

# THE UTTAR PRADESH KRISHI UTPADAN MANDI NIYAMAVALI, 1965<sup>1</sup>

In exercise of the powers under Section 40 of the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964 (U.P. Act No. 25 of 1964), the Governor of Uttar Pradesh is pleased to make the following rules for carrying out the purposes of the said Act, after their previous publication under Notifications No. H-6090/12-B—1680-63, dated January 11, 1965 and No. H-978/XII-B—1680-63, dated April 26, 1965.

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1. Vide Noti. No. H-3431/12-B, dt. 09.07.1965.

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## CHAPTER I PRELIMINARY

1. **Short title.**—These rules may be called the Uttar Pradesh Krishi Utpadan Mandi Niyamavali, 1965.

2. **Definitions.**—(1) In these rules, unless, there is anything repugnant in the subject or context,—

- (i) "Act" means the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964;
- (ii) "agricultural year" means the year commencing on the first day of July and ending on the thirtieth day of June;
- <sup>1</sup>[(iii) "Chairman" means the Chairman of the Mandi Samiti or the Chairman of the Board as the case may be;
- (iv) "District Election Officer" means the Collector of the District as defined in Section 2;]
- (v) "election" means the election of a Member or Members of Market Committee;
- (vi) "form" means a form appended to these rules;
- (vii) <sup>2</sup>"[Gram Panchayat]" means a <sup>2</sup>[Gram Panchayat], established under the Uttar Pradesh Panchayat Raj Act, 1947;
- (viii) "measurer" means a person who, in the ordinary course of business, is engaged in the work of measuring of agricultural produce in connection with its sale or purchase;
- (ix) "purchaser" means a person buying any agricultural produce, either himself or on behalf of his Principal;
- (x) "retail trader" means a trader who sells or purchases or stores any specified agricultural produce not exceeding such quantity as a Market Committee may deem fit under its bye-laws;
- <sup>3</sup>[(xi) "Scheduled Castes" shall have the meaning assigned to it in clause (24) of Article 366, read with Article 341 of the Constitution.]
- (xii) "section" means a section of the Act;
- (xiii) "seller" means a person selling any agricultural produce either himself or on behalf of his Principal;

1. Subs. by Noti. No. 3245/12-8—45/74—UPA-25/64—Rule 65—AM-(1)-78, dt. 10.02.1978.

2. Subs. by U.P. Act No. 18 of 2001 (w.e.f. 08.06.2001)..

3. Subs. by Noti. No. 3245/12-8—45/74—UPA-25/64—Rule-65—AM-(1)-78, dt. February 10, 1978.

- (xiv) "*unauthorised trade charge*" means a trade charge, not prescribed by these rules or bye-laws;
- (xv) "*Vice-Chairman*" means the Vice-Chairman of the Market Committee;
- (xvi) "*village trader*" means a trader who purchases any specified agricultural produce, in the Market Area outside the Market Yard and sells the said produce in the Market Yard;
- (xvii) "*whole-sale trader*" means any trader other than a retail trader or a village trader.
- <sup>1</sup>[(xviii) "*Primary arrival*" means the first arrival of a specified agricultural produce in the Market Area for sale, storage or processing on which no Market Fee has been levied in any Market Area, whether brought from any place in the same Market Area, or from any other Market Area or from outside the State or the country;
- (xix) "*Secondary arrival*" means arrival of a specified agricultural produce in the Market Area after its first transaction of sale in any Market Area for further transactions of sale.].
- <sup>2</sup>[(xx) "*Unified license*" means a single license for the whole State. This license may be authorized for trading (sale and purchase) of specified agriculture produce in all market areas to the State. The main Market Committee which is authorized to issue Unified License may suspend or cancel the Licence with the prior concurrence of the Director, according to the procedure prescribed in these rules.]

(2) Words and expressions used in the Act, not defined in these rules shall have the meaning assigned to them in the Act.

## CHAPTER II

### CONSTITUTION OF MARKET COMMITTEE

<sup>3</sup>[3. **Nomination of Members of the Committee.**—Nomination of members under clauses (a) to (d) of sub-section (1) of section 13 of the Act shall be made by the State Government after duly considering the recommendations of the Deputy Director Administration/Marketing of the Division in which the said Mandi is situated, obtained through the Director, State Agricultural Produce Markets Board, screening the names of the aspirants prepared as per the provisions of the Section 13 (2) of the Act. The cut off date for the assessment in this regard shall be the last date of the Agricultural year immediately preceding the agricultural year in which the nomination is being considered.]

