

**DELHI AGRICULTURAL MARKETING BOARD AND
MARKETING COMMITTEES (PROCEDURE AND CONDUCT OF
BUSINESS) REGULATIONS, 2002**

In exercise of powers conferred under Section 21 (2) (i) of the Delhi Agricultural Marketing (Regulations) Act, 1998, the Board, with the previous approval of the Govt. conveyed vide No..... dated....., hereby makes the following regulation.

1. Short title and commencement-

- (i) These regulations may be called the Delhi Agricultural Marketing Board (Procedure and conduct of Business) regulations, 2000.
- (ii) They shall come into force from the date of its publications in official gazette.

2. Definitions-

- (a) 'Act means the Delhi Agricultural Produce Marketing (Regulation) Act, 1998
- (b) 'Board' means the Delhi Agricultural Marketing Board constituted under Section 5 of the Act.
- (c) 'Chairman' means
 - (i) in relation to the Board, the chairman of the Board nominated by the Govt.. under Section 3 of the Act;
 - (ii) in relation to the Marketing Committee of market of national importance, the chairman of that committee constituted under Section 26(i) of the Act;
 - (iii) in relation to a Marketing Committee, the Chairman elected under Section 43 of the Act;
- (d) 'Vice-Chairman' means
 - (i) in relation to the Board, the Director of Agricultural Marketing of Govt. of NCT of Delhi, as ex-officio Vice-Chairman;
 - (ii) in relation to the Marketing Committee of national importance, the Vice-Chairman nominated by the Government.

(iii) in relation to Marketing Committee, the Vice-Chairman elected under Section 43 of the Act.

(e) 'Committee' means Marketing Committee and includes marketing committee of national importance.

(f) 'Secretary' means the Secretary of the Board, the Marketing Committee of national importance and the Marketing Committee, constituted under the Act and includes any other officer authorized to act as such.

3. Time and Place of meeting

(i) The Board/ Committee shall meet on such date time and place its Chairman may from time to time determine.

(ii) The Board/ Committee shall meet atleast once in two months.

4. Notice of meeting

(i) Not less than two clear days notice of every meeting stating the place, date and time fixed for it and signed by the Secretary shall be given to each member.

(ii) The notice shall be accompanied by list of business to be transacted at the meeting hereinafter called 'agenda'

(iii) The agenda shall include every item any member may desire to put to meeting, provided that a copy of the motion thereon signed by such member and by a seconder is delivered to the Secretary of the Board/Committee at least seven days before the meeting.

(iv) Any accidental omission to give any such notice to any of the members shall not invalidate any resolution passed at any such meeting.

(v) Notwithstanding any thing contained in sub-rule (i) above, a meeting of the Board or the Committee as the case may be, at which any matter which is considered urgent by the Chairman to be taken up, may be called at a short notice.

5. Notice of adjourned meeting

The Chairman shall given notice of an adjourned meeting on the spot and the same shall as soon as thereafter possible be sent to all members, who are not present:

Provided that it shall be lawful for the Chairman to alter in emergency, the place, date or hour of such meeting in consultation with members present.

6. Quorum of Meeting

- (i) The quorum necessary for the transaction of business at a meeting shall not be less than five in case of Board and not less than four in the case of Committee.
- (ii) If quorum at a meeting of the Board or Committee is not complete within half an hour of the scheduled time of meeting, or if it falls short while the meeting is continuing it shall deem to have been adjourned.
- (iii) If a meeting is adjourned for want for quorum, no quorum shall be necessary at the next meeting called for transaction of the same business.
- (iv) If any member fails to attend three consecutive meetings without any valid reasons, the Chairman shall forth-with report the matter to the Government.

7. Presiding over meeting-

- (i) The Chairman shall preside over every meeting of the Board/ Committee
- (ii) If the Chairman is not present at any such meeting, the Vice-Chairman shall preside over the meeting.

8. Power of the person presiding in the absence of Chairman

The person presiding over a meeting of the Board/Committee in the absence of Chairman shall, when so presiding, have same power as Chairman.

9. Language to be used at meeting.

The business of a meeting of the Board/ Committee shall be transacted in Hindi or English.

10. Preparation of list of business by the Secretary

Subject to the provisions of Regulation 11, every list of business (including a supplementary list) to be transacted at a meeting of the Board/ Committee shall be prepared by the Secretary under the direction and previous approval of the Chairman.

11. Arrangement of list of business-

The list of business of meeting of the Board/ Committee shall be arranged by the Secretary in the following order:-

- (i) Confirmation of the minutes of the last meeting or minutes of any business transacted by circulation of papers.
- (ii) Matters to be taken up for consideration and approval.
- (iii) Letters from Govt. and others.
- (iv) Any other matter with the approval of the Chairman.

