

Government of West Bengal
Agricultural Marketing Department
Khadya Bhawan, Block – B, 4th floor,
11A, Mirza Galib Street, Kolkata – 700 087

No. 343-AM/O/10R-01/2017

Dated Kolkata the 18th March, 2020

NOTIFICATION

In exercise of the power conferred by section 38 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), as subsequently amended, the Governor is pleased hereby to make, with immediate effect, the following amendments in the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982, issued with this Department notification No. 19162-MW & C, dated the 8th November, 1982, (hereinafter referred to as the said rules):-

Amendments

In the said rules, -

(1) In rule 2, after sub-rule (1),-

i) After clause (a), insert the following clause :-

‘(aa) “Business of purchasing and selling agricultural produce” means purchase or sale of agricultural commodities within a market area or outside any market area by a (a) person or (b) trader or his agent or (c) buyer or (d) seller or (e) commission agent or (f) processor or his agent or (g) person or agency engaged in value addition or his agent or (h) transporter or his agent or (i) exporter or his agent or (j) importer or his agent or (k) cold storage owner or (l) owner of storage or warehouse including any government agency or his agent through physical transfer of agricultural commodities or through e-trading using e-trading platform;’;

ii) after clause (b), *insert* the following clause:-

‘(ba) “electronic trading platform (e-trading platform)” means electronic platform set up either by the State Government or by the Board or by any of the market committees or by any person for conducting trading in agricultural produce through electronic platform or by any means of communication in which registration, buying and selling billing, booking, contracting and negotiating are carried out online through computer network or internet or any other such electronic device;’.

(2) For rule 3, *substitute* the following rule:-

“3. Application for licence for purposes other than that of setting up storage/hat/bazaar/mela or renewal of licence under section 13.-Every Person desiring to carry on business or act as a trader, buyer, exporter, importer, engaged in e-trading, broker, commission agent, market functionary, weighman, warehouseman, surveyor or sell or purchase agricultural produce or engaged in processing or preservation of agricultural produce, within a market area or in more than one market areas, shall make an application to the market committee or the Board, as the case may be, having jurisdiction for the grant of a licence under sub-section (1) of section 13 in **Form 1** and for renewal thereof under sub section (4) of Section 13 in Form 3:

Provided that an application for renewal of a licence shall be made at least thirty days before the expiry of the licence.”;

(3) For rule 4, *substitute* the following rule:-

“4. Application for licence for setting up storage/hat/bazaar/mela or renewal of licence under section 13.- Every Person desiring to set up or continue a place for storage/hat/bazaar/mela for sale or purchase of any agricultural produce within a market area or within more than one market areas shall make an application to the market committee or to the Board, as the case may be, having jurisdiction over the market area/s for the grant of a license under sub section (1) of section 13 in **Form 2** and for renewal thereof under sub section (4) of Section 13 in Form 3.

Provided that an application for renewal of a licence shall be made at least thirty days before the expiry of the licence.”;

(4) After rule 4, *insert* the following rules:-

"4A. Application for licence for setting up of private market yard within a market area or in more than one market areas. – (1) Every person desiring to set up a private market yard or yards in one market area or in more than one market areas, shall make an application to the market committee having jurisdiction over the market area or to the Board for more than one market areas in Form 3A for grant of licence and in Form 3B for renewal thereof under sub-section (1) of section 13A:

Provided that an application for the renewal of a licence shall be made at least thirty days before the expiry of the licence.

(2) For setting up of private market yard in one market area, the Chairman of the market committee having jurisdiction over the market area or for setting up of private market yard in more than one market areas, the Chief Executive Officer of Board is the authority to grant licence under section 4B.

4B. Infrastructure for the consumers' or farmers' market or Krishak Bazar or Brihat Krishak Bazar.- (1) Every person desiring to set up of the consumers' or farmers' market or *Krishak Bazar or Brihat Krishak Bazar* shall set up the infrastructure, namely, godown, auction shed, information kiosk including price, display system, administrative and/or office building, toilet blocks for market users, shops, shop cum godown, weighbridge, drinking water facilities, drainage system, adequate space for vehicles parking, public address system, banking facilities with ATM, fire safety arrangement, electricity facility, internal market roads and the entire area shall be fenced with boundary wall and any other infrastructure as instructed by the State Government for trading or importing or exporting or grading or sorting or packaging or storage or with combination of such activities.

