



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Regn. No. NE-313(MZ) 2006-2008

Rs. 2/- per issue

VOL - XXXVIII Aizawl, Friday 10.7.2009 Asadha 19, S.E. 1931, Issue No. 344

NOTIFICATION

No. H. 12017/55/07-LJD/95, the 2nd July, 2009. The following Act is hereby published for general information.

The Agriculture and Processed Food Products Export Development Authority (Amendment) Act, 2009 (Act No. 20 of 2009).

Zahmingthanga Ralte,
Deputy Secretary to the Govt. of Mizoram.

THE AGRICULTURAL AND PROCESSED FOOD PRODUCTS EXPORT
DEVELOPMENT AUTHORITY (AMENDMENT) ACT, 2009

AN

ACT

*to amend the Agricultural and Processed Food Products Export Development
Authority Act, 1985.*

BE it enacted by Parliament in the Sixtieth Year of the Republic of India
as follows :-

*Short title and
commencement.*

1. (1) This Act may be called the Agricultural and Processed Food Products
Export Development Authority (Amendment) Act, 2009.

(2) It shall be deemed to have come into force on the 13th October, 2008.

*Amendment
of section 2.*

2. In the Agricultural and Processed Food Products Export Development
Authority Act, 1985 (hereinafter referred to as the principal Act), in section 2,-

2 of 1985

(a) in clause (g), for the words "Scheduled products", the words
"Scheduled products or, as the case may be, Special products" shall be substituted;

(b) in clause (i), for the words "the Schedule", the words "the First
Schedule" shall be substituted;

(c) after clause (i), the following clause shall be inserted, namely :-

(j) "Special product" means any of the agricultural or processed
food products included in the Second Schedule.'

*Substitution of
new section for
section 3.*

3. For section 3 of the principal Act, the following section shall be substituted
namely :-

*Power to amend
the Schedule.*

"3. The Central Government may, having regard to the objects
to this Act, and if it considers necessary or expedient so to do, by
notification in the Official Gazette, add to, or, as the case may be,
omit from, the First Schedule or the Second Schedule any agricultural
or processed food product and on such addition, or as the case may
be, omission, such product shall be, or shall case to be, a Scheduled
product or Special product as the case may be."

*Amendment
of section 4.*

4. In section 4 of the principal Act, in sub-section (4), in clause (h), for sub-
clause (iii), the following sub-clause shall be substituted, namely :-

"(iii) other Schedule products or Special products industries ;"

*Insertion of new
section 10A.*

5. After section 10 of the principal Act, the following section shall be
inserted, namely :-

*Functions in
respect of
Special products,
etc.*

'10A. Without prejudice to any law for the time being in force, it
shall be the duty of the Authority to undertake, by such measures as may
be prescribed by the Central Government for registration and protection
of the Intellectual Property rights in respect of Special products in India
or outside India.

Explanation. - For the purpose of this section “Intellectual Property” means any right to intangible property, namely, trade marks, designs, patents, geographical indications or any other similar intangible property, under any law for the time being in force.’

6. In section 32 of the principal Act, in sub-section (2), after clause (h), the following clause shall be inserted, namely :-

*Amendment
of section 32.*

“(ha) the measures for registration and protection of the Intellectual Property rights under section 10A;”.

7. After section 34 of the principal Act, the following section shall be inserted, namely :-

*Insertion of
new section 35.*

“35. All things done, or, omitted to be done, and all actions or measures taken, or, not taken, during the period beginning on or after the 13th day of October, 2008 and ending immediately before the date of commencement of the Agricultural and Processed Food Products Export Development Authority (Amendment) Act, 2009, shall, in so far as they are in conformity with the provisions of this Act, as amended by the Agricultural and Processed Food Products Export Development Authority (Amendment) Act, 2009, be deemed to have been done or omitted to be done, or, taken, or not taken, under the provisions of this Act, as amended by the Agricultural and Processed Food Products Export Development Authority (Amendment) Act, 2009, as if such provisions were in force at the time such things were done or omitted to be done and actions or measures taken or not taken during the said period.”.

Validation

*Amendment
of the Schedule.*

8. The Schedule to the principal Act shall be numbered as the First Schedule and after the First Schedule as so numbered, the following Schedule shall be inserted, namely :-

“THE SECOND SCHEDULE

[See section 2(j)]

Basmati rice.”.