



The Tamil Nadu Agricultural Produce Markets Act, 1959

Act 23 of 1959

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¹[TAMIL NADU] ACT No. 23 OF 1959.²

THE ¹[TAMIL NADU] AGRICULTURAL PRODUCE
MARKETS ACT, 1959.

[Received the assent of the Governor on the 24th December 1959, first published in the Fort St. George Gazette on the 13th January 1960 (Pausa 23, 1881).]

An Act to provide for the better regulation of buying and selling of agricultural produce and the establishment and proper administration of markets for agricultural produce in the ³[State of Tamil Nadu].

WHEREAS it is expedient to provide for the better regulation of buying and selling of agricultural produce and the establishment and proper administration of markets for agricultural produce in the ³[State of Tamil Nadu] ;

BE it enacted in the Tenth Year of the Republic of India as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the ¹[Tamil Nadu] Agricultural Produce Markets Act, 1959.

(2) It extends to the whole of the ³[State of Tamil Nadu].

(3) It shall come into force on such date as the Government may, by notification, appoint; and different dates may be appointed for different areas and for different provisions of this Act.

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order 1969.

² For Statement of Objects and Reasons see *Fort St. George Gazette* Extraordinary, dated the 17th April 1959, Part IV-A, page 257.

This Act was extended to the added territories by section 3 of, and the First Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961) repealing the corresponding law in force in those territories.

³ This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

2. In this Act, unless the context otherwise requires,— Definitions.

(i) “agricultural produce” includes anything produced in the course of agriculture and any other produce, whether processed or unprocessed, declared by the Government, by notification, to be an agricultural produce for the purposes of this Act ;

(ii) “agriculture” includes horticulture, fruit growing and seed growing, and “agricultural” shall be construed accordingly ;

(iii) “Collector” means the Collector of the district in which the notified area is situated or if such area is situated in two or more districts, the Collector of one of those districts designated by the Government in that behalf ;

(iv) “co-operative marketing society” means any co-operative society registered or deemed to be registered under the *Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), or under the Travancore-Cochin Co-operative Societies Act, 1951 (Travancore-Cochin Act X of 1952), which has, as its principal object, the promotion of the sale of the agricultural produce grown, reared or produced by its members ;

(v) “Director” means the ¹[Director of Agriculture, Tamil Nadu], and includes any other person or authority authorised by the Government, by notification, to perform the functions of the Director under this Act for such area as may be specified in the notification ;

(vi) “Government” means the State Government;

(vii) “market” means any market established under sub-section (3) of section 5 ;

(viii) “market committee” means any market committee established under sub-section (1) or sub-section (2) of section 5 ;

(ix) “notified agricultural produce” means any agricultural produce specified in the notification under section 4;

¹ This expression was substituted for the expression “Director of Agriculture, Madras” by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970.

*Now the Tamil Nadu Co-operative Societies Act, 1961 (Tamil Nadu Act 53 of 1961).

(x) "notified area" means any area notified under section 4 as altered by any notification under section 7 ;

(xi) "notified market area" means any area notified under sub-section (4) of section 5 as altered by any notification under section 7 ;

(xii) "person" means an individual or a company or an association or a body of individuals, whether incorporated or not, and includes a local authority ;

Explanation.—In this clause, "local authority" has the meaning assigned to it in clause (20) of section 3 of the ¹[Tamil Nadu] Public Health Act, 1939 (¹[Tamil Nadu Act III of 1939 ;)

(xiii) "producer" means any person who grows, rears or produces by himself or by hired labour or otherwise any agricultural produce, but does not include a dealer or broker in that produce, although he may grow, rear or produce, that produce ;

If any question arises whether any person is a producer or not for the purposes of this Act, the decision of the Collector shall subject to the provision of section 34 be final. The decision of the Collector shall be in accordance with such procedure as may be prescribed.

(xiv) "Registrar" means the ²[Registrar of Co-operative Societies, Tamil Nadu].

3. The Government may, by notification, declare their intention of exercising control over the purchase and sale of such agricultural produce and in such area as may be specified in the notification. Such notification shall state that any objections or suggestions which may be received by the Government, within a period to be specified in the notification, will be considered by them.

Notification of intention of exercising control over purchase and sale of agricultural produce in specified area.

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² This expression was substituted for the expression "Registrar of Co-operative Societies, Madras" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970.

1961

A copy of the notification shall be published in such manner as may be prescribed.

4. (1) After the expiry of the period specified in the notification under section 3 and after considering such objections and suggestions as may be received before such expiry, the Government may, by notification, declare the area specified in the notification under section 3 or any portion thereof to be a notified area for the purposes of this Act in respect of any agricultural produce specified in the notification under that section.

Declaration
of notified
area.

A copy of the notification shall be published in such manner as may be prescribed.

(2) A notification published under section 3 or under sub-section (1) shall have full force and effect notwithstanding any irregularity or defect in the publication of a copy of the notification under section 3 or under sub-section (1), as the case may be.

5. (1) The Government shall establish a market committee for every notified area. It shall be the duty of the market committee to enforce the provisions of this Act and the rules and by-laws made thereunder in such notified area.

Establish-
ment of
market
committee.

(2) (a) Notwithstanding anything contained in sub-section (1), where any co-operative marketing society offers to undertake the enforcement of the provisions of this Act and the rules and by-laws made thereunder in any notified area, it may apply to the Government through the Registrar in such manner and with such particulars as may be prescribed. The Registrar shall after making such enquiry as he deems necessary forward the application to the Government with his remarks thereon.

(b) If, on considering the remarks of the Registrar under clause (a), the Government are satisfied that the co-operative marketing society may fulfil the offer, they may, by order direct the co-operative marketing society to establish a market committee for the notified area concerned.

(3) Every market committee shall establish in the notified area such number of markets providing for such

facilities, as the Government may from time to time direct, for the purchase and sale of the notified agricultural produce.

(4) The Government shall, as soon as may be, after the establishment of a market by a market committee under sub-section (3), declare, by notification, the area of the market and such area around the market as may be specified in the notification to be a notified market area for the purposes of this Act in respect of any notified agricultural produce :

Provided that the Government shall include in the notification under this sub-section the area in respect of which any co-operative marketing society which has established a market committee under sub-section (2), carries on its business :

Provided further that the Government may subject to such rules as may be made include in the notification under this sub-section the area in respect of which any co-operative marketing society carries on its business.

Trading in
agricultural
produce in
notified area.

6. (1) No person shall, within a notified area, set up, establish or use, or continue or allow to be continued, any place for the purchase or sale, storage, weighment, pressing or processing of any notified agricultural produce, except under and in accordance with the conditions of a licence granted to him by the market committee :

Provided that the market committee may exempt from the provisions of this sub-section any person who carries on the business of purchasing or selling any notified agricultural produce in any quantity not exceeding that prescribed :

Provided further that a producer selling his notified agricultural produce which has been grown, reared or produced by him, or a co-operative marketing society selling notified agricultural produce which has been grown, reared or produced by any of its members, shall be exempt from the provisions of this sub-section, but the Government may withdraw for such period as may be prescribed such exemption in respect of any such produce or co-operative marketing society or all of them or impose such penalty as may be prescribed.

(2) Nothing contained in sub-section (1) shall apply to a person purchasing notified agricultural produce for his own domestic consumption in any quantity not exceeding that prescribed.

¹[(2-A) Notwithstanding anything contained in sub-section (1), no person shall, after the date to be notified by the Government in this behalf in the *Tamil Nadu Government Gazette*, purchase or sell any notified agricultural produce in a notified market area outside the market in that area.

Explanation.—For the purposes of this sub-section, purchase or sale shall, unless otherwise prescribed, mean the first point of purchase or sale in the notified market area.]

(3) A licence under sub-section (1) may be refused to a person—

(i) whose licence was cancelled and three years have not elapsed since the date of the cancellation ;

(ii) who has been convicted of an offence, or been guilty of misconduct affecting the said person's integrity as a man of business ;² [or]

(iii) in regard to whom the market committee is satisfied after such enquiry as it considers adequate, that he is a *benamidar* for, or a partner with, any other person to whom a licence may be refused ;³[under clause (i) or (ii)]

¹ This sub-section was inserted by section 2 (1) of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1971 (Tamil Nadu Act 2 of 1972).

