

Punjab Agricultural Marketing Regulatory Authority Act, 2017

An Act to provide for the setting up of the Punjab Agricultural Marketing Authority to undertake the development and modernization of agricultural produce marketing and markets in the Province and matters connected and related thereto.

Preamble

Whereas it is necessary to promote an agricultural produce marketing system that facilitates commercial development through multiple channels, thereby providing closer linkages of growers to markets as well as participation of entrepreneurs in investment and operation of agricultural marketing enterprises

It is hereby enacted as follows:-

Chapter I: Preliminary

1. Title, extent and application:

- (1) This Act may be called Punjab Agricultural Marketing Regulatory Authority Act, 2017.
- (2) It shall come into force at once.
- (3) It applies to whole of the Punjab.

2. Definitions: Unless there is anything repugnant in the subject or context, the following terms used in this Act shall have the meaning assigned to them as under:-

- (i) “Authority” means the Punjab Agricultural Marketing Regulatory Authority established under section 3;
- (ii) “Act” means the Punjab Agricultural Marketing Regulatory Authority Act, 2017;
- (iii) “Agricultural Produce” means primary agricultural produce in any form notified by the Government and includes any produce that is dried, graded, polished and packed but excludes any produce that undergoes other form of value addition;
- (iv) “agricultural marketing” means all activities and functions necessary for the sale and purchase of agricultural produce;
- (v) “Buyer” includes a person buying any agricultural produce on his or its own behalf or on behalf of another as his agent or servant or as a Commission Agent;
- (vi) “Broker” means a person (not being a private servant) usually employed on commission to arrange for or enter into contracts on behalf of others for purchase or sale of agricultural produce;
- (vii) “Collection Centers” means yards set up by Dealers and registered with the Authority under section 19 of this Act where growers may bring agricultural produce for grading, polishing, packing and sale;

- (viii) “Commission Agent” means a person, who on behalf of another and in consideration of commission or on his own trading account, makes or offers to make a purchase or sale of any agricultural produce or does or offers to do anything for carrying out such purchase or sale, and for that purpose maintains a business office;
- (ix) “Dealer” means any person who directly purchases agricultural produce from growers through Collection Centers;
- (x) “Farmer Market” means an enclosure at the farm gate or in populated areas where growers or their associations can directly market their produce in bulk or to retail customers without the need for registration with the Authority but in accordance with rules framed under this Act.
- (xi) “Grower” means a person who by himself or through tenants or otherwise grows, rears or produces, agricultural produce but shall not include a person, who works as a commission agent, dealer or broker either individually or as a partner of a firm of commission agents, dealers or brokers or is otherwise engaged in the business of disposal, storage or processing of agricultural produce;
- (xii) “Government” means the Government of the Punjab;
- (xiii) “Malpractice” means any act or practice, performed in a clandestine manner with an object to defraud or fleece parties to a transaction;
- (xiv) “Management Entity” shall mean the body managing the affairs of a Wholesale Market;
- (xv) “Market Functionary” means any person working for or providing services to Buyers and Sellers as Commission Agent or Broker or as may be prescribed;
- (xvi) “Negotiable Warehouse Receipts” means receipts issued to growers by Key Service Providers acknowledging quantity and type of Agricultural Produce deposited at their warehouses that are transferable and may be used to avail loans, make payments or settle claims;
- (xvii) “person” includes an individual, a company, a cooperative or an association or body of individuals competent to enter into agreement under the law;
- (xviii) “prescribed” means prescribed by the rules, regulations and bye-laws made under this Act;
- (xix) “section” means a section of the Act;
- (xx) “Seller” means a person who sells agricultural produce either himself or itself or on behalf of another as his agent or servant or as a Commission Agent
- (xxi) “Special Secretary Agricultural Marketing” means the senior most officer, below Secretary Agriculture, responsible for agricultural produce marketing in the Province;
- (xxii) “sub section” means a sub section of a section;
- (xxiii) “Unauthorized Trade Allowance” means any trade allowance not allowed by the Act, rules, regulations or bye-laws;
- (xxiv) “Virtual Market” means a web-based platform for the sale or purchase of primary agricultural produce;
- (xxv) "Wholesale Market" means a building, block of buildings, enclosure or other area which is registered with the Authority under section 19 of this Act for the purpose of allowing Buyers and Sellers to trade in Agriculture Produce;

