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PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF AGRICULTURE AND FARMER'S WELFARE
(Mandi Branch)

NOTIFICATION

The 8th January, 2020

No. G.S.R.01/P.A. 23/1961/S.43/Amd.(84)/2020.- In exercise of the powers conferred by section 43 of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of the 1961), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Agricultural Produce Markets (General) Rules, 1962, namely:-

RULES

1. (1) These rules may be called the Punjab Agricultural Produce Markets (General) (Amendment) Rules, 2020.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Agricultural Produce Markets (General) Rules, 1962 (hereinafter referred to as the said rules), for rule 2, the following rule shall be substituted, namely:-

"2. Definitions.- In these rules, unless the context otherwise requires,-

- (1) **"Act"** means the Punjab Agricultural Produce Markets Act, 1961;
- (2) **"Assessing Authority"** means the Secretary of the concerned committee who shall be an authority to make the assessment under these rules;
- (3) **"bale"** means any pressed package of cotton of whatever size or density;
- (4) **"bye-law"** means a bye-law made under sub-section (14) of section 3 or sub-section (1) of section 44, as the case may be;
- (5) **"certified seed"** means the seed certified under the Seeds Act, 1966 (Central Act 54 of 1966);

- (6) **"cotton ginning and pressing factory"** means any place where cotton is ginned or where cotton fibre is separated from cotton seed and separated cotton is pressed into bales;
- (7) **"cotton waste"** means droppings, strippings, fly and other waste products of a cotton mill or of a cotton ginning factory or of a cotton pressing factory, but does not include yarn waste;
- (8) **"Director of Agriculture"** means the Director of Agriculture, Punjab;
- (9) **"District Mandi Officer"** means an officer appointed as such by the Competent Authority;
- (10) **"Deputy Commissioner"** means the Deputy Commissioner of the District having jurisdiction over the notified market area or, if such area is situated in more than one district, such Deputy Commissioner of one of these districts as may be specified by the State Government in this behalf;
- (11) **"Form"** means a form appended to these rules;
- (12) **"incidental charges"** means the charges payable by the seller in lieu of the services rendered in connection with the handling of agricultural produce prior to the finalisation of the bid at the auction, such as unloading, cleaning and dressing charges;
- (13) **"Kacha Arhtia"** means a dealer who, in consideration of commission, offers his service to sell agricultural produce;
- (14) **"Licensing Authority"** means the authority to whom applications for grant of license be made under section 9 and 10-B of the Act;
- (15) **"Licensee"** means a person holding a licence issued under these rules or the rules hereby repealed;
- (16) **"maintenance"** in relation to house shall include the payment of local rates and taxes and charges for electricity and water as also charges for telephone including trunk-calls made in connection with the affairs of the Board;
- (17) **"market charges"** means all charges payable by the buyer in lieu of the services rendered in connection with the handling of agricultural produce after the finalisation of the bid at auction, such

as the commission of kacha-arhtia, brokerage, auction charges, remuneration for palledari, filling, weighing sewing and loading;

- (18) **“Pacca Arhtia”** means a dealer, who for himself or on behalf of any other person 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;
 - (19) **“Palledar”** means a person who assists in loading, unloading, weighing, measuring, cleaning and dressing of agricultural produce;
 - (20) **“Private Licensee”** means a person to whom a license is granted under section 10-B of the Act;
 - (21) **“Progressive Producer”** means a producer who, in the opinion of the Director of Agriculture, carries on agricultural produce on improved lines;
 - (22) **“Registrar”** means the Registrar, Co-operative Societies, Punjab; and
 - (23) **“Special Purpose Vehicle”** means an entity or group created for performing or achieving a special task determined by the Government."
3. In the said rules, in rule 5, after clause (j), the following clause shall be added, namely:-
- (k) to fix quantity of agricultural produce for retail sale and domestic consumption;
 - (l) to fix the rate for levy of user charges;
 - (m) to setup assaying lab for the grading and standardization of agricultural produce and to fix charges thereof."
4. In the said rules, after rule 5, the following rule shall be inserted namely:-
- " 5-A. Public Private Partnership.-**The Board or Committee or Group of Committees, as the case may be, can create, promote, manage and maintain any infrastructure for fruits, vegetable and livestock and its products through Public Private Partnership (PPP) mode on the terms and conditions approved by the Board on project to project basis, considering procedure, equity, capital, operations, management and viability."

5. In the said rules, after rule 16, the following rules shall be inserted, namely:-

"16-A. Establishment of Special Market Yard.- The State Government may, notify an enclosure or building as special market yard for a particular commodities notified by the State Government such as fish, fruits and vegetables, flower, wood or any other commodity and managed as provided in section 7-B on the following terms and conditions, namely:-

- (i) the total revenue collected shall be shared as per the agreement or equity participation, as the case may be;
- (ii) the special market yard shall be developed with all facilities and amenities as per detail project report.

16-B. Establishment and development of Private market yard.- The owner of private market yard shall develop the yard in an area not less than ten acres, by providing infrastructure facilities and amenities such as auction platforms, cover sheds, shops, shop-cum-flats, booths, shop-cum-offices, godowns, storages, pre-cooling chamber, cold storages, kisan rest house, labour dormitory, canteen, parking, ripening chambers, laboratory facilities to evaluate quality of produce, grading and packaging facilities, loading and unloading site, electronic display of market rates, electronic weighbridges, E-auctioning, internal roads, drinking water and sanitary facilities, or part thereof as required for different commodities as given in Detail Project Report and approved by the State Government from time to time or and shall have a clear title with possession or lease hold rights by an agreement for a period of not less than thirty years. In any notified market area where the Government and the private markets shall co-exist:

Provided that the above yard can be established only for the business relating to fruits, vegetables, livestock and its products, woods, flowers and cannot be established within a radius of five kilometers from the existing notified principal or sub-market yards.

16-C. Establishment of producer and consumer market yard.- The owner of producer and consumer market yard shall develop a yard in not less than one acres having a clear title with possession or have

lease hold rights by an agreement for a period of not less than thirty years. He shall provide infrastructure and amenities such as raised platform, parking, electronic display of market rates, electronic weighing scale, internal roads, drinking water and sanitary facilities or part thereof as given in detailed Project Report and approved by the State Government from time to time:

Provided that the above yard can be established only for the business relating to fruits, vegetables, and cannot be established within a radius of five kilometers from the existing notified principal or sub-market yards.

16-D. Establishment of Producer Market Yard (Kissan Mandi).-

The owner of Producer Market Yard (Kissan Mandi) shall develop a yard in not less than three acres having a clear title with possession or have lease hold rights by an agreement for a period of not less than thirty years. He shall develop market yard, by providing infrastructure and amenities such as raised platform, auction platforms, storage, parking, electronic display of market rates, electronic weighbridges, E-auctioning, internal roads, drinking water and sanitary facilities, or part thereof as given in Detail Project Report and approved by the State Government from time to time.

Provided that the above yard can be established only for the business relating to fruits and vegetables and cannot be established within a radius of five kilometers from the existing notified principal or sub-market yards.

16-E. Establishment of e-Trading Platform.- The owner or service provider can establish a e-trading platform for spot marketing of notified agricultural produce with such amenities as given in detail project report and approved by the State Government from time to time.

16-F. Duties and responsibilities of private licensee.- (1) Duties of private licensee.-

- (i) The private licensee shall submit his detailed project report in consonance with the provisions of the Act and the rules made there under including operational and working guidelines for the administration and regulation of trading activities in the market yards along with the application for grant of license. He shall also be responsible for providing any other information required by the State Government or any other officer authorized by it in this behalf;

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- (ii) The private licensee shall not permit evasion or infringement of any of the provisions of the Act, rules and bye-laws and shall report in writing to the competent authority any evasion or breach which comes to his knowledge;
 - (iii) The private licensee shall collect the user charges from the buyer on the sale proceed of agricultural produce. In case of the produce brought by the producer in packed condition and sold as such, in that case, he shall get the price of packing material in addition to the price of his produce;
 - (iv) The licensee shall comply with all the statutory provisions required by the Central Government, State Government or any regulatory authority and any instructions issued by the above authorities from time to time;
 - (v) In case of e-trading of agricultural produce for spot marketing, the owner of a e-trading platform shall stand as guarantor for the payment to the seller of the agricultural produce and shall be responsible to engage third party inspection agent at the origin and destination of the produce and also shall get the agriculture produce insured for unforeseen transit losses.
- (2) **Responsibilities of the private licensee.** – (i) to provide information of all infrastructures, facilities or any other place meant for the purposes of sale and purchase of agricultural produce or such other activities directly or indirectly connected with the sale and purchase of agricultural produce;
- (ii) to keep copy of the operational and working procedure, number of person deployed available for inspection at his office to be made by the Officers of the State Government or any other officer authorized by it at all reasonable times:

Provided that the owner shall comply with all the liabilities specified in the Act, such as labour laws, employee's provident fund, Employee's State Insurance, etc.;
 - (iii) to comply with the procedure for the sale or purchase of agricultural produce specified in rule 24 of these rules by the State Government;
 - (iv) to submit quarterly and annual progress reports containing such

information as may be required by the State Government or any other officer authorized by it from time to time;

