THE MAHARASHTRA AGRICULTURAL PRODUCE MARKETING (DEVELOPMENT AND REGULATION) ACT, 1963

[*Text as on 25th March 2026*]

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1. Amended by Mah. 32 of 1970
2. Amended by Mah. 34 of 1971[1]
3. Amended by Mah. 2 of 1972
4. Amended by Mah. 26 of 1972
5. Amended by Mah. 39 of 1973 (24-9-1973)
6. Amended by Mah. 30 of 1974 (31-8-1974)
7. Amended by Mah. 73 of 1975 (30-12-1975)
8. Amended by Mah. 58 of 1976[2] (25-11-1976)
9. Amended by Mah. 31 of 1977[3]
10. Amended by Mah. 50 of 1977[4] (27-9-1977)
11. Amended by Mah. 10 of 1984[5] (6-1-1984)
12. Amended by Mah. 34 of 1984[6] (22-10-1984)
13. Amended by Mah. 25 of 1985[7]
14. Amended by Mah. 27 of 1987 (1-10-1987)
15. Amended by Mah. 5 of 1989
16. Amended by Mah. 8 of 1994[8] (16-11-1993)

1 Maharashtra Ordinance No. III of 1971 was repealed by Mah. 34 of 1971, s. 3.

2 Maharashtra Ordinance No. X of 1976 was repealed by Mah. 58 of 1976, s. 5.

3 Section 3 of Mah. 31 of 1977 reads as follows :—

"3. Revised term of five years to apply to members of Market Committees in office on the 6th September 1975 and those elected or appointed thereafter.— (*1*) The members of any Market Committees constituted under the Marketing Regulation Act (excluding those constituted for the first time), who were in office on the 6th day of September 1975 (whether their original term of office of three years or extended term of office under section 14 of the Marketing Regulation Act had expired before the 6th day of September 1975 or expires during the period the Maharashtra Agricultural Produce Marketing (Regulation) (Postponement of Elections during the Emergency) Act, 1975 (Mah. LXVII of 1975), hereinafter referred to as "the Postponement of Elections Act", is in force) shall also be entitled to hold office for the revised term of five years, instead of three years:

Provided that, in computing this term of five years any extension of the term granted under the proviso to sub-section (*3*) of section 14 of the Marketing Regulation Act or under section 3 of the Postponement of Elections Act shall be taken into account.

Even after the expiry of their term of office, these members [including their successors (if any) appointed or nominated in casual vacancies] shall be entitled to continue in office till the date immediately preceding the date of the first meeting of the new Market Committees at which business is transacted.

(*2*) The members of any Market Committees whose elections are held under clause (*a*) of sub-section (*1*), or under sub-section (*2*) of section 3 of the Postponement of Elections Act shall also be entitled to hold office for the revised term of five years, instead of three years, and the term of office of members of any such Committees may be extended by the State Government under the proviso to sub-section (*3*) of section 14 of the Marketing Regulation Act.

(*3*) Except as otherwise provided by this section, the Marketing Regulation Act and the Postponement of Elections Act shall in other respects apply to the Market Committees concerned.".

4 Maharashtra Ordinance No. VIII of 1977 was repealed by Mah. 50 of 1977, s. 4.

5 Maharashtra Ordinance No. I of 1984 was repealed by Mah. 10 of 1984, s. 11.

6 Maharashtra Ordinance No. X of 1984 was repealed by Mah. 34 of 1984, s. 3.

7 For validation of acts and things done by Administrator, *see* section 3 of Mah. 25 of 1985.

8 Maharashtra Ordinance No. XVII of 1993 was repealed by Mah. 8 of 1994, s. 4.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

(*Development and Regulation*) *Act, 1963*

17. Amended by Mah. 9 of 1996[1] (18-11-1995)[2]

18. Amended by Mah. 5 of 1999 (16-11-1998)

19. Amended by Mah. 15 of 1999 (27-1-1999)

20. Amended by Mah. 33 of 2000 (10-5-2000)

21. Amended by Mah. 11 of 2003 (8-4-2003)

22. Amended by Mah. 13 of 2003 (9-4-2003)

23. Amended by Mah. 48 of 2005 (25-9-2006)

24. Amended by Mah. 25 of 2006 (19-7-2006)

25. Amended by Mah. 47 of 2006 (1-11-2006)

26. Amended by Mah. 7 of 2007[3] (1-6-2006)

27. Amended by Mah. 10 of 2008[4] (22-1-2008)

28. Amended by Mah. 21 of 2010 (30-7-2010)

29. Amended by Mah. 35 of 2016[5] (16-6-2015)

30. Amended by Mah. 7 of 2017[6] (5-7-2016)

1 Maharashtra Ordinance No. XVII of 1995 was repealed by Mah. 9 of 1996, s. 7.

2 Sections 2 to 6 of Mah. 9 of 1996 are as follows :—

"2. Temporary amendment of section 13 of Mah. XX of 1964.— During the period of two years commencing on the date of commencement of this Act or till the external monitory debt of the Bombay Agricultural Produce Market Committee (hereinafter referred to as "the said Market Committee"), is reduced to rupees fifty crores, whichever is earlier, the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) (hereinafter referred to as "the principal Act"), shall have effect, as if, in section 13, in sub-section (*1A*),—

(*1*) In clause (*a*), for sub-clauses (*i*), (*ii*), (*ii-a*), (*iii*), (*iv*), (*v*), (*vi*) and (*vii*) the following sub-clauses had been substituted, namely :—

"(*i*) The Secretary (Marketing), Co-operation and Textiles Department, *ex-officio* Chairman;

(*ii*) The Metropolitan Commissioner appointed under the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975), *ex-officio* Member;

(*iii*) The Director of Agricultural Marketing, Maharashtra State, Pune, or his representative, *ex-officio* Member;

(*iv*) Nominee of Consortium of Banks led by the State Bank of India, *ex-officio* Member;

(*v*) The Secretary of the Market Committee, *ex-officio* Member-Secretary.";

(*2*) clause (*b*) had been deleted.

3. Term of Administrator.— Notwithstanding anything contained in clause (*b*) of sub-section (*1*) of section 15A of the principal Act, or any orders issued thereunder, the appointment of the Administrator made under the said clause (*b*) for the said Market Committee, shall come to an end, on the date of commencement of this Act:

Provided that, all acts and things done by the Administrator from the date of expiry of the period of six months from the date of his appointment till the date of commencement of this Act, shall be valid and shall be deemed always to have been valid and no suit or proceeding shall be instituted, maintained or continued against the Administrator on the ground that after the expiry of the said period of six months, he had no authority to do such acts or things under the provisions of the principal Act.

4. Arrangements to be made to re-constitute the said Market Committee.— Notwithstanding anything contained in this Act, on the date (being a date immediately after the date of expiry of the period mentioned in section 2), to be notified by the State Government in the *Official Gazette*, arrangements shall be made by the officers concerned to reconstitute the said Market Committee by holding elections in accordance with the provisions of the principal Act.

5. Continuance in office of members.— The members of the said Market Committee as constituted by sub-section (*1A*) of section 13 of the principal Act as amended by section 2 shall, notwithstanding the expiry of the period mentioned in the said section 2, shall continue in office till the date immediately preceding the date of the first meeting of the reconstituted Market Committee after the election is held, where there is a quorum.

6. Application of Mah. XX of 1964.— Except as otherwise provided by this Act, provisions of the principal Act shall in all other respects apply, *mutatis mutandis*, to the said Market Committee.".

3 This Act came into force on 1st June 2007 *vide* G. N., C. and T. D., No. Krubasa., 2006/C.R. 283/ 11-c, dated 28th May, 2007.

4 Maharashtra Ordinance No. I of 2008 was repealed by Mah. 10 of 2008, s. 8.

5 Maharashtra Ordinance No. VIII of 2016 was repealed by Mah. 35 of 2016, s. 3.

6 Maharashtra Ordinance No. XX of 2016 was repealed by Mah. 7 of 2017, s. 5.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

31. Amended by Mah. 13 of 2018[1] (13-6-2017)

32. Amended by Mah. 51 of 2018[2] (29-6-2018)

33. Amended by Mah. 6 of 2020[3] (31-1-2020)

34. Amended by Mah. 11 of 2020[4] (31-1-2020)

35. Amended by Mah. 27 of 2022 (28-3-2022)

36. Amended by Mah. 2 of 2023[5] (22-11-2022)

37. Amended by Mah. 52 of 2025[6] (13-10-2025)[7]

1 Maharashtra Ordinance No. XVII of 2017 was repealed by Mah. 13 of 2018, s. 6.

2 Maharashtra Ordinance No. XIX of 2018 was repealed by Mah. 51 of 2018, s. 8.

3 Maharashtra Ordinance No. II of 2020 was repealed by Mah. 6 of 2020, s. 3.

4 Maharashtra Ordinance No. III of 2020 was repealed by Mah. 11 of 2020, s. 3.

5 Maharashtra Ordinance No. XI of 2022 was repealed by Mah. 2 of 2023, s. 3.

6 Maharashtra Ordinance No. IX of 2025 was repealed by Mah. 52 of 2025, s. 12.

7 Sections 11 of Mah. 52 of 2025 are as follows :—

11. Power to remove difficulty.— (*1*) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Act which appears to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(*2*) Every order made under sub-section (*1*) shall be laid, as soon as may be, after it is made before each house of the State Legislature.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

MAHARASHTRA ACT No. XX OF 1964[1]

[THE MAHARASHTRA AGRICULTURAL PRODUCE MARKETING (DEVELOPMENT AND REGULATION) ACT, 1963.]

[This Actreceived the assent of the Governor on the 30th April 1964; assent was first published in the *Maharashtra Government Gazette,* Extraordinary No. 23, Part IV, on the 5th May 1964.]

An Act to [2][develop and] regulate the marketing of agricultural and certain other produce in market areas and markets [3][including private markets and farmer consumer markets] to be 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; to establish Market Fund for purposes of the Market Committee and to provide for purposes connected with the matters aforesaid.

WHEREAS it is expedient to [4][develop and] regulate the marketing of agricultural and certain other produce in market areas and markets [5][including private markets and farmer-consumer markets] to be 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; to establish Market Fund for purposes of the Market Committees and to provide for purposes connected with the matters aforesaid; It is hereby enacted in the Fourteenth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.— (*1*) This Act may be called the Maharashtra Agricultural Produce Marketing [6][(Development and Regulation)] Act, 1963.

(*2*) It extends to the whole of the State of Maharashtra.

(*3*) It shall come into force on such [7]date as the State Government may, by notification in the *Official Gazette* appoint.

2. Definitions.— (*1*) In this Act, unless the context otherwise requires,—

(*a*) "agricultural produce" means all produce (whether processed or not) of agriculture, horticulture, animal husbandry, apiculture, pisciculture, [8][fisheries] and forest specified in the Schedule;

(*b*) "agriculturist" means a person who ordinarily by himself or by hired labour or otherwise is engaged in the production or growth of agricultural produce which has not been processed, but does not include a trader, commission agent, processor, or [9][broker, an employee of Government or of any co-operative society or of a Market Committee, or a partner in trading firm or an industrial concern in or in relation to agricultural produce although such trader, commission agent, processor, broker an employee of Government or of any co-operative society or of any Market Committee or a partner in trading firm or an industrial concern], may also be engaged in the production or growth of agricultural produce;

(*c*) "broker" means an agent who contrives, makes and concludes a bargain or contracts on behalf of his principal for the purchase or sale of agricultural produce for which he receives a fee

1 For Statement and Objects and Reasons of the L. A. Bill No. XLVI of 1963, *seeMaharashtra Government Gazette*, 1963, Extraordinary No. 51, Part V, dated the 19th September 1963, pages 283-284.

2 These words were inserted by Mah. 48 of 2005, s. 2(*1*).

3 These words were inserted by Mah. 48 of 2005, s. 2(*2*).

4 These words were inserted by Mah. 48 of 2005, s. 3(*1*).

5 These words were inserted by Mah. 48 of 2005, s. 3(*2*).

6 These brackets and words were substituted for the brackets and word "(Regulation)" by Mah. 48 of 2005, s. 4. 7 25th day of May 1967 *vide* G. N., A. and C. D., No. APM. 1167/8802-C-1, dated 19th May 1967.

8 This word was inserted by Mah. 11 of 2003, s. 2.

9 This portion was substituted for the portion beginning with the words "broker in agricultural produce" and ending with the words "or broker" by Mah. 27 of 1987, s. 2(*a*).

or remuneration, but does not receive, deliver, transport, or pay for the purchase, or collect payment for the sale, of the agricultural produce;

[1][(*ca*) "buyer" means a person, the Central Government or any State Government, who himself or itself or on behalf of any person or agent buys or agrees to buy agricultural produce in the market area;]

(*d*) "bye-laws" means bye-laws made under section 61;

(*e*) "commission agent" means a person who by himself or through his servants buys and sells agricultural produce for another person, keep it in his custody and controls it during the process of its sale or purchase, and collects payment therefor from the buyer and pays it to the seller, and receives by way of remuneration a commission or percentage upon the amount involved in each transaction;

[2][(*ea*) "direct marketing" means the purchase of agriculture produce directly from the agriculturists by a direct marketing licence holder under sub-section (*1*) of section 5D;]

[3][(*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 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;]

(*f*) "Director" means a person appointed as the Director of Agricultural Marketing [4][□□□] for the State of Maharashtra [5][and includes any officer or officers empowered by the State Government by notification in the *Official Gazette*, to exercise or perform such of the powers and functions of the Director under the provisions of this Act or rules or bye-laws made thereunder, as may be specified in such notification;]

[6][(*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);]

[7][(*f-1b*) "Electronic trading" or "E-trading" means the trading of agricultural produce in which registration, auctioning, billing, booking, contracting, negotiation, information exchanging, record keeping and other connected activities are done electronically on electronic trading platform;

(*f-1c*) "Electronic trading platform" or "E-trading platform" means the electronic platform set up either by the State Government or the Government Agencies or a person licensed under this Act for conducting trading in agricultural produce through electronic media or by any means of communication in which registration, buying and selling, billing, booking, contracting and negotiating are carried out online through computer network or internet or any other such electronic device. Such Electronic trading platform shall be regulated by such authority as may be notified by the Government;]

1 Clause (*ca*) was inserted by Mah. 27 of 1987, s. 2(*b*).
2 Clause (*ea*) was inserted by Mah. 48 of 2005, s. 5(*1*).
3 Clauses (*e1*) to (*e4*) were inserted by Mah. 25 of 2006, s. 2.
4 The words "and Rural Finance" were deleted by Mah. 32 of 1970, s. 2(*1*)(*a*). 5 This portion was added by Mah. 27 of 1987, s. 2(*c*).
6 Clause (*f-1a*) was inserted by Mah. 7 of 2007, s. 2.
7 These clauses were substituted for clause (*f-1b*) by Mah. 51 of 2018, s. 2(*a*).

[1][(*f1*) "farmer-consumer market" means a market established by a licence holder under sub-section (*2*) of section 5D;]

[2][(*f2*) "Government Agency" means the agency so notified by the State Government which includes the State Agricultural Marketing Department, the Maharashtra State Agricultural Marketing Board and the Agricultural Produce Market Committee established or constituted under this Act;]

[3][(*fa*) "Hamal" means a hamal or a coolie or a labourer, engaged for loading, unloading, filling, emptying, stacking, stitching, sorting, cleaning or carrying any agricultural produce or doing any work preparatory or incidental thereto in the market area and who holds a valid licence for the purpose from the Market Committee;]

[4][(*fb*) "licence" means licence granted under the provisions of this Act and the term "licensee" shall be construed accordingly;]

(*g*) "local authority" includes a *Panchayat Samiti*;

[5][(*ga*) "Managing Director" means a person appointed by the State Government, as the Managing Director of the State Marketing Board under section 39B-1;]

(*h*) "market" means any principal market established for the purposes of this Act and also a subsidiary market [6][under section 5];

(*i*) "market area" means an area specified in a declaration made under section 4 [7][and includes the area deemed to be a market area under clause (*a*) of sub-section (*1A*) of section 13];

(*j*) "Market Committee" or "Committee" means a committee constituted for a market area under section 11 [8][and includes [9][the Bombay Agricultural Produce Market Committee established under clause (*a*) of sub-section (*1A*) [10][and the Divisional or Regional Market Committee declared under clause (*a*) of sub-section (*1-B*)] of section 13 and]; a committee or committees constituted as a result of amalgamation of Market Committees or division of a Market Committee under section 44];

[11][(*j-1*) "Market of National Importance" means the Market of National Importance established under section 5-1A;]

(*k*) "member" means a member of a Market Committee;

[12][(*k-1*) "National Agriculture Market" means an integrated market where, notwithstanding anything contained in any law for the time being in force, buying and selling of agricultural produce and activities incidental thereto are carried out either electronically or otherwise in India possessing marketing utility across time and space;]

(*l*) "*Panchayat Samiti*" means a *Panchayat Samiti* established under the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962);

(*m*) "prescribed" means prescribed by rules made under this Act;

[13][(*ma*) "private market" means a market established by a licence holder under sub-section (*1*) of section 5D;]

1 Clause (*f1*) was inserted by Mah. 48 of 2005, s. 5(*2*).
2 Clause (*f2*) was inserted by Mah. 51 of 2018, s. 2(*b*).
3 Clause (*fa*) was inserted by Mah. 27 of 1987, s. 2(*d*).
4 Clause (*fb*) was inserted by Mah. 51 of 2018, s. 2(*c*).
5 This clause was inserted by Mah. 21 of 2010, s. 2.
6 These words were added by Mah. 7 of 2017, s. 2(*b*).
7 This portion was added by Mah. 5 of 1989, s. 2(*a*).
8 This portion was added by Mah. 27 of 1987, s. 2(*e*).
9 This portion was inserted by Mah. 5 of 1989, s. 2(*b*).
10 This portion was inserted by Mah. 48 of 2005, s. 5(*3*).
11 Clause (*j-1*) was inserted by Mah. 52 of 2025, s. 2(*1*).
12 Clause (*k-1*) was inserted by Mah. 52 of 2025, s. 2(*2*).
13 Clause (*ma*) was inserted by Mah. 48 of 2005, s. 5(*4*).

(*n*) "processor" means a person who processes any agricultural produce [1][either of his own account, or] on payment of charge;

(*o*) "retail sale" means, in relation to any agricultural produce, sale of that produce not exceeding such quantity as a Market Committee may by bye-laws determine to be a retail sale;

(*p*) "rules" means rules made under this Act;

(*q*) "Schedule" means the Schedule to this Act;

(*r*) "Secretary" means a Secretary of a Market Committee and includes a Joint, Deputy or Assistant Secretary;

[2][(*r1*) "special commodity market" means a market declared under sub-section (*4*) of section 4;]

[3][(*r2*) "State Co-operative Election Authority" means the State Co-operative Election Authority constituted under section 73CB of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961);]

[4][(*ra*) "State Marketing Board" means the Maharashtra State Agricultural Marketing Board established under section 39A;]

(*s*) "Surveyor" means a person who on arrival of a consignment of agricultural produce for sale in any market area or market, surveys it for ascertaining the quality, refraction, adulteration and other like factors;

(*t*) "trader" means a person who buys or sells agricultural produce, as a principal or as duly authorised agent of one or more persons;

5[(*t-1*) "Unified Single Trading Licence" means Unified Single Trading Licence granted under section 7A or recognised under section 7B for intrastate or interstate trade;]

(*u*) "*Zilla Parishad*" means a *Zilla Parishad* established under the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962).

(*2*) If any question arises whether a person is or is not an agriculturist for the purposes of this Act, the matter shall be referred to the Director, and the decision of the Director thereon shall be final.

Market Areas and Markets.

3. Notification of intention of regulating marketing of agricultural produce in specified area.— (*1*) The State Government may, by notification in the *Official Gazette*, declare its intention of regulating the marketing of such agricultural produce, in such area, as may be specified in the notification. The notification may also be published in the language of the area in any newspaper circulating therein, and shall also be published in such other manner as in the opinion of the State Government is best calculated to bring to the notice of persons in the area, the intention aforesaid.

(*2*) The notification shall state that any objections or suggestions which may be received by the State Government within a period of not less than one month 6[to be specified in the notification] will be considered by the State Government.

4. Declaration of regulation of marketing of specified agricultural produce in market area.— (*1*) On the expiry of the period specified in the notification issued under section 3, the State Government shall consider the objections and suggestions, if any, received before the expiry of such period and may, if it considers necessary, hold an inquiry in the manner prescribed. Thereafter, the State Government may, by another notification in the *Official Gazette*, declare that the marketing of the

1 These words were inserted by Mah. 32 of 1970, s. 2(*1*)(*b*).
2 This clause was inserted by Mah. 48 of 2005, s. 5(*5*).
3 This clause was inserted by Mah. 13 of 2018, s. 2.
4 Clause (*ra*) was inserted by Mah. 27 of 1987, s. 2(*f*).
5 Clause (*t-1*) was inserted by Mah. 52 of 2025, s. 2(*3*).
6 These words were substituted for the words "from the date of the notification" by Mah. 32 of 1970, s. 3.

agricultural produce specified in the notification shall be regulated under this Act, in the area specified in the notification. The area so specified shall be the market area. A notification under this section may also be published in 1[a newspaper in the Marathi language] circulating therein, and shall also be published in such other manner as in the opinion of the State Government is best calculated to bring to the notice of persons in the area the declaration aforesaid.

(*2*) On any declaration being made under sub-section (*1*) no local authority 2[or any other person] shall thereafter, notwithstanding anything contained in any law for the time being in force, establish, authorise or continue or allow to be established, authorised or continued any place in the market area for the marketing of that agricultural produce.

