

SIND ACT No. XI OF 1940.¹

[THE SIND AGRICULTURAL PRODUCE MARKETS ACT, 1940.]

[2nd May, 1940]

An Act to provide for the better regulation of the purchase and sale of agricultural produce and the establishment of markets for agricultural produce in the Province of Sind.

WHEREAS it is expedient to provide for the better regulation of the purchase and sale of agricultural produce and the establishment of markets for agricultural produce in the Province of Sind; It is hereby enacted as follows:—

CHAPTER I.

Preliminary.

1. (1) This Act may be called the Sind Agricultural Produce Markets Act, 1940. Short title and extent.

(2) It extends to the whole of the Province of Sind, but it shall not be applied to * * * * the municipal borough of Sukkur, except upon a resolution of the Sind Legislative Assembly recommending such application.

(3) Nothing in this Act shall apply to any transaction between a trader and a trader.

2. (1) In this Act unless there is anything repugnant in the subject or context,—

(a) "agricultural produce" includes all produce of agriculture, horticulture and animal husbandry specified in the Schedule;

(b) "grower" means a person who, by himself or through tenants or otherwise, grows, manufactures, rears or produces, as the case may be, agricultural produce, but shall not include a trader or a broker in such produce even though he may also be growing, manufacturing, rearing or producing it, if he works as such trader or broker, as the case may be, in the same market area in which he is a grower;

¹ For Statement of Objects and Reasons, see S. G. G., 1940, Pt. IV, pp. 33-35; for Report of the Select Committee, see *ibid.*, pp. 82-84; for proceedings in Assembly, see S. L. A. Debates, 1940, Vol. X—Book No. 7, pp. 47-66, Book No. 14, pp. 3-35; Vol XI—Book No. 2, pp. 33-41.

² The words "the city of Karachi" as defined in the City of Karachi Municipal Act, 1933, and rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

Explanation.—A person shall not be deemed to trade in agricultural produce by reason merely that he sells such produce to a person cultivating his land for the latter's own use or consumption.

(c) "market" means a market established for the purposes of this Act ;

(d) "market area" means any area declared to be a market area under section 4 ;

(e) "market committee" means a committee established under section 6 ;

(f) "prescribed" means prescribed by rules or bye-laws made under this Act ;

(g) "schedule" means the schedule to this Act ;

(h) "person" includes a firm or an incorporated body.

(2) If a question arises whether any person is or is not a grower for the purpose of this Act, the matter shall be referred to the Collector of the district in which such person permanently resides. An appeal against the order of the Collector shall lie to the Revenue Commissioner.

CHAPTER II.

Constitution of Markets and Market Committees.

3. (1) The Provincial Government may, by notification in the *Official Gazette*, declare its intention of regulating the purchase and sale of such agricultural produce and in such area, as may be specified in the notification.

(2) A notification under sub-section (1) shall state that any objection or suggestion which may be received by the Provincial Government within a period of not less than one month to be specified in the notification shall be considered by the Provincial Government.

4. (1) After the expiry of the period specified in the notification issued under section 3 and, after considering such objections and suggestions as may be received before such expiry and after holding such inquiry as may be necessary, the Provincial Government may, by notification in the *Official Gazette*, declare the area specified in the notification under section 3 or any portion thereof to be a market area for the purposes of this Act in respect of all or any of the kinds of agricultural produce specified in the said notification. A notification under this section may be published in such other manner as the Provincial Government may deem fit.

Notification of intention of exercising control over purchase and sale of agricultural produce in specified area.

Declaration of market areas.

(2) On and after the date of the notification issued under sub-section (1) or such later date as may be specified therein, no local authority notwithstanding anything contained in any law entitling such local authority to establish a market and no other person shall, within the market area, set up, establish or continue or allow to be set up, established or continued any place for the purchase or sale of any agricultural produce so notified, except under a licence granted by the Provincial Government and except in accordance with the provisions of this Act, rules and bye-laws and of the conditions specified in the licence.