- (v) the provisions of the all the relevant Acts or any other amendments made from time to time shall be applicable to the private licensee's yard and bound to comply with it;
- (vi) to get a copy of Form-I and Form-J regarding sale or purchase transaction held in his market yard;
- (vii) to maintain a register in the prescribed Form H-3 showing the collection of user charges and other charges prescribed by the State Government and collected by him from the sellers and buyers, as the case may be, of the agricultural produce;
- (viii) for the quotation quoted or bid made by a trader, buyer or commission agent in respect of any notified agricultural produce in private market yard shall be exclusive of the container or its packaging thereof;
- (ix) to make ensure to issuance of Form I by the dealer prepared in triplicate out of which one shall be given to the owner of the private market yard, another to the buyer of the agricultural produce and one copy shall retain with himself mentioning therein the sale proceed and market charges admissible under the rules and bye-laws;
- (x) to submit monthly return of arrival and price, sale and purchase of agriculture produce made by the licensee under sub-section (1) of section 10 of the Act carried out in his yard to the competent authority in Form-MM electronically alongwith the details of user charges or other charges failing which a penalty of rupees one hundred per day per return shall be levied for the late submission of return;
- (xi) to ensure the payment of sale proceeds and issuing of Form-J to the farmer or seller before lifting of the agricultural produce, on the day of sale and allow only such allowances and deductions, collect market charges which are permitted under the rules in the notified market area and maintain such register and furnish such returns to the Competent Authority or any other officer authorized by it;

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- (xii) to ensure the payment of user charges, or additional fee or any other charges if any, payable by the buyers at the rates prescribed under the Act, before lifting of the agriculture produce;
- (xiii) to provide the facility for storage for agricultural produce brought by the producer or seller which is not sold or when the producer or seller wishes to store the produce for want of better price, in its godown(s) and storage charges shall be charged on monthly basis as prescribed in the bye-laws and shall declare the complete address of godowns and storage places where agricultural produce to be stocked or stored;
- (xiv) to keep proper accounts to be maintained manually or electronically as well of each transaction of purchase or sale of agricultural produce and payment thereof, in a format as specified from time to time. The information available on his web portal regarding entries relating to the transactions shall be accessible to the Board, committee and the concerned seller, buyer or commission agent, as the case may be:

Provided that, in case of the sale or purchase of agricultural produce in Producer and Consumer Market Yard or Producer Market Yard (Kisan Mandi), as the case may be, the above clauses from (vi) to (xiii) of rule 16-F (2) shall not apply.”.

6. In the said rules, for rule 17, the following rule shall be substituted, namely :-
- “17. Licences to dealers.-** (1) A person desirous of obtaining a licence under sub-section (1) of section 10 of the Act, for carrying on any business of the nature specified in sub-section (3) of section 6, in a notified area, shall apply in Form A (to be submitted in duplicate) to the Secretary of the Board or any officer authorized by it, through the Committee of the area in which he wishes to carry on his business and shall also deposit license fee of rupees one thousand, per year or any part thereof, to the committee. The license issued shall be valid for a maximum period of five years in a notified market area:

Provided that the applicant while applying under sub rule (1) shall furnish Know Your Client (KYC) documents like (a) adhaar card, (b) PAN Card, (c) bank authentication in case of partnership firm, the KYC of all the partners or directors shall be mandatory:

Provided further that the provisions of Know Your Client (KYC) documents shall not apply in the case of Government purchase agency notified by the Government from time to time.

(2) A person desirous of obtaining a licence under sub-section (1-A) of section 10 of the Act, for carrying on any business of the nature specified in sub-section (3) of section 6, shall apply in Form AA to the Secretary of the Board and also deposit license fee of rupees two thousand, per year or any part thereof, along with a bank guarantee of rupees twenty-five lakhs. The license issued in Form BB with such conditions as specified shall be valid for a period not exceeding ten years, which is renewable for a further period of five years every time on an application in Form FF on payment of requisite fee to the Board. The licence issued shall be for the whole of the State:

Provided that the applicant while applying under sub-rule (2) shall furnish Know Your Client (KYC) documents like (a) adhaar card, (b) PAN Card, (c) bank authentication in case of partnership firm, the KYC of all the partners or directors shall be mandatory.

- (i) the aforesaid bank guarantee as furnished by a licensee under sub-rule (2), shall be liable to forfeiture by the Board for any default made by the licensee in payment of any money payable by him to the Board or committee or producer or seller, as the case may be, under the Act, or the rules or bye-laws made there under. The Board or committee shall have its first charge on the said bank guarantee;
 - (ii) the aforesaid bank guarantee furnished by the licensee under sub-rule (2) shall be unconditional and the amount guaranteed by the bank or a part thereof, as the Board may demand, shall be payable to the Board on demand; and
 - (iii) the aforesaid bank guarantee furnished by a licensee with the Board shall be released within six months from the date of his ceasing to be a licensee, on submitting trade account with the committee and on issuing of no due certificate by the committee or Board, as the case may be.
- (3) While submitting an application for a license under sub- sections (1) and (1-A) of section 10 of the Act, the applicant shall specify the period for which he wants to obtain a license.

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- (4) If any person, who is not licensee, carries on his business as a dealer in a notified market area on the date of issue of notification under sub-section (1) of section 6 and fails to apply for a licence on or before the date specified therein for obtaining licence, the licensing authority may, before a licence is issued, imposed upon the applicant, a penalty according to the following scale :-
- (i) if the application is made by him within thirty days of the date specified in the notification-one hundred rupee per day;
 - (ii) if the application is made after the expiry of thirty days of the date specified in the notification, but within a period of forty days of such expiry-one hundred rupee per day for the first thirty days and rupees two hundred per day for each day thereafter.
- (5) Unless otherwise provided in the license, each license issued under the Act shall expire on the 31st day of March, in the financial year up to which it is granted keeping in view the total number of years as per request of the applicant.
- Explanation.- If a license is issued on the 1st day of April, 2008 or any other day before the 31st day of March, 2009 and is issued for five years, it shall expire on the 31st day of March, 2013.
- (6) The Secretary of the Board or Secretary of the committee, as the case may be or such other official as may be appointed by the said authorities, to receive such applications, shall, on receipt of the application, ensure that the necessary licence fee has been paid and shall, after verifying the correctness of the facts stated therein, forward the same to the competent authority, within three days of its receipt.
- (7) On receipt of the application under sub-rules (1) and (2), the Secretary of the Board or the competent authority, as the case may be, may grant a licence to the applicant in Form B or Form BB respectively. The license shall be subject to the conditions mentioned therein.
- (8) A record of licenses issued under sub-rules (1) and (2), shall be maintained by the Board as well as by the committee in Form C or Form CC respectively.”.

7. In the said rules, after rule 17-A, the following rules shall be inserted, namely:-

“17-B. Grant a licence or permission to the private licensee for establishment of Private Market Yard, Producer and Consumer Market Yard, Producer Market Yard (Kisan Mandi) and e-Trading Platform.-

(1) (i) Any person who is otherwise not declared ineligible by any State or Central Government to invest and conduct business in the country, as specified in section 7-C, desirous to establish a private market yard;

(ii) any person or group of producers, as specified in section 7-D, desirous to establish a producer and consumer market yard;

(iii) a group of producers or Farmer Producer Organization or Farmer Agri. business Consortium or Farmer Producer Company, as specified in section 7-E, desirous to establish a producer market yard (Kisan Mandi),

in one or more market areas, may submit an application in Form A-3 for grant of licence or renewal in Form F-3 alongwith license fee specified in sub-rule (4) of this rule, to the competent authority or an officer authorized by it in this behalf. A record of licences issued in Form B-3 under this rule shall be maintained by the Board in Form C-3.

(2) Any licensee having registered under the Securities and Exchange Board of India (SEBI) or any commodity exchange, or any other entity or agency approved by the State Government or Government of India from time to time, as specified in section 7-F of the Act, who desirous to establish a private e-Trading Platform in one or more market areas may submit an application in Form A-4 for grant of permission or renewal in Form F-4 alongwith permission fee specified in sub-rule (4) of this rule, to the competent authority or an officer authorized by it in this behalf. A record of permissions issued in Form B-4 under this rule shall be maintained by the Board in Form C-4.

(3) The amount of licence or permission fee, as the case may be, shall be payable by electronic transfer in favour of the 'Marketing

Development Fund' by the applicant and the said fee shall be refunded in case the licence is not granted or renewed for any reason, as the case may be, after deducting ten percent of the fees deposited on account of processing charges.

- (4) The license or permission fee per annum for grant of licence or permission under this rule shall be as follows, namely-

Sr. No.	Type of License or permission	licence or permission fee per annum (in rupees)
1	Establishment of Private Market Yard	five lakh
2	Establishment of Producer and Consumer Market Yard (Retail Market)	two lakh
3	Establishment of Producer Market Yard (Kissan Mandi)/ Bulk Market	five lakh
4	Permission for e-Trading Platform	two lakh

Provided that in case of any entity or agency approved by the State Government or Government of India, the above fee shall not be payable for establishing e-trading platform.

