



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, मार्च १५, २००७/फाल्गुन २४, १९३५

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) Bill, 2007 (L.A. Bill No. IX of 2007), introduced in the Maharashtra Legislative Assembly on the 15th March 2007, 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.

L. A. BILL No. IX OF 2007.

A BILL

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

Mah. XX of 1964. 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-eighth year of the Republic of India as follows:—

1. (1) This Act may be called the Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Act, 2007.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

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); after clause (f), the following clause shall be inserted, namely :—

“(f-1a) “District Deputy Registrar” means the District Deputy Registrar of Co-operative Societies appointed under the Maharashtra Co-operative Societies Act, 1960 ;”

Mah.
XXIV
of
1961

Amendment of section 13 of Mah. XX of 1964. 3. In section 13 of the principal Act, in sub-section (1), in clause (a), after the words “from time to time by the Collector” the words “or, as the case may be, the District Deputy Registrar” shall be inserted.

Amendment of section 14 of Mah. XX of 1964. 4. In section 14 of the principal Act, in sub-section (4),—

(i) in clause (a), after the word “Collector” the words “or, as the case may be, the District Deputy Registrar, who has conducted the elections” shall be inserted ;

(ii) in clause (b), after the word “Collector” the words “or, as the case may be, the District Deputy Registrar, who has conducted the elections” shall be inserted ;

(iii) in clause (c), after the word “Collector” the words “or, as the case may be, the District Deputy Registrar, who has conducted the elections” shall be inserted.

Amendment of section 14A of Mah. XX of 1964. 5. In section 14A of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) (a) The superintendence, direction and control of the preparation of the list of voters for, and conduct of all elections to Market Committees, whose annual income from fees under sub-section (1) of section 31, in the immediately preceding market year does not exceed rupees five crore, shall vest in the District Deputy Registrar ; and

(b) The superintendence, direction and control of the preparation of the list of voters for, and conduct of all elections to Market Committees, whose annual income from fees under sub-section (1) of section 31, in the immediately preceding market year exceeds rupees five crore, shall vest in the Collector.

For the purpose of preparing the list of voters and conduct of elections, every Market Committee shall constitute an Election Fund consisting of an amount equal to five per cent. of all moneys received by it by way of fees under this Act during any year or rupees ten thousand per annum, whichever is less. ”;

(ii) in sub-section (3), for the words “the Collector”, at both the places where they occur, the words “the Collector, or as the case may be, the District Deputy Registrar” shall be substituted;

(iii) in sub-section (4), for the words “the Collector” the words “the Collector or, as the case may be, the District Deputy Registrar” shall be substituted;

(iv) in sub-section (5), for the words “The Collector” the words “The Collector or, as the case may be, the District Deputy Registrar” shall be substituted.

6. In section 15 of the principal Act, in sub-section (1), in the *Explanation*, the words “by the Collector or the authorised Officer” shall be deleted.

Amendment
of section 15
of Mah. XX
of 1964.

7. In section 22 of the principal Act,—

(a) in sub-section (1), for the words “the Collector or, the Officer not lower in rank than that of a Deputy Collector or as the Collector may authorise in this behalf” the following shall be substituted, namely:—

Amendment
of section 22
of Mah. XX
of 1964.

“the Collector or, as the case may be, the District Deputy Registrar, or the officer not below the rank of Deputy Collector or Assistant Registrar of Co-operative Societies as the Collector or District Deputy Registrar may authorise in this behalf.”;

(b) in sub-section (2), for the word “Collector”, at both the places where it occurs, the words “Collector, the District Deputy Registrar” shall be substituted;

(c) for sub-section (4), the following sub-section shall be substituted, namely :—

“(4) In the event of a dispute arising as to the validity of the election of a Chairman or Vice-Chairman, the Collector or, as the case may be, the District Deputy Registrar, if he is the presiding officer, shall decide the dispute himself, and in any other case, the officer presiding shall refer the dispute to the Collector or as the case may be, the District Deputy Registrar for decision. The decision of the Collector, subject to an appeal to the Commissioner appointed under section 6 of the Maharashtra Land Revenue Code, 1966 and the decision of the District Deputy Registrar, subject to an appeal to the Divisional Joint Registrar of Co-operative Societies shall be final ; and no suit or other legal proceedings shall lie in any court in respect of any such decision.”

Mah.
XLI
of
1966.

STATEMENT OF OBJECTS AND REASONS

The elections to the Market Committees under the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (Mah. XX of 1964) are being conducted by the Collector of the District in whose jurisdiction the Market Committee is situated. With a view to reduce the burden on the Collector to conduct elections of all the Market Committees in his District, the Government of Maharashtra considers it expedient to empower the District Deputy Registrar of the Co-operative Societies to conduct the elections of the market committees whose annual income by way of market fees does not exceed rupees five crore. The elections to the Market Committees whose annual income by way of market fees exceeds rupees five crore will continue to be conducted by the Collector.

2. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 13th March 2007.

HARSHAVARDHAN PATIL,
Minister for Marketing.