² This word was added by section 2 (2) (a), *ibid.*

³ This expression was substituted for the expression "under clause (i) or (ii); or" by section 2(2) (b), *ibid.*

1](iv) *** **]

(4) If a market committee is satisfied, either on a reference made to it in this behalf, or otherwise, that—

(a) a licence granted under sub-section (1) has been obtained by misrepresentation or fraud, or

(b) the holder of a licence has contravened, or failed to comply with, any of the provisions of this Act or the rules or by-laws made thereunder or any of the conditions of the licence,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the market committee may, subject to such rules as may be made under this Act, cancel or suspend the licence, after giving the holder of the licence a reasonable opportunity of showing cause against such cancellation or suspension.

(5) Any person aggrieved by the decision of the market committee refusing to grant or cancelling or suspending a licence may, within such time as may be prescribed, appeal to the Collector and the Collector may make such order in the case as he may think fit.

(6) A licence granted under sub-section (1) shall be valid for a financial year and shall be renewed from financial year to financial year and the provisions of this Act shall, so far as may be, apply in relation to the renewal of a licence as they apply in relation to the grant of a licence.

(7) Every person to whom a licence is granted under sub-section (1) shall comply with the provisions of this Act, the rules and by-laws made thereunder and the conditions specified in the licence.

¹The following clause was omitted by section 2 (2) (c), of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1971 (Tamil Nadu Act 2 of 1972):—

“(iv) if the market committee finds that the grant of the licence in respect of any place situated within a distance of five miles from the notified market area is likely to affect the levy of cess under section 18 or the transaction of sale or purchase of the notified agricultural produce in the market.”

In the said clause, the word “fee” was earlier substituted for the word “cess” by section 2 of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

7. The Government may, by notification—

(a) exclude from any notified area or from any notified market area any area comprised therein, or

(b) include in any notified area or in any notified market area any new area:

Power of Government to alter notified area or notified market area.

Provided that the power conferred by this section shall, in relation to any notified area, be subject to the provisions of section 3.

8. (1) Every market committee other than a market committee established by a co-operative marketing society under sub-section (2) of section 5, shall consist of members not exceeding eighteen and shall be constituted the manner hereinafter specified.

Constitution of market committee by election.

(2) Each of the following electorates shall elect as members, from among the persons comprising it, to the market committee :—

(a) producers of the notified agricultural produce in the notified area;

(b) persons licenced under sub-section (1) of section 6 in the notified area in respect of the notified agricultural produce.

(3) The number of members to be elected under clause (a) of sub-section (2) shall be nine and the number of members to be elected under clause (b) of that sub-section shall be four.

¹[(3-A) The members to be elected under clauses (a) and (b) of sub-section (2) shall be chosen in such territorial constituencies as may be prescribed and each such territorial constituency shall—

(a) so far as practicable, consist of the same number of electors, and

(b) return one member only.]

¹ This sub-section was inserted by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1965 (Tamil Nadu Act 21 of 1965).

(4) The Government may appoint to every market committee one producer residing in the notified area on the recommendation of the Registrar to represent co-operative interests.

(5) The Government may appoint to every market committee such number of members as they think fit, not exceeding three :

Provided that where a market committee is established for any notified area for the first time—

(i) the Government shall appoint all the members of such committee for a period of one year ; and

(ii) if before the expiry of the period of one year aforesaid the elections of members to the market committee could not be held or if, for any reason the Government consider it desirable that the market committee should consist solely of members appointed by them, they may extend the term of office of all or any of the members appointed under clause (i), or appoint new members in their places for such period or periods, ¹[not exceeding three years] in the aggregate as they think fit.

Constitution
of Market
Committee
by Co-operative
Marketing
Society.

9. Every market committee established by any co-operative marketing society under sub-section (2) of section 5 shall consist of the following members, namely:—

(i) nine persons appointed by the co-operative marketing society from among the producers of the notified agricultural produce in the notified area and who are members of the said society ;

(ii) four persons appointed by the co-operative marketing society from among the licensed under sub-section (1) of section 6 in the notified area in respect of the notified agricultural produce and who are members of the said society :

¹ These words were substituted for the words "not exceeding one year" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1981 (Tamil Nadu Act 5 of 1981), which was deemed to have come into force on the 5th December 1980.

Provided that where a market committee is established for any notified area for the first time, the co-operative marketing society shall appoint four persons from among the persons engaged in the purchase, sale, storage, weighing, pressing or processing of the notified agricultural produce in the notified area ;

(iii) four persons appointed by the Government.

10. The District Agricultural Officer having jurisdiction over the notified area shall *ex-officio* be a member of the market committee established for such area.

District
Agricultural
Officer to be
ex-officio
member.

Explanation.—Where there are two or more District Agricultural Officers having jurisdiction over different portions of a notified area, the Government shall decide which of such officers shall be the District Agricultural Officer for the purposes of this section .

11. (1) (a) The term of office of an elected member shall be five years from the date of occurrence of the vacancy to which he was elected or from the date of his election, whichever is later. The term of office of a member appointed under sub-section (5) of section 8, other than a member appointed under the proviso to that sub-section, shall expire on the date on which the term of office of elected members expires :

Term of
office of
members etc.

Provided that a member elected under clause (b) of sub-section (2) of section 8 shall cease to hold his office if he ceases to be a member of the electorate by which he was elected ;

(b) The term of office of the members of a market committee established by a co-operative marketing society shall be three years :

Provided that a member appointed under clause (ii) of section 9 shall cease to hold his office if he is not granted a licence or ceases to be licensed under sub-section (1) of section 6 in the notified area.

(2) A member of every market committee other than the *ex-officio* member shall cease to hold his office if he absents himself from three consecutive meetings of the market committee, including meetings which for want of quorum could not be held.

(3) When the seat of any member becomes vacant, the vacancy shall be filled up—

(i) in case he was an elected member, by a person co-opted by the market committee from among the members of the electorate by which the member was elected;

(ii) in case he is a member appointed by a co-operative marketing society, by a person appointed by the said society ; and

(iii) in any other case by a person appointed by the Government :

Provided that no casual vacancy shall be filled up within three months before the expiry of the term of office of the elected members.

(4) The member co-opted or appointed to be fill up a vacancy under sub-section (3) shall hold office only so long as the member in whose place he is co-opted or appointed would have been entitled to hold office if the vacancy did not occur.

(5) For the purposes of sub-section (2) no meeting of the market committee from which a member absents himself shall be counted against him if due notice of that meeting was not given to him.

(6) Where a person ceases to be a member under sub-section (2), the chairman shall at once intimate the fact in writing to such person and report the same to the market committee at its next meeting. If such person applies for restoration *suo motu* to the market committee on or before the date of the next meeting, or within fifteen days of the receipt by him of such intimation, the market committee may at the meeting next after the receipt of such application, restore him to his office of member:

Provided that a member shall not be so restored more than twice during his term of office.

(7) Any member of a market committee may at any time be removed from office by the Government for any of the reasons specified in the rules made under this Act.

(8) Vacancies caused by the expiry of the term of office of elected members of any market committee may be filled at elections which may be fixed by the Collector to take place on such days not earlier than two months before the date on which the vacancies arise as he thinks fit.

(9) Every market committee shall elect one of the members who is a producer of the notified agricultural produce in the notified area to be its chairman and another member to be its vice-chairman.

¶12. *** *** *** ***

13. Every market committee shall be a body corporate by such name as the Government may specify, shall have perpetual succession and a common seal, may sue and be sued in its corporate name, and shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in, or been acquired by it, and to contract and to do all other things necessary for the purposes for which it is established.

Incorporation of market committee.

14. The market committee may appoint one or more of its members to be a sub-committee or to be a special committee for the conduct of any work or to report on any matter and may delegate to any one or more of its members such of its own powers or duties as it may think fit.

Sub-committee, special committee and delegation of powers.

15. (1) The market committee may, at any time, call a general meeting of the market committee and shall call

Meetings.

