



**AGRICULTURAL PRODUCE
MARKETS ACT, 1939
AND RULES, 1940.**

APPLICABLE IN SIND PROVINCE.

**BUREAU OF SUPPLY AND PRICES
GOVERNMENT OF SIND**

EDITION—AMENDED & UPTO-DATE. (with amendment)

7th Dec 1953 2020

2-10

**AGRICULTURAL
PRODUCE MARKETS
RULES, 1940**

1. *Short Title*.—(1) These rules may be called the Agricultural Produce Markets Rules, 1940.

(2) They shall extent to the whole of West Pakistan except the Tribal Areas

2. *Definitions*.—In these rules unless there is anything repugnant in the subject or context:—

- (i) the "Act" means the Agricultural Produce Markets Act, 1939;
- (i-a) 'Assistant Director' means the Assistant Director, Bureau of Supply and Prices, Sind; (ii)
- (i-b) 'Board' means the Board of Arbitrators referred to in section 22-A;]
- (ii) "broker" means a person (not being a private servant) usually employed on commission to enter into contract on behalf of others for the purchase or sale of agricultural produce;

Explanation.—Any person employed to purchase or sell of agricultural produce on account of another whether remunerated by fees, commission or otherwise will not be treated as a broker within the meaning of this rule, provided that he is employed by one person or one firm only and does not work for or demand fee from any other person or firm.

- (iii) "buyer" includes a person buying any agricultural produce on behalf of another as his agent or servant or as a commission agent;
- (iv) "by-law" means a by-law made by a market committee under Section-28 of the Act;
- (iv-a) 'Chairman' means the Chairman of the Market Committee;]
- (v) "Commission agent" means a person, who on behalf of another and in consideration of a commission, makes or offers to make a purchase or sale of any agricultural produce or does or offers to do anything for carrying out such purchase or sale;
- (vi) "Deputy Commissioner" means the Deputy Commissioner of the district within the boundaries of which the notified market area concerned is situate;

Provided that if the area covered by a notified market area falls within more districts than one, the Provincial Government shall in the notification declaring the market area determine which of the Deputy Commissioner is to be considered as the Deputy Commissioner for the purposes of these rules;

- (vi-a) 'Deputy Director' means the Deputy Director of the Bureau of Supply and Prices, Sind;
- (vi-b) Director General means the Director General of the Bureau of supply and Prices Sind.

* f to 3. Clauses as shown above has been added by Rule-1 by virtue of Gazette Notification No. SOIX-Reg: (S&GAD)II/ 24-79, dated 6th June, 1982.

- (vi-c) 'Form' means a form appended to these rules;
- (vi-d) 'Member' means a member of the Market Committee;
- (vi-e) 'Schedule' means the schedule to these rules;
- (vi-f) 'Secretary' means the Secretary of the Market Committee³];
- (vii) "seller" includes a person selling agricultural produce on behalf of another as his agent or servant, or as a Commission agent; ²]
- (viii) "unauthorised trade allowance" means any trade allowance not allowed by the bye-laws of a market Committee; ²]
- ³ [(ix) 'Vice-Chairman' means the Vice-Chairman of the market Committee.]

⁴ 3. Publication of notification under section-4.—² The Notification under Section-4 shall be given vide publicity by the Assistant Director in one or more of the following manner:—

- (i) by affixing the Copy of the Notification or its Urdu or Sindhi translation at a conspicuous place of his office, the concerned Council or any other place;
- (ii) By beat of drums in the area concerned and at such other place or places as may be considered necessary.]

4. Expenses of a notification.—The expenses of the publication of a notification issued under section-4 of the Act. shall be met out of Government Funds.

5. Market how to be notified.—A market established in a notified market area shall be notified as under:—

- (a) by putting up a notice, giving the boundaries of the market outside the office, if any, of the market committee, or if there be no such office, in some conspicuous place in the market to be selected by the chairman of the market committee concerned;
- (b) by beat of drum in the market and in such other place or places and at such time or times as may be determined by the Chairman of the market committee concerned.

(2) The expenses of notifying a market shall be met out of the funds of the market committee concerned.

⁵ 6. Licences to Dealers.—¹(1) Any person ^{b. desirous of obtaining} ~~[willing to obtain]~~ a Licence under section-6;

- (a) for setting up, establishing or continuing or allowing to continue any place for the purchase and/or sale of agricultural produce in the notified market area; or
- (b) as a seller or buyer or both buyer and seller of agricultural produce, shall apply to the market committee concerned in Form 'A' given in the schedule.

*1 to 3 Clause ^(ix) as shown above have been added by ^{Rule} ~~Rule~~ 1 by virtue of Gazette Notification No. SOIX-Reg. (S&GAD) II/24-79, dated 6th June, 1982, showing amendments in rules of Agricultural Produce Markets Act.

4. Rule 3 Subs. by Notfn. no. SOIX-REG (S&GAD) II/24-79 dt. 6-6-1982. ^{cl. 2.}
 5. Rule 6 Subs. ^{cl. 2.} ~~cl. 2.~~
 6. Words Subs. by Notfn. no. MO/1(66)/93-84 dt. 26-3-84 ^{cl. 2.} ~~cl. 2.~~ ^{cl. 3.}

(2) The Secretary or any other employee of a market committee authorized by him to receive such applications shall immediately examine the particulars of the applications and satisfy himself whether the applicant fulfills the requirements of sub-section (2) of section-6.

(3) after verification, the applications shall be for-warded to the market committee for orders.

(4) If the application is granted, the applicant shall be called upon to deposit the fee mentioned in the schedule.

(5) A licence un² ~~(i) for~~ ^{(i) for the financial year}];
~~(i) for~~
 (ii) in form-B;
 (iii) on the payment of fees, specified in the schedule;
 (iv) on the conditions specified in form-B;

(6) Full fee shall be paid for a Licence for any part of the year.]

7. Person exempt from taking out licences.—(1) The following persons shall be exempted from taking out a licence for the purchase of agricultural produce:

- Confectioners and other purveyors of parched, fried or cooked food,
- Oil-pressers using Pakistani machines called *kohlus*,
- Hawkers and petty retail shopkeepers who do not engage in any dealing in agricultural produce other than such hawking or retail sales; and

Note:— For the purposes of this clause a dealer, whose turnover of agricultural produce does not exceed Rs. 750 in any month of the year or Rs. 5,000 during the year for which exemption is claimed, shall be treated as a petty shopkeeper, and the decision of the Deputy Commissioner with regard to such turnover shall be final for all proceedings under the Act.

- persons who have taken out licences under the Punjab Tobacco Vend Fees Act and deal exclusively in tobacco:

Provided that in the case of clauses (a) and (b) the purchase is made for making the vocational needs of the persons concerned.

(2) The following shall be exempted from taking out a licence for the sale of agricultural produce:—

- Scheduled banks when proceeding against any agricultural produce belonging to a person or licensee under Section 6 of the Act to whom money has been advanced against the security of such agricultural produce.

*1 to *2. Rule-6 and 8 have been substituted by virtue of Gazette Notification No. SOIX Reg:(k&GAD)II/24-76, dated 6th June, 1982 showing amendments in rules of Agricultural Produce Markets Act.

1. Sub for issue by No. 21-0/1(68)/83-84 dt 26-3-84 Item 17. (ii) (a)
 2. Sub by No. 21-0/1(68)/83-84 dt 26-3-84 Item 17. (ii) (b)

- (b) Hawkers and petty retail shopkeepers as defined under sub-rule (1) who do not engage in any dealing in agricultural produce other than such hawking or retail sales.
- (c) Persons who have taken out licences under the Punjab Tobacco Vend Fees Act and deal exclusively in tobacco.

8. *Constitution of a Market Committee.*—(1) For the purpose of constituting a market committee, Government may require the Commissioner in the case of the Karachi Market Committee and the Deputy Commissioner in any other case to submit by the specified date separate pannels of Growers, consumers and persons specified in sub-section (3) of Section-8 and such pannels shall contain the names at least equal to twice the number of the vacancies to be filled in each category:

(2) The pannels in respect of growers and consumer shall be finalized in consultation with their respective associations, if any, and the representative of the Bureau of supply and Prices;

(3) Government may after such inquiry as deemed fit select the required number of persons from the pannels for appointment as members;

(4) Government may specify the date from which a market committee is to function and this date will be given wide publicity amongst the general public of the notified area concerned.]

9. *Persons not eligible for membership.*—No. person shall be eligible for appiotment as a member if he:

- (a) is a miner; or
- (b) is of unsound mind; or
- (c) is declared insolvent; or
- (d) has been sentenced for an offence involving moral turpitude and a period of five years has not elapsed from the date of expiration of the period of sentence; or
- (e) is an employee of the market committee or has directly or indirectly any share or interest in any contract with the market committee".

10. *Termination of Membership and Filling of Casual Vacancies.*—

(1) Membership of a market committee shall terminate.—

- (a) when the term for which the appointment had been made expires; or
- (b) by death; or
- (c) by acceptance of resignation tendered under sub-rule (2); or
- (d) by becoming subject to any of the disqualifications mentioned in [clauses (b) to (e)] of rule 9 above; or
- (e) by removal under the orders of the Government passed under the Act;

*1 to 3. Rule 9 substituted and rule 10 (d to e) (f to g) replaced by virtue of Gazette Notification mentioned above.

1. Rule 8 Subs. By notification. Sorex. Reg (SW 600) 11/24-77. dt 6-6-1962. Item 4.
L (1) 136

2. Rule 9 Subs. ibid. Item 5.

3. Subs. ibid. Item 6 (i)

- (f) If the member appointed under sub-section (2) of section 4 ceases to be salaried servant;
- (g) If a member fails to attend three meetings of the market committee consecutively without prior permission or intimation.]

(2) Any member of a market committee may resign his office by tendering resignation in writing to the chairman, and if the member tendering resignation is himself the chairman, he shall submit it to the Deputy Commissioner;

Provided that if no chairman has been elected or if the elected chairman is not performing the duties of his office, a member other than the chairman may submit his resignation to the Deputy Commissioner.

(3) So long as a resignation tendered under sub-rule (2) above is not accepted, the person concerned shall continue as member.

(4) Every resignation received by a chairman shall, along with a report of the facts in so far as these may be known to him, forthwith be sent to the Deputy Commissioner who shall with the least possible delay, forward the same with necessary comments to the Government.

(5) The acceptance of resignation of a member shall be notified to the Deputy Commissioner who shall forthwith communicate to the market Committee and the member concerned.

(6) The procedure prescribed in Rule 8 shall so far as it may be applicable apply to the filling up of a casual vacancy, and the member so appointed shall be presumed to have entered upon his duties from the date of the publication of the notification under sub-rule (8) of Rule-8.

11. Election of Chairman and Vice-Chairman of a Market Committee.

1. (1) A market committee in its first meeting shall elect a Chairman and a vice-Chairman;

2. (1-A) The meeting shall be called under the orders of the Commissioner in the case of the Karachi Market Committee or the Deputy Commissioner in any other case on a date and at a time to be fixed by him, and shall be presided over by the Commissioner or as the case may be, the Deputy Commissioner or by such officer not below the rank of a Mukhtiarkar in this behalf.]