- (5) Each application shall be accompanied with the following, namely:-
- the applicant shall furnish Know Your Client (KYC) documents like (a) adhaar card, (b) PAN Card, (c) bank authentication etc. in case of partnership firm or a company, the KYC of all the partners or directors shall be compulsory;
 - a detailed project report showing the financial status of the applicant with the support of Income Tax returns for the previous three assessment years or permanent assets with valuation assessed by a registered assessor or evaluator, as may be decided by the State Government from time to time;
 - the detailed project report shall also contain details such as land in which the market is proposed to be established, locations thereof, and approximate amounts to be invested for setting up the market and facilities to be provided for purchase or sale and storage of fruits, vegetables, livestock and its products, woods and flowers including processing, grading, packaging, storing and for sale or export of the produce by way of value addition;

- (iv) outlay earmarked for providing amenities and facilities such as resting place, canteen for farmers and other functionaries who bring produce or provide services in the private market, for establishing laboratory facilities to evaluate and determine the quality of the produce.
 - (6) The application received shall be scrutinized by the competent authority or any officer authorized by it in this behalf within thirty days of its receipt.
 - (7) The competent authority shall evaluate the project report submitted by the applicant and may issue within sixty (60) days from the date of receipt of application, may issue the letter of intent and a permission to the applicant for commencement of the project based on such evaluation. The applicant shall have to complete the project within the period specified in the letter of intent. On completion of the project, the applicant shall give intimation to the competent authority.
 - (8) On receipt of intimation regarding completion of the project, the competent authority shall get the same inspected through a committee to be consisting of following, namely :-
 - (i) Representative of the competent authority;
 - (ii) Secretary of the Board or its representative;
 - (iii) Deputy Commissioner of the district concerned or its representative;
 - (iv) Chief Agricultural Officer of the district concerned; and
 - (v) District Mandi Officer (Convener).
- The Committee shall satisfy about the completion of the project consisting of all amenities and facilities as per the project report and shall submit the result thereof to the competent authority. In case of failure by the applicant to implement the project either within stipulated period mentioned in the permission or within such extended period allowed by the competent authority which shall not be more than one year in any case from the date of issue of letter of intent may be extended upto one year.
- (9) The competent authority may refuse to grant a licence for reasons to be recorded in writing and communicate in writing to the applicant. In case of rejection of application, the fee deposited with the application shall be refunded to the applicant, after deducting ten percent of the fee paid towards processing fee.

(10) On receipt of the completion from the committee, the competent authority shall grant a licence in Form B-3 on such terms and conditions specified for a period not exceeding fifteen years, which is renewable for a further period of fifteen years from time to time on a request and on payment of fee as specified in sub-rule (4).

(11) The State Government or any other officer authorized by it after providing an opportunity of hearing and reasons to be recorded in writing refuse to grant or renewal of licence to the applicant who is either insolvent or otherwise disqualified under the Act or the rules made thereunder:

Provided that no such order shall be passed without providing due opportunity to the applicant.

(12) The private yard licensee shall only be eligible to operate the market yard after obtaining the license from the competent authority. The licensee before operating the market shall deposit an irrevocable and continuous bank guarantee or cash security as specified below or a amount equal to two per cent of the annual turnover of the previous year whichever is more, with the State Government or any other officer authorized by it, namely:-

TABLE OF BANK GUARANTEE OR CASH SECURITY

1	Establishment of Private Market Yard	rupees twenty five lakh
2	Establishment of e-Trading Platform	rupees fifty lakh
3	Establishment of Producer Market Yard (Kissan Mandi)	rupees ten lakh

Provided that in the case of Government organizations and co-operative institutions, the bank guarantee shall be fifty percent of the specified amount. However, in case of markets established by the market committees or under its control the above clause shall not be applicable:

Provided further that the license of private market yard shall be non-transferable but the licensee of private market yard can engage a professional agency only for operation and maintenance. In case of breach of this clause or any conditions of license, his license shall be liable to be cancelled after providing opportunity to him.

(13) A licence granted under sub-rule (10) shall, remain in force upto 31st March from the date of issue of the same.

- (14) The private licensee should have not been adjudged or proved to be insolvent at any time and should not have compromise with creditors with less than full discharge of debts and should have not been any disciplinary action or suspended or expelled or declared defaulter by any registrar of co-operative societies, statutory authorities, etc. and should have never been convicted of any offence involving fraud or financial irregularities and should have never been involved in any litigations or suits or proceedings or any financial liability of contingent or uncertain nature.

17-C. Power to revoke bank guarantee. – (1) The cash security or the bank guarantee given by the private licensee shall be entered in register maintained in Form U in the office of the competent authority or any other officer authorized by it.

- (2) The competent authority or any other officer authorized by it, shall have the power to recover any amount of loss caused by the private licensee or his functionaries from the bank guarantee or cash security furnished by him.
- (3) The bank guarantee furnished by the private licensee shall be unconditional and the amount secured by the bank shall remain with the competent authority or any other officer authorized by it and shall be encashed or released to the owner as decided by the competent authority or any other officer authorized by it.
- (4) The bank guarantee shall be deemed to be held in trust for the purpose for which it is made and shall neither be used for any other purposes nor shall be liable for levy of attachment or execution by any court or other authority for any other purposes.
- (5) In case of any amount realized out of bank guarantee by the competent authority or any other officer authorized by it, the private licensee shall be liable to recoup such amount within a period of one month from the date of intimation thereof, failing which his license shall be liable to be cancelled.
- (6) The amount of security or bank guarantee furnished by the private licensee shall be deposited in the scheduled bank situated in the State of Punjab and shall be deemed to have been enhanced to the extent of the interest credited by the bank in respect of such security or guarantee, as the case may be.

- 17-D. Renewal, suspension and cancellation of licence.-** (1) An application for the renewal of licence shall be made at least thirty days before the date on which the licence is due to expire and the same shall be renewed for a period of fifteen years:

Provided that period of grace of thirty days shall be allowed for getting a license renewed and in case the licensee fails to renew the license, the same shall be deemed to be cancelled.

- (2) If the private licensee desirous to close the market before the expiry of the license, he shall give six month prior notice to the competent authority. If the private licensee closes the market without prior notice, before the period of license, in this case a penalty of twenty-five percent amount of the bank guarantee shall be imposed.
- (3) The State Government or any other officer authorized by it, after receiving the enquiry report conducted under sub rule (3) of 35-B, and after giving an opportunity of being heard to the private licensee, may pass orders of suspension or cancellation, as the case may be, of license under section 10-B of the Act. The license may be suspended up to fifty days, hundred days, hundred and fifty days, one year and two years for first, second, third, fourth and fifth breach respectively. After that if competent authority found the licensee a habitual defaulter, then the competent authority may consider for the cancellation of the license:

Provided that an appeal against the order passed by the competent authority shall lie to the State Government or any officer authorized by it and shall be preferred within sixty days from the date of communication of the order appealed against in the form of memorandum duly stamped with court fee of twenty rupees and signed by the appellant or his duly authorised agent.

- 17-E. Procedure for settlement of disputes.-** (1) Any person aggrieved by an order passed by licensing authority under section 10-B and 10-C of the Act may, at any time within one month from the date of passing the order, appeal to the authority as notified by the State Government from time to time.

- (2) Any dispute relating to-
- (i) the payment to be made to the farmers for the purchase of agricultural produce;

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- (ii) the jurisdiction (area of operation);
 - (iii) the weight, quality and price of agricultural produce, and any other statutory charges;
 - (iv) any other provisions of the Act and the rules made there under ;

arises between the buyer, seller, commission agent , any market functionaries or owner of the yard and the market committee, a complaint shall be filed in writing along with necessary documents in the office of the District Mandi Officer concerned, which shall be referred to the Dispute Settlement Committee constituted by the Government, consisting of the following members, namely:-

- (i) Sub-Divisional Magistrate of the area concerned;
 - (ii) District Mandi Officer as convener;
 - (iii) Chief Agricultural Officer or his representative;
- (3) The committee referred to in sub-rule (2), after giving due opportunity to the parties of dispute, shall decide the same within a period of sixty days from the receipt of the complaint.

17-F. Registration of Ad-hoc buyer.- (1) The registration of adhoc buyer shall be made by the Market Committee online in Form A-5 and shall also deposit registration fee of rupees five hundred to the committee. The registration number shall be granted at the State level in Form B-5, which shall be valid upto the last day of the applied month. A record of licences issued under this rule shall be maintained by the Board in Form C-5. The information about the ad-hoc buyer and the number of purchases made by him, shall be available in the Board and Market Committee portal and the particulars of such buyer and purchases made by him, shall be maintained in Form M.

- (1) The registration of ad-hoc buyer shall be linked up with Adhaar number, PAN Card and bank account detail. In case of Hindu Undivided Family, Company, Co-operative Society, Government Agency, Public Sector Unit or Corporation, as the case may be, the GST Number shall be required to be mentioned.
- (2) The ad-hoc buyer shall furnish bank guarantee equal to twenty-five percent of the tentative value of agricultural produce intended

to be purchased. The bank guarantee shall be released immediately after payment of all the dues relating to sale proceeds of the produce.