¹ The following section was omitted by section 3 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), which was deemed to have come into force on the 6th June 1978:—

“12. Special provision where there is delay in the reconstitution of new market committee.—Where the term of office of the members of a market committee has expired and if, for any reason, there is delay in the reconstitution of the market committee, those members shall, notwithstanding the expiration of their term of office, continue to hold office and function as members of the market committee until the market committee is reconstituted.”

such a meeting within one month after receipt of a requisition in writing from the Director or from such number of members or proportion of the total number of members as may be specified in the by-laws of the market committee.

(2) If a general meeting is not called in accordance with such requisition the Director shall have power to call a general meeting of the market committee him self.

Appoint-
ment and
salaries of
officers and
servants of
market
committee.

16. (1) Subject to such rules as may be made under this Act, a market committee may employ such officers and servants as may be necessary for the management of the market, may pay such officers and servants such salaries as it may think fit and shall have power to control and punish them. The market committee may also provide for the payment to its officers and servants of such leave allowances, pensions, gratuities or compassionate allowances, as it deems proper; and may contribute to any provident fund which may be established for the benefit of such officers and servants.

(2) The market committee shall, in the case of any servant of the Government whom it employs, make such contributions towards his pension and leave allowances as may be required, by the conditions of his service under the Government, to be paid by him or on his behalf.

(3) The chairman, vice-chairman and every officer or servant of a market committee shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

Execution of
contracts.

17. (1) Every contract entered into by the market committee shall be in writing and shall be signed on behalf of the market committee by the chairman and two other members of the market committee or if the market committee has been superseded, by the person or persons appointed under sub-section (3) of section 24.

(2) No contract other than a contract executed as provided in sub-section (1) shall be binding on a market committee.

18. ²[(1) The market committee shall levy a fee on any notified agricultural produce bought or sold in the notified market area at a rate not exceeding forty-five paise and subject to a minimum of twenty-five paise for every hundred rupees of the aggregate amount, for which the notified agricultural produce is bought or sold whether for cash or for deferred payment or other valuable consideration.

Levy of
[fee] by
market
committee.

¹ This word was substituted for the word "cess" by section 3(a) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

² The original sub-section (1) of section 18 read as follows :—

"(1) Notwithstanding anything contained in the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act I of 1959), the market committee shall levy a cess by way of sales tax on any notified agricultural produce bought or sold in the notified market area at a rate not exceeding fifty naye paise for every hundred rupees of the aggregate amount for which the notified agricultural produce is bought or sold whether for cash or for deferred payment or other valuable consideration.

Explanation I.— For the purposes of this sub-section, all notified agricultural produce taken out or proposed to be taken out of a notified market area shall, unless the contrary is proved, be presumed to be bought or sold within such area.

Explanation II.—In the determination of the amount of the cess payable under this Act, any fraction of ten naye paise less than five naye Paise shall be disregarded and any fraction of ten naye paise equal to or exceeding five naye paise shall be regarded as ten naye paise."

In the said sub-section, for the words "the market committee shall levy a cess by way of sales tax on any notified agricultural produce bought or sold", the words "the market committee shall in the case of notified agricultural produces (other than notified agricultural produces which are declared goods) levy a cess by way of sales tax on such notified agricultural produces bought or sold" were substituted and in the Explanation I to the said sub-section for the words "this sub-section", the words "this section" were substituted by section 2(i) of the Tamil Nadu Agricultural Produce Markets (Amendment and Validation of Cess) Act, 1970 (Tamil Nadu Act 18 of 1970), which was deemed have come into force on the 22nd October 1962.

The present sub-section was substituted for sub-section (1) as so amended by section 3 (b) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

Explanation I.—For the purposes of this sub-section, all notified agricultural produce taken out or proposed to be taken out of a notified market area shall, unless the contrary is proved, be presumed to be bought or sold within such area.

Explanation II.—In the determination of the amount of the fees payable under this Act, any fraction of ten paise less than five paise shall be disregarded and any fraction of ten paise equal to or exceeding five paise shall be regarded as ten paise.

¹[(2) The fee referred to in sub-section (1) shall be paid by the purchaser of the notified agricultural produce concerned :

Provided that where the purchaser of a notified agricultural produce cannot be identified, the fee shall be paid by the seller.]

¹ This sub-section was substituted for the following sub-section by section 3(b) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970):—

“(2) The cess referred to in sub-section (1) shall be paid by the purchaser of the notified agricultural produce concerned :

Provided that where the purchaser of a notified agricultural produce cannot be identified, the cess shall be paid by the seller.”

In the said sub-section for the expression “sub-section (1)”, the expression “this section” was earlier substituted by section 2(ii) of the Tamil Nadu Agricultural Produce Markets (Amendment and Validation of Cess) Act, 1970 (Tamil Nadu Act 18 of 1970), which was deemed to have come into force on the 22nd October 1962.

*** *** ***]

The original sub-section (3) of section 18 read as follows :—

“(3) The cess levied under sub-section (1) shall be subject to the provisions of Article 286 of the Constitution.”

For the said sub-section, the following sub-section was substituted by section 2(iii) of the Tamil Nadu Agricultural Produce Markets (Amendment and Validation of Cess) Act, 1970 (Tamil Nadu Act 18 of 1970), which was deemed to have come into force on the 22nd October 1962 :—

“(3) In the case of notified agricultural produces which are declared goods and which are bought or sold in the notified market area the market committee shall levy a cess by way of sales tax—

(i) at the same point at which such declared goods are taxable under the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act I of 1959); and

(ii) at a rate not exceeding fifty paise for every hundred rupees of the aggregate amount for which such notified agricultural produces are bought or sold, whether for cash or for deferred payment, or other valuable consideration :

Provided that in the case of tobacco and sugar, the cess under this sub-section shall be levied only at the point of last purchase :

Provided further that the rate of cess payable under this sub-section, together with the rate of tax payable under the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act 1 of 1959) shall, at no time, exceed the rate specified in section 15 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) (hereinafter referred to as the Central Act) :

Provided also that where the rate of cess payable under this sub-section, together with the rate of tax payable under the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act 1 of 1959), exceeds the rate specified in section 15 of the Central Act, the rate of cess mentioned in this sub-section shall stand reduced proportionately in such manner that the reduced rate, together with the rate of tax payable under the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act 1 of 1959) shall, at no time, exceed the rate specified in section 15 of the Central Act.

Explanation.—For the purposes of this section, the expression “declared goods” shall mean the goods declared by section 14 of the Central Act to be of special importance in inter-State trade or commerce.”

Sub-section (3) as so substituted was omitted by section 3(c) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970),

(4) (a) At any time, when so required by any officer or servant of the market committee who is empowered by the Government in this behalf, the driver or any other person-in-charge of any vehicle, boat or other conveyance, which is taken or proposed to be taken out of a notified market area, shall stop the vehicle, boat or other conveyance, as the case may be, and keep it stationary as long as may reasonably be necessary, and allow the officer or servant empowered as aforesaid to examine the contents in the vehicle, boat or other conveyance and inspect all records relating to the notified agricultural produce carried, which are in the possession of such driver or other person-in-charge, who shall, if so required, give his name and address and the name and address of the owner of the vehicle, boat or other conveyance.

(b) The officer or servant of the market committee empowered as aforesaid shall have power to seize any notified agricultural produce taken, or proposed to be taken, out of a notified market area in any vehicle, boat or other conveyance, if such officer or servant has reason to believe that any ¹[***] fee or other amount due under this Act in respect of such notified agricultural produce has not been paid. Such seizure shall be forthwith reported by the officer or servant aforesaid to a Magistrate having jurisdiction to try an offence under this Act and the provisions of sections 523, 524 and 525 of the Code of Criminal Procedure, 1898 (Central Act V of 1898)*, shall, so far as may be, apply in relation to the notified agricultural produce seized as aforesaid as they apply in relation to property seized by a police officer.

Levy of
subscriptions for
market
reports, etc.

19. The market committee may, subject to such rules as may be made under this Act, levy a subscription for collecting and disseminating among the subscribers, information as to any matter relating to statistics or marketing in respect of the notified agricultural produce.

¹ The word "cess" was omitted by section 3 (d) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

* Now the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), sections 457, 458 and 459.

20. (1) All moneys received by a market committee shall be paid into a fund to be called the "Market Committee Fund". All expenditure incurred by the market committee under or for the purposes of this Act shall be defrayed out of the said fund, and any surplus remaining after such expenditure has been met shall be invested in such manner as may be prescribed.

