

Abstract

Act - Tamil Nadu Agricultural Produce Marketing (Regulation) Rules 1991 - Amendments to Rules 24, 25, 27, 29, 30, 31 and 32 - Issued.

Agriculture (AM.3) Department

G.O. (Ms) No.69

Dated: 14.03.2018

திருவள்ளூர் ஆண்டு 2049
மாசித் திங்கள் 30-ஆம் நாள்

Read:

1. Tamil Nadu Act 8/2017 published in Tamil Nadu Government Gazette Extraordinary No.36, dated 17.02.2017.
2. From the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board Letter No.R/3909/2015, dated 27.01.2017.
3. Government Letter No.2037/AM.3(2)/2017-2, Agriculture, dated 03.03.2017.
4. From the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board Letter No.R/3909/2015, dated 08.08.2017.

ORDER:

Based on the amendments issued to Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 89) vide the Tamil Nadu Act 8 of 2017 and published vide reference 1st read above, the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board in his letter 2nd and 4th read above has requested to issue necessary amendments to Tamil Nadu Agricultural Produce Marketing (Regulation) Rules, 1991 and to notify the same for the purposes of enforcing the amendments made in the said Tamil Nadu Act 8 of 2017 except Section 6 thereof, without which the provisions of the said Act cannot be implemented.

2) The Government accept the above proposal of the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board and decided to amend rules 24, 25, 27, 29, 30, 31 and 32 of the said Tamil Nadu Agricultural Produce Marketing (Regulation) Rules, 1991 accordingly.

[p.t.o.]

3) The following Notification along with appended Forms shall be published in the Tamil Nadu Government Gazette:-

NOTIFICATION

In exercise of the powers conferred in sub-section (1) of section 52 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1989), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Agricultural Produce Marketing (Regulation) Rules, 1991.

AMENDMENTS

In the said Rules, -

(1) in rule 24, after sub-rule (2), the following sub-rule shall be added, namely:-

"(3) Every application for grant of a licence under section 8-A of the Act shall be in Form 1-A and subject to the conditions specified therein along with the copy of the receipt for payment of fee specified in rule 27 and sent to the Director through the concerned Market Committee.";

(2) after rule 25, the following rule shall be inserted, namely:-

"**25-A.** (1) The Director or the officer authorized by him shall grant a licence under section 8-A of the Act in Form 4-A and subject to the conditions specified therein.

(2) An officer authorized by the Director shall maintain register of licences issued in Form 7-A.";

(3) in rule 27, after sub-rule (6), the following sub-rule shall be added, namely:-

"(7) A licence fee of Rs.600 (Rupees six hundred only) shall be payable in respect of a licence specified in section 8-A of the Act for three years.";

(4) in rule 29,-

(i) after the expression "market committee", the expression "or the Director or the officer authorized by him, as the case may be," shall be inserted;

(ii) after the expression "Form 1 or 2", the expression "or 1-A" shall be inserted;

(5) in rule 30, after the expression "market committee", the expression "or the Director or the officer authorized by him, as the case may be," shall be inserted;

(6) in rule 31,-

(i) in sub-rule (1),-

(a) after the expression, "sub-section (6) of section 8", the expression "or sub-section (4) of section 8A" shall be inserted;

(b) after the expression "market committee", the expression "or the Director or the officer authorized by him, as the case may be" shall be inserted;

(i) in sub-rule 2, after the expression "market committee", the expression "or the Director or the officer authorized by him, as the case may be," shall be inserted;

(7) in rule 32,-

(i) in sub-rule (1), after the expression "sub-section (9) of section 8", the expression "or sub-section (7) of section 8-A" shall be inserted;

(ii) in sub-rule (2),-

(a) after the expression "sub-section (1) of section 8", the expression "or sub-section (7) of section 8-A" shall be inserted;

(b) after the expression "market committee", the expression "or the Director or the officer authorized by him, as the case may be," shall be inserted;

(8) after Form 1, the following Form shall be inserted, namely:-

“ FORM 1-A”

[see rules 24 and 29]

Court fee
stamp

Application for obtaining trader's licence for operating in the State

From

(Name and address of the applicant)

To

The Director of Agricultural Marketing and Agri
Business, Chennai, Tamil Nadu.