CHAPTER II

ESTABLISHMENT AND ADMINISTRATION

- 3. Establishment of the Authority.**— (1) The Government may, by notification, establish an Authority to be known as the Punjab Agricultural Marketing Regulatory Authority (PAMRA).
- (2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power to enter into contracts, acquire or dispose of property, and may, by its name, sue or be sued.
- (3) The headquarters of the Authority shall be at Lahore provided that the Authority may establish such regional offices as it may deem fit.
- 4. Composition.** (1) The Authority shall consist of a full-time Director General and the following members:
- (a) Secretary Agriculture ;
 - (b) Special Secretary Agriculture;
 - (c) Four persons selected by the Chief Minister from a farming background and having relevant experience of modern methods of agricultural marketing provided that the selection shall be made from a pool of candidates proposed by Commissioners of each division.
- (2) Subject to the directions of the Chief Minister, the Authority may exercise all powers, perform all functions and do all acts and things, which may be exercised, performed or done by the Authority.
- (3) The Chief Minister shall appoint the Chairperson of the Authority provided that the Secretary Agriculture shall be the first Chairperson.
- (4) The Director General shall act as Secretary of the Authority.
- (5) The tenure of members, other than *ex officio* members, shall be three years, unless sooner terminated under section 7 of the Act provided that such members shall be eligible for re- appointment.
- (6) No act or proceeding of the Authority shall be invalid by reason only of the existence of a vacancy or defect in its constitution.
- (7) The Chief Minister may increase or decrease the members of the Authority.
- 5. Functions and Powers:** (1) The Authority may perform such functions, take such measures and exercise such powers, as it may consider necessary or expedient for carrying out the purposes of this Act.
- (2) Without prejudice to the generality of subsection (1), the Authority may,
- (a) prescribe grading standards for specific Agricultural Produce;
 - (b) prescribe good agriculture practices, geographical origin of produce or particular marking of farming method such as organic;
 - (c) register persons operating collection centers and wholesale markets;
 - (d) register service providers rendering accreditation services, grading and allied services, storage facilities, transporters, collateral management agencies, quality assayers, insurance agents, and security providers;
 - (e) prescribe and collect fees for registration of agricultural produce markets and service providers;
 - (f) promote alternative marketing channels and contract farming;
 - (g) promote the adoption of fair auctioning systems in line with best regional and international practices and enforce the same;
 - (h) provide training for service providers;
 - (i) restrict unfair marketing practices;

- (j) provide market information services, model contract farming templates and undertake surveys of markets and marketing of agricultural produce;
- (k) undertake research and publications in agricultural produce marketing;
- (l) impose and collect fines for violation of the Act and rules; and
- (m) perform such functions as are entrusted or prescribed under the Act or which may be delegated by the Government from time to time.

6. Meetings of the Authority.— (1) The meetings of the Authority shall be presided over by the Chairperson or in his absence by a member nominated by the Chairperson, or if no such nomination is made, by a member elected for that meeting by the members present.

(2) Four members of the Authority shall constitute the quorum for a meeting.

(3) Subject to subsection (4), the meetings of the Authority shall be held at such time and place as the Chairperson may determine.

(4) The Director General shall call a meeting of the Authority as and when directed by the Chairperson or on a request in writing by at least one third of the members or on receipt of any reference from the Government for placing the matter before the Authority provided that at least one meeting shall take place each quarter.

(5) The Authority shall take decision by majority of its members present and voting and, in case of a tie, the person presiding the meeting shall have a casting vote.

(6) The Director General shall maintain a record of the minutes of all the meetings highlighting the proceedings and the decisions taken by the Authority.

(7) The Director General shall submit the minutes of a meeting to the person who presided that meeting for approval.

7. Removal of members.— (1) The Chief Minister may remove a member, other than *ex officio* member, if he:

(a) is declared by the court as an insane person; or

(b) is found guilty of misconduct or found acting against the interest of the Authority; or

(c) is convicted by a court on charges of corrupt practice or misuse of power or authority under any law; or

(d) is absent from three consecutive meetings of the Authority and is unable to justify his absence; or

(e) is recommended to be removed by at least three fourth of the total members of the Authority.

(2) A member may resign by tendering resignation in writing to the Authority, which may be accepted by the Chief Minister.

(3) If any vacancy of a member occurs due to his death, resignation, transfer or retirement or is caused by the removal of any member, such vacancy shall be filled in accordance with the provisions of section 4.

