

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY

### No. 2

#### GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

#### Notification

8/1/2001/LA

The Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Goa Amendment) Ordinance, 2001 (Ordinance No. 1 of 2001), which has been promulgated by the Governor of Goa on 24-5-2001, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 25th May, 2001.

The Maharashtra Agricultural Produce Marketing (Regulation) Act 1963  
(Goa Amendment) Ordinance, 2001

(Ordinance No. 1 of 2001)

*Promulgated by the Governor of Goa in the  
Fifty-second Year of the Republic of India.*

An ordinance further to amend the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Maharashtra Act No. XX of 1964) as in force in the State of Goa.

Whereas the Legislature of State of Goa is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Goa Amendment) Ordinance, 2001.

(2) It shall come into force at once.

2. *Amendment to Section 2.*— In the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Maharashtra Act XX of 1964), as in force in the State of Goa (hereinafter referred to as the "Principal Act"), in sub-section (1) of section 2 (a) for clause (b), the following shall be substituted, namely:—

(a) "agriculturist" means a person who,

(i) ordinarily by his own labour or by the labour of any member of his family or who, by the labour of his tenants or servants or hired labour or otherwise, is engaged in the production or growth of agricultural produce; and

(ii) is a member of a Co-operative Society registered in the State of Goa which is

dealing with agricultural produce, as may be notified by the State Marketing Officer from time to time and who has sold agricultural produce to the co-operative society of the value not less than Rs. 5000.00 or such amount as may be determined by State Marketing Officer from time to time in the preceding financial year; and

(iii) is not a trader, trading agent, broker, processor or commission agent."

(b) for clause (j), The following clause shall be substituted, namely:—

"(j)" "marketing Board" means the Marketing Board established under section 11".

3. *Omission of section 10.*— Section 10 of the principal Act shall be omitted.

4. *Amendment of section 11.*— For Section 11 of the principal Act, the following shall be substituted, namely:—

"11. *Establishment of the Marketing Board.*— There shall be established a Marketing Board for the State of Goa consisting of a Chairman, Vice-Chairman and other members. The Marketing Board shall have such powers and discharge all such functions as are vested in it by or under this Act."

5. *Amendment to Section 12.*— For section 12 of the principal Act the following shall be substituted, namely:—

"12. *Incorporation of Marketing Board.*— The Marketing Board shall be a body corporate by the name of "the Goa State Agricultural Marketing Board", and shall have perpetual succession and a common seal, and may in its corporate name sue and be sued, and shall be competent to contract, acquire and hold property, both movable and immovable, and to do all other things necessary for the purposes for which it is established."

6. *Amendment to Section 13.*— For sub-section (1) of section 13 of the principal Act, the following shall be substituted, namely:—

"(1) Subject to the provisions of sub-section (2), the Marketing Board shall consist of the following seventeen members, namely:—

(a) ten agriculturists including two lady agriculturists to be elected by the agriculturists only;

(b) one trader holding 'A' class licence to be elected from amongst traders of all classes;

(c) two traders Co-operative Societies registered in the State of Goa and which have paid highest amount of fees in the preceding market year to the Marketing Board; shall be represented by their respective Chairman to function as Ex-Officio members of the Marketing Board during the term of the elected Marketing Board;

(d) one Chairman of a Co-operative Society registered in the State of Goa doing the business of processing or marketing of agricultural produce of notified commodities in the market area; to be elected from amongst the Chairmen of such Co-operative Societies;

(e) two members to be nominated by the Government, one being from the office of the Registrar of Co-operative Societies, Government of Goa, and the other being from the Department of Agriculture, Government of Goa, to function during the term of the elected Marketing Board;

(f) the Secretary of the Marketing Board, to function during the term of the elected Marketing Board."