Sir,

I/We.....(Name).....(Address)..... am/are
making an application for a licence for operating as a trader in the State. I
agree to pay the necessary-license fee of Rs. /- per as per rules
for obtaining the above mentioned licence for a period fromto

Along with this application, I/We am /are enclosing the following documents,

1. Solvency Certificate.
2. Bank Guarantee.
3. Bank details:
Name of the bank, type of bank account, Account number,
name of the branch, IFSC Code etc., (certificate from the
concerned bank to be furnished)
4. Permanent Account Number (PAN).
5. GST Registration
6. Proof of address.
7. Status of the applicant Individual/Partners firm / company.

Declaration

- (1) I/We agree to abide by the Tamil Nadu Agricultural Produce
Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of
1989) and rules made thereunder and amendments made to
it from time to time and the directions or orders issued by
the Director of Agricultural Marketing and Agri Business,
from time to time.

[p.t.o.]

- (2) I/We agree to keep all the necessary records and information about the functioning of our business and to co-operate to produce whatever information and documents will be asked for inspection by the approximate authority.
- (3) I/We agree to pay whatever charges of fees or amounts liable and due from me/us legally.
- (4) I/We agree not to do business with persons doing illegal business and will co-operate in taking legal action against such persons.
- (5) I have not been guilty of any offence or misconduct in any of the market committees working under the Directorate of Agricultural marketing.
- (6) I am not a partner with any person to whom a license has been refused.
- (7) I have not applied for this license just to avail of advantages accruing there from.
- (8) I have not caused any disturbance hitherto for the smooth and healthy functioning of any market committee or entered into any disreputable or fraudulent transaction with any person in the State.

Signature of the Applicant

Witness:-

1. Name:
Address:
Signature:
2. Name:
Address:
Signature:

[p.t.o.]

(9) after Form 4, the following Form shall be inserted namely:-

FORM 4-A
[See rule 25-A]

Licence for operating as a trader in the State

License is hereby granted to (Name).....
(Address)..... (phone No.)..... hereinafter referred to as
the licensee on payment of fee of Rs..... **for operating in the State,
valid up to 31st march.....(Year)** subject to the provisions of the
Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil
Nadu Act 27 of 1989) and the Tamil Nadu Agricultural Produce Marketing
(Regulation) Rules, 1991, on the following conditions, namely:-

1. The licensee shall abide by the provisions of the said Act and Rules.
2. This license is not transferable.
3. This license may be suspended or cancelled in accordance with the provisions of the said Act and the rules made thereunder.
4. In the event of suspension or cancellation of this license, it shall be surrendered to the Director.
5. The licensee shall carry on business as a trader at any place in the State.
6. The licensee shall pay market fees as prescribed to the concerned Market Committee.
7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.
8. The licensee shall help the Director in preventing evasion of market fee.
9. The licensee after grant of license by the Director shall within a period of fifteen days inform about the authorized representative of the licensee who shall be responsible on his behalf.

10. The licensee shall maintain books, register and records in the manner required by the Director and as per rules and shall make them available for inspection to the Director or officer authorized by him.
11. The licensee shall furnish information and returns to the Director or officer authorized by him as may be required by him from time to time.
12. The licensee shall settle the price of agricultural produce in the manner provided for under the bye-laws of the Market Committee and shall issue account slips or purchase bills according to the provisions of the said Act.
13. The licensee shall, if the declared agricultural produce is bought through his agent or by him, pay to the seller the price of agricultural produces so bought on the same day.
14. The licensee shall not solicit or receive any fee or recover any charge.
15. The licensee shall not make or recover any trade allowance.
16. The licensee shall use at his cost only authorized weights and measures wherever required.
17. The licensee shall pay to the licensed weigh-men or measurer and hamals as per the provisions of the bye-law.
18. The licensee shall inform the Director or officer authorized by him of any change in the constitution of the licensee.
19. The licensee shall refer all his disputes in relation to the marketing of the declared agricultural produce in the manner provided under the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1989) and Rules, 1991.

Place:

Date:

Director of Agricultural Marketing
Tamil Nadu State
or the officer authorized by him ”;

[p.t.o.]

