



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक २(२)]

शुक्रवार, जानेवारी ३१, २०२०/माघ ११, शके १९४१

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असाधारण क्रमांक ३

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) Ordinance, 2020 (Mah. Ord. III of 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.

(Translation in English of the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Ordinance, 2020 (Mah. Ord. III of 2020), published under the authority of the Governor).

CO-OPERATION, MARKETING AND TEXTILES DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 31st January 2020.

MAHARASHTRA ORDINANCE No. III OF 2020.

AN ORDINANCE

further to amend the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963.

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render 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 ;

Mah. XX
of 1964.

(१)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

- Short title and commencement. **1.** (1) This Ordinance may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment) Ordinance, 2020.
(2) It shall come into force at once.
- Amendment of section 13 of Mah. XX of 1964. **2.** In section 13 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963,—
(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 Denotified 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;”

Mah. XX
of 1964.

Mah.
XXIV of
1961.

STATEMENT

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) provides 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 are elected from amongst the traders, commission agents, *hamals* and weighmen.

Due to these provisions there is huge increase in numbers of voters in Market Committee elections. Consequently expenditure for conducting of such elections have 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 are 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 is 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 are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render 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, this Ordinance is promulgated.

Mumbai,

Dated 31st January 2020.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra,

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

ANOOP KUMAR,

Principal Secretary to Government.