

ORISSA STATE AGRICULTURAL MARKETING BOARD.

1.	Name of the Act, Rules and Bye-laws under which the Marketing of agricultural produce is regulated and infrastructure is developed.	<p>a. Act- Orissa Agricultural Produce Market Act, 1956.</p> <p>b. Rules- Orissa Agricultural Produce Market Rules, 1958</p> <p>c. Bye-laws- Regulation of OSAM and By- law of Market Committees.</p>
2.	Agricultural produce (the definition as per Act)	All produce whether processed or not.
3.	<p>Scheduled items :</p> <p>I) Number of notified items in the schedule.</p> <p>II) List of notified items in the schedule.</p>	<p>58</p> <p>THE SCHEDULE</p> <p>Sr. No. English Name</p> <p>I. Fibres :-</p> <p>1. Cotton (ginned and unginned)</p> <p>2. Sunhemp</p> <p>3. Jute</p> <p>II. Cereals :-</p> <p>1. Wheat</p> <p>2. Paddy (husked and unhusked)</p> <p>3. jowar</p> <p>4. Baira</p> <p>5. Maize</p> <p>6. Ragi (Mandia)</p> <p>7. Suan</p> <p>III. Pulses :-</p> <p>1. Harad (Red gram)</p> <p>2. Biri (Black gram)</p> <p>3. Mung (green gram)</p> <p>4. Kolthi (Horse gram)</p> <p>5. Buta (Bengal gram)</p> <p>6. Chana</p> <p>7. Khesari</p> <p>8. Jhudang</p> <p>9. Kandula (Hill gram)</p> <p>IV. Oilseeds:-</p> <p>1. Groundnut (shelled and unshelled)</p> <p>2. Linseed</p> <p>3. Sesamum</p> <p>4. Niger (Tila)</p> <p>5. Mustard</p> <p>6. Coconut</p> <p>7. Cotton seed</p> <p>8. Castor seed</p> <p>V. Narcotics</p> <p>1. Tobacco</p> <p>VI.</p>

		<p>1. Gur and Sugarcane</p> <p>VII. Fruits :-</p> <p>1. Mango</p> <p>2. Orange</p> <p>3. Lemon</p> <p>4. Banana</p> <p>5. Sapeta</p> <p>6. Melon</p> <p>7. Jack fruits</p> <p>8. Papaya</p> <p>9. Tamarind</p> <p>VIII. Vegetables :-</p> <p>1. Potato</p> <p>2. Onion</p> <p>3. Tomato</p> <p>4. Saru</p> <p>5. Leafy and fresh vegetables</p> <p>6. Sweet potatoes.</p> <p>IX. Animal Husbandry Products :-</p> <p>1. Eggs</p> <p>2. Poultry</p> <p>3. Cattle</p> <p>4. Sheep</p> <p>5. Goat</p> <p>X.</p> <p>1. Fish</p> <p>XI. Condiments, Spices & Others :-</p> <p>1. Turmeric</p> <p>2. Ginger</p> <p>3. Garlic</p> <p>4. Corriander</p> <p>5. Chillies</p> <p>6. Betel leaves</p> <p>7. Cashewnuts.</p> <p>XII.</p> <p>1. Gross and fodder</p>
4.	Number of Notified market areas/APMC's in the State.	64
5.	List of Notified market areas/APMC's in the State	
6.	Number of	
	I. Principal Market Yards	45
	II. Sub-Market yards	Nil
	III. Other kinds of market yards, may be seasonal (not covered under I & II)	Nil

