



**The Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978**

Act 33 of 1978

**Keyword(s):**

Market Committees, Special Officer, APMC

**Amendments appended: 24 of 1980, 14 of 1985, 18 of 1986, 66 of 1986, 46 of 1987, 8 of 1989, 13 of 1991**

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1978.T.N. Act 33] *Agricultural Produce Markets* 935  
(Amendment and Special Provisions)

**TAMIL NADU ACT NO. 33 OF 1978.\***  
**THE TAMIL NADU AGRICULTURAL PRODUCE**  
**MARKETS (AMENDMENT AND SPECIAL**  
**PROVISIONS) ACT, 1978.**

[Received the assent of the Governor on the 30th September 1978, first published in the Tamil Nadu Government Gazette Extraordinary on the 4th October 1978 (Purattasi 18, Kalayukti (2009—Tiruvalluvar Andu)).]

**An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959, and to provide for the appointment of Special Officers for exercising the powers and performing the functions of market committees in the State of Tamil Nadu.**

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978. Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of June 1978.

2. In this Act, unless the context otherwise requires, — Definitions.

(a) “Director” means the Director of Agricultural Marketing ;

(b) “Government” means the State Government ;

(c) words and expressions used and not defined in this Act, but defined in the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), shall have the meanings respectively assigned to them in that Act.

3. [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959).]

4. Notwithstanding anything contained in the principal Act or in any other law for the time being in force, every member of every market committee established under section 5 of the principal Act (including its chairman and vice-chairman and *ex-officio* member, if any), and of every sub-committee and special committee of such market committee, holding office as such immediately before the date of commencement of this Act shall Members of market committees to cease to hold office.

\* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette* Extraordinary, dated the 31st August 1978, Part IV—Section 1, Page 415.

cease to hold office and be deemed to have vacated his office on and from the date of commencement of this Act.

Appoint-  
ment of  
Special  
Officers  
for market  
committees.

5. (1) (a) Notwithstanding anything contained in the principal Act or in any other law for the time being in force, on the date of commencement of this Act, the Government shall, by order, appoint Special Officers, to exercise the powers and perform the functions of the market committees and of the sub-committees or special committees of such market committees under the principal Act.

(b) A Special Officer may be appointed under clause (a) for one or more market committees as the Government may, by order, specify.

(2) Each Special Officer shall hold office for such period or periods not exceeding <sup>1</sup>[five years and six months] in the aggregate as may be specified by the Government from time to time:

Provided that if any vacancy arises in the post of Special Officer, the vacancy shall be filled up by the Government and the person appointed in the vacancy shall hold office for the remainder of the said period.

(3) The Special Officer appointed under sub-section (1) shall, subject to the control of the Director and to such directions as the Director may, from time to time, give, have power to exercise all or any of the powers and perform all or any of the functions of the market committee or of the sub-committees or special committees of such market committee and to take such action as may be required in the interest of the market committee.

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<sup>1</sup> The words "four years" were substituted for the original words "two years" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1980 (Tamil Nadu Act 24 of 1980), which was deemed to have come into force on the 6th June 1980. The words "four years and six months" were again substituted for the words "four years" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1982 (Tamil Nadu Act 47 of 1982), which was deemed to have come into force on the 3rd June 1982. These words were substituted for the words "four years and six months" by section 2 of the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1983 (Tamil Nadu Act 3 of 1983), which was deemed to have come into force on the 4th December 1982.

(4) Where a Special Officer is appointed under sub-section (1), the Government may appoint an advisory board to advise the Special Officer in such matters as may be specified by the Government and the advisory board shall consist of the following members, namely:—

(a) three persons from among the producers of the notified agricultural produce in the notified area ;

(b) three persons licensed under sub-section (1) of section 6 of the principal Act in the notified area in respect of the notified agricultural produce ;

(c) the District Agricultural Officer having jurisdiction over the notified area ;

(d) two other officers of the Government as may be nominated by the Government.