(2) For such a meeting the quorum shall be not less than two-thirds of the existing strength of the market committee;

Provided that if a meeting called under this rule cannot be held for want of a quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

(3) A Candidate for the office of the Chairman or vice-Chairman shall be proposed in the meeting by one member and seconded by another.

*1 to *2. Sub-rule 1 and sub-rule 1-A substituted and added respectively by Government Gazette Notification No. indicated in footnotes dated 6th June, 1982 relating to amendment of rules of Agricultural Produce Markets Act.

1. clause (f) & (g) added by N.P.F. no. 501X-Reg(34G.00) dt/24-79 dt-6-6-82 chd

3. Sub-rule (1) & (2) added by N.P.F. no. 501X-Reg(34G.00) dt/24-79 dt-6-6-82 chd

3rd

and the names of all candidates so proposed and seconded shall be read out by the President of the meeting.

(4) If there be only one candidate, he shall be declared elected. But if there be more candidates, the decision shall be by votes of the members present in the meeting, which shall be recorded by show of hands, and shall be declared by the President.

(5) The president shall count the votes and declare the member who secures the largest number of votes to have been elected Chairman, or vice-Chairman as the case may be.

(6) In the event of tie between two or more candidates, the President shall, there and then, draw lots in the presence of the members present, and the person whose name is drawn first shall be declared elected.

(7) The Chairman and the vice Chairman shall be deemed to have assumed office when their election has been confirmed by the Commissioner in the case of the Karachi Market Committee and the Deputy Commissioner in any other cases and this fact has been communicated to them in writing and where the Commissioner, or as the case may be, the Deputy Commissioner refuses to confirm any election, a fresh selection in accordance with these rules shall be held.

(8) "The president of the meeting shall record the proceedings of the election in the minute book of the market committee, and send a copy thereof to the Director General and the Commissioner in the case of the Karachi Market Committee and the Deputy Commissioner in any other case.

(9) "No member shall be elected as Chairman for more than two consecutive terms."

12. Term of Office of and Filling of Casual Vacancies in the Office of Chairman and Vice-Chairman.—~~Deleted.~~

² (1) ~~deleted~~
(2) A Chairman and a vice-Chairman shall cease to function as such—

(a) on the termination of membership; or

(b) on resignation, in writing, being accepted by the ³ Commissioner in the case of the Karachi Market Committee and the Deputy Commissioner in any other case;

⁴ [Provided that a Chairman or vice-Chairman shall unless otherwise directed by Government, continue to hold office until his successor is appointed.]

(3) A vacancy in the office of a Chairman or vice-Chairman, before the expiry of the full term, shall be filled by election at a meeting of the

¹ ~~Deleted~~ substituted and added by Government Notification No. SOIX-Reg:(R&GAD)II/24-79, dated 6th June, 1982. ⁵ ~~Deleted~~

2. Deleted

3. Sub. for 'By Commission', ~~Deleted~~

4. ~~Deleted~~

Item No. 7(ii)

Item No. 8(i)

Item No. 8(ii)(a)

Item No. 8(ii)(b)

market committee, summoned, presided over and conducted in accordance with the rules for the transaction of the ordinary business.

13. Duties and Powers of a Chairman and Vice Chairman. (1) The Chairman shall be the chief executive officer of the market committee, and all officers and servants of the market committee shall, subject to these Rules and byelaws, if any, made in this respect by the market committee, be subject to his control.

(2) The Chairman shall conduct all correspondence and be responsible of the keeping of accounts and for the safe custody of all moneys not deposited in accordance with rule-37.

(3) The Chairman shall, forthwith report the death of any member of the market committee to the Deputy Commissioner who shall take steps to get the vacancy filled up in accordance with law.

(4) The Chairman shall, furthermore, bring to the notice of the Deputy Commissioner any fact or facts which in his opinion debar a member from continuing as such.

(5) The Chairman may, for reasons to be recorded in writing, delegate any of his duties to the vice-Chairman, generally or for such period as may be determined by him;

Provided that if the Chairman is absent from the notified market area, or on account of illness or other circumstances is unable to perform his duties, the vice-Chairman shall act for the Chairman, and he shall while so acting have all the powers of and be responsible for all the duties of the Chairman.

14. Presidency of market Committee meetings and Transaction of Business. (1) A meeting of a market committee shall, subject to any byelaws made by the market committee, be called under the orders of the Chairman.

(2) The quorum for a meeting, not otherwise provided for in these rules shall be [eight in a committee of eighteen and four in a committee of ten].

(3) The quorum of a meeting in which the annual budget is to be considered, shall be not less than [two/third] of the existing strength of the market committee.

(4) If a meeting called under these rules cannot be held for want of a quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

(5) Every meeting of a market committee shall be presided over by the Chairman, or in his absence by the Vice-Chairman, but if both are absent, the meeting shall elect one of the other members present to act as Chairman for the occasion, and such chairman shall have, for that meeting, all the powers of a Chairman, and be designated as such;

Provided that if the Chairman or the Vice-Chairman returns during the meeting, he shall resume his powers as Chairman from the temporary Chairman.

(6) The Chairman of the meeting shall be responsible for preserving order in the meeting, and shall decide all points of orders that may be raised therein. There shall be no discussion on points of orders unless the Chairman considers it necessary to seek the opinion or advice of any member present, and the chairman's decision shall be final.

(7) All questions that may come up before a meeting, shall be decided in accordance with the votes of the majority of the members present, and in case of equality of votes, the Chairman shall have and may exercise a second or casting vote.

15. *Members not to Take Part in Certain Proceedings.*—No member of a market committee shall be present at, or vote, or take any other part in any proceeding of the market committee or of any sub-committee constituted by, relating to a matter in which he or any one of the persons enumerated in rule-41(2) has a direct or indirect pecuniary interest.

16. *Minute-Book.* (1) A market committee shall maintain a minute book in which the record of the proceedings of every meeting shall be entered by or under the direction and supervision of the meeting, and shall be signed by him

2. In order to ensure that the minute of a meeting are correctly recorded, these shall be read out in the next meeting of the market committee as the first item of the agenda, and members who were present at the forward meeting shall have the right of questioning the correctness of the recorded minute, which shall be confirmed with such modifications as may be decided upon to bring them in conformity with effect. In case of any dispute about the correctness of the minutes, the opinion of the chairman under whose signature the record was made, if he is present, shall be final. If, however, the said chairman be not present when the dispute arises, the matter shall be decided in accordance with the majority of the votes of the members who had attended the formal meeting and are present.

[7. *Submission of Copies of Proceeding.*—*A copy of the proceeding of every meeting of a market committee shall be forwarded to the Director General, and the Commissioner in the case of Karachi market committee and the Deputy Commissioner in any other case for maintaining record and appropriate action if any.]

18. *Appointment of Sub-Committee.* (1) A sub-committee appointed under section-15 of the Act may be for the full term of the Market Committee or for a shorter fixed period. The appointment and dismissal of members of a sub-committee, and delegation and withdrawal of powers and duties shall be by resolution of the market committee.

(2) The market committee shall fix the quorum of the meeting of the sub-committee appointed by it, and shall nominate its chairman who except as provided in sub-rule (5) of rule-19 shall be the convenor of the meetings of the sub-committee, and shall submit a record of all the work done by the sub-committee to the Chairman of the market committee.]

(3) The rules of procedure applicable to the meetings of a market committee shall, in so far as this may be applicable, apply to the meeting of a sub-committee.

19. *Appeals Against Market Committee's Decision*—(1) Any person aggrieved by an order passed by a market committee other than the orders in service matters and under sub-section (3) of Section-6, may at any time within thirty days of the order appeal to the Commissioner in case of the Karachi Market Committee and the Deputy Commissioner in any other case.]

(2) Except as may be otherwise provided by these rules every appeal shall be stamped with a court fee of [rupees five].

(3) Every appeal shall be presented to the appellate authority by the appellant or his duly appointed agent, within thirty days of the date of the order appeal against. It shall be accompanied by a copy of such order, and shall set out the grounds of attack together with a clear statement of the fact relevant thereto and of the relief claimed. It shall show clearly the names and full description of the appellant who shall duly sign the memorandum and verify the correctness of the facts stated therein.

(4) The appeal shall be decided after notice to and hearing, if they so desire, the appellant, the market committee concerned and the person at whose instance or in whose favour the order appeal had been made, and the persons after making such further inquiry as the appellate authority may consider necessary.

3[(5) Deleted.]

20. *References.* All references from a market committee to any officer of the Government shall be made through the head of the department or office concerned.

21. *Powers and Duties of Market Committee.*—(1) A market committee shall draw up, and may as occasion arises, amend its byelaws under Section 28 of the act to regular its own procedure and effectively to discharge its functions. Subject to the Provisions of the Act and these rule the Byelaws shall, inter alia prescribe:—

- (a) the time and place of the meeting of the market committee;
- (b) the manner of convening a meeting and giving notice therefore;
- (c) the conduct of proceeding at a meeting;
- (d) the distribution of duties among members of the market committee and its sub-committees;

Substituted ~~and~~ ^{for vide} ~~by~~ ^{by} Government Notification No. SOIX-Reg.(S&GAD) 11/24-79 dated 6th June, 1982. ~~See 11 (i)~~

2. Subs. clid
3. Deleted

See No. 11. (ii)
See No. 11. (ii)

- (e) payment of travelling expenses to members of the market committee provided that no byelaw made under these subrules shall be brought into operations unless and until the Director General or any officer authorised by him in this behalf certifies that the committee's financial position permits the grant of such travelling expenses;
- (f) the persons by whom receipts may be granted on behalf of the market committee for money paid to it;
- (g) the member or members of the Market Committee by whom licences to be issued by it may be signed;
- (h) the procedure for the reception, hearing and disposal of complaints by the market committee or by its sub-committee;
- (i) fees for the grant and renewal of licences under rule-23 (1);
- (j) fees to be levied by it in connection with transaction relating to the purchase and sale of an agricultural produce, or for weighment, measurement or storage of such produce through its agency;
- (k) security to be furnished by the officers and servants of the market committee entitled to handle money on its behalf;
- (l) the regulation of the duties of persons holding licences from the market committees; and the fees, trade allowances or remuneration to be charged by them, or by dealers;
- (m) the leasing out or other management of the immovable property owned by or vesting in the market committee;
- (n) the regulation of traffic in a market;
- (o) hours of business for the purchase or sale of agricultural produce in a market;
- (p) rules regarding imprest money to be kept under the control of the chairman of the market committee;
- (q) the manner of checking weights, measurers and scale in use in the market area, of stamping weights and measures found to be correct, and of issuing certificates in respect of scales found to be correct;
- (r) any other matter for the guidance of the members, officers and servants of the market committee for the purposes of carrying out the provisions and objects of the Act and these rules;

~~*Amended/added vide Notification No. X015-Reg. (S&GAD)H/2479, dated 6th June, 1987.~~

1. and delete by N. S. 501X-Reg (S&GAD) 1/24-73 dt 6th June 1983
 2. and - save for full stop used
 Jan 13 (i) (b)
 Jan 12 (i) (c)

(s) the administration of the market property;

(t) for establishment of Masjid, Musafirkhana, shade, shelter, Drinking Water, Truck/Vehicle and Cycle parking;

(u) for establishment and maintenance of Library.]