Explanation 1.—A local authority or any other person shall not be deemed to set up, establish or continue or allow to be set up, established or continued a place as a place for the purchase and sale of agricultural produce within the meaning of this section if the seller is himself the producer of the agricultural produce offered for sale at such place or any person employed by such producer to transport the same or if the agricultural produce is sold by a retail dealer to a person who purchases such produce for his own private use.

Explanation 2.—For the purpose of this section sale in the case of retail trade includes barter.

(3) The Provincial Government may, on the report of the Collector and of the market committee and after such inquiry as it deems fit to make, suspend or cancel any licence granted under sub-section (2).

(4) A license under sub-section (2) shall not be granted to a person who is not a *bona fide* trader in any agricultural produce notified under sub-section (1).

5. (1) Subject to the provisions of section 3, the Provincial Government may at any time by notification in the *Official Gazette* exclude from a market area any area or any agricultural produce comprised therein or include in any market area any area or any agricultural produce not included in a notification issued under section 3.

Alteration,
etc., of
market
areas.

(2) The Provincial Government may, by notification in the *Official Gazette*, declare that any local area shall, from a date to be specified in the notification, cease to be a market area.

(3) When any local area ceases to be a market area the market committee constituted for such area shall cease to exist, and the property and rights vested in any such committee shall, subject to all charges and liabilities affecting the same, vest in His Majesty

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for the purpose of the Government of the Province, and the proceeds thereof, if any, shall be expended under the order of the Provincial Government for the benefit of the local area in which such market committee had jurisdiction.

Establishment of market committees.

6. The Provincial Government shall, by notification in the *Official Gazette*, establish a market committee for every market area. It shall be the duty of the market committee to enforce the provisions of this Act, the conditions of a licence granted under sub-section (2) of section 4 and the rules and bye-laws made under this Act in such market area and, when so required by the Provincial Government, to establish a market therein providing for such facilities including the issue of licences to brokers, weighmen, measurers and surveyors and warehousemen and other persons using the market as the Provincial Government may, from time to time, direct in connection with the purchase and sale of the agricultural produce concerned.

Constitution of Market committees.

7. (1) Every market committee shall be constituted as prescribed and shall consist of not less than 9 and not more than 15 members. Of these—

(i) one-third shall be persons elected in the prescribed manner by growers of such area,

(ii) one-third shall be persons elected in the prescribed manner by the persons licenced under sub-section (2) of section 4.

(iii) one shall be a person elected—

(a) by the councillors of a municipality from among themselves, in case the market area is wholly within the limits of such municipality, or

(b) by the members of a district local board from among themselves, in case the market area is wholly within the limits of the said district local board but not of a Village Panchayat, Sanitary Committee, Sanitary Board or a Notified Area Committee, or

(c) by the members of a Village Panchayat, Sanitary Committee, Sanitary Board and a Notified Area Committee comprised in the market area from among themselves, in case the market area is not wholly within the areas provided for in sub-clauses (a) and (b) :

Provided that a person to whom licence has been granted under sub-section (2) of section 4 shall not be eligible for being elected under this clause :

Provided further that if the market area is within the limits of more than one local authority the member shall be elected by the local authorities concerned in the manner prescribed,

(iv) the remaining members shall be persons nominated by the Provincial Government :

Provided that the Provincial Government may, at any time, reduce the number of nominated members for any market area and increase the number of members elected under clauses (i) and (ii) in equal proportion.

(2) Notwithstanding anything contained in sub-section (1)—

(a) on the failure of any organisation, person or authority to elect a member under sub-section (1) within such period as may be prescribed, the Provincial Government shall give notice in writing to the organisation, person or authority concerned to elect a member within a month from the date of such notice and on the failure of the organisation, person or authority again to elect a member within the said period, the Provincial Government shall nominate a person on behalf of such organisation, person or authority as a member of the market committee ; and

(b) when a market committee is constituted for the first time, all the members of the market committee shall be persons nominated by the Provincial Government.