<p>III. Whether elected or nominated (detailed procedure)</p>	<p>Constitution of Market Committees and Election</p> <p>1. Disqualification for membership – A person shall be disqualified for being chosen a member of a Market Committee</p> <ol style="list-style-type: none"> (1) if his name is not entered on tile voters’ list prepared and maintained under these rule; (2) if he has not attained the age of 21 years (3) if he has been adjudged by a competent Court to be of unsound mind; (4) if he is an un discharged insolvent; (5) if he has been convicted and sentenced by a Court within or without India, to be imprisoned to an offence punishable with imprisonment of a term exceeding six months unless such disqualification has been removed by an order passed by Govt. (6) if he is a servant to the Market Committee or holds a licence from such committee as broker, weighman, measurer of surveyor; (7) if he has directly or indirectly any share or interest in any contract or employment with, or on behalf of, or under the market Committee: <p style="padding-left: 40px;">Provided that a person shall not be chosen as a member representing the traders’ constituency if he does not ordinarily reside within 10 miles of the market yard and it he has not been registered under Rule 60.</p> <p>Explanation – For the purposes of this rule a person shall be deemed to be ordinarily residing within 10 miles of the market yard, if he resides in such yard for not less than 180 days in a calendar years.</p> <p>2. Constituencies – For the purposes of electing members to a Market Committee in every market area, the following shall be the constituencies-</p> <ol style="list-style-type: none"> (1) Traders’ Constituency (2) Agriculturists’ Constituency (3) Local Authorities’ Constituency. <p>5. Persons qualified to vote – (1) Traders’ Constituency- The following persons shall be qualified to vote in a traders’ Constituency.</p> <ol style="list-style-type: none"> (a) All persons licensed under Sub-section (3) of section 4 in the market area before the date fixed in this behalf by collector; (b) All traders approved by the Market Committee and registered as such under Rule 60 before the date fixed in this behalf by the collector. <p>(2) Agriculturists’ Constituency – The following persons shall be qualified to vote an Agriculturists’ Constituency;</p> <ol style="list-style-type: none"> (a) All members of the organizations of agriculturists operating in the market area; (b) Where no such organizations exist, the following agriculturists ordinarily residing within the market area, namely: <ol style="list-style-type: none"> (i) holders of land whether unalienated, assessed or assessable jointly or severally at not less than Rs. 5 at the end of the revenue year immediately preceding the financial year in which the election is held, or (ii) tenants of unalienated lands assessed at not less than Rs. 5 at the end of the revenue year immediately preceding the financial year in
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which the election is held, or
(iii) tenants of alienated lands assessed or assessable at not less than Rs. 5 at the end of the revenue year immediately preceding the financial year in which the election is held
(c) If any question arises whether any person is or is not an agriculturist for the purposes of this rule, the Collector shall decide it and his decision shall be final ;
(d) No person shall be entitled to have his name entered in the list of votes for more than one market area or as member of more than one Organization of agriculturists.

(3) Local Authorities' Constituency – (a) In case in which the Market area is wholly within the limits of a local authority, the members of such local authority shall be qualified to vote.
(b) in a case where market area is within the limits of more than one local authority, each local authority shall select three persons from among the Councilors or the members of such local authority and the persons so selected shall be qualified to vote for election of a representative of such, local authorities on the Market Committee.

6. Name of persons qualified to vote to be reported to Collector or Market Committee, as the case may be – (1) Every organization of agriculturist and every local authority shall report to the collector the names of the persons qualified to vote under Rule 5 on or before the date fixed in this behalf by the Collector.
(ii) Every firm, Corporation, Traders' Association or any other body qualified to vote in a Traders' constituency under these rules shall nominate a person to vote on its behalf and intimate in writing the name of person so nominated to the Collector not later than the date fixed in this behalf by the Collector of the district.

