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GOVERNMENT OF THE PUNJAB LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION (224 of 2021)

26 JULY, 2021

Notification No.DIR(AMDF)VIII-62/2017, dated 30.06.2021, issued by Government of the Punjab, Punjab Agricultural Marketing Regulatory Authority, is hereby published in the Punjab Gazette (Extraordinary) for general information:

**"THE PUNJAB AGRICULTURAL MARKETING REGULATORY AUTHORITY
REGULATIONS, 2021**

Notification No. ~~DIR (AMDF) III-62/2017~~ In exercise of the powers conferred upon him by Section 30 of the Punjab Agricultural Marketing Regulatory Authority Act, 2018 the Punjab Agricultural Marketing Regulatory Authority is pleased to make the following Regulations:

PART-I: GENERAL

1. SHORT TITLE, COMMENCEMENT AND APPLICATION:

- (1) These Regulations may be called "The Punjab Agricultural Marketing Regulatory Authority Regulations, 2021".
- (2) They extend to the whole Province of the Punjab.
- (3) They shall come in to force at once.

2. DEFINITIONS: (1) In these Regulations, unless there is anything repugnant in the subject or context:

- (a) "Authority" means the Punjab Agricultural Marketing Regulatory Authority;
 - (b) "Board Meeting" means meeting of the Chairperson and Members of the Authority under section 4 of the Act;
 - (c) "Competent Authority" means the Competent Authority designated under the Act, Rules or the Regulations and shall include an Authority to whom certain powers have been delegated under the Rules or Regulations;
 - (d) "Chairperson" means the Chairperson of the Authority;
 - (e) "Director of Agriculture (Economics & Marketing)" means the Director of Agriculture (Economics & Marketing), Punjab;
 - (f) "Director of Agricultural Marketing Development Fund" means the Director of Agricultural Marketing Development Fund of the Authority;
 - (g) "Director General" means the Director General of the Authority.
 - (h) "Director Punjab Institute of Agricultural Marketing" means the Director, Punjab Institute of Agricultural Marketing;
 - (i) "Extra Assistant Director of Agriculture (Economics & Marketing)" means the Extra Assistant Director of Agriculture (Economics & Marketing) of the Marketing Wing of the Agriculture Department, Govt. of the Punjab;
 - (j) "Fund" means Agricultural Marketing Development Fund of the Authority.
 - (k) "Government" means Government of the Punjab; and
 - (l) "Member" means a Member of the Authority.
- (2) An expression used but not defined in the Regulations shall have the same meaning as is assigned to it under the Act.

PART-II: BUSINESS OF THE AUTHORITY

2. MEETING OF THE AUTHORITY:

- (1) The Authority shall meet at least once in a month.
- (2) The Chairperson, on his/her own or on the request of one third members of the Authority or if so directed by the Government, shall fix the date, time, and venue of the meeting of the Authority.
- (3) The Chairperson shall approve the agenda for a meeting of the Authority.

- (4) The Director General shall convene a meeting of the Authority either as directed by the Chairperson or on a request, in writing, of at least one third of the members or if the Government so directs.
- (5) The Director General shall circulate the meeting notice, agenda and working papers at least three working days prior to the date of the meeting but an emergency meeting may be called on a shorter notice.
- (6) The Chairperson, and in his/her absence, a member of the Authority nominated by the Chairperson shall preside over a meeting of the Authority.
- (7) At least one third of the total members of the Authority shall constitute the quorum for a meeting, a fraction being counted as one vote, but the quorum for consideration and approval of the budget shall be simple majority of the total members.

Provided that any member may join the meeting through video link in special circumstances with the approval of chairperson and such online participation shall be deemed as attending the meeting in person.

- (8) A question arising at a meeting shall be determined by the majority of votes of members present and voting on that question and, if voting is equal, the person presiding shall cast the final vote.
- (9) No act or proceedings of the Authority shall be invalid merely by reason of any vacancy or defect in the composition of the Authority.
- (10) The Authority shall not take up any other business during the budget meeting.
- (11) In case of urgency, the Authority may take a decision through circulation amongst all the members and the decision shall be taken in terms of the views of at least one third of the total members.
- (12) The procedure provided in clause (11) shall not apply to the consideration and approval of the budget.
- (13) The Director General shall be responsible to prepare accurate minutes of each meeting, shall clearly indicate the dissent, if any, and shall submit for approval of the draft minutes to the Chairperson or the member presiding the meeting.
- (14) The minutes of each meeting shall be placed before the Authority for ratification in the next meeting.
- (15) The Director General shall keep and maintain complete record of the proceedings of the meetings of the Authority.

MEMBERS NOT TO TAKE PART IN CERTAIN PROCEEDINGS:

No member of the Authority shall be present at, or take any part in the proceedings of the Authority, or of any committee or sub-committee constituted by it, relating to a matter in which he or any one of the persons enumerated below has a direct or indirect pecuniary interest:

- (a) Father, mother, son, daughter, brother and sister of the person concerned;
- (b) Brother and sister of the father of the person concerned; and
- (c) Father, mother, son, daughter, brother and sister of the wife or husband of the person concerned.

5. DUTIES AND FUNCTIONS OF THE CHAIRPERSON:

- (1) The Chairperson shall perform following duties and functions:
 - (a) provide overall leadership to the Authority and ensure, the Authority functions are being implemented according to the Act, Rules, Regulations as well as the decision taken in the meetings of the Authority;
 - (b) advocate and represent the organization at external meetings and events.

