, dated 23.11.1995, p. 175(1) = 1996 RSCS/Part II/P. 132/H. 134.] per cent for other commodities, and other charges shall be such as may be specified in the bye laws of the [Market Committees.] [Substituted by Notification No. F. 9(4)-2/94, dated 20.11.1995-Rajasthan Gazette, Extraordinary, Part I-B, dated 23.11.1995, p. 175(1) = 1996 RSCS/Part II/P. 132/H. 134.][Provided that the commission payable to 'A' class broker for zeera and isabgol shall be one percent.] [Added by Notification No. F. 4(40)/Agriculture/Group 2/98, dated 12.7.2004-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 12.7.2004, p. 214, vide S.O. 107 = 2004 RSCS/Part II/P. 276/H. 291.][ijUrq eDdk] Tokj vkSj cktjk ds fy, ^d* oxZ ds nyky dks lans; deh'ku ,d izfr'kr gksxkA [Added by Notification No.10(2)-2/75, dated 19.10.2006-Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 27.10.2006, p. 215, vide S.O. 228 = 2007 RSCS/Part II/P. 26/H. 35.]] [Substituted by Notification No. F. 10(7)/Agriculture/Group II-B/78, dated 23.10.1979-Rajasthan Gazette, Extraordinary, Part IV-C, dated 26.10.1979, p. 1-2, dated 23.10.1979.](iii) If the produce is stored before sale; the godown charges or other charges like weighment etc. shall be borne by the seller of agricultural produce.]

75A. [[Deleted by Notification No. F. 10(2)/Group V/67, dated 30.7.1968-Rajasthan Gazette, Extraordinary, Part IV-C, dated 31.7.1968, p. 382 dated 23.10.1979.]

x x x] [Substituted by Notification No. F. 9(37)/Agriculture/Group 11/94, dated 19.11.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.11.1996, p. 171(2), vide G.S.R. 91 = 1997 RSCS/Part II/P. 135/H. 143.]

76. Keeping of books by trader, broker, weighman, measurer and surveyor etc.

- Every trader, broker, weighman, measurer [surveyor and chemical composition analysts] [Substituted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] and such other operator as may be determined by the [Director] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] licensed under these rules shall keep such books in such form and render such periodical returns and at such time and in such form as the Market Committee may from time to time direct and shall render such assistance in the collection and prevention of the evasion of fees due under these rules and bye-laws and in the prevention of the breach of the rules and bye-laws as may be required by the Market Committee.

77. Equipment for weighman, measurers and surveyors.

- Every weighman, measurer and surveyor shall possess such equipment as may be laid down in the bye-laws.[78 to 78A. [Deleted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 29.8.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 29.8.1975, p. 213, dated 29.8.1975.]x x x] [Substituted by Notification No. F. 9(37)/Agriculture/Group 11/94, dated 19.11.1996-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 29.11.1996, p. 171(2), vide G.S.R. 91 = 1997 RSCS/Part II/P. 135/H. 143.]

79. Licensed weighman or measurer to wear a badge.

- Every licensed weighman or measurer when plying his trade shall wear a distinguishing badge of a suitable pattern provided by the Market Committee. A deposit of not less than one and more than five rupees to cover the cost of the badge shall be paid to the Market Committee by every licenced weighman or measurer.

80. Penalties for plying trade without licence or badge.

- Any person working in the market as a [B class broker] [Substituted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.], weighman or measurer or surveyor without a licence or any

weighman or measurer plying his trade without the authorised badge shall, on conviction be punishable with fine which may extend to Rs. 200/-.

81. Broker etc. not to receive fees other than those specified for their services.

- No licenced broker or his servant, [chemical composition analysts] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] weighman, measurer and surveyor shall solicit or receive fees other than those specified for their services in the [rules or bye-laws] [Substituted by Notification No. F. 10(7)/Agriculture/Group II-B/78, dated 23.10.1979-Rajasthan Gazette, Extraordinary, Part IV-C, dated 26.10.1979, p. 1-2, dated 23.10.1979.]. For contravention of the provisions of this rule their licence shall be liable to canceled forthwith or in the alternative the persons concerned shall, on conviction be punished with fine which may extend to Rs. 200/-.

82. Trader or his servant not to solicit brokerage or weighing, measuring or surveying charges.

- If any trader or his servant or agent solicits or receives any fee for brokerage or weighing, measuring or surveying charges, his licence shall be liable to be cancelled forthwith.

83. Weighment or measuring by licenced weighmen or measurers.

- In the case of a sale or purchase of agricultural produce, all weighment and measuring shall be done by licenced weighmen and measurers.[84. x x x] [Omitted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]

85. The licenced trader or 'A' class broker to provide equipment for weighing and measuring.

(1)The licenced trader or 'A' class broker shall provide or arrange to provide all such necessary authorised weights and measures and authorised weighing instruments at the time of taking delivery of agricultural produce sold in the market as may be specified in the bye-laws.(2)No licenced trader or 'A' class broker shall use weights and measures or weighing and measuring instruments other than authorised weights and measures or weighing and measuring instruments.(3)Any licenced trader or 'A' class broker who commits a breach of the provisions of this rule shall be deemed to have violated the conditions of his licence.

86. Weights and measures to be used in the market.

- No weight, measure or weighing or measuring instrument other than an authorised weight, measure or weighing or measuring instrument shall be used in any market.