7. Voter' List – (1) The collector or any other person authorized by him in this behalf (hereinafter in this rule referred to as such person shall cause to be prepared separate lists of voters qualified to vote for the Agriculturist' constituency, Traders, constituency and the local Authorities' constituency in cases in which there are more than one local authority within a market area. Every such list shall be revised for each triennial election; provided that in the case of the list of voters qualified to vote for the local authorities' constituency Govt. may direct the revision of such list also at any other time before the next triennial election is due. The Collector or such person shall for this purpose call upon the Market Committee to prepare from market registers and to furnish to him the names of all persons qualified to vote in the traders' constituency representing the traders' electorate. In market areas which are within the limits of more than one local authority, the collector or such person shall also call upon each of the local authorities concerned to intimate to him the names of the persons qualified to vote in the local authorities, constituency. He shall also call upon the organization of agriculturists within the market area to intimate to him the names of persons qualified to vote under the agriculturists' constituency and where no Organization of agriculturists exists, he shall cause to be prepared a list of persons qualified to vote under Rule 5 (2) (b).
(2) Every list of voters prepared under Sub-rule (1) shall show the full name, residence and serial number of the voter and the nature of

his qualification.

(3) Every such list shall be published provisionally in such manner as the collector or such persons may deem fit.

(4) When publishing the list provisionally the collector or such person shall fix a date, not later than one month from the date publication of the lists before which any application, tot the inclusion, exclusion or correction of any entry shall reach him. The collector or such person or any other officer appointed by the collector for the purpose shall hear and decide any applications and objections received before the date so fixed and the decision of the collector, such person. or the other officer relating to such application or objection shall be final.

(5) The collector of such person shall cause the lists to be amended in accordance with the orders passed under Sub-rule (1) and shall cause them to be republished finally in the regional language of the market area in such manner as he may deem fit.

(6) Copies of such final lists shall be made available for inspection and sale in whole or in part in the office of the collector or such person.

(7) The final lists republished under Sub-rule (5) shall remain in force and continue in operation as the list of voters for the purpose of any bye-election.

(8) Notwithstanding anything contained in the above Sub – rule the provisions of Sub-rules (3) to (7) shall not apply to the voters' list of the local authority constituency in cases in which there are more than one local authority for a market area.

8. Calling upon the constituency to elect- As soon as may be after the final publication of the list of voters under Sub-rule (5) of Rule 7 the collector shall call upon the constituencies to elect their representatives to the Market Committee and a date fixed by him in this behalf.

9. Notice to elect- Not less than thirty days before the day fixed for election the collector shall publish in Oriya and in such other regional language of the market area as he may deem necessary a notice in a newspaper circulating in the market area and post copies of such notice in village hats or in Grama Panchayat officers and other conspicuous places in the village included in that area stating-

(a) the number of persons to be elected;

(b) the date on which, the place at which and the hours between which nomination papers shall be presented to him or to any other person authorized by him in this behalf which date shall not be less than fourteen days from the date of publication of the notice;

(c) the date on which scrutiny of nomination papers shall be made;

(d) the date on which and the place or places at which the votes of the electors shall be taken if there be a poll and the hours during which polls be taken; and

(e) the day on which and the place and hours in which votes shall be counted.

10. Nominations – (i) Each candidate shall on the date fixed under Clause (b) of Rule 9 deliver to the Collector or any other person authorized by him in this behalf the nomination paper in Form I appended to these rules.

(ii) Every nomination paper shall be signed by two persons qualified to vote as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election to the Market Committee.

11. Deposit on nomination- (i) At or before the time of delivery of nominated paper each candidate shall deposit with the collector or any other person authorized in this behalf a sum of Rs. 5. No candidate shall be deemed to be duly nominated unless the deposit referred to in this rule has been made.

(ii) If a candidate, by whom the deposit referred to in Sub-rule (1) has been made withdraw his candidature in the manner and within the time specified in Rule 15 or if the nomination of any such candidate is rejected under Rule 14 the deposit shall be returned to the candidate and if any candidate dies before the commencement of the poll any such deposit shall be returned to his legal representative.

(iii) If a candidate by whom the deposit referred to in Sub-rule (1) has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled divided by the numbers of members to be elected from the particular constituency the deposit shall be forfeited to the Market Committee.

(iv) For the purposes of Sub-rule (iii), the total number of vote polled shall be deemed to be the total number of ballot papers, other than rejected ballot papers counted.

