
**Maharashtra Agricultural Produce Marketing (Development
And Regulation) (Amendment) Act, 2008**

10 of 2008

CONTENTS

1. Short Title And Commencement
2. Amendment Of Section 13 Of Mah. Xx Of 1964
3. Amendment Of Section 15A Of Mah. Xx Of 1964
4. Amendment Of Section 21 Of Mah. Xx Of 1964
5. Insertion Of Section 35A In Mah. Xx Of 1964
6. Amendment Of Section 45 Of Mah. Xx Of 1964
7. Amendment Of Section 57 Of Mah. Xx Of 1964
8. Repeal Of Mah. Ord. I Of 2008 And Saving

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(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 25th April, 2008.) An Act further to amend the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963. WHEREAS both Houses of the State Legislature were not in session; AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2008, on the 22nd January, 2008 ; AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Act, 2008

(2) It shall be deemed to have come into force on the 22nd

January, 2008.

2. Amendment Of Section 13 Of Mah. Xx Of 1964 :-

In section 13 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (hereinafter referred to as "the principal Act"), -

(a) in sub-section (1), in clause (a), for the portion beginning with the words "fifteen agriculturists" and ending with the words "as specified below :-", the following shall be substituted, namely :-

"fifteen agriculturists residing in the market area (being persons whose names appear in the voter's list for the concerned constituency and who are not less than twenty-one years of age on the date specified, from time to time, by the Collector or the District Deputy Registrar, as the case may be, in this behalf), as specified below :-";

(b) in sub-section (2), after the existing proviso, the following proviso shall be added, namely :-

"Provided further that, the State Government may, if it considers expedient, instead of nominating the members of the Market Committee constituted for the first time, appoint an Administrator or the Board of Administrators, and the Administrator or the Board of Administrators, so appointed, shall, for all purposes, be considered to be the Committee constituted for the first time."

3. Amendment Of Section 15A Of Mah. Xx Of 1964 :-

In section 15A of the principal Act, -

(a) in sub-section (1), in clause (b), -

(i) for the words "the person appointed by the Director or such authorised officer, from time to time, shall be the Administrator to manage the affairs of the Committee" the words "the Administrator or the Board of Administrators appointed by the Director or such authorised officer shall, manage the affairs of the Committee" shall be substituted;

(ii) for the words "the Administrator" the words "the Administrator or the Board of Administrators" shall be substituted;

(b) in sub-section (2), for the words "the Administrator" the words "the Administrator or the Board of Administrators" shall be substituted;

(c) in sub-section (3), for the word "Administrator" the words "Administrator or the Board of Administrators" shall be substituted;

(d) in sub-section (4), for the word "Administrator" the words

"Administrator or the members of the Board of Administrators" shall be substituted.

4. Amendment Of Section 21 Of Mah. Xx Of 1964 :-

In section 21 of the principal Act, for the words "the Administrator" the words "the Administrator or the Board of Administrators" shall be substituted.

5. Insertion Of Section 35A In Mah. Xx Of 1964 :-

After section 35 of the principal Act, the following section shall be inserted, namely :-

"35A. Power of Government to appoint Secretary of Market Committee. - Notwithstanding anything contained in section 35, the State Government may appoint any officer, not below the rank of Assistant Registrar of Co-operative Societies, from the Co-operation Department, as the Secretary of any Market Committee."

6. Amendment Of Section 45 Of Mah. Xx Of 1964 :-

In section 45 of the principal Act, -

(a) in sub-section (1), for the words "by notification in the Official Gazette, with reasons therefor" the words "by an order in writing, with reasons therefor" shall be substituted;

(b) in sub-section (2), -

(i) for the words "Upon the publication of a notification" the words "On issuing of an order" shall be substituted;

(ii) in clause (a), for the words "from the date of such publication" the words "from the date of such order" shall be substituted;

(iii) for clause (c), the following clause shall be substituted, namely :-

"(c) the State Government may, by order, either constitute a new Market Committee in accordance with the provisions of Chapter III or appoint an Administrator or the Board of Administrators to carry out the functions of the Market Committee as it thinks fit;"

(iv) in the proviso, -

(A) for the words "person appointed as an Administrator" the words "the Administrator or the Board of Administrators appointed" shall be substituted;

(B) for the words "If such person" the words "If the Administrator or the Board of Administrators" shall be substituted;

(C) for the word "Administrator" the words "Administrator or the

Board of Administrators" shall be substituted;

(c) after sub-section (2), the following sub-section shall be inserted, namely :-

"(2A) The member of the Committee, who has been removed under sub-section (1) shall not be eligible for being re-elected, re-appointed, re-nominated, co-opted or re-co-opted as a member of the Committee, till the expiry of a period of six years from the date of the order by which he has been so removed."

7. Amendment Of Section 57 Of Mah. Xx Of 1964 :-

In section 57 of the principal Act, in sub-section (1), after the words "State Government" the words "or the State Marketing Board" shall be inserted.

8. Repeal Of Mah. Ord. I Of 2008 And Saving :-

(1) The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2008 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.