- (c) issue directions to the Director General to convene a meeting of the Authority;
 - (d) determine the day, place and time of the meeting of the Authority;
 - (e) approve agenda for a meeting of the Authority;
 - (f) preside over the meetings of the Authority;
 - (g) ensure that the business at a meeting is conducted in accordance with Act, Rules and Regulations;
 - (h) ensure that the committees and sub-committees constituted by the Authority, from time to time, are functioning properly, impartially and objectively;
 - (i) appoint grievances panels if deemed appropriate;
 - (j) Plan to recruit/hire in consultation with the Director General;
 - (k) coordinate with the Government and other financial institutions for fund raising, adopting good marketing practices and devising means for revenue generation for the Authority;
 - (l) review overall governance and performance;
 - (m) organize a think tank for better operational management of Agriculture Marketing;
 - (n) monitor and evaluate training programs of the Punjab Institute of Agricultural Marketing (PIAM);
 - (o) review monthly progress reports of the Punjab Institute of Agricultural Marketing (PIAM) regarding training of all stakeholders;
 - (p) perform such other functions as the Authority may delegate to the Chairperson; and
 - (q) address conflict, if any, arises amongst the Members of the Authority, in consultation with Director General and other Members of the Authority.
- (2) The Chairperson shall lead the Authority through deliberation and decision of the Members of the Authority, liaise with the Government, Donor Agencies and other National & International agencies for effective functioning and continuous development and growth.
- (3) The Chairperson shall, forthwith report the death of any member of the Authority to the Government, which shall take necessary steps to get the vacancy filled up in accordance with law.
- (4) The Chairperson shall also bring into the notice of the Government any fact, factor or disqualification, which in his/her opinion debars a Member from continuing as such or of any Member who tendered resignation of his/her membership.

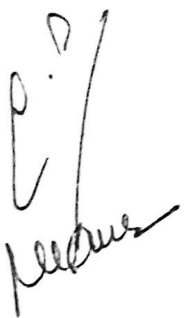
6. DELEGATION OF FUNCTIONS AND POWERS OF THE AUTHORITY:

- (1) Subject to the provisions of Section 10 of the Act, for effective functioning of the Authority and conduct of its day to day business, the Chairperson and the Director General shall be authorized to perform following functions and powers delegated by the Authority:
- (a) The Chairperson shall be authorized to:
 - (i). negotiate the contracts on behalf of the Authority and once approved by the Authority under section 3(2) of the Act, enter into such contract, by signing the same on behalf of the Authority jointly with the Director General;
 - (ii). supervise and take appropriate measures to promote alternative marketing channels and contract farming, as required under Sec. 6(2)(d) of the Act;

- (iii). supervise and take appropriate measures for provision of training for service providers, as required under Sec. 6(2)(f) of the Act;
- (iv). supervise and take appropriate measures for provision of market information services, model contract farming templates and undertake surveys of markets and marketing of agricultural produce, as required under Sec. 6(2)(h) of the Act;
- (v). supervise and ensure establishing of model auction markets, wholesale markets, collection centers and virtual markets, as required under Sec. 6(2)(hb) of the Act;
- (vi). supervise and take appropriate measures for promoting small and medium agribusinesses as may be prescribed, as required under Sec. 6(2)(hc) of the Act;
- (vi). supervise and take appropriate measures for undertaking research and publications in agricultural produce marketing, as required under Sec. 6(2)(i) of the Act;
- (vii). submit to the Government, within three months of the close of a financial year, annual performance report, as required under Sec. 9 of the Act;
- (viii). to decide whether the account of the Market Committees shall be audited by a Government audit agency or a firm of chartered accountants authorized by the Authority, as required under Sec. 22(2) and (3) of the Act; and
- (ix). hear and decide appeals against the decision or order of the Director General refusing, cancelling or suspending the registration or renewal of registration, as required under Sec. 24(1) of the Act.

(b) The Director General shall be authorized to:

- (i). jointly sign with the Chairperson, all the contracts entered into by the Authority under section 3(2) of the Act, on behalf of the Authority;
- (ii). promote and enforce the adoption of a fair system of auction of an agricultural produce in line with the best regional and international practices, as required under Sec. 6(2)(e) of the Act;
- (iii). control unfair marketing practices, as required under Sec. 6(2)(g) of the Act;
- (iv). regulate the functioning of public or private auction, and specialized markets, as required under Sec. 6(2)(ha) of the Act;
- (v). establish model auction markets, wholesale markets, collection centers and virtual markets, as required under Sec. 6(2)(hb) of the Act;
- (vi). prepare annual performance report within three months of the close of a financial year, for submission to the Government, by the Chairperson, as required under Sec. 9 of the Act;
- (vii). issue, renew and cancel a registration certificate, as required under Sec. 15 of the Act;
- (viii). approve budget of the Market Committees, as required under Sec. 21(4) of the Act;
- (ix). make such arrangements for pre-audit or concurrent audit of accounts of the Authority or the Market Committees as may be necessary;



- (x). may, with or without prior notice, inspect a notified market that has been transferred to a market company or any market to ensure that the same are established and operated in accordance with all applicable laws, rules and regulations; and may also take appropriate corrective measures to ensure compliance of the Act, the rules and the regulations made or framed thereunder, as required under Sec. 28A(1) and (2) of the Act;) Inspection & corrective measures;
 - (xii). approve bye-laws framed by the Market Committees for the management and operation of its Public Market, as required under Sec. 30A of the Act; and
 - (xiii). establish or cause to be established an online information system providing information on the wholesale supply, demand, and prices of agricultural produce bought or sold in the Punjab, against payment of fee and such other information, as may be prescribed; and shall also ensure implementation of integration and compliance by the markets, as required under Sec. 15L of the Act.
- (2) A report about all the actions or decisions taken in exercise of delegated powers, shall be submitted to the Authority in its next meeting but not later than sixty days in any case, for information and ratification purposes.