(*3*) Subject to the provisions of section 3, the State Government may, at any time by notification in the *Official Gazette*, exclude from a market area any area, or include therein an additional area, or may direct that the regulation of the marketing of any agricultural produce in any market area shall cease, or that the marketing of any agricultural produce (hitherto not regulated) shall be regulated in the market area.

3[(*4*) The State Government may, by notification in the *Official Gazette*, declare, in addition to the existing market, a special commodity market for any market area after considering the turnover and special infrastructure requirements for marketing of a particular agricultural produce.]

5. Establishment of markets.— (*1*) For every market area, there shall be established a principal market, and there may be established one or more subsidiary markets.

(*2*) The Director shall, as soon as possible after the issue of a notification under sub-section (*1*) of section 4, by a notification in the *Official Gazette*, establish any place (including any structure, enclosure, open place or locality) in any market area to be the principal market for the marketing of the agricultural produce specified in that notification; and may by the same notification, or by like notification, establish in any other like places in the market area, subsidiary markets for the marketing of such agricultural produce.

[4][CHAPTER I-A

ESTABLISHMENT OF NATIONAL INTEGRATED PRODUCE MARKET

5A. Establishment of National Integrated Produce Market.—(*1*) Notwithstanding anything contained in this Act or any other law for the time being in force, the State Government may, by notification in the *Official Gazette*, declare that with effect from such date as may be specified in such notification there shall be, established, for marketing fruits and vegetables in respect of Mumbai and its surrounding area of 75 Kilometers radius or for any area or areas in the State, a National Integrated Produce Market owned and managed as an autonomous entity by the National Dairy Development Board incorporated under the National Dairy Development Board Act, 1987 (37 of 1987) or any other recognised body corporate under the State Act, Government Corporation, Company registered under the [5]Companies Act, 1956 (1 of 1956), directly or through any organisation set up by it or in conjunction with farmer's association and thereupon the National Dairy Development Board or any other organisation as the case may be, may,—

(*a*) establish a National Integrated Produce Market of fruits and vegetables in any area or areas as may be specified in the notification;

(*b*) set up by itself or finance, assist or support farmers and farmers association to set up collection centres by whatever name called at various places in the State whether within or outside the area aforesaid to collect, assemble, sort, grade, process, pack, store or transport, fruits and vegetables and to provide, market information and to carry out such other activities as may

1 These words were substituted for the words "the language of the area in a newspaper" by Mah. 27 of 1987, s. 3(*a*). 2 These words were inserted by Mah. 27 of 1987, s. 3(*a*).

3 This sub-section was added by Mah. 48 of 2005, s. 6.

4 Chapter 1-A was inserted by Mah. 13 of 2003, s. 2.

5 Now *see* the Companies Act, 2013 (18 of 2013).

enable them to market the produce using the National Integrated Produce Market or to do anything facilitatory or incidental thereto;

(*c*) set up or support otherwise the marketing by setting up distribution channels and branches at various places in the State whether within or outside the area aforesaid;

(*d*) register users of the National Integrated Produce Market and may also levy and collect registration fee, security deposit and advance and levy and collect other charge for the services rendered and utilities provided to the farmers, farmers association, farmers co-operative societies, buyers and all other functionaries registered with or using the National Integrated Produce Market.

(*2*) Notwithstanding anything contained in sub-section (*1*) the State Government may, by notification in the *Official Gazette*, direct that from such date as may be specified therein, marketing of flowers in the National Integrated Produce Market shall also be governed by the provisions of this chapter and thereupon all the provisions of this chapter shall be applicable also to the marketing of flowers and other related activities in the National Integrated Produce Market.

5B. Power to make regulations.—The National Dairy Development Board or any other association which is duly recognised by the State Government may, with the previous approval of the State Government make regulations under this Chapter for the purposes of ownership, management, marketing, trading and other related activities in relation to the National Integrated Produce Market and for the enforcement thereof.

5C. Other provisions of Act not to apply to National Integrated Produce Market.—Nothing contained in this Act or the rules, regulation or bye-laws made thereunder except the provisions of this Chapter shall apply to,—

(*i*) anything done or any action taken in relation to the Establishment and Management of the National Integrated Produce Market under this chapter or anything done in pursuance thereof; or

(*ii*) any person, agency or organisation interacting in relation to the National Integrated Produce Market by way of business dealings or otherwise.]

[1][CHAPTER I-1A

ESTABLISHMENT OF MARKET OF NATIONAL IMPORTANCE

5-1A. Establishment of Market of National Importance.— (*1*) The State Government may, by notification published in the *Official Gazette*, designate any existing market established under section 5 as "Market of National Importance" or establish any market as "Market of National Importance", after consideration of such aspects regarding marketing of agricultural produce like total throughput value, upstream catchment area, down-stream number of consumers served and special infrastructure requirements therefor, requiring regulation by Market of National Importance:

Provided that, the market handling not less than eighty thousand metric tons agricultural produce or such annual tonnage or such annual value, as may be specified by the Government by an order, from time to time, and in which agricultural produce arrives from not less than two other States, may be considered for designating the Market of National Importance.

(*2*) Notwithstanding anything contained in this Act, the regulation of marketing in Market of National Importance shall be in such manner as may be prescribed.

5-1B. Composition of Market Committee of Market of National Importance.— (*1*) The Market Committee of Market of National Importance shall consist of the following members, namely :—

(*i*) Minister for Marketing - Chairman;

1 Chapter I-1A was inserted by Mah. 52 of 2025, s. 3.

(*ii*) Minister of State for Marketing - Vice-Chairman;

(*iii*) Commissioner of Agriculture or his representative, who shall not be below the rank of Joint Director;

(*iv*) Director of Marketing or his representative, who shall not be below the rank of Joint Registrar of Department of Co-operation;

(*v*) Executive Director, Maharashtra State Agriculture Marketing Board, Pune or his representative, who shall not be below the rank of Joint Registrar of Department of Co-operation;

(*vi*) Five agriculturists from the State or the revenue division in which the Market of National Importance is situated, out of them two agriculturists shall be from the area of the Market Committee (of which one shall be woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes);

(*vii*) If required, two agriculturist recommended by other State Governments (one each from two other States), wherefrom maximum arrivals of agricultural produce are received in the Market Yard of National Importance, to be nominated by the State Government of Maharashtra;

(*viii*) Three members holding the licence of Trader of the concerned Market of National Importance, out of them one shall be from agro-processing industry who has experience of minimum three years as a Director or partner in concerned processing industry;

(*ix*) One person nominated by the Government who is an expert in any of the fields of finance, marketing, co-operation, management or import-export.

(*2*) (*a*) The Market Committee may invite the following persons as special invitees for the purpose of assisting or advising it on any matter or matters, namely :—

(*i*) One representative of Agricultural and Processed Food Products Export Development Authority (**APEDA**), after obtaining prior permission of the concerned authority of the Government of India;

(*ii*) Managing Director of Maharashtra State Warehousing Corporation or his representative (who shall not be below the rank of Joint Registrar of Department of Co-operation);

(*iii*) Administrative Head of the Local Government Body or an Officer, not below the rank of Officer of Group A nominated by him in the area where the Market of National Importance is situated.

(*b*) Such special invitees may take part in the meetings of the Committee, but shall have no right to vote.

(*3*) An officer from Agriculture, Marketing, Co-operation, Revenue Department or Government Officer from any other Department, who is holding an equivalent post of Joint Registrar of Department of Co-operation, to be nominated by the State Government, shall be the Secretary of the market committee.

(*4*) The persons nominated by the State Government to be the members of Market Committee of Market of National Importance shall hold office for the period of five years from the date of nomination or until the pleasure of the State Government.

(*5*) Notwithstanding anything contained in this Act, as soon as the notification of establishment of Market of National Importance is issued under section 5-1A by the State Government, the existing Market Committee shall cease to function and all the existing Committee members shall cease to hold their office.

5-1C. Executive Committee of Market Committee of Market of National Importance.— (*1*) There shall be Executive Committee consisting of such persons as may be prescribed for carrying out day to day duties of the Market Committee of Market of National Importance.

(*2*) The Market Committee may delegate any of its powers and duties to the Executive Committee by order in writing.

5-1D. Application of certain sections to Market of National Importance.— The provisions of this Act which applies to the markets established under section 5 shall, except the provisions of proviso to section 12(*1*) and sections 12 (*3*), 13, 14, 14A, 15, 15A, 16, 17, 18, 19, 20, 21, 21A, 22, 23, 23A, 24, 25, 26, 27, 27A, 28, 41A and 45, apply to the Market of National Importance.]

[1][CHAPTER I-B

DIRECT MARKETING,ESTABLISHMENT OF PRIVATE MARKET AND FARMER-CONSUMER MARKET

5D. Direct marketing, establishment of private market and farmer-consumer market and redressal of disputes.—(*1*) The Director may, subject to such terms and conditions as may be prescribed, grant licence to any person for direct marketing or for establishing a private market in one or more market areas for—

(*a*) processing of the agricultural produce;

(*b*) trade of the agricultural produce of particular specification;

(*c*) export of the agricultural produce;

(*d*) grading, packing and transactions in any other way by value addition of the agricultural produce.

(*2*) (*a*) The Director may, subject to such terms and conditions as may be prescribed grant licence to any person, who agrees or undertakes to develop the prescribed infrastructure, for establishing farmer-consumer market.

(*b*) Market service charge shall be collected on sale of the agriculture produce by the seller and shall be remitted to the proprietor of the farmer-consumer market.

(*c*) Save as otherwise provided in this Act, no market fee shall be leviable on the sale or purchase of the agricultural produce in the farmer-consumer market.

(*3*) (*a*) Any person who desires to purchase agricultural produce directly from the agriculturist or to establish a private market or farmer-consumer market, in one or more than one market area, shall apply to the Director for grant or renewal of licence, as the case may be, in the manner and for the period, as may be prescribed.

(*b*) Alongwith every such application an adequate security deposit and a fee as may be prescribed shall be deposited.

(*c*) Application received under clause (*a*) for grant or renewal of licence shall be rejected by the Director for any of the following reasons, namely :—

(*i*) dues of any Market Committee or the State Marketing Board are outstanding against the applicant;

(*ii*) the applicant is a minor;

(*iii*) the applicant is an insolvent;

(*iv*) any other sufficient reason to be specified in writing.

(*4*) (*a*) The Director may suspend or cancel the licence and communicate to the licence holder in writing, about the suspension or cancellation of his licence, if—

(*i*) the licence has been obtained through wilful misrepresentation or fraud;

(*ii*) the holder of the licence has committed a breach of any of the terms or conditions of licence;

(*iii*) the holder of the licence has become an insolvent;

(*iv*) the holder of the licence has been convicted of any offence under this Act.

1 Chapter I-B was inserted by Mah. 48 of 2005, s. 7.

(*b*) No licence shall be suspended or cancelled without giving a reasonable opportunity to its holder to show cause against such suspension or cancellation.

(*5*) (*a*) **Establishment of Market Committee.—** Any dispute between the direct marketing licence holder, private market, farmer-consumer market and the Market Committee, shall be referred to the Director. The dispute shall be resolved after giving the parties a reasonable opportunity of being heard, in the manner prescribed.

(*b*) Any person aggrieved by the decision of the Director under clause (*a*) may prefer an appeal to the State Government.

(*c*) An appeal under clause (*b*) shall be made within a period of thirty days from the date of the decision of the Director.

(*d*) The order passed in appeal by the State Government shall be final.

(*6*) (*a*) The provisions of 1[section 7A, section 10A,] clauses (*i*), (*ii*), (*iv*), (*v*), (*vi*), (*vii*), (*viii*), (*ix*), (*x*), (*xi*), (*xii*), (*xiii*), (*xx*), (*xxi*), (*xxv*) and (*xxvi*), of sub-section (*2*) of section 29, sub-sections (*1*), (*3*) and (*4*), of section 31 and sections 32A, 34A, 39, 40, 41, 42, 48, 49, 50, 51, 52, 52A, 56, 57 and 59B shall apply, *mutatis mutandis*, to direct marketing licence holder, private market and farmer-consumer market.

(*b*) Notwithstanding anything contained in clause (*a*), direct marketing licence holder shall pay the market fee as per section 31 to the Maharashtra State Agricultural Marketing Board, who, in turn shall disburse the same to the concerned Market Committee, in the manner prescribed.

(*7*) The licensing management, marketing, trading and other related functions of the markets established under this section shall be regulated in the manner prescribed.]

[2][CHAPTER I-C

CONTRACT FARMING AGREEMENT

5E. Procedure and form of Contract Farming Agreement.— (*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 (9 of 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.

(*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.

1 These words, figures and letters were inserted by Mah. 52 of 2025, s. 4. 2 Chapter 1-C was inserted by Mah. 25 of 2006, s. 3.

(*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.]

[1][CHAPTER I-D

MARKETING THROUGH ELECTRONIC TRADING

5F. Establishment of Electronic trading platform.— (*1*) No person other than the State Government or the Government Agencies as may be notified shall establish and run any Electronic trading platform for trading in agricultural produce without holding a licence under this Act.

(*2*) Save as provided in sub-section (*1*), the State Government or the Government Agencies as may be notified, may establish and run E-trading platform for trading in agricultural produce in the manner as may be prescribed.

5G. Grant or Renewal of licence to establish Electronic trading platform.—(*1*) Any person desirous of establishing an E-trading platform under section 5F shall apply to the Director or the Officer authorized by him in such form and manner along with such fee, security or bank guarantee and fulfilling such conditions, as may be prescribed.

(*2*) The application received under sub-section (*1*) for grant or renewal of licence may be accepted or rejected for reasons recorded in writing by the licensing authority:

Provided that, the application received under this section shall be liable to be rejected on the reasons *mutatis mutandis* to the reasons laid down in respect of private market under clause (*c*) of sub-section (*3*) of section 5D.

(*3*) The E-trading platform managed and operated by a person or the State Government or the Government Agencies, as the case may be, shall provide all infrastructures and service connected to E-trading, as may be prescribed.

(*4*) The licensee or its agency may collect user charge on the services provided, which shall be notified by such licensee on its website:

Provided that, the Government may, in the public interest, from time to time, by notification in the *Official Gazette*, put ceiling on the rate of user charge.

5H. Integration of licence holder under section 5G to E-platform.—A licensee under section 5G, desirous to link to E-platform of the Government of India, may apply, through the State Government or the concerned Government Agencies, to the Department of Agriculture, Co-operation and Farmers Welfare, in the form and manner, as may be prescribed.

5I. Interoperability of E-trading platforms.—In order to evolve a unified National Agricultural Market and integrate various E-trading platforms, the various software applications in the E-trading platform should be interoperable with other E-trading platforms as per the specifications and standards laid down by the Director or the Authority designated therefor.

5J. Payment to the sellers and maintenance of accounts.— (*1*) Notwithstanding anything contained in this Act, payment of agricultural produce traded on Electronic trading platform shall be made on the same day of the sale transaction to the seller on real time basis or, in the maximum next day, if procedurally so required. In procedural exigencies on Electronic trading, the payment to the seller may be made in the manner as may be prescribed by rules.

(*2*) The licensee or Agricultural Produce Market Committee, as the case may be, shall maintain accounts of all the transactions taken place on Electronic trading platform and submit such periodical reports and returns to the Managing Director, the Maharashtra State Agricultural Marketing Board or

1 Chapter I-D was inserted by Mah. 51 of 2018, s. 3.

the Authorized Officer, at such time and in such forms, as may be specified by the Director of Marketing, from time to time.

5K. Suspension or Cancellation of electronic trading platform.—The Director may, by order, for the reasons to be recorded, suspend or cancel the licence granted under section 5G. The breach of any provision of the Act or rules or bye-laws, instructions, orders or guidelines shall be specified in the order:

Provided that, no order for suspension or cancellation of licence shall be passed without giving a reasonable opportunity of being heard.

5L. Dispute settlement.—Any dispute arising between or amongst the licensees of E-trading platforms, or between or amongst the licensees and the Agricultural Produce Market Committee or Government Agencies, shall be resolved by the Director or the Officer authorized by him, in summary manner within thirty days, after giving the parties reasonable opportunity of being heard.

5M. Obligation of licensee under section 5G for E-trading platform.—Every licensee under section 5G while carrying out E-trading on E-trading platform shall be under obligation to—

(*a*) carry out quality assaying of agriculture produce before its transaction takes place,

(*b*) carry out auction or any other mode of price discovery for the produce in a fair and transparent manner without interference from traders or commission agents,

(*c*) maintain recording of all transactions on real time basis displaying market information on electronic portal of the Maharashtra State Agriculture Marketing Board, Agrimark Net or equivalent on real-time basis in the format prescribed by the Director,

(*d*) issue trading licenses to all the eligible traders for E-trading without discrimination or favour, within the time limit prescribed by rules framed by the State Government in this regard which shall be countable from the date of making applications,

(*e*) provide facility for cleaning and grading and warehouses (dry and cold storages) to meet requirement of agriculturists,

(*f*) not to allow over-trading.]

CHAPTER II

MARKETING OF AGRICULTURAL PRODUCE

6. Regulation of marketing of agricultural produce.— (*1*) Subject to the provisions of this section and of the rules providing for regulating the marketing of agricultural produce in any place in the market area, no person shall, on and after the date on which the declaration is made under sub-section (*1*) of section 4, without, or otherwise than in conformity with the terms and conditions of, a licence (granted by the Director when a Market Committee has not yet started functioning; and in any other case, by the Market Committee) in this behalf,—

(*a*) use any place in the market area for the marketing of the declared agricultural produce, or

(*b*) operate in the market area or in any market therein as a trader, commission agent, broker, processor, weighman, measurer, surveyor, warehouseman or in any other capacity in relation to the marketing of the declared agricultural produce.

(*2*) Nothing in sub-section (*1*) shall apply to sales by retail; [1][sales by an agriculturist who sells his own produce;] nor to sales by a person where he himself sells to another who buys for his personal consumption or the consumption of any member of his family.

1 These words were inserted by Mah. 32 of 1970, s. 4.

[1][(*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*, *spicesandothers* of the Schedule by any person outside the market established under section 5, [2][shall require licence as provided in section 5D or licence or permission from the Market Committee, however no market fees shall be chargeable from such licensee by the Market Committee.]]

[3][(*3*) Every Market Committee shall reserve sufficient space in the market area of its principal and subsidiary markets for the agriculturists to enable them to sell their own agricultural produce directly to the consumers without the help of intermediaries and shall also look after the maintenance of such space.]

7. Grant of licences.— (*1*) Subject to rules made in that behalf, a Market Committee may, after making such inquiries as it deems fit, grant or renew a licence for the use of any place in the market area for marketing of the agricultural produce or for operating therein as a trader, commission agent, broker, processor, weighman, measurer, surveyor, warehouseman or in any other capacity in relation to the marketing of agricultural produce; or may, after recording its reasons in writing therefor, refuse to grant or renew any such licence:

[4][Provided that, if the Market Committee fails to grant or renew or refuse a licence within a period of sixty days from the date of receipt of the application therefor, the licence shall be deemed to have been granted or renewed, as the case may be.]

(*2*) Licences may be granted under sub-section (*1*) in such forms, for such periods, on such terms and conditions and restrictions (including any provisions for prohibiting brokers and commission agents from acting in any transaction both as buyer or seller, or on behalf of both the buyer and seller, and also provisions for prohibiting brokers from acting in any transaction, except between a trader and trader, in respect of agricultural produce other than poultry, cattle, sheep and goats and such other agricultural produce as may be prescribed, and for prescribing the manner in which and the places at which auctions of agricultural produce shall be conducted and the bids made and accepted and places at which weighment and delivery of agricultural produce shall be made in any market or market area) and on payment of fees, not being in excess of such maxima as may be prescribed. [5][Provision may also be made for exempting any class of persons from payment of such fees on such terms and conditions as may be prescribed.]

[6][* * *]

[7][(*4*) (*a*) Notwithstanding anything contained in sub-sections (*1*), (*2*) and (*3*) of this section, any person desiring to trade on Electronic trading platform shall obtain certificate of registration as a trader, from such authority as may prescribed in this behalf.

(*b*) The application for registration under clause (*a*) shall be made online and in such manner as may be prescribed.

(*c*) Digitally signed certificate of registration shall be issued by Competent Authority in the Form as may be prescribed.

(*d*) Notwithstanding anything contained in clause (*a*) to (*c*) of this sub-section, the Competent Authority may, for reasons to be recorded in writing, refuse to grant or renew a certificate of registration for carrying out trade to any person, who in its opinion, is found to have acted in a manner detrimental to online trading, or, if the person has not traded for more than six months without any valid reasons, or has exhausted his dynamic cash credit limit with the bank or has failed in online payments of seller, buyer, Commission agent, supervision cost, market fee and any other payments

1 Sub-section (*2A*) was inserted by Mah. 7 of 2017, s. 3.

2 These words were substituted for the words "except as provided in section 5D, shall not require any licence or permission, and shall not be regulated by the Market Committee." by Mah. 52 of 2025, s. 5.

3 Sub-section (*3*) was added by Mah. 11 of 2003, s. 3.

4 The proviso was added by Mah. 27 of 1987, s. 4.

5 This portion was added by Mah. 32 of 1970, s. 5.

6 Sub-section (*3*) was deleted by Mah. 52 of 2025, s. 6.

7 Sub-section (*4*) was added by Mah. 51 of 2018, s. 4.

under the Act, rules and bye-laws, if any, registration is not granted or renewed the Applicant shall be informed of the same giving the reasons therefor and the registration fee, if paid, shall be forfeited to the market fund or to the State Government, as the case may be.