(3) Every member of a market committee nominated when it is first constituted and every such member elected or nominated thereafter shall hold office for a term of three years :

Provided that a member elected under clause (iii) of sub-section (1) shall cease to hold office as such member if he ceases to be a member of the electorate by which he was elected or if he is granted a licence under sub-section (2) of section 4.

(4) If at any time a vacancy occurs through the non-acceptance of office by a person elected or nominated or through the death, disqualification or resignation of a member before the expiry of his term of office, the vacancy shall be filled up by the election or nomination, as the case may be, of a person thereto in the manner specified above. Every such person shall hold office so long as the member in whose place he is elected or nominated would have held it if the vacancy had not occurred.

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(5) Every market committee shall elect from among its members a chairman and a vice-chairman.

General dis-
qualifica-
tions for
becoming a
member.

8. (1) No person may become a member of a market committee—

(a) who—

(i) has been sentenced by a Criminal Court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed or quashed, if and so long as such a sentence has not expired, or

(ii) has been removed from office under section 20 and two years have not elapsed from the date of the expiry of such removal,

unless he has, by an order which the Provincial Government is hereby empowered to make, if it shall think fit, in this behalf, been relieved from the disqualification arising on account of such sentence or removal from office ; or

(b) who is an uncertificated bankrupt or an undischarged insolvent.

(2) If any person is elected or nominated as a member of a market committee in contravention of the provisions of this section his seat shall be deemed to be vacant.

(3) If any question or dispute arises whether a vacancy has occurred under this section, the orders of the Provincial Government or such other officer as it may authorise in this behalf shall be final for the purpose of deciding such question or dispute.

CHAPTER III.

Incorporation of Market Committee: Its Powers and Duties.

Incorpora-
tion of
committees.

9. Every market committee shall be a body corporate by such name as the Provincial Government may specify, shall have perpetual succession and a common seal, may sue and be sued in its corporate name, and shall, subject to the provisions of section 18, be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, and to contract and to do all other things necessary for the purposes for which it is established :

Provided that no committee shall sell or lease for a period exceeding 7 years any immovable property except in pursuance of a resolution passed at a meeting specially convened for the purpose, by not less than a moiety of the whole strength of the committee and with the sanction of the Provincial Government.

10. The market committee may appoint one or more of its members to be a sub-committee for the conduct of any work or to report on any matter, and may delegate to any one or more of its members such of its own powers or duties as it may deem fit.

Sub-com-
mittees and
joint com-
mittees and
delegation
of powers.

11. (1) Subject to such rules as may be made by the Provincial Government in this behalf, a market committee may employ such officers and servants as may be necessary for the management of the market, may pay such officers and servants such salaries as it may think fit and shall have power to control and punish them. The market committee may also, in such manner as may be prescribed, provide for payment to its officers and servants of such leave allowances, gratuities or compassionate allowances as it deems proper; and may contribute to any provident fund which may be established for the benefit of such officers and servants.

Appoint-
ments and
salaries of
officers and
servants of
market
committees.

(2) The market committee shall, in the case of any officer or servant of the Provincial Government whom it employs, pay the Provincial Government such contribution towards the pension and leave allowances of such officers or servants as may be required by the conditions of his service under the Crown for the time being in force.

12. (1) Every contract entered into by the market committee shall be in writing and shall be signed on behalf of the market committee by the Chairman and two other members of the committee and shall be sealed with the common seal of the committee.

Execution of
contracts.

(2) No contract other than a contract executed as provided in sub-section (1) shall be binding on a market committee.

13. The market committee may, subject to such rules as may be made by the Provincial Government in this behalf, levy fees on the agricultural produce bought and sold by licensees in the market area and the Provincial Government shall make rules specifying the maximum rate of the said fees.

Levy of fees.

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Certain differences regarding construction of rules, etc., about weights and measures to be decided by market committees.

