

The Madhya Bharat Regulation of Weighment of Agricultural Produce Act, 1956

MADHYA BHARAT

India

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Act 11 of 1956

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The Madhya Bharat Regulation of Weighment of Agricultural Produce Act, 1956(M.P. Act No. 11 of 1956)[18th May, 1956]Received the assent of H.H. the Raj Pramukh on 18th May, 1956.An Act to provide for the regulation of weighment of agricultural produce in the regulated and unregulated markets of Madhya Bharat.Be it enacted in the Seventh Year of the Republic of India as follows :-

1. Title, extent and commencement.

(1)This Act may be called the Madhya Bharat Regulation of Weighment of Agricultural Produce Act, 1956.(2)It extends to the whole of [Madhya Bharat region] [Substituted by M.P.A.O. 1956.].(3)It shall come into force on such date as may be notified by the Government in this behalf.

2. Definitions.

(1)In this Act, unless there is anything repugnant in the subject or context-(i)"Agricultural Produce" includes all produce of agriculture, horticulture and animal husbandry specified in the Schedule.(ii)"Agriculturist" means a person who ordinarily by himself or who by his tenants or hired labour or otherwise is engaged in the production or growth of agricultural produce, hut does not include a dealer or broker in agricultural produce although such dealer or broker may also be engaged in the production or growth of agricultural produce.(iii)"Director" means the Director of Industries and Commerce for the State of Madhya Bharat.(iv)"Regulated Market" means a market to which the provisions of the Madhya Bharat Agricultural Produce Market Act, Samvat 2009, apply.(v)"Unregulated Market" means a market other than a regulated market.(vi)"Schedule" means schedule to his Act.(2)If a question arises whether any person is or is not an agriculturist for the purpose of this Act, the decision of the Government on such question shall be final.

3. Trade allowance.

(1) No person shall make or recover any trade allowance other than allowances prescribed by rules or bye-laws, if any, made under the Madhya Bharat Agricultural Produce Market Act, 1952, from any agriculturist in any regulated or unregulated market in any transaction in respect of the agricultural produce concerned. (2) No Civil Court, in any suit or proceeding arising out of any such transaction, shall have regard to or recognise any trade allowance not so prescribed. Explanation :- Every deduction other than a deduction on account of deviation from sample when the purchase is made by sample or on account of deviation from standard when the purchase is made by reference to a known standard or on account of difference between the actual weight of the container and standard weight or on account of the admixture of foreign matter, shall be regarded as a trade allowance for the purpose of this section.

4. Penalty for contravention of Section 3.

- Whoever contravenes the provisions of sub-section (1) of Section 3 shall, on conviction, be punishable with fine which may extend to two hundred rupees.

5. Trial of offences.

(1) Offences under this Act shall be tried by a Magistrate of the First or Second Class. (2) Prosecutions under this Act may be instituted by any agriculturist who is party to a transaction, the Director of Industries or any officer authorised by him in writing in this behalf or the Collector.

6. Rules.

(1) The Government may make Rules for the purpose of carrying out the provisions of this Act. (2) In particular and without prejudice to the generality of the foregoing provisions, such Rules may provide for-(a) the powers to be exercised and the duties to be performed by Government Officers; (b) the trade allowance which may be made or received by any person in any transaction in agricultural produce in any market other than a regulated market; and (c) prescribing the rates of deduction under explanation to Section 3.

Schedule

[See Section 2 (1) (i)]

1. Fibres. - (i) Cotton (ginned and unginned).

(ii) Sunhemp.

2. Cereals. - 1. Wheat. 2. Paddy (husked and unhusked). 3. Jowar. 4. Bajra. 5. Maize. 6. Barley. 7. Kodon.

3. Pulses. - 1. Tuar. 2. Gram. 3. Urad. 4. Mung. 5. Moth. 6. Mussor. 7. Matar. 8. Batra. 9. Chawala (Ramas). 10. Tevra. 11. Basari.

4. Oil seeds. - 1. Ground-nut. 2. Linseed. 3. Sesamum. 4. Safflower. 5. Ainbadi. 6. Cotton seed. 7. Castor seed. 8. Sarson. 9. Sonha. 10. Ramtilli. 11. Laha.

5. Narcotics. - 1. Tobacco.

6. Gur, Sugar and Sugarcane.

7. Fruits. - 1. Lemon. 2. Banana and Mango. 3. Pomegranate. 4. Orange.

8. Vegetables. - 1. Potato. 2. Onion. 3. Tomato. 4. Leafy and fresh vegetable. 5. Sweet potatoes. 6. Arbi. 7. Yam. 8. Kaddoo.

9. Animal Husbandry Products. - 1. Cattle. 2. Sheep. .3. Goat. 4. Wool. 5. Butter. 6. Ghee. 7. Milk.

10. Condiments, spices, etc. - 1. Ginger. 2. Garlic. 3. Chillies. 4. Cuminseed (Jira). 5. Rai. 6. Methi Dana. 7. Aniseed. 8. Turmeric Curcuna. 9. Coriander Seed. 10. Ajwan. 11. Onion.

11. Grass, Fodder and Karbi.

12. Forest Produce. - 1. Gum, all sorts. 2. Honey. 3. Wax. 4. Kareli. 5. Lac. 6. Chironji. 7. Amla. 8. Bahera.

13. Other articles. - 1. Hemp-seed. 2. Gowar. 3. Waternut.