87. Unit of price quotation to be used in the market.

- The unit of price quotation in every market shall be in terms of authorised weights and measures and shall be such as are approved by the [Director] [Substituted by Notification No. F. 10(191)/Agriculture/Group II-B/74, dated 13.6.1980-Rajasthan Gazette, Extraordinary, Part IV-C, dated 16.6.1980, p. 93, dated 13.6.1980.] or any officer authorised by him in this behalf.

88. Inspection of scales, weights and measures.

- The Chairman, Secretary, every member of the Market Committee and every employee of the Market Committee authorised by the Market Committee in this behalf, shall be entitled at any time and without notice, to inspect, examine and compare any weight or measure and weighing or measuring instruments [or machines or laboratories] [Inserted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.], used, kept or possessed in any [x x x] [Deleted by Notification No. F. 4(77)/Agriculture/Group-2/2003, dated 23.3.2007-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 27.3.2007, p. 129(1), vide G.S.R. 78 = 2007 RSCS/Part II/P. 549/H. 484.] place within the limits of the market.

89. A set of standard weights and measures, weighing and measuring instruments to be kept by the Market Committee.

- The Market Committee shall keep at least one set of such weights and measures and weighing and measuring instruments as are standard weights, measures and weighing and measuring instruments respectively under the Rajasthan Weights and Measures Act, and as are in use in the market area. Such standard weights, measures and weighing and measuring instruments shall be available to the public for inspection and checking at all reasonable hours.

90. Counter balancing in weighment.

- If any rope or gunny bag or any other article is used to tie bundles in the pan on the goods side of the scale, a weight equivalent to the weight of the rope or the gunny bag or of the article so used shall be added to the pan on the weight side of the scales in order to counter balance the weight of the rope or of the gunny bag or of the article used for tying the bundles.

91. Weighment on a weigh-bridge.

- Where the funds at its disposal permit, the Market Committee may, and if required by Government, shall erect one or more weigh-bridges in the market and shall be responsible for keeping the same in proper working order. Any buyer or seller may at his option have his produce weighed on it on payment of the fees fixed under the bye-laws.

92. Manner and place of weighment or measurement.

- Weighment or measurement of the agricultural produce bought and sold in the market yard shall be done in such manner and at such place or places as may be provided in the bye-laws made by the Market Committee in this behalf.

93. Inspection of weights and measures and weighing and measuring instruments.

(1) All weights and measures and weighing or measuring instruments which are in use in the market shall be verified and stamped by the Inspector appointed under the Rajasthan Weights and Measures Act, (hereinafter referred to as the Inspector of Weights and Measures), within whose jurisdiction the market is situated in accordance with the provisions of the said Act and the rules made thereunder. (2) Every licenced trader, 'A' class broker, weighman, or measurer shall on requisition in writing being made to him by the Chairman or the Secretary of the Market Committee, immediately produce for examination all and every scale and weight and measure used, kept, or possessed by him, or by any person or persons under his authority or control and shall allow the Chairman or Secretary to inspect, examine and compare the same. (3) On a requisition by the Chairman or Secretary to the Market Committee, the Inspector of Weights and Measures, in whose jurisdiction the market is situated shall carry out the inspection and testing of weights, measures and weighing or measuring instruments in use in the market and shall take such action as is consistent with the provisions of the Rajasthan Weights and Measures Act and the rules made thereunder.

94. Report regarding unauthorised weights and measures and weighing and measuring instruments.

- If in the absence of an Inspector of Weights and Measures, any weight or measure or weighing or measuring instrument is, on examination reasonably suspected to be unauthorised, a report shall forthwith be made by the Chairman of the Market Committee in writing to the Inspector of Weights and Measures who shall thereupon proceed in accordance with the provisions of the Rajasthan weights and Measures Act, and the rules made thereunder.

95. Penalty for disobedience of order to produce weights or measures or weighing or measuring instruments for examinations.

- Whoever being bound under the provisions of Rule 93 to produce any weights or measures and weighing and measuring instruments for examination or allow the examination, inspection, or comparison of any weight or measure or weighing or measuring instrument does not produce the weights or measures or weighing or measuring instrument or does not allow the examination, inspection or comparison of any weight or measure or weighing or measuring instrument shall, on conviction, be punished with the fine which may be extended to Rs. 200/-.

96. Storing of agricultural produce.

- All agricultural produce brought into a market shall be stored at such place as may be specified in the bye-laws. Pending such arrangements, the agricultural produce brought into the market when unsold may be stored in the compounds, godown and warehouses owned or hired by the licenced broker for that purpose. The goods so stored shall be weighed in the presence of the seller or his representative at the time of delivery for storing and acknowledgment indicating the kind and weight of goods shall be given by the licenced broker to the seller. Such storing of agricultural produce shall be subject to the payment of such storage fee and such other conditions as may be specified in the bye-laws.

97. Regulation of advances to agriculturists.

- A licenced broker may give advance either in cash or in kind to agriculturists but such advances shall be made subject to the following conditions:-(1)If any agreement is entered into between the lender and the borrower, the lender shall supply a copy of the agreement to the borrower.(2)When the advances are given from time to time, on account book of the advances given, and repayments made shall be kept in the manner laid down in the bye-laws. Th lender shall give a copy of such account book to the borrower and enter and attest with his signature every individual transaction of lending and recovery in the copy of the account book so given.