14. (1) Notwithstanding anything contained in the '[Sind] Weights and Measures Act, 1932, if any difference arises between an Inspector appointed under section 19 of the said Act and any person interested as to the meaning or construction of any rule or regulation or as to the method of verifying, adjusting or stamping any weight or measure or weighing or measuring instrument in any market area such difference may at the request of the person interested or by the Inspector of his own accord be referred to the market committee and the decision of the market committee shall, subject to the provisions of sub-section (2), be final and shall be deemed to have been given under section 25 of the '[Sind] Weights and Measures Act, 1932.

(2) An appeal shall lie within the time prescribed from the decision under sub-section (1) to the Provincial Government or such officer as the Provincial Government may appoint in this behalf. The decision of the Provincial Government or such officer shall be final.

Market Committee Fund.

15. (1) All moneys received by a market committee shall be paid into a fund to be called the "Market Committee Fund". All expenditure incurred by the market committee under or for the purposes of this Act shall be defrayed out of the said fund, and any surplus remaining after such expenditure has been met shall be invested in such manner as may be prescribed in this behalf.

(2) (a) Every market committee shall, out of its fund, pay to the Provincial Government the cost of any special or additional staff employed by the Provincial Government in consultation with the committee for giving effect to the provisions of this Act in the market area ;

(b) the Provincial Government shall determine the cost of such special or additional staff and shall, where the staff is employed for the purposes of more market committees than one, apportion such cost among the committees concerned in such manner as it thinks fit. The decision of the Provincial Government determining the amount payable by any market committee shall be final.

Purposes for which the fund may be expended.

16. Subject to the provisions of section 15 the market committee fund shall be expended for the following purposes only :—

- (i) the acquisition of a site or sites for the market ;
- (ii) the maintenance and improvement of the market ;

¹ Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 3 (i) (w. e. f. 30th May 1951), for "Bombay".

(iii) the construction and repair of buildings which are necessary for the purposes of such market and for the health, convenience and safety of the persons using it ;

(iv) the provision and maintenance of standard weights and measures ;

(v) the pay, leave allowances, gratuities, compassionate allowances and contributions towards leave allowances or provident fund of the officers and servants employed by the market committee ;

(vi) the payment of interest on loans which may be raised for purposes of the market and the provision of a sinking fund in respect of such loans ;

(vii) the collection and dissemination of information regarding all matters relating to crop statistics and marketing in respect of the agricultural produce concerned ;

(viii) propaganda in favour of agricultural improvement and thrift ;

(ix) providing comforts and facilities, such as shelter, shade, parking accommodation and water for the persons, draught cattle and pack animals coming to the market, and similar other purposes ;

(x) the expenses incurred in auditing the accounts of the committee ;

(xi) expenses of an incidental to elections ; and

(xii) with the previous sanction of the Provincial Government, any other purpose which is calculated to promote the general interest of the market.

17. (1) Every market committee may, with the previous sanction of the Provincial Government, raise money required for carrying out the purposes for which it is established on the security of any property vested in and belonging to the market committee and of any fees leviable by the market committee under this Act. Power to borrow.

(2) The committee may, for the purpose of meeting the initial expenditure on lands, buildings and equipment required for establishing the market, obtain a loan from the Provincial Government on such conditions and subject to such rules as may be prescribed.

(3) The conditions subject to which such money or loan shall be raised or obtained and the time within which the same shall be repayable shall be subject to the previous sanction of the Provincial Government.

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Acquisition
of land for
the market
committee.

18. When any land is required for the purposes of this Act, the Provincial Government may, on the request of the market committee requiring it, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, or other law for the time being in force, and, on payment by the market committee of the compensation awarded under that Act and of all other charges incurred by the Provincial Government on account of the acquisition, the land shall vest in the market committee.

CHAPTER IV.

Trade Allowances.

No trade
allowance
permissible
except as
prescribed.