7. *Amendment of Section 19.*— For Section 19 of the principal Act, the following shall be substituted, namely:—

"19. *Election of Chairman and Vice-Chairman.*— The meeting of the Marketing Board shall be presided over by the Chairman and in absence of the Chairman, by the Vice-Chairman. The Chairman and the Vice-Chairman shall be elected by the members of the Marketing Board excluding the Secretary of the Marketing Board and the Government nominees. Only the members as mentioned in clause (a), (c), and (d) of sub-section (1) of section 13 shall be eligible to contest for the post of the Chairman or the Vice-Chairman".

8. *Omission of section 44.*— Section 44 of the principal Act shall be omitted.

9. *General Amendment.*— In the principal Act,—

(i) for the words "Market Committee", wherever they occur, the words, "Marketing Board" shall be substituted;

(ii) for the word "Committee", wherever it occurs, the words "Marketing Board" shall be substituted;

(iii) for the words "a Committee" or "a Market Committee" or "every Market Committee" or "any Market Committee" or "such Committee", wherever they occur, the words, "the Marketing Board" shall be substituted;

(iv) for the words "A markete Committee" wherever they occur, the words "The Marketing Board" shall be substituted.

Place: Raj Bhavan, Goa. *Mohammad Fazal,*  
Date : 24th May, 2001. Governor of Goa

**Notification**

8/2/2001/LA

The Goa Sales Tax (Amendment) Ordinance, 2001 (Ordinance No. 2 of 2001), which has been promulgated by the Governor of Goa on 24-5-2001, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 25th May, 2001.

The Goa Sales Taxes (Amendment)  
Ordinance, 2001

(Ordinance No. 2 of 2001)

*Promulgated by the Governor of Goa in the  
Fifty-second Year of the Republic of India.*

An Ordinance further to amend Goa Sales Tax Act, 1964 (Act 4 of 1964).

Whereas the Legislature of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the

Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Sales Tax (Amendment) Ordinance, 2001.

(2) It shall be deemed to have come into force with effect from 1st day of April, 2001.

2. *Amendment of Section 7B.*— For sub-section (1) of section 7B of the Goa Sales Tax Act, 1964 (Act 4 of 1964), the following shall be substituted, namely:—

"(1) The tax payable under section 7 shall be increased by the surcharge calculated at the rate of five percent of such tax:

Provided that no surcharge shall be payable on petroleum products sold by dealers liable for additional tax under section 7A of this Act and on declared goods specified under section 14 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956)."

Place: Raj Bhavan, Goa. *Mohammad Fazal,*  
Date: 24th May, 2001. Governor of Goa

**Notification**

8/3/2001/LA

The Goa Tax on Entry of Goods (Amendment) Ordinance, 2001 (Ordinance No. 3 of 2001), which has been promulgated by the Governor of Goa on 24-5-2001, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 25th May, 2001.

The Goa Tax on Entry of Goods  
(Amendment) Ordinance, 2001

(Ordinance No. 3 of 2001)

*Promulgated by the Governor of Goa in the  
Fifty-second Year of the Republic of India.*

An Ordinance further to amend the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000).

Whereas the Legislature of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Tax on Entry of Goods (Amendment) Ordinance, 2001.

(2) It shall come into force at once.

2. *Amendment to Section 3.*—For sub-section (3) of section 3 of the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000), the following shall be substituted, namely:—

“(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), no tax shall be

levied on and collected from a dealer who brings or causes to be brought into a local area any goods,—

1. in respect of which tax has been paid or has become payable in any other local area under sub-section (1), or

2. in respect of which tax has been paid or has become payable under the Goa Sales Tax Act, 1984 (Act 4 of 1984) and under the Central Sales Tax Act, 1956 (Central Act 74 1956).

*Explanation.*— For the purposes of this section, tax paid or become payable should be on goods in the same form in which they are brought or caused to be brought into the local area and in case of tax under the Central Sales Tax Act, 1956, that which is paid or become payable in the State of Goa”.

Place: Raj Bhavan, Goa.

Mohammad Fazal,

Date: 24th May, 2001.

Governor of Goa