- (3) The ad-hoc buyer shall make payment to the seller through electronic transfer after the weighment is over and shall be liable to pay all the fees or dues relating to sale proceeds of the agricultural produce before lifting the same.
 - (4) In case of any breach of any provision of the act, rules and bye-laws made thereunder, the bank guarantee of ad-hoc buyer shall be forfeited.
 - (5) The Market Committee shall maintain the record of such transactions in separate Form H and shall upload the same on the Board portal on the same day.”.
8. In the said rules, in rule 21,-
- (i) for sub-rules (1), (2) and (3), the following sub-rules shall be substituted, namely:-

- (1) A licence granted under sub-sections (1) and (1-A) of section 10 or section 13 of the Act shall be valid for the period for which it is granted and shall, subject to any order passed under sub-section (2) of section 10 of the Act or sub-rule (5) of rule 19, be renewable by the authority granting it, on payment of the annual fee specified for the issue of such licence. The application for renewal of license shall be made in Form F or Form FF for licences under sub-sections (1) and (1-A) of section 10 respectively and in Form G for license under section 13:

Provided that the licence granted under sub-sections (1) and (1-A) of section 10 shall deemed to cancelled if the licensee does not conduct any business for two years continuously.

- (2) If any area is excluded from any notified market area and included in another market area, the licences issued under sub-sections (1) and (1-A) of section 10 or section 13 for the area so excluded shall be deemed to have been issued by the committee of the notified market area in which the area is included and shall be renewable by the committee of that area.

- (3) An application for the renewal of licence shall be made at least thirty days before the date on which the licence is due to expires: Provided that the period of grace of thirty days shall be allowed for getting an annual license renewal;

Provided further that the authority competent to renew a licence may, on the applicant's paying a penalty equal to the amount or annual licence fee, grant an application for renewal made within thirty days after the date of expiry of the licence or in the case of an annual licence within thirty days of the expiry of the period of grace. The authority competent to renew a licence may remit the penalty in whole or in part if it is satisfied that the delay was for the reasons beyond the control of the applicant:

Provided further that no licence shall be renewed for a part of the year:

Provided further that the authority competent to renewal of license shall decide for the renewal within thirty days from the receipt of the application, failing which the licence shall be deemed to be renewed for which it is applied for.";

(ii) sub-rule (3-A) shall be omitted; and

(iii) for sub-rules (6) and (7), the following sub-rules shall be substituted, namely:-

"(6) If a licence granted under sub-sections (1) and (1-A) of section 10 or section 13 of the Act, or renewed under sub-rule (1) is lost, a duplicate license shall be issued by the authority which issued the original, on payment of a fee of one hundred rupees.

(7) The fee payable for the renewal of a licence under sub-section (1) and (1-A) of section 10 or section 13 for the issuance of duplicate license shall be paid to the committee concerned."

9. In the said rules, in rule 24,-

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) All agricultural produce brought into the market for sale shall be sold by open auction or e-trading in the principal market yard, sub-

market yard or any other market yard notified under the Act.

- (1-A) The Chairman of the Board on the behalf of the State Government, may grant permission to a licensee for purchase of the agricultural produce directly from the producer through bi-lateral transaction at any place within the notified market area of a committee on the terms and conditions as may be specified by the Board. Any licensee applying for the permission of direct purchase, shall apply in Form A-6 and also deposit fee of rupees ten thousand per year or a part thereof with the Board. Permission shall be granted in Form B-6 by the competent authority and record of permissions issued under this rule shall be maintained by the Board in Form C-6:

Provided that if any licensee entered into a contract with a producer for standing crop of fruit and vegetable in the notified market area of the committee, such transaction shall be deemed sale and purchase of agricultural produce. The buyer shall maintain a register in Form 'R' and furnish information in Form R-I to the committee alongwith return in Form 'M'.”;

- (ii) for sub-rule (5), the following sub-rule shall be substituted, namely:-

"(5) The auction shall not be conducted by any person other than the person engaged by the committee:

Provided that under special circumstances the Chairman of the Board or an officer authorized by him may, allow a committee to make or permit any alternative arrangement;

Provided further that nothing in this sub-rule shall apply to the auction of vegetables and fruits;

Provided further that in case of licensee under section 10-B, shall made necessary arrangement for auction of the agricultural produce in the said yard.”;

- (iii) for sub-rule (11), the following sub-rule shall be substituted, namely:-

"11 (a) The Kacha arhtia or the buyer, as the case may be, shall make payment to the seller through electronic transfer after the weighment is over. If payment is not made by the Kacha Artia or buyer, as the case may be, in the manner, as stated above, then the same shall be recovered by the market committee concerned from him as an arrears of land revenue and the first lien shall be of seller's right and it shall be made

to the seller concerned:

Provided that over trading shall only be allowed in the case of buyer or kacha Arhtia, as the case may be, who provides security deposit or bank guarantee equal to the amount of agriculture produce to be purchased at any point of time, not exceeding twenty-five percent of the security deposit or bank guarantee furnished by him:

Provided further that that the seller shall be at liberty to receive payment up to rupees ten thousand in cash in a calendar month for the agricultural produce sold by him during that month.

- (b) The incidental and market charges, payable to different market functionaries, shall be paid as provided in the byelaws.”; and
- (iv) for sub-rule (14), the following sub-rules shall be substituted, namely:-

"(14) Delivery of agricultural produce after sale shall not be made or taken unless and until the Kacha Arhtia or, if the seller does not employ a Kacha Arhtia, the buyer have to give to the seller a sale voucher in Form J mentioning the payment mode and its authentication, the counterfoil of which shall be retained by the Kacha Arhtia or the buyer, as the case may be:

Provided that a licensee entered into a contract with a producer under sub-rule (1-A), shall issue sale voucher in Form-J for the contract value of the agricultural produce.

- (15) Any person desirous to make purchase of agricultural produce for his domestic consumption shall be allowed to purchase directly from the producer up to such quantity as may be prescribed in bye-laws for each agricultural produce notified in the Schedule under the Act."

- 10. In the said rules, for the rule 24-A, the following rule shall be substituted, namely:-

"24-A. **Commission of Kacha Arhtia.**- The commission of Kacha Arhtia for services rendered in connection with the sale, purchase, storage and processing of agricultural produce mentioned below shall be paid at upto the following rates, namely:-

Name of Agricultural Produce	Rate of Commission
(i) cereals i.e. Wheat (Kanak), Barley (Jau), Maize (Makki), Great Millet (Jowar), Spiked Millet (Bajra), Paddy and Rice (Dhan and Chawal).;	Two and a half percent
(ii) all fruits and vegetables except Chillies (dry and green);	Five percent
(iii) Chillies (dry and green) ;	One and a half percent
(iv) dry and green fodder;	three percent
(v) Timber and Firewood; and	four percent
(vi) all other items (other than those specified in items (i) to (v) mentioned in the Schedule of the Act.	Two and a half percent

11. In the said rules, in rule 26, for sub-rule (1), the following sub- rule shall be substituted, namely:-

" (1) Only such weighing instruments, as satisfy the requirements of, and such weights and measures as are prescribed by the Punjab Weights and Measures Act, 1958, and the rules made thereunder shall be used for weighing or measuring agricultural produce in a notified market area:

Provided that in the transactions of sale and purchase of a agricultural produce in the principal market yard and sub-market yards of the notified market area the electronic weighing scale shall only be used."

12. In the said rules, after rule 28, the following rule shall be inserted, namely:-

"28-A. **Establishment of Assaying Laboratory.**- Assaying lab can be operated, managed or leased out by the committee on the terms and conditions prescribed by the Board from time to time. The competent authority can authorize private assaying lab for issuing the assaying certificate as per prescribed parameters."

13. In the said rules, in rule 29,-

(i) in sub-rule (1), for the third proviso, the following proviso shall be substituted, namely:-

" Provided further that no such fee shall be levied on the certified seeds only."; and

(ii) for sub-rule (2), the following sub- rule shall be substituted, namely:-

" (2) The responsibility of paying the fees specified under sub-rule (1) shall be of the buyer and if he is not a licensee then the seller who may realize the same from the buyer. Such fees shall be leviable as soon as an agricultural produce is bought or sold by a licensee:

Provided that a person licensed under sub-section (1-A) of section 10, shall deposit fee specified under sub-rule (1) along with return in Form MM within seven days from the date of transaction of agricultural produce, through RTGS or NEFT or IMPS or electronic payment gateway via website of the Board."

14. In the said rules, after rule 29-A, the following rules shall be inserted, namely:-

"29-B. Levy and collection of User charges.- (1) Under sub-section (4) of section 23 of the Act, the owner of private market yard, private producer and consumer market yard, private e-trading platform, private producer market yard (kisan mandi) shall charge user charges upto the rate of market fee levied in the State for the use of infrastructure provided in the yard.

(2) Under section 23-B of the Act, the Board or a committee, as the case may be, shall collect user charges in principal market yard, sub-market yard, special market yard, seasonal market yard, as the case may be, at the rate specified by the Board for the use of infrastructure.

29-C. Levy and collection of Price Stabilization Fund.- The Board shall levy price stabilization fund on the sale of agricultural produce, which shall be collected by the market committee or the Board, as the case may be, from producer or seller, buyer, kacha arhtias in all the market notified under sections 7 to 7-F at the rates notified by the State Government from time to time. This fund shall not be utilized for the purpose other than the stabilization of prices of specified agricultural produce by the State government.