8. Delegation.— The Authority may, on such conditions and limitations as it may deem fit to impose, delegate any of its functions or powers to a member, the Director General, or any of the employees of the Authority except the power to:

(a) approve audited accounts of the Authority;

(b) make, amend or repeal Regulations;

(c) recommend the proposed rules;

(d) approve the annual budget;

(e) determine the terms and conditions of service of the Director General and other employees of the Authority.

9. Director General of the Authority.– (1) The Chief Minister shall appoint the Director General who shall be the chief executive of the Authority and shall exercise such powers and perform such functions as the Authority may specify.

(2) The Director General shall receive such salary and allowances and be subject to such conditions of service as the Government may specify.

(3) The Director General shall be responsible for the proper functioning of the Authority and the achievement of key performance indicators.

(4) Without prejudice to the generality of section 8, The Director General shall:

(a) recommend grading standards for specific agricultural produce to the Authority for its approval;

(b) recommend good agriculture practices, geographical origin of produce or particular marking of farming method such as organic to the Authority for its approval;

(c) grant and renew registration of Collection Centers, Wholesale Markets and Key Service Providers;

(d) monitor and enforce performance of Collection Centers, Wholesale Markets and Key Service Providers

(e) establish or modify accounting procedures for registration of Collection Centers, Wholesale Markets and Key Service Providers;

(f) carry out inspections of Collection Centers, Wholesale Markets and Key Service Providers

(g) suspend the registration of Collection Centers, Wholesale Markets and Key Service Providers;

(h) cancel the registration of Collection Centers, Wholesale Markets and Key Service Providers;

(i) collect information with respect to Collection Centers, Wholesale Markets and Key Service Providers;

(j) enter into contracts;

(k) acquire, lease, encumber, dispose, exchange, vest or otherwise deal with any moveable or immovable property or any interest therein;

(m) impose or collect fines imposed in violation of the Act or Rules; and

(n) conduct surveys relevant to agriculture marketing and recommend model contract farming templates;

10. Appointments.– (1) The Authority may appoint such employees, experts or consultants on such terms and conditions as it may deem fit for the performance of its functions.

(2) Notwithstanding anything contained in any other law, the Authority may, at any time, terminate the services of an employee without assigning any reason, by serving not less than thirty days prior notice or on payment of thirty days salary in lieu of the prior notice.

11. Recruitment and conditions of service.– The Authority shall determine the procedure for appointment and terms and conditions of service of employees of the Authority.

CHAPTER III REPORTS AND DIRECTIONS

- 12. Annual report.**— (1) Director-General shall, with the approval of the Authority, submit to the Government within three months of the close of a financial year, an annual performance report.
- (2) The report shall consist of—
- (a) the statement of accounts and audit reports of the Authority;
 - (b) a comprehensive statement of the work and activities of the Authority during the preceding financial year and its proposed projects and schemes; and
 - (c) such other matters as may be prescribed or as the Authority may consider appropriate.
- 13. Directions by the Government.**— The Government may issue such directions to the Authority as it may consider necessary for carrying out the purposes of the Act, and the Authority shall comply with such directions.

CHAPTER IV FINANCES

- 14. Authority Fund.**— (1) There shall be established a non-lapsable fund to be administered and controlled by the Authority.
- (2) The Fund shall consist of—
- (a) funds provided by the Government;
 - (b) loans or grants by the Government or the Federal Government;
 - (c) other loans or funds obtained by the Authority;
 - (d) grants and loans negotiated and raised, or otherwise obtained, by the Authority with the approval of the Government;
 - (e) registration fees collected from Wholesale Market, Key Service providers and Dealers;
 - (f) fines and other charges imposed by the Authority;
 - (g) income from the lease or sale of property;
 - (h) funds from floating bonds, shares, debentures, certificates, or other securities issued by the Authority; and
 - (i) all other sums received by the Authority.
- (3) The Authority shall meet all of its expenses from the Fund.
- (4) It shall be the duty of the Authority to conserve and manage the Fund while performing its functions and exercising its powers under this Act.
- 15. Bank accounts.**— The Authority may open and maintain its accounts at such scheduled banks as may be prescribed, and until so prescribed, as may be approved by the Authority.
- 16. Budget.** (1) The Authority shall approve an annual budget for a financial year in the prescribed manner.
- (2) No expenditure for which provision has not been made in any approved budget shall be incurred without prior approval of the Authority.