(*e*) The Certificate of Registration for electronic trading shall be valid in respect of the person in whose name that is issued and shall not be transferable.

(*f*) Certificate of registration shall be liable for suspension or cancellation if there is—

(*i*) breach of any rules meant for transparency and price discovery in a fair manner; or

(*ii*) over-trading above the available cash credit limit by fraudulent means; or

(*iii*) refusal or deceitfully declining making online payments on real time basis for commodity traded and other payments under the Act, rules and bye-laws.

(*g*) Every certificate of registration so granted or renewed shall be in force for a period of three years from the date of granting or renewing Certificate.

(*h*) Each Market Committee and Private Market having electronic trading platform shall publish the list of all the certificate of registration online for traders having registration for using E-trading platform of the market.]

1[**7A. Grant of Unified Single Trading Licence.—** (*1*) There shall be a Unified Single Trading Licence for the whole of the State for the trader to be granted or renewed by the Director or by an Officer authorized by him, in such manner and in such form, as may be prescribed, to operate as trader in any principal market yard, submarket yard, private market yard and e-trading platform or any other space identified for the purpose in the State.

(*2*) Any person desirous of obtaining or renewing a Unified Single Trading Licence under sub-section (*1*) as a trader, shall apply to the Director or an Officer authorized by him in such form along with such fee as may be prescribed.

(*3*) The Director or an Officer authorized by him, on receipt of an application under sub-section (*2*), subject to the provisions of this Act and rules made in this behalf after making such inquiries as he deems fit, may grant or renew the licence for such period as may be prescribed:

Provided that, notwithstanding anything contained in this Act and the rules, there shall be no consideration of domicile, compulsory requirement of purchase or collection centre or minimal quantity for grant or renew of such licence:

Provided further that, such licence granted or renewed shall entail to the licensee to carry out trade of any

form i.e. primary or secondary or whatsoever, without any discrimination.

(*4*) The Unified Single Trading Licence issued by the Director or an Officer authorized by him under this section shall bear such unicode as may be prescribed.

7B. Recognition of Unified Single Trading Licence granted or renewed by other States or Union Territories for inter-state trade.— (*1*) Notwithstanding anything contained in this Act, the State may allow holder of Unified Single Trading Licence bearing Unicode issued by any other State or Union Territory to undertake trade transaction within its geographical jurisdiction on e-platform or any other format including physical, that may be in operation, as a trader, in such manner as may be prescribed.

(*2*) Such licensee shall be liable to pay the market fee and other marketing charges at the rate applicable in the State where trade transaction takes place in the manner as may be prescribed.]

8. Power to cancel or suspend licences.— (*1*) Subject to the provision of sub-section (*3*), a Market Committee may, for reasons to be recorded in writing, suspend or cancel a licence—

(*a*) if licence has been obtained through wilful misrepresentation, or fraud;

1 Section 7A and 7B was inserted by Mah. 52 of 2025, s. 7.

(*b*) if the holder thereof or any servant or any one acting on his behalf with his express or implied permission, commits a breach of any of the terms or conditions of the licence;

(*c*) if the holder of the licence in combination with other holders of licences commits any act or abstains from carrying out his normal business in the market with the intention of wilfully obstructing, suspending or stopping the marketing of agricultural produce in the market area in consequence where the marketing of any produce has been obstructed, suspended or stopped;

(*d*) if the holder of the licence has been adjudged an insolvent, and has not obtained his discharge; or

(*e*) if the holder is convicted of any offence under this Act.

1[(*1A*) Notwithstanding anything contained in sub-section (*1*), but subject to the provisions of sub-section (*3*), the Chairman and Secretary of a Market Committee acting jointly may, for reasons to be recorded by them in writing, by order suspend a licence for a period not exceeding 15 days for any reason for which a Market Committee may suspend the licence under sub-section (*1*)].

(*2*) Notwithstanding anything contained in sub-section (*1*), but subject to the provisions of sub-section (*3*), the Director may, for reasons to be recorded in writing by order suspend or cancel any licence granted or renewed under this Chapter.

(*3*) No licence shall be suspended or cancelled under this section, unless the holder thereof, has been given a reasonable opportunity to show cause against such suspension or cancellation.

2[(*4*) If the licence is suspended or cancelled under this section, then the holder of such licence shall forthwith produce the same in the office of the Market Committee or a Director or an Officer authorized by him, as the case may be, and he shall not be entitled to any claim on account of such suspension or cancellation any compensation or refund of the whole or any part licence fee or any other money.]

9. Appeal.—Any person aggrieved by an order—

(*a*) of the Market Committee refusing to grant or renew a licence, or cancelling a licence, or suspending any licence may, within thirty days from the date on which the order is communicated to him, appeal to the Director;

(*b*) of the Director refusing to grant or cancelling or suspending a licence may, within the like number of days, appeal to the State Government.

The Director or, as the case may be, the State Government shall, on such appeal, make such order as is deemed just and proper.

Provided that, before dismissing an appeal, the Director or as the case may be, the State Government, shall give such person a reasonable opportunity of being heard, and record in writing the reasons for such dismissal.

10. Provision for settlement of disputes.— (*1*) For the purpose of settling disputes between buyers and sellers, or their agents, including any disputes regarding the quality or weight or payment of any agricultural produce or, any matter in relating to the regulation of marketing of agricultural produce in the market area, the Market Committee of that area shall constitute [3][□□□□] a [4][Dispute Sub-Committee].

[5][(*2*) The Dispute Sub-Committee shall consist of—

(*a*) the Vice-Chairman of the Market Committee, who shall be the Chairman of the Dispute Sub-Committee;

1 Sub-section (*1A*) was inserted by Mah. 27 of 1987, s. 5.

2 Sub-section (*4*) were added by Mah. 52 of 2025, s. 8.

3 The words "from amongst its members" were deleted by Mah. 39 of 1973, s. 2(*1*).

4 These words were substituted for the word "Board" by Mah. 27 of 1987, s. 6(*a*).

5 These sub-sections were substituted for the original sub-section (*2*) by Mah. 27 of 1987, s. 6(*b*).

(*b*) two members of a committee representing Agriculturists whether elected or nominated;

(*c*) one member of a committee representing the traders whether elected or nominated;

(*d*) one member from amongst persons who, in the opinion of the Director, are experts in marketing of agricultural produce.

The members referred to in clauses (*b*) and (*c*) shall be designated by the Market Committee and the member referred to in clause (*d*) shall be nominated by the Director. Where a dispute is in respect of cotton, then in the place of the member representing the traders, the Maharashtra State Co-operative Cotton Growers Federation Limited shall appoint a member on the Dispute Sub-Committee one of its officers [1][other than the grader] who shall not be lower in rank than that of a Sub-Zonal Manager of the said Federation. Where the State Government appoints any person or authority other than the said Federation as its agent for sale or purchase of cotton, then such member shall be appointed by that agent.

[2][(*3*) The Secretary of the Market Committee shall act as the Member-Secretary of the Dispute Sub-Committee who shall have no right of vote. Three members shall form the quorum. The Dispute Sub-Committee shall record its decision in writing. Any person aggrieved by the decision of the Dispute Sub-Committee may,—

(*a*) in case of perishable agricultural produce, such as fruits, vegetables and fishes, within six hours from the communication of the decision to him, appeal to the Secretary of the concerned Market Committee who shall dispose of the such appeal within further six hours; and

(*b*) in case of any other perishable agricultural produce, within twenty-four hours from the communication of the decision to him and in case of other agricultural produce, within three days from the date on which the decision is communicated to him, appeal to the concerned District Deputy Registrar of co-operative societies who shall dispose of the appeal in case of perishable agricultural produce within twenty-four hours and in case of any other agricultural produce, within seven days from the date of receipt of the appeal.]

(*4*) The Dispute Sub-Committee may make rules for the conduct of its business including the rules regarding the payment of the amount of deposit (*anamat*), if any, to be made to it.

[3][(*5*) The Secretary of the market Committee or the District Deputy Registrar, as the case may be, shall record his decision in appeal under sub-section (*3*), in writing and it shall be final.]

[4][(*6*) In each market area, considering the scope and requirement of the business in the market, the Director shall, fix the number of *hamals*, weighmen and measurers.]]

5[(*7*) Any dispute arising between and among the Unified Single Trader Licensees, seller, farmer, Market Committee and holder of Unified Single Licensees of other State or Union Territories who are allowed to undertake trade transaction within the geographical jurisdiction of Maharashtra on e-platform or any other format including physical that may be in operation, as trader, including any dispute regarding the quality or weight or payment of any agricultural produce, or any matter in relation to the regulation of marketing of agricultural produce may be resolved by the Director or an Officer authorized by him, in a summary manner within thirty days, after giving the parties a reasonable opportunity of being heard.

(*8*) Any person aggrieved by the order of the Director or an Officer authorized by him under sub-section (*7*), may prefer an appeal to the State Government or an Officer authorized by it, in such form and manner as may be prescribed, within thirty days from the date of the receipt of such order. The Appellate Authority shall dispose of an appeal after giving the parties a reasonable opportunity of being heard, within a period of thirty days from the date of receipt thereof.]

1 These words were inserted by Mah. 11 of 2003, s. 4(*a*). 2 Sub-section (*3*) was substituted by Mah. 11 of 2003, s. 4(*b*). 3 Sub-section (*5*) was substituted by Mah. 11 of 2003, s. 4(*c*). 4 Sub-section (*6*) was substituted by Mah. 11 of 2003, s. 4(*d*). 5 Sub-section (*7*) and (*8*) was added by Mah. 52 of 2025, s. 9.

CHAPTER III

CONSTITUTION OF MARKET COMMITTEES

11. Establishment of Market Committees.—For every market area, there shall be established by the State Government Market Committee consisting of the Chairman, a Vice-Chairman and other members and different Market Committees may be established for regulating the marketing of different kinds of agricultural produce for the same market area, or any part thereof. The Market Committee shall have all such powers and discharge all such functions as are vested in it by or under this Act.

12. Incorporation of Market Committees.—1[(*1*)] Every Market Committee shall be a body corporate by the name of "the ..... Agricultural Produce Market Committee" and shall have perpetual succession and a common seal and may in its corporate name sue and be sued, and shall be competent to contract, acquire and hold property, both movable and immovable, and to do all other things necessary for the purpose for which it is established:

2[Provided that, no immovable or movable property the value of which exceeds the prescribed limits shall be acquired or disposed of by the Market Committee without the prior permission of the Director.]

3[(*2*) Notwithstanding anything contained in any law for the time being in force, every Market Committee shall, for all purposes, be deemed to be a local authority.]

4[(*3*) The Market Committees shall be classified by the Director subject to the guidelines prescribed, considering the volume and nature of the turnover for the purpose of laying down the norms for staff schedule, establishment expenditure, other expenses and allowances.]

13. Constitution of Market Committees.—(*1*) Subject to the provisions of sub-section (*2*), every Market Committee shall consist of the following 5[6[□□□□□] Members], namely :—

7[(*a*) 8[fifteen agriculturist residing in the market area (being persons 9[* * *] who are not less than 10[twenty one years of the age on the date specified, from time to time, by the State Co-operative Election Authority, if required with the help of the Collector or the District Deputy Registrar, as the case may be,] in this behalf), as specified below :—]

11[(*i*) eleven (of which, two shall be women, one shall be a person belonging to Other Backward Classes and one shall be a person belonging to De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes) shall be elected by members of the Managing Committees of the Agricultural Credit Societies and Multi-Purpose Co-operative Societies (within the meaning of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961) and the rules made thereunder), 12[which disburse the crop loan to its members,] functioning in the market area:

Provided that, where the Market Committee is situated in Tribal areas, one person belonging to the Scheduled Tribes shall be elected in place of the election of the person belonging to the De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes as aforesaid; and

1 Section 12 was renumbered as sub-section (*1*) of section 12 and sub-section (*2*) was added by Mah. 10 of 1984, s. 2. 2 This proviso was added by Mah. 27 of 1987, s. 7.

3 Section 12 was renumbered as sub-section (*1*) of section 12 and sub-section (*2*) was added by Mah. 10 of 1984, s. 2. 4 Sub-section (*3*) was added by Mah. 11 of 2003, s. 4.

5 These words were substituted for the words "Fifteen members" by Mah. 32 of 1970, s. 6(*1*).

6 The words "Eighteen" was deleted by Mah. 27 of 1987, s. 8(*a*)(*i*).

7 Clause (*a*) was substituted by Mah. 47 of 2006, s. 2(*a*).

8 This portion was substituted by Mah. 10 of 2008, s. 2(*a*).

9 The words "whose names appear in the voter's list for the concerned constituency and" were deleted by Mah. 2 of 2023, s. 2.

10 These words were substituted for the words "twenty-one years of age on the date specified, from time to time, by the Collector or the District Deputy Registrar, as the case may be" by Mah. 13 of 2018, s. 3(*1*)(*a*)(*i*).

11 These sub-clauses were substituted by Mah. 11 of 2020, s. 2(*1*)(*a*).

12 These words were inserted by Mah. 27 of 2022, s. 2.

(*ii*) four (of which, one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and one shall be a person belonging to Economically Weaker Section), shall be elected by members of village *panchayats* functioning in the market area;]]

1[□□□]

2[(*b*) two shall be elected by traders and commission agents, holding licences for not less than two years to operate as such in the market area;]

3[(*b-1*) one member shall be elected by *hamals* and weighmen operating as such in the market area;]

4[□□□]

5[□□□]

6[□□□]

7[(*f*) the Deputy Registrar of Co-operative Societies of the district or his representative, who shall have no right to vote;]

8[□□□]

9[* * *]

10[□□□]

11[(*1A*) (*a*) Notwithstanding anything contained in sub-section (*1*) of this section or in section 4 or other provisions of this Act, the area comprising Greater Bombay and Turbhe Village in Thane Taluka of Thane District 12[and such other area or areas as may be specified by the State Government by notification in the *Official Gazette*, from time to time] (hereinafter referred to as "the Bombay market area") shall be deemed to be a market area for the purposes of this Act, and the Market Committee for that area to be called by the name of the Bombay Agricultural Produce Market Committee shall subject to the provisions of sub-section (*2*), consist of the following 13[14□□□ members], namely :—

(*i*) twelve representative of agriculturists elected by the agriculturist members of the other Agricultural Produce Market Committee in the State, 15[two such members] to be elected from each Revenue Division;

16[(*ii*) five representatives, elected by the traders and commission agents, holding licences to operate as such in the Bombay market area, as specified below,—

(*a*) one representative dealing in onion, potato and garlic, elected by and from amongst themselves;

(*b*) one representative dealing in fruits, elected by and from amongst themselves;

(*c*) one representative dealing in vegetables, elected by and from amongst themselves;

1 Sub-clause (*ii*) was deleted by Mah. 13 of 2018, s. 3(*1*)(*a*)(*iii*).
2 Clause (*b*) was substituted by Mah. 11 of 2003, s. 6(*a*).
3 Clause (*b-1*) was inserted by Mah. 27 of 1987, s. 13(*a*)(*iv*).
4 Clause (*c*) and proviso thereto was deleted by Mah. 13 of 2018, s. 3(*1*)(*b*).
5 Clause (*d*) was deleted by Mah. 13 of 2018, s. 3(*1*)(*c*).
6 Clause (*e*) was deleted by Mah. 13 of 2018, s. 3(*1*)(*d*).
7 Clause (*f*) was substituted for original by Mah. 73 of 1975, s. 2.
8 Clause (*g*) was deleted by Mah. 11 of 2020, s. 2(*1*)(*b*).
9 This proviso was deleted by Mah. 11 of 2020, s. 2(*1*)(*b*).
10 Sub-section (*1-a*) was deleted by Mah. 13 of 2018, s. 3(*2*).
11 Sub-section (*1A*) was inserted by Mah. 58 of 1976, s. 2(*1*).
12 This portion was inserted by Mah. 5 of 1989, s. 3.
13 These words were substituted for the words "twenty-eight members" by Mah. 34 of 1984, s. 2(*a*)(*i*). 14 The word "nineteen" was deleted by Mah. 27 of 1987, s. 8(*b*)(*i*).
15 These words were substituted for the words "three such members" by Mah. 34 of 1984, s. 2(*a*)(*ii*). 16 Clauses (*ii*) and (*iii*) to (*vii*) were substituted by Mah. 33 of 2000, s. 2(*1*).

(*d*) one representative dealing in foodgrains, pulses, edible and non-edible oils, elected by and from amongst themselves;

(*e*) one representative dealing in all other commodities elected by and from amongst themselves;]

1[(*iia*) one representative elected by *hamals* and weighmen operating as such in the market area;]

2[(*iii*) one nominated representatives of the *Navi Mumbai* Municipal Corporation;

(*iv*) one nominated representative of the Mumbai Municipal Corporation;

(*v*) one nominated representative of the Mumbai Metropolitan Region Development Authority constituted under the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975);

3[(*vi*) five representatives (of which, two shall be women, one shall be a person belonging to the Scheduled Castes or the Scheduled Tribes, one shall be a person belonging to the Other Backward Classes and one shall be a person belonging to the De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes), to be nominated by the State Government;]

(*vii*) the Director of Agricultural Marketing, Maharashtra State, Pune;]

(*viii*) 4[□□□□□]

(*ix*) 5[□□□□□]

6[(*b*) a person who is a member of the Market Committee under sub-clauses (*iii*), (*iv*), (*v*) or (*vii*) of clause (*a*), shall have a right to take part in the discussions of the Committee, but shall not have a right to vote at a meeting thereof.]

7[(*1B*) (*a*) Notwithstanding anything contained in any provisions of this Act, the State Government may, by notification in the *Official Gazette*, declare any Agricultural Produce Market Committee to be the Divisional Market Committee for more than one districts or Regional Market Committee for more than one talukas.

(*b*) The area specified by the State Government by notification in the *Official Gazette*, from time to time, shall be deemed to be the market area for the purposes of this Act and the Market Committee for that area shall be called by the name as may be notified by the State Government and it shall function as the Divisional or Regional Market Committee.

(*c*) The Divisional or Regional Market Committee shall, subject to the provisions of sub-section (*2*), consist of the following members, namely :—

[8][(*i*) two representatives of the agriculturists, elected by the agriculturist members of the Agricultural Produce Market Committee from each district included in the area of operation of the Divisional Market Committee; or

(*ii*) one representative from the agriculturists elected by the agriculturist members of the Agricultural Produce Market Committee from each taluka included in the area of operation of the Regional Market Committee;]

(*iii*) two representatives elected by the traders and commission agents, holding licences to operate as such in the market area;

(*iv*) one representative, elected by the *hamals* and weighmen operating as such in the market area;

1 Sub-clause (*iia*) was inserted by Mah. 27 of 1987, s. 8(*b*)(*ii*).

2 Clauses (*ii*) and (*iii*) to (*vii*) were substituted by Mah, 33 of 2000, s. 2(*1*). 3 Clause (*vi*) was substituted by Mah. 47 of 2006, s. 2(*b*).

4 Sub-clauses (*viii*) and (*ix*) were deleted by Mah. 34 of 1984, s. 2(*a*)(*vii*). 5 Sub-clauses (*viii*) and (*ix*) were deleted by Mah. 34 of 1984, s. 2(*a*)(*vii*). 6 Clause (*b*) was substituted by Mah. 33 of 2000, s. 2(*1*).

7 Sub-section (*1B*) was inserted by Mah. 48 of 2005, s. 9(*1*).

8 These sub-clauses were substituted by Mah. 11 of 2020, s. 2(*2*).

[1][□□□]

[2][□□□]

[3][□□□]

(*vii*) the Director of Marketing, Maharashtra State, Pune or his representative.

[4][(*d*) A person who is a member of the Market Committee under sub-clause (*vii*) of clause (*c*), shall have a right to take part in the discussions of the Committee, but shall not have right to vote at a meeting thereof.]

[5][* * *]

(*2*) When Market Committee is constituted for first time, [6][whether under sub-section (*1*), [7][(*1A*) or (*1B*)] all the members thereof and the Chairman and Vice-Chairman shall be nominated by the State Government:

[8][Provided that, the Chairman and Vice-Chairman shall be so nominated from amongst the agriculturist members:]

[9][Provided further that, the State Government may, if it considers expedient, instead of nominating the members of the Market Committee constituted for the first time, appoint an Administrator or the board of Administrators, and the Administrator or the Board of Administrators, so appointed, shall, for all purposes, be considered to be the Committee constituted for the first time.]

14. Election and term of office of members.— (*1*) Subject to the provisions of sub-section (*2*), the members shall be elected in the manner prescribed by rules. Such rules may provide also for the determination of constituencies, the preparation and maintenance of the list of voters, persons qualified to be elected, disqualifications for being chosen as and for being a member, the right to vote, the payment of deposit and for its forfeiture, the determination of election disputes and all matters ancillary thereto including provision regarding election expenses.

[10][□□□]

(*3*) Except as otherwise provided in this Act, the members of a Market Committee (not being a

Committee constituted for the first time) shall hold office for a period of [11][five years], and the members of a Committee constituted for the first time shall hold office for a period of two years:

[12][Provided that, the Market Committee constituted for the first time, may be replaced by the Government and the new Committee so replaced shall hold office for the remainder of the period.]

[13][[14][Provided further that], where the general election of members of a Committee could not be held for reason beyond the control of the Committee before expiry of the term of office of its members term of office of any such Committee, so however, that the period for which the term of office is so extended shall not exceed the period of one year in the aggregate.]