(5) The Government may fix the remuneration payable to the Special Officers appointed under sub-section (1) and the amount of remuneration so fixed, and such other expenditure incidental to the management of the market committee, during the period of appointment of the Special Officer as may be approved by the Government, shall be payable from the Market Committee Fund.

(6) The Special Officer appointed under sub-section (1) shall arrange for the constitution of a new market committee in accordance with the provisions of the principal Act and the rules made thereunder, so that the new market committee may be constituted and the members hereof come into office at the expiry of the period of appointment of the Special Officer.

6. (1) Where a Special Officer is appointed under sub-section (1) of section 5, and such Special Officer is resisted in, or prevented from, obtaining possession of the books, accounts, documents, securities, cash and other properties, whether movable or immovable, of the market committee (hereafter in this section referred to as the records and properties of the market committee) by any person who is not entitled to be in possession of the records and properties of the market committee, any metropolitan magistrate or any judicial magistrate of the first class in whose jurisdiction the office of the market committee or the records and properties of that market

committee is or are situate shall, on application by the Special Officer and on the production of the order of appointment, and of a certificate by the Director in the prescribed form setting forth that the records and properties mentioned therein belong to the market committee, direct delivery to the Special Officer of the possession of the records and properties of the market committee.

(2) No certificate shall be issued by the Director under sub-section (1) without making such inquiry as he deems necessary.

(3) For the purpose of the proceedings under sub-section (1) the certificate aforesaid shall be conclusive evidence that the records and properties to which it relates belong to the market committee.

(4) The metropolitan magistrate or the judicial magistrate of the first class referred to in sub-section (1) may, pending disposal of an application for directing delivery to the Special Officer of the possession of the records and properties of the market committee mentioned in the certificate by the Director, appoint a Receiver to take possession of such records and properties or such portion thereof as may be necessary. The remuneration, if any, paid to the Receiver and other expenses incurred by him shall be payable from the Market Committee Fund.

Delegation  
of powers  
of Govern-  
ment.

7. (1) The Government may, by notification, authorise the Director or any other officer to exercise any of the powers vested in them under section 5, in respect of any market committee.

(2) The exercise of any power delegated under sub-section (1) shall be subject to such restrictions and conditions as may be specified in the notification and subject also to control and revision by the Government.

Protection  
of action  
taken in  
good faith.

8. (1) No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act.

9. (1) The Tamil Nadu Agricultural Produce Markets Repeal, (Amendment and Special Provisions) Ordinance, 1978 (Tamil Nadu Ordinance 4 of 1978), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 6th day of June 1978.

TAMIL NADU ACT NO. 24 OF 1980.\*

THE TAMIL NADU AGRICULTURAL PRODUCE  
MARKETS (AMENDMENT AND SPECIAL PROVI-  
SIONS) AMENDMENT ACT, 1980.

[Received the assent of the Governor on the 29th August  
1980, first published in the Tamil Nadu Government  
Gazette Extraordinary, on the 1st September 1980  
(Aavani 16, Rowthiri-2011-Thiruvalluvar Aandu).]

*An Act to amend the Tamil Nadu Agricultural Produce  
Markets (Amendment and Special Provisions) Act, 1978.*

BE it enacted by the Legislature of the State of Tamil Nadu  
in the Thirty-first Year of the Republic of India as  
follows:—

1.(1) This Act may be called the Tamil Nadu Agricultural Short title and  
Produce Markets (Amendment and Special Provisions) commencement.  
Amendment Act, 1980.

(2) It shall be deemed to have come into force on the  
6th day of June 1980.

2. [The amendment made by this section has already  
been incorporated in the principal Act, namely, the Tamil  
Nadu Agricultural Produce Markets (Amendment and  
Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978).]