- 29-D. **Contribution to Board by the private licensee.-** (1) The owner of private market yard, producer and consumer market yard and private producer market yard (Kissan Mandi) shall pay as contribution to the Board at the rate of twenty-five percent of the total collection of the user charges and shall deposit the same, into the "Marketing Development Fund" of the Board, during first week of next month.
- (2) In case of e-trading platform, the owner of the same shall pay as contribution to the Board at the rate of twenty-five percent of total market fee collected from fruits and vegetables, five percent on live stock and sixty percent on all other items of agricultural produce mentioned in the Schedule of the Act, and shall deposit the same into the "Marketing Development Fund" of the Board, during first week of next month."
15. In the said rules, in rule 31.-
- (i) for sub-rule (1), the following sub- rules shall be substituted, namely:-
- "(1) Every licensed dealer and every dealer exempted under rule 18 for obtaining a license shall submit to the committee a return in Form "M" showing his purchases and sales of each transaction of agricultural produce within seven days of the date of the transaction but before the resale or processing or export of such agricultural produce out of the notified market area, failing which a penalty of rupees one hundred per day per return shall be imposed.
- (1-A) The owner of cotton ginning and pressing factory shall submit monthly returns to the committee showing the quantity of cotton ginned in the factory during the preceding month within first week of next month in form L-1, failing which a penalty of rupees one hundred per day per L-1 return shall be imposed." ; and
- (ii) for sub-rule (7), the following sub-rule shall be substituted, namely:-
- "(7) The assessing authority may, after inspection, prepare a return or may amend the return already furnished, on the basis of transactions, appearing in the dealer's account books, and the assessing authority may determine or, as the case may be, an additional fee levied under section 23 on the basis of such return or amended returns,

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 assessing authority may assess the amount of the dealer's business on such information as may be available or on the basis of best judgment, and determine fee due on the basis of such assessment not later than six years from the financial year of transaction."

16. In the said rules, after rule 32, the following rule shall be inserted, namely:-

"32-A. Marking of bales by cotton ginning and pressing factory.-

(1) The owner of every cotton ginning and pressing factory shall cause every bale pressed in the factory to be marked with a Press mark ("P" mark), prescribed for the factory, duly issued by the committee in the manner specified in Form T.

- (2) If any bale is removed from the press- house of any cotton pressing factory without having been marked as required by sub- section (1), it shall be deemed as unaccounted transaction."

17. In the said rules, in rule 35, for sub rule (1), the following sub- rule shall be substituted, namely:-

"(1) The counter foils of Form I, J, M, L and L-1 shall be preserved by the dealer concerned for a period of six years from the date of issue of the foil to which the counter foils relate."

18. In the said rules, in rule 35-A, for sub-rules (1), (2) and (3), the following sub- rules shall be substituted, namely:-

"(1) Any officer of the Board not below the rank of the Secretary of the committee or any other officer empowered by the State Government in this behalf, may require any dealer to produce before him, the books, bank statements and other documents maintained by him and to furnish any information which includes softcopies of data electronically stored relating to the purchase, sale, storage or processing of agricultural produce and the payment of the market fee or other financial transactions done by him as may be required necessary.

- (2) All accounts, registers and electronic devices maintained by any

dealer and documents relating to the purchase, sale, storage or processing of agricultural produce, in his possession, and his office, establishment, godown or vehicles shall be open to inspection at all reasonable times by any of the officer specified in sub-rule (1).

- (3) If such an officer has reasons to believe that any person is attempting to evade the payment of market for due from him under section 23 or that any person has purchased agricultural produce in contravention of any of the provisions of the Act or the rules or bye laws in force in any market area, he may, for reasons to be recorded in writing, seize such accounts, registers, electronic devices or documents of such person, as may be necessary, and shall grant a receipt for the same and shall retain the same only so long as they may be necessary for examination thereof or for the prosecution of the person concerned."

19. In the said rules, after rule 35-A, the following rule shall be inserted, namely:-

"35-B. Powers of the Government to inspect the market yard of private licensee and enquire the record relating to it.- (1)

The State Government or any other officer authorized by it, shall have the power to inspect the market yard of private licensee and enquire the record relating to it, on any working day of the market.

- (2) In case of any complaint, violation and enquiry, the State Government or any other officer authorized by it shall have the power to enquire and inspect the affairs within a period of sixty days.
- (3) If the inquiry or inspection cannot be completed within the period specified in sub-rule (2), the person conducting the inquiry or inspection shall submit an interim report stating the reasons for not completing inquiry or inspection in time and the State Government or any other officer authorized by it may grant such extension of time for the completion of the inquiry or inspection, he deems necessary or may withdraw the inquiry or inspection from the person to whom it is entrusted and hold the inquiry or inspection by himself or entrust it to such other person as he deems fit.

- (4) On receipt of the order referred to in sub-rule (3), the person authorized to conduct the inquiry or inspection shall proceed to examine the relevant books of accounts and other documents in possession of the private licensee and or any of its officers, members, commission agents or servants or any person operating therein and obtain such information or explanation from any such persons in regard to the transactions and working of the respective private licensee, as he deems necessary for the conduct of such inquiry or inspection.

The officer authorized to conduct an inquiry or inspection shall submit the report to the State Government or any other officer authorized by him on all the points mentioned in the order referred to in sub-rule (3) and the report shall contain his findings and the reasons therefore supported by such documentary or other evidences as recorded by him during the course of his inquiry or inspection."

20. In the said rules, after FORM A, FORM B, FORM C, FORM F and FORM H, the following forms shall, respectively, be inserted, namely:-

“FORM AA

[See Rule 17 (2)]

Application for grant of licence under section 10 (1-A)

To

.....,

Photo

Punjab State Agricultural Marketing Board,

Through

Sir,

1. I/We.....(Name),(Address),
..... (Phone No.) under signed here by apply
along with application fee of Rs for issue of a licence for a
period of years, under sub-section (1-A) of Section 10 of the Act for
Sale/ Purchase/Processing/Storage of notified agricultural produce for whole
State of Punjab. I/We agree to pay the necessary licence fee of Rs
as per rules.

2. The particulars of my business are given below:—

A	Name of the applicant with full address
I.	Aadhar Number (wherever applicable
II.	PAN Number
III.	Mobile Number
IV.	E-mail address
B	GST Registration if applicable
C	Place of business for which licence is applied for (give the name or number of the building and the name or number of the street or other description sufficient to identify the premises
D	If the applicant is a firm, is it a Hindu-Joint Family firm, or otherwise constituted and has it been registered or not?
E	If the applicant is a firm, give the names of all persons constituted the firm with.

I/We agree to abide by the Punjab agricultural produce markets act 1961 and rules 1962 and Bye-Laws 1963 made there under and amendments made to it from time to time and the directions or order issued by Punjab Mandi board/Market committee from time to time.

Declaration

- i. I/We agree to abide by the Punjab agricultural produce markets act 1961 , rules , bye laws made there under.
- ii. I/We agree to keep all the prescribed records and information about the functioning of our business and to cooperate to produce whatever information and document will be asked for inspection by the appropriate authority.
- iii. I/We agree to pay whatever charges of fees or amounts liable and due from me/us legally.
- iv. I/We agree not to do business with persons doing illegal business and will cooperate in taking legal action against such persons.
- v. I/We have not been guilty of any offence or misconduct in any of the market committees in the state of Punjab.
- vi. I am /We are not a partner with any person to whom a Permission has been refused.
- vii. I/We have not applied for this permission just to avail of advantages accruing there from.
- viii. I/We 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.

I/we hereby declare that the above information is true and correct to best of my knowledge and belief. I shall be responsible for all acts of my employees.

It is requested that a license under sub-section (1-A) of section 10 of the Act, may kindly be granted to me/us.

Signature of applicant along with address

TO BE FILLED BY CONCERNED OFFICE

Received License Fee	Receipt no.	Date	Page number of cash book
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Verified by

Licensing authority

Accountant.

FORM A-3

[See rule 17-B (1)]

**APPLICATION FOR GRANT A LICENCE TO A PRIVATE
LICENSEE FOR ESTABLISHMENT OF PRIVATE MARKET
YARD/ PRODUCER AND CONSUMER MARKET YARD/
PRODUCER MARKET (KISAN MANDI)**

Date:

To

.....
.....

Through Secretary, Punjab State Agricultural Marketing Board, Mohali.

I/We..... (Name).....(Address)
....., (Phone No.) am/are making an application
for the grant of Licence for establishing _____.
The necessary documents as required are enclosed. I am ready and willing to
pay the necessary licence fee of Rs. _____ as per rules for obtaining
the above mentioned licence. You are requested to grant me the licence.

Yours faithfully,

(Signature of Applicant)

The following documents are submitted with this application:—

- i) Certificate of Incorporation or Registration in respect of Company, Co-operative Society, Trust, Corporation, Partnership, Farmer Producer Organization or Farmer Agri. business Consortium or Farmer Producer Company, etc. (whichever is applicable);
- ii) Memorandum of Association or Articles of Association (if applicable);
- iii) Names and Address and Telephone number of all the Directors and owners and partners, etc.
- iv) Details Project Report of infrastructure created with the breakup of the cost of the land in following table (Proof in support of cost should also be enclosed):

Sl. No.	Type of Infrastructure	Estimated Cost (Rs.)
1		
2		
3		
4		
Total		

- v) Detail of licence fee paid amountReceipt no..... Date.....
vi) Bank Guarantee in prescribed format (if applicable)
vii) Detail project report for the conduct of private market yard/ farmer consumer market yard/ producer market yard (kisan market).