12. Conduct and Proceeding of meeting and the Adjournment of meeting:-

- (i) Every meeting shall commence with a motion by the Chairman that the minutes of the previous meeting be confirmed. Such minutes shall ordinarily, be taken as read but if for any reason they have not been previously circulated to the members they shall be read before they are taken into consideration.
- (ii) The Chairman shall decide all points of order of the procedure and his decisions shall be final.
- (iii) The items on the agenda shall be dealt with in their order, provided that the Chairman, with the consent of the majority of the members present, may vary such order.

- (iv) If more than one member rise to speak at the same time, the Chairman shall name the member who is to speak.
- (v) No written speech shall be delivered.
- (vi) So far as possible and consistent with the matter under discussion, no member shall direct personal or objectionable remarks at any other member. For the purpose of this regulation the ruling of the Chairman shall be final.
- (vii) A member desiring to raise any point of order or personal explanation shall rise and address the Chairman. The member speaking shall give way and remain silent until the Chairman may permit him to speak again. The Chairman may permit any other member to speak on the said point.
- (viii) In case, the ruling of the Chairman, on any point of matter, is not accepted by majority of members he may adjourn the meeting at once and once he declares the meeting adjourned on this or any ground, the subsequent proceeding of the meeting or residue thereof be void and shall not appear in the minutes.
- (ix) The Chairman may, after calling the attention to the conduct of the member, who persists in irrelevant or in-tedious repetition of his own arguments or of the arguments used by other member, direct him to discontinue his speech.
- (x) The Chairman may name any unruly member and report to Government for consideration and action to be taken against him.
- (xi) The Chairman may direct any member, whose conduct is in his own opinion disorderly, to withdraw immediately from the meeting and any member so ordered to withdraw shall do so forth with and shall absent himself during the remainder of the meeting. The Chairman may order any member, who disobeys to withdraw to be removed summarily. The member shall not participate in the discussions in which his own conduct, or that of his relations, is being discussed.
- (xii) Every motion or resolution shall be read and seconded, and shall be deemed to be moved before the meeting for discussion. The mover shall speak first in support of the motion, then the seconder may speak or he may reserve his speech to a later period of the debate, if he desires so.

- (xiii) A member may speak only once to each motion, but the mover or a seconder of the substantive motion may reply at the conclusion of the debate thereon, provided that the Chairman at his discretion may at any time allow a member, who has already spoken, to make a brief explanation.
- (xiv) After a motion has been proposed and seconded, any member may propose an amendment thereto. Any amendment that is not seconded, shall fall through.
- (xv) Any number of amendments may be put before the meeting at the same time but they shall be put to vote in the reverse order to that in which they were moved. After all the amendments have been disposed of the resolution as amended shall be put to the vote.
- (xvi) A member who has already spoken on a substantive motion before the meeting, is not thereby debarred from speaking, on an amendment to the motion, provided that in so doing, he confines himself strictly to the fresh matter introduced by the amendment.
- (xvii) No motion or amendment shall be withdrawn except with the consent of majority of the votes of the members present. The Chairman of the meeting, in case of an equality of votes, will have a second or casting vote.
- (xviii) Every motion, resolution or amendment voted on, shall be put to the meeting both for and against.
- (xix) Unless a poll is demanded by at least by 3 members present at the meeting, declaration made at the meeting by the Chairman that a motion, resolution or amendment has been carried out or lost shall be final for making an entry to that effect in the minutes. If a poll is demanded by any member, present, it shall be taken by show of hands and the results of such poll as declared by the Chairman shall be deemed to be the decision of the Board.
- (xx) No decision of the Board shall be reopened before that lapse of six months after it had been recorded except in compliance with the order of the / Government.
- (xxi) Any officer of the Govt. of NCT of Delhi or other person, not being a member of the Board may, with the consent of the Chairman, address the meeting.

- (xxii) All meetings of the Board/ Committee shall be open to the reporters of the press and the direction of the Chairman to the public.

Provided that the reporters or the public or both shall withdraw, if at any time so required by the Chairman.

- (xxiii) Except as provided in sub-regulation (xxi) no noise, expression of approval or disapproval on the part of public or reporters present shall be permitted.

- (xxiv) The Chairman may cause any person other than a member of the Board/ Committee who interrupts the business of the meeting to be summarily removed from the building in which the meeting is held.

- (xxv) (i) No member may inspect the papers relating to matter which either he or his parents or any other dependent of his parent or parents of the husband or wife as the case may be or any descendent of those persons has a direct or indirect pecuniary interest subject to this exception.

(a) Members of the Sub-committee and members charged with the performance of any special duty may inspect the papers connected with their duties at the Secretary's office during office hours.

(b) Any other member may inspect documents and registers at the Secretary's office during office hours.

- (ii) An application for permission to inspect under clause (i) above shall be in writing and state the papers to be inspected and the reasons for inspecting them. The Chairman or the Secretary as the case may be, may refuse permission if the the reasons given in his opinion are insufficient:

Provided that nothing in this regulation shall be deemed to deprive any reason of a right to inspect document under any law for the time being in force.

