



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ६, अंक ६(३)]

मंगळवार, फेब्रुवारी २५, २०२०/फाल्गुन ६, शके १९४१

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असाधारण क्रमांक ९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Bill, 2020 (L. A. Bill No. III of 2020), introduced in the Maharashtra Legislative Assembly on the 25th February 2020, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,

Secretary (Legislation) to Government,  
Law and Judiciary Department.

### L. A. BILL No. III OF 2020.

#### A BILL

*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) (Second Amendment) Ordinance, 2020, on the 31st January 2020 ;

Mah. XX  
of 1964.

Mah.  
Ord. III  
of 2020.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

- Short title and commencement. **1. (1)** This Act may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Act, 2020.  
(2) It shall be deemed to have come into force on the 31st January 2020.
- Amendment of section 13 of Mah. XX of 1964. **2.** In section 13 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (hereinafter referred to as “the principal Act”),—  
(1) in sub-section (1),—  
(a) in clause (a), for sub-clause (i), the following sub-clauses shall be substituted, namely :—  
“(i) eleven (of which, two shall be women, one shall be a person belonging to Other Backward Classes and one shall be a person belonging to De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes) shall be elected by members of the Managing Committees of the Agricultural Credit Societies and Multi-Purpose Co-operative Societies (within the meaning of the Maharashtra Co-operative Societies Act, 1960 and the rules made thereunder), functioning in the market area :  
Provided that, where the Market Committee is situated in Tribal areas, one person belonging to the Scheduled Tribes shall be elected in place of the election of the person belonging to the De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes as aforesaid ; and  
(ii) four (of which, one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and one shall be a person belonging to Economically Weaker Section), shall be elected by members of village *panchayats* functioning in the market area ;”;  
(b) the proviso, appearing after clause (g), shall be deleted ;  
(2) in sub-section (1B), in clause (c), for sub-clauses (i) and (ii), the following shall be substituted, namely :—  
“(i) two representatives of the agriculturists, elected by the agriculturist members of the Agricultural Produce Market Committee from each district included in the area of operation of the Divisional Market Committee ; or  
(ii) one representative from the agriculturists elected by the agriculturist members of the Agricultural Produce Market Committee from each taluka included in the area of operation of the Regional Market Committee;”.
- Repeal of Mah. Ord. III of 2020 and saving. **3. (1)** The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Ordinance, 2020, is hereby repealed.  
(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

Mah. XX of 1964.

Mah. XXIV of 1961.

Mah. Ord. III of 2020.

## STATEMENT OF OBJECTS AND REASONS

The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (Mah. XX of 1964) is enacted to develop and regulate the marketing of agricultural and certain other produce in market areas and markets including private markets and farmer consumer markets established therefor in the State, to confer powers upon Market Committees to be constituted in connection with or acting for purposes connected with such markets and to establish Market Fund for the purposes of the Market Committee and to provide for purposes connected with the matters aforesaid.

2. Section 13 of the said Act provides for constitution of Market Committees. The said section 13 has been amended on various occasions to enable representation from various constituencies or categories on Market Committees. Section 13(1) and (1B) provided that agriculturists residing in the market area shall be elected on the Market Committee and Divisional Market Committee or Regional Market Committee by the agriculturists residing in the concerned market area and holding 10R land. Other members were elected from amongst the traders, commission agents, *hamals* and weighmen.

Due to these provisions there was huge increase in numbers of voters in Market Committee elections. Consequently expenditure for conducting of such elections had also been increased. At present, the State Government does not give any grant to the Market Committees. The Market Committees have to meet their such expenditure from the market fees levied and collected by it from every purchaser of agricultural produce marketed in the market area. Therefore, most of the Market Committees were facing difficulties to bear the expenditure of such election. Consequentially, the elections to these Committees could not be held in time. The Bombay High Court has also expressed displeasure for not conducting elections of some Market Committees in time.

In this backdrop, it was considered expedient to amend the provisions of section 13(1) and (1B) of the said Act, with a view to reinstate earlier provisions of indirect elections of agriculturists members,—

(i) on the Market Committee, by members of the Managing Committees of the Agricultural Credit Societies and Multi-purpose Co-operative Societies and members of village *panchayats* ; and

(ii) on the Divisional Market Committee or Regional Market Committee, by agriculturists members of, the Market Committees from each District included in area of operation of Divisional Market Committee and the Market Committees from each Taluka included in area of operation of Regional Market Committee, respectively.

3. As both Houses of the State Legislature were not in session and 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 (Mah. XX of 1964) for the purposes aforesaid, the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Ordinance, 2020 (Mah Ord. III of 2020), was promulgated by the Governor of Maharashtra on the 31st January 2020.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,

Dated the 12th February 2020.

BALASAHEB PATIL,

Minister for Marketing.