(2) No licence is required for direct purchase of agricultural produces from the notified consumers' or farmers' market or *Krishak Bazar or Brihat Krishak Bazar*.

4C. Procedure or selling of produce by the farmers in the consumers' or farmers' market or Krishak Bazar or Brihat Krishak Bazar.- (1) Farmers may sale their produce in the consumers' or farmers' market or *Krishak Bazar or Brihat Krishak Bazar* directly to the buyers or to his agent through open auction against a receipt issued by the buyers mentioning the name of agricultural produce, grade and/or variety, quantity, rate and amount with date of purchase.

(2) No fees shall be collected from the farmers for selling of their produce in such market.";

(5) For rule 5, *substitute* the following rules:-

"5. Fee for grant of licence under section 13.- Every application for the grant of a licence under sub-section 3 shall be accompanied by a fees not exceeding rupees two hundred, as specified in column (2) of Schedule A, and shall be deposited to the market committee or to the Board, as the case may be, through cash or through any mode of banking transaction against issuance of receipt of the payment to the application.";

(6) after rule 5, insert the following rules:-

"5A. Fee for renewal of licence under section 13. Every licence issued under sub-section (3) may be renewed for such period as the market committee or the Board, may fix, on payment of such fee as specified in sub-section (4):

Provided that if any question arises as to whether a person belongs to one or other categories mentioned in column (1) of Schedule A, the decision of the Chairman of the market committee or the Chairman of the Board on such question shall be final.

5B. Fees for grant or renewal of licence under section 13A. – (1) Every application for the grant of a licence under rule 4A, shall be accompanied by a fee not exceeding Rs. 10,000/- (rupees ten thousand) to be deposited to the market committee of the concerned market area where the person desires to set up or establish the private market yard in one market area or to the Board, for setting up or establishing the private market yard in more than one market areas, through cash or through any mode of banking transaction against issuance of receipt of the payment to the applicant.

(2) Every application for renewal of a licence under rule 4A shall be accompanied by a fee of minimum of Rs. 5,000/- but not exceeding Rs. 10,000/- to be deposited to the market committee of the concerned market area where the person desires to set up or establish the private market yard in one market area or to the Board, for setting up or establishing the private market yard in more than one market areas through cash or through any mode of banking transaction against issuance of receipt of the payment to the applicant.";

(7) For rule 6, *substitute* the following rule:-

"6. Grant or renewal of licence. – On receipt of an application under rule 3 and rule 4 together with the fee prescribed in rule 5, the market committee or the Board may, after making such enquiries as it may consider necessary and after satisfying itself as to the capacity and the conduct of the applicant and in case of renewal, the past performance of the applicant as a licensee, grant the applicant a licence or renew the licence, as the case may be in Form 4.

(2) On receipt of an application under rule 4A together with the fee prescribed in rule 5B, the market committee or the Board may, after making such enquiries as it may consider necessary and after satisfying itself as to the capacity and the conduct of the applicant and in case of renewal, the past performance of the applicant as a licensee, grant the applicant a licence or renew the licence, as the case may be, in Form 5.";

(8) in rule 7, -

(a) in sub-rule (1). –

- (i) for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board";
- (ii) in clause (b), for the words "for one year", *substitute* the word "for five years";
- (iii) in clause (l), for the words "its Secretary or any office duly authorized in that behalf by him", *substitute* the words "the secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person";

(b) in sub-rule (2), for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board";

(9) in rule 8, for the words "market committee", *substitute* the words "market committee or the Board";

(10) in rule 9,-

(a) in sub-rule (1).-

- (i) for the words "market committee", *substitute* the words "market committee or the Board"; and
- (ii) for the words "its Secretary" *substitute* the words "the secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person,";

(b) in sub-rule (2).-

- (i) for the words "market committee", *substitute* the words "market committee or the Board"; and
- (ii) for the words "the Secretary" *substitute* the words "the secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person,";
- (c) in sub-rule (3), for the words "market committee", *substitute* the words "market committee or the Board";

(11) after rule 9, insert the following rule:-

"9A. Cancellation or suspension of licence under section 13B.- (1) The market committee or the Board, is the authority to cancel or suspend a licence under sub-section (1) of section 13B, issued by itself the under sub-section(1) of section 13A.