Declaration

- (1) I/We agree to abide by all the provisions of the Act, rules, bye-laws framed thereunder and instructions issued from time to time and in case of violation, i/ we shall be liable to action in lieu thereof.
- (2) I/We agree to keep all the prescribed records and information about the functioning of our business and to cooperate to produce whatever information and document will be asked for inspection by the appropriate 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 cooperate in taking legal action against such persons.
- (5) I/We have not been guilty of any offence or misconduct in any of the market committees in the state of Punjab.
- (6) I am / We are not a partner with any person to whom a license has been refused or cancelled.
- (7) I/We have not applied for this license just to avail of advantages accruing there from.
- (8) I/We 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.

I hereby declare that the above information is true and correct to best of my knowledge and belief. I shall be liable to rejection or cancellation of application/license in lieu thereof.

Date:

Place:

(Signature of Applicant).

FORM A-4

{See Rule 17-B (2)}

APPLICATION FOR PERMISSION FOR E-TRADING PLATFORM

To

.....

Photo

.....

Through Secretary, Punjab State Agricultural Marketing Board, Mohali.

I/We (Name)....., License No. _____

(Address)..... (Phone No.)..... E-mail
address.....am/are making an application for the grant of
permission for e-trading for notified agricultural produce in the State. The
necessary documents as required are enclosed. I/we am/are ready and willing
to pay the necessary fee of Rs. along with the bank guarantee of Rs.
.....as per Rules for obtaining the above mentioned permission. You are
requested to grant me permission.

Yours faithfully,

Signature of the Applicant

Documents submitted with this application:-

- (i) Certificate of Incorporation or Registration in respect of Company, Co-operative Society, Trust, Corporation, Partnership, etc. (whichever is applicable)
- (ii) Memorandum of Association or Articles of Association. (if applicable);
- (iii) Copy of License under section 10 (1) or 10 (1-A), Names, Address and Telephone number of all the Directors and owners and partners, etc.
- (iv) Receipt in support of having paid the permission fee.
- (v) Operational and working guidelines as to how e-trading platform shall be run or operated.
- (vi) Undertaking or Affidavit that the applicant shall abide by all the provisions of the Act and Rules made there under and in case of violation he shall be liable to punitive action including cancellation of licence.
- (vii) A Bank Guarantee as provided in sub-rule (12) of rule 17-B.
- (viii) Income tax return & certified copy of the company's turn over.
- (ix) Authenticated copy of letter of permanent recognition granted by concerned authority.
- (x) Registration number of SEBI or any commodity exchange or any other entity approved by Government of India from time to time.

Date:

Place:

Signature of the Applicant.

FORM A-5

{ See Rule 17-F (1) }

Application for registration of AD-hoc buyer under section 10-D

To

.....,

Photo

Market Committee,

Sir,

1. I/We.....(Name)
(Address) (Phone No.)
under signed here by apply along with application fee of Rs
for registration of Ad-Hoc buyer for maximum three wholesale purchases in
a month across the state, under section 10-D of the Punjab agricultural produce
markets act 1961. I/We agree to pay the necessary Registration fee of Rupees
Five hundred.

2. The particulars of my business are given below:—

A Name of the applicant with full address

a Aadhar Number (if applicable)

b PAN Number

c Mobile Number

d E-mail address

B GST Registration ; if applicable

C name of the market yard from the
purchase is to be made

I. tentative date of purchase

II. commodity/ Quantity to be purchased

III. Tentative amount as per the market
rate

IV. tentative date of payment and lifting

V. proof of available funds for making purchase
i.e. solvency certificate issued by a bank

VI. whether permission has been taken from any other market committee, if yes then committee name and permission detail			
D	If the applicant is a firm, is it a Hindu-Joint Family firm, or otherwise constituted and has it been registered or not?		
E	If the applicant is a firm, give the names of all persons alongwith KYC detail, constituted the firm with.		
Sr. no.	Name	Father/husband name	Full address
F	Name of Managing Proprietor or Manager of the firm and Special power of attorney in this behalf:		
G	Name and style under which the applicant will work:		
H	Has the applicant or, where the applicant is a firm, has any member thereof, single or in collaboration with anybody else, been granted a dealer's permission in any notified market area in the State and has such permission been suspended or cancelled? If so, when, for what period and for what reason?		
3. Along with application form i am enclosing the following documents			
Sr. no.	Name of document		Yes/NO
1	Adhaar card		
2	Pan card		

3	BANK authentication
4	For partnership firm adhaar and pan card of all partners/directors
5	Bank guarantee of Rs.....
6	GST Registration if applicable
7	Copy of partnership deed
8	Special power of attorney
9	solvency certificate duly authorized by the bank
10	Any other

I/We agree to abide by the Punjab agricultural produce markets act 1961 and rules 1962 and BYE Laws made there under.

Declaration

- (1) I/We agree to abide by the Punjab agricultural produce markets act 1961, rules, bye laws made thereunder.
- (2) I/We agree to keep all the prescribed records and information about the functioning of our business and to cooperate to produce whatever information and document will be asked for inspection by the appropriate authority.
- (3) I/we shall not make such wholesale purchases more than three times in a month within the whole state.
- (4) I/We shall make payments of agricultural produce to farmers and other charges leviable to market functionaries, market fee, commission agents charges and any other applicable fee or charges before lifting the agricultural produce from the market.
- (5) I/We agree not to do business with persons doing illegal business and will cooperate in taking legal action against such persons.
- (6) I/We have not been guilty of any offence or misconduct.
- (7) I am /We are not a partner with any person to whom a Permission/ registration has been refused or cancelled.
- (8) I/We 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.

(9) I/We agree to pay whatever charges of fees or amounts liable and due from me/us legally.

I hereby declare that the above information is true and correct to best of my knowledge and belief. I shall be responsible for in lieu thereof.

Signature of applicant along with address

TO BE FILLED BY CONCERNED OFFICE

Received Registration Fee	Receipt no.	Date	Page number of cash book
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Verified by

Licensing Authority

Accountant.”;

FORM A-6

[See Rule 24 (1-A)]

Application for permission of direct purchase

To
Chairman,
Punjab Agricultural Marketing Board, Mohali.

....., Photo
through Market Committee,

Sir,

1. I/We (Name)
(Address) (Phone No.)
and having license number type..... of
notified area....., undersigned here by apply along with permission
fee of Rs. for permission of direct purchase from producers
through bi-lateral transaction, under section 7-G of the Punjab agricultural
produce markets act 1961.

2. The particulars of my business are given below:—

A	Name of the applicant with full address
a	License number (copy enclosed)
	Mobile Number
b	E-mail address
c	name of the notified market area from the purchase is to be made address of premises where the purchase is to be made name of agricultural produce for which permission is sought

I/We agree to abide by the Punjab agricultural produce markets
act 1961 and rules 1962 and BYE Laws made there under.

Declaration

- (1) I/We agree to abide by the Punjab agricultural produce markets act 1961, rules , bye laws made there under.
- (2) I/We agree to keep all the prescribed records and information about the functioning of our business and to cooperate to produce whatever information and document will be asked for inspection by the appropriate authority.

- (3) I/we shall not make such wholesale purchases more than three times in a month within the whole state.
- (4) I/We shall make payments of agricultural produce to farmers and other charges levied to market functionaries, market fee, commission agents charges and any other applicable fee or charges before lifting the agricultural produce from the market.
- (5) I/We agree not to do business with persons doing illegal business and will cooperate in taking legal action against such persons.
- (6) I/We have not been guilty of any offence or misconduct.
- (7) I am /We are not a partner with any person to whom a Permission/ registration has been refused or cancelled.
- (8) I/We 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.
- (9) I/We agree to pay whatever charges of fees or amounts liable and due from me/us legally.

I hereby declare that the above information is true and correct to best of my knowledge and belief. I shall be responsible for in lieu thereof.

Signature of applicant along with address

TO BE FILLED BY CONCERNED OFFICE

Received	Receipt No.	Date	Page number of cash
Registration			book
Fee			

Verified by
Licensing authority

Accountant”;

“FORM BB

[See Rule 17(2) and 17 (7)]

Licence under Section 10(1-A)

This licence is granted to M/s. _____ for the whole state of Punjab subject to conditions prescribed hereunder:-

1	Serial number of licence.	_____
2	Name of Managing Proprietor or Manager of the firm with parentage.	_____
3	Date from which the licence takes effect	_____
4	Date on which the licence expires	_____
5	Particulars of business for which the license is valid.	_____

Place

Licensing Authority,

Date:

Punjab State Agricultural Marketing Board.

CONDITIONS OF LICENCE:

1. The licensee shall comply with the provisions of the Punjab Agricultural Produce Markets Act, 1961, rules and bye-laws framed there under and instructions issued from time to time.
2. He shall not permit evasion or infringement of any of the provisions of the Act, the rules and by-laws and shall report in writing to the Market Committee any evasion or breach which comes to his knowledge.
3. He shall surrender his licence, on demand, to the Competent Authority or any other officer authorized by him in this behalf against a receipt to be given to the licensee in this connection.
4. He shall conduct his business honestly and properly according to the principles of fair dealings.
- 4-A He shall carry on his business in all the declared market yards under section 7 to 7-F business, specified in the licence.

