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### **LEGISLATIVE SUPPLEMENT**

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PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,

PUNJAB

Notification

The 20th April, 2004

No. 22-Leg./2004.—The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 8th April, 2004, and is hereby published for general information:—

THE PUNJAB DAIRY DEVELOPMENT BOARD  
(AMENDMENT) ACT, 2004

(Punjab Act No. 13 of 2004)

AN

ACT

*further to amend the Punjab Dairy Development Board Act, 2000.*

BE it enacted by the Legislature of the State of Punjab in the Fifty-fifth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Dairy Development Board (Amendment) Act, 2004.

Short title and commencement.

(2) It shall be deemed to have come into force on and with effect from the 11th day of September, 2002.

2. In the Punjab Dairy Development Board Act, 2000 (hereinafter referred to as the principal Act), for the existing preamble, the following preamble shall be substituted, namely :—

Amendment in the preamble of Punjab Act 20 of 2000.

“to provide for the creation of Punjab Dairy Development Board for providing milk producers with the opportunities of getting a fair return for their labour and investment and to improve the profitability of the Dairy Industry of the State and to frame policies and issue instructions for safeguarding the interests of the milk producers, milk processors, dairy marketers and consumers.”.

3. In the principal Act, in section 2, after clause (a), the following clause shall be inserted, namely :—

Amendment of section 2 of Punjab Act 20 of 2000.

“(aa) “dairy marketer” means any person, group of persons, firm or a company engaged in the purchase or sale of milk or other dairy products including the import or export of processed milk and milk products ;”.

4. In the principal Act, in section 3, for sub-section (2), the following sub-section shall be substituted, namely :—

Amendment of  
section 3 of  
Punjab Act 20  
of 2000.

“(2) The Board established under sub-section (1), shall consist of the following, namely :—

- |   |                                       |
|---|---------------------------------------|
| (i) Chief Minister, Punjab ;  | .. Chairman                           |
| (ii) Minister-in-charge of Animal Husbandry and Fisheries and Dairy Development ;   | .. Deputy Chairman                    |
| (iii) Secretary to Government of Punjab, Department of Finance ;  | .. <i>Ex-officio</i> Director         |
| (iv) Secretary to Government of Punjab, Department of Dairy Development ;   | .. <i>Ex-officio</i> Member-Secretary |
| (v) Vice-Chancellor, Punjab Agriculture University, Ludhiana ;  | .. <i>Ex-officio</i> Director         |
| (vi) One representative of private milk plants and one representative of Co-operative milk plants located in the State of Punjab, to be nominated by the State Government ; | .. Director                           |
| (vii) Two representatives of milk producers, to be nominated by the State Government ;  | .. Director                           |
| (viii) One representative from the Punjab Dhojhi Union, to be nominated by the State Government ; and   | .. Director                           |
| (ix) One representative of Consumers' Associations, to be nominated by the State Government.  | .. Director.”                         |

5. In the principal Act, in section 5, for the words “Steering Committee” wherever occurring, the words “Executive Committee” shall be substituted.

Amendment of  
section 5 of  
Punjab Act 20  
of 2000.

6. In the principal Act, in section 6, for the words “three years” wherever occurring, the words “one year” shall be substituted.

Amendment of  
section 6 of  
Punjab Act 20  
of 2000.

7. In the principal Act, for section 9, the following section shall be substituted, namely :—

Substitution of  
section 9 of  
Punjab Act 20  
of 2000.

“9. The Board shall be an apex body for planning, organising and implementing the programmes of dairy development so as to promote dairy sector on modern, scientific and commercially viable lines to enhance the quality of milk and dairy products, make dairying a viable alternative vocation in the process of diversification of agriculture and source for the transformation of farmers’ economy by providing milk producers with the opportunities of getting a fair return for their labour and investment and to improve the profitability of dairy industry.”

8. In the principal Act, for section 10, the following section shall be substituted, namely :—

Substitution of  
section 10 of  
Punjab Act 20  
of 2000.