7. CONSTITUTION OF COMMITTEES:

- (1) The Chairperson in consultation with the Director General shall constitute the following Committees:
- i. Executive Committee;
 - ii. Budget & Finance Committee;
 - iii. Planning & Development Committee;
 - iv. Rules and Regulations Committee;
 - v. Procurement Committee;
 - vi. Technical Committee; and
 - vii. Grievance Redressal Committees:
- (2) The Committees shall perform duties and functions as per Terms of Reference to be framed and quorum to be fixed, by the Chairperson in consultation with the Director General.
- (3) The details of the constituted Committees and the TORs shall be placed before the Authority, for intimation and ratification.
- (4) The Committee may co-opt any member from within or outside the Authority.
- (5) Subject to the provisions of section 10 of the Act, the Authority may also constitute a special committee for any particular purpose, if deemed necessary in the same manner as prescribed under clause (2) to (4) of this regulation.

8. ALLOWANCES AND HONORARIUM TO THE CHAIRPERSON, MEMBERS AND THE DIRECTOR GENERAL OF THE AUTHORITY:

A. HONORARIA

- (1). The Chairperson and Members shall be entitled for an honorarium as per following:
- a. For Board meetings, the Chairperson and the Members shall receive an honoraria at a rate of Rupees sixty thousand (Rs.60,000/-) and Rupees thirty thousand (Rs.30,000/-) respectively, per meeting;
 - b. For meetings of the committees and sub-committees constituted by the Board, the Chairperson and the Members shall receive honoraria at the

rate of Rupees forty thousand (Rs.40,000/-) and Rupees twenty thousand (Rs.20,000/-) respectively, per meeting;

- c. For Board meetings and meetings of the committees or sub-committees constituted by the Chairperson, if any representative of the ex-officio members or any professional expert / consultant, is co-opted by the Chairperson to provide assistance or advice during the meetings of the Board or committees / sub-committees constituted by the Board, such person or representative shall be entitled to receive an honoraria at a rate of Rupees fifteen thousand (Rs.15,000/-) for a Board meeting; and Rupees ten thousand (Rs.10,000/-) for meetings of the committee or sub-committee, per meeting.

Provided that the honorarium shall be admissible subject to attending a meeting in person or online.

Provided further that the Chairperson and Members shall be entitled for Daily as well as Travelling allowances as per Punjab TA and DA Rules, equivalent to BS-21 and BS-20 respectively except where the honorarium is not admissible. However, a private member traveling from out station to attend the meeting shall be entitled for travelling allowance also.

Provided further that the outstanding amounts of honoraria and TA/DA, due to the Chairperson and Members, for attending the past meetings of the Board, shall also be paid, at the same rate provided under these Regulations.

- (2). The Director General shall also be entitled to such monthly allowance as the Authority may approve.

B. TRANSPORT

The Chairperson shall be entitled to the use of one official vehicle throughout his term of office, with POL admissible as per log book.

Provided that in case of non-availability of official vehicle, the Chairperson may use his personal or any private vehicle, for which he shall be entitled to POL and maintenance expenses.

C. TRAVELLING AND DAILY ALLOWANCES

If the Chairperson or any Member of the Authority undertakes any journey in the public interest, he shall be paid TA/DA out of the Authority Fund at a rate admissible under the Punjab Government TA/DA Rules.

Provided that the Chairperson and private members, travelling on official duty, shall be treated as BS-21 and BS-20 respectively.

D. FORM OF CERTIFICATE

Every claim by the Chairperson or a private Member for travelling allowance or daily allowance etc. must be supported by a written certificate in the following form signed by him.

"Certified that the amount has not been claimed by me in any other bill or drawn by me from any other source".

E. CONTROLLING OFFICER

The Chairperson shall, for purposes of travelling and daily allowances, be the Controlling Officer of a private Member.

F. TRAVELLING ALLOWANCE FOR TOUR ABROAD

The Chairperson and private members travelling on official business outside Pakistan shall be entitled to air fare as specified by the Government of the Punjab.

G. OFFICE AND SUPPORT STAFF

The Chairperson and the Director General, shall be entitled to have such personal staff as may be sanctioned by the Authority, for assistance in performance of his official duties.

H. TELEPHONE

The Chairperson and Director General shall be entitled to one official telephone at office and one official cellular phone.

