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## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

### PART IV

**Acts of the Gujarat Legislature and Ordinances promulgated  
and Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30<sup>th</sup> April, 2007 is hereby published for general information.

**H. D. VYAS,**

Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

### GUJARAT ACT NO. 17 OF 2007

(First published, after having received the assent of the Governor in the "*Gujarat Government Gazette*", on the 1<sup>st</sup> May, 2007).

### AN ACT

further to amend the Gujarat Agricultural Produce Markets Act, 1963.

It is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :-

1. (1) This Act may be called the Gujarat Agricultural Produce Markets (Amendment) Act, 2007.

Short title and  
commencement.

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

§ :

Guj. XX  
of 1964.

2. In the Gujarat Agricultural Produce Markets Act, 1963 (hereinafter referred to as "the principal Act"), in section 2,-

Amendment of  
section 2 of  
Guj. XX of  
1964.

(1) after clause (v), the following clauses shall be inserted, namely:-

“(v-aa) "contract farming" means farming by a person under a written agreement with agriculturist to the effect that his agricultural produce shall be purchased as specified in the agreement;

(v-aaa) "Contract Farming Agreement" means an agreement made for contract farming between the sponsorer and agriculturist;”;

(2) after clause (vi), the following clauses shall be inserted, namely:-

“(vi-a) “e market” means a virtual platform created using information and communication technology for marketing activities in agricultural produce such as billing, booking, contracting, negotiating, information exchange, record keeping and other connected activities as are done electronically on computer network or internet;

(vi-aa) "export" means dispatch of agricultural produce outside the territory of India;

(vi-aaa)"exporter" means such person or firm who exports agricultural produce;

(vii-a) "import" means bringing agricultural produce from outside the territory of India;

(vii-aa)"importer" means such person or firm who imports agricultural produce from outside the territory of India;”;

(3) for clause (xii), the following clauses shall be substituted, namely:-

“(xii) "Managing Director" means the Managing Director of the Gujarat State Agricultural Marketing Board appointed under section 34I;

(xii-a) "market" means a market established and regulated under this Act for the notified market area and also includes a market proper, a principal market yard, sub-market yard, private market, e-market and such other markets as may be declared under this Act;”;

(4) after clause (xiii), the following clause shall be inserted, namely:-

“(xiii-a) “market service charges” means the charges on account of or in respect of commission, brokerage, weighing, measuring, *hammali* (loading, unloading, and carrying), cleaning, drying, sieving, stitching, stacking, hiring, gunny bags, stamping, bagging, storing, warehousing, grading, surveying, transporting and processing and such other charges as the Director may by order in the *Official Gazette*, specify;”;

(5) after clause (xiv), the following clause shall be inserted, namely:-

“(xiv-a) “market functionary” means a trader, a commission agent, buyer, *hamal*, processor, a stockiest and such other person as the State Government may by order in the *Official Gazette*, declare;”;

(6) after clause (xvi), the following clauses shall be inserted, namely:-

“(xvi-a) “prescribed authority” means an officer, an agency or the organization as the State Government may by order in the *Official Gazette*, appoint;

(xvi-aa) “private market” means the market for which the licence has been granted under Chapter IVA;”;

(7) after clause (xvii), the following clauses shall be inserted, namely:-

“(xvii-aa) “processing” means any one or more of a series of treatments relating to powdering, crushing, decorticating, dehusking, parboiling, polishing, ginning, pressing, curing or any other manual, mechanical, chemical or physical treatment to which raw agricultural produce or its product is subjected to;

(xvii-aaa) “processor” means a person who undertakes processing of any agricultural produce on his own accord or on payment of a charge;

(xvii-aaaa) “registration” means registration granted under section 31B;”;

(8) after clause (xx), the following clause shall be inserted, namely:-

“(xx-a) “special market” means a market declared as such under section 31M;”;

(9) after clause (xxiii), the following clauses shall be inserted, namely:-

“(xxiii-a) “transportation” means carriage of agricultural produce by any means of transport from one place to another;

(xxiii-aa) “transporter” means a person who transports agricultural produce;

(xxiii-aaa) “value addition” means processing, grading, packing or other activities due to which value is added to the agricultural produce;”.