1. Ins. by Noti. No. 2937/12-5-1998-600 (37)-98 dt. 14.08.1998 (w.e.f. 14.08.1998).

2. Ins. by Noti. No. 17/2016/1405/80-1-2016-600 (50)-2013 dt. 31.05.2016 (w.e.f. 31.05.2016).

3. Subs. by Noti. No. 07/2019/2485/80-1-2018-600(22)/2002 T.C. dt. 07.02.2019.

**3-A. and 4. [ \* \* ]<sup>1</sup>**

<sup>2</sup>[5. **Qualifications for membership of the Mandi Samiti**—(1) A person shall be qualified for being nominated as a Member of the Market Committee under clauses (a) to (d) of sub-section (1) of Section 13 of the Act, if,—

- (a) he is a citizen of India and has completed the age of 21 years;
- (b) he is a registered voter for Legislative Assembly elections from a locality included in the Market Area concerned;
- (c) he is not of unsound mind;
- (d) he is not an undischarged insolvent;

1. *Omitted vide* Noti. No. 1688/XII-5-2003-600(160)-91 T.C.-3, dt. 11.08.2003 (*w.e.f.* 11.08.2003). The text of Rules 3-A and 4 prior to their omission stood as under :

**3-A. [Sections 13(2), 40(2)(i) and 40(2)(xxd-a)].—**

- (i) The District election Officer shall appoint a Returning Officer for conducting the elections of each Mandi Samiti, its Chairman and Vice-Chairman under these rules;
- (ii) The Returning Officer may appoint one or more persons, as Assistant Returning Officers;
- (iii) The Assistant Returning Officer shall assist the Returning Officer in the performance of his functions and shall subject to the control of the Returning Officer be competent to perform all or any of the functions of the Returning Officer;
- (iv) The Returning Officer may appoint Presiding Officers and such staff as he may deem necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for candidate;
- (v) The District Election Officer, the Returning Officer and the Assistant Returning Officer shall perform their functions and duties under the General Superintendence and Control of the Director of Elections, Uttar Pradesh.]

**4. Delimitation of constituencies [Section 13(2)].—**(1) for the purpose of electing the members referred to in clause (viii) of sub-section (1) of section 13, the District Election Officer shall subject to such directions as may be issued by the Director of Elections, determine—

- (a) the number of constituencies into which each market area shall be divided;
- (b) the area to be included in each constituency;
- (c) the total number of seats allotted to each constituency; and
- (d) the number of seats reserved for the Scheduled Castes :

Provided that as far as possible the entire area of a [Gram Panchayat], shall be included in one constituency :

Provided further, that the number of seats to be allotted to each constituency, shall, as far as practicable bear the same proportion to the total number of persons to be elected for the Market Area as the [Gram Panchayats], of that constituency bear to the total [Gram Panchayat], of the Market Area.

(2) The draft delimitation proposals shall be prepared and published, in the form to be specified by the Director of Elections.

(3) The draft delimitation proposals shall be published at the Tahsil Headquarters in the Office of the Mandi Samiti and Office of the District Election Officer for inviting objections and suggestions.

(4) All objections and suggestions received within ten days of the publication of the draft delimitation proposals shall be considered by the District Election Officer and the final delimitation order shall be published in accordance with the decision on such objections and suggestions.

(5) The director of elections after consulting the District Election Officer of the Board may, by a subsequent order in writing alter or amend the final delimitation order prepared under sub-rule (4).

2. *Subs. by* Noti. No. 07/2019/2485/80-1-2018-600(22)/2002 T.C. dt. 07.02.2019.



- (e) he does not hold any office of profit under the Government of India or any State Government or any Mandi Samiti of the State;
- (f) he is a farmer of the Market Area who brings his produce to the market yard for sale and has sold notified agricultural produce in the said market yard and obtained Form-VI of cumulative highest value during last three agricultural years just preceding the year of the nomination.

