<table>
<thead>
<tr>
<th>Act</th>
<th>Gist of statutory requirements</th>
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<tr>
<td>1</td>
<td>Declaration of a market or basar was to be made by notification in Hyderabad Residency Orders by the Resident.</td>
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<td>2</td>
<td>The Local Government was empowered to declare, by notification in the Bombay Government Gazette, any place a cotton market after consulting the District Local Board and such other Local Authorities as they deemed necessary or upon a representation made by the District Local Board.</td>
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<td></td>
<td>The Government was to issue notification in the &quot;AIGNYAPATRIKA&quot;(State Gazette) declaring any place a market after consulting the District Local Board or such Local Authorities as they deemed necessary or upon a representation made by the District Local Board.</td>
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<td>Two notifications were made necessary. The Provincial Government, in the first notification in the Official Gazette, was required to declare its intention of regulating the purchase and sale of specified agricultural produce in specified area and to invite objections or</td>
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suggestions within a period of not less than one month. The notification had also to be published in the regional languages of the area and in such other manner as the Government deemed fit.

Since 1969, consultation with the municipality concerned was made essential if the market area were to fall within its limit.

The second or final notification was to be issued by the Government in Official Gazette after the expiry of the time-limit and after the consideration of the objections or suggestions as were received in time. Its publication was also required to be made in the regional language/s of the area in newspaper/s circulating in the specified area and in such other manner as the Government deemed fit. In 1967, the power of issuing these notifications was delegated to the Revenue Commissioners. 8


Government had to issue a notification in the Official Gazette declaring its intention of regulating a market and

inviting suggestions or objections within a period of not less than 45 days. The notification had also to be published in Gujarati and publicized in any other manner as Government deemed fit.

On the expiry of the time limit specified in the first notification and after consideration of the objections or suggestions received and holding such inquiries as were deemed necessary by it, the Government had to issue and publicize another notification in the same manner as the earlier one.

Both preliminary and final notifications are to be issued by the Director in the Official Gazette and also published in Gujarati in a newspaper having circulation in the area to be notified. The preliminary notification has to invite objections or suggestions within a period of not less than one month and its copy has to be endorsed to each of the local authorities functioning in the area for submission of its objections.

and suggestions, if any, in writing.

The final notification has to be issued after (i) the expiry of the time limit specified in the preliminary notification, (ii) considering the suggestions and objections, if any, received within the time-limit, and (iii) holding such inquiries as may be necessary.10

### APPENDIX IV.2

<table>
<thead>
<tr>
<th>Stage</th>
<th>Periods involved in the formation of Committee (Dates of stages)</th>
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<tbody>
<tr>
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<tr>
<td>First submission of proposal by the District Officer</td>
<td>16-1-59</td>
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<tr>
<td>Publication of Preliminary Notification</td>
<td>20-8-59</td>
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<tr>
<td>Publication of Final Notification</td>
<td>4-12-59</td>
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<tr>
<td>Establishment of the Market Committee</td>
<td>5-8-60</td>
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<tr>
<td>Nomination of the members of the Market Committee</td>
<td>5-8-60</td>
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<tr>
<td>Registration of the Bye-laws</td>
<td>19-7-61</td>
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</table>

APPENDIX IV.312

The functions of a Market Committee include those of:

(i) maintaining and managing the market; (sec.86)

(ii) enforcing in the market area the provisions of the Act, the Rules and the Bye-laws; (sec.86)

(iii) enforcing the conditions of licences granted to different market functionaries in connection with the purchase and the sale of agricultural produce regulated by it; (sec.86)

(iv) granting, renewing, suspending and cancelling a general or a special licence for the purchase and sale of regulated agricultural produce;

(v) maintaining the register containing the names of all licensed traders and general commission agents; (sec.27)

(vi) providing all facilities in the market as per the directions of the Director; (sec.26)

(vii) preparing budget estimate of its income and expenditure for the next succeeding year and sanctioning it (with or without modifications) within the prescribed period; (Rule 42)

(viii) levying fees on the agricultural produce bought or sold in the market area and collecting them through agents or otherwise; (sec.28)

(ix) managing the income, incurring the expenditure and investing the surplus funds; (sec.32 & 33)

(x) keeping the account and other records in such manner as directed by the Director or any other officer authorised by him in this behalf; (Rule 47)

(xi) maintaining a register showing the fees collected by it; (Rule 60)

(xii) paying contribution every year, at prescribed rates, to the State Agricultural Producce Fund; (sec. 34)

(xiii) prescribing the market charges, with the previous sanction of the Director, for the services of different market functionaries rendered in connection with the purchase and sale of agricultural produce regulated; (Bye-law 51)