(2) whenever the market committee or the Board proposes to cancel or suspend a licence under sub-section(1) of section 13B the Secretary of the market committee or the Chief Executive Officer of the Board, making enquiry and has reasons to believe that the licence has been obtained by willful misrepresentation or fraud or licensee has violated any of the terms and conditions of licence or the licensee has made an obstruction in the functioning of normal business of the market or the licensee has incurred such disqualifications as mentioned in rule 7 or the licensee is convicted of any offense any of the provisions under this Act, shall cause a notice to be served upon the licensee either through proper messenger with proper receipt or by registered post stating therein the grounds of the proposed cancellation or suspension and directing him to appear before the notice issuing signatory and to show cause, if any, within fifteen days from the date of service of the notice, as to why the licence should not be cancelled or suspended.

(3) On the expiry of the stipulated time period, the Secretary of the market committee or the Chief Executive Officer of the Board, as the case may be, shall place the matter along with the explanation, if any, received from the licensee, before the market committee or the Board, for consideration.

(4) On consideration of the explanation, if any, the market committee or the Board, as the case may be, issue such order as it deems fit under section 13B.";

(12) for rule 10, *substitute* the following rule:-

"10. Appeal against cancellation or suspension of licence. - (1) Any person aggrieved-

- (a) by an order of the market committee or the board, cancelling or suspending of a licence under sub-section (6) of section 13, or
- (b) by an order of the market committee or the board, cancelling or suspending of a licence, issued under section 13A, may prefer an appeal to an officer of the State Government not below the rank of Joint Secretary duly authorized by the State Government:

Provided that an appeal preferred under clause (a) or clause (b), shall be made within thirty days from the date of communication of the order of cancellation or suspension.

(2) The decision of the Appellate Authority in respect of cancellation or suspension of licence shall be final.";

(13) in rule 11, -

- (a) for sub-rule (1), *substitute* the following sub-rule:-

"(1) An application referred to in sub-section (8) of section 13 for issue of a duplicate licence shall be accompanied by a fee of (i) two hundred rupees in case of traders, commission agents, persons engaged in processing and preservation of agricultural produce, (ii) one hundred rupees in case of broker, warehousemen and surveyor, (iii) fifty rupees in case of weighman, measurer and seller and producer of agricultural produce, and (iv) three hundred rupees for persons setting up, establishing or continuing a place for storage, sale or purchase of any agricultural produce."

- (b) for sub-rule (2), substitute the following sub-rule:-

"(2) If any licensee makes an application for issuance of duplicate licence along with the fee prescribed in rule 5 or rule 5A or rule 5B, and with proper justification of loss or torn or deface of the original licence, the market committee or the board, as the case may be, may issue duplicate licence under this rule.";

- (c) in sub-rule (3), for the words "the Secretary", *substitute* the words "the Secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person.";

(14) in rule 13,-

- (a) in sub-rule (1) for the words "market committee", wherever they occur, substitute the words "market committee or the Board";

- (b) in sub-rule (2) for the words "market committee", wherever they occur, substitute the words "market committee or the Board";

- (c) in sub-rule (11) for the words "market committee", substitute the words "market committee or the Board";

- (d) after sub-rule (12), insert the following sub-rule:-

"(13) The business of purchasing or selling of agricultural produce shall be made by any established method of purchasing and selling, or by e-trading as provided in rule 13A.";

(15) after rule 13, *insert* the following rule:-

"13A. Establishment of e-trading platform.-

- (1) The State Government, the Board or the market committee or any person with the permission of the Board, may establish and run e-trading platform for trading in agricultural produce.
- (2) The e-trading platform managed and operated by the State Government or the Board or the market committees or by any person, as the case may be shall provide all infrastructural facilities and services connected to e-trading.
- (3) The State Government, the Board the market committees or any person, as the case may be, for managing and operating e-trading platform, may collect user charge on sale transaction of agricultural produce on the e-trading platform:

Provided that no user charge shall be collected from an agriculturalist:

Provided further that the State Government in public interest, may by notification, provide ceiling on the rate of collection on user charge.