(10) after Form 7, the following Form shall be inserted, namely:-

"FORM 7-A

[See rule 25-A]

REGISTER OF LICENCES ISSUED FOR OPERATING IN THE STATE

Sl. No.	Name and address (both permanent and temporary).	Name and address of partner or shareholder, etc	Address/es of places of business/ Branch Office/s in the notified area.	Address/es of places of Business/ Branch Offices outside the notified area.	The details of agricultural produces.	Year to which applied for.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date of application for licence/ alteration/ additions, etc, (Please specify the purposes).	Cash receipt number and date.	Licence number assigned.	Date of serving the licence.	Remarks	Signature of the officer authorized by the Director
(8)	(9)	(10)	(11)	(12)	(13)

(BY ORDER OF THE GOVERNOR)

GAGANDEEP SINGH BEDI
Agricultural Production Commissioner
and Principal Secretary to Government

To
The Works Manager, Government Central Press,
Chennai-79

(He is requested to publish the Notification in Tamil Nadu Government Gazette and send 10 copies of Gazette to Government for reference and record)

✓The Commissioner of Agricultural Marketing and Agri Business, Chennai-32.

[p.t.o.]

The Chief Executive Officer,
Tamil Nadu State Agricultural Marketing Board,
Chennai-32.

The Special Officers / Secretaries of all Market Committees
(through Commissioner of Agricultural Marketing and Agri Business /
The Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board,
Chennai - 32)

The Director of Local Fund Audit, Chennai-108.

Copy to:

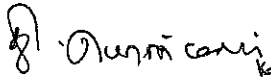

The Finance Department, Chennai-9.

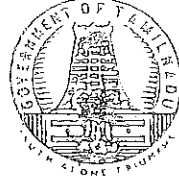
The Law Department, Chennai-9.

Agriculture (AM.I/AM.II) Department, Chennai-9.

SF/SC.

/FORWARDED BY ORDER/


SECTION OFFICER




Abstract

Act – Tamil Nadu Agricultural Produce Marketing (Regulation) Amendment Act, 2017 (Tamil Nadu Act 8 of 2017) – Bringing into force Notification – Issued.

Agriculture (AM.3) Department

G.O. (Ms) No.68

Dated: 14.03.2018

திருவள்ளூர் ஆண்டு 2049
மாசித் திங்கள் 30-ஆம் நாள்

Read:

- Spl.*
Put up
12/11/17
1. Tamil Nadu Act 8/2017 published in Tamil Nadu Government Gazette Extraordinary No.36, dated 17.02.2017.
 2. From the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board. Letter No.R/3909/2015, dated 27.01.2017.
 3. Government Letter No.2037/AM.3(2)/2017-2, Agriculture, dated 03.03.2017.
 4. From the Chief Executive Officer, Tamil Nadu State Agricultural Marketing Board Letter No.R/3909/2015, dated 08.08.2017.

ORDER:

The following Notification shall be published in the Tamil Nadu Government Gazette:-

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of Section 1 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Amendment Act, 2017 (Tamil Nadu Act 8 of 2017), the Governor of Tamil Nadu hereby appoints 14.03.2018 as the date on which the all other provisions of the said Act except section 6 of the said Act shall come into force.

(BY ORDER OF THE GOVERNOR)

GAGANDEEP SINGH BEDI
Agricultural Production Commissioner
and Principal Secretary to Government

To

The Works Manager, Government Central Press,
Chennai-79.

(He is requested to publish the Notification in Tamil Nadu Government Gazette and send 10 copies of Gazette to Government for reference and record)

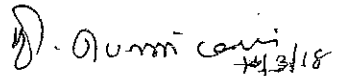
[p.t.o.]

The Commissioner of Agricultural Marketing and Agri Business, Chennai-32
The Chief Executive Officer,
Tamil Nadu State Agricultural Marketing Board, Chennai-32
The Special Officers / Secretaries of all Market Committees
(through Commissioner of Agricultural Marketing and Agri Business /
The Chief Executive Officer,
Tamil Nadu State Agricultural Marketing Board, Chennai - 32)
The Director of Local Fund Audit, Chennai-108.

Copy to:

The Finance Department, Chennai-9.
The Law Department, Chennai-9.
Agriculture (AM.I/AM.II) Department, Chennai-9.
SF/SC.

/FORWARDED BY ORDER/


SECTION OFFICER
14/3/18
14/3/18