

**THE GOA AGRICULTURAL PRODUCE  
MARKETING (DEVELOPMENT AND  
REGULATION) (AMENDMENT)  
BILL, 2017**

(Bill No. 28 of 2017)

A

BILL

5        *further to amend the Goa Agricultural Produce  
Marketing (Development and Regulation) Act,  
2007 (Goa Act 11 of 2007).*

BE it enacted by the Legislative Assembly of  
Goa in the Sixty-eighth Year of the Republic of  
India, as follows:—

10        **1. Short title and commencement.**— (1) This  
Act may be called the Goa Agricultural Produce  
Marketing (Development and Regulation)  
(Amendment) Act, 2017.

(2) It shall come into force at once.

15        **2. Amendment of section 12.**— In section 12 of  
the Goa Agricultural Produce Marketing  
(Development and Regulation) Act, 2007 (Goa  
Act 11 of 2007) (hereinafter referred to as the  
“Principal Act”), for sub-section (1), the following  
sub-section shall be substituted, namely:—

20        “(1) Subject to the provisions of sub-section  
(2), the Marketing Board shall consist of the  
following eighteen members, namely:—

(a) Twelve agriculturist members to represent agriculturists, one from each taluka of the State of Goa, to be elected by the agriculturists only from the respective taluka;

(b) two female agriculturists members, one each from the North Goa District and the South Goa District, to be elected by the agriculturists only in the manner prescribed; 5

(c) one trader holding “A” or “B” class licence to be elected from amongst traders of all classes; 10

(d) two members to be nominated by the Government, one being from the office of the Registrar of Co-operative Societies, Government of Goa, and other being from the Department of Agriculture, Government of Goa, to function during the term of the Marketing Board; 15

(e) the Secretary of the Marketing Board, to function during the term of the Marketing Board.”. 20

**3. Amendment of section 13.**— In section 13 of the principal Act, in sub-section (2), for the second proviso, the following proviso shall be substituted, namely:— 25

“Provided further that person who is a member of the Marketing Board by virtue of he being a representative of traders shall hold office so long as he continues to hold “A” or “B” class licence.”. 30

**4. Amendment of section 20.**— In section 20 of the principal Act, for the expression “clauses (a),

(b), (d), (f) and (g)", the expression " clauses (a) and (b)" shall be substituted.

**5. Amendment of section 42.**— In section 42 of the principal Act, for the expression "The Marketing Board may employ a Secretary" the  
5 expression "The Marketing Board shall employ an official deputed by the Government from the Registrar of Co-operative Societies, not below the rank of Assistant Registrar of Co-operative  
10 Societies", shall be substituted.

**6. Amendment of section 51.**— In section 51 of the principal Act, in sub-section (4), after clause (iii), the following clause shall be inserted, namely:—

15 " (iv) the applicant has not traded in notified agricultural produce during the period of licence."

### **Statement of Objects and Reasons**

The Bill seeks to amend sub-section (1) of section 12 of the Goa Agricultural Produce Marketing (Development and Regulation) Act, 2007 (Goa Act 11 of 2007) (hereinafter referred to as the "said Act") so as to discontinue membership of elected representatives of Co-operative Societies dealing in notified agricultural produce, cashew growers, horticulturists, floriculturists on the Marketing Board, as their voting rights are already included in voters list of agriculturist for the general election to the Marketing Board. The amendment to sections 13 and 20 are consequential in nature.

The Bill further seeks to amend sub-section (1) of section 42 of the said Act, so as to make provision for appointment of an official from Registrar of co-operative societies, not below the rank of Assistant Registrar of Co-operative Societies, as Secretary of the Marketing Board.

The Bill also seeks to amend sub-section (4) of section 51 of the said Act, so as to not allow renewal of licence of person who does not deal in notified agricultural produce during the term of his licence.

This Bill seeks to achieve the above Objects.

### **Financial Memorandum**

No financial implications are involved in this Bill.

### **Memorandum Regarding Delegated Legislation**

No delegated legislation is envisaged in this  
Bill.