9. POWERS AND FUNCTIONS OF DIRECTOR GENERAL:

- (1) The office establishment of the Authority shall be under the administrative control of Director General and any order or directions of the Authority to its employees or the Directorate of Agriculture (Economics & Marketing) or the Punjab Institute of Agriculture Marketing (PIAM), shall pass through him.
- (2) Director General shall conduct the performance appraisal of all officers of the Authority, Directorate of Agriculture (Economics & Marketing) and the Punjab Institute of Agriculture Marketing (PIAM), in respect of performance of functions under the Act, Rules and Regulations, and forward the same to the concerned competent authority of the officer / official concerned.
- (3) Director General may transfer and post officers / officials of market committees performing function under the Act, Rules and Regulations anywhere in Punjab, for the purposes of performance of functions under the Act.
- (4) Director of Agriculture (E&M) and Director the Punjab Institute of Agricultural Marketing (PIAM) shall facilitate and coordinate with the Director General to enable him to perform his functions efficiently.

10. PERFORMANCE OF THE DIRECTOR GENERAL:

The Chairperson of the Authority shall initiate the performance evaluation report of the Director General and shall be countersigned by the Administrative Secretary.

11. EXECUTION OF CONTRACTS:

- (1) Every contract entered into by the Authority shall be in writing and shall be signed on behalf of the Authority jointly by Chairperson and the Director General with the approval of the Authority and shall be sealed with the common seal of the Authority.

Provided that in case of non-availability of Director General, the contract will be executed by the Chairperson alongwith one Member of the Authority.

- (2) No contract other than a contract executed in the manner provided in clause (1) shall be binding on the Authority.

12. SECRETARIAT OF THE AUTHORITY:

The Directorate of Agriculture (Economics and Marketing) being Secretariat of the Authority, shall perform duties under the Act, Rules, and Regulations, as well as the

general directions issued by the Authority, under the supervision of the Chairperson and direct administrative control of the Director General.

13. FUNCTIONS OF THE PUNJAB INSTITUTE OF AGRICULTURAL MARKETING;

- (1) The Punjab Institute of Agricultural Marketing (PIAM) shall perform the following functions:
 - (a) research, training and publications in relation to the objects and purposes of the Act;
 - (b) capacity building of in-service staff, growers, market functionaries, key service providers, etc.;
 - (c) induction training of new entrants;
 - (d) training of stakeholders on Good Agricultural Practices, Sanitary and Phytosanitary (SPS) and Grading Standards;
 - (e) development of training linkages with other in-service training institutes;
 - (f) short courses for all stakeholders for improvement of Agricultural Marketing System;
 - (g) maintain digital and modern library;
 - (h) provide training to the stakeholders at cluster level; and
 - (i) any other training programs recommended by the Authority, the Chairperson or the Director General;
- (2) The Punjab Institute of Agricultural Marketing (PIAM) may also arrange seminars on contemporary issues related to modern Agriculture Marketing.
- (3) The Director, Punjab Institute of Agricultural Marketing (PIAM), shall submit monthly progress reports to the Authority through Director General on the training programs conducted by the Institute along with plan of forthcoming month.
- (4) The Authority may assign any other function to Punjab Institute of Agricultural Marketing (PIAM), as deemed appropriate.

PART-III: APPOINTMENT AND FUNCTIONS OF EMPLOYEES

14. APPOINTMENTS:

- (1) Subject to the provision of section 8 of the Act, the Authority, for performance of its functions may appoint such officers and officials mentioned in the organogram appended hereto on such terms & conditions given in Schedule-I appended to these Regulations.
 Provided that the Authority may create new posts as may be necessary, change nomenclatures of any post, upgrade or abolish any post.
- (2) Subject to the provision of section 8 of the Act, the employees of the Market Committees Provincial Fund Board now renamed as Agricultural Marketing Development Fund shall be considered as the employees of the Authority and shall continue to serve under their original terms and conditions of servicewhile serving in Market Committees Provincial Fund Board.
- (3) For the purposes of appointments, punishments, appeals, transfers, travelling allowance and performance evaluation report, the competent authority in respect of each employee of the Authority holding post mentioned in Columns of Schedule-II shall be such as specified in the said Schedule.

Notwithstanding the above, the Authority may also employ seasonal, part-time and work-charge employees as may be necessary for discharge of its functions

PART-IV: AUTHORITY FUND

15. AGRICULTURAL MARKETING DEVELOPMENT FUND:

- (1) The Authority shall maintain and operate a fund to be called as Agricultural Marketing Development Fund.
- (2) All monies received by the Authority, shall be deposited into a fund called the Agricultural Marketing Development Fund, as provided under section 19 of the Act. All expenditures incurred by the Authority under or for the purposes of the Act shall be defrayed out of the said Fund and any surplus remaining after meeting such expenditures shall be invested in accordance with the manner prescribed under these Regulations.

Provided that at the close of each month or at such shorter intervals as may be practiced, on behalf of the Authority, the Director of Agricultural Marketing Development Fund shall get a statement of accounts from the bank and shall compare such balance or statement of accounts with his own books.

- (3) Every market committee or market in public sector shall deposit ten (10) percent of its monthly income under head of "Registration Fee and Market Fee" as a contribution towards the Fund.
- (4) In case of any dispute about actual amount of 10% contribution between market committee and Director Agricultural Marketing Development Fund, the decision of the Director General shall be final.
- (5) For depositing the receipt of the Fund, separate bank accounts, for various categories of receipts, may be opened, with prior approval of the Finance Department, Government of the Punjab.
- (6) The Director of Agricultural Marketing Development Fund shall maintain proper accounts of the receipts and disbursements of the Fund which shall be audited as provided under Section 22 of the Act.
- (7) The Director of Agricultural Marketing Development Fund of the Authority shall be the Drawing and Disbursing Officer of the fund.