Market committee fund.

(2) (a) Every market committee shall, out of its fund, pay to the Government the cost of any special or additional staff employed by the Government in consultation with the market committee for giving effect to the provisions of this Act in the notified area.

(b) The Government shall determine the cost of such special or additional staff and shall, where the staff is employed for the purposes of more than one market committee, apportion such cost among the market committee concerned in such manner as they think fit. The decision of the Government determining the amount payable by any market committee shall be final,

21. Subject to the provisions of section 20, the market committee fund shall be expended for the following purpose, only :—

Purposes for which the fund may be expended.

(i) the acquisition of a site or sites for the market;

(ii) the maintenance and improvement of the market ;

(iii) the construction and repair of buildings which are necessary for the purposes of such market and for the health, convenience and safety of the persons using it ;

(iv) the provision and maintenance of standard weights and measures ;

(v) the pay, pensions, leave allowances, gratuities, compassionate allowances and contributions towards leave allowances, pensions or provident fund of the officers and servants employed by the market committee ;

(vi) the payment of interest on loans that may be raised for purposes of the market and the provision of a sinking fund in respect of such loans ;

(vii) the collection and dissemination of information regarding all matters relating to statistics and marketing in respect of the notified agricultural produce ;

(viii) schemes for the extension or cultural improvement of the notified agricultural produce within the notified area, including the grant, subject to the approval of the Government, of financial aid to schemes for such extension or improvement within such area, undertaken by other bodies or individuals ;

(ix) schemes for grading of agricultural produce ;

(x) the expenses of and incidental to elections ;

(xi) such other purposes as may be authorised by the Director or the Government in this behalf by general or special order.

No trade allowance permissible except as prescribed by rules or by-laws.

22. No trade allowance, other than an allowance prescribed by rules or by-laws made under this Act, shall be made or received in a notified area by any person in any transaction in respect of the notified agricultural produce concerned and no Civil Court shall, in any suit or proceeding arising out of any such transaction, have regard to any trade allowance not so prescribed.

Explanation.—Every deduction other than deductions on account of deviation from sample, when the purchase is made by sample, or of deviation from standard, when the purchase is made by reference to a known standard, or on account of difference between the actual weight of the sacking and the standard weight, or on account of the admixture of foreign matter, shall be regarded as a trade allowance for the purposes of this Act.

Power to borrow.

23. (1) Every market committee may, with the previous sanction of the Government, raise the money required for carrying out the purposes for which it is established on the security of any property vested in, or belonging to, the market committee and of any fee ¹[***] leviable by the market committee under this Act. The market committee may, for the purpose of meeting the initial expendi-

¹ The words "or cess" were omitted by section 4 of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

ture on lands, buildings and equipment required for establishing the market, obtain a loan from the Government.

(2) The conditions under which such money or loan shall be raised and the time within which the same shall be repayable shall be subject to the previous sanction of the Government.

24. (1) If, in their opinion, a market committee is not competent to perform, or persistently makes default in performing, the duties, imposed on it by or under this Act, or abuses its powers, the Government may, by notification, supersede such market committee for a period not exceeding one year in the first instance and may, by order, extend, for a period not exceeding one year at a time, the period of supersession so however that the total period of supersession in the case of any market committee shall not exceed four years :

Supersession
of the
market
committee.

Provided that, before issuing a notification under this sub-section, the Government—

(i) shall give a reasonable opportunity to the market committee of showing cause against the proposal and shall consider the explanations and objections, if any, of the market committee; and

(ii) may, at their discretion, consult such authority or officer as they may deem fit.

(2) Upon the publication of a notification under sub-section (1) superseding a market committee, the following consequences shall ensue:—

(a) all the members as well as the chairman and vice-chairman of the market committee shall, as from the date of such publication, be deemed to have vacated their offices; and

(b) all the assets vested in the market committee shall, subject to all its liabilities vest in the Government.

(3) When a market committee has been superseded—

(a) the Government may, at their discretion, by order appoint a suitable person or persons to carry out

the functions of the market committee and transfer to such person or persons the assets and liabilities of the superseded market committee as on the date of such transfer ; and

(b) at any time before the expiry of the period of supersession, the Government may,—

(i) establish a new market committee under sub-section (1) of section 5, or

(ii) direct the co-operative marketing society concerned to establish a new market committee under sub-section (2) of section 5,

and transfer thereto all the assets and liabilities of the superseded market committee on the date of such transfer.

Penalties.

25. Any person who—

(a) fraudulently evades the payment of any fee ¹[* *] or other amount due from him under this Act or the rules or by-laws made thereunder, or

(b) wilfully acts in contravention of any of the provisions of this Act,

shall be liable to fine which may extend to five hundred rupees, and in the case of a continuing evasion or contravention with a further fine which may extend to one hundred rupees for every day during which the evasion or contravention is continued after conviction therefor.

Liability of accused to pay fee ²[* *] or other amount.

26. Every person who is prosecuted for an offence under section 25 or the rules or by-laws made under this Act shall be liable, on proof to the satisfaction of the Magistrate that he wilfully omitted to pay the fee, ³[* *] or other amount due from him under this Act or the rules or by-laws made thereunder, to pay to the market committee the amount which may be due from him on account of such fee, ³[*] or other amount.

¹ The word "cess" was omitted by section 5 of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

² The word "cess" was omitted by section 6 (1), *ibid.*

³The word "cess" was omitted by section 6 (2), *ibid.*

27. The market committee may accept from any person who has committed or is reasonably suspected of having committed an offence against this Act or the rules or by-laws made thereunder, by way of composition of such offence—

Composition
of offences.

(a) where the offence consists of the failure to pay or the evasion of any fee, ¹[*] or other amount recoverable under this Act or the rules or by-laws made thereunder, in addition to the fee, ¹[*] or other amount so recoverable a sum of money not exceeding five hundred rupees or double the amount of the fee, ¹[*] or other amount whichever is greater; and

(b) in other cases, a sum of money not exceeding five hundred rupees.

28. Whenever any person is convicted of an offence under this Act or the rules or by-laws made thereunder, the Magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the market committee, the amount of fee, ²[x] or other amount due from him under this Act or the rules or by-laws made thereunder and may, in his discretion, also recover summarily and pay over to the market committee such amount, if any, as he may fix as the costs of the prosecution.

Power of
Magistrate
to recover
summarily
fee, ²[*] or
other
amount.

29. (1) The Government may, ⁴[* * * * *] make either generally or specially for any notified area or areas, rules for carrying out all or any of the purposes of this Act.

Rules.

¹ The word "cess" was omitted by section 7 of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

² The word "cess" was omitted by section 8 (1), *ibid.*

³ The word "cess" was omitted by section 8 (2), *ibid.*

⁴ The words "by notification" were omitted by section 3 (i) of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1965 (Tamil Nadu Act 21 of 1965).

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate—

(i) the election, appointment, co-option and removal of members of a market committee; ¹[the territorial constituencies for purposes of election of members under sub-section (2) of section 8]; the preparation and revision of lists of electors ; and the payment of all expenditure in connexion with or incidental to elections ;

(ii) the election of the chairman and vice-chairman of a market committee and their term of office ;

(iii) the filling of casual vacancies in the office of the chairman, vice-chairman or member of a market committee ;

(iv) the annual fees that may be levied by the market committee in respect of licences granted under section 6 and the recovery of such fees ;

(v) the maximum rates of subscriptions which may be levied by the market committee under section 19 and the recovery of such subscriptions ;

(vi) the manner of collection of ²[fees];

(vii) the issue by a market committee of licences to brokers, weighmen, measurers and surveyors, the form in which, and the conditions subject to which, such licences shall be issued or renewed, and the fees to be charged therefor ;

(viii) the kind and description of the scales, weights and measures, which alone may be used in transactions in the notified agricultural produce concerned in a notified area ;

¹ These words were inserted by section 3 (ii) of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1965 (Tamil Nadu Act 21 of 1965).