3. In the principal Act, in section 6, in sub-section (1), for the words “After the expiry”, the words “Save as otherwise provided in this Act, after the expiry” shall be substituted.

**Amendment  
of section 6  
of Guj. XX  
of 1964.**

4. In the principal Act, section 28 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:-

**Amendment  
of section 28  
of Guj. XX  
of 1964.**

“(2) (a) The market fee specified in sub-section (1) shall not be levied for the second time in any market area from the buyer who is a processor, grader, packer, value addition centre or exporter of an agriculture produce and

market fee has already been paid on that agricultural produce in any market and the information in this context has been furnished, as prescribed, by the person concerned that the payment of market fee has already been made in other market, provided such proof as may be prescribed is furnished to the Director by the buyer who is doing processing, grading, packing, value addition or export within such period as may be prescribed by the Government.

(b) On the agricultural produce brought in the market area for commercial transaction or for processing, if the permit issued under clause (e) has not been submitted, the market fee shall be deposited by the buyer or processor, as the case may be, in the office of the market committee, within fourteen days but before sale or resale or processing or export outside the market area:

Provided that in case any agricultural produce is found to have been processed, sold or resold or dispatched outside the market area without payment of market fee payable on such produce, the market fees shall be levied and recovered on five times the market value of the processed produce or value of the agricultural produce, as the case may be.

(c) The market fee shall be payable by the buyer of the agricultural produce and shall not be deducted from the price payable to the agriculturist seller:

Provided that where the buyer of a agricultural produce cannot be identified, all the fees shall be payable by the person who may have sold or brought the produce for sale in the market area:

Provided further that in case of commercial transactions between traders in the market area, the market fee shall be collected and paid by the seller.

(d) The market functionaries, as the market committee may by bye-laws specify and in the case of market established under Chapter IVA of this Act as the Director may specify, shall maintain accounts relating to sale and purchase or processing or value addition in such manner as may be prescribed and submit to the market committee, the periodical returns, as may be prescribed.

(e) Any agricultural produce shall be removed out of the market area only in the manner and in accordance with the permit issued in such form, as may be prescribed. The vehicle carrying agricultural produce shall be accompanied by such proofs as may be prescribed:

Provided that the producer of the agricultural produce himself may remove the agricultural produce from one place to another without such permit.

5. In the principal Act, after section 28, the following section 28 A shall be inserted, namely:-

**“28 A.** The State Government may, by notification published in the *Official Gazette*, and subject to such conditions and restrictions, if any, as may be specified therein exempt in whole or part any agricultural produce brought for

Insertion of  
new section  
28A in Guj.  
XX of 1964.

Power to  
grant  
exemption  
from  
payment of  
market fee.

sale or bought or sold in the market area specified in such notification, from the payment of market fee for such period as may be specified.”.

6. In the principal Act, after section 31, the following Chapter and sections shall be inserted, namely:-

Insertion of new sections 31A to 31R in Guj. XX of 1964.

#### “CHAPTER IVA

#### PRIVATE MARKET, SPECIAL MARKET, E-MARKET, DIRECT PURCHASE MARKET, FARMER-CONSUMER MARKET AND CONTRACT FARMING.

31 A. Notwithstanding anything contained in any other provisions of this Act, the provisions contained in this Chapter shall apply to the private market, special market, e-market, direct purchase market, farmer-consumer market and contract farming.

Special provisions relating to private market and other markets.

31 B. (1) Any person who, in respect of agricultural produce, desires to operate in the market area as a trader, commission agent, weighman, *hamal*, surveyor, warehouseman, contract farming buyer, owner or occupier of processing factory or such other market functionary, shall apply to the managing body of the respective market for registration or renewal of registration in such manner and within such period as may be prescribed:

Registration of market functionaries.