5. He shall display his licence at a conspicuous place on his business premises.
6. He shall keep his business premises clean and in a suitable condition for storage of agricultural produce.
7. He shall not boycott or encourage boycott of any other operator.
8. He shall not indulge in activities and practices, which are detrimental to the interest of the trade and proper functioning of the market.
9. He shall not take or continue in his service any licenced broker, weighman, measurer, surveyor or palledar.
10. He shall be responsible for the safe custody and protection of the agricultural produce brought to his shop for sale or storage.
11. He shall not form a pool or combination with other buyer for eliminating competition and shall not make or abet an attempt to do so in order to deprive the seller of a fair price of his produce.
12. He shall, on the expiry or sooner termination of the licence, surrender the same to the Committee.
13. He shall, when desired by the competent authority or Secretary of the Board or any other officer authorized by him, furnish correct information on the matters pertaining to his business relating to sale and purchase of agricultural produce under the Act.
14. The security shall be liable to be forfeited in part or in full by the licencing authority in case the operator makes a breach of any condition of the licence.

FORM B-3

[See Rule 17-B (1) and 17-B (10)]

This license is granted to M/s._____,
address..... for the establishing and operating a Private
Market Yard/ producer and consumer market yard/ producer market yard
(Kisan Mandi) at place/places..... (Full address) subject to conditions
prescribed under rule 16-F (1) and (2) of aforesaid rules:-

-
- 1 license number / date _____
-
- 2 Name of Managing Proprietor or
Manager of the firm with parentage. _____
-
- 3 Date from which the permission
takes effect _____
-
- 4 Date on which the permission expires _____
-
- 5 place of business with full address _____
-

The provisions of the act, rules and bye-laws or any other amendments
made from time to time shall be applicable to the above private licensee and
bound to comply with it.

Place

Licensing Authority,

Date:

Punjab State Agricultural Marketing Board.

FORM B-4

{See Rule 17-B (2)}

[Permission under Section 7-F]

This permission is granted to M/s. _____ for establishing an e-trading platform in state of Punjab subject to conditions prescribed hereunder:-

-
- | | | |
|---|---|-------|
| 1 | Permission number | _____ |
| 2 | Name of Managing Proprietor or
Manager of the firm with parentage. | _____ |
| 3 | Date from which the permission
takes effect | _____ |
| 4 | Date on which the permission expires | _____ |
| 5 | place of business with full address | _____ |
-

Place _____ Licensing Authority,
Date: _____ Punjab State Agricultural Marketing Board.

CONDITIONS FOR PERMISSION:-

1. The person shall comply with the provisions of the Punjab Agricultural Produce Markets Act, 1961, rules and bye-laws framed there under and instructions issued from time to time.
2. He shall not permit evasion or infringement of any of the provisions of the Act, the rules and by-laws and shall report in writing to the Market Committee any evasion or breach which comes to his knowledge.
3. He shall surrender his permission, on demand, to the Secretary of the Board or any other officer authorized by him in this behalf or the Chairman of the Market Committee against a receipt to be given to the person in this connection.
4. He shall conduct his business honestly and properly according to the principles of fair dealings.
5. He shall display his permission at a conspicuous place on his business premises.

6. He shall not boycott or encourage boycott of any other person.
7. He shall not indulge in activities and practices, which are detrimental to the interest of the trade and proper functioning of the market.
8. He shall be responsible for the safe custody and protection of the agricultural produce sold through the platform and timely payment to the seller of the produce.
9. He shall not form a pool or combination with other buyer for eliminating competition and shall not make or abet an attempt to do so in order to deprive the seller of a fair price of his produce.
10. He shall, on the expiry or sooner termination of the permission, surrender the same to the Competent Authority.
11. He shall, when desired by the Secretary of the Board or any other officer authorized by him, furnish correct information on the matters pertaining to his business relating to sale and purchase of agricultural produce under the Act.
12. The bank guarantee shall be liable to be forfeited in part or in full by the competent authority in case the operator makes a breach of any condition of the permission.
13. The person shall provide electronic interboard/ terminal at prominent place in the market and connectivity to the Punjab Mandi Board portal to show the futures/spot prices daily.

FORM B-5

[See Rule 17-F (1)]

Permission for Ad-hoc buyer

This permission is granted to M/s. _____ ,
address..... as Ad-hoc buyer for the maximum three
wholesale purchases of agricultural produce from market
yards..... across the State of Punjab, subject to conditions prescribed
under rule 17-F:-

-
- 1 permission number / date _____
-
- 2 Name of Managing Proprietor or
Manager of the firm with parentage.
-
- 3 Date from which the permission
takes effect
-
- 4 Date on which the permission expires
-
- 5 place of business
-

The provisions of the act, rules and bye-laws or any other amendments
made from time to time shall be applicable to the above ad-hoc buyer and shall
be bound to comply with it.

Place

Licensing Authority,

Date:

Punjab State Agricultural Marketing Board.

FORM B-6

[See Rule 24 (1-A)]

Permission for Direct Purchase

1. Name and license number of the Firm:-
2. Full Address:-
3. Permission Number _____ Valid upto _____
4. Name of Market Committee:- _____
5. Application Fee:-Amount _____ Receipt No. _____
6. Commodities to be purchased:- _____
7. Type of Business:-_____ (e.g. trading/processing/
contractual purchase)

CONDITIONS FOR PERMISSION:-

1. The licensee with this permission shall comply with the provisions of the Punjab Agricultural Produce Markets Act, 1961, rules bye-laws framed thereunder and instructions, terms or conditions in this regard issued from time to time.
2. He shall not permit evasion or infringement of any of the provisions of the Act, the rules and bye-laws and shall report in writing to the Market Committee any evasion or breach which comes to his knowledge.
3. He shall surrender his permission, on demand, to the Secretary of the Board or any other officer authorized by him in this behalf or the Chairman of the committee against a receipt to be given to the licensee in this connection.
4. He shall conduct his business honestly and properly according to the principles of their dealings.
5. He shall carry on his business in the principal market yard, or sub-market yard or at his place of business, specified in the permission.
6. He shall display his permission at a conspicuous place on his business premises.
7. He shall keep his business premises clean and in a suitable condition for storage of agricultural produce.

8. He shall not boycott or encourage boycott of any other licensee.
9. He shall not indulge in activities and practices which are detrimental to the interest of the trade and proper functioning of the market.
10. He shall not take or continue in his service any licenced broker, weighman, measurer, surveyor or palledar.
11. He shall be responsible for the safe custody and protection of the agricultural produce brought to his shop for sale or storage.
12. He shall not form a pool or combination with other buyers for eliminating competition and shall not make or abet an attempt to do so in order to deprive the seller of a fair price of his produce.
13. He shall, on the expiry or sooner termination of the permission, surrender the same to the committee.
14. He shall, when desired by the committee or any officer authorized by it, furnish correct information on the matters pertaining to his business relating to sale and purchase of agricultural produce under the Act.

Authorized signatory.”

“Form CC

{Rules 17 (8)}

Register of licences issued under Section 10 (1-A)

S.NO.	Description		
1	Name of the firm		
2	Address of the premises		
3	Name of the Managing Proprietor or manager with parentage		
4	Licence No.		
5	Nature of licence		
6	Detail of bank guarantee		
7	Details of partners		
S.No.	Name	Father's Name	Address

1	2	3	4	5	6	7
Date of entry	Date from which the licence takes effect	Date on which the licence expires	Licence fee received	Receipt No. & date	Signature of issuing authority with designation	Remarks

FORM C-3

[see rule 17-B (1)]

**REGISTER OF LICENSE ISSUED TO THE PRIVATE LICENSEE FOR
ESTABLISHING PRIVATE MARKET YARD/ PRODUCER AND CONSUMER
MARKET YARD/ PRODUCER MARKET (KISAN MANDI)**

Sr. No.	Type of yard	Name and Address of Applicant	Date of Receipt of Applicant for License	Date of issuance.	Market area (S)	Licence fee Rs.	Licence No. and date	Validiry of License	Remarks and Signature
[private market yard/ producer and consumer market yard/ producer market (Kisan Mandi)]									
1	2	3	4	5	6	7	8	9	10

FORM C-4

[see rule 17-B (2)]

**REGISTER OF PERMISSION FOR ESTABLISHING E-TRADING
PLATFORM**

Sr. license		Date of	Date of	Market	Permission	Permission	Validity	Remarks
No.	no., Name	Receipt	issuance	area (S)	fee Rs.	No. and	of	and
	and	Applicant				Date	permi-	Signa-
	Address	for					ssion	ture
	of	permission						
	Applicant							
1	2	3	4	5	6	7	8	9

FORM C-5

[see rule 17-F (1)]

REGISTER OF AD-HOC BUYER

Sr. No.	Name and Address of Applicant	Date of Receipt of Applicant for permission	Date of issuance	Market area (S)	Registration fee Rs.	Permission No. and Date	Validity of Permission	Remarks and Signature
1	2	3	4	5	6	7	8	9

FORM C-6

[see rule 24 (1-A)]

REGISTER OF DIRECT PURCHASE

Sr. No.	Name and Address of Applicant	License Number and validity (Existing) for	Date of Receipt of Applicant	Date of issuance	Market area (S)	Permission fee Rs.	Permi-ssion No. and Date.	Validity of Permi-ssion	Remarks and Signa-ture
1	2	3	4	5	6	7	8	9	10

FORM FF

[See Rule 17 (2)]

Application for the renewal of licence under section 10 (1-A).