A list of atleast thirty farmers in each category mentioned under section 13 (2) of the Act, with cumulative value of arrivals in the said mandi in their names prepared on the basis of Form-VI, in descending order shall be prepared and published under the signature of officer nominated by the District Magistrate of the District, in which the Principal Market is situated, not below the rank of a Sub-Divisional Magistrate, inviting objections in writing which shall be made within a period of seven days. A decision on the objections if any shall be taken by such officer through a speaking order and thereafter a final list shall be published accordingly. The objection could only be made if it was supported by an affidavit and moved by a person who is resident of the said Market Area and is having at least one Form-VI issued by a licensee trader/ commission agent of the Market Area, in his own name in the last preceding agriculture year. For taking a decision on such objection the nominated officer may call for and consider such evidence as he deems fit. Where a person, whose name is in the list, denies becoming an aspirant for membership, his written denial with his signature shall be communicated to the said officer before finalization of the list. Confirming such denial such officer shall remove his name from the list describing reasons. The draft and final lists shall be prepared in the format X-A, appended to these rules; or

- (g) he is a trader carrying on business in the concerned Market Area and his holding a valid license for it required under the Act and where the nomination is being made from traders, such traders should have paid cumulatively highest amount of Market Fee during the last three agricultural years just preceding the year of the nomination and have no outstanding dues against them of the Market Committee on the date of nomination.

A list of at least twenty traders under section 13 (1) (b) of the Act with cumulative value of Market Fee paid by them in the said Market Committee as per their Mandi Shulk Register or other relevant documents, in descending order shall be prepared and published under the signature of such nominated officer, inviting objections in writing which shall be made within a period of seven days. The objection can only be made if it is supported by an affidavit and moved by a person who has a valid license for trading from the same Market Committee. A decision on the objections if any, shall be taken by such officer through a speaking order and

thereafter a final list shall be published accordingly. For taking a decision on such objection the nominated officer may call for and consider such evidence as he deems fit. Where a person, whose name is in the list, denies becoming an aspirant for membership, his written denial with his signature shall be communicated to the said officer before finalization of the list. Confirming such denial the such officer shall remove his name from the list describing reasons. The draft and final lists shall be prepared in the format X-B, appended to these rules; or

- (h) he is a commission agent carrying on business in the concerned Market Area and is holding valid license required under the Act. If the nomination is being made from commission agents such commission agent should have paid cumulatively highest amount of Market Fee, during last three agricultural years just preceding the year of nomination and have no outstanding dues against them of the Market Committee on the date of nomination.

A list of atleast twenty Commission Agents under section 13 (1) (c) of the Act with cumulative value of Market Fee in the said Market Committee as per their Market Fee Register or other relevant documents, in descending order shall be prepared and published under the signature of the said officer, inviting objections in writing which shall be made within a period of seven days. The objection can only be made if it is supported by an affidavit and moved by a person who has a valid license for commission agent from the same Market Committee. A decision on the objection if any shall be taken by such officer through a speaking order and thereafter a final list shall be published accordingly. For taking a decision such officer may call for and consider such evidence as he deems fit. Where a person, whose name is in the list, denies becoming an aspirant for membership, his written denial with his signature shall be communicated to the said officer before finalization of the list. Confirming such denial such officer shall remove his name from the list describing reasons. The draft and final lists shall be prepared in the format X-C appended to these Rules; or

- (i) He is a *palledar* or measurer serving in the concerned Market Area and is holding license required under the Act and who is unanimously elected by the licence holder *palledars* or measurers from among themselves respectively. In case of a dispute the name for nomination shall be decided by a draw of lots conducted before the nominated by the collector concerned officer for the purpose.

(2) The disqualifications provided under Sections 8, 9, 9-A and 10 of the Representation of People Act, 1951 as amended from time to time shall *mutatis mutandis* apply for nominations to a Mandi Samiti also.

(3) If a nominated member absents himself in five consecutive meetings of the committee, he shall be disqualified and cease to be a Member of the Committee.

Provided that if the Director, Mandi Board is satisfied that there is sufficient reason for the absence of the member from the meetings as aforesaid, he may by order make a declaration to that effect and thereupon the disqualification under this sub-rule shall cease to have an effect.



(4) If the State Government is satisfied, on the report of District Collector or Director, Agriculture Marketing Board or otherwise that a Member, Chairman or Vice-Chairman is guilty of moral turpitude and there is a sufficient ground to proceed, the State Government may remove such Member, Chairman or Vice-Chairman from his office.

Provided that a reasonable opportunity of hearing has been given before such removal.

Provided further that the State Government may by general or special order direct that such opportunity of hearing is to be given at the level of District Collector or Director Agricultural Marketing Board or such other officer as it may deem fit.]

