

**¹THE PUNJAB AGRICULTURAL PRODUCE MARKETS (HARYANA
AMENDMENT) ACT, 2005**

(Haryana Act No. 22 of 2006)

No. Leg. 24/2006. - The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 25th May, 2006, and is hereby published for general information: -

Year	No.	Short title	Whether repealed or otherwise affected by legislation
1	2	3	4
2006	22	The Punjab Agricultural Produce Markets (Haryana Amendment) Act, 1961	

¹ For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), 2005, page

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to substitute the long title of the Punjab Agricultural Produce Markets Act, 1961 and further to amend the said Act in its application to the State of Haryana

BE it enacted by the Legislature of the State of Haryana in the Fifty-sixth Year of the Republic of India as follows: -

Short title.

1. This Act may be called the Punjab Agricultural Produce Markets (Haryana Amendment) Act, 2005.

Substitution of long title to Punjab Act 23 of 1961.

2. For the existing long title of the Punjab Agricultural Produce Markets Act, 1961 (hereinafter called the principal Act), the following long title shall be substituted, namely: -

“to provide for improved regulation in marketing of agricultural produce, development of efficient marketing system, promotion of agri-processing and agricultural export and the establishment and proper administration of markets for agricultural produce in the State of Haryana and to put in place an effective infrastructure for marketing of agricultural produce and lay down procedures and systems thereto.”.

Amendment of section 2 of Punjab Act 23 of 1961.

3. In section 2 of the principal Act, -

(I) for clause (a), the following clauses shall be substituted, namely: -

‘(a) “agriculture produce” means all produce and commodities whether processed or unprocessed of agriculture, horticulture/apiculture, sericulture, animal husbandry, fleeces (raw wool) and skin of animals, forest produce etc. as are specified in the Schedule or declared by the State Government by notification in the Official Gazette, from time to time and also includes a mixture of more than two such products;

(aa) “agriculturist” means a person who is a resident of notified market are and who is engaged in production of agricultural produce by himself or by hired labour or otherwise, but does not include any market functionary. If a question arises whether any person is an agriculturist or not for the purpose of this Act, the decision of the Collector of the district in which such person is engaged in the production or growth of agricultural produce shall be final;’;

(II) after clause (c), the following clauses shall be inserted, namely: -

‘(ca) “business” means purchase-sale, processing, value addition, storage, transportation and connected activities of agricultural produce;

(cb) “buyer” means a person, a firm, a company or co-operative society or government agency, public undertaking/public agency or corporation, commission agent, who himself or on behalf of any other person or agent buys or agrees to buy agricultural produce in the market area s notified under this

Act;’;

(III) after clause (d), the following clauses shall be inserted, namely: -

- ‘(da) “contract farming” means farming by a contract farming producer under a written agreement with contract farming sponsor to the effect that this farm produce shall be purchased as specified in the agreement;
- (db) “contract farming agreement” means an agreement made for contract farming between contract farming sponsor and contract farming producer;
- (dc) “contract farming producer” means an agriculturist association of agriculturists, self-help group, authorised tenants of agriculturist, co-operative societies registered under the Haryana Co-operative Societies Act, 1984 (22 of 1984), and shall include the successors, heirs, executors and representatives of the party executing the agreement;
- (dd) “contract farming sponsor” means a person, a sole proprietor, a company registered under the Companies Act, 1956 (1 of 1956), a partnership firm registered under the Indian Partnership Act, 1932 (9 of 1932), a Government agency, a co-operative society registered under the Haryana Co-operative Societies Act, 1984), and shall include its administrators, successors, representatives and assignees;’;

(IV) after clause 9i0, the following clause shall be inserted, namely: -

- ‘(ia) “marketing” means all activities involved in the flow of agricultural produce from the production points commencing from the stage of harvest till these reach the ultimate consumers viz. grading, processing, storage, transport, channels of distribution and all other functions connected therewith including the marketing under contract farming;’;

Insertion of section 8a in Punjab Act 23 of 1961.

4. After section 8 of the principal Act, the following section shall be inserted, namely. –

“8A. Procedure and form of contract farming agreement. –

(1) The contract farming agreement shall be governed as under: -

- (i) contract farming sponsor shall register himself with the Committee or with a prescribed officer in such manner as may be prescribed;
- (ii) contract farming sponsor shall get the contract farming agreement executed with the contract farming producer and get the same registered with the officer prescribed in this behalf. The contract farming agreement shall be in such form containing such particulars and terms and conditions as may be prescribed for marketing of contract farming produce.

(2) Notwithstanding anything contained in contract farming agreement, no title, rights, ownership or possession of the land shall be transferred or alienated or vested in the contract farming sponsor or his

successor or his agent as a consequence arising out of the contract farming agreement.

(3) The contract-farming sponsor shall be the buyer of the agricultural produce covered under the contract farming agreement. The business premises of the sponsor shall be deemed to be the market yard for the purpose of sale and purchase of agricultural produce covered under contract farming agreement of that sponsor.

(4) Disputes arising out of the contract farming agreement may be referred to any authority prescribed in this behalf for settlement. The prescribed authority shall resolve the dispute in the summary manner within thirty days after giving the parties a reasonable opportunity of being heard in the manner prescribed.

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

(6) The decision by the prescribed authority under sub-section (4) and decision in appeal under sub-section (5) shall have force of the decree of the civil court and shall be enforceable as such and the decretal amount shall be recovered as an arrear of land revenue.

(7) Disputes relating to and arising out of contract farming agreement shall not be called in question in any civil court.”.

M.S. SULLAR,
Secretary to Government, Haryana,
Legislative Department.