- (4) The user charge so collected from the e-trading platform shall be spent fully in the development of common marketing infrastructure, skill development, training, research and pledge financing and such other activities for creating an efficient marketing system in the State.

(16) in rule 17, -

(a) in the heading, for the words "market committee", substitute the words "market committee or the Board";

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

(i) for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board,";

(ii) for the words "bank draft" *substitute* the words "any mode of transaction";

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

(i) for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board,";

(ii) for the words "bank draft" *substitute* the words "any mode of transaction";

(d) after sub-rule (2), insert the following sub-rules:-

"(3) The licensee having single licence issued by the Board, valid for more than one market areas and for sale and purchase of agricultural produce in bulk, shall pay the market fees along with a statement of return in Form 7 to the Board, by way of any mode of banking transaction:

Provided that no fee shall be levied in the State more than once in relation to the same agricultural produce irrespective of the number of transaction.

(4) The Board shall remit the market fees referred in sub-rule (3) to the concerned market committee on monthly basis, after deducting a rate of ten per centum of the collected amount, through any banking mode of transaction subject to the conditions that the Board shall remit the fund to the concerned market committee, with prior approval from the State Government.";

(17) in rule 18, -

(a) for the words "the market committee", wherever they occur, *substitute* the words "the market committee or the Board,";

(b) for the words "the Secretary", wherever they occur, *substitute* the words "the Secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person,";

(18) in rule 19, -

(a) for the words "market committee", *substitute* the words "market committee or the Board,";

(b) in clause (a), for the words "the Secretary who himself or any person authorized by him in this behalf", *substitute* the words "the Secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person,";

(c) In clause (b),-

(i) for the words "the Secretary or the authorized person", *substitute* the words "the Secretary of the market committee or his authorized person or the Chief Executive Officer of the Board or his authorized person,";

(ii) for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board,";

(d) in clause (c), for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board,";

(e) in the proviso to clause (e), for the words "market committee", *substitute* the words "market committee or the Board,";

- (19) in rule 20, for the words "market committee", wherever they occur, substitute the words "market committee or the Board,";
- (20) in rule 21, for the words "market committee", wherever they occur, *substitute* the words "market committee or the Board,".
- (21) for Form-1, substitute the following Form:-
"FORM-1
(see rule 3)
- (22) for Form-2, substitute the following Form:-
"FORM-2
(see rule 4)
- (23) for Form-3, substitute the following Form:-
"FORM-3
(see rule 3 & 4)
- (24) for Form-4, substitute the following Form:-
"FORM-4
[see rule 6(1)]
- (25) for Form-5, substitute the following Form:-
"FORM-5
[see rule 6(2)]
- (26) for Form-6, substitute the following Form:-
"FORM-6
(see rule 8)
- (27) for Form-7, substitute the following Form:-
"FORM-7
[see rule 18(1)]
- (28) for Form-8, substitute the following Form:-
"FORM-8
[see rule 18(3)]
- (29) after Form-3, insert the following Forms:-
"FORM-3A
(see rule 4A)

Application for license under section 13A of the West Bengal Agriculture Produce Marketing (Regulation) Act, 1972, for the purpose of setting up of private market yard within a market area or in more than one market areas.

FORM-3B
(see rule 4A)

Application for renewal of license under section 13A of the West Bengal Agriculture Produce Marketing (Regulation) Act, 1972.

(21) for Form-1, substitute the following Form:-

“FORM 1

[see rule 3]

Application for licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof, for purposes to carry on business or act as a trader, buyer, exporter, importer, engaged in e-trading, broker, commission agent, market functionary, weigh man, warehouse man, surveyor or sell or purchase of agricultural produce or engaged in processing or preservation of agricultural produce (Application to the Market Committee for license within a market area or Application to the Board for single license in more than one market areas)

To

The.....Regulated Market Committee

Or

Chief Executive Officer, West Bengal State Agricultural Marketing Board

Sir,

I beg to apply for a licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof. Necessary particulars are given below:

- 1.(a) *Name of the applicant for which licence applied for-
- (b) Whether applicant is an individual/proprietorship or not – Yes / No (If No. then sl.2 need not be filled)
- (c) *Business Address in full (including P.S./P.O./District/Pin Code –
- (d) *Contact No. and e-mail ID, if any, of any person associated with
[Along with address proof document]
- 2.(a) *Constitution of the farm/company/society –
- (b) *Reregistered with whom? -
- (c) *Particulars of registration -
- (d) *Name of the Managing Director or Manager or Principal Officer who will actually conduct the business
- 3 (a) Particulars of the business for which the licence is required (Broker / Commission Agent / Seller or purchaser of agricultural produce / Warehouseman / Trader / Measurer / Surveyor / person engaged in processing and preservation of agricultural produce/Importer/exporter)
- (b) Situation of the applicant's place of business/s with particulars as to the Market Area / areas – (Mention name of market area/areas)
- (c) Market year or part thereof for which licence is applied for
- (d) The name / names of the agricultural produce he intends to deal in
- 4.(a) Has the applicant any bank account? If so the bank detail should be furnished.
- (b) Whether the applicant has any experience in the business of the nature for which the licence is applied for. If so, the particulars should be furnished

- (c) Whether the applicant has any licence for any kind of market from this Market Committee. If so, full particular should be stated.
 - (d) Did the applicant hold a licence from the Market Committee on any previous occasion? If so, give particulars including its suspension or cancellation, if any
 - (e) Details godowns and other storage premises-particulars, capacity and location
 - (f) Details of employees / assistant / agents
 - (g) If importer or exporter, particulars about the commodities he is dealing in their volume and usual export destination and usual place of import.
 - (h) Whether the applicant is prepared to furnish cash security or bank guarantee as may be required by the market committee
5. Has the applicant ever been found guilty of professional misconduct? If so, the details should be furnished.
6. Amount of licence fee deposited with particulars of receipt number and date.
7. Declaration -

I certify that the facts stated above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof and the rules framed there under and the byelaws made there under by the Regulated Market Committee.

I shall be responsible for all acts, omissions and commissions of my employees, if it so happens.

Yours faithfully

Full address of the applicant
Place:
Date:

Signature (in full) of the applicant.”;

(22) for Form-2, substitute the following Form:-

“FORM 2

[see rule 4]

Application for licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof, for purposes of setting up, establishing or continuing a place for storage/hat/bazaar/mela

To

The.....Regulated Market Committee

Or

Chief Executive Officer, West Bengal State Agricultural Marketing Board

Sir,

I beg to apply for a licence under section 13(2) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972. Necessary particulars are given below:

- 1.(a) *Name of the applicant for which licence applied for-
- (b) Whether applicant is an individual/proprietorship or not – Yes / No (If No. then sl.2 need not be filled)
- (c) *Business Address in full (including P.S./P.O./District/Pin Code –
- (d) *Contact No. and e-mail ID, if any, of any person associated with
[Along with address proof document]
- 2.(a) *Constitution of the farm/company/society –
- (b) *Reregistered with whom? -
- (c) *Particulars of registration -
- (d) *Name of the Managing Director or Manager or Principal Officer who will actually conduct the business
- 3.(a) Whether the application is for a storage or hat or bazar or mela or any other place for sale or purchase
- (b) Name or style under which the storage / hat / bazaar / mela etc. will be conducted
- (c) Situation of the applicant's place of business with particulars as to the Market Area / areas (name of police station / village / town / house no. / plot number and boundary of premises to be given)
- (d) Nature of the applicant's interest on the land and premises
- (e) Market year or part thereof for which licence is applied for
- 4.(a) Has the applicant any bank account? If so the bank detail should be furnished.
- (b) Whether the applicant has any experience in the business of the nature for which the licence is applied for. If so, the particulars should be furnished
- (c) Whether the applicant has any licence for any kind of market from this Market Committee. If so, full particular should be stated.
- (d) Did the applicant hold a licence from the Market Committee on any previous occasion? If so, give particulars including its suspension or cancellation, if any
- (e) If the applicant had ever been held guilty of professional misconduct, details of convictions.