98. Prevention of adulteration of agricultural produce.

- It shall be the duty of the Market Committee to take all possible steps to prevent the adulteration of agricultural produce in the market and no person doing business in the market shall cause adulteration of agricultural produce in such market.Explanation. - For the purposes of this rule adulteration of agricultural produce shall include the mixing of last pickings of cotton or inferior variety of agricultural produce with superior variety of agricultural produce, bold linseed with small linseed, ghee with vegetable ghee and mixing of earth, dirt and stones or any other extraneous matter with any agricultural produce.

99. The grading and standardisation of the agricultural produce.

(1)The Market Committee shall maintain for the use of sellers and buyers a set of samples of standard grades of agricultural produce sold at the market and shall renew the same as may be necessary from time to time. The Market Committee shall also arrange to keep and exhibit samples of different grades of agricultural produce with indications of parity prices based on rates prevailing in terminal and key markets for the information of sellers and buyers.(2)The market committee-(i)may carry out the work of grading of agricultural produce; or(ii)may carry out or supervise the ginning and pressing of pure varieties of cotton brought into the market.(3)(i)the fee to be charged for carrying out the work of grading' of agricultural produce shall not exceed the maximum specified in the bye-laws.(ii)the fees to be charged for carrying out or supervising the ginning and pressing of pure varieties of cotton shall not exceed the maximum specified in the bye-laws.

100. Keeping of price list.

- The Market Committee shall maintain daily lists of prices of different types and grades of agricultural produce in respect of which the market is established.

101. Authority empowered to call meeting of Market Committee.

- On requisition from at least half of the number of members of the Market Committee or of his own motion, the Director or any person authorised by the Director, may, if he is satisfied about the urgency of the matter, call a special meeting of the Market Committee to consider matters of immediate importance for the working of the market.[101A. Authority to inspect the Market Committee. - The [Director] [Added by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.] or any officer authorised by him by general or special order in this behalf, may :-(a)inspect or cause to be inspected the accounts and offices of a Market Committee,(b)hold enquiry into the affairs of a Market Committee,(c)call for any return, statement, accounts or reports which he may think fit to require such Market Committee to furnish,(d)require a Market Committee to take into consideration:-(i)Any objection which appears to him to exist to the doing of anything which is about to be done or is being done by or on behalf of such Market Committees; or(ii)Any information it is able to furnish and which appear to him to necessitate the doing of a certain thing by such Market Committee; and to make a written reply to him within a reasonable time stating its reason for doing or not doing such thing;(e)direct that anything which is about to be done or is being done, should not be done, pending consideration of the reply and anything which should be done but is not being done within such time as he may direct.]

102. Special provisions when these rules come into force for the first time.

- Government may by notification in the official Gazette suspend during the first year of the establishment of the market in any market area the operation of any of the provisions of these rules

for such period and to such extent as it thinks fit.[103. Power of the State Government, the Director of the Board to delegate. - (1) The State Government or the Director may by an order in writing, delegate any of the powers conferred in it or him under any provisions of these rules to any officer subordinate to it or him with such conditions or restrictions as it or he may like to impose.(2)The Board may, by way of a resolution, delegate any of its powers conferred on it under any provision of these rules to the Chairman or Secretary of the Board with such conditions or restrictions as it may like to impose.] [Added by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.]Form I[See Rule 11(1)]Nomination Paper

- 1. Name of the constituency.**
- 2. Full name of candidate.**
- 3. Number of candidate in the list of voters.**
- 4. Father's or Husband's name.**
- 5. Age.**
- 6. Sex.**
- 7. Community.**
- 8. Occupation and address.**
- 9. Full name of proposer.**
- 10. Number of proposer in the list of voters.**
- 11. Signature of the proposer.**
- 12. Full name of the seconder.**
- 13. Number of the seconder in the list of voters.**
- 14. Signature of the seconder.**

Candidate's declarationI declare that, I am willing to stand for election.Signature of candidate.Certificate of delivery by the Collector or other authorised person.Serial No.This nomination paper was delivered to me by (person) at (date and hour).Signature of the Collectoror

other authorised personInstructions. - Nomination papers which are not presented to the Collector or other authorised person before (hour) on the day of 19, shall not be received.Form II[See Rule 14]List of Nominations Received on (date) for Constituency:

- 1. Serial Number.**
- 2. Name of the candidate.**
- 3. Father's or husband's name.**
- 4. Sex.**
- 5. Community.**
- 6. Occupation and address.**
- 7. Name of proposer.**
- 8. Name of Seconder.**

Note. - The nomination paper shall be taken up for scrutiny at a.m./p.m. the day.....of at.....Place.....Signature of the Collector orperson authorised by himForm III[See Rule 17(2)]List of Valid Nominations

- 1. Serial Number**
- 2. Name of the candidate.**
- 3. Sex.**
- 4. Community.**
- 5. Address.**

Note. - The poll shall be taken between already and at the polling stations already notified.Signature of the Collector orperson authorised by himForm IV[See Rule 20]

Full Voting
paper No.

Counterfoil

Voting paper No.	S.No.	Candidate' name	Candidate's symbol	Voter's mark
------------------	-------	-----------------	--------------------	--------------

- 1.
- 2.
3. etc.

Voter's No. on list of voters.

Voter's signature of mark.

Please read this carefully before recording your vote (s).

1. You have _____ vote (s).
2. Each vote is to be shown by cross mark "X".
3. Do not put more than _____ Cross(es) in all.

