



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ६३ (३)] सोमवार, ऑक्टोबर १७, २०१६/आश्विन २५, शके १९३८ [पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १०७

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) (Amendment and Continuance) Act, 2016 (Mah. Act. No. XXXV of 2016), is hereby published under the authority of the Governor.

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

PRAKASH. H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXXV OF 2016.

(First published, after having received the assent of the Governor in the
"Maharashtra Government Gazette", on the 17th October 2016).

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

WHEREAS the Governor of Maharashtra had promulgated the
Mah. Ord. XIV of 2015. Maharashtra Agricultural Produce Marketing (Development and Regulation)
(Amendment) Ordinance, 2015, on the 16th June 2015 and the Maharashtra
Agricultural Produce Marketing (Development and Regulation) (Amendment)
Bill, 2015 (L. A. Bill No. XXVIII of 2015), for converting the said Ordinance
into an Act of the State Legislature, was passed by the Maharashtra
Legislative Assembly on the 14th July 2015, but the said Bill could not be
passed by the Maharashtra Legislative Council before the said session was
prorogued on the 31st July 2015 ;

AND WHEREAS it was considered expedient to continue the operation of the provisions of the said Ordinance, which would have ceased to operate at the expiration of six weeks from the date of re-assembly of the State Legislature, that is, after the 23rd August 2015, the Maharashtra Arricultural Produce Marketing (Development and Regulation) (Amendment and Continuanace) Ordinance, 2015 was promulgated on the 21st August 2015 and the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment and Continuanace) Bill, 2015 (L. A. Bill No. LI of 2015), for converting the said Ordinance into an Act of the State Legislature, was introduced in the Maharashtra Legislative Assembly on the 8th December 2015, but the said Bill could not be passed before the said session is prorogued on the 23rd December 2015 ;

Mah.
Ord.
XVI of
2015.

AND WHEREAS it was considered expedient to continue the operation of the provisions of the said Ordinance which would have ceased to operate at the expiration of six weeks from the date of re-assembly of the State Legislature, that is, after the 17th January 2016, the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment and Continuanace) Ordinance, 2016 (hereinafter referred to as “ the Continuanace Ordinance ”), was promulgated on the 16th January 2016, and the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment and Continuanace) Bill, 2016 (L. A. Bill No. IV of 2016), for converting the said Ordinance into an Act of the State Legislature, was passed by the Maharashtra Legislative Assembly on the 15th March 2016, and was transmitted to the Maharashtra Legislative Council but the said Bill could not be passed by the Maharashtra Legislative Council Before the said session was prorogued on the 13th April 2016 ;

Mah.
Ord. I
of 2016.

AND WHEREAS the operation of the provisions of the said Continuanace Ordinance, as provided by article 213 (2) (a) of the Constitution of India, would have ceased to operate at the expiration of six weeks from the date of re-assembly of the State Legislature, that is, after the 19th April 2016 ;

AND WHEREAS 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 to continue the operation of the provisions of the said Continuanace Ordinance, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment and Second Continuanace) Ordinance, 2016 (hereinafter referred to as “ the Second Continuanace Ordinance ”) on the 18th April 2016 ;

Mah.
Ord.
VIII of
2016.

AND WHEREAS it is expedient to replace the said Second Continuanace Ordinance by an Act of the State Legislature ; it is hereby enacted in the Sixty-seventh 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) (Amendment and Continuanace) Act, 2016.

(2) It shall be deemed to have come into force on the 16th June 2015.

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”), after sub-section (1B), the following sub-section shall be inserted, namely :—

Amendment
of section 13
of Mah. XX of
1964.

“(1C)(a) The State Government may, by an order in the *Official Gazette*, appoint,—

(i) four special invitees, on every Market Committee whose income from fees levied and collected under sub-section (1) of section 31 in the immediate preceding market year exceeds rupees five crores ; and

(ii) two special invitees, on every Market Committee whose income from fees levied and collected under sub-section (1) of section 31 in the immediate preceding market year is upto rupees five crores,

who shall be the experts in the field of agriculture, agricultural processing, agricultural marketing, law, economics or commerce.

(b) The special invitees appointed under clause (a) shall have a right to take part in the discussions of the Market Committee, but shall have no right to vote at a meeting thereof.

(c) The term of the special invitees shall be co-terminus with the term of the members of a Market Committee.”

Mah.
Ord.
VIII of
2016.

3. (1) The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment and Second Continuance) Ordinance, 2016, is hereby repealed.

Repeal of
Mah. Ord.
VIII of 2016
and saving.

(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.