3. Anything done or any action taken in respect of any Validation.  
market committee during the period commencing on the  
6th June 1980 and ending with the date of publication of  
this Act in the *Tamil Nadu Government Gazette*, by a  
Special Officer appointed under sub-section (1) of section 5  
of the principal Act, shall for all purposes be deemed to be  
and to have always been validly done or taken in accordance  
with law as if section 5 of the principal Act as amended  
by this Act had been in force at all material times when  
such thing or action was done or taken.

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\*For Statement of Objects and Reasons, see *Tamil Nadu Govern-  
ment Gazette* Extraordinary, dated the 11th July 1980, Part IV-Section 1  
pages 133-134.

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 1st April 1985 and is hereby published for general information :—

### ACT NO. 14 OF 1985.

*An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 29th day of November 1984.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding five years”, the words “not exceeding six years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “six years and six months”, the words “seven years and six months” shall be substituted.

4. *Repeal and saving.*—(1) The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Ordinance, 1984 (Tamil Nadu Ordinance 29 of 1984), is hereby repealed.



(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), as amended by the said Ordinance, or under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by the said Ordinance, shall be deemed to have been done or taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), or, as the case may be, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978); as amended by this Act.

(By order of the Governor.)

S. VADIVELU,  
*Commissioner and Secretary to Government.*  
*Law Department.*

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 17th February 1986 and is hereby published for general information:—

## ACT No. 18 OF 1986.

*An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1986.

(2) It shall be deemed to have come into force on the 4th December 1985.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding six years”, the words “not exceeding seven years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “seven years and six months”, the words “eight years and six months” shall be substituted.

4. *Repeal and saving.*—(1) The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Ordinance, 1985 (Tamil Nadu Ordinance 12 of 1985) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), as amended by the said Ordinance, or, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by the said Ordinance, shall be deemed to have been done or taken under the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) or, as the case may be, under the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), as amended by this Act.

(By order of the Governor.)

S. VADIVELU,  
*Commissioner and Secretary to Government,  
Law Department.*

GOVERNMENT OF TAMIL NADU

1986

(Registered No. M-1

[Price : 15 Paise



**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 713]

MADRAS, WEDNESDAY, DECEMBER 3, 1986

KARTHIGAI 18, ATCHAYA, THIRUVALLUVAR AANDU-2017

## Part IV—Section 2

### Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 3rd December 1986 and is hereby published for general information :—

ACT No. 66 OF 1986.

*An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Second Amendment Act, 1986.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of the proviso, for the words “not exceeding seven years”, the words “not exceeding eight years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “eight years and six months”, the words “nine years and six months” shall be substituted.

(By order of the Governor)

S. VADIVELU,  
*Commissioner and Secretary to Government,  
Law Department.*



TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 735]

MADRAS, SATURDAY, DECEMBER 5, 1987

KARTHIGAI 19, PRABHAVA THIRUVALLUVAR AANDU—2018

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 5th December 1987 and is hereby published for general information :—

ACT No. 46 OF 1987.

*An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Act, 1987.

2. *Amendment of section 8, Tamil Nadu Act 23 of 1959.*—In the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959), in section 8, in sub-section (5), in clause (ii) of, the proviso, for the words “not exceeding eight years”, the words “not exceeding nine years” shall be substituted.

3. *Amendment of section 5, Tamil Nadu Act 33 of 1978.*—In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (Tamil Nadu Act 33 of 1978), in section 5, in sub-section (2), for the words “nine years and six months”, the words “ten years and six months” shall be substituted.

(By order of the Governor.)

S. VADIVELU,  
*Commissioner and Secretary to Government,  
Law Department.*



TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 272]

MADRAS, TUESDAY, MAY 9, 1989

CHITHIRAI 26, SUKLA, THIRUVALLUVAR AANDU—2020

**Part IV—Section 2**  
**Tamil Nadu Acts and Ordinances.**

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 8th May 1989 and is hereby published for general information :—

ACT No. 8 OF 1989.