2. Byelaws framed by a market committee or amendment thereof shall be displaced for one week at a prominent place in the notified market area to be selected by the Market Committee;

*3. Any objection in writing received by the market committee within ten days of the display of the bylaws shall be considered at a meeting of market committee and the Bylaws as finally approved shall be submitted to the Director General, who may forward the same to Government with his recommendation for approval or may remit the same for the reconsideration of market committee on the lines indicated by him.

*4. the market committee after making such modifications as it may consider necessary, shall resubmit the bylaws to the Director General, who shall submit the same to the Government;

*5. The Government may confirm the bylaws with such modifications as it may consider necessary.]

22. *Control and Conservancy of the Market.*—(1) A market committee shall exercise such control over the market, and the sale and purchase of agricultural produce therein, as may be required for the due observance of the provisions of the Act and these rules, and shall manage the market in the best interest of the trade.

2. A market Committee shall, as far as the funds at its disposal permit, provide shelter and drinking water for men and animals coming to the market. It shall keep all property vested in it in a sanitary condition.

3. A market committee may, and if so required by the Government, shall make a general order providing for the regulation of the ingress and egress of traffic in the market and specifying places where vehicle shall be unloaded and parked and where animals shall be unloaded and tethered. For the information of persons visiting the market, such an order shall be exhibited outside the office of the market committee and at such conspicuous places or places in the market as the Chairman of committee may determine.

*23. *Licences to Brokers, Weighmen, Measures, Surveyors and Warehousemen.*—(1) Subject to the provision made under sub-rule (4) a market committee may grant licences to persons who apply for the same to work in the notified market area as Brokers, Weighmen, Measurers, Surveyors or Warehousemen, Changers, Palladars, Boriottas and Rolas;

(1-A) An application for the grant of a licence in Form 'D' and the licence in Form 'E' which shall be subject to the conditions specified in Form 'E'.

[1-AA] Where the licensee is a firm, any change occurring in the membership of such firm otherwise than through inheritance shall mean the constitution of new firm and shall necessitate a fresh licence;

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

(2) Where a change not necessitating a fresh licence, takes place in the membership of the firm, intimation thereof shall, within two weeks from the date of such change, be given to the market committee concerned, who if satisfied, after such enquiry as it may consider necessary, about the correctness of such intimation, shall order necessary correction to be made in the licence, and the register in Form 'K' shall also be corrected.

(3) Where a licensee firm changes its name without any change in its membership, it shall, within two weeks, from the date on which such change is effected give intimation thereof to the market committee who if satisfied, after such enquiry as it may consider necessary, about the correctness of such intimation, shall order necessary correction to be made in the licence, and the register in Form 'K' shall also be corrected.

(4) If in a case covered by sub-rule (2) or (3) the licensee Firm fails to give necessary intimation to the market committee, the change in the membership of the name of the firm, as the case may be, shall be presumed to constitute a new Firm.

(5) Fees for grant or renewal of a licence granted under sub-rule (1) shall be as specified in the Schedule;

Provided that in the case of Weighmen, measurers, changers, palladers Boriottas, and Rollas, the fees shall not exceeds Rs. 1.00 annually.

[6] Deleted.

(7) While suspending or cancelling a licence, a market committee may order that the licensee concerned shall not be entitled to the removal of such licence or the grant of a new one for such period not exceeding six months as it may consider expedient.

(8) No Broker shall advance money for the purchase of, or have in his possession the document of title relating to, an agricultural produce in connection with which he is employed as Broker.

[10] A licence under this rule shall be issued or renewed for a financial year.

*Amended vide Notification No. S.O. 1111/40
1. Sub-rule (1) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
2. Sub-rule (2) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
3. Deleted
4. Sub-rule (9) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
5. Sub-rule (10) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
6. Sub-rule (11) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
7. Sub-rule (12) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
8. Sub-rule (13) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
9. Sub-rule (14) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
10. Sub-rule (15) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
11. Sub-rule (16) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
12. Sub-rule (17) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
13. Sub-rule (18) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
14. Sub-rule (19) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982
15. Sub-rule (20) added by N/A/N No. 8012-Reg (S+G AD) 9/24/79 dt 6-6-1982

23-A. Except as hereinafter provided no person shall at the same time hold a dealer's licence under Section-6 and a functionary's licence under Section-9, or hold licences under Section-9 to act as a functionary in more than one capacity; provided that licences as dealer and warehouseman may be granted to and held by the same person, and a person holding a weighman's licence may work there under as measurer and vice versa.

24. *Books to be kept by Licensed Brokers and Warehouseman.*— Every Broker and every Warehouseman licensed under these rules shall—

(a) Keep such books in such form as the market committee granting the licence may from time to time prescribe by its bylaws;

(b) render such return at such time and in such Form as the market committee prescribe; and

(c) render such assistance as may be required by the market committee, in the collection of fees due under the Act, or under these rules or byelaws made thereunder, in preventing evasions of payment thereof, and generally in the prevention of breaches of the Act or of these rules or of any Byelaws made thereunder.

25. *Licensed weighmen, measurers, surveyors, etc. to wear badges.*—

(1) All Licensed Changers, Palladars, Boriottas, Rollas, Weighman, Measurers, Surveyors shall be supplied with badges, bearing, serial number

(2) The Badges shall be of such pattern as may be approved by the market committee;

(3) No Licensed changer, Palladar, Boriotta, Rolla, Weighman, Measurer and Surveyor shall act as such in a notified market area without Wearing the Badge;

(4) A payment of not exceeding rupees twenty, as may be fixed by the market committee to cover the cost of the Badge shall be charged from every licensee, Changer, Palladar, Boriotta Rollar, Weighman, Measurers or Surveyor before the grant of Badge to him.

(5) On the expiry, suspension or cancellation of the licence the Badge shall be returned to the market committee.]

26. *Fees for Licenses and other functionaries.*— A licensed dealer when acting as a commission agent, Broker, Weighman, measurer, surveyor or Warehouseman, or any other functionary whether licenced or not shall not in respect of Service rendered by him in connection with the purchase and sale of agricultural Produce, receive from the person employing him a higher remuneration than that prescribed by the Bylaws of the market committee concerned. Where agricultural produce is bought or

sold through the agency of a commission agent (commonly known as a *Pucca Artgia*) who is himself an intermediate owner in the course of a transaction such commission agent shall charge remuneration in respect either of the purchase or of the sale but not in respect of both.

Provided that in the absence of any agreement to the contrary, the fees chargeable by a weighman, measurer or surveyor shall be payable by the buyer and seller in equal share.

27. *Employing a Broker.*—(1) No person shall, in the absence of any express agreement be bound to employ a broker in the transaction, or be required to pay for a broker employed by any other party to the transaction, or to pay for a broker when none has been employed.

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

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

28. *Employment of Auctioneers.*—(1) A seller may make an application in Form 'F' for the sale of an agricultural produce belonging to him by auction in a market. Such application shall be given a monthly serial number and shall, after the auction, be preserved in the office of the market committee for three years from the date of auction.

(2) A market committee may employ on such terms as may be fixed by it, one or more auctioneers for the sale by auction of any agricultural produce.

(3) Such auction of agricultural produce shall be held at such place or places in the market as may be fixed by the market committee.

(4) Bids made at the auction shall be recorded by the auctioneer in Form 'G'.

(5) The Auctioneer shall conduct the auction on terms as to the payment of Price as set out in Rule-28-A, which shall be made known to the prospective bidders before the auction is held.

(6) After the sale is completed, the auction form duly completed shall be forwarded by the auctioneer to the market committee, by whom it shall be preserved for three years.

28-A. *Payment of sale price.*—In the absence of any written agreement to the contrary the sale price of agricultural produce purchased or sold under these rules shall be paid on delivery.

3[28-C. (1) In case any Agricultural produce can not be sold by open auction due to local trading conditions, the Market Committee may pass a Resolution to transact the sale of such Agricultural Produce through private agreement between the transacting parties or on the basis of price fixed by the Government or competent authority and forward the said Resolution to the Director General, Bureau of Supply & Prices through Assistant Director of the Bureau of Supply and Prices, Sind, of the District for examination and sanction thereon.

(2) The Market Committee shall see that the mode of sale adopted for sale otherwise than by open auction may not be detrimental to the interest of the grower at the time of fixation of price of Agricultural produce.

(3) The record of such sale transaction as indicated in sub-rule (1) may be kept in Form (F) as prescribed for open auction.]

committee concerned.

*Sub-rule (1) alongwith proviso of rule-29 of Agriculture Produce Market Act deleted by Notification No. SOIX-Reg:(S&GAD)II/24-79, dated 6th June, 1982. *ibid* 17-15(1)
 2. Subs. *ibid* for "Sub-rule(1)" *ibid* 17-15(1)
 3. Rule 28. *ibid* by *ibid* no. MO/1(69)/83-84 *ibid* no. 3.

(8) Every person authorized to collect fee, shall be provided receipt book in Forms-'I' with a Counter Foil and a Locked Money Box

*(8-A) The key of the Box, shall remain with the Chairman or under his written order with the Secretary.

*(8-B) The Box shall be opened daily in the evening at a fixed time in the office of the market committee by the Secretary and the money contained therein shall be counted in the presence of the person authorized by the Chairman.

*(8-C) The person in whose presence the money is counted shall be responsible for comparing the receipts with the amount actually received and for giving a Certificate to this effect over his dated signature on the back of last counter foil.]

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

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

*(10) If in the case of any transaction any two or more of the acts mentioned in the sub-rule (9) have been performed within the boundaries of two or more notified market areas the market fee shall be payable to the market committee within whose jurisdiction the agricultural produce has been weighed in pursuance of the agreement of sale [otherwise to the market committee within whose jurisdiction the agricultural produce is delivered as provided by clause (c) of sub-rule (9).

4. (11) There shall be charged a market fee by all market committees on the Agricultural Produce brought to the market, at the following rates :-
- Subs. see slip-5*
- i). Twenty five paises per fifty kilogram of all Agricultural Produce except mutton and beef & such other Agricultural Produce for which different rate is prescribed, fifteen kilogram or less weight shall be ignored:-
 - ii). one rupees per camel;
 - iii). one rupees per cow, buffalow or goat;
 - iv). des and skins;

(12) Every licensee of Group 'A' & Group 'B' mentioned in the schedule of fees shall maintain a separate record of transactions of purchase & sale of agricultural produce in the following form. —

FORM

Daily Sales & Purchase register to be maintained by licensed Dealer _____

Group 'A' Group 'B' _____

Notified market area _____ Date _____

Name of dealer/seller/purchase _____

Licence No. _____

Date	Name of		Agricultural Produce quantity K. g.s.	Rate of purchase	Rate of sale.
	Seller	Purchaser			
1	2	3	4	5	6

Total qty's: purchased	Total quantities sold.	Assessment of mar- ket fee as per pres- cribed schedule vide Rule 30, sub-rule 10.	Balance stock of agricultural produce on the close of tra- nsaction.
7	8	9	10

29-A. *Exemption from payment of fees.*— If a fee has been leviable on the sale or purchase of any quantity of agricultural produce in a notified market area and the dealer concerned has complied with the provisions of sub-rule (2), then no fee shall be leviable on the sale or purchase within the same notified market area of any agricultural produce manufactured or extracted from the agricultural produce in respect of which the fee has already been paid.