1 Sub-clause (*v*) was deleted by Mah. 13 of 2018, s. 3(*3*)(*a*)(*iii*).
2 Sub-clause (*vi*) was deleted by Mah. 13 of 2018, s. 3(*3*)(*a*)(*iv*).
3 Sub-clause (*vi-a*) was deleted by Mah. 13 of 2018, s. 3(*3*)(*a*)(*v*).
4 Clause (*d*) was substituted by Mah. 13 of 2018, s. 3(*3*)(*b*).
5 Sub-section (*1C*) was deleted by Mah. 6 of 2020, s. 2.
6 These words were inserted by Mah. 58 of 1976, s. 2(*2*).
7 These brackets, figures, letters and words were substituted by Mah. 48 of 2005, s. 9(*2*).
8 This proviso was added by Mah. 27 of 1987, s. 8(*a*).
9 This proviso was added by Mah. 10 of 2008, s. 2(*b*).
10 Sub-section (*2*) was deleted by Mah. 13 of 2018, s. 4(*1*).
11 These words were substituted for the words "three years" by Mah. 31 of 1977, s. 2.
12 This proviso was inserted by Mah. 11 of 2003, s. 7(*a*)(*i*).
13 This proviso was added by Mah. 27 of 1987, s. 9(*a*).
14 These words were substituted for the words "Provided that" by Mah. 11 of 2003, s. 7(*a*)(*ii*).

[1][□□□]

[2][(*3A*) Where due to scarcity, draught, flood, fire or any other natural calamity or rainy season or any election programme of the State Legislature or the Parliament or a local authority, coinciding with the election programme of any Market Committee or such other special reason, in the opinion of the State Government, it is not in the public interest to hold election to any Market Committee, the State Government may, notwithstanding anything contained in this Act or in any rules or bye-law made thereunder, or any other law for the time being in force, for reasons, to be recorded in writing by general or special order, postpone the election of any Market Committee for a period not exceeding six months at a time which period may further be extended, so, however, that the total period shall not exceed one year in the aggregate.]

[3][(*4*) (*a*) As soon as possible, after the result of any by-election or, subject to the provision of sub-clause (*b*), all the result of the general election are available, [4][the State Co-operative Election Authority] shall publish or caused to be published the name or names of elected member or members of a Committee in the *Official Gazette* and also in a newspaper in the Marathi language circulating in the market area. The publication of the name or names in a newspaper as aforesaid shall, for the purposes of this section be deemed to be sufficient publication of the name or names of the elected member or members of the Market Committee.

(*b*) If at a general election the names of any persons to be elected under sub-section (*1*) or (*1A*) of section 13 cannot for any reason be published as aforesaid, and if with the available election result, the Committee will consist of not less than twelve members then [5][the State Co-operative Election Authority] shall publish the names of these members in the *Official Gazette*, and also in a newspaper as aforesaid.

(*c*) As regards the remaining elections, the Collector [6][the State Co-operative Election Authority] shall subsequently publish the names of members in the like manner as and when the result of such election are available, or as the case may be, on failure to elect the names of persons duly appointed under sub-section (*2*), if any.

(*d*) After every general election, upon the publication of the names of all the members of the Committee under clause (*a*), or as the case may be, the publication of such names as would render the

Committee to consist of not less than twelve members as aforesaid, in a newspaper under this sub-section the Market Committee shall be deemed to be duly constituted.]

[7]**[14A. Election Fund.—**[8][(*1*) [9][(*a*) The Superintendence, direction and control of the preparation of the list of voters for, and conduct of all elections to Market Committees, shall vest in the State Co-operative Election Authority, and]

(*b*) [10][□□□]

1 The proviso to sub-section (*3*) was deleted by Mah. 10 of 1984, s. 3.

2 Sub-section (*3A*) was inserted by Mah. 11 of 2003, s. 7(*b*).

3 Sub-section (*4*) was substituted by Mah. 27 of 1987, s. 9(*b*).

4 These words were substituted for the words "the Collector or, as the case be, the District Deputy Registrar, who has conducted the election" by Mah. 13 of 2018, s. 4(*2*).

5 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar, who has conducted the elections" by Mah. 13 of 2018, s. 4(*2*)(*b*).

6 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar, who has conducted the elections" by Mah. 13 of 2018, s. 4(*2*)(*c*).

7 Section 14A was inserted by Mah. 2 of 1972, s. 2.

8 Sub-section (*1*) was substituted by Mah. 7 of 2007, s. 5(*i*)

9 Clause (*a*) was substituted by Mah. 13 of 2018, s. 5(*1*)(*a*).

10 The portion beginning with the words "The Superintendence, direction and control" and ending with the words "shall vest in the Collector." was deleted by Mah. 13 of 2018, s. 5(*1*)(*b*)(*i*).

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 [1][ten per cent.] of all moneys received by it by way of fees under this Act during any year or [2][rupees one lakh] per annum, whichever is less.]]

(*2*) The Election Fund shall be invested in such manner as the Director may direct, regard being had to the elections to be held during the year, and the necessity to have the monies available from the Fund for the preparation of the list of voters or for the conduct of such election or for both.

(*3*) Every Market Committee shall inform [3][the State Co-operative Election Authority] of the amount standing to the credit of the Election Fund every year not later than the 31st day of October and also at any other times when required by [4][the State Co-operative Election Authority] so to do.

(*4*) Whenever the list of voters is to be prepared or revised or any elections to the Market Committee are to be held, [5][the State Co-operative Election Authority] shall in writing inform the Market Committee of the same, and require the Market Committee to deposit with him such amount and before such date as may be specified in writing for meeting expenses for preparing or revising the list or as the case may be, for conducting the elections or of both.

(*5*) [6][The State Co-operative Election Authority] shall after the preparation or revision of list of voters, or after the declaration of the result of the elections, draw up statement of expenditure incurred in preparing or revising such list, or in conducting the electors and shall within a period of three months from such preparation or revision of result, forward the same to the Market Committee for information. The balance remaining unspent, if any, shall be refunded to the Market Committee. If the expenditure incurred exceeds the amount of deposit [7][the State Co-operative Election Authority shall call upon the Market Committee to pay the excess amount as specified by him within one month from the date of receipt of the direction from him, and the Market Committee shall comply with such direction.]

[8][□□□]

15. Commencement of term of office of members.— (*1*) The term of office of members of a Market Committee shall be deemed to commence on the date of the first meeting of the Market Committee at which business is transacted:

[9][Provided that, a person who is a member by virtue of his being a representative, or holding office, or holding licence belonging to any of the categories of members referred to in sub-section (*1*) or (*1A*) of section 13, shall hold office as such member so long only as he continues to be representatives or to hold

such office or such licence and on his ceasing to be such representative or holding such office or licence he shall cease to be such member and he shall be deemed to have vacated his office.

Explanation.— For the purposes of this section, the date of the first meeting of the Market Committee at which business is transacted shall be the date of the meeting called [10][□□□□] under sub-section (*2*) of section 22 for the election of the Chairman and Vice-Chairman.]

[11][□□□□□]

1 These words were substituted for the words "five per cent." by Mah. 13 of 2018, s. 5(*1*)(*b*)(*ii*).

2 These words were substituted for the words "rupees ten thousand" by Mah. 13 of 2018, s. 5(*1*)(*b*)(*ii*)

3 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar" by Mah. 13 of 2018, s. 5(*2*).

4 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar" by Mah. 13 of 2018, s. 5(*2*).

5 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar" by Mah. 13 of 2018, s. 5(*3*).

6 These words were substituted for the words "the Collector or, as the case may be, the District Deputy Registrar" by Mah. 13 of 2018, s. 5(*4*)(*a*).

7 These words were substituted for the words "the Collector" by Mah. 13 of 2018, s. 5(*4*)(*b*).

8 Sub-section (*6*) was deleted by Mah. 13 of 2018, s. 5(*5*).

9 This proviso and *Explanation* were substituted for the proviso by Mah. 27 of 1987, s. 10(*a*).

10 The words "by the Collector or the authorised officer" were deleted by Mah. 7 of 2007, s. 6.

11 Sub-section (*2*) was deleted by Mah. 27 of 1987, s. 10(*b*).

(*3*) The term of office of outgoing members shall be deemed to extend to, and expire with, the date immediately preceding the date of such first meeting.

[1]**[15A. Provision for appointment of administrator after normal or extended term of office of members expires.—**(*1*) Notwithstanding anything contained in sub-section (*3*) of section 15 or any other provisions of this Act, where the term of office of two years, five years or as the case may be, the extended term of office, if any, under the proviso to sub-section (*3*) of section 14 [2][□□]□ of the member of any Market Committee has expired, the Director or any officer not below the rank of the District Deputy Registrar of Co-operative Societies, authorised by him shall, by order in writing direct that—

(*a*) all members of the Committee shall, as from the date specified in the order, cease to hold and vacate their offices as members or otherwise; and

(*b*) [3][the Administrator or [4][the Board of Administrators of not more than seven members appointed] by the Director or such authorised officer shall manage the affairs of the Committee], during the period from the date specified in the order upto the day on which the first meeting of the reconstituted Committee after the election is held, where there is a quorum (hereinafter in this section referred as "the said period") such election shall be held within a period of [5][six months] from the date [6][the Administrator or the Board of Administrators] assumes office:

[7][Provided that this period of [8][six months] may be extended, from time to time by the State Government, in exceptional circumstances, to a period not exceeding [9][one year] in the aggregate, by notification in the *Official Gazette*, for reasons, which shall be stated in the notification.]

[10][(*1A*) Notwithstanding anything contained in clause (*b*) of sub-section (*1*), as it stood before the commencement of the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment and Validation) Act, 1985 (Mah. XXV of 1985), where the Administrator has been appointed to manage the affairs of any Committee but election to such Committee has not been held within a period of one year as required under clause (*b*) of sub-section (*1*), the period of holding election to such Committee shall be extended and shall be deemed always to have been extended upto and inclusive of, the 31st day of March 1986.]

(*2*) During the said period, all the powers and duties of the Committee and its various authorities under this Act and the rules and bye-laws made thereunder or any other law for the time being in force shall be exercised and performed by [11][the Administrator or the Board of Administrators].

(*3*) The [12][Administrator or the Board of Administrators] may delegate any of his powers and duties to any officer for the time being serving under him or under the Committee.

(*4*) The [13][Administrator or the members of the Board of Administrators] shall receive such remuneration from the Market Fund as the Director or authorised officer may, from time to time, by general or special order, determine.]

Resignation, Removal and Casual Vacancies of Members.

16. Resignation of members and nomination in certain circumstances.— (*1*) Any member of the Market Committee may resign his office by writing under his hand addressed to the Chairman, and

1 Section 15A was inserted by Mah. 10 of 1984, s. 4.

2 The words, brackets and figures "as in force immediately before the commencement of the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment) Act, 1984" were deleted by Mah. 27 of 1987, s. 11(*a*).

3 These words were substituted for the words "the person appointed by the Director or such authorised officer, from time to time, shall be the Administrator to manage the affairs of the Committee" by Mah. 10 of 2008, s. 3(*a*)(*i*).

4 These words were substituted for the words "the Board of Administrators appointed" by Mah. 27 of 2022, s. 3. 5 These words were substituted for the words "one year" by Mah. 27 of 1987, s. 11(*b*).

6 These words were substituted for the words "the Administrator" by Mah. 10 of 2008, s. 3(*a*)(*ii*).

7 This proviso was added by Mah. 25 of 1985, s. 2(*a*).

8 These words were substituted for the words "one year" by Mah. 27 of 1987, s. 11(*c*)(*i*).

9 These words were substituted for the words "two and half years" by Mah. 27 of 1987, s. 11(*c*)(*ii*).

10 This sub-section was inserted by Mah. 25 of 1985, s. 2(*b*).

11 These words were substituted for the words "the Administrator" by Mah. 10 of 2008, s. 3(*b*).

12 These words were substituted for the words "Administrator" by Mah. 10 of 2008, s. 3(*c*).

13 These words were substituted for the word "Administrator" by Mah. 10 of 2008, s. 3(*d*).

the Chairman may resign his office of member by writing under his hand addressed to the Director. The resignation shall take effect from the date it is accepted by the Chairman, or as the case may be, the Director.

(*2*) If at any time it appears to the State Government that any Market Committee by reason of the resignation of all or a majority of the members thereof, is unable to discharge the functions conferred or imposed upon it by or under this Act, the State Government may by order published in the *Official Gazette*, nominate persons to fill the vacancies of the members who have resigned; but the persons so nominated shall hold office only for the residue of the term of the members in whose place they are nominated or until the vacancies are duly filled in by election whichever is earlier.

17. Removal of members for misconduct.—The State Government may on the recommendation of the Market Committee supported by not less than [1][ten members] present and voting at a meeting remove any member if he has been guilty of neglect or misconduct in the discharge of his duties or of any disgraceful conduct, or has become incapable of performing his duties as a member or is adjudged an insolvent:

Provided that, no such member shall be removed from office unless he has been given reasonable opportunity of being heard by the State Government.

[2]**[18. Casual Vacancies.—**In the event of a vacancy occurring on account of death, resignation or removal of a member, or on account of a member becoming incapable of acting as a member, or otherwise, the Market Committee shall fill up the vacancy by co-opting a person eligible for being elected as a member:

Provided that, the number of such co-opted members shall not exceed two at any time in Market Committee and any vacancy thereafter shall be filled by the election:

Provided further that, if the vacancy occurs within six months preceding the date on which the term of office of the member expires, the vacancy shall, unless the State Government directs otherwise, not be filled.]

Chairman and Vice-Chairman.

19. Election of Chairman and Vice-Chairman.—[3][(*1*)] Subject to the provisions of sub-section (*2*) of section 13, every Market Committee shall be presided over by a Chairman, who shall be elected by the Committee from among its [4][elected Agriculturist members]. The Committee shall also elect one of its [5][elected Agriculturist members] to be the Vice-Chairman.

[6][(*2*) Notwithstanding anything contained in sub-section (*1*), the Chairman or, as the case may be, Vice-Chairman holding office as such on the date of commencement of the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment) Act, 1987 (Mah. XXVII of 1987) shall continue to hold office as such Chairman or Vice-Chairman irrespective of the category of member to which he belongs until expiry of his term of office unless he resigns, or is disqualified or removed earlier.

(*3*) Notwithstanding anything contained in sub-section (*2*), a member, Chairman or Vice-Chairman shall not continue to hold office as such member, Chairman or Vice-Chairman of more than one Agricultural Produce Market Committee on the date of commencement of the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment) Act, 1987 (Mah. XXVII of 1987).]

20. Term of office of Chairman and Vice-Chairman.—The Chairman and Vice-Chairman shall hold office for such period as may be prescribed.

1 These words were substituted for the words "eight members" by Mah. 32 of 1970, s. 7. 2 Section 18 was substituted by Mah. 11 of 2003, s. 9.

3 Section 19 was renumbered as sub-section (*1*) of that section by Mah. 27 of 1987, s. 12. 4 These words were substituted for the words "elected members" by Mah. 27 of 1987, s. 12(*a*). 5 These words were substituted for the words "elected members" by Mah. 27 of 1987, s. 12(*a*). 6 Sub-sections (*2*) and (*3*) were added by Mah. 27 of 1987, s. 12(*b*).

21. Chairman and Vice-Chairman to hold office until their successors enter upon office.— The Chairman and Vice-Chairman shall notwithstanding the expiration of their term of office, continue to hold office, until their successors enter upon their office [1][or [2][the Administrator or the Board of Administrators] appointed under section 15A assumes office.]

[3]**[21A. Honorarium to Chairman and Vice-Chairman.—**There shall be paid to the Chairman and Vice-Chairman an honorarium of such amount as the Director may having regard to the finances of the Market Committee specify; so however that the total amount of honorarium to be paid to both [4][does not exceed the limit as may be prescribed].]

22. Procedure for election of Chairman and Vice-Chairman.—[5][(*1*) On the constitution of the Market Committee after a general election or otherwise [6][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] (hereinafter in this section referred to as "the authorised officer") shall, within 30 days from the publication of the result of the general election under clause (*a*) or as the case may be, under clause (*b*) of sub-section (*4*) of section 14, call a meeting for the election of the Chairman and the Vice-Chairman.]

(*2*) Such meeting shall be presided over by the [7][[8][Collector, the District Deputy Registrar] or the authorised officer. The [9][Collector, the District Deputy Registrar] or such authorised officer] shall, when presiding over the meeting, have the same powers as the Chairman when presiding over a meeting of the Market Committee has, but shall not have the right to vote.

(*3*) If, in the election of a Chairman or Vice-Chairman, there is an equality of votes, the result of the election shall be decided by lots to be drawn in the presence of the officer presiding in such manner as he may determine.

[10][(*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 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 (Mah. XLI of 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.]

23. Resignation of Chairman and Vice-Chairman.— (*1*) The Chairman may resign his office by writing under his hand addressed to the Director; and the resignation shall take effect from the date it is accepted.

(*2*) The Vice-Chairman may resign his office by writing under his hand addressed to the Chairman; and the resignation shall take effect from the date it is accepted.

[11]**[23A. Motion of no-confidence against Chairman or Vice-Chairman.—** (*1*) A Chairman or a Vice-Chairman shall cease forthwith to be Chairman or Vice-Chairman, as the case may be, if the

1 These words were added by Mah. 10 of 1984, s. 5.

2 These words were substituted for the words "the Administrator" by Mah. 10 of 2008, s. 4.

3 Section 21A was inserted by Mah. 2 of 1972, s. 3.

4 These words were substituted for the words "does not exceed Rs. 3,600 per annum" by Mah. 10 of 1984, s. 6. 5 Sub-section (*1*) was substituted by Mah. 27 of 1987, s. 13(*a*).

6 This portion was substituted for the words "the Collector or, the officer not lower in rank than that of Deputy Collector or, as the Collector may authorise in this behalf" by Mah. 7 of 2007, s. 7(*a*).

7 These words were substituted for the words "Director or any person authorised by him in this behalf. The Director or such person" by Mah. 27 of 1987, s. 13(*b*).

8 These words were substituted for the words "Collector" by Mah. 7 of 2007, s. 7(*b*).

9 These words were substituted for the words "Collector" by Mah. 7 of 2007, s. 7(*b*).

10 Sub-section (*4*) was substituted by Mah. 7 of 2007, s. 7(*c*).

11 Section 23A was inserted by Mah. 10 of 1984, s. 7.

Market Committee by a resolution passed by a majority of not less than two-third of the total number of members (excluding the members who have no right to vote) at a special meeting so decides.

(*2*) The requisition for such special meeting shall be signed by not less than one-half of the total number of members (excluding the members who have no right to vote) and shall be sent to the Collector under intimation to the Director.

(*3*) The Collector shall, within fifteen days from the date of receipt of the requisition under sub-section (*2*), convene a special meeting of the Committee:

Provided that, when the Collector convenes such special meeting of the Committee, he shall give intimation thereof to the Chairman, or as the case may be, Vice-Chairman and also to the Director.

(*4*) (*a*) A special meeting to consider a resolution under sub-section (*1*) shall be presided over by the Collector or the officer authorised by him in this behalf, but the Collector or such officer or the Director (if present) shall have no right to vote at such meeting.

(*b*) The members of the Committee who have no right to vote may take part in the discussions, but shall not vote].

[1][(*5*) If the motion of no confidence is not carried as aforesaid or if the meeting could not be held for want of quorum, no such requisition for considering a fresh such motion expressing want of confidence in the same Chairman or Vice-Chairman shall be made until after the expiry of six months from the date of such meeting.]

[2]**[24. Consequences of absence of Chairman, Vice-Chairman or member without leave.—** Subject to rules made by the State Government in this behalf a Chairman, Vice-Chairman or a member of the Market Committee who absents himself from three consecutive meetings of the Market Committee without leave of the Market Committee shall cease to be the Chairman, Vice-Chairman or member of the Market Committee.]

25. Vacancies in office of Chairman and Vice-Chairman to be filled up.— (*1*) In the event of a vacancy in the office of the Chairman or Vice-Chairman by reason of death, resignation, removal or otherwise, the vacancy shall subject to the provisions of section 19, be filled as soon as possible by election if elected, or by nomination if nominated of a Chairman or Vice-Chairman.

(*2*) Every Chairman or Vice-Chairman elected or nominated under this section to fill a casual vacancy shall hold office so long only as the Chairman or Vice-Chairman in whose place he is elected or as the case may be, nominated would have held it if the vacancy had not occurred.

26. Refusal to handover charges to new Chairman or Vice-Chairman.— (*1*) On the election or nomination of a new Chairman or Vice-Chairman, the outgoing Chairman or Vice-Chairman in whose place the new Chairman or Vice-Chairman has been elected or nominated shall forthwith hand over charge of his office to such new Chairman or Vice-Chairman, as the case may be.

(*2*) If the outgoing Chairman or Vice-Chairman fails or refuses to hand over charge of his office as required under sub-section (*1*), the Director or any officer empowered by the Director in this behalf may, by order in writing, direct the Chairman or the Vice-Chairman, as the case may be, to forthwith hand over charge of his office and all papers and property of the Market Committee, if any, in his possession as such Chairman or Vice-Chairman to the new Chairman or Vice-Chairman.

(*3*) If the outgoing Chairman or Vice-Chairman to whom a direction has been issued under sub-section (*2*) does not comply with such direction, the Director or any person authorized by him in that behalf may apply to the Executive Magistrate within whose jurisdiction the Committee is functioning for seizing and taking possession of papers, funds and property of the Committee in the possession of such Chairman or Vice-Chairman.

