

From

The Chief Administrator,  
H. S. A. M. Board,  
Panchkula.

To

1. All the ZAs and ZMEOs,  
HSAMB in the State.
2. All the DMEOs and  
the Executive Officers-cum-Secretaries,  
Market Committees in the State

*CA No 245*

Memo. No. *SH 701. 835*  
Panchkula, dated the *1-9-15*

Subject: **Grant of fresh licence.**

Section 10 of The Haryana Agricultural Produce Markets Act, 1961 provides legal regime for grant, suspension or cancellation of licence for any business of the nature specified in Section 8. The Rule 17 of The HAPM (General) Rules, 1962 provides the procedure, security deposit, licence fee and categorization of licences that are to be issued under Section 10.

It has been observed that these legal provisions are not being scrupulously followed by the Executive Officers-cum-Secretaries of the Market Committees as well as the DMEOs. The following directions are hereby issued in exercise of powers granted to the undersigned under Section 9 and 10 of The HAPM Act, 1961 read with Rule 17 & 21 of The HAPM (General) Rules 1962:-

- 1) For grant of a new licence under Section 10 of the Act, 1961 read with Rule 17, the concerned Executive Officer-cum-Secretary of the Market Committee is authorized to take action in this regard as per the Rules. Therefore the Executive Officer-cum-Secretary is authorized to be the Licensing Authority for applicants belonging to his jurisdiction/notified area.
- 2) Licences specified under Rule 17 (1) & (7) of Category (ii) I.e. for the Kachcha Arhtia will be issued only to persons who either own plot/shop in the notified market or they have taken such a plot/shop on rent/lease. The Executive Officer-cum-Secretary has to verify these facts before issuing licence in this regard. **It is made clear that no licence shall be renewed under Rule 21 for second year if the plot, on which licence was issued, is not constructed.**





- 3) No licence under Category (ii) i.e. Kachcha Arhtia shall be issued to any person who is conducting his business outside the declared/notified market yard under any circumstances. The instructions issued vide letter No.ME-I-A-III-2008/72103-72223 dated 09.09.2008 should be kept in mind regarding the second license. The second applicant can either be the real brother or wife or son or daughter or real sister of the existing licensee. To that extent the instructions dated 09.09.2008 stand amended which is further subject to the condition that there should be no violation of The Haryana State Agricultural Marketing Board (Sale of Immovable Property) Rules, 2000.
- 4) The Authority authorized to grant licence under these instructions i.e. the Executive Officer-cum-Secretary of the Market Committee shall also be henceforth **authorized to be** the competent authority for renewal of all the licences granted by him.
- 5) The orders issued vide letter No.RE-III-1223-85/262 dated 02.12.1985 **under Section 10(2) of the Act, 1961** regarding suspension of licences of dealers under Section 10 are hereby reiterated. They must be complied with meticulously. The ZMEOs and the DMEOs have powers to suspend the licence for a period not exceeding 15 days and the Executive Officer-cum-Secretary has a power to suspend the licence for a period not exceeding 7 days.

These orders are issued in addition to any other orders issued earlier in this behalf and will override those earlier orders to the extent they are inconsistent with these orders.

  
1/9/2015  
**Chief Administrator**