30. *Account of transaction and of fees to be maintained.*— (1) Every licensed dealer and every dealer not being a hawker exempted under rule 7 from obtaining a licence shall submit to the market committee a return in Form H-A showing his purchases in respect of each commission agent (known as pacca arthi), and sales in respect of each dealer of each item of agricultural produce on each day, either in that day or the following day;

Provided that in special cases of hardship the chairman of the market committee may, by an order in writing, extend this period up to not more than seven days from the date of the transactions.

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

(3) The market committee shall levy the fee payable under section-19 on the basis of the return furnished under sub-rule (1):

Provided that if the market committee has reason to believe that any such return is incorrect, it shall, after notice to the dealer concerned, and after such enquiry as it may consider necessary, assess the amount of the dealer's business during the period in question, and levy fee on the basis of such assessment.

(4) If a dealer fails to submit a return as prescribed under sub-rule (1) the market committee may after notice to such dealer, assess the amount of his business during the period in question on such information as may be available and levy the fee on that basis.

(5) The Chairman or the Secretary of the market committee may at any time and without previous notice enter upon the premises of business of a licensed dealer within the notified market area and inspect and examine the account books are reported to be unreliable, or as not providing sufficient maintained by such dealer and the dealer shall, if required, be bound to produce forthwith his accounts before the Chairman or Secretary so as to enable him to inspect and examine the same.

(6) The Deputy Commissioner or such gazetted Officer subordinate to him, as he may appoint in this behalf, may if he thinks fit call upon the dealer to show cause why the application should not be allowed and may also make enquiry in such other manner as he may deem necessary, and shall either disallow the application or authorise the market committee to inspect the dealer's accounts, relating to such date or dates as may be specified in the authorisation.

(7) If the application for inspection is allowed, the market committee shall inform the dealer of the date and place fixed for the inspection; provided that if the dealer so desires, and pays such fee as the market committee may fix in this behalf, the inspection shall be made at the dealer's premises.

(8) The market committee shall either generally or in each case, appoint one or more of its employees to conduct such inspections of dealer's account books.

(9) The Chairman or the Secretary, as the case may be, may after inspection prepare a return, or may amend the return already furnished, on the basis of transaction appearing from the dealer's account books and the market committee may levy a fee, or, as the case may be, an additional fee, under Section-19 on the basis of such return or amended return, but if the account books are reported to be unreliable, or as not providing sufficient material for proper preparation or amendment of the return or if no such books are maintained or produced, the market committee may assess the amount of the dealer's business on such informations as may be available and levy fee on the basis of such assessment.

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

(11) An assessment order made under the proviso to sub-rule (3) or under sub-rule (4) or (9) shall, unless passed in the presence of the dealer concerned, be communicated to him by means of a written notice; and a copy thereof shall be granted to the dealer on his making a written application, and paying a sum of Rs. 0-5-0 as copying fee to the market committee. Every market committee shall maintain a register of copying fee.

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

(13) An assessment made by a market committee under sub-rule (3) or under sub-rule (4) or (9) shall be deemed to be an order for the purposes of rule 19-A except that the court-fee payable shall be an advalorem fee under Article 1 of the Court fees Act on the amount in dispute.

31. *Places at which Agricultural Produce shall be Weighed or Measured.*—(1)* A market committee may notify the places where any particular agricultural produce may be weighed, measured or sold".

Sub rule (1) of rule 31 substituted vide S.O. 11.16
 Amended/added by S.O. 11.16
 dated 6th June, 1982. Gazette Notification No. (SOIX)-Reg-(S&DAG)II/24-79.

(2) Subject to the provisions of sub-rule (1) weighing and measurements of agricultural produce intended for sale, may be made through licensed weighmen or measures anywhere in a notified market area.

32. *Use of Weighing Instruments, Weights and Measures, their Inspection and Seizure.*—(1) Only such weighing instruments as satisfy the requirements of, and such weights and measures as are prescribed by, [the Sind Standard Weights & Measures Enforcement Act, 1975] and the rules made thereunder shall be used for weighing or measuring agricultural produce in a notified market area.

²(2) Every Market Committee shall keep in its office at least one weighing instrument of the capacity 100 Kgs. and two sets of Weights & in place where measures are used, two sets of measures also verified and stamped in accordance with the provisions of the Sind Standard-Weights and Measures Enforcement Act, 1975 and the rule-framed thereunder and the Market Committee shall cause such Weights & Measures to be tested and verified once in the course of each Calendar Year through the Agency appointed under and in accordance with the requirements of the said Act and rules.]

(3) The Chairman of a market committee shall allow any person to check free of charges any weight or measures in his possession against the weights and measures maintained under this rule.

³(4) Weighing instruments & Measures kept by a Market Committee under this rule may at any time be inspected, examined & checked by the Director General, Deputy Director or Commissioner in the case of the Karachi Market Committee and the Deputy Commissioner in any other case or an Inspector appointed under the Sind Standard Weights and Measures Enforcement Act, 1975.]

(5) Any member of a market committee, and any employee of a market committee authorised by it in this behalf, shall be entitled at any time and without previous notice to inspect, examine and test any weighing instrument, weight or measure used, kept or possessed without a notified market area by a licensee under Section-6 or 9 of the Act, or used, kept or possessed by any other person for weighing or measuring agricultural produce within the limits of the notified market area, and every such licensee or other person in possession of any such weighing instrument, weight or measure shall, when required, be bound to produce the same before the person entitled so to inspect, examine and test it.

(6) If on examination any weighing instrument, weight or measure is found to be not in conformity with the Sind Standard Weights and Measures Enforcement Act, 1975, and the rules made thereunder, it shall at once be seized and forwarded forthwith alongwith a report to the Inspector appointed under the Sind Standard Weights and Measures

L (iv) 156-6

1. Subs. by regn. no. 501X-Rg(S&B AD) I/24-79 dt 6-6-62
2. Sub-rule (2) Subs. *utid*
3. Subs. by *utid*

utid 11-17 (ii)
utid 11-17 (ii)
utid 11-17 (ii)

Enforcement Act, 1975, within whose jurisdiction the notified market area lies. The report shall be in the following form:—

Report of Seizure of Weighing/instrument/Weight/measure at
(Rule-32 (6) of the Agricultural Produce Markets Rules, 1940.)

Name, parentage, caste and residence of the person from whom the weighing instrument, weight or measure is seized.	Description of the weighing instrument weight or measure seized.	Date of Seizure	Person by whom seized.
1	2	3	4
Why seized.	Person in whose presence seized.	Remarks	
5	6	7	

Signature of two witnesses:—

1.

2.

ff

Signature of the person making report

COMMENT.

The report is to be signed by the person in whose presence the seizure takes place.

(7) Before any agricultural produce weighed in pursuance of a transaction of sale or purchase within a notified market area is removed from the place of its weighment, any member of the committee, or any employee of a market committee authorized by it in this behalf, with a view to satisfy himself that such weighment has been correctly made, be entitled at any time and without previous notice to check the weighment by means of weights and instruments owned by the market committee or by any other agency.

33. *Weigh-Bridges, Measuring-Yards and Certificates of Weighment or Measurement.*—(1) A market committee may with the approval of the Deputy Commissioner, erect in the market a weigh-bridge for the weighing of agricultural produce on payment of such fee as may be prescribed by its bye-laws.

(2) In places where it is customary for any agricultural produce to be measured instead of being weighed, a market committee may with the approval of the Deputy Commissioner, specify a place within the market and make arrangements for the measuring of such produce on payment of such fees as may be prescribed by its bye-laws.

(3) The market committee shall be responsible for maintaining such weigh-bridge or measuring-yard in proper condition, and for issuing free of cost certificates of weighment and measurement, as the case may be, in such forms as may be prescribed by its bye-laws.

(4) A certificate issued under sub-rule (3) above shall be accepted as final by all persons transacting business in the notified market area, unless it is proved, to the satisfaction of the chairman of the market committee or his authorized representative that the weighment or measurement was done on a defective weigh-bridge or measuring-yard or by means of an incorrect scale or weight or measure.

33-A. *Weighment and Standard of Packing Unit.*—(1) A market committee shall fix the net quantity of an agricultural produce to be filled in a packing unit such as a bag, a half bag or a Bulli and the packing units shall be filled accordingly.

(2) Immediately on the completion of filling of a lot of agricultural produce within a notified market area, the other party to the contract may cause a test Weighment or Measurement of ten percent of the units of packing in a lot or two packing units which ever is more.

Amended
by virtue of Gazette Notification No. SOIX-Reg.(S&GAD)II-24-79
dated 6th June, 1982. *See A-19.*

*(3) Test weighment or measurement under sub-rule (2) shall be carried out in the presence of both the parties to the contract and where a party fails to attend or refuses or evades participation the other party may report in writing to the Secretary or any employee of the market committee not lower than Inspector who shall after satisfying himself as to the correctness of the report cause the test weighment or measurement to be made in his presence or in the presence of any other official of the Committee and the result of such test Weighment or Measurement shall be conclusive and binding both the parties.

*(4) The test Weighment or Measurement of the packing units which are not sealed with seal of any party shall be carried out of the site of Weighment or Measurement and if no such test Weighment or Measurement is held the produce shall be deemed to have been correctly weighed or measured, as the case may be.

*(5) Before any agricultural produce weighed or measured in pursuance of contract is removed from the place of its weighment the Chairman or any employee of the Market Committee not lower than an Inspector may, with a view to satisfying himself that such Weighment or Measurement has been correctly made, without any previous notice checked the Weighment or Measurement by the Standard Weights and Measures and Instruments kept by the Committee or any other Agency in the presence of the purchaser and the seller if present otherwise in the presence of any two persons.

*(6) If the Weight or Measurement is found to be defective the persons checking the weighment or measurement may order the lot to be re-weighed or measured, as the case may be, at the cost of the buyer.

34. *Trade Allowances.*—Every market committee shall, with the approval of the Government, prepare byelaws prescribing a list of trade allowance, which alone may be levied within the market area, and the scale thereof.

34-A. An officer or servant of the market committee, in the course of performance of his duties may—

- (a) enter into any building, enclosure or place used for sale and purchase, weighment or measurement of an agricultural produce in a notified market area and may himself inspect, weigh or measure or cause to be inspected, weighed, or measured any agricultural produce found in the said building, enclosure or place;

- (b) himself inspect, weigh or measure or cause to be inspected weighed or measured any agricultural produce being transported, by any mechanical or other means, through the notified market area; and
- (c) seize any agricultural produce in respect of which, or any material by which, any breach of the provisions of the Agricultural Produce Market Act, or of the rules or bye-laws made thereunder is reasonably suspected to have been committed.