1 Sub-section (*5*) was added by Mah. 27 of 1987, s. 14.

2 Section 24 was substituted by Mah. 11 of 2003, s. 10.

(*4*) On receipt of an application under sub-section (*3*), the magistrate may authorize any police officer, not below the rank of a Sub-Inspector, to enter and search any place where the records and property are kept or likely to be kept and to seize them and hand over possession thereof to the new Chairman or Vice-Chairman, as the case may be.

27. Meeting, etc. of Market Committee.—The meetings, quorum and procedure of the Market Committee shall be regulated in accordance with bye-laws made for the purpose.

[1]**[27A. Annual General meeting of Market Committee.—** (*1*) Notwithstanding anything contained in section 27, every Market Committee other than the Bombay Agricultural Produce Market Committee shall, within a period of six months next after the close of every financial year call an annual general meeting of its members and invitees specified below,—

(*a*) the Chairman of all the Primary Agricultural Credit Societies and the *Sarpanchas* of all the Village *Panchayats*, or their representatives, in the market area;

(*b*) five office bearers to be nominated by each of the registered association of the licenced commission agents and traders, in the market area. In the absence of registered association, five representatives of the licenced commission agents and traders to be nominated by the Chairman of the Market Committee;

(*c*) five office bearers to be nominated by each of the registered association of *hamals* and weighmen, in the market area.

(*2*) The Secretary of the Market Committee shall convene the annual general meeting. The notice of the annual general meeting specifying the date, time and place of the meeting and the agenda shall be sent to all the members of the Market Committee and the invitees specified in sub-section (*1*) not less than fifteen days prior to the date of the meeting.

(*3*) The Chairman of the Market Committee, shall preside over the meeting of the Committee and in the absence of both, the person elected by the members present at the meeting shall preside over the meeting.

(*4*) At every annual general meeting, the balance sheet, income and expenditure accounts, audit memorandum audited by the statutory auditor and the Market Committee's annual report shall be placed

for discussion and such other business as may be prescribed on the working of the Market Committee may also be transacted.

(*5*) If, in the annual general meeting any invitee has made any suggestion or raised any objection, the Market Committee shall send its explanation on such suggestion or objection to the invitee, within three months from the date of such annual general meeting.]

28. Members to act during vacancy; acts of Committee, etc., not to be invalidated by informalities.— (*1*) During any vacancy in a Market Committee the continuing members may act as if no vacancy had occurred.

(*2*) A Market Committee shall have power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof; and such proceedings of the Committee shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled to do so sat or voted or otherwise took part in the proceedings.

CHAPTER IV

THE MARKET COMMITTEES :POWERS AND DUTIES

29. Powers and duties of Market Committee.— (*1*) It shall be the duty of a Market Committee to implement the provisions of this Act, the rules and bye-laws made thereunder in the market area; to provide such facilities for marketing of agricultural produce therein as the Director [2][the State Marketing Board or the State Government, as the case may be,] may, from time to time, direct; do such other acts as may be required in relation to the superintendence, direction and control of markets or for

1 Section 27A was inserted by Mah. 11 of 2003, s. 11.

2 These words were inserted by Mah. 27 of 1987, s. 15(*a*).

regulating marketing of agricultural produce in any place in the market area, and for purposes connected with the matters aforesaid, and for that purpose may exercise such powers and perform such duties and discharge such functions as may be provided by or under this Act.

[1][(*2*) Without prejudice to the generality of the foregoing provisions, a Market Committee may—

(*i*) regulate the entry of persons and of vehicular traffic into the market;

(*ii*) supervise the behaviour of those who enter the market for transacting business;

(*iii*) grant, renew, refuse, suspend or cancel licence;

(*iv*) maintain and manage the market including admissions of agricultural produce within the market in the market area;

(*v*) provide for necessary facilities for the marketing of agricultural produce within the market in the market area;

(*vi*) regulate and supervise the auctions of notified agricultural produce in accordance with the provisions and procedure laid down under the rules made under this Act or the bye-laws of the Market Committee;

(*vii*) regulate the making, carrying out and enforcement or cancellation of sales, weighment, delivery, payment to be made in respect thereof and all other matters relating to the marketing of notified agricultural produce in the prescribed manner;

(*viii*) take all possible steps to prevent adulteration and to promote and organise grading and standardization of the agricultural produce;

(*ix*) take measures for the prevention of purchases and sales below the minimum support prices as fixed by the Government from time to time;

(*x*) collect, maintain, disseminate and supply information in respect of production, sale, storage, processing, prices and movement of notified agricultural produce including information relating to crops, statistics and marketing intelligence as may be required by the Director;

(*xi*) arrange to obtain fitness (health) certificate from Veterinary Doctor in respect of animals, cattle, birds, etc., which are brought or sold in the market area;

(*xii*) carry out publicity about the benefits of regulation, system of transactions, facilities provided in the market area, through such media as, in the opinion of the Market Committee, may be effective or necessary;

(*xiii*) provide for settling dispute arising out of any kind of transactions connected with the marketing of agricultural produce and all matters ancillary thereto;

(*xiv*) subject to the provisions of section 12, acquire, hold or dispose of any moveable or immoveable property for the purpose of efficiently carrying out its duties;

(*xv*) institute or defend any suit, prosecution, action, proceeding, application or arbitration and compromise such suit, action, proceeding, application or arbitration;

(*xvi*) make arrangement for holding of elections of the Market Committee in the prescribed manner;

(*xvii*) levy, take, recover and receive charges, fees, rates and other sums or money to which the Market Committee is entitled;

(*xviii*) subject to approval of the Director, obtain loans, subsidies, subventions from the State and Central Government or any financing agency, for providing warehousing and marketing facilities in the market;

(*xix*) subject to the approval of the State Marketing Board, prepare budgets, supplementary budgets, make reappropriations in the budget and incur expenditure accordingly;

1 Sub-section (*2*) was substituted by Mah. 27 of 1987, s. 15(*b*).

(*xx*) keep a set of standard weights and measures in the market against which weighment and measurement may be checked;

(*xxi*) inspect and verify scales, weights and measures in use in a market area and also the books of accounts and other documents maintained by the licences in such manner as may be prescribed;

(*xxii*) employ the necessary number of officers and servants for the efficient implementation of the provisions of this Act, rules and bye-laws of the Market Committee;

(*xxiii*) pay, salaries and other emoluments, pension, leave allowance, gratuities, compassionate allowance, contribution towards leave allowance, pension or provident fund of the officers and servants employed by the Market Committee in the manner prescribed;

(*xxiv*) administer Market Fund referred to in section 36 of this Act and maintain the account thereof and get the same audited in the prescribed manner;

(*xxv*) prosecute persons for violating the provisions of this Act, the rules and the bye-laws and compound offences as provided under section 52A;

(*xxvi*) provide storage and warehousing facilities in the market area;

(*xxviii*) with prior sanction of the State Government or the State Marketing Board or the Director undertake any other activity conducive to the promotion of regulation of agricultural marketing;

(*xxviii*) arrange for the collection of—

(*a*) such agricultural produce in the market area in which all trade therein is to be carried on exclusively by the State Government by or under any law in force for that purpose, or

(*b*) such other agricultural produce in the market area, as the State Government may, from time to time, notify in the *Official Gazette* (hereinafter referred to as the "notified produce").]

30. Appointment of sub-committees; delegation of power.—A Market Committee may appoint one or more sub-committee consisting of one or more of its members (including any persons co-opted by the Committee with the approval of the Director or of any officer authorised by the Director in this behalf) and may delegate to such sub-committee such of its powers or duties as it may think fit. [1][The sub-committee so appointed shall function under the superintendence, guidance, direction and control of the Market Committee.]

[2]**[30A. Power of the Market Committee to open collection centre for marketing of notified produce; provisions for receipt and payment by purchaser.—**(*1*) A Market Committee duly authorised by the State Government for the purpose may by an order in writing, open collection centres for collecting thereat the notified produce specified in such order. The Market Committee shall publish such order for the information of the public in such manner as it deems fit.

(*2*) Where any person wishes to sell any notified produce in a market area, he shall tender all such produce only at the Collection centre established for the purpose under sub-section (*1*):

Provided that, agricultural produce notified under sub-clause (*ii*) of clause (*g1*) of sub-section (*2*) of section 29 may be tendered through a commission agent.

(*3*) The Market Committee shall, on the sale of such produce, get it weighed, measured, or as the case may be, counted forthwith, and arrange for issuing a receipt therefor to the person who has tendered the produce at the collection centre for sale or, as the case may be, through the commission agent or any agency fixed by the State Government where tender through an agent is allowed, and shall also arrange to give a copy of the receipt to the purchaser, the co-operative society, if any, and where a receipt is given through such agent or agency, if any, also to the Market Committee.

1 This portion was added by Mah. 27 of 1987, s. 16.

2 Section 30A was inserted by Mah. 2 of 1972, s. 5.

(*4*) Such receipt shall contain the following particulars, that is to say—

(*i*) the name of the collection centre,

(*ii*) the name of the tenderer,

(*iii*) the name of the purchaser,

(*iv*) the name of the commission agent, if any,

(*v*) the name, and quantity of notified produce, the weight, measure or number thereof and charges therefor,

(*vi*) grade of the notified produce, if any, and the rate,

(*vii*) the amount of dues of the Market Committee to be paid by the purchaser,

(*viii*) the amount of dues to be paid by the tenderer, to the commission agent by way of his commission, if any, and such other market charges, as are duly authorised by the Market Committee,

(*ix*) the amount of dues to be paid by the tenderer to a co-operative society, under section 48A of the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961),

(*x*) the amount of advance price received by the tenderer, if any, in respect of agricultural produce notified under sub-clause (*i*) of clause (*g1*) of sub-section (*2*) of section 29,

(*xi*) the amount to be actually paid to the tenderer after deducting the amounts, if any, falling under entries (*vii*), (*viii*), (*ix*) and (*x*), and

(*xii*) the total amount to be paid by the purchaser in respect of the notified produce purchased by him.

(*5*) The dues to a Market Committee shall consist of fees to be levied and collected from a purchaser by or under this Act.

(*6*) The purchaser shall, on receiving a copy of the receipt, pay forthwith the total amount to be paid by him as recorded in the receipt by drawing two cheques, one in favour of the Market Committee and another in favour of the tenderer. Both the cheques shall be payable on presentation. The cheque drawn in favour of the Market Committee shall be for an amount equal to the amounts referred to in clauses (*vii*), (*viii*), (*ix*) and (*x*) under sub-section (*4*); and the cheque drawn in favour of the tenderer shall be for an amount equal to the amount referred to in clause (*xi*) of sub-section (*4*). The Market Committee, on receipt of the cheque, shall arrange to pay to the commission agent and the co-operative society, if any, the amount of money recorded against each of them in the receipt and credit the balance due to it to the market fund:]

1[Provided that, where the purchaser is the State Government or an agent appointed by it to make purchases of any notified produce on its behalf under any law for the time being in force, then the amount payable to the tenderer may be paid either in cash or by crediting the amount into the account of the tenderer in a co-operative bank.]

2[*Explanation*.— For the purposes of this section, section 31 and section 34A 'purchaser' shall include any person who pays the purchase price of any notified produce or agricultural produce, as the case may be, tendered for sale, or by whom payment of such price is made, whether on his own account, or as an agent or on behalf of another person.]

31. Power of Market Committee to levy fees 3[and rates of commission (*adat*)].—4[(*1*)] It shall be competent to a Market Committee to levy and collect fees in the prescribed manner at such rates as may be decided by it (but subject to the minimum and maximum rates which may be fixed by the State Government by notification in the *Official Gazette*, in that behalf), from every purchaser of agricultural produce marketed in that market area:

1 This proviso was added by Mah. 30 of 1974, s. 2.

2 This *Explanation* was added by Mah. 50 of 1977, s. 2.

3 These words and brackets were added by Mah. 27 of 1987, s. 17(*b*).

4 Section 31 was renumbered as sub-section (*1*) of that section by Mah. 27 of 1987, s. 17.

Provided that, when any agricultural produce brought in any market area for the purposes of processing only 1[□□□]□is not processed 2[□□□]□within thirty days from the date of its arrival therein, it shall, until the contrary is proved, be presumed to have been marketed in the market area, and shall be liable for the levy of fees under this section, as if it had been so marketed:

3[Provided further that,—

(*a*) any agricultural produce brought in any market area for the exclusive purpose of export shall be exempted for the payment of fees and supervision cost, if such exporter or his duly authorised agent presents the letter of credit or confirmed order of export or confirmed export order consignment, whichever is relevant or applicable, at the time of entry of such produce in the market area, to the officer authorised in this behalf by the market committee concerned along with a declaration in that behalf, in such form as the State Government may, by order from time to time, direct;

(*b*) if such exporter fails to submit a certified copy of the bill of lading or the air-freight bill or any other documents as may be specified by the State Government as a proof of such export, within ninety days from the date of entry of the agricultural produce in the market area, such agricultural produce shall be deemed to have been marketed within the market area and he shall forthwith pay the market fees under this section and shall also pay the supervision cost under section 34A on such

agricultural produce, along with eighteen per cent. interest on the total amount due and payable as the market fees and supervision cost, from the date of bringing of such produce in the market area:]

[4][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.]

[5][(*1A*) It shall be competent to the Market Committee to levy and collect user charges, at such rates as may be decided by it, with the prior approval of the Director, from any market functionary such as trader, commission agent, broker, processor, warehouseman or any other person, for the use of any place or facility provided by the Market Committee within the market area, for the marketing of agricultural produce not specified in the Schedule or non-agricultural produce.]

[6][(*2*) It shall be competent to a Market Committee to fix, with the prior approval of the State Government, the rate of commission (*adat*) to be charged [7][by the commission agents from the buyer] in respect of an agricultural produce or class of agricultural produce marketed in the market area.

(*3*) It shall be the duty of the buyer, commission agent, processor and trader to pay the market fee fixed immediately after weighment or measurement of the agricultural produce is done. The buyer, the commission agent, processor or trader who fails to pay the market fee as fixed above shall be liable to pay a penalty as prescribed in addition to such fees.

(*4*) Notwithstanding anything contained in this Act or any other law for the time being in force or in any agreement, it shall be competent to a Market Committee to recover the amount of fees along with the amount of penalty which is due to a Market Committee from a buyer, commission agent, processor or trader—

(*a*) from the amount of deposit kept with the Market Committee by the buyer, commission agent, processor or trader, as the case may be;

1 The words "or for export" were deleted by Mah. 8 of 1994, s. 2(*a*).

2 The words "or exported therefrom" were deleted by Mah. 8 of 1994, s. 2(*a*).

3 This proviso was inserted by Mah. 8 of 1994, s. 2(*b*).

4 This proviso was substituted by Mah. 7 of 2017, s. 4(*a*).

5 This sub-section was inserted by Mah. 27 of 2022, s. 4.

6 These sub-sections were added by Mah. 27 of 1987, s. 17(*a*).

7 These words were substituted for the words "by the commission agents" by Mah. 7 of 2017, s. 4(*b*).

(*b*) from the Bank which gives the guarantee to such buyer, commission agent, processor or trader and the Bank shall, on demands by the Market Committee, pay the amount so demanded.]

32. Power to borrow.—(*1*) A Market Committee may, with the previous sanction of the Director, raise money required for carrying out the purposes for which it is established on the security of any property vested in it and of any fees leviable by it under this Act.

(*2*) The Market Committee may, for the purpose of meeting the expenditure on lands, buildings and equipment required for establishing the Market, obtain a loan from the State Government on such terms and conditions as the State Government may determine.

[1][2][**32A. Power to order production and power of entry, inspection and seizure.—** (*1*) Any such officer or servant of the Market Committee as the Market Committee may specify in this behalf (hereinafter referred to as "the specified officer or servant") for the purposes of this Act, require any person carrying on business in the market area in any agricultural produce to produce before him the accounts and other document and to furnish any information relating to the stock of such agricultural produce, or purchases, sales and deliveries of such agricultural produce by such person and also other information relating to payment of the market fees and payment to the seller by such person.

(*2*) All accounts and registers maintained by any person in the ordinary course of business in the market area in any agricultural produce and documents relating to the stock of such agricultural produce or purchases, sales and deliveries of such agricultural produce in his possession and the office, establishment, godowns, vessels or vehicles of such person shall be open to inspection at all reasonable times by such specified officer or servant.

(*3*) [3][The Registrar appointed under the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961) or any subordinate officer not below the rank of the Assistant Registrar; and the Secretary, Joint Secretary or Deputy Secretary of the Market Committee (hereinafter referred to as "the authorised officer"), has reason to believe,]—

(*a*) that any person carrying on business in any agricultural produce in the market area within the jurisdiction of the said Market Committee,—

(*i*) is attempting to evade or has evaded the payment of fees or charges payable by him under this Act, rules or bye-laws; or

(*ii*) has committed any act contrary to the provisions of this Act, rules or bye-laws; or

(*iii*) on having been served with a notice to produce or cause to be produced any books of accounts or other documents or articles or registers or things relating to the business in any agricultural produce, has failed to do so; or

(*b*) that any person has purchased any agricultural produce in contravention of the provisions of this Act or the rules or the bye-laws, then the authorised officer may,—

(*i*) enter and search any place, building, warehouse, godown, vessel, cart or vehicle where he has reason to suspect that such person has kept or keeps any such books of accounts, documents, articles, registers or things;

(*ii*) break open the lock of any door, box, locker, safe, *almirah* or other receptacle for exercising the powers conferred by sub-clause (*i*), where the keys thereof are not available;

(*iii*) search any person who has get out of, or is about to get into, or is in any place or premises, if the authorised officer has reason to suspect that such person has secreted about his person any such books of accounts, other documents, articles, registers or things;

(*iv*) seize any such books of accounts, other documents, articles, registers or things found as a result of any such search;

1 Sections 32A, 32B, 32C and 32D were inserted by Mah. 27 of 1987, s. 18.

2 Section 32A was substituted for the original by Mah. 8 of 1994, s. 3.

3 This portion was substituted for the portion beginning with the words "Any officer" and ending with the words "has reasons to believe," by Mah. 11 of 2003, s. 12.

(*v*) place mark of identification on any books of accounts or other documents, articles, registers or things and make or cause to be made, extracts or copies therefrom;

(*vi*) make a note or an inventory of any such books of accounts, other documents, articles, registers or things seized.

(*4*) The authorized officer may requisition the services of any police officer to assist him for all or any of the purposes specified in sub-section (*3*) and it shall be the duty of every police officer to comply with such requisition.

(*5*) The authorised officer may, where it is not practicable to seize any such books of accounts, other documents, articles, registers or things or vehicles under sub-section (*3*), serve an order on the owner or the person who is in immediate possession or control thereof that he shall not remove, part with or otherwise deal with it except with the previous permission of such officer and such officer may take such steps as may be necessary for ensuring compliance with such order.

(*6*) Where any books of account, other documents, articles, registers or things are found in the possession or control of any person in the course of a search, it may be presumed,—

(*i*) that such books of accounts, other documents, articles, registers or things are found in the possession or control of any person in the course of search, belong to such person;

(*ii*) that the contents of such books of accounts and other documents are true; and

(*iii*) that the signature and every other part of such books of accounts and other document which purport to be in the handwriting of any particular person or which may reasonably be assumed to have been signed by, or to be in the handwriting of, any particular person, are in that person's handwriting, and in the case of a document stamped, executed or attested by the person by whom it purports to have been so executed or attested.

(*7*) The person from whose custody any books of accounts, other documents, articles, registers or things are seized under the foregoing sub-sections, may make copies thereof or take extracts therefrom, in the presence of the authorised officer or any other person empowered by him in this behalf, at such place and time as the authorised officer may appoint in this behalf.

(*8*) The books of accounts, documents, articles, registers or things or vehicle so seized shall not be retained by the authorised officer for a period exceeding ninety days from the date of seizure:

Provided that, in computing such period any period during which any proceeding under this Act is stayed by an order or injunction of any Court, shall be excluded:

Provided further that, if any articles or things so seized are of perishable nature they shall not be retained by the authorised officer for more than twelve hours from the time of seizure.

(*9*) Notwithstanding anything contained in sub-section (*8*),—

(*a*) where such articles or things comprise agricultural produce and are transported within the market area in such vehicles which are so seized; and market fees or any other dues in respect of such agricultural produce are not paid, such vehicle and such agricultural produce may be retained until the market fees and supervision charges along with penalty equal to three times the amount of such fees and charges and the actual cost of such seizure are paid and if the amount of such fees, charges, penalty and cost are not paid even after demand thereof in writing, then the same may be recovered by sale of such agricultural produce by auction and the balance of amount, if any, left thereafter, may be returned to the person from whom they are seized;

(*b*) where such books of accounts, documents, articles, registers or things or vehicles and the agricultural produce so seized are required for the purpose of prosecution launched for an offence of contravention of the provisions of this Act or the rules or the bye-laws, they may be retained until they are ordered to be released by the Court trying such offences;

(*c*) where such articles or things which comprise agricultural produce which are of perishable nature and the market fees and supervision charges alongwith penalty equal to three times the amount of such fees and charges and the actual cost of such seizure are not paid, then instead of returning the same to the person from whom they are seized, such market fees, charges,

penalty and cost in respect thereof may be recovered by sale of such agricultural produce by auction and the balance of amount, if any, left thereafter, may be returned to such person.

(*10*) The authorised officer shall carry out the search and seizure under this section with due regard to the honour and dignity of any inmates in the building, place or vehicle and exercise the minimum force in obtaining ingress into the building, place or vehicle to be searched where free ingress thereto is not available and ensure safe custody of any books of accounts, documents, articles, registers or things or vehicle so seized.

(*11*) Without prejudice to the foregoing provisions, the provisions of the Code of Criminal Procedure, 1973 (II of 1974) relating to search and seizure shall so far as may be, apply to the searches and seizure under this section].