(v) A deposit made by the candidate shall it is not forfeited under the Sub-rule (iii) be returned to the candidate as soon as it may be after publication of the result of the election in Orissa Gazette.

12. Publication of list of nominations – As soon as may be after the date fixed for the presentation of nomination papers, the collector or the person authorized by him under Rule 10 shall publish a list in Form II of all nominations received with a notice that the nomination papers shall be scrutinized on the date appointed under Clause (c) of Rule 9 at the place and hour specified in the notice. The list of nominations and the notice shall be published in such manner as the collector or the person authorized as aforesaid may deem fit.

13. Scrutiny of nominations – On the date fixed for the scrutiny of nominations under Clause (c) of Rule 9, the candidates, one proposer and one seconder of each candidate and one other person duly authorized in writing by each candidate may attend at such time and place as the collector or the person authorized by him under Rule 10 may appoint, and the Collector or the person so authorized shall give him all reasonable facilities for examining the nomination papers of all candidates.

14. Disposal of objections and rejection of nomination- (1) The collector or the persons authorized by him under Rule 10 shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may, either on such objection or on his own motion after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:

(a) that the candidate, the proposer or the seconder is a persons

whose name is not registered on the list of voters ; or
(b) That the nomination has not been made in the manner prescribed under these rules.

(2) The Collector or the person authorized as aforesaid shall endorse on each nomination paper his decision accepting or rejecting the same and. If the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on the day fixed in this behalf under Clause (c) of Rule 9 and shall not be adjourned on any ground.

15. Withdrawal of candidature – (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered either in person by the candidate himself or by any of his proposers or seconders to the collector or to the person authorized by him under Rule 10, within three days of the date succeeding the date fixed for the scrutiny of nominations under Clause (c) of Rule 9.

(2) On the completion of scrutiny of nomination and after the expiry of the period within which candidature will be withdrawn under Sub-rule (1) the collector or the person authorized by him in this behalf shall prepare in Form III a list of persons whose nomination are in order and who have not withdrawn their candidature and cause it to be affixed in some conspicuous place in his office in the Sub-divisional office, the Anchal office concerned and in the office of the Market Committee not less than 7 days before the date fixed for election.

16. Procedure for election: - If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in Sub-rule (1) of Rule 15 exceeds that of the vacancies to be filled, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be duly elected and the collector or the person authorized by him under Rule 10 shall call upon the constituency to fill the remaining vacancy or vacancies. As the case may be, within such time as may be specified in the same manner as specified in the foregoing provisions.

17. Arrangements for the holding of election etc: - The collector of the person authorized by him in this behalf shall make such arrangement as may be necessary for the holding and supervision of the election for the scrutiny of the ballot papers and for declaration of the election.

18. Voting: - Every voter shall have as many votes as there are members to be elected on behalf of the constituency and may give all his votes to one candidate or may distribute them among the candidates as he chooses.

18 – A. Procedure at election when equality to votes exists :- If when a poll has been taken at an election, an equality of votes is found to exist between any candidate and the addition of one vote will entitle any of the candidate to be declared elected, one additional vote shall be given by the Collector or the person authorized by him in this behalf to the candidates, or as the case may be the candidates, selected by lot drawn in the presence of the