An inventory of the agricultural produce or the articles so seized shall be prepared by the officer or servant proceeding under this rule, and a copy thereof shall, on demand, be given to the person from whose custody the agricultural produce or other articles have been taken into possession.

34-B . (1) An officer or servant of the market committee seizing property under Rule 34-A shall keep such property either in his own custody or require any licensed dealer in the notified market area to take it into possession and keep the same in his charge till such time as the inquiry in regard to the said property has been completed and final orders regarding its disposal passed by the competent authority:

PProvided that the Chairman of the market committee may, for reasons to be recorded in writing, at any time direct that the property be released and restored to the person from whom it was seized.

(2) The expenses incurred on transportation and storage of the property seized under Rule 34-A shall be recoverable from the person to whom property is to be restored. If such person refuses or fails to pay such expenses, the property or such part thereof, as may fetch the amount of money so expended, shall be sold or auctioned under the orders of Chairman of the market committee and the amount realised by such sale or auction shall be adjusted towards the transportation and storage charges and the balance, if any, paid to the person to whom the property was due to be restored.

(3) When the property is required to be restored to person from whom it was seized, a notice shall be issued to him to appear at such place and time as may be specified in the notice to take its delivery. If such person refuses or fails to take delivery of the property at the appointed place and time the property shall be sold or auctioned, under the orders of the chairman of the market committee and the amount realised by such sale or auction shall be adjusted towards the expenditure incurred in this behalf and the balance, if any, shall be paid to the person to whom the property was due to be restored; provided such person applied for it to the market committee within 90-days of the sale or auction.

(4) The licensed dealer required by an officer or the servant of the market committee to take possession of the property seized, shall not refuse to do so.

35. *Budget.*—(1) "For the purpose of these rules the Agricultural Produce Market Year shall commence on 1st July every year and end on 30th June, following];

(2) A market committee shall annually hold a special meeting not later than 30th April] to prepare and adopt the budget of income and expenditure for the ensuing year.

(3) A duplicate copy of Budget so adopted shall be submitted to the Commissioner in the case of the Karachi Market Committee and in any other case, the Deputy Commissioner who shall after such scrutiny as he may consider necessary forward the same with his comments, if any, to the Director General, by the 15th May, who shall have power to sanction it with such modifications as he may consider proper whereupon the market committee shall strictly regulate its expenditure in accordance with the sanctioned Budget.

(4) An expenditure for which no provision exists in the Budget may be met by the market committee by re-appropriation from saving under other heads or by supplementary grant sanctioned by the Director General.

(5) If the Budget is not prepared and got sanctioned by before the commencement of any financial year, the Director General shall have the necessary statement prepared and certified and such certified statement shall be deemed to be the sanctioned Budget of the market committee.

(6) At any time before the expiry of the financial year to which the Budget relates a revised or supplementary budget may be prepared and sanctioned by the Director General];

36. *Accounts and Audit.*—(1) The accounts of a market committee shall be kept in such form and shall be audited in such manner as the ^{General} Director/Local Fund Audit Sind] direct.

(2) A market committee shall publish a statement of its assets and liabilities at the close of each year, with a balance sheet by the 31st July following, and shall furnish, on payment of such fee as may be fixed by it a copy of the statement to any grower, or licensee, buyer or seller, within the notified market area applying for it.

(3) [The Chairman or Secretary] of a market committee or any other member deputed by him for the purpose shall at the audit cause to be produced all accounts, registers, documents and other papers which may be required by the audit officer for audit purposes and any explanation called for by him for the settlement of any discrepancy shall be immediately furnished.

Amended/added by virtue of Gazette Notification No. SOIX-REG.(S&GAD)II/247 dated 6th June, 1982

1. Subs. by No. SOIX-REG(S4680)II/24-700246-13 Secn No. 19(1)

2. Subs. for "30th April" and

3. Subs

4. Subs
546 Subs

and
and
and

Secn No. 19(1)

Secn No. 19(1)

Secn No. 30(1)

Secn AT 20(1) 1982

(4) To meet the cost of the [audit], every market committee shall contribute annually to the Provincial revenues such sum not exceeding 3 percent of its total annual expenditure as may be determined by the Government in each case.

(5) The Deputy Director Marketing Operation or any other Officer authorized by the Director General, in this behalf shall inspect or cause to be inspected a market committee periodically and shall submit his report to the Director General, furnish a copy to the market committee for necessary action.

37. Receipts to be credited into the Government treasury or Bank.— Except where Government otherwise directs all the receipts made by the Market Committee shall be credited daily into Government Treasury/sub-Treasury or a Schedule Bank in accordance with the instructions issued from time to time by Government and shall not be withdrawn except as provided in the rules.

38. Remittances to a Treasury or Scheduled Bank.— (1) All remittance under these rules to a Treasury, sub-Treasury or a Schedule Bank shall be made and acknowledged in accordance with the rules of business of the Treasury, sub-Treasury or the Schedule Bank as the case may be:

(2) At the close of each month or at such shorter intervals as may be the practice, the Market Committee shall in accordance with the rules of business of the treasury, sub-Treasury or Scheduled Bank as the case may be get a balance as worked out in the Pass Book of the market committee or get a statement of accounts from it.

(3) The market committee shall check such balance or statement with its own balances or accounts and rectify the difference, if any.

38-A. Refund of certain amounts.—(1) *When:—

- (a) any sum has been⁵ [paid] for the grant of a licence which has not been in fact issued; or
- (b) a person has wrongly applied and paid for and been granted two or more licences of the same nature for the same notified market area; or
- (c) any market fee has been recovered in excess of the amount actually due; or
- (d) any market fee has been recovered on a transaction which is exempt under these rules; or

Amended/added by virtue of Gazette Notification No. SOIX-Reg:(S&DAG)II/24-79, dated 4th June, 1982.

1. Subs by Ref No. SOIX-Reg (S&DAG) II/24-79 dt 24-6-82 Sec 10-30 (iv)
 2. Subrule (5) added and Sec 10-20 (v)
 3. Rule 37 Subs and Sec 10-21
 4. Subrule (1) (a) of rule 38 Subs. and Sec 10-32
 5. Subs. and Sec 10-23 (i) (a)

(e) any money has been paid by mistake;

¹ [The Market Committee shall on a written application being made within thirty days from the date of payment of the amount refund of which is claimed and after making such inquiry as deemed fit, order the refund of the appropriate amount to the person concerned.] and

² (2) *The powers of the Market Committee under sub-rule (1) may be exercised by the Chairman, if so authorized by the Market Committee.]

39. *Payments how to be made.*—(1) All payments made by a market committee, except from imprest, shall be made by cheques.

³ (2) *Every Cheque drawn on behalf of a Market Committee shall be signed jointly by the Chairman and any one member nominated by the Market Committee or if the Chairman is absent from the Headquarters, or is unable to perform his duties, by the Vice-Chairman or if Vice-Chairman is also absent or unable to perform duties by any two members nominated by the Market Committee; provided that no Cheque shall be drawn except against a bill which has been examined and passed by the Chairman, or for the recoupment of imprest, if any:

* (3) The Chairman shall not pass any bill for payment without the previous sanction of the Market Committee except—

(a) for payment of the Salary of the fixed establishment; or

(b) for payment for works & repairs for which Budget provision has been made; or

(c) for meeting urgent expenditure for which there is Budget provision and which does not exceed rupees five hundred in the case of class 'A' Market Committee, rupees three hundred in the case of Class 'B' Market Committee and rupees one hundred in the case of Class 'C' and 'D' Market Committees as classified under these rules.]

⁴ (4) Where a Market Committee has ceased to function and a new Committee has not been constituted or if constituted the Chairman or the Vice-Chairman, as the case may be, has not assumed the Office or the Chairman or Vice Chairman having resigned ceases to function as such under the directions of Government or having died, the Assistant Director may pass Bills and sign Cheques on behalf of the Market Committee.]

¹ 2 ~~Amended/added by virtue of~~ *Substituted by* Gazette Notification No. SOIX-Reg:(S&DAG)II/24-79, dated 6th June, 1982. *Sl. No. 23(K) (a) (b) + (c) respectively*

g. Subs by notification Sl. No. 84.

40. *Surplus fund-how to be Disposed.*—The balance shown in the balance sheet shall, after audit, be transferred to the reserve fund of the market committee, or be invested in such manner as may be approved by the Government.

*40-A. *Writing off or Irrecoverable and other Dues or losses.*—Whenever it is found that any amount due to the market committee is irrecoverable or should be remitted or whenever any loss of the market committee's money or stores or other property occurs through the fraud or negligence of any person or for any other cause and such property or money is found to be irrecoverable, the fact shall be reported to the Commissioner in the case of the Karachi market committee and the Deputy Commissioner in any other case who may order the amount or value of property to be written off as lost, irrecoverable or remitted, as the case may be, under intimation to the Director General; provided that if any case the amount due or value of such property is in excess of rupees one-thousand, no such order shall take effect unless the approval of the Director General has been obtained.]

41. *Officers and servants of the market committee, their remuneration, Punishment etc.*—deleted.]

42. *Publication of marketing information.*—(1) *A market committee [200] shall, for the benefit of the persons using the market, exhibit in a suitable place outside its office, and at such other places as may be determined by it, bulletins of information on such matters as the prices of agricultural produce, ruling at the principal marketing centres in the Province and the ports serving the province, and the stocks held by mills and the like.

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

43. *Storage Accommodation.*—(1) A market committee may arrange, when necessary, accommodation for the temporary storage or stocking of agricultural produce.

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

44. *Registers to be maintained by a Deputy Commissioner.*—deleted.]

45. *Register to be maintained by a market Committee.*—(1) Every market committee shall maintain the following registers:

- (a) of sales and purchases of agricultural produce entered into within the notified market area in Form J; and

*Amended, added by [unclear] of Gazette Notification No. SOIX-Reg: (S&GAD)II/24-79 dated 6th June, 1982. [unclear] No. 25.

1. Subj. vide [unclear]
2. Deleted [unclear] [unclear] 10-26.
3. The words "may, and where required by the Deputy Commissioner" deleted by [unclear] as above [unclear] 27.
4. Rule 44 deleted [unclear] [unclear] 28.

(b) of licences granted, renewed, suspended, or cancelled under section-6 of the Act and granted, renewed, suspended or cancelled by the market committee under Section-9 in Form

6 (1) A licence granted under Section-9 shall be renewable on payment of the fee payable for the issuance of such licence].

... that in the case of a licence issued for any notified market area before the final date specified for that area under sub-section (2) of section 4 the Licence shall be deemed to have been issued on the date so specified;

(2) An application for the renewal of a Licence shall be made in Form 'B-A' or Form 'D-A', as the case may be, atleast seven days before the date on which the Licence is due to expire.

