

The 23rd March, 2001

No. LL(B) 6/96/174- The Meghalaya Commercial Crops Development Board (Amendment) Act, 2011 (Act No. 3 of 2001) is hereby published for general information.

MEGHALAYA ACT NO. 3 OF 2001

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 19th April 2001)

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 23rd April, 2001)

**THE MEGHALAYA COMMERCIAL CROPS DEVELOPMENT BOARD
(AMENDMENT) Act, 2001**

An

Act

To amend the Meghalaya Commercial Crops Development Board Act 1996.

Be it enacted by the Legislature of the State of Meghalaya in the Fifty second Year of the Republic of India as follows:-

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| Short title | 1. (1) This Act may be called the Meghalaya Commercial Crops Development Board (Amendment) Act, 2001
(2) It extends to the whole of the State of Meghalaya
(3) It shall come into force on such date as the State Government may by notification in the official Gazette appoint. |
| Amendment of Section 2. | 2. In Section 2 of the Meghalaya Commercial Crop Development Act, 1997 (hereinafter to as Principal Act) in clause (c) between the words “Potatoes” and for occurring therein the words and tapioca’ be added and between the words ‘Citrus fruit’ and ‘Medicinal’ occurring therein, the words “temperaten fruits, edible bamboo’ be included. |
| Amendment of Section 6. | 3. In Section 6 of the Principal Act-
“(f) In sub-section (2) for clause (g) and (h), they shall be substituted by new clauses and clauses (i) (j) (k) (l) and (m) are newly inserted namely:-

“(g) Motivating cultivators to take up Commercial Nurseries to raise quality seed or crops planting Materials; |

“(h) Extending financial assistances to cultivators and entrepreneurs in processing and Marketing to help them achieve them the objectives

“(i) Entering into financial agreement with commodity Board, Bank or any other Financial Institutions for the promotion and execution of any Commercial Crops Development Scheme;

“(j) mortgage of properties of the Board as security for obtaining credit Banks or any Financial Institutions;

“(k) Granting or advancing loans to any Co-operative Society registered under the Meghalaya Co-operative Societies Act (Assam Act 1 of 1948 as adapted by Meghalaya) or any recognised group or any individual;

“(l) assisting with advance any person engaged on the Cultivation, processing or Marketing of Commercial Crops in getting financial assistance from Banks and other Financial Institutions or assistance from a Commodity Board and.

“(m) any other measure as may be considered necessary for the purpose of promoting and developing the cultivation of Commercial Crops

(ii) in sub-section (3) between the words “Money from” and ‘bank’ occurring therein the word ‘Public’ is super-flous and to be deleted.

(iii) After sub-section (3) the following new sub-section 4,5, and 6 shall be added namely:-

(4) Subject to the provisions of this Act and Rules framed there under, the Board may, in the event of failure of a Loanee to repay the loan taken, temporarily take possession of the land mortgaged or hypothecation of the produce/ harvest to be affected by transaction of marketing/trading by the board till such time the loan with accrued interest are fully recovered.

(5) As soon as the Loanee could repay the loan with accrued interest the Board shall release to the Loanee the land so temporary taken over by it.

(6) Notwithstanding anything contained in this Act the Board may, with the prior approval of the State Government acquire lands for the purpose of raising its own plantations or nurseries of any crop or for demonstrating new technique of raising planting materials or cultivation or for the purpose of establishment of its office processing units or storage or marketing units and in such case the provisions of land Acquisition Act, 1994 shall apply.'

Amendment of Section 7

4. In (i) section 7 of the Principal Act, in sub-section (2) after the words "on any nationalised Bank" the words "as may be approved by the State Government" shall be inserted.

(ii) After sub-section (3) the following new sub-sections 4,5,6, and 7 shall be added namely:-

(4) Subject to the provisions of this Act and with the previous approval of the State Government, the Board may from time to time, borrow money required for the purpose of this Act, from any financial or other institutions or any Commodity Board or any Bank.

(5) Wherever the borrowing of any sum of money has been approved by the Government the Board may take credit from any bank or any financial or other institutions and with the previous approval of the Government mortgage all or any of the properties vested in the Board as security for such credits.

(6) Subject to such conditions and limitations as may be prescribed and with the previous approval of the Government the Board may, for promoting and developing of any Commercial Crops development Scheme enter into financial agreement with any bank or Financial Institutions or any Commodity Board.

(7) Subject to the provision of this Act and Rules framed there under, the Board may, out of its own fund, grant loans and advances on such terms and conditions as it may determine to any Co-operative Society registered under the Meghalaya Co-operative Societies Act or any recognised group of people or any individual.

Amendment of Section 8

8. In section 8 of the Principal Act for sub-section (2) the following shall be substituted and after the sub-section (2) as substituted, a new sub-section (3) be added namely:-

‘(2) The accounts of the Board in so far as the funds received from the Government are concerned shall be audited by the Controller and Auditor General of India and the audit report shall be forwarded to the State Government for action as it may deem necessary and for placing it before the State Legislature. After necessary auditing, the Controller and Auditor General shall furnish the Utilisation Certificate.

(3) General Account of the Board shall be audited once a year by Chartered Accountant as such the Board may appoint”

Insertion of New Section 9A 6 After Section 9 of the Principal Act, the following new section 9A shall be inserted namely:-

“The State Government to 9A Notwithstanding anything make subventions or contained in the Act, the State advance loans to the Board Government may from time to time and on such terms and conditions make subventions or advance loans to the Board for the purpose of this Act.”

Amendment of Section 11 7 In Section 11 of the Principal Act for the words “in connection with” occurring therein the words for carrying out’ shall be substituted and add ’s’ parenthesis to the last word direction, which shall after amendment read-

“The State Government may, from time to time issue directions for carrying out the purpose of this Act and the Board shall comply with such direction(s)”

L.M.SANGMA,
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Law (B) Department.