Provided that the State Government may, by notification in the *Official Gazette*, exempt such persons or class of persons from the requirement of registration for such period as may be specified:

Provided further that any person who desires to trade or transact in any agricultural produce in more than one market areas, shall apply for registration to the Director.

(2) Every such application shall be accompanied by such fee as may be prescribed.

(3) The managing body or, as the case may be, the Director may refuse to register or renew the registration on the basis of one or more of the following reasons, namely:-

- (i) if not accompanied by the prescribed fee;
- (ii) dues of the market committee are outstanding against the applicant;
- (iii) the applicant is a minor or not bonafide;
- (iv) the applicant is a defaulter of dues payable under this Act and rules or bye-laws made thereunder; or
- (v) any other reasons as may be prescribed.

- (4) (i) If the application received under sub-section (1) fulfills all the requirements, it shall be disposed of by the managing body or as the case may be, the Director within a period of four weeks. Where the managing body or as the case may be, the Director fails to dispose of application within a period of four weeks, the applicant shall request in writing the managing body or as the case may be, the Director, for disposal of his application, and also inform in writing to the Director, in case of application made to the managing body or to the State Government, in case of application made to the Director.
- (ii) If the application is not disposed of, within a period of two weeks from the date of receipt of request made under clause (i), the registration or as the case may be its renewal shall be deemed to have been granted.
- (iii) The State Government in case of Director or, as the case may be, the Director in case of the managing body shall, on the basis of information received by him and after the expiry of period of two weeks, confirm that the application for registration or the renewal was submitted to the managing body or, as the case may be, the Director and that due action has not been taken by the managing body or, as the case may be, the Director for disposal of the said application, then-
- (a) the Director, in case of the application made to the managing body, shall issue a certificate granting deemed registration or its deemed renewal within the period of two weeks;
- (b) the State Government, in case of the application made to the Director, shall direct the Director to issue a certificate granting deemed registration or its deemed renewal within the period of two weeks.

**Establishment  
of Private  
Market, c-  
market, direct  
purchase from  
agriculturist.**

**31 C. (1)** Any person who desires to establish a private market or an e-market or to purchase agricultural produce directly from the agriculturist in one or more market areas, shall apply to such authority, in such form, in such manner and accompanied by such fee as may be prescribed.

(2) The prescribed authority may grant or renew licence on such terms and conditions as may be prescribed for –

- (a) establishing a private market for-
- (i) process of the agricultural produce;
  - (ii) trade of fruits and vegetables;
  - (iii) export of agricultural produce; or
  - (iv) grading, packing and adding value in any other way to the agricultural produce,
- (b) establishing an e-market, or

- (c) purchasing agricultural produce directly from the agriculturist in one or more market areas.

**31D.** (1) The managing body of the private market, e-market and the markets established under section 31M shall levy and collect the fees on the agricultural produce referred to in clause (a) of sub-section (1) of section 31C brought or transacted in the private market, e-market and the markets established under section 31M at such rate and in such manner as may be prescribed.

Levy of  
market  
fees.

(2) No market fee shall be levied for second time in any market area for agricultural produce on which market fee has been paid in a private market, e-market and the markets established under section 31M on production of such proof as may be prescribed.

(3) The private market, e-market and the markets established under section 31M which has collected the fee under sub-section (1), shall contribute to the Development Fund established under section 34L, such percentage of fees in such manner, as may be prescribed.

(4) In case of e-market, the market fee shall be paid by the buyer on the purchase of goods at such rate and in such manner, as may be prescribed. Out of the fees so collected, such percentage of fees as may be prescribed shall be contributed to the Development Fund established under section 34L.

(5) Where the agricultural produce is purchased directly from the agriculturist, the market fee shall be paid to the market committee constituted under section 11 from whose market area the agricultural produce has been bought and removed.