- 17. Accounts and Audit.**– (1) The Authority shall maintain proper accounts and other records relating to its financial affairs including, its income and expenditure and its assets and liabilities in such form and manner as may be prescribed.
- (2) After the end of a financial year, the Authority shall prepare the statements of account which shall include a balance-sheet and an account of income and expenditure during the last financial year.
- (3) The Authority shall maintain on regular basis a list of all its assets and liabilities till the date of closing of the financial year.
- (4) The Auditor General of Pakistan shall annually audit the accounts of the Authority.
- (5) The Government may, in addition to the audit under subsection (4), cause the accounts of the Authority to be annually audited by a Chartered Accountant or a firm of Chartered Accountants and, at any time, appoint a Chartered Accountant or a firm of Chartered Accountants, to conduct an additional external audit of the accounts of the Authority and submit its report to the Government.
- (6) The Authority shall produce all books of accounts and documents and furnish such explanation and information as an auditor may require for purposes of audit.

CHAPTER V REGISTRATION

18. Collection Centers. (1) A Dealer may set up and operate a Collection Center subject to registration with the Authority in the manner prescribed.

(2) An application to register a Collection Center shall be accompanied with the following particulars:

- (a) Legal status (e.g. firm/company/sole proprietor);
- (b) Land measurement, location, ownership, possession, drainage;
- (c) List of design and facilities including for purposes of illustration washing, rinsing, application of chemical agents; weighing apparatus, plastic trays, and packing boxes.
- (d) Financial plan;
- (e) Operational manual; and
- (f) Hygiene and Sanitation Protocols.

(3) Collections Centers shall not issue Negotiable Warehouse Receipts except in accordance with the Collateral Management Companies (Establishment & Operation) Regulations, 2017.

19. Wholesale Markets. (1) A person may set up and operate Wholesale Markets subject to registration with the Authority in the manner prescribed.

(2) An application to register a Wholesale Markets shall be accompanied with the following particulars:

- (a) Legal status (e.g. firm/company/sole proprietor);
- (b) Land measurement, location, ownership, possession, drainage;
- (c) Design and facilities;

- (d) Financial plan;
- (e) Grading and packaging facilities;
- (f) Auction methodology;
- (g) Operational manual/bylaws;
- (a) Market information and its display (e.g. prices, stocks, arrivals); and
- (h) Hygiene and Sanitation Protocols;

(3) No Wholesale market shall be registered within a five kilometer radius of an existing wholesale market provided that this restriction shall not apply to markets trading in special commodities.

20. Virtual Markets or E-Commerce Platform. (1) A person may set up and operate a Virtual Market or an e-commerce platform for trading of Agriculture Produce in the manner prescribed.

(2) An application to register a Virtual Market or an e-commerce platform for trading of Agriculture Produce shall be accompanied with the following particulars:

- (a) Legal status (e.g. firm/company/sole proprietor);
- (b) Business model and process flow;
- (c) Financial plan; and
- (d) Market information and its display (e.g. prices, stocks, arrivals).

21. Farmer Markets. Growers or producer associations may set up Farmer Markets under the name or style of *Apni Mandis* or *Kissan Bazaars* for direct marketing of agricultural produce without the need for registration with the Authority.

22. Key Service Providers. (1) Notwithstanding any other enactment for the time being in force, the following service providers may, subject to registration with the Authority to provide services in aid of the marketing of agricultural produce including grading, polishing, packing, handling, storage, transport, insurance, and finance (hereinafter "Key Service Providers"):

- (a) accreditation bodies or any other entity certifying good agricultural practices, geographical origin of produce or particular categories of farming method such as organic;
- (b) graders, polishers or packers;
- (c) warehouse operators providing storage and cold chain services;
- (d) transporters; and
- (e) quality assayers.

(2) Warehouse operators providing storage and cold chain services shall not issue Negotiable Warehouse Receipts except in accordance with the Collateral Management Companies (Establishment & Operation) Regulations, 2017.

23. Market Functionaries. (1) The management entity of Wholesale Markets shall be responsible for listing Market Functionaries affiliated with them in accordance with prescribed criteria.

(2) Following their listing, Market Functionaries may participate in trading activities or provide services in the wholesale Markets.

24. Periodic Registration. Subject to payment of annual fee, Collection Centers, Wholesale Markets and Key Service Providers shall renew their registration every five years.

