

CHAPTER V
MARKETS OF NATIONAL IMPORTANCE

- 25. Definitions** In this chapter unless the context otherwise requires,-
- (a) The expression “market” means “market of national importance” and,
 - (b) The expression “Marketing Committee” means the “Marketing Committee of a market of national importance”.
- 26. Establishment of markets of national importance and Marketing Committee thereof**
- (1) Notwithstanding anything contained in this Act, where the Government is satisfied that on account of the national importance of marketing on any commodity, in any area, it is expedient to ensure the efficient regulation of the marketing of such commodity in such area, it may establish :-
 - (a) In such area, special markets, known as “Markets on National Importance” for such commodities; and
 - (b) Independent Marketing Committees known as “Markets of National Importance” for such commodities; and
 - (2) The Government may, after consideration of such aspects as, the turn-over, upstream catchments area, down-stream servicing (number of consumers served), and price leadership (whether the market influences the price at the national level), declare an area as a special market area known as “Market area of the market of National Importance”:
Provided that no such market shall be established:-
 - (a) If it handles less than one lakh tones of produce per year;
 - (b) If, out of the total produce handled by it, less than thirty percent thereof is received from two or more States or Union Territories; and
 - © If the market does not influence the price of the commodity referred to in sub-section (1) at the national level.
- 27. Composition of the Marketing Committee for Market of National Importance**
- Every Marketing committee constituted under sub-section (1) or section 26 shall consist of the following members:-
- (a) Three members to be nominated by the Government from amongst the agriculturists residing in Delhi;
 - (b) Three members to be elected in the prescribed manners from amongst the traders and commission

agent holding licence in any Marketing Committee in Delhi;

Provided that at least two members will be from amongst those traders and Commission Agents who hold a licence from the Marketing Committee constituted under sub-section (1) of section 26;

- © One representative of the Board to be nominated by the Government;
- (d) The Director or his nominee (ex-officio member);
- (e) Three representatives of other States and union territories to be nominated by the Government, in consultation with the State Government of the Administrator of the Union Territory as, the case may be,

Provided that the representatives shall be the agriculturists of those areas from which the commodity referred to in sub-section 1) of section 26 is received;

- (f) The Secretary of the Marketing Committee (as ex-officio Member-Secretary);
- (g) One representative of the Agricultural Marketing Adviser to the Government of India.

28. Chairman and Vice-Chairman of the Marketing Committee

The Marketing Committee shall have a Chairman and Vice-Chairman to be nominated by the Government from amongst its members.

29. Term of members

The members shall hold office for a term of five years. However the members being nominated as Chairman and Vice-Chairman, they shall function as such, during the pleasure of the Government.

30. Meetings of the Marketing Committee

The Marketing Committee constituted under sub-section (1) of section 26 shall meet at least once in ever two calendar months.

31. Executive committee and its composition of the mkts. Of National Importance

- (1) There shall be an executive committee of he market.
- (2) The composition of the executive committee referred to in sub –section (1) shall be :-
 - (i) The Chairman of the Marketing Committee
 - (ii) Two representatives, to be nominated by the Government, of whom one shall be holding a trading licence in the market and other shall be a representative of the agriculturists;

- (iii) One representative of the Board to be nominated by the Government;
 - (iv) The Director or his nominee;
 - (v) One representative of a State or Union Territory from which agricultural produce is imported in Delhi, to be nominated by the Government in consultation with the State Government or the Administrator of the Union Territory, as the case may be;
 - (vi) The Secretary of the Marketing Committee constituted under section 27 who shall act as the Member-Secretary of the Committee.
- (3) In case of emergency, the executive committee may decide issues requiring approval, of the Marketing Committee. However, such decisions shall be approved by the Marketing Committee within forty-five days from the date such decisions are taken. Failure in doing so or in the event of disapproval of such decisions by the marketing committee, such decision shall stand null and void, so however, that any such disapproval shall be without prejudice to the validity of anything previously done under that decision;
- Provided that if the Marketing Committee makes any modifications in such decision, the decision shall have effect only in such modified form from the date of such modification.

- 32. Meetings of Executive committee** The executive committee shall meet as often as necessary but at least once in a calendar month
- 33. Term of office members of the Executive committee** The members of the executive committee shall hold the office during the pleasure of the Government.
- 34. Appointment and functions of Secretary of the Marketing Committee**
- (1) The Secretary of the Marketing Committee shall be appointed by the Government from amongst Union Territory Civil Service officers atleast with ten years or service..
 - (2) Subject to the superintendence, control and supervision of the executive committee referred to in section 31, the Secretary shall-
 - (i) Exercise supervision and control over the officers and members of the staff of the Marketing Committee in matters of administration;
 - (ii) Incur expenditure from the funds of the Marketing Committee for items of work which have been duly

sanctioned;

- (iii) In case of emergency, direct the execution or stoppage of any work or performance of any act which requires the sanction of the Board or the Marketing Committee;
- (iv) Launch prosecution for violation of provision of this act, rules, regulation or bye-laws made thereof;
- (v) Issue licences to the functionaries operating in the market;
- (vi) Prepare the annual budget of the Marketing Committee;
- (vii) Summon the meeting of the Marketing Committee and the executive committee and maintenance of records of the proceedings of such meetings;
- (viii) Inspect, from time to time improvement and maintenance works undertaken by the Marketing Committee and send report of such inspection to the Chairman of the Marketing Committee;
- (ix) Report such acts of the Marketing Committee or members of the Marketing Committee including the Chairman and the Vice-Chairman which are contrary to the provisions of this Act, rules, regulations and bye-laws framed thereunder to the Vice-Chairman of the Board who shall further report to the Government.
- (x) Take such steps as may be deemed necessary for effective discharge of the functions and decisions of the Market Committee.