**Rules 5-A to 34. [\* \* \*]<sup>1</sup>**

1. Omitted vide Noti. No. 1688/XII-5-2003-600(160)-91 T.C.-3, dt. 11.08.2003. The text of Rules 5-A to 34 prior to their omission stood as under :

**5-A. Disqualifications for membership of the Mandi Samiti [Section 40(2)**

(xxxi-a).—(1) A person shall be disqualified for being chosen as and for being Member of a Mandi Samiti—

- (a) if he is an undischarged insolvent;
- (b) if he has been convicted and sentenced for such offence, as is declared by the State Government, by notification in this behalf to involve moral turpitude, unless a period of five years has elapsed since the date of completion of the sentence;
- (c) if he is of unsound mind and stands so declared by a Competent Court;
- (d) if he enters into any transaction or contract with the Mandi Samiti or has any interest in such contract or in any employment under the Mandi Samiti;
- (e) if he accepts or holds any office of profit under the Mandi Samiti;
- (f) if he is a Servant of the Mandi Samiti or of a licensee under Section 9 of the Act, or himself holds a licence from the Mandi Samiti, as a broker or *dalal* or *palledar* or weighman;
- (g) if having held any office under Government or Local Body or any Co-operative Society registered under the Co-operative Societies act, 1965 or a Mandi Samiti, he has been dismissed from service unless, a period of five years has elapsed since the date of dismissal;
- (h) if he has been convicted and sentenced for any offence under the Act or the rules or bye-laws, unless a period of six months has elapsed from the date of the completion of the sentence;
- (i) if he is in default to the Mandi Samiti for a period of more than fifteen days, in respect of any fee or other amount due to the Mandi Samiti on the day immediately preceding the date of scrutiny;
- (j) if he does not ordinarily reside, in the Market Area concerned;
- (k) in the case of the Local Bodies' Constituency, if he holds a licence for a Trader or Commission Agent or *Arhatiya* issued by the Mandi Samiti;
- (l) in the case of election from the Traders' constituency or Commission agents' constituency, if the licence is issued by the Mandi Samiti to the Trader or the Commission Agents, as the case may be, has been suspended or has not been renewed;
- (m) in the case of election from the producers' constituency if he or a firm in which he is a partner or a body corporate (other than a Co-operative Society), in which he is a member or a joint family of which he is member, carries on Business as a Trader or Commission Agent;
- (n) if he has been a Member of the Mandi Samiti continuously for the preceding two terms.

**Explanation.**—A person shall be deemed to reside ordinarily within a Market Area if he—

- (a) has actually resided within such, area for an aggregate period of not less than one hundred and eighty days during the calendar year preceding that in which the lists of voters for the time being under preparation for such area are provisionally published under sub-rule (6) of rule 7; or

- (b) has maintained within such area for an aggregate period of not less than one hundred eighty days during the calendar year preceding that in which the lists of voters for the time being under preparation for such area are provisionally published under sub-rule (6) of Rule 7, a dwelling for himself in charge of his dependents or servants and has visited such dwelling during the year first mentioned in connection with his business in the said Market Area.

(2) The date from which the period of five years, under clause (b) and six months under clause (h) shall be counted, will be as follows :—

- (i) In the case of sentence of imprisonment, from the date of expiry of the period of sentence;
- (ii) In the case of sentence of fine, from the date of payment of recovery thereof;
- (iii) In the case of sentence of both imprisonment and fine, from the date of expiry of sentence or the payment or recovery of fine, whichever is later.

**5-B. Disqualification for membership on account of absence from the meeting of Mandi Samiti [Section 40(2)(xxi-a)].**—If an elected Member of the Mandi Samiti, without permission of the Samiti absents from five consecutive meetings of the Samiti, he shall be disqualified and cease to be a Member of the Samiti :

Provided that where the Director is satisfied that there was sufficient cause for his absence from the meetings as aforesaid, he may by an order make a declaration to that effect and thereupon the disqualification shall cease to have effect and it shall be deemed that the person concerned did not cease to hold office.

**5-C. Arrear list.**—(1) Subject to the provisions of sub-rule (2), a list of persons referred to in clause (1) of Rule 5-A showing the amount due from them respectively shall be prepared by the Secretary and published in the Office of the Mandi Samiti and of the Returning Officer at least seven days before the date fixed for making nominations, under sub-rule (2) of Rule 9.