25. Registration to have overriding effect. Dealers that set up Collection Centers and warehouse operators providing storage and cold chain under this Act shall be exempt from getting a license under the Punjab Agricultural Produce Markets Ordinance 1978 and Rules framed there under.

CHAPTER VI SUSPENSION AND CANCELLATION OF REGISTRATION

26. Misconduct. (1) The following activities carried out by Market Functionaries, Dealers, or Management Entities, as the case may be, shall be considered Unfair Trade Practices:

- (a) if payment is not made to growers against delivery of agricultural produce unless the parties have agreed to a different mechanism in writing;
- (b) if auctions are not held in a transparent and ethical manner;
- (c) if charges for services rendered by Market Functionaries are not properly displayed, or if in spite of such notice, overcharging takes place; and
- (d) if Unauthorized Trade Allowances are made.

(2) Management entities shall delist Market Functionaries found responsible for unfair Trade Practices or Malpractices in accordance with bye-laws of their wholesale market.

(3) The registration of Collection Centers or Wholesale Markets may be suspended or cancelled for misconduct by the Authority upon due notice and hearing or a fine may be imposed as the Authority deems fit at the prescribed rates.

27. Suspension of Registration. (1) The registration of Collection Centers or Wholesale Markets may be suspended by the Authority upon due notice and hearing for up to three months on the following grounds -

- (a) misrepresentation, fraud or forgery with relation to registration;
- (b) using the premises for activities not covered by the registration
- (c) dirty, unhealthy or dangerous premise
- (d) negligence in the supervision and control of Unfair Trade Practices or Malpractices;
- (e) default in payment of fees, fines, market obligations and other dues;
- (f) serious and continuous violation of the provisions of the Act, rules, regulations or bye-laws;
- (g) conviction of a criminal offence;
- (h) default in payment of fees, fines, market obligations and other dues; or
- (i) any other ground has may be prescribed.

(2) The registration of Key Service Providers may be suspended by the Authority upon due notice and hearing on the following grounds -

- (a) misrepresentation, fraud or forgery with relation to registration;
- (b) breach of any relevant accreditation rules that results in disciplinary proceedings by concerned agency;
- (c) professional misconduct in service delivery;
- (d) serious and continuous violation of the provisions of the Act, rules regulations, bye-laws or code of conduct;
- (e) conviction of a criminal offence;
- (f) default in payment of fees, fines, market obligations and other dues; or
- (g) any other ground has may be prescribed.

28. Cancellation of Registration. If the concerned Collection Center, Wholesale Market or Key Service Providers fail to satisfy the Authority that it has rectified the ground(s) for suspension of registration within the time prescribed, the Authority may proceed to cancel the registration provided that no such order shall be passed without affording a hearing to the defaulter.

29. Appeal against Suspension or Cancellation. Every order made by the Authority for suspension or cancellation of registration, as the case may be, of Collection Center, Wholesale Market or Key Service Provider shall be subject to appeal to the High Court in accordance with the provisions of the Code of Civil Procedure, 1908 applicable to appeals.

CHAPTER VII STANDARDS

30. Grading. Within two years of the promulgation of this Act, any trade organization registered with the Director General Trade Organizations functioning under the Federal Ministry of Commerce may propose grading standards for specific agricultural produce to the Authority.

31. No Action by Trade Organization. Notwithstanding anything contained in section 30, the Authority may on its own initiative prescribe grading standards for specific agricultural produce.

32. Good Agricultural Practices, Geographical Origin and Marks. (1) Within two years of the promulgation of this Act, any Key Service Provider that is also an accreditation bodies or any other entity certifying good agricultural practices, geographical origin of produce or particular marking of farming method such as organic may propose good agricultural practices, geographical origin of produce or marking of farming method such as organic to the Authority.

(2) Notwithstanding anything contained in sub-section (1), the Authority may on its own initiative prescribe standards for good agricultural practices, geographical origin of produce or marking of farming method such as organic.

CHAPTER VIII NOTIFIED MARKET AREAS AND MARKET COMMITTEES

33. De-Notification. The Government may at any time after expiry of two years from the promulgation of this Act withdraw the declaration of a notified market area previously so made under section 4 of the Punjab Agricultural Produce Markets Ordinance, 1978.