19. No person shall make or recover any trade allowance, other than an allowance prescribed by bye-laws made under this Act, in any market area in any transaction in respect of the agricultural produce concerned and no civil court shall, in any suit or proceeding arising out of any such transaction, have regard to or recognise any trade allowance not so prescribed.

Explanation 1.—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 the standard weight or on account of the admixture of foreign matter, shall be regarded as a trade allowance for the purpose of this section.

Explanation 2.—Any deduction for charitable purposes made or recovered from a Hindu shall not be regarded as trade allowance.

CHAPTER V.

Miscellaneous.

Liability of
members of
market com-
mittee to
removal
from office.

20. (1) The Provincial Government may, if it thinks fit, on the recommendation of the market committee supported by at least two-thirds of the whole number of members, remove any member of the market committee elected or nominated under this Act, if such member has, in the opinion of the Provincial Government, been guilty of misconduct in the discharge of his duties, or of any disgraceful conduct or has become incapable of performing his duties as a member :

Provided that no resolution recommending the removal of any member shall be passed by the market committee unless the member to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

(2) The decision of the Provincial Government under sub-section (1r) shall be final.

21. (1) If, in the opinion of the Provincial Government a market committee is not competent to perform or persistently makes default in performing the duties imposed on it by or under this Act, or abuses its powers, the Provincial Government may, by notification, supersede such market committee :

Supersession
of market
committee.

Provided that before issuing a notification under this sub-section the Provincial Government shall give a reasonable opportunity to the market committee for showing cause against the proposed supersession and shall consider the explanations and objections, if any, of the market committee.

(2) Upon the publication of a notification under sub-section (1) superseding a market committee, the following consequences shall ensue :—

(a) all the members including the chairman and vice-chairman of the market committee shall, as from the date of such publication, be deemed to have vacated their offices,

(b) all assets of the committee shall, subject to all its liabilities, vest in the Crown for the purposes of the Government of the Province,

(c) the Provincial Government may, at its discretion, by order constitute either a new committee under section 6 or some other authority for the carrying out of the functions of the committee as it may think fit.

(3) If the Provincial Government makes an order under clause (c) of sub-section (2) the assets and liabilities of the market committee as on the date of such order shall be deemed to have been transferred on the date of such order to the new market committee or authority constituted as aforesaid.

(4) Where the Provincial Government by order under clause (c) of sub-section (2) has appointed an authority other than a new committee for the carrying out of the functions of the superseded committee the Provincial Government shall, by notification, determine the period for which such authority shall act. Such period shall not be longer than three years.

(5) If the Provincial Government does not make such an order, it shall transfer all the assets of the market committee which remain after the satisfaction of all its liabilities, to the local autho-

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city within whose jurisdiction the market committee is situated or if there are more than one such authorities to each of such authorities any such portion of the assets as the Provincial Government may determine.

(6) A local authority to which the assets of a market committee have been transferred under sub-section (5) shall utilize such assets for such object of public utility in the area within its jurisdiction as the Provincial Government considers to be in the interests of the growers in that area.

Penalties.

22. Whoever contravenes the provisions of section 4 shall on conviction be punishable with fine which may extend to three hundred rupees, and, in the case of a continuing contravention, with fine which in addition to such fine as aforesaid, may extend to fifty rupees for every day after the date of first conviction during which the contravention is continued.

Penalty for making or recovering trade allowance other than an allowance prescribed by bye-laws made under this Act.

23. Whoever, in contravention of the provisions of section 19, makes or recovers any trade allowance other than an allowance prescribed by bye-laws made under this Act shall, on conviction, be punishable with fine which may extend to Rs. 200.

Bar of suit in absence of notice.

24. (1) No suit shall be instituted against any market committee or any member, officer or servant thereof or any person acting under the direction of any such market committee, member officer or servant for anything done or purporting to be done under this Act, until the expiration of two months next after a notice in writing stating the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims, has been, in the case of a committee, delivered or left at its office, and in the case of any such member, officer, servant or person as aforesaid, delivered to him or left at his office or usual place of abode, and the plaint shall contain a statement that such notice has been so delivered or left.