- (f) Details of water supply, drainage, sanitation, shelter, parking, storage and other amenities made or proposed to be made by the applicant in the place of business for which the licence is applied for.
 - (g) Details regarding frequency (date on which held), usual hours of transaction, nature and volume of commodities to be handled, number of persons assembling.
 - (h) Details of godowns and other storage premises-particulars, capacity and location
 - (i) Details of employees / assistant / agents
 - (j) Whether the applicant is prepared to furnish cash security or bank guarantee as may be required by the market committee.
5. Amount of licence fee deposited with particulars of receipt number and date.
6. Declaration -

I certify that the facts stated above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and the rules framed there under and the byelaws made there under by the Regulated Market Committee.

I shall be responsible for all acts, omissions and commissions of my employees, if it so happens.

Yours faithfully

Full address of the applicant

Signature (in full) of the applicant

Place:

Date:

”;

(22) for Form-3, substitute the following Form:-

“Form 3

[see rule 3 & 4]

**Application for renewal of licence under section 13 (4) of the West Bengal
Agricultural Produce Marketing (Regulation) Act, 1972**

To
TheRegulated Market Committee
Or
Chief Executive Officer, West Bengal State Agricultural Marketing Board

Sir,

I request for the renewal of the Licence No.....of which
was granted to me on for carrying on the business of in
..... market within market area in
..... (the name of the agricultural produce).

2. The necessary particulars are furnished below:

- (i) (a) Name of the applicant
- (b) Contact No. and e-mail ID
- (c) Business Address in full
- (d) Place/places of business within
..... market area / market areas.
- (e) Name of the agricultural produce which he wants to deal in
- (ii) Past experience
- (a) Whether the terms and conditions of the licence were duly observed by the
applicant
- (b) Whether any action was taken against him by the Market Committee for any
breach of the terms and condition

3. The amount of fee deposited with particulars of receipt number and date.

4. I certify that the facts stated in the application above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provision of the West Bengal
Agricultural Produce Marketing (Regulation) Act, 1972 and the rules and bye-laws made there
under.

Yours faithfully

Full address of the applicant
Place:

Signature (in full) of the applicant
Date: .?;

(24) after Form-3, insert the following Forms:-

“FORM 3A

[see rule 4(A)]

Application for licence under section 13A (1) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof, for the purposes of setting up of Private market Yard within a market area or in more than one market areas

To
The.....Regulated Market Committee
Or
Chief Executive Officer, West Bengal State Agricultural Marketing Board

Sir,

I beg to apply for a licence under section 13A (1) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972. Necessary particulars are given below:

- 1.(a) *Name of the applicant for which license applied for-
- (b) Whether applicant is an individual/proprietorship or not – Yes / No (If No. then sl.2 need not be filled)
- (c) *Business Address in full (including P.S./P.O./District/Pin Code –
- (d) *Contact No. and e-mail ID, if any, of any person associated with
[Along with address proof document]
- 2.(a) *Constitution of the farm/company/society –
- (b) *Reregistered with whom? -
- (c) *Particulars of registration -
- (d) *Name of the Managing Director or Manager or Principal Officer who will actually conduct the business
- 3.(a) Whether the application is for setting up of a private market yard in one market area or private market yards in more than one market areas
- (b) Name or style under which the private market yard / yards will be setup
- (c) Situation of the private market yard / yards as the case may be with particulars as to the market area / market areas, police station / village / town / premises number / plot number / area boundary of premises (with a site map and plan)
- (d) Nature of the applicant's interest on the land and premises
- (e) Market year or part thereof for which licence is applied for
- 4.(a) Has the applicant any bank account? If so the bank detail should be furnished.
- (b) Details of applicant's past experience in the business
- (c) Whether the applicants holds any licence from this or any Market Committee with full particulars thereof
- (d) Whether the applicant previously hold any licence from any Market Committee with full particulars thereof
- (e) Details of water supply, drainage, sanitation, shelter, parking, storage and other amenities made or proposed to be made by the applicant in the place of business for which the licence is applied for

- (f) Details regarding frequency (date on which held), usual hours of transaction, nature and volume of commodities to be handled, number of persons assembling
- (g) Whether the applicant is prepared to furnish cash security or bank guaranty as may be required by the Market Committee
- (h) Details of employees / assistant / agents
- (i) If the applicant had ever been held guilty of professional misconduct, details of convictions.

5. Amount of licence fee deposited with particulars of receipt number and date.

6. Declaration -

I certify that the facts stated above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provisions of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof and the rules framed there under and the byelaws made there under by the Regulated Market Committee.