13. Interpellation:-

- (1) The right to interpellate by a member shall be subject to the following conditions, namely-
 - (i) At least not less than 3 days notice in writing specifying the questions shall be given to the Secretary.
 - (ii) Not more than two questions shall be sent by any member for being answered at any ordinary meeting.
 - (iii) No question shall –
 - a) bring in any name or statement not strictly necessary to make to the question intelligible;
 - b) contains arguments, ironical expression, imputation, epithets or defamatory statement.
 - c) ask for any expression of opinion or the solutions of hypothetical propositions;
 - d) ask as to the character or conduct of any person except in his official or public capacity;
 - e) relate to a matter which is not primarily the concern of the Board/ Committee or of and of its authorities;
 - f) make or imply a charge of personal nature;
 - g) raise questions of policy too large to be dealt with within the limits of any answer to a question;
 - h) repeat in substance questions already answered or to which an answer has been refused;
 - i) ask for information or trivial matters;
 - j) ordinarily ask for information on matters of past history;
 - k) ask for information set-forth and inaccessible documents or in primarily responsible to the Board/ Committee; or;

- l) raise matters under the control of bodies or persons not primarily responsible to the Board/ Committee; or
 - m) ask for any information on matter which is under adjudication by a Court of Law.
- (2) The Chairman shall disallow any question which is in contravention of the provisions of the Act, Rules and these Regulations.
- (3) If any doubt arises whether any question is or is not a contravention of the provisions of the Act, Rules and Regulations, the Chairman shall decide the matter and his decision shall be final.
- (4) The Chairman shall not be bound to answer a question if it asks for information which has been communicated to him in confidence or if in his opinion it cannot be answered without prejudice to public interest of the Board/ Committee.
- (5) Unless otherwise directed by the Chairman, every question shall be answered by the Vice-Chairman at a meeting of the Board and by Chairman at the meeting of the Committee as the case may be.

14. Voting-

All matters submitted to a meeting of the Board/ Committee shall be decided by the majority of the votes casted by the members present and in case of an equality of votes, the Chairman or the person presiding shall, have the casting vote, in addition to the vote to which he may be entitled as a member.

15. Record of business.

- (a) A record shall be maintained by the Secretary of all business transacted by the Board/Committee.
- (b) All decisions of the Board/Committee shall, as far as possible, be recorded in the form of resolution and an entry of such decision in the book of the proceeding of the Board/Committee shall be the conclusive evidence of the fact that such decisions were taken by the Board/Committee.

- (c) All decisions of the Board/Committee shall be authenticated under the seal and signature of Secretary and communicated to the Vice-Chairman/ Secretary as the case may be for issuance of orders and taking up further necessary action on the decision of the Board/ Committee, by the concerned branches of the Board/Committee.
- (d) No decision taken by the Board/ Committee or under the authority of the Board/Committee shall be called into question on the ground only of the existence of any vacancy among the members of the Board/Committee or any defect or infirmity in the Constitution of the Board/Committee.

16. Transaction of business by circulation of papers-

- (1) Any business which may be necessary for the Board/ Committee to transact may, if the Chairman so directs, be dealt with by circulation of paper among all the members at their usual address, and any business so circulated and approved by a majority of the member signing shall be as effectual and binding as if the same had been placed at a meeting of the Board/ Committee.
- (2) When any business is referred to the members by circulation and if no reply is received back within the stipulated period it shall be treated as approved by the member.
- (3) When a business is so circulated, the result of circulation shall be communicated to all the members

17. Office Hours

The Board shall follow the working hours prescribed for the offices of the Govt. of NCT of Delhi.

18. Holidays -

All Sundays, Saturdays and such other holidays as declared by the Govt. of NCT of Delhi shall be the holidays for the Board/ Committee.

19. Repeal:-

The Delhi Agricultural Marketing Board (Business) Regulations, 1978 is hereby repealed.

- v) The posts of Head Clerk and Assistant have been clubbed and designated as Assistant since they are in the identical pay scale and performing similar duties.
- vi) As per the practice of Delhi Government, Private Secretaries/ PAs/ Stenographers are eligible for promotion to main administrative service on a fix percentage basis. Accordingly promotion to Sr. Stenographers to Assistant Secretary-I has been recommended with a fix percentage basis.
- vii) The post of Finance Officer is not required in the present set up. Therefore, the post has been recommended to be done away with.
- viii) As per the Govt. instructions the Security & Sanitation are to be manned by Private Agencies. In pursuance of that it is recommended that the existing vacant posts of Asstt. Security Officer, Security Supervisor, Security Guard, Asstt. Sanitation Inspector, Sanitary Guide & Safaikaramcharies should not be filled up and those posts against which any one is working, may be discontinued after the retirement of the serving incumbents. However, even if these wings are to be manned by Private Agencies, creation of a post of Sanitation Officer is recommended in order to have a full and effective monitoring and control.
- ix) In the Engineering Wing the Work Assistant, Draftsman Grade-I, Operator (E&M), Welder, Mali & Wireman are recommended for one step promotion to the next higher post already existing or be created in their respective field by slight relaxation of qualification.