(2) The name of every person paying the amount due till the date preceding the date of scrutiny shall be struck off from the list prepared under sub-rule (1) and the names of all such persons together with the date of payment shall be furnished to the Returning Officer on or before the date, time and place fixed for scrutiny of nominations under sub-rule (2) of Rule 9.

(3) The records, on the basis of which the list has been prepared under sub-rule (1) shall be made available for inspection to the Returning Officer.

**6. Persons qualified to vote [Sections 13(2), 40(2)(i) and 40(2)(xxi-a)].**—(1) *Local Bodies', Constituencies exercising jurisdiction over the Principal Market Yard or Sub-Market Yard or part thereof.*—No person shall be eligible to vote from the Local Bodies' Constituency referred to in clause (1) of Rule 3, unless he is a member of Local Body other than the [Zila Panchayat], [Kshettra Panchayat], and the [Gram Panchayat], exercising jurisdiction over the Principal Market Yard or Sub-Market Yard or part thereof.

(2) *Co-operative Marketing Societies' constituency.*—All members of Committee of Management (including the chairman) of the Co-operative Marketing Societies holding licence for transacting business in the Market Area, shall be entitled to vote for electing one representative on the Mandi Samiti :

Provided that where the Committee of Management of a Co-operative Marketing Society, is for the time being under suspension then its members shall not be entitled to vote.

(3) *Traders' Constituency.*—All traders carrying on Business in the Market Area and holding licence therefor under the Act, prior to the date fixed by the District Election Officer for publication of provisional list of voters from the Traders' Constituency shall be entitled to vote from the Traders Constituency.

(4) *Commission Agents' Constituency.*—All Commission Agents carrying on Business, in the Market Area and holding licence therefor under the Act prior to the date fixed by the District Election Officer for publication of provisional list of voters from the Commission Agents' Constituency shall be entitled to vote from the Commission Agents Constituency.

*Explanation.*—If a trader holds licence for carrying on Business, as whole-sale trader-cum-commission agent from the Mandi Samiti, he shall be entitled to vote only from the Traders' Constituency.

(5) No Trader or Commission agent shall at any election vote, in the same constituency more than once, notwithstanding that his name might have been included in the list of voters for that constituency more than once.

(6) Where the person entitled to vote under these rules in the Traders' Constituency or in the Commission Agents' Constituency is a firm such firm shall nominate a person to vote on its behalf and intimate in writing the name and full address of the person so nominated to the Mandi Samiti not later than the date fixed in this behalf by the District Election Officer.

(7) *Producers' Constituency.*—The following shall be entitled to vote, in the Producers' Constituency :

(a) Persons currently holding the Office of Pradhans of the [Gram Panchayats], having jurisdiction over any part of the Market Area.

*Explanation.*—If after issue of the notification under Section 6 or Section 8 of the Act, in respect of a Market Area, any change has been effected in the nomenclature of a [Gram Panchayat], or a new [Gram Panchayat], has been created or jurisdiction of an existing [Gram Panchayat], has been changed, the Pradhans of all concerned [Gram Panchayats], shall also have the right to vote from the Producers' Constituency.

(b) Such members of the House of People and the State Legislative Assembly as are elected from a constituency comprising the Market Area or part thereof.

(c) The members of [Zila Panchayat], exercising jurisdiction over the Market Area or part thereof.

(d) Such members of Rajya Sabha and of the Vidhan Parishad and Adhyaksha of [Zila Panchayat], and such Pramukhs of [Kshettra Panchayats] as are residents of place within the Market Area.

7. *Preparation of voters' list.*—(1) The Director of Elections shall, before the expiry of the term of the Mandi Samiti, direct the District Election Officer to conduct elections from the constituencies mentioned in Rule 3.

(2) The District Election Officer, shall cause to be prepared separate lists of voters qualified to vote for each constituency.

(3) For the purpose of preparing the list of voters under sub-rule (2), the District Election Officer shall call upon—

(a) the Mandi Samiti to furnish list of a persons qualified to vote in Traders' Constituency and Commission Agents' Constituency and also a list of Local Bodies, other than [Zila Panchayat], [Kshettra Panchayat], and [Gram Panchayat], exercising jurisdiction over Principal Market Yard or Sub-Market Yard or part thereof and a list of the Co-operative Marketing Societies holding licence for transacting business in the Market Area;

(b) the District Panchayat Raj Officer to furnish a list of the Pradhans of [Gram Panchayats], having jurisdiction over any part of the Market Area;

(c) the Local Bodies, other than Zila Panchayat, Kshettra Panchayats, and the [Gram Panchayats], exercising jurisdiction over Principal Market Yard or Sub-Market Yard or part thereof to furnish, a list of its Members.

