
Karnataka Agricultural Produce Marketing (Regulation And Development) (Amendment) Act, 2009

18 of 2010

[16 April 2010]

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An Act further to amend the Karnataka Agricultural Produce Marketing (Regulation and development) Act, 1966. Whereas it is expedient further to amend the Karnataka Agricultural Produce Marketing (Regulation and development) Act, 1966 (Karnataka Act 27 of 1966) for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the sixtieth year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Karnataka Agricultural Produce Marketing (Regulation and development) (Amendment) Act, 2009.
- (2) It shall come into force at once.

2. Amendment Of Section 2 :-

In the Karnataka Agricultural Produce Marketing (Regulation) Act, 1966 (Karnataka Act No. 27 of 1966) (hereinafter referred to as the principal Act) in section 2, in sub-section (15), for the words "cannot pay his debts" the words "cannot pay his debts in respect of financial transactions pertaining to market functionaries in the

Agricultural Produce Marketing Committee" shall be substituted.

3. Amendment Of Section 42 :-

In section 42 of the principal Act, in sub-section (1), for the words " for a term of the market committee" the words "for a term of twenty months or for the term of the market committee whichever is earlier" shall be substituted.

4. Amendment Of Section 44 :-

In section 44 of the principal Act,-

(1) in sub-section (1), for the words " by not less than one third" the words "by not less than fifty percent" shall be substituted;

(2) after the proviso to sub-section(1), the following proviso shall be inserted, namely,-

"provided further that a motion of no- confidence shall not be moved within a period of six months from the date of assuming the office of the Chairman or the Vice Chairman as the case may be".

(3) for sub-section (2), the following shall be substituted, namely:-

"(2) If the motion against the Chairman or the Vice-Chairman or both is carried by a majority of not less than two-thirds of all the then members of the market committee at a meeting specially convened for the purpose, the Chairman or the Vice-Chairman shall forth with vacate the office of the Chairman or the Vice-Chairman as the case may be."

5. Amendment Of Section 74 :-

In section 74 of the principal Act,-

(a) in sub-section (1),-

(i) in clause (c), for the words " Karnataka Appellate Tribunal" the words " State Government" shall be substituted;

(ii) in clause (d), for the words " Karnataka Appellate Tribunal" the words " State Government" shall be substituted;

(b) after sub-section (1-A), the following shall be inserted, namely:-

"(1-B) Any appeal under sub-section (1) pending before the Karnataka Appellate Tribunal on the date of commencement of the Karnataka Agricultural Produce Marketing (Regulation and development) (Amendment) Act, 2009 shall stand transferred to the State Government and such appeal shall be decided by it as if

such appeal had been filed before it."

(c) in sub-section (2), for the words "the Karnataka Appellate Tribunal" the words "the State Government" shall be substituted.