² This word was substituted for the word "cess" by section 9 of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

(ix) the periodical inspection, verification and correction of all scales, weights and measures in use in a notified area and the seizure of scales, weights and measures found to be false ;

(x) the trade allowances which may be made or received by any person in any transaction in the notified agricultural produce in a notified area ;

(xi) the provision of facilities for the settlement of any dispute between a buyer and seller of the notified agricultural produce or their agents including disputes regarding the quality or weight of the article, the allowances for wrappings, dirt or impurities or deductions from any cause ;

(xii) the prohibition of brokers from acting in any transaction on behalf of both the buyer and seller of any notified agricultural produce ;

(xiii) the provision of accommodation for storing any notified agricultural produce brought into the market ;

(xiv) the preparation of plans and estimates for works proposed to be constructed partly or wholly at the expense of the market committee, and the grant of sanction to such plans and estimates ;

(xv) the procedure to be followed by a market committee in respect of financial matters generally, including the manner in which, and the restrictions and conditions subject to which, expenditure may be incurred by it ;

(xvi) the form in which the accounts of a market committee shall be kept, the audit and publication of such accounts, and the charges, if any, to be made for such audit ;

(xvii) the powers of auditors and the Director to disallow and surcharge items and the recovery of sums so disallowed and surcharged ;

(xviii) the institution of provident funds ;

(xix) the preparation and submission for sanction of an annual budget and the reports and returns to be furnished by a market committee ;

(xx) the investment and disposal of the surplus funds of a market committee ;

(xxi) the prevention of adulteration of notified agricultural produce ;

(xii) the maintenance of standards of notified agricultural produce ;

(xxiii) the provision for affording facilities for settlement of debts charged on notified agricultural produce ;

(xxiv) any other matter which has to be, or may be prescribed.

(3) Any rule made under this section may provide that any contravention thereof or of any of the conditions of any licence issued or renewed thereunder shall be punishable with fine which may extend to two hundred rupees.

¹[(4) (a) All rules made under this Act shall be published in the **Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

¹ This sub-section was substituted for the following sub-section by section 3 (iii) of the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1965 (Tamil Nadu Act 21 of 1965) :—

“(4) All rules made and all notifications issued under this Act shall, as soon as possible after they are made or issued, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session”.

* Now the *Tamil Nadu Government Gazette*.

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(c) Every rule made or notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter 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 under that rule or notification.

30. (1) Subject to any rules made by the Government **By-laws.** under section 29 and with the previous sanction of the Director, a market committee may, in respect of the notified area for which it was established, make by-laws for the regulation of the business and the conditions of trading therein :

Provided that where a market committee fails to make by-laws under this sub-section within one month from the date of its establishment, the Director may make such by-laws as he thinks fit and the by-laws so made shall be deemed to be by-laws made by the market committee and may be amended or varied by the Director or, with his previous sanction, by the market committee.

(2) Any by-law made under this section may provide that any contravention thereof shall be punishable with fine which may extend to fifty rupees.

31. A market committee may write off any, fee ²[] or **Power to** other amount whatsoever due to it, whether under a **write off** contract or otherwise, or any sum payable in connexion **irrecoverable** fee, ²[*] etc.

¹ The word "cess" was omitted by section 10 (1) of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

² The word "cess" was omitted by section 10(2), *ibid.*

therewith, if in its opinion such fees, ¹[*] amount or sum is irrecoverable :

Provided that the market committee shall, before writing off any such fee ¹[*] amount or sum, obtain the sanction of—

(i) the Director, if the fee, ¹[*] amount or sum exceeds one hundred rupees, but does not exceed such amount or sum, as may be prescribed by rules made under this Act ; and

(ii) the Government, if such amount or sum exceeds the amount or sum so prescribed.

Trial of
offences.

32. (1) No offence made punishable by this Act or any rule or by-law made thereunder shall be tried by any court inferior to that of a *presidency magistrate or a magistrate of the first class.

(2) Any prosecution under this Act may be instituted by any person duly authorised in writing by the market committee in this behalf.

Recovery of
sums due to
Government
from market
committee.

33. All sums due from a market committee to the Government may be recovered in the same manner as arrears of land revenue.

Power of
Government
to call for
records and
pass orders.

34. (1) The Government may call for and examine the record of any market committee or of the Director or Collector in respect of any proceeding to satisfy themselves as to the regularity of such proceeding or the

¹ The word "cess" was omitted by section 10 (2), of the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970 (Tamil Nadu Act 19 of 1970).

* According to clauses (a) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), any reference to a Magistrate of the first class shall be construed as a reference to a Judicial Magistrate of the first class and any reference to a Presidency Magistrate shall be construed as a reference to a Metropolitan Magistrate with effect on and from 1st April 1974.

correctness, legality or propriety of any decision or order passed therein ; and, if, in any case, it appears to the Government that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly :

Provided that, before passing any order under this sub-section, the Government —

(i) shall, if such order is likely to be prejudicial to any person, give such person a reasonable opportunity of making his representations ; and

(ii) may, at their discretion, consult such authority or officer as they may deem fit.

(2) The Government may stay the execution of any such decision or order pending the exercise of their powers under sub-section (1) in respect thereof.

35. Nothing in this Act shall apply to any place set up, established or continued by or on behalf of the Central Government or any State Government for the purchase, sale, storage, weighment, pressing or processing of any notified agricultural produce or to the purchase or sale of any notified agricultural produce by or on behalf of the Central Government or any State Government. **Saving.**

36. (1) Notwithstanding anything contained in the Indian Registration Act, 1908 (Central Act XVI of 1908), it shall not be necessary for the chairman or any member or officer or servant of a market committee or the person referred to in sub-section (1) of section 17 to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed by him in his official capacity or to sign as provided in section 58 of that Act. **Registration of document executed on behalf of a market committee.**

(2) Where any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he thinks fit, refer to such chairman, member, officer, servant or person for information respecting the same and shall, on being satisfied of the execution thereof, register the instrument.

Liability of
the chairman
vice-chair-
man and
members for
loss, waste or
misappli-
cation of
property.

37. (1) The chairman, vice-chairman and every member of a market committee shall be liable for the loss, waste or misapplication of any money or other property owned by, or vested in, the market committee, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct ; and a suit for compensation may be instituted against him in any court of competent jurisdiction by the market committee with the previous sanction of the Director.

(2) Every such suit shall be commenced within three years after the date on which the cause of action arose.

Repeal.

38. (1) The Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933) [in sub-section (2) referred to as "the said Act"] is hereby repealed.

(2) Notwithstanding the repeal of the said Act, any area declared to be a notified area under the said Act shall be deemed to be a notified area under this Act, any market committee established for the said notified area under the said Act and holding office immediately before the date of the commencement of this Act shall be deemed to be a market committee established under this Act for the said notified area, all the members of such market committee shall be deemed to be members appointed by the Government or elected under this Act and any market established under the said Act shall be deemed to be a market established under this Act.

TAMIL NADU ACT No. 18 OF 1970.*

**THE TAMIL NADU AGRICULTURAL PRODUCE
MARKETS (AMENDMENT AND VALIDATION
OF CESS) ACT, 1970.**

[Received the assent of the Governor on the 25th September 1970, first published in the Tamil Nadu Government Gazette Extraordinary, on the 29th September 1970 (Asvina 7, 1892).]

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and to validate the levy and collection of cess under the said Act.

BE it enacted by the Legislature of the State of Tamil Nadu, in the Twenty-first Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment and Validation of Cess) Act, 1970.

(2) Section 2 shall be deemed to have come into force on the 22nd October 1962 and shall remain in force till such date as the State Government may, by notification, appoint.

2. [The amendments made by this section have been incorporated in the principal Act, viz., The Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959).]

Validation.

3. Notwithstanding anything contained in any judgment, decree or order of any court or other authority, all cess levied or collected or purporting to have been levied or collected under the principal Act on the sale or purchase of agricultural produces which are declared goods by any market committee during the period commencing on the 22nd October 1962 and ending with the 18th August 1970 (both days inclusive), shall, for all purposes, in so far such levy or collection is consistent with the provisions of section 2, be deemed to be, and to have always been, validly levied or collected in accordance with law as if section 2 had been in force at all material times when such cess was levied or collected and accordingly—

(a) all acts, proceedings or things done or taken by any authority, officer or person in connection with the levy or collection of such cess shall, for all purposes, be deemed to be and to have always been done or taken in accordance with law ;

*For Statement of Objects and Reasons, see the Tamil Nadu Government Gazette Extraordinary, dated the 2nd September 1970, Part IV—Section 3, pages 213—214.