[x x x] [Deleted by Notification No. F. 10(4)/Agriculture/Group II/73, dated 19.3.1979-Rajasthan Gazette, Extraordinary, Part IV-C, dated 19.3.1979, p. 401, dated 19.3.1979.]Form V[See Rule 58(4)]Form of Declaration and Certificate

Kind of agricultural produce Carts and packages Where bought

1	2	3
---	---	---

Name of seller Through whom bought Name of the buyer of his agent

1	2	3
---	---	---

I hereby certify that the above-mentioned agricultural produce has been bought outside the limits of the market area and brought in the limits of the [market area] [Inserted vide clause 5 of Rajasthan Act No. 10 of 1975 published in Rajasthan Gazette, Extraordinary, Part IV-A, dated 19.3.1975 and shall be deemed to have been validly made w.e.f. 14th July, 1973.] for the purpose of [industrial use export to (name and address.....)] [Added by Notification No. F. 10(17)/Agriculture/Group II-B/81, dated 5.10.1981-Rajasthan Gazette, Extraordinary, Part IV-C, dated 5.10.1981, p. 215, dated 5.10.1981.].DateSignatureForm VI[See Rule 66(1)]Form of Agreement

1. Name of seller and his village.

2. Name of general commission agent, if any.

3. Name of buyer or his agent.

4. Number of carts, packages and loads.

5. Kind of produce, quality.

6. Rate.

7. Place of delivery.

Date Market Cess Rs. P. Ticket Number

Signature of Market Committees Servant

I hereby agree that when the above mentioned agricultural produce is unloaded, if I refuse to take at the rate stated above the matter shall be referred for arbitration in accordance with the provisions contained in Rule 41 of the Rajasthan Agricultural Produce Markets Rules, 1963. I bind my self to accept the decision given in such arbitration under the said rule. Signature of the buyer or his agent [Form VII] [Added by Notification No. F. 10(110)/Agriculture 5/65, dated 28.5.1966-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.5.1966, dated 28.5.1966.] [See Rules 69 and 72 of the Rajasthan Agricultural Produce Markets Rules, 1963] Application for Grant/Renewal of Licence To, The Secretary, Krishi Upaj Mandi Samiti, Sir, I/we resident of Tehsil District present this application for grant/renewal of licence to operate in the [market area] [Substituted vide clause 5 of Rajasthan Act No. 10 of 1975 published in Rajasthan Gazette, Part IV-A, Extraordinary, dated 19.3.1975 and shall be deemed to have been validly made w.e.f. 14th July, 1973.] and give the following particulars :-

1. Permanent address.

2. Local address.

3. (A) Names and addresses of my/our representatives/ Assistants, not more than two; who will operate on my/our behalf in the market:-

(i) (ii) (iii) (iv) (B) Names with addresses of the partners of my/our firm :- (i) (ii) (iii) (iv) I/We submit herewith the licence fee of Rs. for operating in the [market area] [Substituted vide clause 5 of Rajasthan Act No. 10 of 1975 published in Rajasthan Gazette, Part IV-A, Extraordinary, dated 19.3.1975 and shall be deemed to have been validly made w.e.f. 14th July, 1973.] may, therefore, kindly be granted and issued to me/us. I/we, hereby agree to abide by terms and conditions of the licence. Date Signature of the applicant (Note. - In case of a Firm, the Managing partner should sign for the applicant.) For Office Use Only Received Rs. on a/c of licence fee of (category) vide Receipt No. dated Signature of the Cashier. [Form VIII] [Substituted vide clause 5 of Rajasthan Act No. 10 of 1975 published in Rajasthan Gazette, Part IV-A, dated 19.3.1975 and shall be deemed to have been validly made w.e.f. 14th July, 1973.] (Granted under Rule 69/72 of the Rajasthan Agricultural Produce Markets Rules, 1963) Licence No. Dated This licence is hereby granted to

M/s..... (Name) (Address) on the terms and conditions mentioned hereunder, under Rule 69/72 of the Rajasthan Agricultural Produce Markets Rules, 1963. to do business in agricultural produce as a trader/an A Class broker/B Class broker/Weighman/Measurer/Surveyor/Warehouseman, operator, in the [market area] [Substituted vide clause 5 of Rajasthan Act No. 10 of 1975 published in Rajasthan Gazette, Part IV-A, dated 19.3.1975 and shall be deemed to have been validly made w.e.f. 14th July, 1973.].....This licence is valid up to 31st March,19 ; and is non-transferable.The following assistants/representatives shall function on behalf of the licensee:-

S. No Name Father's name Address

1.

2.

Seal of the Krishi Upaj Mandi SamitiSecretary/ChairmanKrishi Upaj Mandi SamitiTerms and Conditions of Licence(1)The licensee shall comply with the provisions of the Rajasthan Agricultural Produce Markets Act, 1961, and Rules and bye-laws framed thereunder and instructions issued from time to time. He shall surrender his licence on demand to the Chairman or any other officer authorised by him in this behalf against a receipt to be given to the licence in this connection.(2)The licensee shall not adulterate or cause to adulterate any agricultural produce.(3)The licensee shall be responsible for the acts of his assistants or agents.(4)The licensee if he is a trader or 'A' Class broker shall issue sale slips, keep records of agricultural produce brought and sold and shall furnish statements of stocks, arrivals and despatches every month to the Market Committee in the manner specified in the bye-laws.(5)The licensee if he is a trader or 'A' Class broker, shall pay the price to the seller of agricultural produce the same day, if the produce is bought or sold through his agency or by him.(6)The licensee shall inform the Market Committee any change in the partnership of his firm within a week of the change.(7)The licensee shall display his licence at a conspicuous place in his business premises.(8)The licensee, if he is a 'B' Class broker, weighman, surveyor or measurer or any other operator, shall not be the servant of any trader or 'A' Class broker and shall act impartially in the best interest of the sellers and the buyers.(9)[The licensee shall inform the market committee in writing in case he closes his business.] [Added by Notification No. F. 10(17)/Agriculture/Group II-B/81, dated 5.10.1981-Rajasthan Gazette, Extraordinary, Part IV-C, dated 5.10.1981, p. 215, dated 6.10.1981.]Form IXAuction Register

