



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ४१]

मंगळवार, जुलै ५, २०१६/आषाढ १४, शके १९३८

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ६४

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) Ordinance, 2016 (Mah. Ord. XV 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.

[Translation in English of the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016 (Mah. Ord. XV of 2016), published under the authority of the Governor.]

CO-OPERATION, MARKETING AND TEXTILES DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 5th July 2016.

MAHARASHTRA ORDINANCE No. XV OF 2016.

AN ORDINANCE

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

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

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render 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; Mah. XX of 1964.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement. **1.** (1) This Ordinance may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

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 item VII- *Fruits*, 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.

STATEMENT

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 considers it expedient to carry out certain amendments in the said Act. The salient features of the amendments 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) For liberalization of trade of fruits and vegetables and permitting lawful transactions outside the market established under section 5, amendments are being proposed. Due to the proposed amendments, the regulation of marketing of fruits and vegetables only within the market shall be done by the concerned Market Committee. The amendment aims at providing alternative marketing channel for providing greater freedom to the farmers along with the protection provided by the market.

(iii) For free flow and smooth trade of agricultural produce, provision of Single Point Levy of fees in the State of Maharashtra is being incorporated.

4. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render 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, this Ordinance is promulgated.

Mumbai,
Dated the 5th July 2016.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

SUNIL PORWAL,
Additional Chief Secretary
to Government.