(b) no suit or other proceeding shall be maintained or continued in any court for the refund of any cess so paid ;

(c) no court shall enforce any decree or order directing the refund of any cess so paid.

4. (1) Any person in respect of whom the cess on the sale or purchase of agricultural produces which are declared goods has been finally levied and collected under the provisions of the principal Act during the period commencing on the 22nd October 1962 and ending with the 18th August 1970 (both days inclusive), may, apply in such manner and in such form as may be prescribed to the market committee concerned for the revision of the amount of cess payable by him in accordance with the provisions of section 18 of the principal Act as amended by this Act. On receipt of an application under sub-section (1), the market committee concerned shall revise the cess payable by that person in accordance with the provisions of section 18 of the principal Act as amended by this Act.

Transitional
provision.

(2) If on such revision, the cess leviable on the sale or purchase of agricultural produces which are declared goods—

(a) is in excess of the cess already collected such excess shall be recovered in such manner and subject to such conditions as may be prescribed ; or

(b) is less than the amount of cess already collected in respect of such declared goods the difference shall be refunded to the person from whom such cess was collected in such manner and subject to such conditions as may be prescribed.

Explanation.—For the purposes of this section, and section 3, the expression “declared goods” shall mean the goods declared by section 14 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), to be of special importance in inter-State trade or commerce.

5. The Tamil Nadu Agricultural Produce Markets Repeal of (Amendment and Validation of Cess) Ordinance, 1970 (Tamil Nadu Ordinance 2 of 1970) is hereby repealed, of 1970.

TAMIL NADU ACT NO. 33 OF 1978.*
THE TAMIL NADU AGRICULTURAL PRODUCE
MARKETS (AMENDMENT AND SPECIAL
PROVISIONS) ACT, 1978.

[Received the assent of the Governor on the 30th September 1978, first published in the Tamil Nadu Government Gazette Extraordinary on the 4th October 1978 (Purattasi 18, Kalayukti (2009—Tiruvalluvar Andu)).]

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959, and to provide for the appointment of Special Officers for exercising the powers and performing the functions of market committees in the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978. Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of June 1978.

2. In this Act, unless the context otherwise requires, — Definitions.

(a) “Director” means the Director of Agricultural Marketing ;

(b) “Government” means the State Government ;

(c) words and expressions used and not defined in this Act, but defined in the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), shall have the meanings respectively assigned to them in that Act.

3. [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959).]

4. Notwithstanding anything contained in the principal Act or in any other law for the time being in force, every member of every market committee established under section 5 of the principal Act (including its chairman and vice-chairman and *ex-officio* member, if any), and of every sub-committee and special committee of such market committee, holding office as such immediately before the date of commencement of this Act shall Members of market committees to cease to hold office.

* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette* Extraordinary, dated the 31st August 1978, Part IV—Section 1, Page 415.

cease to hold office and be deemed to have vacated his office on and from the date of commencement of this Act.

Appoint-
ment of
Special
Officers
for market
committees.

5. (1) (a) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, on the date of commencement of this Act, the Government shall, by order, appoint Special Officers, to exercise the powers and perform the functions of the market committees and of the sub-committees or special committees of such market committees under the principal Act.

(b) A Special Officer may be appointed under clause (a) for one or more market committees as the Government may, by order, specify.

(2) Each Special Officer shall hold office for such period or periods not exceeding ¹[five years and six months] in the aggregate as may be specified by the Government from time to time:

Provided that if any vacancy arises in the post of Special Officer, the vacancy shall be filled up by the Government and the person appointed in the vacancy shall hold office for the remainder of the said period.

(3) The Special Officer appointed under sub-section (1) shall, subject to the control of the Director and to such directions as the Director may, from time to time, give, have power to exercise all or any of the powers and perform all or any of the functions of the market committee or of the sub-committees or special committees of such market committee and to take such action as may be required in the interest of the market committee.

¹ The words "four years" were substituted for the original words "two years" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1980 (Tamil Nadu Act 24 of 1980), which was deemed to have come into force on the 6th June 1980. The words "four years and six months" were again substituted for the words "four years" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1982 (Tamil Nadu Act 47 of 1982), which was deemed to have come into force on the 3rd June 1982. These words were substituted for the words "four years and six months" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1983 (Tamil Nadu Act 3 of 1983), which was deemed to have come into force on the 4th December 1982.

(4) Where a Special Officer is appointed under sub-section (1), the Government may appoint an advisory board to advise the Special Officer in such matters as may be specified by the Government and the advisory board shall consist of the following members, namely:—

(a) three persons from among the producers of the notified agricultural produce in the notified area ;

(b) three persons licensed under sub-section (1) of section 6 of the principal Act in the notified area in respect of the notified agricultural produce ;

(c) the District Agricultural Officer having jurisdiction over the notified area ;

(d) two other officers of the Government as may be nominated by the Government.

(5) The Government may fix the remuneration payable to the Special Officers appointed under sub-section (1) and the amount of remuneration so fixed, and such other expenditure incidental to the management of the market committee, during the period of appointment of the Special Officer as may be approved by the Government, shall be payable from the Market Committee Fund.

(6) The Special Officer appointed under sub-section (1) shall arrange for the constitution of a new market committee in accordance with the provisions of the principal Act and the rules made thereunder, so that the new market committee may be constituted and the members hereof come into office at the expiry of the period of appointment of the Special Officer.

6. (1) Where a Special Officer is appointed under sub-section (1) of section 5, and such Special Officer is resisted in, or prevented from, obtaining possession of the books, accounts, documents, securities, cash and other properties, whether movable or immovable, of the market committee (hereafter in this section referred to as the records and properties of the market committee) by any person who is not entitled to be in possession of the records and properties of the market committee, any metropolitan magistrate or any judicial magistrate of the first class in whose jurisdiction the office of the market committee or the records and properties of that market

committee is or are situate shall, on application by the Special Officer and on the production of the order of appointment, and of a certificate by the Director in the prescribed form setting forth that the records and properties mentioned therein belong to the market committee, direct delivery to the Special Officer of the possession of the records and properties of the market committee.

(2) No certificate shall be issued by the Director under sub-section (1) without making such inquiry as he deems necessary.

(3) For the purpose of the proceedings under sub-section (1) the certificate aforesaid shall be conclusive evidence that the records and properties to which it relates belong to the market committee.

(4) The metropolitan magistrate or the judicial magistrate of the first class referred to in sub-section (1) may, pending disposal of an application for directing delivery to the Special Officer of the possession of the records and properties of the market committee mentioned in the certificate by the Director, appoint a Receiver to take possession of such records and properties or such portion thereof as may be necessary. The remuneration, if any, paid to the Receiver and other expenses incurred by him shall be payable from the Market Committee Fund.

Delegation
of powers
of Govern-
ment.

7. (1) The Government may, by notification, authorise the Director or any other officer to exercise any of the powers vested in them under section 5, in respect of any market committee.

(2) The exercise of any power delegated under sub-section (1) shall be subject to such restrictions and conditions as may be specified in the notification and subject also to control and revision by the Government.

Protection
of action
taken in
good faith.

8. (1) No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act.

9. (1) The Tamil Nadu Agricultural Produce Markets Repeal, (Amendment and Special Provisions) Ordinance, 1978 (Tamil Nadu Ordinance 4 of 1978), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 6th day of June 1978.

130 *Agricultural Produce Markets* [1981: T. N. Act 5
(Amendment)]

TAMIL NADU ACT NO. 5 of 1981.*

THE TAMIL NADU AGRICULTURAL PRODUCE
MARKETS (AMENDMENT) ACT, 1981.

[Received the assent of the Governor on the 3rd March 1981,
first published in the Tamil Nadu Government
Gazette Extraordinary on the 3rd March 1981 (Masi
20, Rowthiri-2012—Thiruvalluvar Aandu).]

*An Act further to amend the Tamil Nadu Agricultural Produce
Markets Act, 1959.*

BE it enacted by the Legislature of the State of Tamil Nadu
in the Thirty-second Year of the Republic of India as
follows :—

Short title and
commencement,

1. (1) This Act may be called the Tamil Nadu Agri-
cultural Produce Markets (Amendment) Act, 1981.