**31E.** (1) Any person who desires to establish a Farmer-Consumer market shall apply to such authority, in such form, in such manner and accompanied by such fee as may be prescribed.

Establishment  
of farmer-  
consumer  
market.

(2) The prescribed authority may grant or renew licence to establish Farmer- Consumer market on such terms and conditions, as may be prescribed. The person to whom a licence has been granted shall develop necessary infrastructure and at such place, producer of agricultural produce himself may, as may be prescribed, sell his produce directly to the consumer:

Provided that the consumer shall not purchase in excess of such quantity of commodity at a time in the market as may be prescribed.

(3) No market fee shall be levied on the transactions undertaken in the Farmer-Consumer market.

(4) The proprietor of the Farmer-Consumer market may charge such amount from the buyer for the services provided by him at such rate as may be prescribed.

**Rejection of application for grant or renewal of licence.**

**31F.** An application received under section 31C and 31E for grant or renewal of licence may be rejected for the reasons recorded in writing by the prescribed authority, on the basis of one or more of the following reasons, namely, :-

- (i) the application is not accompanied by the prescribed fee;
- (ii) the dues of the managing body are outstanding against the applicant;
- (iii) the applicant is a minor or not bonafide;
- (iv) the applicant is a defaulter of the dues payable under this Act, rules or the bye-laws made thereunder; or
- (v) any other reasons as may be prescribed.

**Grant of common licence.**

**31G.** (1) Any person who desires to obtain a common licence for the purpose of purchase of a minimum prescribed quantity of agricultural produce from not less than five markets shall apply to the Director, in such form and in such manner and accompanied by such fee as may be prescribed.

(2) On receipt of application under sub-section (1), the Director may, after making such inquiry as he may deem fit, grant a common licence subject to such terms and conditions as may be prescribed.

**Power to suspend or cancel licence or registration.**

**31H.** (1) The managing body or, as the case may be, the Director who has issued the licence or the registration, may, for the reasons to be recorded in writing, suspend or cancel the licence or the registration, if,-

- (a) the licence or the registration has been obtained through willful misrepresentation or fraud;
- (b) the holder of the licence or the registration or his servant commits a breach of any of the terms or conditions of the licence or the registration;
- (c) the holder of the licence or the registration in combination with other licence or registration holder commits any act or abstains from carrying on his normal business in the market area with the intention of willfully obstructing, suspending or stopping the marketing of agricultural produce in the market yard or sub-market yard and in consequence whereof the marketing of any agricultural produce has been obstructed, suspended or stopped;
- (d) the holder of the licence or the registration has become an insolvent; or
- (e) the holder of the licence or the registration incurs any disqualification, as may be prescribed.

(2) No licence or registration shall be suspended or cancelled under sub-section (1) without giving a reasonable opportunity to its holder to show cause against such suspension or cancellation.

**31-I.** (1) Any person aggrieved by an order of the managing body or, as the case may be, the Director, passed under section 31B, section 31F or section 31G, as the case may be, may prefer an appeal within thirty days of the receipt of the order in such form and in such manner as may be prescribed, -

**Appeal.**

(a) to the Director, if such order is passed by the managing body, and

(b) to the State Government, if such order is passed by the Director.

(2) The Appellate Authority, if it considers it necessary so to do, grant a stay of the order appealed against as it may deem fit.

(3) The order passed by the managing body or, as the case may be the Director shall, under section 31B, section 31F or section 31G, subject to the order in the appeal under this section be final.

**31 J.** (1) The dispute between the private market, the special market, the e-market, the direct purchase market, the farmer-consumer market, contract farming or the market committee shall be referred to an officer authorised by the State Government in this behalf.

**Redressal of disputes between markets.**

(2) The authorized officer after giving opportunity of being heard to the parties may resolve the dispute and the decision given by the authority under sub-section (1) shall be final.