Provided that in case the post of Director, Agricultural Marketing Development Fund is vacant, the Manager Finance of Agricultural Marketing Development Fund shall be the Drawing and Disbursing Officer of the fund.

16. PURPOSES FOR WHICH AGRICULTURAL MARKETING DEVELOPMENT FUND MAY BE USED:

Subject to the provisions of section 19 of the Act, the Agricultural Marketing Development Fund shall be expended for the following purposes:

- (a) Preparation and implementation of such projects, measures and programs to develop and improve markets and marketing including but not limited to establishment of model and specialized markets;
- (b) Ensuing fair and efficient auction system and its improvement;
- (c) Development of value-chains;
- (d) Promotion of small and medium agri-businesses;
- (e) Development of market information system;
- (f) Training for staff, service providers and stakeholders, and conducting research and publications;
- (g) Investment of Agricultural Marketing Development Fund for profitable purposes;

- (h) Acquiring permanent assets and properties;
- (i) Advancing loans to market committees at such rates and under such terms and conditions as may be specified;
- (j) To pay honorarium to the Chairperson, Private Members, Official Members and co-opted staff/person(s); salaries of the employees of PAMRA and AMDF; and remunerations of the experts, consultants and advisors of the Authority, as well as their TA. / DA;
- (k) To establish model markets, virtual markets and Agricultural Marketing Technology Park;
- (l) Other payments approved by the Authority;
- (m) All other expenses required for the smooth functioning of the Authority; and
- (n) Any other purpose that may be declared by notification by the Government for improvement of agricultural marketing, which is calculated to promote the general interest of growers.

17. REFUND OF CERTAIN AMOUNTS:

- (1). Refund may be allowed with prior approval of the Director General:

When -

- (a) if any sum has been deposited in favour of the Authority for grant of a registration but the registration is not granted, the registration fee may be refunded after deduction of processing and administrative fee etc; or
 - (b) any agri-business fee has been recovered in excess of the amount actually due;
 - (c) refund of refundable security amount;
 - (d) any money has been paid by mistake in favor of Authority or on its behalf to any authorized officer, the Authority shall, on a written application being made within 30 days from the date of payment of the amount claimed back, and after making such enquiry as it may consider necessary, order the refund of an appropriate amount, which shall be repaid to the person concerned out of the funds of Authority.
- (2). The application for refund shall contain such particulars as are necessary to enabling the amount to be traced.
Provided that refund of security shall be made according to the terms & conditions and successful completion of the task.
- (3). The power conferred on the Authority by clause (1) may also be exercised by the Chairperson or Director General, if so, authorized by a resolution of the Authority.

18. PROCEDURE OF PAYMENT BY THE AUTHORITY:

- (1) All payments by the authority, except payments of less than rupees ten thousand (Rs. 10,000/-), shall be made through a crossed cheque.
- (2) Every cheque drawn on behalf of the Authority shall be signed jointly by the Director General and the Director of Agricultural Marketing Development Fund.
Provided that except for the payment of salaries of the establishment, any other amount exceeding Rs. 10,00,000/- shall not be paid without previous sanction of the Authority.

19. WRITING OFF IRRECOVERABLE DUES AND LOSSES:

Whenever it is found that any amount due to the Authority is irrecoverable or should be remitted or whenever any loss of the Authority's money or stores or other property occurs through fraud or negligence of any person or for any other cause, and such

property or money is found to be irrecoverable, the fact shall be reported by the Director General to the Authority, who may order the amount or value of property to be written off as lost, irrecoverable or remitted, as the case may be.

Provided that if in any case the amount involved or value of such property in excess Rs.500,000/- such order shall not take effect without the approval of the Government.

PART-V: BUDGET AND ACCOUNTS

20. BUDGET:

- (1) For the purpose of budget of the Authority, the financial year shall commence on 1st July every year and end on 30th June following.
- (2) There shall be a Budget & Finance Committee that shall include a Member of the Authority, Director of Agricultural Marketing Development Fund, Director of Agriculture (Economics and Marketing), Director Planning and Development (Executive Engineer).
- (3) In addition to the estimated income and recurring expenditures for the year the Budget & Finance Committee shall draft budget proposals for development works, plans and estimates for the construction, repairs of premises, provisions of amenities & facilities etc. and infrastructure for promotion of Agricultural Marketing System.
- (4) The draft budget estimates prepared by the Director Agricultural Marketing Development Fund shall be placed before the Budget & Finance Committee by 10th of April each year. The Budget & Finance Committee after due scrutiny shall forward the budget estimates to the Director General by 20th of April who shall place the budget for approval before the Authority.
- (5) The Authority shall annually hold a special meeting, not later than 15th May, to approve budget of income and expenditure for the ensuing year.
- (6) At any time before the expiry of the financial year, to which the budget relates, a revised or supplementary budget for the year may, if necessary, be prepared by the Director Agricultural Marketing Development Fund and got sanctioned from the Authority.
- (7) The Authority may, if necessary, during the budget year make a re-appropriation in the budget and such re-appropriation shall not be made except by a majority of the votes of the Members present in the meeting.
- (8) No expenditure shall be incurred, for which there is no provision in the budget, unless it can be met by re-appropriation from savings under other heads or by a supplementary grant from the available reserve subject to approval of the Authority.