I shall be responsible for all acts, omissions and commissions of my employees, if it so happens.

Yours faithfully

Full address of the applicant

Signature (in full) of the applicant

Place:

Date:

Form 3B

[see rule 4A]

**Application for renewal of licence under section 13A (1) of the West Bengal
Agricultural Produce Marketing (Regulation) Act, 1972**

To
TheRegulated Market Committee
Or
Chief Executive Officer, West Bengal State Agricultural Marketing Board

Sir,

I request for the renewal of the Licence No.....of which
was granted to me on for carrying on the business of in
..... market within market area in
..... (the name of the agricultural produce).

2. The necessary particulars are furnished below:

- (i) (a) Name of the applicant
- (b) Contact No. and e-mail ID
- (c) Business Address in full
- (d) Place/places of business within
..... market area / market areas.
- (ii) Name of the agricultural produce which he wants to deal in
- (iii) Past experience.....
 - (a) Whether the terms and conditions of the licence were duly observed by the applicant
 - (b) Whether any action was taken against him by the Market Committee for any breach of the terms and condition

3. The amount of fee deposited with particulars of receipt number and date.

4. I certify that the facts stated in the application above are true to the best of my knowledge.

I hereby undertake to abide by the conditions of licence, the provision of the West Bengal
Agricultural Produce Marketing (Regulation) Act, 1972 and the rules and bye-laws made there
under.

Yours faithfully

Full address of the applicant
Place:

Signature (in full) of the applicant
Date: .;

(25) for Form-4, substitute the following Form:-

"FORM 4

[see rule 6 (1)]

Licence for purposes to carry on business or act as a trader, buyer, exporter, importer, engaged in e-trading, broker, commission agent, market functionary, weigh man, warehouse man, surveyor or sell or purchase of agricultural produce or engaged in processing or preservation of agricultural produce or setting up, establishing or continuing a place for storage/hat/bazaar/mela

The Regulated Market Committee / The West Bengal State Agricultural Marketing Board
Licence No

Licence is hereby granted to

of Police Station Post office
..... District (Hereinafter referred to as the licensee) on

payment of fee Rs..... (Rupees) to operate as to
specified below subject to the provision of the West Bengal Agricultural Produce Marketing
(Regulation) Act, 1972 and as amended thereof and the bye-laws made under the provisions of
the Act and the following conditions namely :

1. The licence takes effect from
2. The licence shall be valid up to
3. The licence is not transferable.
4. The licence is subject to the conditions set forth in the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982, particularly in rule 7 thereof.
5. Particulars of the premises / places covered by this licence
..... (One Market Area / Market Areas within
West Bengal) (Strike out which is not applicable)
6. The licence shall abide by the West Bengal Agricultural Produce Marketing (Regulation) Act 1972 and as amended thereof.
7. The licence may be suspended or cancelled for breach of any of the provisions of the said Act and the rules made there under or for violation of or non-compliance with any of the terms and conditions of the licence of set forth herein and the said Act and the rules.
8. The licensee shall not engage the services of any assistant / agent except the following person / persons in connection with the marketing of agricultural produce, namely: -
 1. Shri..... Son/wife/daughter of
 2. Shri..... Son/wife/daughter of
 3. Shri..... Son/wife/daughter of
 (The name or names of assistants / agents engaged by licensee to be entered here)

.....
Signed / Digitally signed by
Secretary, Market Committee
/ Chief Executive Officer, Board

Place:

(Seal of Market Committee/Board).;

Date:

(26) for Form-5, substitute the following Form:-

"FORM 5

[see rule 6 (2)]

**Licence for purposes of setting up of
Private market Yard within a market area or in more than one market areas**The Regulated Market Committee / The West Bengal State Agricultural Marketing Board
Licence No

Licence is hereby granted to

of Police Station Post office

..... District (Hereinafter referred to as the licensee) on

payment of fee Rs..... (Rupees) to operate as to

specified below subject to the provision of the West Bengal Agricultural Produce Marketing

(Regulation) Act, 1972 and as amended thereof and the bye-laws made under the provisions of

the Act and the following conditions namely :