Porvorim-Goa  
13th December, 2017

**MANOHAR PARRIKAR)**  
Minister for Co-operation

Assembly Hall,  
Porvorim-Goa.  
13th December. 2017

**N. B. Subhedar**  
Secretary to the Legislative  
Assembly of Goa.

**ANNEXURE**

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Extract of the Goa Agricultural Produce Marketing  
(Development and Regulation) Act, 2007  
(Goa Act 11 of 2007)  
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Section 12. Constitution of the Marketing Board.— (1) subject to the provision of sub section (2), the Marketing Board shall consist of the following twenty three members, namely:—

(a) Twelve agriculturist members to represent agriculturists from each taluka of the State of Goa, to be elected by the agriculturists only from the respective talukas;

(b) two female agriculturists members, one each from the North Goa District and the South Goa District to be elected by the agriculturists only in the manner prescribed;

(c) two traders holding “A” or “B” class license to be elected from amongst traders of all classes; one from North Goa District and another from South Goa District;

(d) one Chairman of a co-operative society registered in the State of Goa, having a valid license from the Marketing Board, doing the business of notified agricultural produce in the market area, to be elected from amongst the Chairmen of co-operative societies;

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

(f) two cashew grower members, one each from the North Goa District and the South Goa District, to be

elected by the cashew grower of the respective District from amongst themselves;

(g) one horticulturist/floriculturist member, to be elected, by rotation, by the horticulturist/floriculturist of the State of Goa;

(h) the Secretary of the Marketing Board to function during the term of the Marketing Board.

**Section 13. Election and term of office of members.**— (1) The members shall be elected in the prescribed manner. Such rules may also provide for the determination of constituencies, the preparation and maintenance of the list of voters, persons qualified to be elected, disqualifications for being chosen as, and for being a member, the right to vote, the payment of deposit and its forfeiture, the determination of election disputes and all matters incidental and ancillary thereto, including provisions regarding election expenses.

(2) Except as otherwise provided in this Act, the members of the Marketing Board (not being a Marketing Board constituted for the first time) shall hold office for a period of five years and the members of the Marketing Board constituted for the first time shall hold office for a period of two years:

Provided that, where the general elections of the members of Marketing Board could not be held before expiry of the term of office of its members as aforesaid, the Government may, by order published in Official Gazette, extend from time to time, the term of office of the members of the Marketing Board, so however that, the period for which the term of office is so extended shall not exceed the period of one year in the aggregate:

Provided further that person who is a member of the Marketing Board by virtue of he being a Chairman of a Co-oprative Society, shall hold office so long as he continues to be such Chairman and incase of a

member who is a representative of traders shall hold office so long as he continues to hold "A" class licence.

(3) The names of all the members of the Marketing Board shall be published by the Government in the Official Gazette and upon such publication, the Marketing Board shall be deemed to be duly constituted.

**Section 20. Election of Chairman and Vice-Chairman.**—The meeting of the Marketing Board shall be presided over by the Chairman and in the 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 mention in clauses (a), (b), (d), (f) and (g) of sub-section (1) of section 12 shall be eligible to contest the elections for the post of Chairman or the Vice-Chairman.

**Section 42. Power of the Marketing Board to employ staff.**— (1) The Marketing Board may employ a Secretary and such other Officers and servants as may be necessary for the Management of the Market and for the collection, maintenance, dissemination and supply of information relating to crops, statistics and Market intelligence and for carrying out its duties under this Act and shall pay such Officers and servants such salaries and allowances, pension or gratuity as the Marketing Board thinks fit and shall contribute to any provident fund and pension fund which may be established for the benefit of such employees:

Provided that all posts other than that of a Secretary, save as such general or special directions issued by the State Marketing Officer in this behalf, shall be created with the prior approval of the State Marketing Officer.

(2) The Secretary of the Marketing Board shall be the Chief Executive Officer and the custodian of the records



and properties of the Marketing Board who shall exercise such powers as are conferred and perform such duties as are imposed upon him by or under this Act.

(3) The powers conferred by this section on the Secretary of the Marketing Board shall be exercised subject to any rules which may be made in that behalf by the Government.

**Section 51. Registration of functionaries.**— (4) The Marketing Board may refuse to register or refuse to renew the registration on any of the following grounds:—

(i) the applicant is a minor or the application is not bonafide;

(ii) the applicant has been declared defaulter under any Act or rules or bye-laws made thereunder;

(iii) the applicant has been found guilty under this Act.

Assembly Hall  
Porvorim, Goa  
13th December, 2017

Shri Nilkanth Subhedar  
Secretary to the Legislative  
Assembly of Goa



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA AGRICULTURAL PRODUCE  
MARKETING (DEVELOPMENT AND  
REGULATION) (AMENDMENT)  
BILL, 2017**

(Bill No. 28 of 2017)

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(To be introduced in the Legislative Assembly of the State of Goa)

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GOA LEGISLATURE SECRETARIAT,  
ASSEMBLY HALL, PORVORIM, GOA  
DECEMBER, 2017