32B. Power to write off loss, shortage or fee, etc., irrecoverable.—A Market Committee may write off any fee or other amount whatsoever due to it or whenever any loss of the Committee in money or store or other property occurs through any fraud or negligence of any person or for any other cause and in the opinion of the Market Committee, the fee, amount, property, or money is found to be irrecoverable or should be remitted, the Market Committee may order to write off or remit such fee, amount, property or money as lost, or irrecoverable, as the case may be:

Provided that, where the amount due or the value of store or other property exceeds five hundred rupees, the Market Committee shall before making any order to write off or remit as aforesaid, obtain the sanction of the Director.

32C. Power to make alternative arrangements during strikes.—If any licensee or class of licensees dealing in any agricultural produce whether perishable or not go on strike or join any strike and the functioning of the market is disrupted, it shall be competent to the Market Committee to make such arrangement as are necessary in its opinion for running the market. Such arrangements may include the purchasing, storage or transport of the agricultural produce by the Market Committee itself with the approval of the Director.

32D. Power to take steps to prevent purchases of agricultural produce below support price.— It shall be the duty of the Market Committee to make such arrangements and to take such steps as may be prescribed to prevent purchase of agricultural produce in the market area below the support price fixed by the Government.]

[1][**32E. Power of Market Committee to evict from shop, gala, shed, plot, or any other premises and to remove encroachment.—**A Market Committee, if convinced that any shop, gala, shed, plot or any other premises allotted or leased for purposes of sale and purchase of agricultural produce or such other purposes directly or indirectly connected with the sale and purchase of agricultural produce, is not used for the purpose for which the allotment was made or misused or where encroachment is made on the land of the Market Committee, after giving a reasonable opportunity of being heard to the person concerned, issue an order for eviction of the shop, gala, shed, plot or any other premises or for removing the encroachment and the concerned local authority of the area shall provide all possible help for such eviction or removal of encroachment to the Market Committee.]

33. Execution of contracts.— (*1*) Every contract entered into by the Market Committee shall be in writing and shall be signed on behalf of the Market Committee by its Chairman, or in the absence of the Chairman by the Vice-Chairman, and two other members of the Committee.

(*2*) No contract other than a contract executed as provided in sub-section (*1*) shall be binding on the Market Committee.

34. Certain disputes regarding construction of rules, etc., about weights and measures to be decided by Market Committee.— (*1*) Notwithstanding anything contained in the Bombay Weights and Measures (Enforcement) Act, 1958 (Bom. LXIX of 1958), if any dispute arises between an Inspector appointed under that Act and any person interested as to the meaning or construction of any rule made under that Act or as to the method of verifying, re-verifying, adjusting or stamping any

1 Section 32E was inserted by Mah. 11 of 2003, s. 13.

weight or measure or weighing or measuring instrument, in any market area, such dispute may, at the request of the party interested or by the Inspector of his own accord, be referred to the Market Committee; and the decision of the Market Committee shall, subject to the provision of sub-section (*2*), be final and shall be deemed to have been given under section 20 of the Bombay Weights and Measures (Enforcement) Act, 1958 (Bom. LXIX of 1958).

(*2*) An appeal shall lie within the time prescribed from the decision under sub-section (*1*) to the State Government or such officer as the State Government may appoint in this behalf. The decision of the State Government, or such officer, shall be final.

[1][CHAPTER IV-A

COST OF SUPERVISION

34A. Supervision over purchases of agricultural produce in any market or market area and payment of cost of supervision by purchasers.—(*1*) The State Government may, by general or special order, direct that the purchase of agricultural produce, the marketing of which is regulated in any market or market area under this Act, shall be under the supervision of [2][* * *] the State Government as it may deem to be necessary; and subject to the provisions of this Chapter, the cost of such supervision shall be [3][paid to the Director] by the person purchasing such produce in such market or market area.

(*2*) The cost to be paid by a purchaser shall be determined from time to time by the State Government and notified in the market or market area (in such manner as the State Government may deem fit), so however that the amount of the cost does not exceed [4][ten paise] per hundred rupees of the purchase price of the agricultural produce which is purchased by such purchaser.

34B. Supervision.— (*1*) The cost of supervision shall be collected by the Market Committee in the same manner in which the fee levied by it under section 31 is collected.

(*2*) The cost of supervision collected by a Market Committee shall be paid to the State Government in the prescribed manner within a period of fifteen days from the close of the month in which such cost is collected.

34C. Default of Market Committee in collecting or paying cost of supervision.—If a Market Committee makes default in the collection or payment to the State Government of any sum or part thereof due in respect of the cost of supervision, the Director may direct that the said sum or part thereof, as the case may be, together with a penalty equal to one per cent. of such sum or part shall be recovered from the Market Committee as an arrear of land revenue under section 57.]

CHAPTER V

OFFICERS AND SERVANTS OF MARKET COMMITTEES

35. Power of Market Committee to employ staff.—[5][(*1*) A Market Committee may employ a Secretary and such other officers and servants as may be necessary for the management of the market, for the collection, maintenance, dissemination and supply of information relating to crops statistics and marketing intelligence and for carrying out its duties under this Act; and shall pay such officers and servants such salaries and allowances, pension or gratuity and shall contribute to any provident fund and pension fund which may be established for the benefit of such employees:

Provided that, all posts other than that of a Secretary shall, subject to such general or special directions which the Director may issue in this behalf, be created only with the prior approval of the Director:

1 Chapter IV-A was inserted by Mah. 26 of 1972, s. 2.

2 The words "such staff appointed by" were deleted by Mah. 27 of 2022, s. 5(*i*).

3 These words were substituted for the words "paid to the State Government" by Mah. 52 of 2025, s. 10. 4 These words were substituted for the words "five paise" by Mah. 27 of 2022, s. 5(*ii*).

5 Sub-sections (*1*) and (*2*) were substituted by Mah. 27 of 1987, s. 19.

[1][Provided further that, Secretary and such other officers and servants shall be employed by the Market Committee, with the prior approval of the Director, on such terms and conditions and manner, as may be prescribed.]

(*2*) The Secretary of the Market Committee shall be the Chief Executive Officer and the Custodian of the records and properties of the Market Committee and shall exercise such powers as are conferred and perform such duties as are imposed upon him by or under this Act.]

(*3*) The powers conferred by this section on the Market Committee shall be exercised subject to any rules which may be made in that behalf by the State Government.

[2]**[35A. Power of Government to appoint Secretary of Market Committee.—**Notwithstanding anything contained in section 35, the State Government may appoint any officer, not below the rank of [3][Co-operative Officer, Grade-II,] from the Co-operation Department, as the Secretary of any Market Committee.]

CHAPTER VI

THE MARKET FUND

36. Market Fund, its custody and investment.—(*1*) All monies received by a Market Committee [4][□□□] under this Act [5][(except the amount of such fees credited to the Election Fund under section 14A)] all sums realised by way of penalty (otherwise than by way of a fine in a criminal case), all loans raised by the Committee, and all grants, loans or contributions made by the State Government to the Committee shall form part of a fund to be called the Market Fund.

(*2*) The amount to the credit of a Market Fund shall be kept or invested in such manner as may be prescribed.

37. Purpose for which Market Fund may be expended.— [6][(*1*)] The Market Fund may be expended for all or any of the following purposes, namely :—

(*a*) the acquisitions of a site or sites for the market;

(*b*) maintenance, development and improvement of the market;

(*c*) construction of, and repairs to, buildings necessary for the purposes of such market and for the health, convenience and safety of persons using it;

(*d*) The provision and maintenance of standard weights and measures;

(*e*) pay, pension, leave allowances, gratuities, compensation for injuries resulting from accidents, compassionate allowances and contributions towards leave, allowances, pensions or provident fund of the officers and servants employed by the Market Committee;

[7][□□□]

(*g*) the payment of interest on loan, if any, raised by the Market Committee and the provision of sinking fund in respect of such loan;

(*h*) the collecting and dissemination of information regarding matters relating to crop statistics and marketing in respect of the agricultural produce notified under section 4;

(*i*) propaganda in favour of agricultural improvement and orderly marketing;

(*j*) payment of allowances and travelling expenses to the members of the Market Committee and sub-committee; and of the Board constituted, if any, under section 10;

1 This proviso was substituted by Mah. 27 of 2022, s. 6.

2 This section was inserted by Mah. 10 of 2008, s. 5.

3 These words were substituted for the words "Assistant Registrar of Co-operative Societies," by Mah. 27 of 2022, s. 7. 4 The words "by way of fees" were deleted by Mah. 32 of 1970, s. 9.

5 This portion was inserted by Mah. 2 of 1972, s. 6.

6 Section 37 was renumbered as sub-section (*1*) of that section and sub-section (*2*) was added by Mah. 10 of 1984, s. 8. 7 Clause (*f*) was deleted by Mah. 2 of 1972, s. 7(*1*).

[1][(*j1*) the payment of an honorarium to the Chairman and Vice-Chairman under section 21A;

(*j2*) giving grant or donation to any institution or body conducting any educational or welfare activities for the benefit of agriculturists in the market area subject to the condition that the amount of such grant or donation does not exceed in the aggregate ten per cent. of the net amount remaining

after deducting the expenditure from the revenues of the year immediately preceding the year in which such grant or donation is made;]

(*k*) expenses of any Tribunal constituted under section 57;

[2][(*l*) the payment of expenses incurred in auditing the accounts of Market Committee;

(*m*) the payment of such contribution to State Marketing Board as may be notified under sub-section (*2*);

(*n*) the making of any contribution to any scheme for development of agricultural marketing;

(*o*) the provision of facilities, like grading services and communication of market information to agriculturist in the market area;

(*p*) the payment of expenses on elections under this Act;

(*q*) the incurring of expenses for research, extension and training in marketing of agricultural produce;

(*r*) the prevention, in conjunction with other agencies, State and Central Government, of distress sale of agricultural produce;

(*s*) the promotion of co-operative marketing of agricultural produce;

(*t*) the promotion of warehousing finance for benefit of small and marginal farmers;

(*u*) towards expenses of any Tribunal constituted under section 57;

[3][(*u1*) the expenses for prevention of distress sale of agricultural produce as well as to prevent purchases of agricultural produce in the market area below the minimum support price fixed by the Government or making purchases and sale of the agricultural produce during the strike of market functionaries or otherwise in the market area to the extent of fifty per cent. of the average of surplus earned during the last three years;

(*u2*) the expenses for opening temporary shops and retail outlets for carrying out the retail marketing;

(*u3*) the expenses for creation of infrastructure for exporting agricultural produce and carrying out extension work in improved technology in agricultural production, within the ceiling mentioned in clause (*u1*);

(*u4*) the expenses for creating facilities in the market area for grading, cleaning, packing, processing, storage, warehousing (including cold storage) and transport from farms to the market area and from market area to the rail head "sea-port or airport";]

(*v*) for any other purpose, with the previous approval of the State Government.]

[4][(*2*) Every Market Committee shall, out of the Market Fund, pay, within two months from the date of expiry of the previous market year, to the State Agricultural Marketing Board an annual contribution at such rate, not exceeding ten per cent. of its gross annual income for the previous market year, and in such manner as the State Government may, by notification in the *Official Gazette*, specify from time to time and, having regard to the finances of a Market Committee or class or classes of

1 Clauses (*j1*) and (*j2*) were inserted by Mah. 2 of 1972, s. 7(*2*).

2 These clauses were substituted for clauses (*l*) and (*m*) by Mah. 27 of 1987, s. 20. 3 These clauses were inserted by Mah. 11 of 2003, s. 14.

4 Sub-section (*2*) was added by Mah. 10 of 1984, s. 8.

Market Committees, different rates may be specified for different Market Committee or class or classes of Market Committees.]

38. Manner of preparing budget, etc.—[1][(*1*)] The manner in which any payment from the Market Fund shall be made, its accounts shall be kept and audited or re-audited (including powers to be exercised

by the auditor in that behalf), its annual, revised or supplementary budget estimate of income and expenditure shall be made (including provision for modifying, annulling or rescinding such budgets) and its annual administration report shall be prepared, shall be prescribed by rules made in that behalf.

[2][(*2*) Every Market Committee shall submit the budget to the State Marketing Board for sanction before the prescribed date every year. The State Marketing Board shall sanction the budget with or without modification, as the case may be, within one month from the date of receipt thereof. If the approval or otherwise of the budget is not communicated by the Board within one month of its receipt by it, the budget shall be deemed to have been sanctioned without any modifications.

(*3*) No expenditure shall be incurred by a Market Committee on any item if there is no provision in the sanctioned budget therefor unless it can be met by reappropriation from saving under any other budget head. The sanction for reappropriation may be obtained from the State Marketing Board:

Provided that, in case of reappropriation from one minor budget head to the other under one major budget head, such sanction for reappropriation shall not be required.

(*4*) A Market Committee may at anytime during the year for which any budget has been sanctioned, cause a revised or supplementary budget to be passed and sanctioned in the same manner as if it were an original budget.]

[3]**[38A. Funds not to be utilised for certain proceedings filed or taken by or against officers in personal capacities.—** (*1*) No expenditure from the funds of a Market Committee shall be incurred for the purpose of defraying the cost of any proceeding filed or taken by or against any member, Chairman or Vice-Chairman of the Market Committee in his personal capacity. If any question arises whether any expenditure can be so incurred or not, such question shall be referred to and decided by the Director, and his decision shall be final.

(*2*) If any person incurs expenditure in violation of sub-section (*1*), the Director shall direct the person to repay the amount to the Market Committee within one month and where such person fails to repay the amount as directed, such amount shall, on the certificate issued by the Director, be recoverable as arrear of land revenue.

(*3*) The person against whom action is taken by the Director under sub-section (*2*) shall be disqualified to continue to be a manner of the Market Committee for remainder of his term of office and shall also be disqualified for contesting for the next election including any next by-election of the Market Committee held immediately after the expiration of a period of one month during which such person has failed to pay the amount referred to in sub-section (*2*).]

CHAPTER VII

TRADE ALLOWANCES PROHIBITED

39. Making or recovery of trade allowance prohibited.—No person shall make or recover any trade allowance in any market or market area in any transaction in respect of any agricultural produce.

[4][*Explanation*.— For the purposes of this section, trade allowance means any deduction in cash or kind in price or rate of agricultural produce on account of any variation in the quality, weight, grade, container, sample or admixture.]

1 Section 38 was re-numbered as sub-section (*1*) by Mah. 27 of 1987, s. 21.

2 These sub-sections were added by Mah. 27 of 1987, s. 21.

3 Section 38A was inserted by Mah. 27 of 1987, s. 22.

4 This *Explanation* was substituted by Mah. 27 of 1987, s. 23.

[1][CHAPTER VII-A

STATE AGRICULTURAL MARKETING BOARD

39A. Establishment of State Agricultural Marketing Board.— (*1*) The State Government may, for co-ordinating the activities of Market Committees and for exercising such other powers and

performing such functions as are conferred or entrusted under this Act, by notification in the Agricultural Marketing Board to be called "The Maharashtra State Agricultural Marketing Board" [2][□□].

(*2*) The State Marketing Board shall be a body corporate by the name aforesaid and shall have perpetual succession and a common seal, and may in its corporate name sue and be sued and shall be competent to contract, acquire and hold property, both movable and immovable, and to do all other things necessary for the purpose for which it is established.

(*3*) Notwithstanding anything contained in any law for the time being in force, the State Marketing Board shall, for all purposes, be deemed to be a local authority.

39B. Constitution of State Marketing Board.—The State Marketing Board shall consist of the following members, that is to say—

(*i*)	[3][The Minister in-charge of Marketing]	*ex-officio* Chairman;
(*ii*)	[4][The Minister of State in-charge of Marketing]	*ex-officio* Vice-Chairman;
	[5][□□]	
(*iii*)	The Commissioner for Co-operation and Registrar of Co-operative Societies, Maharashtra State, Pune.	*ex-officio* Member;
(*iv*)	[6][The Commissioner for Agriculture, Maharashtra State, Pune.]	*ex-officio* Member;
(*v*)	one representative of the National Bank of Agricultural and Rural Development (NABARD), to be nominated by the State Government.	*ex-officio* Member;
(*vi*)	the Agricultural Marketing Advisor to the Government of India, or his representative.	*ex-officio* Member;
(*vii*)	[7][six members one each from the revenue divisions to be [8][nominated by the State Government] from amongst the Chairmen of the Market Committees in respective revenue division.]	Members;
(*viii*)	the Chairman, the Maharashtra State Market Committees' Co-operative Federation Limited, Pune.	Members;

1 Chapter VII-A was inserted by Mah. 10 of 1984, s. 9.

2 The bracket and words "(hereinafter in this chapter referred to as "the State Marketing Board")" were deleted by Mah. 27 of 1987, s. 24.

3 These words were substituted for the words "the Minister for Co-operation" by Mah. 33 of 2000, s. 3(*1*).

4 These words were substituted for the words "the Minister of State for Co-operation" by Mah. 33 of 2000, s. 3(*2*).

5 Clause (*ii-a*) was deleted by Mah. 48 of 2005, s. 11(*a*).

6 These words were substituted for the words "the Director of Agriculture, Maharashtra State, Pune" by Mah. 11 of 2003, s. 15(*b*).

7 These words were substituted for the words "members not exceeding six to be nominated by the State Government from amongst the Chairmen of the Market Committee, one each from the six revenue divisions" by Mah. 11 of 2003, s. 15(*c*).

8 These words substituted for the words "elected" by Mah. 48 of 2005, s. 11(*b*).

(*ix*)	The Director of Agricultural Marketing, Maharashtra State, Pune.	Members [1][* *];
[2][(*x*)	The Managing Director.	Member-Secretary.]

Explanation.— For the purposes of Chapter VII-A, the expression "member" means a member of the State Marketing Board.

[3][**39B-1. Managing Director of State Marketing Board.—** (*1*) The State Government may, by notification in the *Official Gazette*, appoint, on deputation, an officer to be the Managing Director of the State Marketing Board.

(*2*) The Managing Director appointed under sub-section (*1*) shall exercise such powers and perform such functions as may be specified under this Act or rules made thereunder.]

39C. Officers and servants of State Marketing Board.— (*1*) Subject to the superintendence of the State Marketing Board, the Managing Director shall function as the chief executive officer of the State Marketing Board.

(*2*) The State Marketing Board shall appoint such other officers and servants under the supervision and control of the Managing Director as it may consider necessary for the efficient discharge of its duties and functions under this Act.

39D. Member not disqualified from contesting elections or as members of State Legislature or local authorities.—Notwithstanding anything contained in any law for the time being in force, a member of the State Marketing Board referred to in clause (*vi*) or (*viii*) of section 39B shall not be disqualified for being chosen as, and for being, a member of the State Legislature or councillor of any local authority, merely by reason of the fact that he is a member of the State Marketing Board.

39E. Term of office of members.—(*1*) The term of office of the member referred to in clause (*vii*) of section 39B shall ordinarily be three years from the date of his nomination as such member.

(*2*) Notwithstanding anything contained in sub-section (*1*), the term of office of a member of the State Marketing Board shall, unless the State Government terminates his membership earlier or he resigns his membership come to an end as soon as he ceases to hold any office, or the office under Government, the Market Committee, the National Bank of Agricultural and Rural Development (NABARD) or as the case may be, the Maharashtra State Market Committees' Co-operative Federation, by virtue of which he holds the membership of the State Marketing Board under section 39B:

Provided that, the membership of the Agricultural Marketing Advisor to the Government of India or his representative shall not be terminated under this section without the concurrence of that Government.

39F. Casual vacancies.—Where a vacancy occurs on account of resignation, death or otherwise in the office of a member of the State Marketing Board, the vacancy shall be filled as soon as possible by nomination by the State Government of other person belonging to the category from which the former member was nominated, and the member so nominated shall hold office so long only as the member in whose place he is nominated would held it if the vacancy had not occurred.

39G. Members to act during vacancy; act etc., of State Marketing Board, etc., not to be invalidated by informalities.— (*1*) During any vacancy in the State Marketing Board the continuing members may act as if no vacancy had occurred.

1 The words "and the Managing Director" were deleted by Mah. 21 of 2010, s. 3(*a*). 2 This clause was added by Mah. 21 of 2010, s. 3(*b*).

3 This section was inserted by Mah. 21 of 2010, s. 4.

(*2*) The State Marketing Board shall have power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof; and such proceedings thereof shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled to do so sat and voted or otherwise took part in the proceedings.

39H. Resignation of members.—A member of the State Marketing Board may resign his office by writing under his hand addressed to the Managing Director; and the resignation shall take effect from the date it is accepted.

39I. Allowances of members.—The members of the State Marketing Board, holding membership under clauses (*v*) to (*viii*) of section 39B shall be paid from the Agricultural Marketing Development Fund, such fees and allowances as may be fixed by the State Government from time to time, for attending its meeting and for attending to any other work, assigned to them by the State Marketing Board.