*An Act further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959 and to validate the appointment of Special Officers for the Pudukkottai and Periyar Market Committees.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fortieth Year of the Republic of India as follows :—

1. This Act may be called the Tamil Nadu Agricultural Produce Markets (Amendment) and Validation of Appointment of Special Officers Act, 1989.

2. In section 24 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (hereinafter referred to as the principal Act), in sub-section (1), in the opening paragraph, for the words "twelve years", the words "thirteen years" shall be substituted.

3. (1) Notwithstanding anything contained in the principal Act, or in the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (hereinafter referred to as the 1978 Act), or in any other law for

Tamil Nadu Act  
23 of 1959.

Tamil Nadu Act  
33 of 1978.



the time being in force, the appointment of the Special Officer to the Pudukkottai Market Committee on the 17th day of May 1988 and the Special Officer to the Periyar Market Committee on the 28th day of August 1988 shall, for all purposes, be deemed to be, and to have always been, validly made as on the respective dates under the provisions of the 1978 Act.

Provided that the Special Officers shall hold office upto and inclusive of the 31st day of December 1989, or such earlier date as the State Government may, by notification, specify in this behalf.

(2) The provisions of the 1978 Act shall apply to the Special Officers referred to in sub-section (1) as they apply to the Special Officers appointed under sub-section (1) of section 5 of the 1978 Act.

Anything done or any action taken by the Special Officers referred to in section 3 at anytime on or after the respective dates and before the date of publication of this Act in the Tamil Nadu Government Gazette, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law and shall not be liable to be questioned in any court of law.

(By order of the Governor)

P. JAYASINGH PETER,

Secretary to Government, Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th February 1991 and is hereby published for general information:—

ACT No. 13 OF 1991.

*An Act further to amend the laws relating to the agricultural produce markets in the State of Tamil Nadu.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-first Year of the Republic of India as follows:—

- |   |   |                                       |
|---|---|---------------------------------------|
| Short title and commencement.           | <p>1. (1) This Act may be called the Tamil Nadu Agricultural Produce Markets Laws (Amendment) Act, 1991.</p> <p>(2) It shall be deemed to have come into force on the 3rd day of December 1990.</p>   |                                       |
| Amendment of Tamil Nadu Act 23 of 1959. | <p>2. In the Tamil Nadu Agricultural Produce Markets Act, 1959 (hereinafter referred to as the 1959 Act), in section 24, in sub-section (1), for the words "thirteen years and seven months", the words "fourteen years and one month" shall be substituted.</p>  | Tamil Nadu Act<br>23 of 1959.         |
| Amendment of Tamil Nadu Act 33 of 1978. | <p>3. In the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Act, 1978 (hereinafter referred to as the 1978 Act), in section 5, in sub-section (2), for the words "twelve years and six months", the words "thirteen years" shall be substituted.</p>  | Tamil Nadu Act<br>33 of 1978.         |
| Amendment of Tamil Nadu Act 8 of 1989.  | <p>4. In the Tamil Nadu Agricultural Produce Markets (Amendment) and Validation of Appointment of Special Officers Act, 1989 (hereinafter referred to as the 1989 Act), in section 3, in sub-section (1), in the proviso, for the expression "5th day of December 1990", the expression "5th day of June 1991" shall be substituted.</p>  | Tamil Nadu Act<br>8 of 1989.          |
| Repeal and saving.                      | <p>5. (1) The Tamil Nadu Agricultural Produce Markets Laws (Amendment) Ordinance, 1990 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the 1959 Act or the 1978 Act or the 1989 Act, as the case may be, as amended by the said Ordinance, shall be deemed to have been done or taken under the 1959 Act or the 1978 Act or the 1989 Act, as the case may be, as amended by this Act.</p> | Tamil Nadu<br>Ordinance<br>9 of 1990. |

(By order of the Governor)

P. JEYASINGH PETER,  
Secretary to Government, Law Department.