Date Name of Kacha Arthiya Name and address of seller Description of produce

1 2

3

4

Approximate
quantity

Rate at which the produce has
beensold

Name of the
buyer

Signature of Kacha Arthiya
and buyer

[Form X] [Added by Notification No. F. 10(4)/Agriculture/Group II/73, dated 27.11.1975-Rajasthan Gazette, Extraordinary, Part IV-C, dated 28.11.1975, p. 571, dated 27.11.1975.][See Rule 35-B(l)]Form of Notice of Motion of Non-confidenceTo,The Collector,.....Dear Sir,We the

1. Name of the applicant

2. Permanent Address

3. Status of the applicant (i.e. individual or partnership firm or company)

4. Proprietors/Partners of the firm/Chairman/Director of the company;

5. If applicant is a company or co-operative society, if so, give registration No. and date.

6. Whether the application is for establishment of a private sub-market yard or a Private Consumer-Farmer Market.

7. Details of proposed Private Sub-Market Yard/Private Consumer-Farmer Market :- (Detailed lay out plan of the proposed market to be enclosed)

Sr. No.	Name of Market/ Sub-Market yard	Name of market committee	Place where the market is proposed to be established	Commodities proposed to be traded
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8. Whether the applicant is/has been a licensee of any market committee of Rajasthan. If so, give following details:

Sr. No.	Name of Market committee	Licence No. and year	Category of Licence	Quantity and value of notified agriculture commodity traded (last three years)
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9. (a) Whether the licence was ever cancelled? If so, give details:

(b) Whether any penalty was imposed? If so, give details:.

10. I/We declare that I/We have read the Rajasthan Agriculture Produce Markets Act, 1961, Rajasthan Agriculture Produce Markets Rules, 1963 and the Bye-laws made thereunder. I/We shall abide by the provisions of the said Act, the Rules the Bye-laws and the direction issued by the State Government or the licensing Authority from time to time.

Place :Date :Signature & Seal of theApplicant/Firm/Company.Form XIII[See Rule 56-A(4)]Licence
for Private Sub-Market Yard/Private Consumer-Farmer MarketLicence
No.....Date.....Licence is hereby granted to M/s.(Name) (Address)

under Rule 56-A of the Rajasthan Agricultural Produce Markets Rules, 1963 on the terms and conditions mentioned hereinunder to establish a Private Sub-Market Yard/Private Consumer-Farmer Market at in the market area of the Krishi Upaj Mandi Samiti.....This licence is non-transferable. Signature and Seal of the Licensing Authority. (Director/Empowered Authority) Terms and Conditions of Licence (i) The licensee shall comply with the provisions of the Rajasthan Agricultural Produce Markets Act, 1961, and Rules/Bye-laws made thereunder and instructions issued by the licensing authority from time to time. (ii) The licensee shall surrender his permanent licence on demand to the Director or the empowered authority against a receipt to be given to the licensee in this connection. (iii) The licensee shall inform in writing, the names of his assistants/agents/servants to the licensing authority within fifteen days from the date of issue of licence and shall be liable for their acts. Changes in assistants/agents/servants shall be informed within seven days. (iv) The licensee shall keep records of market functionaries working in the market and shall furnish information every month to the market committee in the manner specified in the Bye-laws. (v) The private sub-market yard or the Private consumer farmer market yard shall be developed/constructed by the licensee as per the plan approved by the Raj. State Agricultural Marketing Board. The licensee shall provide and maintain all such amenities/facilities viz. electronic weighing machine, internal roads, covered platform, check-post, water supply, light, sanitation, security, labour-shed, parking place, kiosks, canteen, first aid, provision for banking facilities etc. as indicated in the plan approved by the Board and such other amenities as directed by the licensing authority from time to time. (vi) The expenses on the facilities/amenities provided and for the maintenance thereof shall be borne by the licensee. (vii) Sale of notified agricultural produce and of such other commodities as permitted by the Licensing Authority shall be made in the sub-market yard. (viii) The Market Committee shall collect market fee from the licensees of a private sub-market as per the provisions of the Act and shall pay such part of the market fee to the licensees of the private sub-market yard as specified by the Government from time to time. (ix) The licensee of a consumer farmer market shall pay such part of service charges collected by him to the market committee as specified by the Government time to time. (x) The licensee shall comply with all the instructions issued by the State Government or licensing authority from time to time. (xi) The licensee shall abide by all the provisions of Rajasthan Agriculture Produce Market Act, 1961, Rajasthan Agriculture Produce Markets Rules 1963 and Bye-laws made thereunder. Form XIV [See Rule 57-A(l)] Application for Registration of Contract Farming Buyer To, The Secretary, Agriculture Produce Market Committee..... I/We request to register me/us as contract farming buyer and furnish following particulars:

1. Name of the applicant

2. Permanent Address

3. Status of applicant

(Individual/Partnership firm Company, etc.)