(3) Where application under sub-rule (2) is made after the expiry of Licence, the Licence may be renewed on payment of a penalty at the rates specified in the schedule not exceeding the Licence Fee;

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

(5) If a Licence is lost, a duplicate may be issued on payment of the Fee specified in Schedule of Fees.]

3 [47. Travelling allowance for Chairman, members etc. If a Chairman or Vice-Chairman or Member or Officer appointed under Section 25 or 25-A] undertakes any journey in the interest and under the orders of the market committee or the Director General, he shall be paid travelling expenses out of the funds of the market committee at the rates admissible under the Government Rules;

Provided that the Chairman shall get T.A. allowance as are admissible to Grade-17 Officers of the Government. The members shall be entitled to the T.A. allowance as are admissible to Grade-16 Officers of the Government.

4 [48. Travelling Allowance to market committee's officers and servants. Deleted.]

5 [49. Appeals. (1) An appeal under sub-section (3) of Section-6, shall be referred by means of a memorandum which shall be stamped with a

* Deleted and substituted by Government Notification No. SOIX-Reg (S&GAD) II/24/79, dated 6th June, 1982. See no. 89.

- 2. Rule 46 Substituted
 - 3. Rule 47 Substituted
 - 4. Rule 48 Deleted
 - 5. Subrule (1) of Rule 49 Subst.
 - 6. Subrule (2) of Rule 49 Subst.
- Mem no. 30.
 Mem no. 31.
 Mem no. 32.
 Mem no. 33.
 Mem no. 34.

Court fee of the value of Rs. one only, be accompanied by a certified copy of the order appealed against and presented it by the appellant personally or through a duly authorised agent.]

(2) The result of an appeal preferred under sub-rule (1) shall be communicated to the appellant and the market committee concerned.

50. *Power of Government to alter dates fixed in these rules or to fix new ones.*—The Government may by a notification alter any of the dates fixed in the rules.

51. *Procedure for recovery of fee by a market committee.*—A fee due to a market committee under the Act, or these Rules or its bye-laws shall, notwithstanding any penalty imposed under rule-52, be recoverable as arrears of Land Revenue through the Collector of the District within the boundaries of which the person liable to pay resides, or within the boundaries of which the notified market area is situated.

52. *Penalty for Breach of Rules of any Condition of a Licence.*—Any person committing a breach of these rules or the Conditions of his licence shall on conviction be punishable with fine which may extend to five hundred rupees.

Provided that the maximum fine which may be imposed for the breach of the conditions of a licence granted under section-9, shall not exceed one hundred rupees for each breach.]

53. *Control by Provincial Government, Director General and Deputy Commissioner.*—(1) [The Director General or, the Deputy Director within his jurisdiction or any Officer not below the rank of Deputy Commissioner appointed in writing by the Director General or Government by general or special order may].

(a) enter into, inspect and survey and caused to be entered into, inspected and surveyed, and any immovable property occupied by any market committees or any work in progress under its discretion.

(b) by order in writing, address to the Chairman or Secretary, call for and inspect or caused to be inspected any book or document in the possession or under the control of the market committee, and the Chairman or the Secretary, as the case may be, shall immediately comply with such order.

(c) by order in writing address to the Chairman or Secretary require the market committee to furnish within a specified period such statement, accounts, reports, copies of documents in the possession or relating to the proceedings or duties, of the Committee as he may think fit to call for.

Substituted by virtue of Government Notification No. SOIX-Rep: (F & GAD) dated 6th June, 1982. *Sl. No. 34.*
2. Subs *sl. no. 35 (c)*

(d) enquire generally into the affairs of the market committee with a view to ascertaining whether the same are being satisfactorily administered, and for the purposes of such inquiry make use of any property of the committee, and exercise the powers mentioned in clauses (a), (b) and (c) of these rules; and members, officers, and servants of the committee shall render such assistance in the inquiry as the persons making the inquiry may deem necessary.

(2) The Officers mentioned under sub-rule (1) may record in writing for the consideration of any market committee such observation as he may think proper in regard to the proceedings, work or duties of the said committee.

(3) Every market committee shall submit such report, to the Director General or any other officer or authority specified by him.]

54. *Preservation of Records.*—The records of the committee shall be preserved for the period noted against each in the Schedule:—

3 [35: Add to Page 54 and
666

SCHEDULE

No. of form	Description.	period.
1	2	3
1	Budget	5 years.
2	.. General Cash Book.	.. Permanently.
3	.. Establishment Bills	.. 35 years.
4	.. General Bills	.. 3 years.
5	.. Balance Sheet	.. 10 years.
5-A.	.. Ledger	.. 10 years.
6	.. Register of Deposits	.. Permanently.
D f	.. Application Form	.. 3 years.
E	.. Licence Form	.. 3 years.
H.-A.	.. Registers for daily Purchases and Sales.	.. 1 years after audit.
I	.. Receipts	.. 3 years.
J I	.. Register of Sale and Purchase of Agricultural Produce.	.. 10 years.
K	.. Register of Licences	.. 10 years.
	P.F. Register	.. 10 years or till accounts to which it relates are closed

1. Subs. by No. 801X-Reg (34600) 11/24-79 dt 6-6-82 Item No. 357
 2. words "to be amended" deleted
 3. P.F. Register
 4. Item No. 357

1	2	3
	Service Book of Employees	.. 5 years after death or retirement which ever is earlier.
	Register of Proceedings of the committee or sub-committee.	Permanently.
	Cheque Books. ..	10 years.
	Pass Books ..	10 years.
	T. A. Bills ..	3 years.
	Lease Deeds ..	10 years from the date they cease to have effect.
	Security Bonds ..	10 years from the date they cease to have effect.
	Treasury Challans	3 years.
	Imprest Account Register. ..	3 years.
	Attendance Register	1 years.
	Movable Property Register	10 years.
	Library Register	10 years.
	Demand and Collection Register	10 years.
	Register of Stamps	3 years.
	Stock Registers	10 years.
	Register of Court Cases	10 years.
	Investment Registers	Permanently.
	Files about the appointment, removal and dismissed of employees	35 years.
	Other record which the committee may decide to preserve for more than three years.	Such period (not less than 10 years) as may be prescribed by the Committee.
A	.. Application for the grant of a	3 years.
* Licence	under rule 6(1) under rule 6(1) ..	3 years.
B	.. Application for the grant of a licence for the purchase and Sale of agricultural produce under rule 6(4)	3 years.
B-A	.. Application for the renewal of a licence for the purchase and sale of agricultural produce	3 years.

1. Deleted by No. 301X-Res (S+GAD) 11/24-79 dt 6-6-82

55. *Board of Arbitrators.*—(1)* Government shall by notification constitute a Board for any notified area.

(2) The Board shall consist of six persons as members thereof one of whom shall be a chairman provided that the Chairman and two members shall be appointed from amongst the growers and one member each from the person licensed under Section-6 & 9.

(3) The Secretary shall act as the Secretary of the Board.

(4) The term of the office of the Board shall be for period of three years commencing on such date as may be specified in the notification said of members notification, the period of three years shall be reckoned from the date of the notification.

(5) If on the expiry of the term of the office of a Board, no new Board has been appointed, the old Board, shall continue to perform its functions till a new Board is appointed by the Government.

(6) Government may at any time by notification remove the Chairman or a member appointed under these rules who in its opinion is guilty of misconduct or negligence of duty or has been appointed in violation of these rules or has lost the qualifications on the strength of which he was appointed or whose continuance in office is otherwise not desirable, provided that no action shall be taken without providing to the person concerned an opportunity of being heard.

(7) The Chairman or a member appointed under these rules may resign his office by tendering resignation to Government.

(8) A casual vacancy in the Board shall be filled in accordance with provisions of sub-rule (4) and the person so appointed shall hold office for the remaining term.

56. *Function of Board of Arbitrator.*—(1)* Where any dispute arises between a buyer and seller of any agricultural produce of any kind including disputes regarding the quality or weight or price of an agricultural produce, allowances of wrapping for containers, for dirt or for impurity or about deductions to be affected due to any reasons or in regard to unfit bargain (Mudda), the aggrieved party may refer the dispute to the Board;

Provided that the Board shall not entertain any dispute pertaining to unfixed bargain (Mudda), where a written agreement has not been executed between the buyers and sellers.

*Inserted by the Government Notification No. SOIX-Reg:(S&CAD)11/24-79, dated 6th June 1982.

(2) The aggrieved party shall submit a written application on a judicial paper bearing court fee stamp of five rupees addressed to the Chairman of the Board giving therein the name or names of the other party to the dispute, the cause of the dispute and the nature of relief claimed.

(3) The following rate of fees shall be payable by the party referring the dispute to the Board:—

(a) For dispute relating to Monetary transactions, two paise per rupee on amount upto Rs. 25,000/- and four paises per rupee on amount exceeding Rs. 25,000/-;

(b) For any other dispute a fixed fee of five rupees, shall be payable;

(4) If a question arises whether any dispute is a Monetary transaction the decision of the Board shall be final.

(5) On receipt of the application the Board shall fix a date for the hearing of the case and shall summon the other party and the witnesses alongwith necessary documents, if any, in accordance with sub-section (2) of Section-22-A.

(6) On the date fixed for the hearing of the case or on any subsequent date to which the case may be adjourned by the Board, the Board shall proceed to hear the parties and examine the witnesses and the documents produced by them, provided that no case shall be adjourned for a period longer than 15-days.

(7) After hearing the parties and examining the witnesses and documents, if any, the Board shall announce its decision immediately or on any date fixed by it.

(8) If any party fails to appear before the Board without any reasonable cause, the Board may dismiss the application for non-appearance of the aggrieved party or may decide it ex-party if the other party is absent.

(9) Any party aggrieved by an order under sub-rule (8) may within 30-days of such orders move the board for the reversal of the order and if the Board is satisfied that the non-appearance of the party was for good and sufficient reason it may set a side the order.

(10) The Board shall make every endeavour to ensure that the dispute is decided within one month of its reference to it.

(11) All proceedings and decisions of the Board shall be in writing and a regular record thereof shall be maintained by the Board.

(12) Every proceeding before the Board shall be deemed to be a judicial proceeding within the meaning of Section 193 and 228 of Pakistan Penal Code.

(13) A meeting of the Board shall be called and presided over by the Chairman.

(14) The Board shall be competent of order the costs involved in the case to be borne by the parties individually or jointly in the proportion fixed by it.

(15) No Lawyer shall be engaged, provided that a person who is unsound mind or otherwise unable to appear before the Board may be represented by the authorised agent.

57. *Monthly Statements to be Submitted by the Board.*—Every market committee shall submit to the Director General a monthly statement showing the total number of the disputes and the nature thereof referred to the Board and decided by it during the ~~preceding~~^{preceding} month.

*58. *Income and Expenditure of the Board.*—(1) The income of the Board shall be credited to the market committee fund.

(2) All expenses of the Board shall be met from the market committee fund.

(3) The Chairman and member of the Board shall be entitled to such travelling and daily allowance as are admissible to the Chairman and members of the market committee concerned.