Provided that Punjab Delegation of Financial Power Rules 2016 shall be applicable in making any expenditure by the Authority.

21. ACCOUNTS AND AUDIT OF THE AUTHORITY:

- (1) The Director of Agricultural Marketing Development Fund shall prepare and keep at his office, books of accounts and other relevant books and papers and financial statements for every financial year.
- (2) The Authority shall publish a statement of its assets and liabilities at the close of each financial year, with a balance sheet by 31st July following.
- (3) All heads of the departments of the Authority shall at the time of audit, cause to be produced all accounts, registers, documents and other papers which may be

required by the audit authority for audit purposes and any explanation called for by it regarding any discrepancy shall immediately be furnished.

- (4) The Authority may deposit such audit fee to the Auditor General of Pakistan, as may be prescribed by him from time to time.

22. FIRM OF CHARTERED ACCOUNTANTS:

- (1) Subject to the provision of section 22(3) of the Act, if the Authority is satisfied that audit of market committees may be conducted by a firm of chartered accountants instead of Government audit agency, the market committee shall be bound to get the services of a Firm Chartered Accountant of repute from the panel of firms duly approved by the Authority.
- (2) Only such firms of chartered accountants shall be qualified under clause (1) whereof majority of practicing partners have a valid certificate of practice from the Institute of Chartered Accountants of Pakistan with good experience and repute.

PART-VI: MISCELLANEOUS

23. REFERENCES:

All references from the Authority to any officer of the Government shall be made through the head of the Department.

24. ENGAGEMENT OF LAWYER(s):

The Authority may engage a lawyer for pleading its cases in a Court of Law, subject to the following:

- (a) The Chairperson may sanction a fee not exceeding Rs.25,000/- (Twenty-Five Thousand only) for a case of civil courts, a fee not exceeding Rs. 50,000/- (Fifty Thousand only) for a case of High Courts / Tribunal; and a fee not exceeding Rs.1,00,000/- (One Hundred Thousand only) for a case of Supreme Court alongwith Rs11,000/- as a fee for the Advocate on record.

Provided that fee may be enhanced, up to the double fee in each category, in case of special circumstances by the Authority.

Provided further that Misc. expenses of the cases shall be separately paid on actual cost incurred basis on issuance of a certificate by the counsel and countersigned by the concerned staff of the Authority.

25. COMPOUNDING PROCEDURE OF OFFENCES:

- (1) The Authority may compound any offence and may exercise this power at any time before directing prosecution, or where a prosecution has been initiated, before the case is finally disposed of by the trial court.
- (2) In case the Chairperson receives an application for the compounding of an offence, he shall place the matter in the next meeting of the Authority for its approval.
- (3) The Authority while compounding an offence shall in no case accept an amount less than fifty percent (50%) of the maximum fine that can be imposed for the offence:

Provided that the amount so realized by way of compounding shall be in addition to any amount payable by the offender under the Act or the rules, or the regulations framed thereunder.

26. DISTRICT OFFICES OF THE AUTHORITY:

- (1) The Authority may set up its District offices and deploy necessary staff for its working.
- (2) The District Headas specified by the Authority shall be the head of the District Office and implement the orders/directions of the Authority and the Director General.

Provided that the Authority may delegate any of its functions and powers to the any officer of the Authority.

27. PROCEDURE FOR RECEIPT, HEARING AND DISPOSAL OF COMPLIANTS

- (a) A complaint in respect of a matter falling within the cognizance of the Authority shall be made in writing to the Chairperson or the Director General and a receipt shall be issued thereof.
- (b) A complaint received under clause (1) shall be immediately entered in a diary register and shall be placed forthwith before the Chairperson or the Director General as the case may be, or any other person as may be appointed by the Chairperson, for the said purpose.
- (c) After serving a notice to the complainant, the complaint shall be enquired against person(s) complained of and after giving him/them an opportunity of being heard, the order shall be recorded in writing for disposing of the complaint and its report entered in the register to be separately maintained.

28. PROCEDURE FOR FILING OF APPEALS AND ITS DISPOSAL:

- (a) Subject to provision of section 24 of the Act, any person aggrieved by the decision or order of the market committee, Director of Agriculture (Economics & Marketing), Director General or the Authority may at any time within thirty days of the passing of the order or decision made, file appeal at the relevant forum.
- (b) Every appeal shall be represented to the appellate authority by the appellant, or his duly appointed agent within the period provided in clause (1) of the order or decision appealed against. It shall be accompanied by a copy of such order, and shall set out the grounds of attacks, together with a clear statement of the facts relevant thereto, and the relief claimed. It shall state clearly the name and full description of the appellant, who shall sign the memorandum with thumb impression and verify the correctness of the facts stated therein.
- (c) The appeal shall be decided after notice to and after hearing the appellant, the market committee, Director of Agriculture (Economics & Marketing), Director General or the Authority as the case may be, and the person in whose favour the order under appeal had been made, and after making such further enquiry as the appellate authority may consider necessary.

29. PANEL OF AGRICULTURE MARKETING EXPERTS:

- (1) Subject to the provision of section 28 of the Act, the Authority shall establish a panel of experts, keeping in view relevant educational qualification and relevant experience, in its divisional or district offices for the purpose of resolving all disputes between sellers and buyers arising in a wholesale market and relating to an agricultural produce.
- (2) The disputes shall be settled by the marketing experts in a summary manner.