4. Details of the farmers with whom the applicant proposes to enter into contract farming agreement in the Mandi Area

(a)Names(b)Address(c)Area of land(d)Village where the land is situated(e)Tehsil & District.

5. Crops for which the applicant proposes to enter into contract farming agreement.

6. Other particulars, if any:

7. Previous experience of contract farming, if any:

Signature of the ApplicantForm XV[See Rule 57-A(3)]Contract Farming AgreementThis Agreement is made and entered into on.....(day) of (month (year) between the following parties:(1)Party of the First Part : (Contract farming producer i.e. farmer) or group of farmers:Name/Names :Address :Which hereinafter shall, in this agreement, be addressed to as First Party (which expression unless repugnant to the context or meaning thereof shall mean and include his/their successors and assigns also)(2)Party of the Second Part : (Contract farming buyer i.e. Individual/ Partnership firm/Company/Trust/Cooperative Societies/HUF/NGO etc.)Name :Address :which hereinafter shall in this agreement, be addressed to as Second Party (which expression unless repugnant to the context or meaning thereof shall mean and include its successors, executors, administrators and assigns also)Whereas the first party is the proprietor of. hectares of land bearing survey No at village tehsil..... Distt..... and he/they are interested in producing (agriculture produce) for the second party; andWhereas the second party is interested in the purchase of the agriculture produce to be produced as per the Schedule to this agreement and the first party agrees to produce the agricultural produce as per the Schedule.Now in the presence of the witnesses it is hereby agreed by and between the Parties as follows:

1. The second party hereby agrees to provide the services to the first party during the period of cultivation and post-harvest management the particulars of which are as under:

- 1.
- 2.
- 3.

4.

2. The second party shall pay the market fee as mentioned in the Schedule to the market committee when the first party delivers the produce to the second party. The market committee shall collect the market fee as per the Schedule from the second party.

3. The first party agrees to cultivate, produce and deliver the agricultural produce mentioned in the Schedule to the second party and the second party agrees to buy the same from the first party as per the quantity, and at the price of the items as mentioned in the Schedule.

4. The agricultural produce, the particulars of which is/are mentioned in the Schedule hereto, will be supplied by the first party to the second party between (dates) of (month) of the year.....

5. It is expressly agreed between the parties hereto that this agreement is for agricultural produce particulars of which are described in the Schedule hereto and for a period of (month/year) and after the expiration of the said period, this agreement shall come to an end automatically.

6. In the event the second party refuses or fails to take the delivery of the contracted produce for his own reasons, the party of the first party will be free to sell the produce in the regulated market and if the price received is lower than the contracted prices, the second party shall pay the amount of difference to the first party within 15 days period from the date of claim of the amount of difference.

7. It is expressly agreed by and between the parties hereto that delivery of the contracted agriculture produce shall be made as per the following Schedule and buying slips will be issued by Second Party at the time of taking the delivery.

Date Deliver Point

8. It is further agreed that it shall be the responsibility of the second party to take delivery of the contracted produce at the delivery point agreed upon when it is offered for delivery and if he fails to take the delivery within three days period, the party of the first part shall be free to sell the contracted agriculture produce in the regulated market. The difference of contracted amount and the sale proceeds shall be payable by the second party to the first party.

9. It is further agreed that to maintain the quality of the produce in transit shall be the responsibility of the second party and the first party shall not be liable for the same.

10. The second party shall pay to the first party, the price mentioned in the Schedule on delivery of the contracted agricultural produce to the second party after deducting the outstanding advances, if any, given to the first party by the second party. The date, mode and place of payment shall be as follows:

Date Made of payment Place of payment

11. When the agricultural produce is harvested and delivered to the second party, the market fee shall be paid by the second party to the market committee as per the provisions of the Act and rules/Bye-laws made thereunder.

12. The second party agrees to have regular interactions with the contract farming produce during the period of contract. The second party or its representatives shall have the right to enter the fields of the first party at its own cost to monitor farming practices agreed to be adopted.

13. The second party agrees to insure within 15 days of the registration of this agreement the contracted produces mentioned in Schedule hereto if the insurance for such produce or crop is available for the period of..... against the risk of losses to the crop due to natural calamities namely abnormal weather conditions, floods, drought hailstorm cyclones, earth quakes, fire or other catastrophes or war etc. which may prevent the fulfillment of the obligation of the contract farming producer totally or partially.

14. The second party shall not claim the damages or losses from the first party in the event of the crop of contracted produce is damaged by the natural calamities as mentioned hereinabove.

15. The second party shall have no rights whatsoever as to the title, ownership, possession of the land of the first party nor shall, if disposes the first party from the land nor mortgage, lease, sublease or transfer the land of the first party in any way to any other person/institution during the continuation of this agreement.

16. Modification, dissolution, termination, cancellation of the contract will be with the mutual consent of the parties. Such modification, dissolution, termination or cancellation of the agreement will be communicated to the registering authority within 15 days of such modification, dissolution, and termination or cancellation.