To

.....,

State Agricultural Marketing Board,

.....

Through

Sir,

I request for the renewal of my licence. The necessary particulars are given here below:

1. Name of the applicant (with full particulars of the place of business) _____
2. Name of the Managing Proprietor or the Manager of the firm, if any _____
3. Number of licence _____
4. Date on which the licence expires _____
5. Period for which renewal is requested _____
6. Fee paid _____
7. Penalty paid, if any _____
8. Has the applicant or where the applicant is a firm, has any member thereof singly or in collaboration with anybody else, been _____
- (a) Granted a dealer's licence in any notified Market area in the State and has such Licence been suspended, or cancelled. If so, when, where, for what period and for what reasons; or _____

(b) Convicted on an officers
affecting the said person's
integrity as a man of business.
If so, the date of conviction; or _____

(c) Declared as an undischarged
insolvent certified that the facts
set out in the application are true
to my knowledge. _____

I, hereby, declare that nothing is due towards my firm in any notified area of
whole state.

Date: _____

Signature of the applicant

(To be filled in by the office)

Renewal licence fee received	Penalty received if any	No. of receipt	Date of receipt	Page of cash book where entry made	Remarks
---------------------------------------	-------------------------------	-------------------	--------------------	---	---------

No. _____ Dated _____

Cashier/Accountant

Contents of the application verified.

Forward to the *[Licensing authority], State Agricultural Marketing Board,
_____ for necessary action.

Report by the office of the *[Licensing authority], of the Board

Dated: _____

Orders of the Licensing Authority

Signature with Designation.

FORM F-3

[See rule 17-B (1)]

APPLICATION FOR RENEWAL OF LICENSE TO A PRIVATE
LICENSEE FOR ESTABLISHMENT OF PRIVATE MARKET YARD/
PRODUCER AND CONSUMER MARKET YARD/ PRODUCER
MARKET YARD(KISAN MANDI)

Date:

To,

The licensing authority,

.....

I/We..... (Name).....
(Address)....., (Phone No.) am/are making an
application for the renewal of license No..... date..... Valid upto..... for
PRIVATE MARKET YARD/ PRODUCER AND CONSUMER MARKET
YARD/ PRODUCER MARKET YARD (KISAN MANDI). The necessary
documents as required are enclosed. I am submitting renewal license fee of
Rs. _____ as per rules for obtaining the above mentioned license. You are
requested for renewal of license. The necessary particulars are given here
below:

1. Type of market yard for _____
which the license 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. license Number _____
5. Date on which the license expires _____
6. Period for which renewal is _____
requested
7. Fee paid _____
8. Penalty paid, if any _____
9. No due Certificate from Competent _____
Authority

I/we, hereby, declare that all the documents submitted by me/us are valid till
the period applied for renewal of the license.

Yours faithfully,

(Signature of Applicant)

FORM F-4

[See rule 17-B (2)]

**APPLICATION FORM FOR THE RENEWAL OF PERMISSION FOR
E-TRADING PLATFORM**

To

The Competent Authority,
Punjab State Agricultural Marketing Board,

.....

Sir,

I request for the renewal of my Permission. The necessary particulars are given below:-

1. Particulars of the E-trading platform for which the Permission has been issued:
2. Name of the applicant (with full particulars of the place of market yard) :
3. No. of Permission :
4. Date on which the Permission expires:
5. Period for which renewal is required:
6. Fee paid Rs. :
7. Penalty paid, if any:
8. Has the applicant (S) or where the applicant is a firm, has any member thereof singly or in collaboration with anybody else, been
 - (a) Granted any Permission in any other market area and his Permission has been suspended or cancelled. If so, when, where, for what period and for what reasons; OR
 - (b) Convicted of any offence involving moral turpitude. If so, the date of Conviction; OR
 - (c) Declared as an undercharged insolvent
- or
- (d) Defaulter of not paying the dues to the Market Committee/ Board

I am enclosing a demand draft No dated amounting to Rs on account of renewal fee.

The particulars given above are true and correct to the best of my knowledge and belief.

Date

Signature of the applicant.”;

“FORM H-3

[See rule 16-F (2) (vii)]

register of sale and purchase of agriculture produce by private licensee

Name of market yard..... Name of licensee

Licence number..... Date of transaction

Name of seller	Name of comm- odity (with crop code)	Lot No. (unique code)	Name of commission agent	Name of buyer	Weight (quintal)	rate per quintal	Value	Rate of user charges	amount of user charges	any other charges collected	Total
----------------------	---	-----------------------------	--------------------------------	---------------------	---------------------	------------------------	-------	-------------------------------	---------------------------------	--------------------------------------	-------

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

”;

21. In the said rules, for FORM I and FORM J, the following form shall be substituted, namely:-

"FORM I

[See Rule 24 (12) , 24 (13) and 16-F (2) (ix)]

Bill of Kacha Arhitya

Counterfoil _____

Book No. _____

Serial No. _____

Name of the **Market yard** _____

Name & Permission No. of Kacha Arhitya _____

Name & Permission No. of Buyer _____ Dated: _____

Name and Address of seller _____

Mobile number of Seller _____ Adhaar Number (if applicable) : _____

Bank particulars of seller

1. name of bank with address.....
2. account number
3. IFSC Code.....
4. payment detail _____

Name of Commodity	Weight	Rate	Total	Market Charges	Grand Total
-------------------	--------	------	-------	----------------	-------------

	Rs.	Rs.	Rs.		Rs.
--	-----	-----	-----	--	-----

Commission _____

Brokerage _____

Palledari _____

Filling Sewing Charges

Other Charges _____

Total _____

Acknowledgement by the buyer

Signature of Kacha Arhtia.”;

[FORM J]

[See Rule 24 (14) and 16-F (2) (xi)]

Sale Voucher for the Seller

Counterfoil

Book No. _____ Serial No. _____

Name of **Market yard** _____ Date of
Auction _____

Name of Kacha Arthiya / Buyer _____

Name and Address of seller _____

Mobile number of Seller _____ Adhaar Number (if applicable) : _____

bank particulars of seller :

1. name of bank with address.....
2. account number
3. IFSC Code.....
4. payment detail _____

Name of Commodity	Weight	Rate	Total Amount	Market Charges	Grand Total
		Rs.	Rs.	Rs.	Rs.
			Commission _____		
			Brokerage _____		
			Palledari _____		
			Filling Sewing Charges		
			Other Charges _____		
			Total _____		

Acknowledgement by the buyer

Signature of Kacha Arhitya

Acknowledgement by the seller.”.

22. In the said rules, after FORM L, the following form shall, respectively, be inserted, namely:-

"FORM L-1

[See rule 31 (1-A)]

Daily Register of cotton ginning & pressing factories

Date	Opening Balance of cotton		Purchase of cotton		Notified market area where purchases were made	Progressive weight of cotton		quantity of extracted produce		Lot/ number of bales	progressive total		dispatch		balance			Remarks		
	unginned	ginned	unginned	ginned		unginned (2+4)	ginned (3+5)	cotton (ginnede)	cotton seed		cotton (ginned)	cotton seed	bales	cotton seed	unginned cotton	bales	cotton seed	loose ginned cotton	unginned cotton	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21"

23. In the said rules, after FORM M, the following form shall, respectively, be inserted, namely:-

"FORM MM

[see rule 16-F (2) (x) and 29 (ii)]

Monthly Return of arrival, price, sale and purchase of agriculture produce in private yards

Name of market yard Name of licensee

Period of transaction Licence number

Date of transac- tion	Name of seller	Name of commodity (with crop code)	Lot No. (unique code)	Name of commi- ssion agent	Name of buyer	Weight (quintal)	rate per quintal	Value	Rate of user charges	amount of user charges	any other charges collected	Total
1	2	3	4	5	6	7	8	9	10	11	12	13"

24. In the said rules, after FORM S, the following form shall, respectively, be inserted, namely:-

"FORM T

[See rule 32-A (1)]

Press mark ("P- mark") for cotton bales

Name of Firm with address	_____
License No.	_____
Notified Area of factory	_____
Variety	_____
No. of bales in lot	_____
Press Serial Number	_____
Date of Pressing	_____
Lot Number	_____
Press Mark	_____
Net Total Weight	_____";

"FORM U

[See rule 17-C (1)]

Register of cash Security or Bank Guarantee

Sr. No.	Name of The Firm	License or Permi- ssion No. & Validity	Purpose for which security deposited	Mode of Security (Cash/ Bank Guar- antee etc)	reference no. of security deposited and date	receipt no. / date	detail of refund of security	Signature	remarks
1	2	3	4	5	6	7	8	9	10'

VISWAJEET KHANNA,
Additional Chief Secretary (Development)
Government of Punjab,
Department of Agriculture and Farmers' Welfare.