(2) Every such suit shall be dismissed unless it is instituted within six months from the date of the accrual of the alleged cause of action.

Trial of offences.

25. (1) No offence made punishable by section 22 or section 23 of this Act shall be tried by a court inferior to that of a District Magistrate or a Magistrate of the first class.

(2) Prosecutions under this Act may be instituted by any person duly authorised in writing by the market committee in this behalf.

(3) All fines received from an offender shall be credited to the provincial revenues and a grant equivalent to the aggregate amount of such fines shall be paid to the market committee and such expenditure shall be charged on the revenues of the Province.

26. All sums due from a market committee to the Provincial Government may be recovered in the same manner as arrears of land revenue.

Recovery of sums due to Government from market committee.

27. The Provincial Government may delegate to any officer, not below the rank of Deputy Collector any of the powers conferred on it by or under this Act.

Power of the Provincial Government to delegate its powers.

28. (1) The Provincial Government may, either generally or specially for any market area or areas, make rules¹ consistent with this Act for carrying out all or any of the purposes thereof.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for—

- (i) the nomination of members of a market committee ;
- (ii) the powers to be exercised and the duties to be performed by the market committee ;
- (iii) the election of the chairman and vice-chairman of such committee, their powers and term of office ;
- (iv) the filling of casual vacancies in the office of members or in the office of chairman or vice-chairman of the market committee ;
- (v) the time, place and manner in which a contract between a buyer and a seller is to be entered into and the money is to be paid to the seller ;
- (vi) generally, for the guidance of the market committee and for carrying out the purposes of the Act ;
- (vii) the management of the market, the maximum annual fees which may be levied by the market committee in respect of the agricultural produce bought and sold by traders in the market area, and the recovery and disposal of such fees ;
- (viii) the issue by a market committee of licences to brokers, weighmen, measurers and surveyors, warehousemen and other persons using the market, the form in which and the conditions under which, such licences shall be issued or renewed and the fees to be charged therefor ;

¹ For Rules, see G. N., R. D., No. 1938-95-9/III-B.(A), dated 30th September 1943, see S.G. G., 1943, Pt. IV-A, pp. 233-250 as amended.

(ix) the place or places at which the agricultural produce shall be weighed, the kind and description of the scales, weights and measures which alone may be used in transactions in agricultural produce in a market area ;

(x) the periodical inspection, verification, regulation, correction and confiscation of scales, weights and measures in use in a market area ;

(xi) the provision of facilities by arbitration for the settlement of any dispute between a buyer and a seller of agricultural produce or their agents including disputes regarding the quality or weight of the article, the price or rate to be paid, allowances for wrappings, dirt or impurities or deductions for any cause ;

(xii) the prohibition of brokers from acting in any transaction on behalf of both the buyer and seller of agricultural produce ;

(xiii) the provision of accommodation for storing any agricultural produce brought into the market ;

(xiv) the preparation of plans and estimates for works proposed to be constructed partly or wholly at the expense of the market committee, and the grant of sanction to such plans and estimates ;

(xv) the form in which the accounts of a market committee shall be kept, the audit and publication of such accounts, and the charges, if any, to be made for such audit ;

(xvi) the preparation and submission for sanction of an annual budget and the reports and returns to be furnished by a market committee ;

(xvii) the investment and disposal of the surplus funds of a market committee ; and

(xviii) the manner in which auctions shall be conducted and bids made and accepted in any market.

(3) Any rule made under this section may provide that any contravention thereof or of any of the conditions of any licence issued or renewed thereunder shall be punishable with fine which may extend to two hundred rupees.

(4) (a) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication ;

(b) all such rules shall be laid on the table of the Sind Legislative Assembly for one month previous to the next session thereof and shall be liable to be rescinded or modified by a resolution of the said Assembly and such rules shall, after having been notified in the *Official Gazette*, be deemed to have been modified or rescinded accordingly.