(2) It shall be deemed to have come into force on the
5th day of December 1980.

2. [The amendment made by this section has already
been incorporated in the principal Act, namely, the Tamil
Nadu Agricultural Produce Markets Act, 1959 (Tamil
Nadu Act 23 of 1959).]

Term of office
of the mem-
bers of certain
market com-
mittees to
continue.

3. Notwithstanding the expiration of their term of office,
the members of market committee appointed under the
proviso to sub-section (5) of section 8 and holding office
immediately before the 5th day of December 1980, shall
continue to hold office and function as members of the
market committee for such period or periods as the
Government may specify under clause (ii) of the proviso to
sub-section (5) of section 8 as amended by this Act.

Repeal and
saving.

4. (1) The Tamil Nadu Agricultural Produce Markets
(Amendment) Ordinance, 1980 (Tamil Nadu Ordinance
12 of 1980), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any
action taken under the principal Act as amended by the
said Ordinance shall be deemed to have been done or taken
under the principal Act as amended by this Act.

*For Statement of Objects and Reasons, see *Tamil Nadu Govern-
ment Gazette Extraordinary*, dated the 6th February 1981, Part
IV—Section 1, Page 79.

TAMIL NADU ACT NO. 53 OF 1981.*

**THE TAMIL NADU AGRICULTURAL
PRODUCE MARKETS (SECOND
AMENDMENT) ACT, 1981.**

[*Received the assent of the Governor on the 10th September 1981, first published in the Tamil Nadu Government Gazette Extraordinary on the 14th September 1981 Aavani 29, Thumathi-2012-Thiruvalluvar Aandu*].]

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1981. Short title and commencement.

(2) It shall be deemed to have come into force on the 11th day of May 1981.

2. In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), in sub-section (1), for the words "four years", the words "six years" shall be substituted. Amendment of section 24, Tamil Nadu Act 23 of 1959.

3. (1) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, the persons appointed under clause (a) of sub-section (3) of section 24 of the principal Act and holding office immediately before the 11th day of May 1981 (hereafter in this section referred to as the said persons), shall continue to hold office and carry out the functions of the market committees for such period or periods as the State Government may specify under sub-section (1) of section 24 of the principal Act as amended by this Act. Persons appointed to carry out the functions of certain market committees to continue.

*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 13th May 1981, Part IV—Section 1, page 610.

556 *Agricultural Produce Markets* [1981 : T.N. Act 53
(*Second Amendment*)

(2) Anything done or any action taken by the said person during the period commencing on the 11th day of May 1981 and ending with the 4th day of June 1981 shall be deemed to have been done or taken under the principal Act as amended by this Act.

Repeal and
saving.

4. (1) The Tamil Nadu Agricultural Produce Markets (Second Amendment) Ordinance, 1981 (Tamil Nadu Ordinance 6 of 1981), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

TAMIL NADU ACT NO. 4 OF 1983.*

THE TAMIL NADU AGRICULTURAL PRODUCE
MARKETS (AMENDMENT) ACT, 1983.

[Received the assent of the Governor on the 24th February 1983, first published in the Tamil Nadu Government Gazette Extraordinary on the 26th February 1983 (Masi 14, Thunthubi, Thiruvalluvar Aandu-2014).]

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-fourth Year of the Republic of India as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 5th day of December 1982.

Amendment
of section
8, Tamil
Nadu Act
23 of 1959.

2. In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), in section 8, in sub-section (5), in clause (ii) of the proviso for the words "not exceeding three years", the words "not exceeding four years" shall be substituted.

Term of
office of
the
members
of certain
market
committees
to con-
tinue.

3. Notwithstanding the expiration of their term of office, the members of the Pudukkottai Market Committee appointed under the proviso to sub-section (5) of section 8 of the principal Act and holding office immediately before the 5th day of December 1982, shall continue to hold office and function as members of the market committee for such period or periods as the Government may specify under clause (ii) of the proviso to sub-section (5) of section 8 of the principal Act, as amended by this Act.

Validation.

4. Anything done or any action taken by the Pudukkottai Market Committee under the principal Act at any time after the 5th day of December 1982 and before the 4th January 1983, shall for all purposes be deemed to be, and to have

* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 8th February 1983, Part IV—Section 1, pages 70-71.

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always been, validly done or taken in accordance with law as if the principal Act as amended by this Act had been in force at all material times and it shall not be liable to be questioned in any court of law.

5. (1) The Tamil Nadu Agricultural Produce Markets Repeal and (Amendment) Ordinance, 1982 (Tamil Nadu Ordinance saving. 1 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 1st April 1985 and is hereby published for general information:—

ACT NO. 13 OF 1985

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the 11th day of May 1984.

2. *Amendment of section 24, Tamil Nadu Act 23 of 1959.*—In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words “seven years”, the words “eight years” shall be substituted;

(b) after sub-section (3), the following sub-section shall be added, namely:—

“(4) If at any time it appears to the Government that the person or persons appointed under clause (a) of sub-section (3) has shown himself or, as the case may be, have shown themselves to be unsuitable for his or their office, or has been guilty of any misconduct or neglect which renders his or their removal expedient, the Government may, by notification, remove such person or persons from office.”

3. *Persons appointed to carry out the functions of certain market committees to continue.*—(1) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, the persons appointed under clause (a) of sub-section (3) of section 24 of the principal Act and holding office immediately before the 11th day of May 1984 (hereafter in this section referred to as the said persons) shall continue to hold office and carry out the

functions of the market committees for such period or periods as the State Government may specify under sub-section (1) of section 24 of the principal Act, as amended by this Act.

(2) Anything done or any action taken by the said persons during the period commencing on the 11th day of May 1984 and ending with the 21st day of November 1984 shall be deemed to have been done or taken under the principal Act, as amended by this Act.

4. *Repeal and saving.*—(1) The Tamil Nadu Agricultural Produce Markets (Second Amendment) Ordinance, 1984 (Tamil Nadu Ordinance 26 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor.)

S. VADIVELU,

*Commissioner and Secretary to Government,
Law Department.*

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The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 1st April 1985 and is hereby published for general information :—

ACT NO. 14 OF 1985.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 29th day of November 1984.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding five years”, the words “not exceeding six years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “six years and six months”, the words “seven years and six months” shall be substituted.

4. *Repeal and saving.*—(1) The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Ordinance, 1984 (Tamil Nadu Ordinance 29 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), as amended by the said Ordinance, or under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by the said Ordinance, shall be deemed to have been done or taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), or, as the case may be, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY 197

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 29th July 1985 and is hereby published for general information:—

ACT No. 37 OF 1985.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the 11th day of May 1985.

2. *Amendment of section 24, Tamil Nadu Act 23 of 1959.*—In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), in sub-section (1), for the words “eight years”, the words “nine years” shall be substituted.

3. *Persons appointed to carry out the functions of certain market committees to continue.*—(1) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, the persons appointed under clause (a) of sub-section (3) of section 24 of the principal Act and holding office immediately before the 11th day of May 1985 (hereafter in this section referred to as the said persons) shall continue to hold office and carry out the functions of the market committees for such period or periods as the State Government may specify under sub-section (1) of section 24 of the principal Act, as amended by this Act.

(2) Anything done or any action taken by the said persons during the period commencing on the 11th day of May 1985 and ending with the date of the publication of this Act in the *Tamil Nadu Government Gazette* shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 17th February 1986 and is hereby published for general information:—

ACT No. 18 OF 1986.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1986.

(2) It shall be deemed to have come into force on the 4th December 1985.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding six years”, the words “not exceeding seven years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “seven years and six months”, the words “eight years and six months” shall be substituted.

4. *Repeal and saving.*—(1) The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Ordinance, 1985 (Tamil Nadu Ordinance 12 of 1985) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), as amended by the said Ordinance, or, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by the said Ordinance, shall be deemed to have been done or taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) or, as the case may be, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
*Commissioner and Secretary to Government,
 Law Department.*

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GOVERNMENT OF TAMIL NADU
1986

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TAMIL NADU
GOVERNMENT GAZETTE
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 326] MADRAS, TUESDAY, JUNE 24, 1986
AANI 10, ATCHAYA, THIRUVALLOVAR AANDU—2017

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 21st June 1986 and is hereby published for general information:—

ACT No. 49 OF 1986.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1986.