39J. Functions and powers of State Marketing Board.—Subject to the provisions of this Act, the Board shall perform the following functions and shall have power to do such things as may be necessary or expedient for carrying out these functions, namely :—

(*i*) to co-ordinate the functioning of the Market Committee including programmes undertaken by such Market Committees for the development of markets and market areas;

(*ii*) to undertake State-level planning of the development of agricultural produce markets;

(*iii*) to maintain and administer the Agricultural Marketing Development Fund;

(*iv*) to give advice to Market Committee in general or any Market Committee in particular with a view to ensuring improvement in the functioning thereof;

(*v*) to supervise and guide the Market Committee in the preparation of plans and estimates of construction programme undertaken by the Market Committee;

(*vi*) to make necessary arrangements for propaganda and publicity on matters relating to marketing of agricultural produce;

(*vii*) to grant subventions or loans to Market Committees for the purposes of this Act on such terms and conditions as it may determine;

(*viii*) to arrange or organise seminars, workshop or exhibitions or subject relating to agricultural marketing;

[1][(*viiia*) to arrange for training to the members as well as to the employees of the Market Committee;]

(*ix*) to do such other things as may be of general interest relating to marketing of agricultural produce;

(*x*) to carry out any other function specifically entrusted to it by this Act;

(*xi*) to carry out such other functions of like nature as may be entrusted to it by the State Government.

39K. Regulations.— (*1*) The State Marketing Board may, with the previous approval of the State Government, make regulations, not inconsistent with this Act and rules made thereunder, for the administration of its affairs.

(*2*) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely :—

(*a*) the summoning and holding of meetings of the State Marketing Board, the time and date when such meetings are to be held, the conduct of business at such meetings and the number of persons necessary to form a quorum thereat;

1 Clause (*viii a*) was inserted by Mah. 11 of 2003, s. 16.

(*b*) the powers and duties, the salaries and allowances and other conditions of service of officers and other employees of the State Marketing Board;

(*c*) the management of the properties of the State Marketing Board;

(*d*) the maintenance of accounts and the preparation of balance sheet and other financial statements;

(*e*) any other matter for which provision is to be or may be required to be made in the regulations for carrying out the functions of the State Marketing Board under this Act.

39L. Establishment and administration of Agricultural Marketing Development Fund.— (*1*) A fund to be called "the Agricultural Marketing Development Fund" is hereby established, which shall be maintained and administered by the State Marketing Board.

(*2*) The following shall form part of, or be paid into, the Agricultural Marketing Development Fund (hereinafter called "the Development Fund"), namely :—

(*a*) all contributions received by the State Marketing Board from the Market Committee under sub-section (*2*) of section 37;

(*b*) all contributions, grants or loans made or sanctioned to the State Marketing Board by the State Government;

(*c*) any sums borrowed by the State Marketing Board, with the permission of the State Government;

(*d*) all income or moneys received by the State Marketing Board from any other source whatsoever, including income from fees or charges levied by it or donations or grants received from any local authorities, market committees or other institutions and individuals;

(*e*) such other sums as the State Government may, from time to time, specify.

(*3*) All expenditure incurred by the State Marketing Board shall, from time to time, be met out of the Development Fund and the surplus, if any, shall be invested by the State Marketing Board in public securities or shall be deposited in any scheduled bank as defined in the Reserve Bank of India Act, 1934 (II of 1934), or in a co-operative bank approved by the State Government for this purpose.

39M. Power of State Marketing Board to borrow.—Subject to such conditions as may be prescribed, the State Marketing Board may, for the purpose of providing itself with adequate resources, borrow money in the open market by issue of guaranteed or unguaranteed bonds, debentures, stocks or otherwise, or borrow money from any scheduled banks, or from such other banks or financial institutions as are approved, from time to time, by the State Government.

39N. Utilisation of the Development Fund.—(*1*) The State Marketing Board may utilize the Development Fund for discharge of its functions under this Act.

(*2*) Without prejudice to the generality of the foregoing provision, the State Marketing Board may utilize the Development Fund for the following purposes, namely :—

(*i*) payment of administrative expenditure of the State Marketing Board;

(*ii*) payment of travelling and other allowances to its members;

(*iii*) payment of legal expenses incurred;

(*iv*) financial assistance to Market Committees in the form of loan or grant for acquisition of land for establishment of market yard or for constructing infrastructure facilities in the market area;

(*v*) propaganda and publicity on matters relating to marketing of agricultural produce;

(*vi*) training of officers and staff of the Market Committee and the State Marketing Board;

(*vii*) imparting education in marketing of agricultural produce;

(*viii*) organising or arranging workshops, seminars or exhibitions or development of marketing of agricultural produce;

(*ix*) general improvements of the regulation of marketing in the State;

(*x*) providing technical and legal assistance to the Market Committees;

(*xi*) any other purposes necessary for execution of the functions assigned to the State Marketing Board under this Act or as directed by the State Government.

39O. Audit of accounts.— (*1*) The accounts of the State Marketing Board shall be audited annually by auditors of the Co-operation Department of the State Government on payment of such audit fees as may be fixed, from time to time, by the Registrar of Co-operative Societies.

(*2*) The State Marketing Board may make arrangements for internal audit of its accounts, as it may deem fit.]

CHAPTER VIII

CONTROL

40. Inspection, inquiry, submission of statements, etc.— (*1*) The Director or any officer authorised by him by general or special order in this behalf, may,—

(*a*) inspect or cause to be inspected the accounts and offices of a Market Committee;

(*b*) hold inquiry into the affairs of a Market Committee;

(*c*) call for any return, statement, accounts or report which he may think fit to require such Committee to furnish;

(*d*) require a Committee to take into consideration,—

(*i*) any objection which appears to him to exist to the doing of anything which is about to be done or is being done by or on behalf of such Committee; or

(*ii*) any information he is able to furnish and which appears to him to necessitate the doing of a certain thing by such Committee, and to make a written reply to him within a reasonable time stating its reasons for doing, or not doing such thing;

(*e*) direct that anything which is about to be done or is being done should not be done, pending consideration of the reply and anything which should be done but is not being done within such time as he may direct.

41. Duty of officers and members to furnish information to Director, authorised officers and State Government.— (*1*) When the affairs of a Market Committee are investigated under section 40 or the proceedings of such Committee are examined under section 43, all officers, servants and members of such Committee shall furnish such information in their possession in regard to the affairs or proceedings of the Committee as the Director, officer authorised or, as the case may be, State Government may require.

(*2*) An officer investigating the affairs of a Market Committee under section 40 or the State Government examining the proceedings of such Committee under section 43 shall have the power to summon and enforce the attendance of officers or members of the Market Committee and to compel them to give evidence and to produce documents by the same means and as far as possible in the same manner as is provided in the case of a Civil Court by the Code of Civil Procedure, 1908 (V of 1908).

[1]**[41A. Powers of the Director to prohibit execution of resolution passed or order made by Committee, etc.—**(*1*) The Director may, on his own motion, or on report or complaint received by him, by order, prohibit the execution of a resolution passed or order made by the Committee or its Chairman or Vice-Chairman or any of its officer or servants of the Market Committee, if he is of the opinion that such resolution or order is prejudicial to the public interest or is likely to hinder efficient running of the business in any market area, principal market yard or sub-market yard or is against the provision of this Act or the rules or bye-laws made thereunder.

1 Section 41A was inserted by Mah. 27 of 1987, s. 25.

(*2*) Where the execution or further execution of a resolution or order is prohibited by an order made under sub-section (*1*) and continuing in force, it shall be the duty of the Committee, if so required by the Director, to take any action which the Market Committee would have been entitled to take, if the resolution or order had never been passed or made and which is necessary for preventing the Chairman or Vice-Chairman or any of its officers or servants from doing or continuing to do anything under such resolution or order.]

42. Seizure of account books and other documents.—Where the Director has reason to believe that the books and records of a Market Committee are likely to be tampered with or destroyed or the funds or property of a Market Committee are likely to be misappropriated or misapplied, the Director may issue

an order directing a person duly authorised by him in writing to seize and take possession of such books and records, funds and property of the Market Committee and the officer or officers of the Market Committee responsible for the custody of such books, records, funds and property, shall give delivery thereof to the person so authorised.

[1][**43. Power of State Government or Director to call for proceedings of Market Committee, etc., and to pass orders thereon.**—The State Government may at any time call for and examine the proceedings of any Market Committee or of the Director, and the Director may, at any time call for and examine the proceedings of any Market Committee or an officer empowered to exercise the powers of the Market Committee or of the Director for the purpose of satisfying itself or himself, as the case may be, as to the legality or propriety of any decision or order passed by the Market Committee, Director or the officer, as the case may be, under this Act. If in any case, it appears to the State Government or the Director that any decision or order or proceeding so called for should be modified, anulled or reversed, the State Government or the Director may pass such order thereon as it or he may think fit].

44. Amalgamation or division of Market Committees.—(*1*) Where the State Government is satisfied that for securing efficient regulation of marketing of any agricultural produce in any market area [2][and for ensuring the economic viability of the Market Committee], it is necessary that two or more Market Committees therein should be amalgamated or any Market Committee therein should be divided into two or more Market Committees, then the State Government may, after consulting the Market Committees or Committee, as the case may be, [3][and the [4][State Marketing Board]] by notification in the *Official Gazette*, provide for the amalgamation or division of such Market Committees into a single Market Committee or into two or more Market Committees, for the market area in respect of the agricultural produce specified in the notifications with such constitution, property, rights, interest and authorities and such liabilities, duties and obligations (including provision in respect of contracts, assets, employees, proceedings and such incidental, consequential and supplementary matters as may be necessary to give effect to such amalgamation or as the case may be, the division) as may be specified in the notification.

(*2*) Where more Market Committees than one established in any market area under sub-section (*1*), the State Government may, notwithstanding anything contained in this Act, issue general or special directions as to which of the Market Committees shall exercise the powers, perform the duties and discharge the functions of the Market Committee under this Act, in which they are jointly interested or which are of a common nature.

(*3*) Where any directions are issued under sub-section (*2*), the cost incurred by a Market Committee in pursuance of the directions shall be shared by the other Market Committees concerned in such proportion as may be agreed upon, or, in default of agreement, as may be determined by the State Government or such officer as that Government may direct in this behalf. The decision of the State Government or such officer shall be final.

45. Supersession of Market Committee, etc.— (*1*) If, in the opinion of the State Government, a Market Committee or any member thereof, is not, competent to perform or persistently makes default in performing the duties imposed on it or him by or under this Act, or abuses its or his powers or

1 Section 43 was substituted by Mah. 27 of 1987, s. 26.

2 These words were inserted by Mah. 11 of 2003, s. 17.

3 These words were inserted by Mah. 2 of 1972, s. 8.

4 These words were substituted for the portion beginning with the words "Federation of Market Committees" and ending with the words "Federal Body of Market Committees" by Mah. 27 of 1987, s. 27.

wilfully disregards any instructions issued by the State Government or any officer duly authorised by it in this behalf arising out of audit of accounts of the Market Committee or inspection of the office and work thereof, the State Government may, after giving the Committee or member, as the case may be, an opportunity of rendering an explanation [1][by an order in writing, with reasons therefor], supersede such Market Committee, or remove the member, as the case may be; and where a member is removed, the State

Government shall appoint any person as a member of such Committee in his place for the remainder of his term of office:

[2][Provided that, no Market Committee shall be superseded without the [3][State Marketing Board] referred to in section 44 being previously consulted.]

(*2*) [4][On issuing of an order] under sub-section (*1*), superseding a Market Committee, the following consequences shall ensue, that is to say—

(*a*) all members of the Market Committee shall as [5][from the date of such order] be deemed to have vacated their office;

(*b*) all the property vesting in the Market Committee shall, subject to all its liabilities, vest in the State Government;

[6][(*c*) the State Government may, by order, either constitute a new Market Committee in accordance with the provisions of Chapter III or appoint an Administrator or [7][the Board of Administrators of not more than seven members to carry out] the functions of the Market Committee as it thinks fit:]

[8][Provided that, [9][the Administrator or the Board of Administrators appointed] under clause (*c*) for carrying out of the functions of the Market Committee shall, within the period of six months from assuming the charge ensure that the elections to the Market Committee are held within that period. [10][If the Administrator or the Board of Administrators] fails to hold the elections within the said period, the Director may, after satisfying himself about proper justification for not holding elections, grant extension of not more than six months, for enabling the [11][Administrator or the Board of Administrators] to hold such election].

[12][(*2A*) The member of the Committee, who has been removed under sub-section (*1*) shall not be eligible for being re-elected, re-appointed, re-nominated, co-opted or re-co-opted as a member of the Committee, till the expiry of a period of six years from the date of the order by which he has been so removed.]

(*3*) If the State Government makes an order under clause (*c*) of sub-section (*2*), it shall transfer the assets and liabilities of the Market Committee, as on the date of such transfer, to the new Market Committee constituted as aforesaid or to the person or persons, if any, appointed for the carrying out of the functions of the Market Committee, as the case may be.

(*4*) If the State Government does not make such an order, it shall transfer all the assets of the Market Committee which remain after the satisfaction of all its liabilities, to a local authority within whose jurisdiction the Market Committee is situated and if there are more than one such local authorities, to each of such local authorities, such portion of the property as the State Government may decide.

1 These words were substituted for the words "by notification in the *Official Gazette*, with reasons therefor" by Mah. 10 of 2008, s. 6(*a*).

2 This proviso was added by Mah. 2 of 1972, s. 9.

3 These words were substituted for the words "Federation of Market Committees" by Mah. 27 of 1987, s. 28.

4 These words were substituted for the words "Upon the publication of a notification" by Mah. 10 of 2008, s. 6(*b*)(*i*).

5 These words were substituted for the words "from the date of such publication" by Mah. 10 of 2008, s. 6(*b*)(*ii*). 6 This clause was substituted by Mah. 10 of 2008, s. 6(*b*)(*iii*).

7 These words were substituted for the words "the Board of Administrators to carry out" by Mah. 27 of 2022, s. 8. 8 This proviso was added by Mah. 11 of 2003, s. 18.

9 These words were substituted for the words "person appointed as an administrator" by Mah. 10 of 2008, s. 6(*b*)(*iv*)(*A*). 10 These words were substituted for the words "If such person" by Mah. 10 of 2008, s. 6(*b*)(*iv*)(*B*).

11 These words were substituted for the words "Administrator" by Mah. 10 of 2008, s. 6(*b*)(*iv*)(*C*).

12 This sub-section was inserted by Mah. 10 of 2008, s. 6(*c*).

(*5*) The local authority to which the assets of a Market Committee are transferred under sub-section (*4*) shall utilise such assets for such objects in the area within its jurisdiction as the State Government considers to be for the benefit of the agriculturists in that area.

CHAPTER IX

PENALTIES

46. Penalty for contravention of section 6.—Whoever in contravention of the provisions of sub-section (*1*) of section 6 uses any place in the market area for marketing of any agricultural produce, or operates as a trader, commission agent, broker, processor, weighman, measurer, surveyor, warehouseman or in any other capacity, without a valid licence, shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to [1][five thousand rupees] or with both; and in the case of a continuing contravention with a further fine which may in the case of contravention of clause (*a*) of sub-section (*1*) of section 6 extend to one hundred rupees; and in any other case, to fifty rupees per day, during which the contravention is continued after the first conviction.

[2]**[46A. Penalty for contravention of provisions relating to E-trading.—**Whoever in contravention of the provisions of section 5G uses E-trading platform for marketing of any agricultural produce, or operates as a trader or in any other capacity, without a valid licence, shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which shall not be less than five thousand rupees which may extend to one lakh rupees or with both; and in the case of a continuing contravention with a further fine which may in the case of contravention of section 5G extend to five hundred rupees; and in any other case, to three hundred rupees per day, during which the contravention is continued after the first conviction.]

47. Penalty for not complying with directions under section 26(*2*).—If the outgoing Chairman or Vice-Chairman to whom a direction has been issued under sub-section (*2*) of section 26 does not, except for reasons beyond his control, comply with such direction, he shall, on conviction, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees, or with both.

48. Penalty for making or recovering trade allowance.—Whoever in contravention of the provisions of section 39 makes or recovers any trade allowance shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

49. Penalty for failure to obey order under section 40.—Whoever obstructs any officer in carrying out the inspection of accounts or holding an inquiry into the offices of a Committee or fails to obey any order made under clause (*a*), (*c*), (*d*), or (*e*) of section 40 shall, on conviction, be punished with fine which may extend to two hundred rupees for every day during which the offence continues.

50. Penalty for contravening provisions of section 40 or 43.—If any officer, servant or member of a Market Committee, when required to furnish information in regard to the affairs or proceedings of a Market Committee under section 40 or section 43—

(*a*) wilfully neglects or refuses to furnish any information, or

(*b*) wilfully furnishes false information,

he shall, on conviction, be punished with fine which may extend to five hundred rupees.

51. Penalty for contravention of section 42.—Whoever in contravention of the provisions of section 42 obstructs any person in seizing or taking possession of any books, records, funds and property of the Market Committee or fails to give delivery thereof to such person shall, on conviction, be punished with fine which may extend to two hundred rupees.

1 These words were substituted for the words "five hundred rupees" by Mah. 11 of 2003, s. 19. 2 Section 46A was inserted by Mah. 51 of 2018, s. 5.

52. General provisions for punishment of offences.—Whoever contravenes any provision of this Act or any rule or bye-law thereunder shall, if no other penalty is provided for the offence, be punished with fine which may extend to [1][five thousand rupees].

[2][**52A. Compounding of offence.—** (*1*) The Market Committee may accept from any person who has committed or is reasonably suspected of having committed an offence (other than contravention of sections 6 and 7) against this Act or the rules or bye-laws made thereunder by way of compounding of such offence—

(*a*) where the offence consists of the failure to pay or the evasion of any fee or other amount recoverable under this Act or the rule or the bye-laws made thereunder, in addition to the fee or other amount so recoverable, a sum of money being not less than the amount of such fee or other amount and not more than five times such amount of fee or other amount with a minimum of two hundred and fifty rupees; and

(*b*) in any other case, a sum of money not exceeding one thousand rupees.

[3][(*1A*) The Director may accept from any person who has committed or is reasonably suspected of having committed an offence in contravention of section 6 or the rules or bye-laws made thereunder a sum of money not exceeding rupees ten thousand by way of compounding such offence. The amount so accepted shall be credited with the Government Treasury. When an offence has been compounded, the offender, if in the custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.]

(*2*) On the compounding of any offence under sub-section (*1*), no proceeding shall be taken or continued against the person concerned in respect of such offence and if any proceedings in respect of that offence have already been instituted against him in any Court, the compounding shall have the effect of his acquittal.

52B. Appeal.— (*1*) Save as otherwise provided elsewhere in this Act, any person aggrieved by a decision taken or order passed under any of the provisions of this Act may prefer an appeal—

(*a*) to the Director where such decision is taken or order is passed by the Market Committee, its Chairman, Vice-Chairman, Secretary or any other officer empowered to exercise the powers of the Director,

(*b*) to the State Government, where such decision is taken or order is passed by the Director.

(*2*) An appeal under sub-section (*1*) shall be made within a period of thirty days from the date of the decision or order appealed against.

(*3*) The order passed in the appeal by the Director or the State Government as the case may be shall be final.]

CHAPTER X

MISCELLANEOUS

53. Members to be held responsible for misapplied funds.—Every member of a Market Committee shall be personally liable for the wilful misapplication of any funds to which he had been a party or which has happened through, or has been facilitated by gross neglect of his duty as a member, and may be sued for the recovery of the monies so misapplied as if such monies had been the property of the State Government:

Provided that, no member shall be personally liable in respect of any contract or agreement made or for any expenses incurred by or on behalf of the Market Committee, if the contract or agreement is made, or the expenses are incurred in good faith and in the due discharge of his duties; and the Market Fund shall be liable for, and be charged with all costs in respect of any contract or agreement and all such expenses.

1 These words were substituted for the words "two hundred rupees" by Mah. 11 of 2003, s. 20. 2 Sections 52A and 52B were inserted by Mah. 27 of 1987, s. 29.

3 This sub-section was inserted by Mah. 11 of 2003, s. 21.

54. Chairman, Vice-Chairman, members, Secretary and servants of Market Committee to be public servants.—The Chairman, the Vice-Chairman, the members, the Secretary and other officers and

servants of a Market shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

55. Bar of suit in absence of notice.—(*1*) No suit shall be instituted against any Market Committee or any member, officer or servant thereof or any person acting under the direction of any such Market Committee member, officer or servant for anything done or purported to be done, in good faith as such member, officer or servant under this Act, until the expiration of two months next after notice in writing, stating the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims, has been in the case of Market Committee, delivered or left at its office, and in case of any such member, officer, servant or person as aforesaid, delivered to him or left at his officer or usual place of residence, and the plaint shall contain a statement that such notice has been so delivered or left.

(*2*) Every such suit shall be dismissed unless it is instituted within six months from the date of the accrual of the alleged cause of action.

(*3*) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the [1]Specific Relief Act, 1877 (1 of 1877).

56. Trial of offence.— (*1*) No offence under this Act, or any rule or bye-law made thereunder shall be tried by a Court other than that of a Presidency Magistrate or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered in this behalf.

(*2*) No prosecution under this Act shall be instituted except by the Director or any officer authorised by him in that behalf or by the Secretary or any other person duly authorised by the Market Committee in that behalf.

(*3*) No Court shall take cognizance of any offence under this Act or any rule or order made thereunder, unless complaint thereof is made within six months from the date on which the alleged commission of the offence came to the knowledge of the officer or person referred to in sub-section (*2*).

57. Recovery of sums [2][due to Government or State Marketing Board or] Market Committee.— (*1*) Every sum due from a Market Committee to the State Government [3][or the State Marketing Board] shall be recoverable as an arrear of land revenue.

(*2*) Any sum due to a Market Committee on account of any charge, costs, expenses, fees, rent or on any other account under the provisions of this Act or any rule or bye-law made thereunder [4][or any sum due to an agriculturist for [5][any agricultural produce] sold by him in the market area which is not paid to him [6][as provided by or under this Act]] shall be recoverable from the persons from whom such sum is due, in the same manner as an arrear of land revenue.

