

**THE RAJASTHAN AGRICULTURAL PRODUCE
MARKETS (SECOND AMENDMENT) BILL, 2020**

(To be introduced in the Rajasthan Legislative Assembly)

A

Bill

further to amend the Rajasthan Agricultural Produce Markets Act, 1961.

Be it enacted by the Rajasthan State Legislature in the Seventy-first Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Rajasthan Agricultural Produce Markets (Second Amendment) Act, 2020.

(2) It shall be deemed to have come into force on and from 1stMay, 2020.

2. Amendment of section 17, Rajasthan Act No. 38 of 1961.- In section 17 of the Rajasthan Agricultural Produce Markets Act, 1961 (Act No. 38 of 1961), hereinafter in this Act referred to as the principal Act,-

- (i) after the existing expression "agricultural produce" and before the existing expression "bought or", the expression "brought or" shall be inserted; and
- (ii) for the existing expression "market area", the expression "physical boundaries of principal market yards, sub-market yards and market sub-yards managed and run by the market committees formed and, private market yards, private market sub-yards, direct marketing collection centres, and private farmer-consumer market yards managed by persons holding licences or, any warehouses, silos, cold storages or other structures notified as markets or deemed markets, under this Act," shall be substituted.

3. Insertion of new section 17-A, Rajasthan Act No. 38 of 1961.- After the existing section 17 and before the existing

section 18 of principal Act, the following new section shall be inserted, namely:-

"17-A. Power to collect Krishak Kalyan fee.- (1) The market committee shall collect Krishak Kalyan fee from the licensees in the prescribed manner, on agricultural produce brought or bought or sold by them in the physical boundaries of principal market yards, sub-market yards and market sub-yards managed and run by the market committees formed and, private market yards, private market sub-yards, direct marketing collection centres, and private farmer-consumer market yards managed by persons holding licences or, any warehouses, silos, cold storages or other structures notified as markets or deemed markets, under this Act, at such rate as may be specified by the State Government, by notification in the Official Gazette.

(2) The fee collected shall be deposited in Krishak Kalyan Kosh constituted under section 19-A."

4. Repeal and savings.- (1) The Rajasthan Agricultural Produce Markets (Amendment) Ordinance, 2020 (Ordinance No. 2 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, all things done, actions taken or orders made under the said Ordinance shall be deemed to have been done, taken or made under this Act.

STATEMENT OF OBJECTS AND REASONS

The traders bring in notified agricultural produce from other States into the market area of the State but they do not pay market fee on the ground that transaction was carried out of State. There are no explicit provisions in the Rajasthan Agricultural Produce Markets Act, 1961 (Act No. 38 of 1961), although, the market fee is payable on such produce brought by traders from other States as process of purchases is completed within the State. Therefore, vide the Rajasthan Agricultural Produce Markets (Amendment) Ordinance, 2020 (Ordinance No. 2 of 2020) section 17 of the Act of 1961 was proposed to be amended suitably to ensure payment of market fee on the notified agricultural produce brought in the market area of the State by traders from other States.

In order to mobilize resources on sustainable basis to undertake various activities and Schemes for farmers' welfare, a new section 17-A was proposed to be inserted by the said Ordinance in the Act of 1961 to empower Market Committees to collect Krishsak Kalyan Fee to be deposited in Krishak Kalyan Kosh constituted under section 19-A.

Later on, Hon'ble the President of India promulgated "The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020 (Central Ordinance No. 10 of 2020)" on 5th June, 2020 wherein by defining the "Trade area" it has restricted the area of application of the State Agricultural Produce Marketing Acts in force in India. Since, the Central Ordinance was promulgated after the promulgation of the Rajasthan Agricultural Produce Markets (Amendment) Ordinance, 2020 (Ordinance No. 2 of 2020) it necessitated to amend certain provisions relating to area of operation in the Rajasthan Agricultural Produce Markets Act, 1961. Accordingly, sections 17 and 17-A of the Act of 1961 are proposed to be amended suitably.

Since the Rajasthan State Legislative Assembly was not in session and circumstances existed which rendered it necessary for

the Governor of Rajasthan to take immediate action, he, therefore, promulgated the Rajasthan Agricultural Produce Markets (Amendment) Ordinance, 2020 (Ordinance No. 2 of 2020), on 1st May, 2020, which was published in Rajasthan Gazette, Extraordinary, Part IV(B), dated 1st May, 2020.

The Bill seeks to replace the aforesaid Ordinance.

Hence the Bill.

अशोक गहलोत,
Minister Incharge.

**EXTRACTS TAKEN FROM THE RAJASTHAN
AGRICULTURAL PRODUCE MARKETS ACT, 1961
(Act No. 38 of 1961)**

XX XX XX XX XX XX

17. Power to collect market fees.- The market committee shall collect market fees from the licensees in the prescribed manner on agricultural produce bought or sold by them in the market area at such rate as may be specified by the State Government, by notification in the Official Gazette, subject to a maximum of Rs. 2/- per rupees one hundred worth of agricultural produce:

Provided that no Mandi Fee shall be leviable on fruits and vegetables. Instead, the market committee may collect user charges in respect of these articles, for the services provided by the market committee, from the buyer of the produce at such rate as may be specified in the bye-laws.

XX XX XX XX XX XX XX