17. The second party hereby agrees that it shall present the original copy of this agreement to the market committee.

18. If any dispute arises between the parties hereto as to the rights and obligations under this agreement or as to any claim, monetary or otherwise, of one party against the other or as to the interpretation and effect of any clause, terms or conditions of this agreement, such dispute shall be referred to the market committee or any other forum, which may be mutually agreed to between the parties, the market committee or the forum thereupon will resolve the dispute within 15 days.

19. Change of address of any of the parties, party to this agreement shall be intimated to the other party and to the Registering Authority within 7 days.

20. Both parties hereto will act in good faith, diligently and honestly with each other in the performance of their responsibilities under this agreement and nothing will be done by a party to jeopardize the interest of the other.

21. Both parties shall abide by all the provisions of the Rajasthan Agriculture Produce Market Act and Rules/Bye-laws made thereunder and directions issued in this regard by the State Government from time to time.

In witness whereof the parties have signed this agreement on the..... (day) of..... (month)..... year.

Schedule

S. No.	Khasra No.	Area of Agriculture	Name of Agriculture produce	Quantity* of agriculture produce	Specification of the produce	Price of the agriculture produce	Market fee
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*Quantity may vary by 10% on either side Signed and Sealed by the First Party in the presence of

1.)

2.)

Signed and Sealed by the Second Party in the presence of

1.)

2.)

Form XVI[See Rule 57-A(8)]Registration Form for Contract Farming Agreement(To be duly filled and applied on the Applicant's letter head)To,The Secretary,Krishi Upaj Mandi Samiti.....I/We requested to register the agreement made and signed for contract farming in prescribed form. The details of the parties to the agreement are as under:

1. Name of the applicant(contract farming buyer)(Individual/Partnership Firm/Co-op. Society/Ltd. Company (enclosed necessary proof) :
.....
2. Address of the applicant(contract farming buyer) :
.....
- Registered office :
.....
- Tel. No. :
.....
- Mobile No. :
.....
- E-Mail Id :
.....
3. Details of applicants(contract farming buyer) Officer :
.....

Name of Head Proprietor/CEO/MD/ Chairman etc. of the Organization	Address of Regd. Office/Head Office Tel.No./Fax/E-mail	Address of branch office Tel. No. Fax/E-mail	Head of Signature of the applicant/authorized signatory.
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4. Applicant's (contract farming buyer) last two year's balance sheet (enclose copy) :.....

5. Details of bank account (enclose last one year's Bank Statement duly attested by the authorized person of bank. :.....

6. Name and Address of the contract farming producer. :.....

7. Details of contract farming producer's farm under contract farming. :.....

Name of village Survey No Area of the farm in hectares Tehsil & District
(enclose duly attested copy of the farm land)

8. Duration of the agreement : From dated..... to dated.....

9. Details of the agriculture produce (As given in the Schedule to the agreement) :.....

Name of the agriculture produce	Type/Variety of the agriculture produce	Agreed Price per kg/NT	Established total cost of the produce
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10. Details of technical/financial assistance to be provided by the contract farming buyer to contract farming producer. :.....

11. Details of responsibilities of the contract farming producer during the contract period :.....

12. The system/schedule of payment to be made to contract farming producer during the contract period, (add sheets if required). :.....

13. Name of the market committee :.....

14. Rate and amount of market fee of the agricultural produce under the Agreement :.....

15. Has the contract farming producer taken any advance from the applicant i.e. the contract farming buyer? If so, give details :.....

16. Has the applicant i.e. contract farming buyer signed any agreement under contract farming previously? If, so enclose the copy of the agreement. :.....

17. Has any dispute arisen or pending relating to contract farming agreement entered into by the applicant with any market committee of the State? :.....

18. Cash deposit of Rs. 10/- (Rs. Ten) as registration fee is enclosed. :.....

Signature of Applicant:.....(Contract farming buyer).....Designation Seal of the
firm/company Declaration

1. I/we have read the provisions of the Rajasthan Agricultural Produce Markets Act, 1961, the Rajasthan Agricultural Produce Markets Rules 1963 and the Bye-laws made thereunder and condition of agreement of contract farming and I/we shall abide by the same during the period of the agreement.

2. I/we undertake to comply with the orders/direction/resolution/circular issued by the Government of Rajasthan or the Director Agricultural Marketing from time to time.

3. I/we are aware that in the event of breach of provision of the Act, the Rules or the Bylaws or the direction of the Government/Director, the Director has the authority to cancel the registration.

4. I/we undertake not to carry any activity detrimental to or against the interest of the contract farming producer.

Place :Date :Signature of Applicant(Contract farming buyer)Name :Address :
.....Seal of the firm/companyForm XVII[See Rule 57-A (10)]Registration CertificateRegd. No.Date :This is to certify that the agreement for contract farming entered into between (1) the contract farming producer Shri.....S/o..... r/o having farm at village..... falling under..... market committee situated in tehsil.....Distt.....and(2)the contract farming buyer M/s. (address) at is registered for production sale of.....(agriculture produce) from dated toSecretary,Krishi Upaj Mandi Samiti.[Form XVIII [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]] [See Rule 56-B(1)]Application for Grant of Licence for Establishment of Private Sub E-MarketDate:To,The Director,Department of Agriculture Marketing,Jaipur.I/We having our Registered/Head office at and local office at am/are making an application for the grant of license for establishing a Private sub e-market to conduct electronic trading in the State of Rajasthan.We undertake that we shall comply with all the requisites set out in Rule 56-B of the Rajasthan Agricultural Produce Markets Rules, 1963.The necessary documents and application fees as required are enclosed. I am/we shall deposit the license fee in compliance of sub-rule (5) of Rule 56-B of the Rajasthan Agricultural Produce Markets Rules, 1963, within time. We request you to grant the license for Establishment of Private sub e-market.The following Documents along with the application are enclosed herewith:-(i)Detailed project report as per provision of sub-rule (2) of Rule 56-B of the Rajasthan Agricultural Produce Markets Rules, 1963.(ii)Solvency Certificate.(iii)Copy of Registration Document of the Applicant (e.g. Company/Partnership Firm/Co-operative Society/Government Organization etc. such as, Certificate of Incorporation or Registration in respect of Company, Cooperative Society, Trust, Corporation, Partnership, etc. Memorandum of Association and Articles of Association).(iv)Copy of Income tax return of last 2 years.(v)Names, address and telephone number of all the Directors/owners/partners, etc.(vi)Receipt/challan in support of having paid the application fee.(vii)Copy of Business Rules relating to operation of private sub

