



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग पाच-अ

वर्ष २, अंक ११]

मंगळवार, जुलै १९, २०१६/आषाढ २८, शके १९३८

[पृष्ठे ३, किंमत : रुपये ३६.००

असाधारण क्रमांक २१

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद)

### MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the 19th July 2016 is published under Rule 117 of the Maharashtra Legislative Assembly Rules :—

### L. A. BILL No. XXIV OF 2016.

#### A BILL

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

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

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered 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 ; and, therefore, promulgated the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016, on the 5th July 2016 ;

Mah.  
XX of  
1964.

Mah. Ord.  
XV of 2016.

(१)

AND WHEREAS it is expedient to replace the said 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) 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),—
- (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.
- Repeal of Mah. Ord. XV of 2016 and saving. **5.** (1) The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016, is hereby repealed.
- (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.

Mah.  
XX of  
1964.Mah. Ord.  
XV of  
2016.

STATEMENT OF OBJECTS AND REASONS.

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. The said Act has been amended by the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment) Act, 2005 (Mah. XLVIII of 2005) wherein various alternative options have been created for farmers to sell their produce. By the said amending Act of 2005, the provisions for establishment of private markets, farmer-consumer markets, special commodity markets, direct marketing and contract farming agreement have been incorporated in the said Act. The transactions taking place under these various alternative marketing activities are all within the market area which is notified for respective Market Committees.

3. In order to ensure more bargaining power to the farmers and consumers and to enable healthy competition, so that farmers get a fair price for their produce, the Government of Maharashtra considered it expedient to carry out certain amendments in the said Act. The salient features of the amendments then proposed are as under :—

(i) Insertion of provisions for enabling e-Marketing of agricultural produce which will allow establishment of virtual markets wherein the overheads will be minimized and farmers will get reasonable price for their produce ;

(ii) Liberalization of trade of fruits and vegetables and permitting lawful transactions outside the market established under section 5, so as to provide for the regulation of marketing of fruits and vegetables only within the market by the concerned Market Committee, thereby providing alternative marketing channel for providing greater freedom to the farmers alongwith the protection provided by the market ;

(iii) For free flow and smooth trade of agricultural produce, provision of Single Point Levy of fees.

4. As 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 further to amend the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (Mah. XX of 1964), for the purposes aforesaid, the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016 (Mah. Ord. XV of 2016), was promulgated by the Governor of Maharashtra on the 5th July 2016.

5. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,  
Dated the 12th July 2016.

SUBHASH DESHMUKH,  
Minister for Marketing.

**Vidhan Bhavan :**  
Mumbai,  
Dated 19th July 2016.

DR. ANANT KALSE,  
Principal Secretary,  
Maharashtra Legislative Assembly.