29. (1) Subject to any rules made by the Provincial Government under section 28, the market committee may, in respect of the market under its management, make bye-laws for—

- (i) the regulation of business ;
- (ii) the conditions of trading ;
- (iii) the appointment and punishment of its officers and servants ;
- (iv) The payment of salaries, gratuities and leave allowances to such officers and servants, and contributions by them to any provident fund which may be established for the benefit of such officers and servants ;
- (v) the delegation of powers, duties and functions of the sub-committee, if any, appointed under section 10 ; and
- (vi) the trade allowances which may be made or received by any person in any transaction in any agricultural produce in a market area.

(2) Any bye-law made under this section may provide that any contravention thereof shall be punishable, on conviction by a competent magistrate with fine which may extend to fifty rupees.

(3) No bye-law shall take effect until it has been published for information and subsequently confirmed by the Provincial Government.

30. The Provincial Government may, at any time, call for and examine any proceedings under this Act, for the purpose of satisfying itself as to the legality and propriety of any decision or order passed by the market committee or on appeal. If, in any case, it appears to the Provincial Government that any decision or order or proceeding, so called for, should be modified, annulled or reversed, the Provincial Government may pass such order thereon as it thinks fit.

Power of Provincial Government to call for proceedings of market committee and pass orders thereon.

31. The Provincial Government may, by notification in the *Official Gazette*, add to, amend or cancel any of the items of agricultural produce specified in the Schedule.

Power of Provincial Government to amend the Schedule

32. Nothing contained in * * * * in any law for the time being in force relating to the establishment, maintenance or regulation of a market shall apply to any market area or affect in any way the powers of a market committee or the rights of a holder of a licence granted under sub-section (2) of section 4 to set up, establish or continue or to allow to be set up, established or continued, any place for the purchase or sale of any agricultural produce notified under sub-section (1) of section 4 in such area.

Savings.

33. [Repeal of Bom. XVII of 1927.] Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

¹ The words "in the Markets and Fairs Act, 1862, or" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

SCHEDULE

[Sections 2 (1) (a).]

- | | |
|--|--------------------------------|
| I. Cotton (ginned). | VIII. Fruits— |
| II. Cotton (unginned). | (1) Mango. |
| III. Cereals— | (2) Mosambi. |
| (1) Wheat. | (3) Santra. |
| (2) Paddy. | (4) Lemon. |
| (3) Rice. | (5) Banana. |
| (4) Jowar. | (6) Grapes. |
| (5) Bajri. | (7) Pomegranate. |
| (6) Maize. | (8) Fig. |
| IV. Pulses— | (9) Chickoo. |
| (1) Tur. | (10) Melons. |
| (2) Gram. | IX. Vegetables— |
| (3) Udid. | (1) Potato. |
| (4) Mung. | (2) Onions. |
| V. Oilseeds— | (3) Tomato. |
| (1) Groundnut (shelled and unshelled). | (4) Suran. |
| (2) Linseed. | (5) Leafy and fresh vegetable. |
| (3) Sesamum. | X. Animal Husbandry products— |
| (4) Safflower. | (1) Eggs. |
| (5) Cocoanut. | (2) Poultry. |
| (6) Cotton seed. | (3) Cattle. |
| (7) Castor seed. | (4) Sheep. |
| VI. Narcotics— | (5) Goat. |
| (1) Tobacco. | (6) Wool. |
| VII. Sugarcane except for chewing and gur. | (7) Butter. |
| | (8) Ghee. |
| | (9) Milk. |
| | (10) Hides and skins. |

XI. Condiments, spices and
others—

XII. Grass and fodder.

- (1) Turmeric.
- (2) Ginger.
- (3) Galic.
- (4) Corriander.
- (5) Chillies.
- (6) Cardamom and pepper.
- (7) Betel leaves.
- (8) Cashewnuts.



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