



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ८]

गुरुवार, जानेवारी १२, २०१७/पौष २२, शके १९३८

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असाधारण क्रमांक १२

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) (Amendment) Act, 2016 (Mah. Act No. VII of 2017) 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. VII OF 2017.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 12th January 2017).

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

Mah. Ord. XV of 2016. WHEREAS the Governor of Maharashtra had promulgated the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016, on the 5th July 2016 ;

AND WHEREAS upon the reassembly of the State Legislature on the 18th July 2016, the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2016 (L.A. Bill No. XXIV of 2016), for converting the said Ordinance into an Act of the State Legislature was passed by the Maharashtra Legislative Assembly on the 3rd August 2016 and was transmitted to the Maharashtra Legislative Council ;

(१)

AND WHEREAS, thereafter, as the session of the Maharashtra Legislative Council was prorogued on the 5th August 2016, the said Bill could not be passed by the Maharashtra Legislative Council ;

AND WHEREAS as provided by article 213(2)(a) of the Constitution of India, the said Ordinance shall cease to operate at the expiration of six weeks from the date of re-assembly of the State Legislature, that is, after the 28th August 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 Ordinance, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment and Continuance) Ordinance, 2016 (hereinafter referred to as "the said Continuance Ordinance") on the 30th August 2016 ;

Mah. Ord.
XX of 2016.

AND WHEREAS it is expedient to replace the said Continuance 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 com-
mencement.

1. (1) This Act may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Act, 2016.

(2) It shall be deemed to have come into force on the 5th July 2016.

Amendment
of section
2 of Mah. XX
of 1964.

2. In section 2 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (hereinafter referred to as "the principal Act"), in sub-section (1),—

Mah. XX
of 1964.

(a) after clause (f-1a), the following clause shall be inserted, namely :—

“(f-1b) “e-Marketing” means the marketing of agricultural produce through electronic mode alongwith its ancillary activities ;”;

(b) in clause (h), after the words “subsidiary market” the words “under section 5” shall be added at the end.

Amendment
of section
6 of Mah. XX
of 1964.

3. In section 6 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :-

“(2A) Notwithstanding anything contained in this Act, marketing of agricultural produce specified in all the entries of items VII- *Fruits* and VIII- *Vegetables* and entries (2), (3), (4) and (5) of item X. *Condiments, spices and others* of the Schedule by any person outside the market established under section 5, except as provided in section 5D, shall not require any licence or permission, and shall not be regulated by the Market Committee.”.

Amendment
of section
31 of Mah. XX
of 1964.

4. In section 31 of the principal Act,—

(a) in sub-section (1), for the third proviso, the following proviso shall be substituted, namely :—

“Provided also that, no such fees shall be levied and collected in any market area in relation to agricultural produce in respect of which fees under this section have already been levied and collected by any other Market Committee, private market, farmer-consumer market, special commodity market or under direct marketing in the State or in relation to declared agricultural produce purchased by person engaged in industries carried on without the aid of any machinery or labour in any market area.”;

(b) in sub-section (2), for the words “by the commission agents” the words “by the commission agents from the buyer” shall be substituted.

Mah. Ord. XX of 2016. **5.** (1) The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Second Amendment and Continuance) Ordinance, 2016, is hereby repealed. Repeal of Mah. Ord. XX 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.