**31 K.** (1) The Director or an officer authorized by the State Government in this behalf may, for the purposes of this Chapter, require any person carrying on business in any kind of agricultural produce to produce before him the accounts and other documents and to furnish any information relating to stocks of such agricultural produce or purchase, sale, processing, value addition and delivery of such agricultural produce by such person and also to furnish any other information relating to payment of market fees.

**Power to order production of accounts of entry, inspection and seizure.**

(2) All accounts and registers maintained by any person in the ordinary course of business of any agricultural produce and documents relating to stocks of such agricultural produce or purchase, sale, processing, value addition of such agricultural produce in his possession and offices, establishment, godowns, vessels or vehicles of such persons shall be kept open for inspection at all reasonable time by the Director or such officer.

(3) If the Director or such officer has reason to believe that any person is attempting to evade the payment of any market fee due from him under this Chapter or that any person has purchased, sold, processed or value added to any agricultural produce in contravention of any of the provisions of this Act or the rules or the bye-laws, he may seize such accounts, registers or documents of such a person, as may be necessary, and shall grant a receipt for the same and shall retain the same only so long as may be necessary for examination thereof for prosecution.

(4) For the purposes of sub-section (2) or sub-section (3), the Director or such officer may enter or search any place of business, warehouse, office, establishment, godown, vessel or vehicle where the Director or such officer has reason to believe that such person keeps or for the time being has kept accounts, registers or documents of his business or stock of agricultural produce relating to the business.

(5) The provisions of sub-sections (4) to (8) of section 100 of the Code of Criminal Procedure, 1973, shall, so far as may be, apply to a search or seizure made under this section. 2 of 1974.

(6) Where any books of accounts or other documents are seized from any place and there are such entries therein making reference to quantity, quotations, rates, receipts or payment of money or sale or purchase of goods, such books of accounts or other documents shall be admitted in evidence and such entries shall be the prima facie evidence of matters, transactions and accounts purported to have been recorded therein.

Submission of audited annual accounts and statement of transactions.

31 L. Every trader, processor, proprietor of a private market, farmer-consumer market, the e-market, the direct purchase market, contract farming or commission agent, carrying on business of agricultural produce shall, before the 30<sup>th</sup> June, every year submit to the Managing Director, audited annual accounts and a statement of transactions undertaken by or through him during the previous financial year, in the manner as may be prescribed.

Special market and special commodity market.

31 M. (1) The State Government may, by notification published in the *Official Gazette*, declare any market area as 'Special Market' or 'Special Commodity Market' having regard to the factors such as turnover, area, nature of produce, special infrastructure requirements of particular commodity and such other factors as it may deem fit, also in addition to the existing market.

(2) Notwithstanding anything contained in sub-section (1) of section 11, the State Government may by notification in the *Official Gazette*, establish separate market committee for effective implementation of provisions of this Act for the market notified under sub-section (1).

(3) All provisions relating to the market committee made in the Act shall *mutatis mutandis* apply to the market committee established under sub-section (2).

Constitution of market committee for special market special commodity market.

31 N. (1) Notwithstanding anything contained in sub-section (1) of section 11, every market committee for special market or special commodity market shall consist of following members, namely:-

- (i) The Chairman, to be nominated by the State Government;
- (ii) The Vice-Chairman, to be nominated by the State Government;
- (iii) not more than five agriculturists, to be nominated by the State Government from amongst the agriculturist residing in the State;

- (iv) not more than five traders, to be nominated by the State Government from amongst the traders holding trading licence in any market committees in the State. Out of the traders so nominated, at least two shall be the licence holders from the market committee of special market or special commodity market;
  - (v) The Municipal Commissioner or his nominee of the area where the special market or special commodity market is located, *ex-officio*;
  - (vi) The Collector of the District in which special market or special commodity market is located, or his nominee, *ex-officio*;
  - (vii) The Chief Town Planner or his nominee, *ex-officio*;
  - (viii) The Registrar of Co-operative Societies or his nominee, *ex-officio*;
  - (ix) The Director or his nominee. *ex officio*;
  - (x) Executive Member, to be appointed by the State Government, who shall be the Secretary of the market committee;
  - (xi) The Agricultural Marketing Advisor to the Government of India or his nominee, *ex-officio*;
- (2) The members of the market committee, other than *ex-officio* members, shall hold office during the pleasure of the State Government.
- (3) The market committee shall meet at least once in three months.

