



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

The Maharashtra Agricultural Produce Marketing
(Regulation) (Goa Amendment)
Bill, 2001.

(Bill No. 56 of 2001)

(As passed by the Legislative Assembly of the State of Goa)

GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
JULY, 2001.

THE MAHARASHTRA AGRICULTURAL PRODUCE
MARKETING (REGULATION) (GOA AMENDMENT)
BILL, 2001.

(Bill No. 56 of 2001)

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BILL

further to amend the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Maharashtra Act No. XX of 1964), as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Fifty second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Maharashtra Agricultural Produce Marketing (Regulation) (Goa Amendment) Act, 2001.

(2) It shall be deemed to have come into force with effect from 24 May, 2001.

2. *Amendment of section 2.*— In the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Maharashtra Act XX of 1964), as in force in the state of Goa (hereinafter referred to as the "principal Act"), in sub-section (1) of section 2, -

(a) for clause (b), the following shall be substituted, namely:—

" (b) "agriculturist" means a person who, —

(i) ordinarily by his own labour or by the labour of any member of his family or who, by the labour of his tenants or servants or hired labour or otherwise, is engaged in the production or growth of agricultural produce; and

(ii) is a member of a co-operative society registered in the State of Goa which is dealing with agricultural produce, as may be notified by the State Marketing Officer from time to time and who has sold agricultural produce to the co-operative society of the value not less than Rs. 5000/- or such amount as may be determined by the State Marketing Officer from time to time in the preceding financial year; and

(iii) is not a trader, trading agent, broker, processor or commission agent; "

(b) for clause (j), the following shall be substituted, namely:-

"(j) "Marketing Board" means the Marketing Board established under section 11";

3. *Omission of section 10.* — Section 10 of the principal Act shall be omitted.

4. *Amendment of section 11.* — For section 11 of the principal Act, the following shall be substituted, namely:—

"11. Establishment of the Marketing Board.- There shall be established a Marketing Board for the State of Goa consisting of a Chairman, a Vice-Chairman and other members. The Marketing Board shall have such powers and discharge all such functions as are vested in it by or under this Act."

5. *Amendment of section 12.*— For section 12 of the principal Act, the following shall be substituted, namely:—

"12. Incorporation of the Marketing Board.- The Marketing Board shall be a body corporate by the name of "the Goa State Agricultural Marketing Board", and shall have perpetual succession and a common seal, and may in its corporate name sue and be sued, and shall be competent to contract, acquire and hold property, both movable and immovable, and to do all other things necessary for the purposes for which it is established."

6. *Amendment of section 13.* — For the sub-section (1) of section 13 of the principal Act, the following shall be substituted, namely:—

"(i) subject to the provisions of sub-section (2), the Marketing Board shall consist of the following seventeen members, namely:—

(a) ten agriculturists including two lady agriculturists to be elected by the agriculturists only;

(b) one trader holding 'A' class licence to be elected from amongst traders of all classes;

(c) two trader's co-operative societies registered in the State of Goa and which have paid highest amount of fees in the preceding market year to the Marketing Board; shall be represented by the respective Chairman to function as ex-officio members of the Marketing Board during the term of the elected Marketing Board;

(d) one chairman of a co-operative society registered in the State of Goa doing the business of processing or marketing of agricultural produce of notified commodities in the market area, to be elected from amongst the Chairmen of such co-operative societies;

(e) two members to be nominated by the Government, one being from the office of the Registrar of Co-operative Societies, Government of Goa and the other being from the Department of Agriculture, Government of Goa, to function during the term of the elected Marketing Board;

(f) the Secretary of the Marketing Board, to function during the term of the elected Marketing Board."

7. *Amendment of Section 19.*— For Section 19 of the principal Act, the following shall be substituted, namely:—

"19. *Election of Chairman and Vice-Chairman.*— The meeting of the Marketing Board shall be presided over by the

Chairman and in absence of the Chairman, by the Vice-Chairman. The Chairman and the Vice-Chairman shall be elected by the members of the Marketing Board, excluding the Secretary of the Marketing Board and the Government nominees. Only the members as mentioned in clauses (a), (c) and (d) of sub-section (1) of section 13 shall be eligible to contest for the post of the Chairman or the Vice-Chairman."

8. *Omission of section 44.*— Section 44 of the principal Act shall be omitted.

9. *General Amendment* :— in the principal Act,—

(i) for the words "Market Committee", wherever they occur, the words "Marketing Board" shall be substituted;

(ii) for the word "Committee", wherever it occurs, the words "Marketing Board" shall be substituted;

(iii) for the words "a Committee" or "a Market Committee" or "every Market Committee" or "any Market Committee" or "such Committee," wherever they occur, the words "The Marketing Board" shall be substituted;

(iv) for the words "A Market Committee", wherever they occur, the words "The Marketing Board" shall be substituted.

10. *Repeal and savings.*— (1) The Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Goa Amendment) Ordinance, 2001 (Ordinance No. 1 of 2001), 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 principal Act as amended by this Act.