

Bihar Agricultural Produce Markets (Validation) Act, 1982

1. Short title, extent and commencement.
- 2.
3. Repeal and saving.

Bihar Agricultural Produce Markets (Validation) Act, 1982

Bihar Act No. 64 of 1982

Published in Bihar Gazette (Extra-ordinary) dated 7.8.1982.

An Act to validate the levy and collection of market fees on the agricultural produce enumerated in notification nos. 14841, dated the 27th October, 1967 and 2028, dated the 12th February 1972 issued under the authority of *Krishi* and Pashupalan Bivag (*Krishi*) but actually the notification no. 2028, dated the 12th February 1972 was published in the Bihar Gazette "*Asadhaian Anka*" on the 15th May, 1980 and the certain matters connected therewith.

Be it enacted by the Legislature of the State of Bihar in the Thirty Third year of the Republic of India as follows:-

1. Short title, extent and commencement. - (i) This Act may be called the Bihar Agricultural Produce Markets (Validation) Act, 1982.

(ii) It extends to whole of the State of Bihar.

(iii) It shall come into force immediately.

2. Notwithstanding the non-publication of the notification nos. 14841 dated the 27th October 1967 in the Bihar Gazette and 2028, dated the 12th February 1972 in the Bihar Gazette in time, the orders made for regulating the market with respect to such items, and market-fees levied, collected or to be levied and collected shall not be illegal and invalid merely on the ground, and notwithstanding anything contained to the contrary in any judgement, decree or order of any court the Schedule of notification nos. 14841, dated the 27th October 1967 and 2028, dated the 12th February 1972 shall always be deemed to be valid and effective and all levies made or market fees collected shall be deemed to have been validly realized, taken, done and issued as if the provisions of this Act were in force at all material times when such realization was made, action taken, things done and orders issued and no suit or proceeding shall be maintainable for refund of the levies made on fee collected or actions taken under those notifications.

3. Repeal and saving. - (1) The Bihar Agricultural Produce Markets (Validation) Second Ordinance, 1982 (Bihar Ordinance no. 50 of 1982) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of powers conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or taken.

Bihar Agricultural Produce Markets (Amendment) Act, 1992

1. Short title and commencement.
2. Insertion of new Chapter after Chapter IVA of the Bihar Act 16 of 1960.
3. Repeal and savings.

Bihar Agricultural Produce Markets (Amendment) Act, 1992

Bihar Act 16 of 1992

Assented to by the Governor on 17.8.1992.

An Act to amend the Bihar Agricultural Produce Markets Act, 1960.

Be it enacted by the Legislature of the State of Bihar in the forty-third year of the Republic of India as follows:-

1. Short title and commencement. - (i) This Act may be called the Bihar Agricultural Produce Markets (Amendment) Act, 1992.

(ii) It shall come into force at once.

2. Insertion of new Chapter after Chapter IVA of the Bihar Act 16 of 1960. - In the Bihar Agricultural Produce Markets Act, 1960 (Bihar Act 16, 1960) after Chapter IVA the following new Chapter shall be inserted namely:-

"CHAPTER IVB

Contribution in the State Fund by the Committee.

"33M. Every Market Committee shall out of its fund contribute to the State Government fund such percentage of its income derived from license fees and market fees as may be prescribed by Rules from time to time by the State Government."

3. Repeal and savings. - (1) The Bihar Agricultural Produce Markets (Amendment) Ordinance, 1992 (Bihar Ordinance No. 19 of 1992) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken in exercise of any powers conferred by or under the said Ordinance shall be deemed to have been done or taken as if this Act were in force on the day on which such thing was done or action taken.

Bihar Agricultural Produce Markets (Amendment) Act, 1993

1. Short title, extent and commencement.
2. Insertion of new section after Section 4 of Bihar Act XVI of 1960.
3. Repeal and savings.

Bihar Agricultural Produce Markets (Amendment) Act, 1993

Bihar Act 4 of 1993

Published in Bihar Gazette (Extra ordinary) dated 27.4.1993.

An Act to amend the Bihar Agricultural Produce Markets Act, 1960.

Be it enacted by the Legislature of the State of Bihar in the forty-fourth year of the Republic of India as follows:-

1. Short title, extent and commencement. - (1) This Act may be called the Bihar Agricultural Produce Markets (Amendment) Act, 1993.

(ii) It shall be extended to the whole of the State of Bihar

(iii) It shall be deemed to have come into force with effect from the 6th of August, 1960.

2. Insertion of new section after Section 4 of Bihar Act XVI of 1960. - After Section 4 of the Bihar Agricultural Produce Markets Act, 1960 (Bihar Act XVI of 1960) the following sections shall be inserted and shall always be deemed to have been inserted, namely:-

"4A. Sections 3 and 4 not to apply to Section 39. - (1) The provisions of Sections 3 and 4 shall not apply to the exercise of powers by the State Government under Section 39 to amend the schedule by addition of any item of agricultural produce not specified therein.

(2) The State shall not order the deletion of any item in exercise of its power under Section 39 without giving an opportunity for hearing to the affected parties.

"4B. Validating of Market fee levied and collected. - Notwithstanding any judgement, decree or order of any Court to the contrary any market fee levied and collected shall be deemed to be valid as if such levy and collection was made under the provisions of this Act as amended by this Act and notification no. 730, dated 2nd May, 1977 shall be deemed never to have been issued and no suit or other legal proceedings shall be maintained or contained in any court for the refund of the fee collected under the provisions of this Act and no Court shall entertain any proceedings challenging the fee recovered or the continued levy and recovery of the fee merely on the ground that liability has ceased on the issuing of the notification no. 730, dated 2nd May, 1977."

3. Repeal and savings. - (i) The Bihar Agricultural Produce Markets (Amendment) Ordinance, 1993 (Bihar Ordinance no. 3 of 1993) is hereby repealed.

(ii) Notwithstanding such repeal anything done or any action taken in exercise of any powers conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of powers conferred by or under this Act as if this Act were in force on the day on which such thing was done or action taken.