



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

बुधवार, जुलै १९, २००६ / आषाढ २८, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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) Act, 2006 (Mah. Act No. XXV of 2006), is hereby published under the authority of the Governor.

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

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXV OF 2006.

(First published, after having received the assent of the President, in the Maharashtra Government Gazette, on the 11th July 2006).

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

WHEREAS it is expedient further to amend the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows :—

Mah.
XX of
1964.

1. This Act may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Act, 2006. Short title.

(५०९)

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"), after clause (e), the following clauses shall be inserted, namely :—

Mah.
XX of
1964.

"(e1) "Contract Farming" means farming by a Contract Farming Producer under written agreement with Contract Farming Sponsor to the effect that farm produce shall be purchased by the Contract Farming Sponsor as specified in the agreement ;

(e2) "Contract Farming Agreement" means the written agreement made for Contract Farming ;

(e3) "Contract Farming Producer" means an agriculturist or an association of agriculturists who have agreed to produce and supply agricultural produce as per the Contract Farming Agreement ;

(e4) "Contract Farming Sponsor" means a person who has entered into the Contract Farming Agreement ;".

Insertion of
Chapter I-C
in Mah. XX
of 1964.

3. After section 5D of the principal Act, the following Chapter shall be inserted, namely :—

" CHAPTER I-C

CONTRACT FARMING AGREEMENT

Procedure
and form of
Contract
Farming
Agreement.

5E. (1) Contract Farming Sponsor shall register himself with the Market Committee or with the prescribed officer, in such manner as may be prescribed.

(2) The Contract Farming Sponsor shall get the Contract Farming Agreement recorded with the officer prescribed in this behalf. The Contract Farming Agreement shall be in such form containing such particulars and terms and conditions, as may be prescribed.

(3) Notwithstanding anything contained in the Contract Farming Agreement or the Indian Contract Act, 1872 or any other law for the time being in force, no title, or rights in or, ownership or possession of agricultural land of the Contract Farming Producer shall be transferred, alienated or vested in the Contract Farming Sponsor or his successor or his agent.

9 of
1872.

(4) Dispute arising out of any Contract Farming Agreement may be referred to a settlement authority as may be prescribed in this behalf. The settlement authority shall resolve the dispute in a summary manner within thirty days, after giving the parties a reasonable opportunity of being heard.

(5) The party aggrieved by the decision of the settlement authority under sub-section (4) may prefer an appeal to the Appellate Authority as may be prescribed in this behalf, within thirty days from the date of the decision. The Appellate Authority shall dispose of the appeal within thirty days, after giving the parties a reasonable opportunity of being heard and the decision of the Appellate Authority shall be final.

(6) The decision of the settlement authority under sub-section (4) and the decision of the Appellate Authority in appeal under sub-section (5), shall have force of the decree of a Civil Court and shall be enforceable as such and the decretal amount shall be recovered as an arrears of land revenue.

(7) Dispute relating to and arising out of a Contract Farming Agreement shall not be called in question in any court of law.

(8) The agricultural produce covered under the Contract Farming Agreement may be sold to the Contract Farming Sponsor outside the market yard and in such a case, no market fee shall be leviable.”.

4. In section 60 of the principal Act, in sub-section (2), after clause (a-1), the following clause shall be inserted, namely :—

Amendment
of section 60
of Mah. XX
of 1964.

“(a-2) under section 5E, for prescribing the officer with whom and the manner in which the Contract Farming Sponsor shall register himself, for prescribing the form of Contract Farming Agreement and the officer with whom the Contract Farming Sponsor shall get such agreement recorded, for prescribing the settlement authority to whom the dispute arising out of any Contract Farming Agreement shall be referred, and for prescribing the Appellate Authority to whom the appeal against the decision of the settlement authority shall be preferred ;”.