(*3*) If any question arises whether a sum is due to the [7][State Marketing Board or]Market Committee [8][or any agriculturist within the meaning of sub-section (*2*),] it shall be referred to a Tribunal constituted for the purpose which shall after making such enquiry as it may deem fit, and after giving to the person from whom it is alleged to be due an opportunity of being heard, decide the question; and the decision of the Tribunal shall be final and shall not be called in question in any court or other authority.

1 *See* now the Specific Relief Act, 1963 (47 of 1963).

2 These words were substituted for the words "due to Government or" by Mah. 27 of 2022, s. 9(*ii*).

3 These words were inserted by Mah. 10 of 2008, s. 7.

4 These words were inserted by Mah. 32 of 1970, s. 11(*a*).

5 These words were substituted for the words "declared agricultural produce" by Mah. 2 of 1972, s. 10(*1*)(*a*).

6 These words were substituted for the words "within the period prescribed in that behalf" by Mah. 2 of 1972, s. 10(*1*)(*b*). 7 These words were inserted by Mah. 27 of 2022, s. 9(*i*).

8 These words were inserted by Mah. 32 of 1970, s. 11(*b*).

[1][(*4*) The State Government may constitute one or more Tribunals consisting of the Collector who has jurisdiction over the market area:

Provided that, the State Government may, if in its opinion it is necessary so to do in any case constitute a Tribunal consisting of one person other than the Collector (possessing the prescribed

qualifications) who is not connected with the market Committee or with the person from whom the sum is alleged to be due.]

[2][(*5*) Except as otherwise directed by the Tribunal in the circumstances of any case, the expenses of the Tribunal shall ordinarily be borne by the party against whom a decision is given.]

58. Power of State Government to delegate powers.—The State Government may, by notification in the *Official Gazette*, and subject to such conditions, if any, as it may think fit to impose, delegate all or any of the powers conferred [3][upon it to the Director or any other officer or person; and delegate any powers of the Director, to any other officer or person, specified in the notification.]

59. Power to exempt Market Committee, etc., from provisions of Act.—The State Government may, by a general or special order, in the *Official Gazette*, exempt any Market Committee or any class of persons from any of the provisions of this Act or any rules made thereunder, or may direct that such provision shall apply to such Market Committee or to such class of persons with such modifications not affecting the substance thereof as may be specified in that order:

Provided that, no order to the prejudice of any Market Committee shall be passed without an opportunity being given to such Market Committee to represent its case.

[4]**[59A. Duty of local authorities to give information and assistance to Market Committee.—**It shall be the duty of every local authority to give all the necessary information in the possession of or under the control of its officers to the Market Committee or to any officers of the Market Committee authorised by it in this behalf, relating to the import and export of agricultural produce into and out of the area of the local authority, free of any charges. It shall also be the duty of every local authority and its officers and staff, concerned with the collection of octroi, to give all the possible assistance to any officer of the Market Committee in exercising his powers and discharging his duties under this Act.

59B. Duty of Police Officer.—It shall be the duty of every police officer to communicate, as soon as may be, to the Market Committee, any information which he receives regarding any attempt to commit or the commission of any offence against this Act or any rules or bye-laws made thereunder and to assist the Secretary or any officer or servant of the Market Committee demanding his aid in the exercise of his lawful authority.]

60. Rules.— (*1*) The State Government may, by notification in the *Official Gazette*, make rules for carrying into effect the purposes of this Act.

(*2*) In particular, but without prejudice to the generality of the foregoing provision, the State Government may make rules,—

(*a*) under section 4, for prescribing the manner of holding an inquiry;

[5][(*a-1*) under section 5D, for prescribing the terms and conditions and the manner of licensing, management, marketing, trading and any other matters, relating to markets established under that section;]

[6][(*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

1 Sub-section (*4*) was substituted for the original sub-section (*4*) by Mah. 32 of 1970, s. 11(*c*).

2 Sub-section (*5*) was substituted for the original sub-section (*5*) by Mah. 2 of 1972, s. 10(*2*).

3 These words were substituted for the words "upon it or on the Director or any other officer or person specified in the notification" by Mah. 32 of 1970, s. 12.

4 Sections 59A and 59B were inserted by Mah. 27 of 1987, s. 30.

5 This clause was inserted by Mah. 48 of 2005, s. 12.

6 This clause was inserted by Mah. 25 of 2006, s. 4.

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;]

[1][(*a-3*) under section 5F, for prescribing the manner in which the State Government or Government Agencies may establish and run E-trading platform for trading in the agricultural produce;

(*a-4*) under section 5G,—

(*i*) for prescribing the form and manner along with fee, security or bank guarantee and conditions for applying licences to establish and run E-trading platform and for its renewal;

(*ii*) for prescribing the infrastructure and services connected with E-trading which shall be provided for the purposes of E-trading;

(*a-5*) under section 5H, for prescribing the form and manner for integration of licence holder to link to E-platform of the Government of India;

(*a-6*) under section 5J, for prescribing the manner of making payment to the seller traded on E-trading platform and maintenance of accounts;]

(*b*) under section 7, subject to which licences may be granted, renewed or refused; and for prescribing the form, period and the terms, conditions and restrictions (including provision for prohibiting brokers and commission agents from acting in any transaction both as a buyer or seller or on behalf of both the buyer and seller, and for prescribing the manner in which and the places at which auction of agricultural produce shall be conducted and the bids made and accepted and the places at which weighment and delivery of agricultural produce shall be made in any market or market area) and the maximum fees for licences;

[2][(*b-1*) under section 7, under sub-section (*4*), for prescribing the authority who shall grant certificate of registration for trading on Electronic trading platform, the form of online application for obtaining such certificate of registration, the form of certificate of registration;]

(*c*) under section 10, for [3][prescribing the number and qualifications of persons] of the Board, the manner in which it shall be constituted and shall conduct the business for settling disputes (including provision for appointment of arbitrators, payment of fees and appeal, [4][for consulting technical persons, for laboratory analysis] as provided by that section);

[5][(*c-1*) under section 12, for prescribing the guidelines for classification of the Market Committees;]

(*d*) under section 14, for prescribing the manner in which members may be elected including all matters referred to in that section;

(*e*) under section 20, prescribing the period for which a Chairman or a Vice-Chairman shall hold office;

[6][(*e-1*) under section 21A, for prescribing the limit of the total amount of honorarium to be paid to the Chairman and Vice-Chairman of the Market Committee;]

[7][(*e-2*) under section 27A, for prescribing the other business which may be transacted in the general meeting of the Market Committee;]

(*f*) under section 29, sub-section (2), under clause (*j*), for prescribing grading and standardisation of agricultural produce and under clause (*l*) for prescribing other duties to be performed by Market Committee;

1 These clauses were inserted by Mah. 51 of 2018, s. 6(*a*).

2 This clause was inserted by Mah. 51 of 2018, s. 6(*b*).

3 These words were substituted for the words "prescribing the number of members" by Mah. 39 of 1973, s. 3(*1*). 4 These words were inserted by Mah. 39 of 1973, s. 3(*2*).

5 This clause was inserted by Mah. 11 of 2003, s. 22(*a*).

6 This clause was inserted by Mah. 10 of 1984, s. 10(*a*).

7 This clause was inserted by Mah. 11 of 2003, s. 22(*b*).

(*g*) under section 34, prescribing the time within which an appeal shall be made;

[1][(*g-1*) under second proviso to sub-section (*1*) of section 35, for prescribing the terms and conditions and manner of appointment of Secretary and such other officers and servants of the Market Committee;]

(*h*) under sub-section (*3*) of section 35, subject to which the powers conferred by that section on a Market Committee shall be exercised;

(*i*) under section 36, for prescribing the manner in which the amount to the credit of a Market Fund shall be kept or invested;

(*j*) under section 37, prescribing other functions of a Market Committee;

(*k*) under section 38, for matters referred to in that section;

[2][(*k-1*) under section 39M, for prescribing the conditions subject to which the State Marketing Board shall have power to borrow;]

(*l*) under section 57, under sub-section (*4*), prescribing the qualifications of a person who shall constitute a Tribunal under that section;

(*m*) for the periodical inspection of all weights and measures and weighing and measuring instruments in use in a market area;

(*n*) prescribing the manner of control and supervision to be exercised by the Market Committee over Inspectors appointed under the Bombay Weights and Measures (Enforcement) Act, 1958 (Bom. LXIX of 1958);

(*o*) for storing any agricultural produce brought into the market area;

(*p*) for preparing plans and estimates for works proposed to be constructed partly or wholly at the expenses of the Market Committee, and the grant of sanction to such plans and estimates;

(*q*) for the manner in which the enquiry and inspection of the Market Committee shall be held;

form in which copies of documents or entries in the books of the Market Committee, may be certified and the fees to be charged for the supply of such copies;

(*s*) for the keeping of a list of prices of agricultural produce in respect of which the Market Committee is established;

(*t*) prescribing the matters in respect of which a Market Committee may make or the Director may direct the Market Committee to make bye-laws and the procedure to be followed in making, altering and abrogating bye-laws and the conditions to be satisfied prior to such making, alteration or abrogation;

3[(*u*) for any other matter which is to be or may be prescribed.]

(*3*) The rules to be made under this section shall be subject to the condition of previous publication.

4[(*3A*) Any rule made under this section may provide that if any purchaser fails to make the payment forthwith as required by sub-section (*6*) of section 30A, he shall be liable to pay interest from the date of sale to the date of payment at such rate as may be provided in such rule, such rate not being in excess of the maximum rate of interest fixed for unsecured loans under the 5Bombay Money-lenders Act, 1946 (Bom. XXXI of 1947). If no payment is made within 30 days from the date on which the

1 This clause was inserted by Mah. 27 of 2022, s. 10.

2 This clause was inserted by Mah. 10 of 1984, s. 10(*b*).

3 Clause (*u*) was added by Mah. 2 of 1972, s. 11(*1*).

4 Sub-section (*3A*) was inserted by Mah. 2 of 1972, s. 11(*2*).

5 Repealed by the Maharashtra Money-Landing (Regulation) Act, 2014 (Mah. VIII of 2014) by s. 56(*1*).

agricultural produce is sold, it shall be recoverable by the Market Committee from the purchaser under section 57.]

(*4*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if, before the expiry of the session, in which it is so laid or the session immediately following, both Houses agree in making modification in the rule or both Houses agree that the rule should not be made, the rule shall from the date of publication of a notification in the *Official Gazette* of such decision have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

61. Bye-laws.— (*1*) Subject to any rules made by the State Government under section 60 and with the previous sanction of the Director or any other officer specially empowered in this behalf by the State Government, the Market Committee may in respect of the market area under its management make bye-laws for determining the quantity of agricultural produce for the purpose of its retail sale for the regulation of the business (including meeting, quorum and procedure of the Market Committee), and the conditions of trading in the market area, including provision for refund of any fees levied under this Act.

(*2*) Any bye-law made under this section may provide that any contravention thereof shall, on conviction, be punished with fine which may extend to one hundred rupees.

1**[61A. Powers of Director to direct making or amending bye-laws.—** (*1*) If it appears to the Director that it is necessary or expedient in the interest of a market or Market Committee to make any bye-law or to amend any bye-law, he may, by order, require the Market Committee concerned to make the bye-law or to amend the bye-law within such time as he may specify in such order.

(*2*) If the Market Committee fails to make such bye-law or such amendment of the bye-law within the time specified, the Director may, after giving the Market Committee a reasonable opportunity of being heard, by an order, make such bye-law or such amendment of the bye-law and thereupon subject to any order under sub-section (*3*), such bye-law or such amendment of the bye-law shall be deemed to have been made or amended by the Market Committee in accordance with the provisions of this Act or the rules

made thereunder and thereupon such bye-law or amendment of bye-law shall be binding on the Market Committee and all concerned.

(*3*) An appeal shall lie to the State Government from any order of the Director under sub-section (*2*) within thirty days from the date of such order and the decision of the State Government on such appeal shall be final.]

62. Power of State Government to amend Schedule.—The State Government may after consulting the Market Committee concerned by notification in the *Official Gazette*, add to, amend or cancel any of the items of agricultural produce specified in the Schedule.

63. Savings.—Nothing contained in the Markets and Fairs Act, 1862 (Bom. IV of 1862), or in any law for the time being in force relating to the establishment, maintenance or regulation of a market shall apply to any market area or any market therein or affect in any way the powers of a Market Committee or the right of a holder of a licence granted under this Act.

64. Repeal and savings.— (*1*) On the commencement of this Act, the Bombay Agricultural Produce Market Act, 1939 (Bom. XXII of 1939), the Central Provinces and Berar Cotton Market Act, 1932 (C .P. and Berar IX of 1932), the Central Provinces and Berar Agricultural Produce Market Act, 1935 (C. P. Berar XXIX of 1935) and the Hyderabad Agricultural Market Act, 1939 Fasli (Hyd. II of 1939F), shall stand repealed:

Provided that, the repeal shall not affect the previous operation of any enactment so repealed and anything done or action taken (including any appointment, delegation or declaration made, notification,

1 Section 61A was inserted by Mah. 27 of 1987, s. 31.

order, rule, directions or notice issued, bye-law framed, Market Committees established, licences granted, fees levied and collected, instruments executed, any fund established or constituted) by or under the provisions of any such enactment shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act, and shall continue in force unless and until superseded by anything done or any action taken under this Act.

(*2*) Accordingly, any area or place declared to be a market area or any place or market declared to be a market under any enactment so repealed shall, on the commencement of this Act, be deemed to be the market area or market declared under this Act, the Market Committee established or constituted for the said market area or market and functioning immediately prior to such commencement shall be deemed, notwithstanding anything contained in this Act, to be the Market Committee constituted under this Act, for such market area, and where it is so declared or notified also for the agricultural produce specified in the declaration or notification and all the members of such Committees shall be deemed to be members nominated by the State Government under sub-section (*2*) of section 13.

(*3*) Any reference to any enactment repealed as aforesaid or to any provisions thereof or to any officer, authority or person entrusted with any functions thereunder, in any law for the time being in force or in any instrument or document shall be construed, where necessary, as a reference to this Act or its relevant provisions or person functioning under this Act, and the corresponding officer, authority or person, as the case may be, shall have and exercise the functions under such law, instrument or document.

(*4*) The mention of particular matters in this section shall not affect the general application to this Act of section 7 of the 1Bombay General Clauses Act, 1904 (Bom. I of 1904) (which relates to the effect of repeals).

65. Power to State Government to transfer assets, etc., in cases of Market Committees constituted for excluded areas under Bom. XXII of 1939.—Where before the commencement of this Act, any area comprised in any market area was excluded from such market area under section 4 of the Bombay Agricultural Produce Market Act, 1939 and the area so excluded was declared as a separate market area under the said section 4 and a separate Market Committee was constituted therefor, and both the Market Committee continue to function immediately after such commencement and the assets, rights and liabilities of the separate Market Committee are not yet determined, then the State Government may,

by notification in the *Official Gazette*, after consulting the Market Committee concerned, provide for the transfer of the assets, rights and liabilities of the Market Committee in relation to the area so excluded (including the rights and liabilities under any contract made by it) to the separate Market Committee on such terms and conditions as may be specified in such notification.

66. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the State Government may as occasion requires, by order do anything which appears to it to be necessary for the purpose of removing the difficulty.

1 The short title of the Act has been amended as "the Maharashtra General Clauses Act" by Mah. 24 of 2012, sections 2 and 3, Schedule, entry 11, *w.e.f.* 1st May 1960.

SCHEDULE

[*See* section 2(*1*)(*a*) and section 62.]

I. *Fibres*—

1. Cotton (ginned and unginned).
2. Sanhemp.

II. *Cereals*—

1. Wheat (husked and unhusked).
2. Paddy (husked and unhusked).
3. Jowar.
4. Bajri.
5. Nagli.
6. Vari.
7. Kodra.
8. Maize.
9. Sarsav.
10. Bavto.
11. Barley.
12. Banti.
13. Chino.
14. Navani.
15. Savi.
[3][16. Tamarind seed.]

III. *Pulses*—

1. Tur.
2. Gram.
3. Udid.
4. Mung.
5. Val.
6. Chola.
7. Lang.
8. Math.
9. Peas.
10. Kulthi.
[1][11. * * *]
12. Masur.
13. Ghevda beans.
[2][14. Splites (Dal) of Pulses].

IV. *Oilseeds*—

1. Groundnut (shelled and unshelled).
2. Linseed.
3. Sesamum.
4. Safflower.
5. Ambadi.
6. Coconut.
7. Cotton seed.
[4][7A. Sunflower seed.]
8. Castor seed.
9. Khursani.
10. Nigar seed.
11. Thymol (Ajwan seed).

1 Entry (*11*) in Item III was deleted by G. N., A. and C. D., No. APM 1482/48629/11-C, dated the 31st May 1984.

2 Entry (*14*) in Item III, entry (*11*) in Item IX, Items XVII, XVIII and XIX were added and the word "Sugar" in Item VI was inserted by G. N., A. and C. D., No. APM 1384/3159/369/11-C, dated the 25th September 1987.

3 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

4 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item

II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

12. Dilseeds (Shepa).

[1][13. Neems and Neem seed.]

[2][14. Soyabeen].

V. *Narcotics*—

1. Tobacco.

VI. *Gul*,[3][*Sugar*] *and Sugarcane*—

VII. *Fruits*—

1. Mango.
2. Mosambi.
3. Santra.
4. Lemon.
[4][5. * * *] 4. Suran.
6. Grapes.
7. Pomegranate.
8. Fig.
9. Chickoo.
10. Strawberry.
11. Melons.
12. Water Melon.
13. Papaya.
14. Guava.
15. Bor.
16. Falsa.
17. Custard Apple.
[6][18. Grapes Fruits.]
19. Apple.
20. Pineapple.
21. Jam.
22 Plum.
23 Peach.
24 Pears.
25 Leechi.
26 Almond.
27 Jack Fruit.
28 Jack Fruit.
29 Naspati.
30 Cherry.]

VIII. *Vegetables*—

1. Potato.
2. Onion.
3. Tomato.
4. Suran.
[5][5. Leafy and other vegetables.]
6. Yam potatoes.
7. Sweet potatoes.
8. Kochara.

IX. *Animal Husbandry Products*—

1. Eggs.
2. Poultry.
3. Cattle.
4. Sheep.
5. Goat.
6. Wool.
[7][7. * * *

1 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

2 Entry (*14*) in Item IV was added and entry (*1*) in Item XIV was substituted by G. N., A. and C. D., No. APM 2083/50932/537/11-C, dated the 9th May 1984.

3 Entry (*14*) in Item III, entry (*11*) in Item IX, Items XVII, XVIII and XIX were added and the word "Sugar" in Item VI was inserted by G. N., A. and C. D., No. APM 1384/3159/369/11-C, dated the 25th September 1987.

4 Entry (*5*) in Item VII was deleted by G. N., C. and T. D., No. APM 1094/7717/371/11-C, dated the 14th March 1996.

5 Entry (*5*) in Item VIII was substituted by G. N., and C. D., No. APM 2775/33256/11-C, dated the 23rd June 1977.

6 Entries (*18*) to (*29*) in Item VII were added by G. N., A. and C. D., No. APM 2077/28295/11-C, dated the 6th April 1979.

7 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

8. * * *

9. * * *]

10. Hides and skins.

2[11. Ghee.]

Condiments, spices and others—

1. Turmeric.

2. Ginger.

3. Garlic. 2. Gum.

4. Coriander. 4[3. * * *] 5. Chillies.

6. Cardamom and pepper.

Variali.

Betelnuts.

9. Betel leaves.

10. Cashewnuts.

11. Cumin (Jiru).

12. Rai (mustard).

13. Methi.

6[14. * * * *

15. * * * *

16. * * * *]

17. Gum.

18. Tamarind

XI. *Grass and fodder—*

XII. *Cattle feeds—*

1. Guwar.

2. Punvad.

XIII. *Apiculture—*

1[1. * * * *]

XIV. *Pisciculture—*

3[1. Fish and other acquatic product.] X.

XV. *Forest produce—*

1. Hilda.

4. Lac.

5[5. Bamboo. 7.

6. Fire wood]. 8.

1 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

2 Entry (*14*) in Item III, entry (*11*) in Item IX, Items XVII, XVIII and XIX were added and the word "Sugar" in Item VI was inserted by G. N., A. and C. D., No. APM 1384/3159/369/11-C, dated the 25th September 1987.

3 Entry (*14*) in Item IV was added and entry (*1*) in Item XIV was substituted by G. N., A. and C. D., No. APM 2083/50932/537/11-C, dated the 9th May 1984.

4 Entry (*3*) in Item XV was cancelled by G. N., A. and C. D., No. APM 2078/31420 (3484)/ 11-C, dated 18th December 1979.

5 Entries (*5*) and (*6*) in Item XV were cancelled by G. N., A. and C. D., No. APM 2076/27726/6-C, dated the 31st August 1977 and were again added by G. N., C. and T. D., No. KRUBAS 1993/254/CR-31/ 11-C, dated the 6th February 1995.

6 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

1[XVI. *Other Flowers*.—]

2[XVII. *Wheat flour*.—

XVIII. *Dry fruits*.—

XIX. *Edible oils*.—].

1 (The word "sugar" was deleted from Item VII.) Entries (*7*), (*8*) and (*9*) in Item IX entries (*14*), (*15*) and (*16*) in Item X and entry (*1*) in Item XIII were deleted and entries (*7A*) and (*13*) in Item IV, entry (*1*) in Item XVI and entry (*16*) in Item II were added by G. N., A. and C. D., No. APM 2080/26277/413/ 11-C, dated the 13th April 1982.

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