“10. Subject to the provisions of this Act and the rules made thereunder, the Board shall exercise the following powers and perform the following functions, namely :—

- (i) to function as an apex body for laying down policies, implementing programmes, making recommendations to the State Government and issuing directions to any organisation or agency of the State engaged in the dairy sector to achieve the objectives of the Board ;
- (ii) to undertake, finance or participate in any project aimed at in making research in dairy and to develop dairy sector including introduction of and nurturing the latest technology in the field of dairy development ;
- (iii) to undertake, finance or participate in any project aimed at in making improvement in quality of milk and milk products with an objective to make them qualitatively globally competitive ;
- (iv) to plan and formulate policies for quick genetic upgradation and development of milch animals by arranging technology from abroad with the prior approval of the Government of India wherever necessary ;
- (v) to make investigations into any matter relating to the production, processing or marketing of any dairy product including the cost of producing, processing or marketing that product and determine the purchase and sale price of milk and milk products ;

- (vi) to enter into agreement with any State organisation, National Dairy Development Board or any such International organisation for the marketing of milk and other dairy products within or outside the country to provide for the co-ordinated marketing thereof and act as a nodal agency to facilitate export of milk and dairy products from the State of Punjab ;
- (vii) to undertake and assist in the promotion of the use of milk and milk products, the improvement of their quality and variety and publication of information for wider publicity in relation to those products ;
- (viii) to develop modern dairy farming technologies and systems for meeting the local demand of high quality milk and for promotion of the dairy industry for socio-economic upliftment of milk producers ;
- (ix) to arrange and import new varieties of fodder seeds to enhance the availability of fodder crops and also equipment or machinery for their harvesting and conservation ;
- (x) to plan and execute programmes within or outside the country of high level education, research and training in dairy technology and animal husbandry including interactive training and exchange programmes ;
- (xi) to formulate and implement policies or programmes aimed at specifying the areas for the collection of milk for each milk plant ;
- (xii) to promote registration of milch animals and Breed Associations ;
- (xiii) to assist the farmers to establish dairy units within or outside the country depending upon the viable opportunities ;
- (xiv) to promote village level chilling-cum-marketing and development centres to maintain quality of milk ;
- (xv) to secure funds from the Central Government, State Government or other agencies ;
- (xvi) to secure donations ; and
- (xvii) to exercise the necessary authority in respect of all matters, which are incidental and ancillary to the aforesaid for achieving the objectives of the Board.”.

9. In the principal Act, for section 11, the following section shall be substituted, namely :—

"11. (1) The Chairman of the Executive Committee, established under sub-section (2) of section 5, Officers and employees of the Board shall be the Chief Executive of the Board and he shall hold office so long as he continues to be the *Ex-officio* Member-Secretary of the Board.

(2) For carrying out its functions, the Board shall appoint persons, who are professionally qualified, either by taking them on deputation from the State Government, Public Sector Undertakings or Organisations or engage them on contract basis."

10. In the principal Act, section 12 shall be omitted.

11. In the principal Act, for section 13, the following section shall be substituted, namely :—

"13. (1) There shall be constituted a Fund to be called the Constitution 'Punjab Dairy Development Fund', which shall of the Fund. vest in the Board. The Fund shall have the following contributions, namely :—

- (i) a sum of money provided by the State Legislature by law out of the Consolidated Fund of the State constituting such proportion of the purchase tax on milk, as the State Legislature may think appropriate for being utilized for the purposes of this Act ;
  - (ii) all sums of money that may be provided by the Central Government, State Government or Local Authorities ;
  - (iii) all sums of money received by way of grants, donations, benefactions, bequests and transfers ; and
  - (iv) all such sums of money as may be received by the Board in any other manner and from any other source.
- (2) The Fund shall be applied for achieving the objectives of the Board and meeting the expenditure to be incurred in relation thereto.
- (3) The accounts of the Board shall be audited by an Auditor, duly qualified to act and to be appointed as an Auditor of Companies under the Companies Act, 1956 (Central Act 1 of 1956). The appointment of an Auditor and remuneration payable to him, shall be decided by the Board or the authority authorised by the Board in this behalf, on yearly basis. The Auditor so appointed, shall have at reasonable times an access to books, accounts and other documents of the Board."

Substitution of  
section 11 of  
Punjab Act  
20 of 2000.

Omission of  
section 12 of  
Punjab Act 20  
of 2000.

Substitution of  
section 13 of  
Punjab Act 20  
of 2000.

12. In the principal Act, in section 17, in sub-section (2), clause (b) shall be omitted.

Amendment of  
section 17 of  
Punjab Act 20  
of 2000.

13. (1) The Punjab Dairy Development Board (Second Amendment) Ordinance, 2003 (Punjab Ordinance No. 10 of 2003), is hereby repealed.

Repeal and  
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the principal Act, as amended by this Act.

M. M. AGGARWAL,

Secretary to Government of Punjab,  
Department of Legal and Legislative Affairs.