
**Maharashtra Agricultural Produce Marketing (Regulation)
(Amendment) Rules, 2010**

[14 January 2010]

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1. The following draft rules further to amend the Maharashtra Agricultural Produce Marketing (Regulation) Rules, 1967, which the Government of Maharashtra, propose to make in exercise of the powers conferred by sub-sections (1) and (2) of section 60 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 (Mah. XX of 1964) and of all other powers enabling it in that behalf, is hereby published as required by sub-section (3) of section 60 of the said Act, for the information of all persons likely to be taken into consideration by the Government of Maharashtra on or after 13th February 2010. 2. Any objections or suggestions, which may be received by the Principal Secretary to Government of Maharashtra, Co-operation, Marketing and Textiles Department, Mantralaya (Annexe), Mumbai 400 032, from any person with respect to the said draft before the aforesaid date, will be considered by the Government. Draft Rules

1. Section 1 :-

These rules may be called the Maharashtra Agricultural Produce Marketing (Regulation) (Amendment) Rules, 2010.

2. Section 2 :-

After rule 87 of the Maharashtra Agricultural Produce Marketing (Regulation) Rules, 1967, the following rule shall be inserted, namely:

"88. Determination of Validity of Election:

(1) If the Validity of any election including any bye-election of a member of a market Committee is brought in question by any person qualified either to be elected or to vote at the election to which such election refers, such person may, within seven days after the date of the declaration of the result of the election apply in writing to:-

(a) The District Deputy Register, in case the election pertains to Market Committees, whose annual income from fees under sub-section (1) of section 31, in the immediately preceding market year exceeds rupees five crore.

(2) On receipt of an application under sub-rule (1), the District deputy Register or the Collector as the case may be, shall after giving an opportunity to the applicant to be heard and after making such inquiry as he deems fit, pass an order confirming or amending the declared result of election or setting the election aside. If the District Deputy Register or the Collector, as the case may be, sets aside the election, he shall fix a date as soon as conveniently may be, for holding a fresh election.

(3) (a) Any Person aggrieved by the decision of the collector may within seven days from date on which the decision is communicated to him, prefer an appeal against such decision to the Divisional Commissioner appointed under section 6 of the Maharashtra Land Revenue Code, 1966 (Mah.XLI of 1966).

(4) The decision of the District Deputy Register or the Collector subject to the decision of the Divisional Joint Register Divisional Commissioner or the Divisional Commissioner, appointed under section 6 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), as the case may be, in appeal, shall be final."

By order and in the name of the Governor of Maharashtra,
Dr. Sudhir Kumar Goyal,
Principal Secretary to Government.