34. Winding-up of Market Committees. Following the notification provided in section 33, any Market Committee established under Punjab Agricultural Produce Markets Ordinance, 1978 shall be wound-up whereupon its functioning and management shall be handed over to another entity in the manner prescribed and its assets and liabilities shall be transferred to the Government.

Chapter IX OFFENCES

35. Working without registration. If any Collection Center set up by a Dealer, Wholesale Market set up by any person, or Key Service Provider is functioning without registration, it shall on conviction by a court be liable to imprisonment not exceeding six months or to a fine which may extend to Rupees five hundred thousand, and in the case of a continuing breach, with a further daily fine which may extend to Rupees fifty thousand or both.

36. Trial and Nature of Offences (1) No person shall be tried under the Act except on a complaint by a person authorized by the Authority.

(2) No person shall be tried, for an offence under the Act, by a court not lower than that of a Magistrate of 1st class.

(3) The offences under the Act shall be non-cognizable and bailable.

37. Recovery of Dues. Any sum due to the Authority under this Act shall be recoverable as arrears of land revenue.

Chapter X DISPUTE RESOLUTION

38. Marketing Disputes: (1) All disputes arising between Sellers and Buyers in the Wholesale Markets shall be referred to determination by a sole expert in the manner prescribed herein.

(2) The Authority shall maintain a list of experts experienced in agricultural marketing through formal education, training or relevant work experience (hereinafter "Expert") provided that Sellers and Buyers may instead nominate any Market Functionary to act as an Expert in a contract reduced to writing .

(3) The Expert may make the determination on the basis of, without limitation:

(a) any information presented by the parties;

(b) the Expert's expertise; and

(c) any other information which the Expert consider to be relevant.

(4) The Expert may, after consultation with the parties, make interim or partial determinations.

(5) The determination shall be made within reasonable time and shall further :

(a) be in writing;

(b) include a description of the matter referred to expert determination;

(c) state the reasons on which it is based;

(d) indicate the date on which it was made,

(e) be signed by the Expert.

- 39. Determination to be filed in Court.** When the Expert has completed the determination, he or she shall caused a signed copy of it, together with any depositions or documents, which may have been presented to him to be filed in Court of Civil Judge, 1st Class and the Court shall thereupon give notice to the parties of the filing of the determination.
- 40. Judgment in terms of determination.** When the Court see no cause to remit the determination or any of the matters submitted to the expert, it shall after hearing the parties proceed to pronounce judgment according to the determination and upon the judgment so pronounced a decree shall follow.
- 41. Appeal.** (1) Any person aggrieved by the determination of the Expert may within fifteen days of the decree file an appeal arising solely out of a point of law before the District Judge who shall dispose of the same within three months.
(2) The appellant shall deposit ten percent of the decretal amount at the time of filing the appeal.
- 42. Bar of Suits.** No suit or any other proceedings shall lie, in any matter relating to registration or disputes before any court or authority, except as provided by or under this Act.

Chapter XI SUBORDINATE LEGISLATION

- 43. Rules.** (1) The Government may make rules to--
(a) carry out the functions entrusted to it under the Act,
(b) implement the provisions of the Act relating to the matters prescribed
(2) The Rule making shall be subject to previous publication as defined in the Punjab General Clauses Act, 1956.
- 44. Regulations and Bye-laws:** (1) Subject to the Act and the rules, the Authority may frame regulations or bye-laws to carry out the functions entrusted to it under the Act.
(2) The Government may direct the Authority to modify any regulation or bye-law which is repugnant to the provisions of the Act and rules.

Chapter XII MISCELLANEOUS

- 45. Act to have Overriding Effect.** In the event of any conflict between the Agricultural Produce Markets Ordinance, 1978 and this Act, the provisions of the latter shall prevail.
- 46. Repeal and Savings.** Rule 67-A of the Punjab Agricultural Produce Markets (General) Rules, 1979 is hereby repealed. Notwithstanding the repeal of the said Rule 67- A, every private market existing immediately before the commencement of this Act, which were approved under the repealed Rule 67-A shall be deemed to be registered under this Act.

47. Removal of Difficulties: If any difficulty arises in the application of the Act which, in the opinion of the Government, is clearly detrimental to the purposes of the Act, the Government may, on the recommendations of the Authority or on its own motion, take such action or pass such order as it may consider necessary and proper in the circumstances.

Provided that no such power should be exercised after the expiry of six months from the coming into force of this Act.