30.

REMOVAL OF ENCROACHMENTS:

- (1) If any person makes an immovable encroachment on, over or under a road, drain, 'thara', platform or open space belonging to the Authority, the Director General or an officer authorized by him in this behalf, in addition to instituting criminal proceedings against him under Pakistan Penal Code, may, by notice, require the person responsible for any such encroachment to remove the same in a period of seven days, and if the encroachment is not removed within such period, the Authority may cause the encroachment to be removed through its own agency and the cost incurred thereon by the Authority shall be recoverable as arrears of land revenue:

Provided that, no action shall be taken without providing an opportunity of being heard to the person, to be affected thereby.

Provided further that temporary or moveable encroachments may be removed by Director General or an authorized officer at any time without any notice.

- (2) Notwithstanding anything contained in any other law, no compensation shall be payable for any encroachment removed or caused to be removed under these rules.

31. **DELEGATION OF POWERS:**

Any Competent Authority designated under these Regulations, with the prior approval of the Authority, may delegate any of its powers and functions to any subordinate officer or authority under these Regulations but any delegated power could not be further delegated.

32. **STANDARDS OF FINANCIAL PROPRIETY:**

The standards of financial propriety laid down under the General Financial Rules notified by the Government of the Punjab from time to time shall be fully observed.

33. **REPEAL AND SAVINGS:**

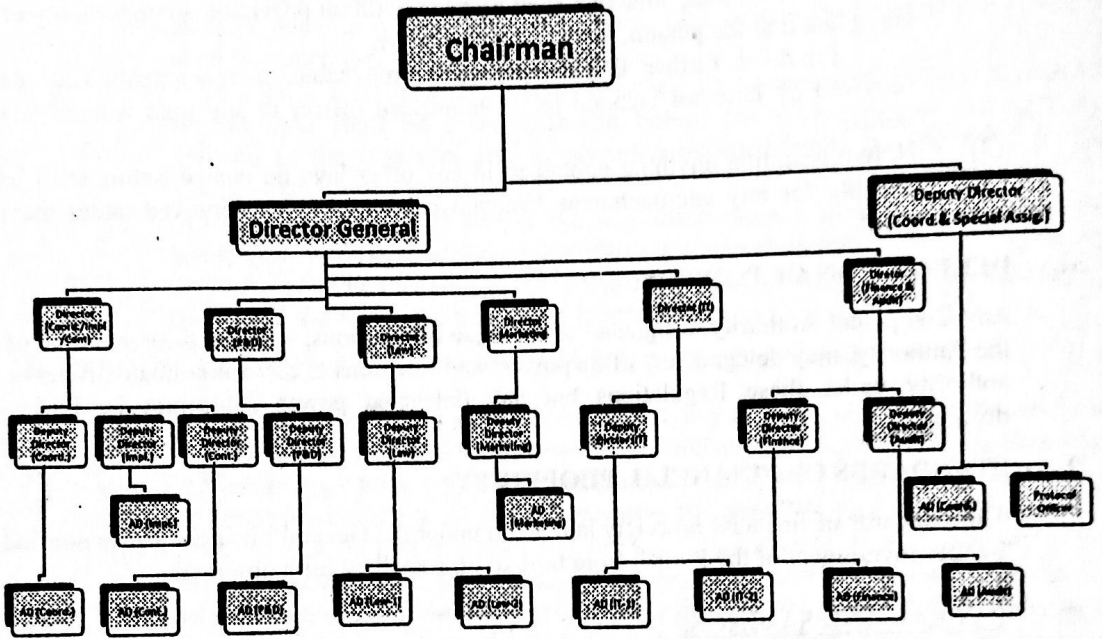
- (1) The Punjab Agricultural Marketing Regulatory Authority Regulations, 2020 are hereby repealed.

(2) Notwithstanding the repeal of the Regulations specified in sub-clause (1), everything done, action taken, obligation, liability, penalty or punishment incurred, registration, inquiry or proceeding commenced, committee constituted or person appointed or authorized, jurisdiction or power conferred, rule or bye-law made and order or notification issued under any of the provisions of the said Regulations, shall, if not inconsistent with the provisions of these Regulations, be continued and so far as may be deemed to have been respectively done, taken, incurred, commenced appointed, authorized, conferred, made or issued under these Regulations.

DIRECTOR GENERAL
PUNJAB AGRICULTURAL MARKETING
REGULATORY AUTHORITY"

(BAHADAR ALI KHAN)
SECRETARY
Government of the Punjab
Law and Parliamentary Affairs Department

ORGANOGRAM



C.P.S.
M.A.

SCHEDULE-I**Terms and Conditions of Service**

(Under Regulation 15 of PAMRA Regulations, 2020)

(1) PAY PACKAGE (FOR BPS PAY):-

- i Pay and allowances as per pay scale of the post.
- ii 30% of the minimum of pay scale as social security benefits in lieu of pension.
- iii Any ad-hoc / special relief / allowance etc. given to the regular government servants shall also be admissible to the contract employee.
- iv Annual increment as per pay scale of the post.
- v A confirmed civil servant when appointed on contract under the Government of the Punjab or its subordinate Offices / Organizations / Institutions shall draw pay and allowances as per terms and conditions of the contract. However, he shall be entitled to claim any protection of basic pay scale, increments and allowances last drawn by him against his substantive post, and where an existing contract appointee of the Federal or Provincial Government of the Punjab or its subordinate Offices / Organizations / Institutions, and there is no gap between his previous contract appointment and fresh contract, appointment, he shall be entitled to get his pay and allowance fixed after adding the increments which he may have earned during the preceding contract appointment.