e-market.(viii)Undertaking or affidavit that the applicant shall abide by all the provisions of the Act and rules made there under and in case of violation he shall be liable for action including cancellation of license.

Date:Place: Your faithfully(Applicant)

Declaration(1)I/We agree to abide by the Rajasthan Agricultural Produce Markets Act, 1961 and the Rules made thereunder and amendments made to it from time to time and the directions and orders issued by the Director from time to time.(2)I/We agree to keep all the necessary records and information about the functioning of our business and to produce whatever information and documents will be asked for inspection by the appropriate authority.(3)I/We agree to pay whatever charges or fees or amounts liable and due from me legally as per provisions of the Act and Rules made thereunder.

Date:Place: (Applicant)

[Form XIX [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]] [Rule 56-B(5)] Register of Applications Received for Grant of Licence for Private Sub E-Market

S.No.	Name and Address of Applicant	Date of Receipt of Application	Application fees Rupees	Receipt No. & Date of deposited fees	Remarks
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[Form XX [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]] Licence for Establishment/Renewal of Private Sub E-Market Licence No. Licence is hereby granted to..... (Name) (Address) (Phone No.) (Hereinafter referred to as the Licensee) on payment of licence fee of Rs. 5 Lakhs for establishment of private sub e- market, subject to the provisions of the Rajasthan Agricultural Produce Markets Act, 1961 and the rules made thereunder, as amended from time to time, on the following conditions:-

- 1. The Licensee shall abide by the provisions of the Act and rules and bylaws made thereunder and instructions issued by the Director or Licensing Authority from time to time.**
- 2. This Licence is not transferable.**
- 3. This Licence may be suspended or cancelled in accordance with the provisions of the Act and the rules made thereunder and if the Licence holder commits any act or abstains from carrying out his normal business in the market with the intention of willfully obstructing, suspending or stopping the marketing of agricultural produce in the market area, the Licence may be suspended or cancelled.**

4. In the event of suspension or cancellation of this Licence, it shall be surrendered to the Director or Licensing Authority.

5. The Licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

6. The Licensee, after grant of Licence, shall within a period of one month inform about his authorised representative, who shall be responsible on his behalf.

7. The Licensee shall maintain books, registers and records in the manner, required by the Director and shall make them available for inspection to the Director or person authorized by him.

8. The Licensee shall furnish information and return to the Director and concerned market committee as prescribed in the Rajasthan Agricultural Produce Markets Act, 1961 and by laws made thereunder

9. The Licensee of private sub e-market:

a. shall not engage itself in conducting futures trading in Agricultural Produces, b. shall not be a registered Agricultural Produce exchange under Forward Contracts Regulation Act, 1952, c. shall not be a shareholder of Agricultural Produce exchange registered under Forward Contracts Regulation Act, 1952.

10. The Licensee shall provide guarantee in respect of contracts executed on its platform and payment to the seller on the same day as per provision of Section 15-D of Act. For this purpose, he shall maintain a settlement guarantee fund. Notwithstanding any default committed by the buyer, he shall ensure the payment strictly as per provision of Sec. 15-D of the Act.

11. The Licensee shall arrange its own market functionaries for its operation.

Date: Place: Director or the Authority empowered by the State Government

[Form XXI [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]] [Rule 56-B(5)] Licence Register of Private Sub E-Market

S. No.	Licence No.	Name & address of Licensee	Amount of Licence fees	Receipt No. & Date of deposited fees Signature of Licensee	Signature of Director or empowered Authority	Period of licence	Remarks
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[Form XXII [Inserted by Notification No. G.S.R. 30, dated 13.8.2009 (w.e.f. 6.2.1964).]] [Rule 56-B(16)] Certificate of Market Fees Paid Notified Agricultural Produce Delivery Slip (To be issued by private sub e-market)

..... Delivery Center..... Name of private sub e-market Serial
No. Name of Selling Member Registration/Licence No. Name of Buying Date
Member Registration/Licence No.

We hereby certify that the following deliveries have been lifted from our warehouse located at
..... which is in market area, and the complete
details of payment of market fees and name of the original trader along with his license number,
who has delivered originally and is responsible for payment of market fees on such goods are
maintained with us, which can be verified from our records. We have delivered the below mentioned
Agricultural Produces to the person named below:-

Name of agricultural produce	Weight	Name of the person to whom delivery has been given	Remarks
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For & on behalf of the Licensee Phone No. Address: