



**Bye-Laws of
the Assam State Agricultural Marketing Board :
Guwahati**

1. Short Title:-

The name of these Bye-laws are “The bye-laws of the Assam State Agricultural Marketing Board”. These Bye-laws are framed under the provisions of the Section 3(14) of the Act and Rule-7.

2. Commencement :-

The Bye-laws, shall come into force immediately.

3. Object :-

- (1) Implementation of the provisions of the Act for better regulations of buying and selling of notified agricultural produces in the State.
- (2) To provide infrastructural facilities in each Regulated Market after acquisition of land with amenities like Godown, Auction platform, Traders’ Shops, Retailers’ Shop, Rest House for Farmers, Bank, Post Office and Jute Bailing press etc.
- (3) General improvement of marketing efficiency and to enforce discipline amongst the trading community and other market functionaries by introducing the licensing system.
- (4) To give aid to financially weak Market Committees in the form of grants and loans.
- (5) Propaganda and publicity, on matters relating to Regulated Marketing of Agricultural Produces.
- (6) Grading and Standardisation of Agricultural Produces.
- (7) Training of officers and staff of the Market Committees on Regulated Markets of Agricultural Commodities.
- (8) For promotion of the interest of the Committees and for general improvement of the marketing of agricultural produces and the agriculture in general to safeguard the interest of the growers as well as the licensees.
- (9) For adoption of policies to facilitate control over the Market Committees.

4. Definitions :-

In these Bye-laws, unless there is anything repugnant in the subject and subject to the provisions of the Act and Rules-

Bye-laws of the Assam State Agricultural Marketing Board

- (1) 'Act' means the Assam Agricultural Produce Market Act, 1972 (Assam Act XXIII of 1974).
- (2) 'Rules' means the Assam Agricultural Produce Market (General) Rules, 1975.
- (3) 'The Board' means the Assam State Agricultural Marketing Board established and constituted under Section 3 of the Act.
- (4) 'Chairman' means the Chairman of the Board.
- (5) 'Director' means the Officer appointed by the State Government to discharge all or any of the functions of the Director under the Act.
- (6) 'Bye-laws' means the Bye-laws made under Section 3 (14) of the Act and Section 7 of the Rules.
- (7) Words and expressions defined in the Act and the Rules shall have the same meaning in these Bye-laws as have been assigned under the Act and the Rules.

5. Time and Place of the meeting of the Board :-

- (1) The meetings of the Board may be held as often as considered necessary for transaction of business at time date and place fixed by the Chairman.
- (2) The meeting of the Board shall ordinarily be held in the office of the Board at least once in 45 days.
- (3) A meeting of the Board may also be held in any place within the operation of any Market Committees.

6. Notice of meeting :-

Notice of every meeting of the Board along with Agenda shall be issued by the Chief Executive Officer of the Board with the approval of the Chairman at least 10 days before the date of the meeting.

7. Conduct of the meeting :-

- (1) No matter should be included in the Agenda of a meeting of the Board without the approval of the Chairman. If any member wants to discuss matters not included in the Agenda of a meeting he should obtain approval of the Chairman.

- (2) The decisions of the meetings of the Board shall be recorded in the Proceeding Book by the Chief Executive Officer of the Board and copies of the proceedings shall be forwarded to the members within 10 days of the date of the meetings.
- (3) Subject to the provisions of the Act, Rules and the Bye-laws, all matters shall be decided by the majority of the members present. In case of difference, the Chairman may put the matter to votes and in case of equality of votes the Chairman may exercise a casting vote.

8. Powers of the Board :-

- (1) Subject to the provisions of the Act, Rules and Bye-laws, the Board shall have full authority to carry on the Business of the Board.
- (2) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board shall be the competent authority for according sanction of any expenditure on each item provided such items of expenditures are in the sanctioned budget.
- (3) The Board shall exercise supervision and control over the Market Committees.
- (4) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may appoint Sub-Committee or Committees consisting of such members of the Board and any other expert, if necessary, for such business of the Board as the Board may decide. The recommendations of the Sub-Committee/Committees shall have to be placed in the meeting of the Board for approval.
- (5) Subject to the provisions of the Act, Rules and the Bye-laws, the Board may appoint such persons for implementation of the day to day functions of the Board and allow them such emoluments as considered necessary and may suspend, remove, dismiss or otherwise punish any person so employed.
- (6) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may sanction grants/subsidies or loans to the financially weak or any other Market Committees.
- (7) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may open Bank Accounts with the State Bank of India or any nationalised Bank/Scheduled Banks/Assam Co-operative Apex Bank Ltd/Gaonlia Banks.
- (8) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may also employ retired persons not exceeding 60 years of age.

- (9) Subject to the provisions of the Act, Rules and the Bye-laws, the Board may make service Rules, CPF Rules, Gratuity Rules and Leave Rules, provided, approval of the State Government, if necessary, is obtained.
- (10) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may grant advances to the employees of the Board for construction of Houses, purchase of Vehicles and conveyance and festival advances considered reasonable to be realised in monthly equal instalments as fixed by the Board;
- Provided sufficient securities are furnished by the employees. For festival advances securities shall be furnished by the temporary employees.
- (11) Subject to the provisions of the Act, Rules and the Bye-laws, the Board may decide the amount of Security to be realised from its employees by the Board and the manner by which the Security Deposit will be accepted.
- (12) The Board may classify the Market Committees as 'A', 'B' and 'C' on the basis of their internal income confirmed by the Audit and performance of the Committees.
- (13) The Board may constitute Advisory Committee(s) in a notified Regulated Market Area to advise the Market Committees for effective implementation of the provisions of the Act.

9. Assignment of duties and powers of the Board to its Chairman, the Chief Executive Officer or the persons employed by the Board :-

- (1) Subject to the provisions of the Act, Rules and the Bye-laws, the Board may authorise the Chairman or the Chief Executive Officer of the Board to enter into agreement relating to purchase and lease of any land, premises owned by the Board.
- (2) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may authorise the Chief Executive Officer of the Board to make running payments for construction works, purchase of machineries, tools, Plants, acquisition of lands with approval of the Chairman;
- Provided the expenditures are sanctioned by the Board and there are provisions in the sanctioned budget.
- (3) The Board may authorise the Chief Executive Officer of the Board to enter into Agreements with the contractors and suppliers.

- (4) Subject to the provisions of the Act, Rules and the Bye-laws, the Board shall delegate the power to the Chief Executive Officer of the Board to make payment not exceeding Rs. 20,000/- at a time as grants-in-aid to each of the Market Committees;

Provided there are provisions in the sanctioned budget of the Board.

- (5) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may authorise the Secretary of the Board to keep a sum not exceeding Rs. 500/- in the Impress Account of the Chief Executive Officer.

- (6) The Board may authorise the Chief Executive Officer of the Board to operate the Bank Account on behalf of the Board.

- (7) The Board may authorise the Chief Executive Officer of the Board to open term deposit account and keep funds in the term deposit accounts with State Bank of India or any other Nationalised Banks or Scheduled Banks or the Assam Co-operative Apex Bank Ltd. Or Gaonlia Banks.

- (8) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may authorise the Chief Executive Officer of the Board to institute, defend or compromise legal proceedings.

- (9) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may authorise the Chief Executive Officer of the Board to arrange for insurance against loss of Godowns and other buildings, agricultural produce stored in the Godowns of the Board and the Market Committees.

- (10)The Board may authorise the Chief Executive Officer of the Board to depute employees of the Board for supervision and inspection of the business of the Market Committees.

- (11)The Board may authorise the Chief Executive Officer of the Board for transfer and posting of any employees of the Board and the Market Committees in the interest of the public service;

Provided prior approval of the State Government is obtained in case of deputed Officers.

- (12)The Board may authorise the Chairman of the Board to depute temporarily any employees of the Board or Market Committees to act as Secretary of the Market Committees in absence of the Secretary of the Market Committees.

10. The procedure for giving aid to financially weak Market Committees :-

- (1) Financially weak Market Committees shall submit proposals for giving financial assistance in the form of grants/subsidy/loan to the Board not later than the 31st of January preceding the year for which the grant are needed.
- (2) Market Committees shall submit statements substantiating the requirement of grants/subsidy/loans along with the proposals.
- (3) Grants/Subsidy/Loan to the Market Committees shall be paid in instalments not exceeding Rs. 20,000/- at a time.
- (4) Fresh grants/subsidy/loan may be paid to the Market Committees after receipt of the utilisation certificate of previous grants/subsidy/loan granted to the Market Committees concerned.
- (5) The amounts of proposed grants/subsidy/loan to be granted to the Market Committees shall be incorporated in Budgets of the Board and the Market Committees.
- (6) Grants/Subsidy/Loan may be granted to the Market Committees in cash or kind.
- (7) The Board may alter the nature of aid as and when considered necessary.

11. Functions and duties of the Chairman :-

- (1) Subject to the provisions of the Act, Rules and the Bye-laws, the Chairman shall exercise overall control, supervision and inspection of the Board and the Market Committees.
- (2) The Chairman shall approve the tours of the Chief Executive Officer of the Board and shall pass his T.A. Bills.
- (3) Subject to the provisions of the Act, Rules and the Bye-laws, the Chairman may delegate any power to the Chief Executive Officer of the Board.
- (4) Subject to the provisions of the Act, Rules and the Bye-laws, the Chairman shall sign the licences issued to the Market functionaries.
- (5) Subject to the provisions of the Act, Rules and the Bye-laws, the Chairman may entrust his duties to any of the members of the Board to act on his behalf.

12. Functions and duties of the Chief Executive Officer of the Board :-

- (1) Subject to the provisions of the Act, Rules and the Bye-laws, the Chief Executive Officer of the Board shall act as Head of office of the Board.

Bye-laws of the Assam State Agricultural Marketing Board

- (2) The Chief Executive Officer of the Board shall exercise control over the employees of the Board and the Market Committees.
- (3) The Chief Executive Officer of the Board shall supervise and direct the day-to-day business of the Board in accordance with the decisions of the Board.
- (4) Subject to the provisions of the Act, Rules and the Bye-laws, the Chief Executive Officer of the Board shall appoint grade-IV employees of the Board.
- (5) Subject to the provisions of the Act, Rules and the Bye-laws and subject to the observance of formalities, the Chief Executive Officer of the Board shall appoint the L. D. Assistants, Typists, Mohorrars, Drivers for the Board and the Market Committees till the Market Committees are well established.
- (6) Subject to the provisions of the Act, Rules and the Bye-laws, the Chief Executive Officer of the Board shall make disbursement and obtain vouchers and receive payments and issue receipts in accordance with the decisions of the Board.
- (7) The Chief Executive Officer of the Board shall keep all accounts and registers required under Rules.
- (8) The Chief Executive Officer of the Board shall place before the Board the audit reports and replies thereof with prior approval of the Chairman.
- (9) The Chief Executive Officer of the Board shall guide, supervise and control the works of the salaried Staff and Officers of the Board and do all other works which may be entrusted to him by the Board.
- (10) In absence of the Chief Executive Officer, the Board may authorise any person to perform his routine duties.
- (11) Money receipts passed on behalf of the Board shall be signed by the Chief Executive Officer of the Board.
- (12) Notwithstanding anything contained in the Act, Rules and Bye-laws, the Chief Executive Officer of the Board may delegate any of his powers and duties to one or more employees of the Board and the Market Committees with the approval of the Chairman.
- (13) The Chief Executive Officer of the Board shall record the proceedings of the meeting of the Board and the Sub-Committee in the minute book and send copies of the minutes to the members of the Board/Sub-Committee.

- (14) The Chief Executive Officer of the Board shall sign the Cash Book of the Board in token of the balance being correct and verify the cash balance by actual counting at least once in a month.
- (15) The Chief Executive Officer of the Board shall prepare brief Agenda Notes and obtain approval of the Chairman before circulating amongst the members.
- (16) The Secretary of the Board shall prepare replies on the correct information sought by any member of the Board.

13. The allowance payable to the Non-Official members of the Board, Market Committees, Advisory Committees and Sub-Committees :-

- (1) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may allow payment of T.A. and D.A. to the Non-Official members and the Chairman of the Board for tours at the rates noted below :-
 - (a) T.A. :- As admissible to the Senior Grade Officers of the State Govt. in force from time to time.
 - (b) D.A. :- Rs. 30/- per day or more as the Board may decide.
- (2) Notwithstanding anything contained in the Act, Rules and Bye-laws, the Board may allow a monthly allowance to the Non-official Chairman and Vice-Chairman of the Market Committees of Rs. 300/- and Rs. 150/- respectively.
- (3) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Board may allow payment of a sitting fee of Rs. 25/- for the day of meetings to the Non-official members of the Market Committees.
- (4) Subject to the provision of the Act, Rules and the Bye-laws, the Board may allow a daily allowance of Rs. 50/- to the Non-official members and the Chairman of the Board, on days of the meetings of the Sub-Committee(s).
- (5) Subject to the provisions of the Act, Rules and the Bye-laws, the Board may allow payment of T.A. and D.A. to the Non-official members and the Chairman of the Market Committees as admissible to the First Grade Officers of the State Government.
- (6) Notwithstanding anything contained in the Act, Rules and the Bye-laws, the Secretary of the Board shall pass the T.A. bills of the Non-official Chairman of the Market Committees.

14. Maintenance and Regulation of the Guest House, Staff quarters, Residential quarters and other buildings of the Board :-

- (1) The Board may construct infrastructure facilities in the Market Yards as per Master Plans observing the necessary formalities.
- (2) The Board may construct and maintain Residential quarter for the Chairman and the Secretary of the Board, Office Building of the Board, Guest House and the Staff quarters and acquire necessary premises for the purpose.
- (3) The Board may prescribe terms and conditions for maintenance and regulation of the Guest House/Rest house/Staff quarters/Residential quarters and other buildings of the Board and the Market Committees.
- (4) The Board may employ persons to look after the Guest house/Rest house of the Board and the Market Committees and pay such remunerations as it thinks fit.
- (5) The Board shall provide a free furnished residence to the Chairman of the Board.
- (6) The Board shall provide accommodation in the Guest House of the Board to its members and also to the employees wherever possible on payment of seat rent at Rs. 2/- per day inclusive of all charges.
- (7) The Board may provide Staff quarters to its employees and charge rent as provided under the Rules of the Govt. of Assam for the purpose.

15. Propaganda, demonstration, Publicity and education for improvement of Marketing of Agricultural Produces :-

- (1) The Board may arrange education and training to the Market functionaries the growers and the licensees in a systematic manner through Newspapers, A.V. aids, lectures and group discussions as frequently as possible.
- (2) The Board may arrange exhibition and training on grading and auction of agricultural produce in the Principal and Sub-Market Yards conveniently.
- (3) The Board may arrange A.V. programme through Cinema shows and slides on various aspects of the Regulated Markets.
- (4) The Board may contract the All India Radio to arrange educative talk on Regulated Markets, Grading and Marketing Information as approved by the Market Intelligence of the Department of Agriculture from time to time.

Bye-laws of the Assam State Agricultural Marketing Board

- (5) The Board may announce the prevailing market prices of agricultural commodities as approved by the Market Intelligence of the Department of Agriculture with the aid of loud speakers in the Hats, Principal Markets and the Sub-Markets periodically.
- (6) The Board may take necessary assistance from the Department of Agriculture and the Department of Animal Husbandry and such other Government institutions considered necessary for extension activities.

16. Disputes :-

- (1) In case of any dispute with regard to interpretation of the Bye-laws the matters shall be referred to the Government whose decisions shall be the final.

17. Amendment :-

- (1) The Board may amend the Bye-laws from time to time and no amendment shall be made except in a meeting specially convened for the purpose where two third of the members of the Board are present.
- (2) The notice of such meeting shall be served to the members of the Board at least 15 days ahead of the date of the meeting along with the copies of the proposed amendments.
- (3) The amendment shall not take effect unless and until approved by the Government.

Sd/- B. C. Talukdar
Chairman,
Assam State Agricultural Marketing
Board; Bhangagarh, Guwahati-5

Sd/- J. P. Chakrabarty
Secretary,
Assam State Agricultural Marketing
Board; Bhangagarh, Guwahati-5

Approved
Sd/- R. Dutta
Secretary to the Govt. of Assam,
Agriculture Department,
26/10/81