(2) It shall be deemed to have come into force on the 11th day of May 1986.

2. *Amendment of section 24, Tamil Nadu Act 23 of 1959.*—In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), in sub-section (1), for the words "nine years", the words "ten years" shall be substituted.

3. *Persons appointed to carry out the functions of certain market committees to continue.*—(1) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, the persons appointed under clause (a) of sub-section (3) of section 24 of the principal Act and holding office immediately before the 11th day of May 1986 (hereafter in this section referred to as the said persons) shall continue to hold office and carry out the functions of the market committees for such period or periods as the State Government may specify under sub-section (1) of section 24 of the principal Act, as amended by this Act.

(2) Anything done or any action taken by the said persons during the period commencing on the 11th day of May 1986 and ending with the date of the publication of this Act in the *Tamil Nadu Government Gazette* shall be deemed to have been done or taken under the principal Act, as amended by this Act.

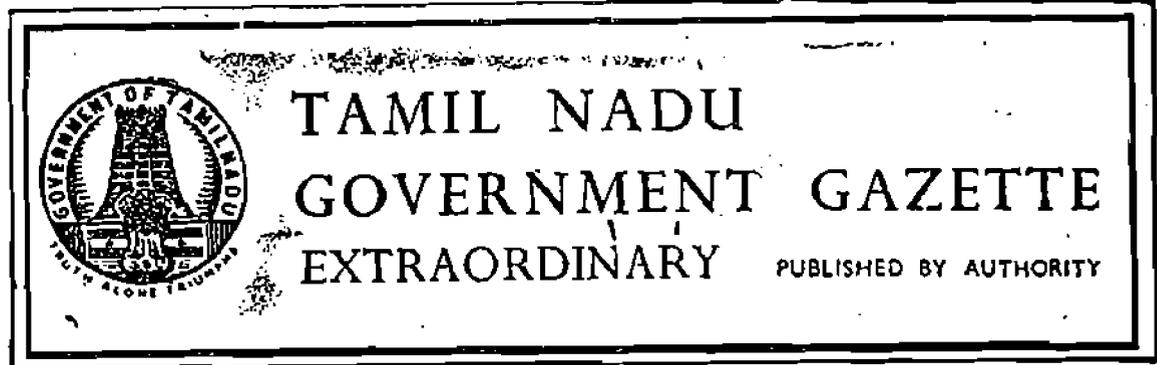
S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

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GOVERNMENT OF TAMIL NADU
1986

[Registered No. M-1]

[Price : 15 Paise]



No. 713] MADRAS, WEDNESDAY, DECEMBER 3, 1986
KARTHIGAI 18, ATCHAYA, THIRUVALLUVAR AANDU-2017

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 3rd December 1986 and is hereby published for general information :—

ACT No. 66 OF 1986.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Act, 1986.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding seven years”, the words “not exceeding eight years” shall be substituted.

(A Group) IV-2 Ex. (713)--1 [445]

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “eight years and six months”, the words “nine years and six months” shall be substituted.

(By order of the Governor)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

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GOVERNMENT OF TAMIL NADU
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No. 300] MADRAS, SATURDAY, MAY 9, 1987
CHITHIRAI 26, PRABHAVA, THIRUVALLUVAR AANDU—2018

Part IV—Section 2
Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 9th May 1987 and is hereby published for general information:—

ACT No. II OF 1987,

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1987.

(2) It shall come into force at once.

A Group) IV-2 Ex, (300)—1 (75)

2. *Amendment of section 24, Tamil Nadu Act 23 of 1959.*—In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in sub-section (1), for the words “ten years”, the words “eleven years” shall be substituted.

(By order of the Governor.)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

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No. 735]

MADRAS, SATURDAY, DECEMBER 5, 1987

KARTHIGAI 19, PRABHAVA THIRUVALLUVAR ANDU—2018

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 5th December 1987 and is hereby published for general information :—

ACT No. 46 OF 1987.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1987.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding eight years”, the words “not exceeding nine years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “nine years and six months”, the words “ten years and six months” shall be substituted.

(By order of the Governor.)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*



TAMIL NADU
GOVERNMENT GAZETTE
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 272]

MADRAS, TUESDAY, MAY 9, 1989
CHITHIRAI 26, SUKLA, THIRUVALLUVAR AANDU—2020

Part IV—Section 2
Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 8th May 1989 and is hereby published for general information :—

ACT No. 8 OF 1989.

An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and to validate the appointment of Special Officers for the Pudukkottai and Periyar Market Committees.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fortieth Year of the Republic of India as follows :—

1. This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) and Validation of Appointment of Special Officers Act, 1989.

Tamil Nadu Act
23 of 1959.

2. In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (hereinafter referred to as the principal Act), in sub-section (1), in the opening paragraph, for the words "twelve years", the words "thirteen years" shall be substituted.

Amendment of
section 24

3. (1) Notwithstanding anything contained in the principal Act, or in the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (hereinafter referred to as the 1978 Act), or in any other law for

Tamil Nadu Act
33 of 1978.

validation of
appointment of
Special Officers

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

the time being in force, the appointment of the Special Officer to the Pudukkottai Market Committee on the 17th day of May 1988 and the Special Officer to the Periyar Market Committee on the 28th day of August 1988 shall, for all purposes, be deemed to be, and to have always been, validly made as on the respective dates under the provisions of the 1978 Act.

Provided that the Special Officers shall hold office upto and inclusive of the 5th day of December 1989, or such earlier date as the State Government may, by notification, specify in this behalf.

(2) The provisions of the 1978 Act shall apply to the Special Officers referred to in sub-section (1) as they apply to the Special Officers appointed under sub-section (1) of section 5 of the 1978 Act.

4. Anything done or any action taken by the Special Officers referred to in section 3 at anytime on or after the respective dates and before the date of the publication of this Act in the *Tamil Nadu Government Gazette*, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law and shall not be liable to be questioned in any court of law.

(By order of the Governor)

P. JEYASINGH PETER,
Secretary to Government, Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th February 1991 and is hereby published for general information:—

ACT No. 13 OF 1991.

An Act further to amend the laws relating to the agricultural produce markets in the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-first Year of the Republic of India as follows:—

- | | | |
|---|---|---------------------------------|
| Short title and commencement. | <p>1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets Laws (Amendment) Act, 1991.</p> <p>(2) It shall be deemed to have come into force on the 3rd day of December 1990.</p> | |
| Amendment of Tamil Nadu Act 23 of 1959. | <p>2. In the Tamil Nadu Agricultural Produce Markets Act, 1959 (hereinafter referred to as the 1959 Act), in section 24, in sub-section (1), for the words "thirteen years and seven months", the words "fourteen years and one month" shall be substituted.</p> | Tamil Nadu Act 23 of 1959. |
| Amendment of Tamil Nadu Act 33 of 1978. | <p>3. In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (hereinafter referred to as the 1978 Act), in section 5, in sub-section (2), for the words "twelve years and six months", the words "thirteen years" shall be substituted.</p> | Tamil Nadu Act 33 of 1978. |
| Amendment of Tamil Nadu Act 8 of 1989. | <p>4. In the Tamil Nadu Agricultural Produce Markets (Amendment) and Validation of Appointment of Special Officers Act, 1989 (hereinafter referred to as the 1989 Act), in section 3, in sub-section (1), in the proviso, for the expression "5th day of December 1990", the expression "5th day of June 1991" shall be substituted.</p> | Tamil Nadu Act 8 of 1989. |
| Repeal and saving. | <p>5. (1) The Tamil Nadu Agricultural Produce Markets Laws (Amendment) Ordinance, 1990 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the 1959 Act or the 1978 Act or the 1989 Act, as the case may be, as amended by the said Ordinance, shall be deemed to have been done or taken under the 1959 Act or the 1978 Act or the 1989 Act, as the case may be, as amended by this Act.</p> | Tamil Nadu Ordinance 9 of 1990. |

(By order of the Governor)

P. JEYASINGH PETER,
Secretary to Government, Law Department.