1. The licence takes effect from
2. The licence shall be valid up to
3. The licence is not transferable.
4. The licence is subject to the conditions set forth in the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982, particularly in rule 7 thereof.
5. Particulars of the premises / places covered by this licence
..... (One Market Area / Market Areas within
West Bengal) (Strike out which is not applicable)
6. The licence shall abide by the West Bengal Agricultural Produce Marketing (Regulation) Act 1972 and amendments thereof.
7. The licence may be suspended or cancelled for breach of any of the provisions of the said Act and the rules made there under or for violation of or non-compliance with any of the terms and conditions of the licence of set forth herein and the said Act and the rules.
8. The licensee shall not engage the services of any assistant / agent except the following person / persons in connection with the marketing of agricultural produce, namely: -
 1. Shri..... Son/wife/daughter of
 2. Shri..... Son/wife/daughter of
 3. Shri..... Son/wife/daughter of

(The name or names of assistants / agents engaged by licensee to be entered here)

.....
Signed / Digitally signed by
Secretary, Market Committee
/ Chief Executive Officer, Board

Place:

Date:

(Seal of Market Committee/Board).;

(27) for Form-6, substitute the following Form:-

“FORM 6

[see rule 8]

Licence Register

.....Regulated Market Committee/West Bengal State Agricultural Marketing Board

Sl. No.	Name and address of the licence holder	category of licence	Licence fee Amount No.	Paid receipt No.	Date	Resolution No. and date
1	2	3	4	5	6	7

Licence No. and date	Valid up to	Renewal particular fee receipt No. & date	Date of renewal	Valid up to	Remarks
8	9	10	11	12	13

(28) for Form-7, substitute the following Form:-

“FORM 7

[see rule 18 (1)]

Fortnightly Return of Turnover

.....Regulated Market Committee/West Bengal State Agricultural Marketing Board
Name of the Licensee: Report for the fortnight ending
Licence No.:

Date	From whom purchased		To whom sold (where the buyer is not a licensee)		Commodity
	Name and address	Bill No. if any	Name and address	Bill No. if any	
1	2	3	4	5	6

Quantity of No. Purchased/sold	Rate of which Purchased/sold	Total Value	Total market fee payable	Amount of market fee recovered from purchaser where he is not a licensee, with data	Remarks
7	8	9	10	11	12

Signature of the Licensee
Date:
Full name and address of the licensee
.....
.....”.

(29) for Form-8, substitute the following Form:-

“FORM 8

[see rule 18(3)]

Notice on the Licensee

.....Regulated Market Committee/West Bengal State Agricultural Marketing Board

To
Shri
.....
.....

Licence No.

Whereas the Return of Turnover in form 7 for the ending
..... submitted by him on, does not appear to be satisfactory.

Now, therefore, he is hereby directed under the provisions of Sec. 17A(4) of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 and as amended thereof, to appear before the under signed either personally or through an authorised nominee, on at and produced before the undersigned all oral and/or documentary evidence in support of the return.

Dated this day of20

(Signed)

Secretary of market committee/
Chief Executive Officer of Board

(Seal of the market committee/Board) .”.

By order of the Governor

Sd/- (S.K. Gupta)

Additional Chief Secretary to the Govt. of West Bengal.

No : 343/1(10)/AM/O/10R-01/2017

Dated, Kolkata the 18th March, 2020

Copy forwarded for taking necessary action to :

- 1) The Additional Chief Secretary / Principal Secretary / Secretary, to the Government of West Bengal, Department (All).
- 2) The Additional Chief Secretary, Agriculture Department of this Government.
- 3) The Secretary to the Government of West Bengal, Law Department.
- 4) The Secretary to the Government of West Bengal, Agricultural Marketing Department.
- 5) The Chief Executive Officer in the rank of Commissioner in the Department, West Bengal State Agricultural Marketing Board with the request to circulate all concerned.
- 6) The P.S to Hon'ble MIC of this Department.
- 7) The District Magistrate.....(ALL).
- 8) The Director of Agricultural Marketing, West Bengal.
- She is requested to circulate this to all concerned.
- 9) Superintendent of Government Printing Press, Alipore with the request to publish in the Official Gazette immediately.
- 10) Guard File.


Joint Secretary to the Government of West Bengal