(2) MEDICAL FITNESS CERTIFICATE:-

The selected candidates will appear before the competent medical authority / board as per directions of the appointing authority for medical examination and on having been declared medically fit he / she will be able to join service.

(3) TENURE:-

The post is offered for a period of three (3) years. The tenure of appointee shall automatically stand terminated upon expiry of contract period, if not extended, for a term as may be prescribed by the Government, before the expiry of the contract.

(4) PENSION:-

Appointment / service on contract basis shall be non-pensionable.

(5) CONTRIBUTION / G.P. FUND:-

- i The employee shall not pay any pension or contributory Provident Fund.
- ii The employee shall also not contribute towards General Provident Fund.

(6) CONTRIBUTION TOWARDS GROUP INSURANCE / BENEVOLENT FUND:-

- i The contract employee shall not contribute towards Group Insurance and Benevolent Fund.
- ii A civil servant, employed on contract, shall continue to contribute towards Group Insurance and Benevolent Fund as per rules.

(7) LEAVE:-

- i Casual leave not exceeding 24 days per year, shall be admissible. The competent authority may grant 10 days casual leave at a time or, in special circumstances, 15 days casual leave at one time.

- ii 90 days maternity leave with pay (in case of female employee only) once in the tenure of five years shall be admissible.
- iii Leave on medical grounds without pay shall be admissible on production of medical certificate by the competent authority as per Punjab Medical Attendance Rules, 1959. However, if medical leave continues beyond three (3) months, his / her contract shall be liable to be terminated.
- iv Hajj leave for 45 days with full pay may be allowed to contract appointee once during the tenure of three (3) years. Further Hajj leave during the extended period of contract appointment shall generally not be granted. However, the competent authority may allow 30 days Hajj leave under special circumstances for the 2nd time, but such leave shall be without pay.
- v Leave for Umrah up to 15 days without pay may be allowed to the contract appointee once during his tenure.
- vi The person appointed against non-vocational post shall earn 10 days leave per year to be availed by him during the tenure.

(8) MEDICAL FACILITIES:-

Medical facilities as admissible to the regular employees of the his/her scale under the rules.

(9) TRAVELLING ALLOWANCE / DAILY ALLOWANCE:-

TA/DA as applicable to the regular employees of his/her scale under the rules.

(10) TRANSFER / POSTING:-

- i The contract appointment shall be post specific, and non-transferable. Contract appointee shall not, under any circumstances claim any right for transfer from one post to another post.
- ii Nothing contained in clause (a) above, shall, however, preclude the competent authority, for reasons to be recorded in writing, to allow one-time transfer during the tenure of 3 years as special dispensation. However, local candidates may be adjusted locally, if possible, so that demand for further transfer may not arise.

(11) NO RIGHT OF REGULAR APPOINTMENT:-

Contract appointments shall not confer any right of regular appointment nor shall such appointment be regularized under any circumstances.

(12) TRAINING:-

The contract appointee shall have to undergo essential training programme, as may be prescribed.

(13) PERFORMANCE EVALUATION:-

The performance of the appointee shall be assessed / evaluated on regular basis keeping in view his efficiency and conduct as per provisions of Contract Appointment Policy.

(14) APPOINTMENT ON THE BASIS OF FORGED / BOGUS DOCUMENTS:-

If, at any stage, it is discovered that the person appointed on contract had obtained the appointment on the basis of forged / bogus documents or through deceit by any means, the appointment shall be considered to be void ab-initio and he/she shall be liable to refund all amounts received from the Government as a consequence of

appointment in addition to such other action as may be taken against him/her under the law.

(15) **RECOVERY OF LOSS CAUSED TO THE GOVERNMENT:-**

Recovery of any pecuniary loss caused to the employer / Government shall be affected from the contract employees.

(16) **PERFORMANCE OF DUTIES:-**

The employee shall be liable to perform duties, in public interest, as may be entrusted to him/her by competent authority from time to time.

(17) **INTERPRETATION OF THE TERMS AND CONDITIONS:-**

The interpretation of the terms and conditions and the decision of the competent authority in this behalf shall be final and conclusive and not challengeable in any court of law.

(18) **TERMINATION OF CONTRACT:-**

- i Contract appointment shall be liable to termination on one month's notice or on payment of one month's pay in lieu thereof, by either side, without assigning any reason.
- ii Whereas contract employee applies through proper channel for another post under the Federal or Provincial Government or its subordinate office / organizations / institutions, in the event of his/her selection, he/she shall not be required to deposit one month pay in lieu of one month notice to quit the job.

(19) **APPLICATION FOR EMPLOYMENT IN OTHER DEPARTMENTS:-**

A contract employee shall not apply for employment in other Government Departments, Autonomous Bodies or private organizations without prior permission, in writing, of his/her appointing authority.

(20) **JOB DESCRIPTION FOR THE EMPLOYEE:-**

Job description for the employee of the Authority shall be as laid down under the Act, the Rules and the Regulations.

(19)