(d) the Assistant Registrar, Co-operative Societies to furnish list of Members of Committee of Management of the Co-operative Marketing Societies holding licence for transacting business in the Market area;

Such, list shall be furnished accordingly by the date specified in the requisition of the District Election Officer.

(4) The District Election Officer shall also call upon—

(a) the members of the House of People, if their constituency for election as such, comprises of more than one Market Area; and

(b) the members of [Zila Panchayat], in case the [Zila Panchayat], exercises jurisdiction over more than one Market Area to give their written option.

within fifteen days indicating the Market Area in regard to which they wish to exercise their right of vote and if the option is not received within the specified time, the District Election Officer shall himself determine the Market Area and send a written intimation to the concerned members of the House of People, the State Legislative Assembly and the [Zila Panchayat], for exercising their right of vote and shall accordingly include their names in the list of voters.

(5) The District Election Officer, shall include the names of the members of Rajya Sabha, Vidhan Parishad, Adhyakshas of [Zila Panchayats], and Pramukhs of the [Kshettra Panchayats], who are residents of a place within the Market Area, in the list of voters.

(6) Every list of voters prepared under sub-rule (2) shall show, full name parentage, residence, address and serial number of the voters, and such list of voters shall be published provisionally by the District Election Officer in such manner and on such date as the Director of Elections may determine.

(7) The District Election Officer, shall subject to the direction of the Director of Elections, fix a date which shall not be less than seven days from the date of publication of the provisional list, before which any application for inclusion, exclusion or correction of any entry may be submitted to him.

(8) The District Election Officer shall consider and decide such applications which are received before the expiry of the date fixed under sub-rule (7) and the decision of the District Election Officer, shall be final and binding.

(9) The District Election Officer shall cause the list of voters to be amended, in accordance with the orders, if any, passed under sub-rule (8) and shall cause the final list of voters to be published, in the manner as may be determined by the Director of Elections. The provisional list of voters under sub-rule (6) and the final lists of voters, shall be published in the language and script in which electoral rolls of the Legislative Assembly Constituency, in which the Market Area or major part thereof is situated, is published.

(10) If after the final publication of the list of voters under sub-rule (9), the District Election Officer on application or otherwise, is satisfied after such enquiry as he deems necessary that any entry in the list is erroneous or defective, he may cause, a list of amendments to be prepared and published in such manner as may be directed by the Director of Elections on any day before the date of poll.

(11) Copies of each final list including the amendments, if any, under sub-rule (1) shall be made available in whole or in part for inspection and shall in the Office of the District Election Officer.

(12) Every such list shall be revised for each election before the date on which the term of the Mandi Samiti is due to expire and also for the purpose of any bye-election :

Provided that it shall be lawful for Director of Elections to direct at any time for the revision of such list.

**8. Calling upon the constituencies to elect.**—As soon as may be, after the publication of lists of voters under sub-rule (9) or sub-rule (10) of Rule 7, the District Election Officer, shall subject to the directions of the Director of Elections call upon the constituencies to elect their representatives to the Mandi Samiti.

**9. Notice of election and fixing of date.**—(1) As soon as may be after the commencement of the Uttar Pradesh Krishi Utpadan Mandi (Pratham Sanshodhan) Niyamavali, 1977 and every time thereafter, whenever election is to be held for all or any of the constituencies mentioned in Rule 3, the District Election Officer shall subject to the directions of Director of Elections call upon all or any of the constituencies of a Market Area, as the case may be, to elect member or members of the Mandi Samiti.

(2) The District Election Officer shall, subject to such directions as may be issued by the Director of Elections, also appoint—

- (a) the date, place and hours for making nominations;
- (b) the date, time and place for scrutiny of nominations;
- (c) the date, place and hours for withdrawal of candidature;
- (d) the date or dates on which and the hours during which a poll shall, if necessary, be taken.

(3) The Returning Officer shall give public notice of the dates, place and hours appointed under sub-rules (1) and (2) in such, manner as may be specified by the District Election Officer.

(4) The Returning Officer shall also specify in the notice under sub-rule (3) the number of persons to be elected from each constituency and place of polling for each constituency.