31 O. (1) There shall be Executive Committee of the Market Committee of the Special Market or Special Commodity Market consisting of -

**Executive  
Committee  
for special  
market.**

- (i) one representative of the traders holding the trading licence in the market committee of Special Market Special Commodity Market, nominated by the Director;
  - (ii) one representative of agriculturists; to be nominated by the Director;
  - (iii) the Registrar of Co-operative Societies, Gujarat State or his nominee,.
  - (iv) the Director or his nominee.
  - (v) executive-member of the Market Committee who shall be the Member-Secretary of the Executive Committee.
- (2) In case of emergency, the Executive Committee may decide issues requiring approval of the Market Committee. However, such decisions shall have to be approved by the Market Committee within 45 days from the date of such decisions. Failure in doing so or in the event of disapproval of such

decisions by the Market Committee, such decisions shall be null and void.

(3) The Executive Committee shall meet at least once in two months.

**Powers and functions of Secretary of market committee of special market.**

**31 P.** The Executive Member of the Market Committee shall act as the Secretary of the Market Committee of the Special Market or Special Commodity Market. The Secretary shall -

- (i) exercise supervision and control over the officers and staff of the market committee in matters of executive administration concerning accounts and records and disposal of all questions relating to the services of the officers and staff of the Market Committee as per the prescribed procedure.
- (ii) appoint officers and staff of the Market Committee as per direction and procedure prescribed by the Market Committee,
- (iii) incur expenditure from the Market Committee fund for the sanctioned items of work,
- (iv) in cases of emergency, direct the execution or stoppage of any work,
- (v) sanction and launch prosecution for violation of the provisions of this Act or rules or bye-laws made thereunder,
- (vi) issue licences to the functionaries operating in the market,
- (vii) prepare annual budget of the Market Committee,
- (viii) arrange for summoning the meetings of the market committee and maintenance of records of the proceedings of such meetings,
- (ix) inspect from time to time the construction work undertaken by the Market Committee and send report of such inspection to the Chairman of the Market Committee,
- (x) report such acts of the Market Committee or members of the Market Committee including the Chairman and Vice-Chairman which are contrary to the provisions of this Act or rules or bye-laws framed thereunder, to the Director,
- (xi) take such steps as deemed necessary for the effective discharge of the functions and decisions of the Market Committee.

**Provisions relating to Contract Farming Agreement.**

**31 Q.** The Contract Farming Agreement shall be subject to the following provisions, namely,:-

- (1) The contract farming agreement shall be in such form containing such particulars and terms and conditions, as may be prescribed.
- (2) The sponsorer shall furnish the copy of the agreement to the Board or to such officer and in such manner as may be prescribed.
- (3) The agricultural produce covered under contract farming agreement when sold, shall be liable to such market fees as may be prescribed by the Board.

**31 R.** (1) If any difficulty arises in giving effect to the provisions of this Chapter, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this chapter, as appears to it to be necessary or expedient for removing the difficulty:

Power to remove difficulty.

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this chapter.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.”.

7. In the principal Act, after section 51, the following section shall be inserted, namely,:-

Insertion of new section 51A in Guj. XX of 1964.

“51A. (1) At any time when so required, -

Power to stop vehicles and inspect store.