*59. *Disputes relating to another market area.*—If a dispute relates to an other notified market area, the Chairman of the Board shall forward the same alongwith the fee if any paid by the party to the Board concerned.

*60. *Inspection of Record.*—(1) The record of the Board may be examined by the party concerned on payment of a fee of rupees ten only.

(2) A copy of the following documents may be obtained from the Board by the party concerned on the payment of the fee mentioned against each:—

(i) Copy of application.	...	Rs.	5.00
(ii) Copy of the Written reply.	...	Rs.	10.00
(iii) Copy of statement of Witness.	...	Rs.	5.00
(iv) Copy of any order passed by the Boards.	...	Rs.	10.00
(v) Copy of Decree.	...	Rs.	10.00

*Inserted by Government Notification No. SOIX-Reg:(S&GAD)II/24-79, dated 6th June, 1982.

61. *Fair Price Shops.*—(1)* A market committee may, and if required by the Director General, shall provide funds in its annual Budget for the purchase and storage (including storing in cold-storage) of such agricultural produce as may be specified by the Director General for resale to growers and consumers through the fair price shops on nominal profit fixed to growers market committee.

(2) The Secretary shall maintain or caused to be maintained a separate record of accounts of the fair price shops which shall be subject to audit.

(3) Market committee shall submit the monthly return of purchase, sales and others to the Deputy Director, who shall after scrutinizing submit the same to the Director General for record.

62. *Duties and Powers of Secretary of Market Committee.*—(1) *The Secretary shall be the Executive Officer of the market Committee and shall be responsible for day to day working of the office of the market committee and maintenance of its record, accounts and assets in accordance with the Act, rules and Byelaws.

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

(3) The Secretary shall attend all meetings of the market committee or a sub-committee unless his presence is dispensed with by the market committee or as the case may be by the sub-committee.

(4) The Secretary shall advise the market committee and its Chairman in the light of the provisions of the Act, rules and Byelaws framed thereunder and directives of Government given by it from time to time.

(5) The Secretary handling Cash shall deposit cash security amounting to Rs. 2,000.00 and shall also furnish a personal security in the sum of Rs. 5,000.00.

63. *Classification of Market Committees.*—(1) *The market committee shall be classified by the Government by notification in the official gazette on the basis of their average annual income during the last three years as below:

Class 'A' = A market committee with an annual income of ¹[0.25] Million Rupees or above.

Class 'B' = A market committee with an annual income exceeding ¹[0.250] Million but not exceeding ¹[0.25] Million rupees.

Class 'C' = A market committee with an annual income exceeding Rs. 50,000 but not exceeding Rs. 0.4 Million.
¹[0.15 million] ¹[0.25]

*Inserted by Government Notification No. SOIX-Reg: (S&GAD)II/24-79, dated 6th June, 1982.

1. Subs. by Industries & M.D.D. Notification No 50. III/12-23/85

Class 'D'—A market committee having an income of less than 50,000 rupees.

(2) A market committee of Class 'A' shall consist of eighteen members while market committees of class 'B', 'C' and 'D' shall consist of ten members.

(3) All newly established market committees shall initially be placed in Class 'D'.

64. *Appointment of Necessary Staff of Pool fund Committee.*—The Sind Market Committee employees services rules shall be applicable to the staff of Pool Fund Committee.

65. *Audit of Market Committees 'Pool Fund' Accounts.*—The audit of market committees 'Pool Fund' accounts shall be conducted by the Director Local Fund Audit, Sind, annually on the payment of Audit Fee approved by Government.

66. *Procedure to Apply for Grant in Aid/Loans by the Market Committee.*—The application by a market committee to the 'Pool Fund Committee for Grant in Aid or Loan shall contain the following particulars:—

- (a) Statement of Balance Sheet of last three years.
- (b) Reasons for short fall in income.
- (c) Income and Expenditure of the current year alongwith Budget Statement.
- (d) Current statement of Bank Balance.
- (e) Site Plan proposed/approved sketch plan of the Project.
- (f) Feasibility report of the project.

67(1) No feeder market shall be established except under the permission of the Director General, Bureau of Supply & Prices, Sind.

(2) A market committee or any person through the market committee may make an application to the Director General, Bureau of Supply & Prices, Sind, for establishing a feeder market giving full - details of the site where such market is intended to be established and the Director General, Bureau of Supply & Prices, Sind or his representative shall inspect the site and accord approval.

LICENCE FOR
KIND OF LICENCE

GROUP-A.

... FEE Rs. 200.00

Cotton Ginning and Pressing Factory, Oil Mill, Textile Mill, Ghee Mill, Rice Mill (Sheller ~~& Huller~~), Importer and Exporter of Agricultural producer, Sugar Mill. Purchaser of Agricultural produce on behalf of Mill, Dairy & other such concern dealing in agricultural Produce, Wool Factory, Jute Factory, Tannery, Flour Mill, ~~[Milk Plant]~~ Tobacco wholesale dealers, Fruit Processing Industry, Soap Factory, Roti Plant, Cold Storage, Refrigerator Plant, ~~[Bone Processing Factory, Tea Leaves & Dust Processing Plant]~~.

GROUP-B.

... FEE Rs. 100.00

Commission Agent of Grain Market, Vegetable and Fruit Markets, ~~[Wood, Bone]~~ Hide & Skin Merchants, Wholesale Kirana Merchants, ~~[Wholesale Firewood Merchants]~~ Live Stock Dealer, Poultry Dealer, Cotton Seed & Oil Cake Wholesale dealer, Wholesale Fodder Dealer, Baker Atta Machine, ~~[Chakki, Rice Husking 'Chakki']~~ Pulses Processing Plant, Fish wholesale Merchants, Timber dealer, ~~[Saw Mill]~~ Wholesale Charcoal Dealer, Wholesale dealer of Dessi & Vegetable Ghee, Tea ~~[Leaves & Dust Depot & Wholesale dealer]~~.

5 [owners of Chakki or Rice Husking Mill

(Hullers), retailers of Kiryana, Fruit (dry),

Hides, Skins or fish, Kohluwala, Rehriwala

e &
Ex-
5
un-

dealing in Agricultural Produce]

GROUP-C.

FEE Rs. 20.00

Retailers of Karyanas, Fruit (dry), Meat (mutton & beef) Hides, Skin & Bones, eggs & Fish, Kohluwala, Rerrywala, Rehriwala dealing in agricultural produce and Karachi Gosht wala]

*Fees for Duplicate Copy of:

(a) Licence under section 6 or 9 in case of;

(Group 'A' ... Rs. 50.00

Group 'B' ... Rs. 25.00

Group 'C' ... Rs. 10.00

(b) Other Licences ... Rs. 5.00

*Inserted by Government Notification No. SOIX-Reg (S&GAD) II 24-79, dated 6th June, 1982.

1. deleted by nuffa no. MO/1(66)/83-24 dt 26.3.84 Item No 9(a)
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Penalty for Renewal of Licences after expiry of Previous Licences:—

(a) Licences under Section 6 or 9 in case of;

Group 'A'	... Rs. 25.00 per month.
Group 'B'	... Rs. 15.00 "
Group 'C'	... Rs. 10.00 "
Group 'D'	... Rs. 5.00 "
(b) Warehouseman	... Rs. 10.00 "
(c) Others	... Rs. 1.00 "

(a) Throughout the rules, except as amended or modified, for the words "Deputy Commissioner", the words "Commissioner in the case of the Karachi market committee and the Deputy Commissioner in any other case" shall be substituted.

(b) References to any Rule in the said Rules, unless expressly amended or modified, be construed as references to that rule as amended or modified by this Notification.

FORM A

Lic. No.

[Empty box for license number]

Application for grant of licence for

- (a) Setting up establishing or continuing or allowing to continue any place for purchase and sale of Agricultural Produce and or.
- (b) Purchase and sale of agricultural Produce.

Rule 6(1) of the Agricultural Produce Market Rules-1940.

In the office of the [Market Committee] Notified market area

(Here give the name of the Notified market area as set out in Govt. Notification under Section 4(1) of the Act).

(a) (i) Name of the applicant with (i) parentage caste, residence and address in full

(ii) Particulars of the place for which licence is applied for (here give the name or number of the street mohalla or sub division of the town where the place is situated and its number or other description sufficient to identify it.)

(b) If the applicant is a firm is it a hindu joint family firm or otherwise constituted and has it been registered or not.

(c) If the applicant is a firm give the name of all persons constituting it with parentage, caste residence and address in full of each.

(ii) Name of the managing proprietor or Manager of the firm.

Subs. for Deputy Commissioner vide no. 80A-Reg. (STGAD) 5/24/77 dt-6-6-93

- (d) Name or style under which the applicant will work.
- (e) Whether the applicant or where the applicant is a firm any member thereof whether singly or in collaboration with any body else holds a similar licence for any other notified market area? If so, which?
- (f) Has the applicant or where the applicant is a firm has any member thereof singly or in collaboration with any body else been granted a dealer his licence in any notified market area in the province and has such licence been suspended or cancelled? If so, when and for what?

Certified that the facts set out in the application are true to my knowledge except paragraph..... which are true to my belief based on information supplied by.

Signature of the person making the verification with date and place of so doing.

(Signature of applicant with date)

Notis. - W

FORM 'B'

Licence for { Setting up, establishing or continuing or allowing to continue any place for the purchase and sale of agricultural produce and/or

~~Licence of~~ Sale and purchase of agricultural produce.

~~[Rule 6 (4) of the Agricultural Produce Market, Rules 1940]~~

Notified market area for which the licence is granted.	No. of licence.	Particulars of the place for which licence is granted.	Name, parentage caste residence and address in full, of the licensee	Date from which the licence takes effect	Date on which the licence expires	Any additional condition under which the licence is granted.	Fee paid.	Remarks.
1	2	3	4	5	6	7	8	9

(Date and place of Office of issue)

(Signature of the Officer issuing the licence with designation)

Deleted by Nafm. no. SDIX-Reg (546AD) 11/24/79 dt 6-6-93.

Agricultural Produce Market Rules, 1940.
 FORM C ~~C~~ (SECOND LEAF)
 (Second Leaf)
 RENEWAL OF THE LICENCE

Date of renewal.	Date from which renewal takes effect.	Date of Expiry.	Fee Paid.	Remarks.	Signature of the renewing authority with designation.
1	2	3	4	5	6

ORDER PASSED UNDER SECTION 16 (5) OF THE ACT.

Serial No.	Date of Order.	Nature of the Offence	Substance of the order.	Name and designation of the officer making the order	Signature of the officer making the order	Remarks.
1	2	3	4	5	6	7

Subs. by Lic. Auth. Ref. No. 8017-Reg (S+GAD) 11/24/79. dt 6-6-93

Conditions of the Licence

The licence is granted subject to the following conditions :—

1. The licensee shall comply with the provisions of the Agricultural Produce Markets Act, 1939, the rules framed thereunder, and the bye-laws of the market committee constituted for the area mentioned in column No. 1 of the licence for the time being in force.
2. The licensee shall not permit evasion or infringement of any of the provisions of the Act, the Rules and bye-laws mentioned under (1) above, and shall report in writing to the market committee any evasion or breach which comes to his knowledge.
3. The licensee shall surrender his licence, on demand, to the authority issuing or renewing it, or any authority competent to take action under sub-section (2) of section 6 of the Act, or the market committee of the area for which the licence is available.
4. The licensee shall conduct his business honestly according to the principles of fair dealing.
5. The licensee shall be liable to have his licence cancelled :—
 - (a) If he boycotts or encourages the boycott of any other Licensee, or
 - (b) If he resigns from membership of the market committee for any reason which is not sufficient in the opinion of the Government to justify such resignation, or
 - (c) For any other cause which is sufficient in the opinion of the Government to justify such cancellation.
6. A licensee shall intimate immediately to the market Committee, the date on which he suspends or gives up his business or profession, failing which he shall be black listed on the expiry of a period of grace of 7 days. If he wishes to start his business again in the same or some other market, he shall be allowed to do so on payment of a penalty prescribed in the Schedule.

FORM B-A

Application for the renewal of a licence for Purchase and sale of agricultural Produce.

Rule 45 (1) of the Agricultural produce Markets Rules-1940

In the office of the [market Committee]

1. Notified Market Area

(Here give the name of Notified Market area as set out in Govt. notification under Section 4 (1) of the Act.)

2. Name of the applicant with parentage caste, residence address in full and particulars of the place for which licence is issued.

3. Name of the managing Proprietor or Manager of the firm

4. Licence No.

5. Date on which the licence expires

6. Year of renewal

7. Fee Paid

8. Has the applicant, or where the applicant is a firm has any member thereof singly or in collaboration with any body else been granted a dealers licence in any notified market area in the province and has such licence been suspended, or cancelled, if so when, where and for what?

Certified that the facts set out in the application are true to my knowledge except paragraph-----which are true to my belief being based on information supplied by.....

Signature of the person making the verification with date and place so doing (Signature of the applicant with date)

Verified and submitted to the chairman for renewal of the licence.

Secretary MARKET COMMITTEE.

FORM D

Application for the grant of a licence of Broker's, /Weighman's, surveyor's, ware-houseman's, Measurer's Changer's Borecatas and Roles.

Rule 23 (1) of the Punjab Agricultural Produce market Rules 1940)

In the Office of the Market Committee.

Notified Market Area

(Here give the name of the notified Market area as set out in the Governemtn no tification under section 4 (1) of the Act.)

- (a) Name of the applicant with parentage, caste, residence and address, in full

- (b) If the applicant is a firm, is it a Hindu Joint family firm, or other wise constituted, and has it been registered or not? -----
- (c) (i) If the applicant is a firm, give the names of all persons constituting it with parentage, caste, residence and address, in full of each -----

- (ii) Name of the managing proprietor or manager who will actually conduct the business. -----
- (d) Name or style under which the applicant will play his trade. -----
- (e) Does the applicant wish to be licensed as a broker // weighman / measurer / surveyour or warehouseman? -----
- (f) Has the licence, if any, granted previously to the applicant or if the applicant is a firm, to any member thereof, singly or in collaboration with any body else, for working as a broker, weighman, measurer, surveyor or warehouseman in this notified market area been cancelled? If so, when, and for what period? -----

Certified that all the facts set out in the application are true to my knowledge except paragraphs _____ which are, true to my belief, being based on information supplied by _____

(Signature of the person making the verification with date and place of so doing

(Signature of the applicant with date)

Note—(1) licence to work as weighman, measurer, or surveyor shall only be granted to individuals and not to firms.

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

FORM D-A

APPLICATION FOR THE RENEWAL OF A BROKER,S/WEIGHMNS
MEASURER,S/SURVEYOURS/WAREHOUSEMAN,S
LICENCE

(Rule 46(1) of the Agricultural Produce Market Rules 1940)

In the Office of the Market Committee, District

- (1) Name of the notified market area
for which the licence has been issued
- (2) Name of the applicant (with full particulars
of the place of business
- (3) Name of the Managing Proprietor or the
manager of the firm, if any
- (4) Number of licence
- (5) Date on which the licence expires
- (6) Year for which renewal is requested
- (7) Fee paid Rs.
- (8) Has the applicant, or where in the case of a
Warehouseman, the applicant is a firm, has any
member thre of, singly or in collaboration with
any body else, been granted a licence for
working as a broker, weighman, measurer
surveyor or ware-houseman in any notified
market area in the Province, and has such
licence been suspended, or cancelled. If so,
when, where and for what peried

Certified that all the facts set out in the application are true to my know-
ledge except those in Pargraph which are true to my
belief, being based on information supplied by

Signature of the person making the
verification with date and
place of doing so.

Signature of the applicant
Date

Report by the Secretary of the Market Committee

Date

Orders of Cancellation or Suspension of the licence
(Rules 23 (3) of the Agricultural Produce Markets Rules, 1940).

1	2	3	4	5	6	7
Serial No.	Date of the order.	Nature of the offence.	Substance of the order.	Name and designation of the person making the order.	Signature of the person making the order.	Remarks.

FORM F

Application for the Sale, by Auction of Agricultural Produce
(Rules 28 (I) of the Agricultural Produce Markets Rules, 1940)

1. Market Committee
 2. Name, parentage, residence, address and licence No., if any, of the owner of Agricultural produce.
 3. Description of the agricultural produce
 4. Approximate quantity of the agricultural Produce.
- Date on which sale by auction may be held

I hereby apply for the sale, by auction, of the above mentioned agricultural produce, according to the provisions of the Agricultural Produce Market Act, the rules framed thereunder, and the byelaws of the market committee mentioned at No. 1 above, and agree to abide by the same.

(Signature of the applicant)

Date.....

Conditions of Licence.

This licensee is granted subject to the following conditions:—

(1) The licensee shall comply with the provisions of the Agricultural Produce Markets Act, 1939, the rules framed there-under, and the byelaws of the market committee issuing the licence, for the time being in force.

(2) The licensee shall not permit evasion or infringement of any of the provisions, rules, and byelaws mentioned under (1) above, and will report in writing to the market committee any evasion or breach which comes to his knowledge.

(3) The licensee shall surrender his licence on demand to the market committee of the area for which the licence is available.

(4) the licensee shall conduct his business honestly according to the principles of fair dealings.

(5) Where the licensee is a warehouseman, he shall maintain the warehouse in such a way that the produce stored in the warehouse, shall not be damaged by rain, damp, rodents, birds, or insects.

(SECOND LEAF)

Renewals of the Licence

1	2	3	4	5	6
Date of renewal	Date from which renewal takes effect.	Date of expiry.	Fee paid.	Remarks.	Signature of the renewing authority with designation

FORM E

Licence to a Broker/Weighman/Measurer/Surveyor/Warehouseman/
Changer/Palfadar/Boriota and Rola.

(Rule 23 (f) of the Agricultural Produce Markets Rules 1940)

1	2	3	4	5	6	7	8	9
Notified market area for which the licence is granted.	No. of the Licence.	Is the licence for working as a Broker, weighman, measurer, surveyor or warehouseman.	Name, Parentage, caste, residence and address of the licence, with name or style under which he is to work.	Date on which the licence takes effect.	Date on which the licence expires.	Any additional condition under which the licence is granted.	Fee paid.	Remarks.

Date and place of issue.

(Signature of the Chairman or other official of the
market committee authorized to sign).
(Seal of the market committee)

(To be filled by the committee's office)

1. Monthly serial No. of the application.....
2. Auctioneer deputed.

Signature of the member of the market committee deputed the auctioneer with date

(To be filled by auctioneer)

1. Date of auction
2. Time of auction: from to.....
3. Name, parentage, caste, residence, address and licence No. if any, of the buyer.
4. Rate at which agricultural produce sold.
5. Total sale price to be paid by the buyer

Date.....

Signature of the auctioneer.

FORM G

Auction Form

(Rule 28 (4) of the Agricultural Produce Markets Rules, 1940).

Name of the Market.....

Auction of agricultural produce described in application No.....

..... belonging to held on

at auction depot No.....

Name of the bidder, with parentage, caste, residence and licence number, if any-

1 to 10

Signature of the bidder whose bid is accepted

Bid made.

Auction started at..... a.m./p.m.

Auction closed at..... a.m./p.m.

Signature of the auctioneer.....

Signature of the broker, if any, with licence No.....

Signature of the seller

Signature of the buyer.....

Signature of the committee's servant, if any

FORM-H

Receipt Book of Firm

Licence No.....

(1) Name, parentage, caste, residence and full address of the owner of the agricultural produce.

(2) Name, parentage, caste, residence and full address or licence No., if any of the buyer.

(3) Nature of agricultural produce sold

(4) Total weight of agricultural produce sold.

(5) Rate at which sold.

(6) Total value of agricultural produce sold.

(7) Adjustment of weight

(8) Details of expenses and other charges.

Date and Singnature of the
Commission agent/buyer.

N.B.—The above form will have its foil and counterfoil.

The Columns under "Receipt foil" will exactly be the same as those under "Receipt counterfoil".

FORM H-A

Return of Daily Purchases and Sales

(Rules 30 (1) of the Agricultural Produce Markets Rules 1940)

Date.....Market Committee.....

Name of dealer

No. of licence.....

Serial No.	Commo- dities	Purchased		Sold		Remarks.
		Total weight	Rate of purchase	Total weight	Rate of Sale	
1		3	4	5	6	7

FORM 1

Counterfoil of Receipt

(Rules 29 (6) of the Agricultural Produce Market Rules 1940).

Notified Market Area.....

Market Committee

Book No.....Receipt No.....

Date of Payment.....

Amount Paid.....

Nature of payment

Name, parentage, caste, residence

or licence No., if any, of the person

on whose behalf the payment is

made

.....

Name and designation of the person

receiving payment.....

Signature of the person receiving

payment

Initials of the checking authority

with the date of so doing.....

FORM 1.

Receipt for Money Paid

(Rules 29 (6) of the Agricultural Produce Market Rules 1940).

Notified Market Area

Market Committee

Book No.....Receipt No.

Date of payment

.....

Amount paid

Nature of payment

Name, parentage, caste, residence

or licence No., if any, of person on

whose behalf the payment is made

.....

Name and designation of the person

receiving payment

Signature of the person receiving

payment

L (iv) 156-11

Register of Licences issued under Section 6/Section 9 of the Agricultural Produce Market Act, 1939 (Act V of 1939)

[Rule 44 (1), and Rule 45 (1) of the Agricultural Produce Markets Rules, 1940].

Notified Market Area.....Market Committee Year....

Date and month.	Serial No.	Grant of licence.					Renewals.			Order under Section 6 (2) of the Act.		Remarks.
		Name, parantage, caste residence and address of the licensee.	Nature of licence.	Date from which the licence takes effect.	Date on which the licence expires.	Fee recorded.	Date of renewal.	Date from which the renewal takes effect.	Date on which the renewed term expires.	Fee recorded.	Signature.	
1	2	3	4	5	6	7	8	9	10	11	12	13

Agricultural Produce Market Rules, 1940.