		<p>collector or the person authorized by him in such manner as the collector or such person may determine, shall be declared elected.</p> <p>19. Death of candidates before poll :- If after the taking of a poll it has become necessary under Rule 16 (1) and before the poll is taken a candidate who has been duly nominated dies, the collector shall upon being satisfied of the fact of the death of the candidate, countermand the poll and the election proceedings shall be commenced anew in all respects as if for a new election :</p> <p>Provided that no fresh nomination shall be necessary in the case of a candidate who stood validly nominated at the time of the countermanding of the poll.</p> <p>20. Intimation to the collector of the name of the representative of a local authority:- In a case in which the market area is wholly within the limits of a local authority, the local authority shall intimate in writing to the collector the name of the person elected as its representative under Clause (iii) of sub-section (1) of section 6 before a date fixed by the collector in this behalf.</p> <p>21. Filling in casual vacancies in the Market Committee:- The procedure for holding a bye-election for purposes of filling up vacancies caused under Sub-section (4) of section 6 shall be the same as that for a general election; provided that the preparation and publication of fresh lists of voters shall not be necessary.</p> <p>22. Publication of the names of elected and nominated members of the Committee: - Names of the elected and nominated members of the Market Committee shall be, published in the Official Gazette as soon as conveniently may be after their election and nomination.</p> <p>23. Person disqualified to cease to be member :- No person shall continue to be a member of the Market Committee if at any time after his nomination, or election, as the case may be, he becomes subject to any of the disqualifications mentioned in Rule 3, and his seat shall thereupon become vacant :</p> <p>Provided that a member representing the Organization of agriculturists or a co-operative institution shall be debarred from continuing to be such member if he ceases to be a member of the organization of which he was the representative.</p> <p>24. Expenditure in connection with or incidental to such elections :- All expenditure incurred by the collector or the person authorized by him under Rule 10 in connection with or incidental to the election of members of the Market Committee shall be recoverable under section 24 from the Market Committee by the Collector as an arrear of land revenue.</p>
8.	<p>I. Chairman/Vice-Chairman and members (category wise detail)</p> <p>II. Whether elected or nominated (detailed procedure)</p>	<p>Appended</p> <p>Appended</p>

<p>9.</p>	<p>Market fee</p> <p>I. Rate of market fee (item wise)</p> <p>II. Procedure for levy and Collection of Market fee</p> <p>III. Is the fee levied once in State (procedure for getting the exemption)</p> <p>IV. Exemption on payments of market fee (in detail item wise)</p> <p>V. Total income of market fee of State</p>	<table border="0"> <tr> <td>Name of Commodity</td> <td>Rate of Market fee</td> </tr> <tr> <td>Paddy</td> <td>2%</td> </tr> <tr> <td>All other commodity</td> <td>1%</td> </tr> </table> <p>Section II Appended</p> <p>Yes as above</p> <table border="0"> <tr> <td>Agricultural produce</td> <td>Rate of market fee</td> </tr> <tr> <td>-----</td> <td>-----</td> </tr> </table> <p>In case of direct produce by the commissioner from producer no market fees is charged.</p> <p>2005 – 06 2006 – 07 2007 – 08 2008 – 09 continuing</p>	Name of Commodity	Rate of Market fee	Paddy	2%	All other commodity	1%	Agricultural produce	Rate of market fee	-----	-----		
Name of Commodity	Rate of Market fee													
Paddy	2%													
All other commodity	1%													
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<p>10.</p>	<p>Rate of contribution payable by APMC's to the Board</p>	<p>5%</p>												
<p>11.</p>	<p>Major crops of the State</p>	<table border="0"> <tr> <td>Name of crop</td> <td>Main Markets</td> <td>Arrival in mandis (in tons)</td> </tr> <tr> <td>Paddy</td> <td></td> <td></td> </tr> <tr> <td>Vegetables</td> <td></td> <td></td> </tr> <tr> <td>Fish</td> <td></td> <td></td> </tr> </table>	Name of crop	Main Markets	Arrival in mandis (in tons)	Paddy			Vegetables			Fish		
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<p>12.</p>	<p>Rates of commission of commission agent (crop wise)</p>	<table border="0"> <tr> <td>Crop</td> <td>Rate of Commission</td> <td>Payable by seller or buyer</td> </tr> <tr> <td></td> <td></td> <td>No such provisions</td> </tr> </table>	Crop	Rate of Commission	Payable by seller or buyer			No such provisions						
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<p>13.</p>	<p>Charges payable to market functionaries</p>													
<p>14.</p>	<p>Any other tax/local levy collected by APMC's (detail with rates)</p>	<p>Nil</p>												