(i) by any officer or employee of the State Government authorized by the Director in this behalf in any market area, or

(ii) by any officer or employee of the market committee authorized by the market committee in this behalf in the market area concerned,

the driver or any other person in charge of the vehicle, vessel or other means of conveyance shall stop such vehicle, vessel or other means of conveyance, as the case may be, and keep it stationary, as long as may reasonably be necessary, and allow such person to examine the contents in the vehicle, vessel or other means of conveyance and inspect all records relating to agricultural produce carried, and give his name, address and name and address of the owner of the vehicle, vessel or other means of conveyance and name and address of the owner of the agricultural produce carried in such vehicle, vessel or other means of conveyance.

(2) Persons empowered under sub-section (1) shall have power to seize any agricultural produce brought into or taken out or proposed to be taken out of the market area in any vehicle, vessel or other means of conveyance, if such person has reason to believe that any fee or other amount due under this Act or the value payable to the seller in respect of such produce has not been paid.

(3) If any person authorized under sub-section (1) has reason to believe that any person is attempting to evade the payment of any market fee due from him under this Act or that any person has purchased or stored any agricultural produce in contravention of any of the provisions of this Act or the rules or the bye-laws in force in the market area, he may enter or search any place of business, warehouse, office, establishment or godown where the person empowered under sub-section (1) has reason to believe that such person keeps or has for the time being kept stock of agricultural produce and may seize the stored agricultural produce and such seized agricultural produce may be confiscated in favour of the market committee in such manner as may be prescribed:

Provided that no agricultural produce shall be confiscated without giving a reasonable opportunity of being heard to the person concerned.

- (4) The provisions of the Code of Criminal Procedure, 1973 shall apply to entry, search and seizure under sub-sections (1), (2) and (3) as they apply in relation to the entry, search and seizure of property by the police officer.”. 2 of 1974.

Amendment  
of section 59  
of Guj.XX of  
1964.

8. In the principal Act, in section 59, in sub-section (2),-

- (1) after clause (iv), the following clauses shall be inserted, namely:-

“(iv-aa) (i) the manner of furnishing information regarding payment of market fee and manner of providing proof thereof and within a period to be prescribed under sub-section (2) of section 28;

(ii) the manner of maintaining account and furnishing of periodical returns under sub-section (2) of section 28;

(iii) the manner and form for permit for removal of agricultural produce and the proofs to be accompanied with the vehicle carrying agricultural produce under sub-section (2) of section 28;

(iv-bb) the manner and the fee for the grant or renewal of registration of functionaries and reasons for refusal of such application under section 31B;

(iv-cc) the form, manner and fee for making an application and for prescribing terms and conditions for grant or renewal of licence under section 31C;

(iv-dd) the rate of market fee and manner of levy and collection thereof; the proofs to be produced; the percentage of market fee and manner of making contribution to the Development Fund, under section 31D;

(iv-ee) the form, the manner, the fees and the authority to whom application shall be made, the terms and conditions for grant or renewal of licence, the manner of selling of agricultural produce and the quantity of commodity that may be purchased at a time and the rate of market charge under section 31E.

(iv-ff) the other reasons for rejection of application for grant or renewal of application made under section 31C and section 31E, under section 31F;

(iv-gg) the form, the manner and fees required to be paid, the terms and condition for grant of common licence under section 31G;

(iv-hh) such other disqualifications for suspension or cancellation of licence or registration under section 31H;

(iv-ii) the form and manner for preferring the appeal under section 31-I;

(iv-jj) the manner of submitting audited annual accounts and statement of transaction under section 31L;

- (iv-kk) the procedure for supervision and control and procedure for appointment of the officers and staff of the market committee under section 31P;
- (iv-ll) the form, the particulars and the terms and conditions of, the manner in which and the officer to whom the contract farming agreement shall be furnished under section 31Q;”;
- (2) after clause (iv-h), the following clause shall be inserted, namely :-
  - “(iv-ha) the manner in which the agricultural produce may be confiscated under section 51A;”.