(xiv) taking all possible steps to prevent adulteration of agricultural produce in the market area, including the prevention of the mixing of last pickings of cotton or inferior variety of cotton with the superior one, bold linseed with small linseed, ghee with vegetable oil and of earth, dirt, stones or any other extraneous matter with any agricultural produce; (sec. 16 and Rule 73)

(xv) promoting grading and standardisation of agricultural produce by taking such steps as (a) maintaining an up-to-date set of samples of standard grades of agricultural produce sold at the market for use of the sellers and the buyers, (b) keeping and exhibiting samples of different grades of agricultural produce with indications of parity prices based on rates ruling in terminal and key markets for the information of the sellers and the buyers, (c) undertaking the grading of agricultural produce, and (d) carrying out or supervising the ginning of pure varieties of cotton brought into the market; (sec. 26 and Rule 74)

(xvi) collecting and maintaining daily lists of prices of different types and grades of agricultural produce regulated by it and supplying them to the Government, when required; (sec. 26)
(xvii) placing information on matters like the prices of the commercial crops ruling at the principal marketing centres of the tract and at the ports at the disposal of the users of the markets by publishing it; (Rule 55)

(xviii) communicating the full names and addresses of the traders holding general licences in the market area to the authorised officer within the prescribed time when general election, or by election, is to be held; (Rule 7)

(xix) prescribing the units of quotations in respect of the regulated agricultural produce to be bought and sold; (Bye-law 53)

(xx) appointing the Secretary of the Committee (with the approval of the Director) and other officers and servants for managing its affairs; (sec. 22)

(xxi) appointing a Disputes Committee for the purpose of settlement of disputes that may arise between the buyers and the sellers; (Rule 40)

(xxii) appointing one or more sub-committees for carrying out any work or to report to it on any matter and delegating such of its powers and duties to it or them or to any of its members as may be deemed necessary; (sec. 25) and

(xxiii) issuing all directions necessary for the guidance of the persons using the market by publishing them on the Notice Board. (Bye-law 54)
APPENDIX IV.4

The Secretary of a Market Committee is obligated to perform the duties and functions and exercise the powers as stated below, viz.,

(i) to attend every meeting of the Market Committee; (Rule 35(8))

(ii) to write a minute book of the meetings of the Market Committee under the supervision of the person presiding over the meeting and to sign it; (Rule 36)

(iii) to certify the copies of documents or entries in any book, register or list of the Market Committee; (Rule 37)

(iv) to act as the Chairman of the Disputes Committee whenever it is constituted; (Rule 40)

(v) to sign jointly with the chairman the plans and estimates for works estimating less than Re. 2,000/-; (Rule 44)

(vi) to produce all accounts, registers, documents and other relevant papers which may be called for by the audit officer for the purposes of the audit of the Market Committee and to furnish him immediately any explanation required by him for the settlement of any discrepancy; (Rule 47)

(vii) to specify the manner in which the expense incidental to the seizure of any produce in the event of non-payment of fee is to be recovered; (Rule 55(6))

(viii) to examine himself or to authorise any officer or servant of the Market Committee to examine and inspect

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the account books, ledger, etc. of any trader, general commission agent and broker for the purpose of obtaining information relevant to the matter under investigation; (Rule 59(1))

(ix) to make a requisition in writing to any licensed trader, general commission agent, weighman or measurer to produce for examination all and every scales and weight and measure used, kept or possessed by him or by person or persons under his authority or control; (Rule 68(2))

(x) to make requisition in writing to the Inspector of Weights and Measures, in whose jurisdiction the market area is situated to carry out the inspection and testing of weights, measures and weighing or measuring instruments in use in the market area and to take action in consistent with the provisions of the Bombay Weights and Measures (Enforcement) Act, 1958 and the Rules made thereunder; (Rule 68(3))

(xi) When in the absence of an Inspector of Weights and Measures, any weight or measure or weighing or measuring instrument is, on examination, reasonably suspected to be unauthorised, the secretary shall report in writing to the Inspector for action under the Bombay Weights and Measures (Enforcement) Act, 1958; (Rule 69)

(xii) to present a bill for any fees, charge, cost or expenses due to a person to him, specifying the date on or before which the amount shall be paid and in case of failure to do so, to serve a writ of demand on the defaulter in the prescribed manner; (Rule 77(3))

(xiii) to keep full control over all the officers and servants employed by the Committee subject to the directions of the Chairman, to direct their work in such manner
as to ensure the proper and efficient working of the market, to supervise their work, etc.; (Bye-law 16)

(xiv) to execute properly all the orders issued by the Chairman and/or the Market Committee; (Bye-law No.16)

(xv) to carry out additional lawful functions as may be entrusted to him by the Committee. (Sec. 22)