

# Uttar Pradesh Krishi Utpadan Mandi (Crusher Units Gur, Khandsari) (Compounding of Market Fee) Order, 2009<sup>1</sup>

In exercise of the powers under second proviso to sub-clause (b) of clause (III) of Section 17 of the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964 (U.P. Act No. XXV of 1964) the Governor is pleased to make the following order:—

1. (1) This order may be called the Uttar Pradesh Krishi Utpadan Mandi (Crusher Units Gur, Khandsari) (Compounding of Market Fee) Order, 2009.

(2) This order shall come into force with effect from the beginning of the Sugar Year 2008-09 i.e. October 1, 2008.

2. In this order—

- (a) "Act" means the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964;
- (b) "Agricultural Year" means a period of twelve months commencing from first day of July of calendar year;
- (c) "Sugar Year" means a period of twelve months commencing from the first day of October of calendar year;
- (d) "Crusher Unit" means a unit producing or processing one or more of the specified agricultural produce mentioned in the Schedule and licensed as such by the Market Committee.

3. Subject to the provisions of this order, any trader who has a valid license of market committee, as a crusher unit, may exercise his option for payment of lump sum amount in lieu of such an amount of market fee which may be due against him in the Sugar Year 2008-09:

Provided that this scheme of payment of lump sum amount in due (*sic lieu*) of market fee shall be implemented by any Market Committee where at least thirty per cent of the units situated in the market area opt for the scheme.

4. Any trader licensed as crusher unit, who opts to pay the lump sum amount shall submit his application on attached Form No. 1 to the Market Committee in the form appended to this order within two months of the commencement of this order.

5. As soon as the application mentioned in Clause 4 is received, the Market Committee shall assess the lump sum amount of the due market fee in the manner hereinafter prescribed.

6. The lump sum amount to be realized from a crusher unit in lieu of the market fee due on each transaction of sale purchase shall be as follows:

Sl. No.	Size Crusher Unit-Gur, Khandsari	Type of Unit	Lump sum amount for the Sugar Year 2008-09 (Rs)		
			Market Fee	Cess	Total amount
1	2	3	4	5	6
1	Not more than 20 x 25.5 centimetre	Hydraulic/ Non-Hydraulic	96,798.00	24,198.00	1,20,996.00

1. Noti. No. 353/LXXX-1-2009-600(20)-94, dated August 20, 2009, published in the U.P. Gazette, Extra., Part 4, Section (Kha), dated 20th August, 2009, pp. 5-7 [AP 565].

Sl. No.	Size Crusher Unit-Gur, Khandsari	Type of Unit	Lump sum amount for the Sugar Year 2008-09 (Rs)		
			Market Fee	Cess	Total amount
1	2	3	4	5	6
2	More than 20 x 25.5 centimetre but not more than 25.5 x 30.5 centimetre	Hydraulic/ Non-Hydraulic	1,34,826.00	33,709.00	1,68,535.00
3	More than 25.5 x 30.5 centimetre but not more than 28.5 x 35.5 centimetre	Non-Hydraulic	2,00,508.00	50,126.00	2,50,634.00
4	More than 25.5 x 30.5 centimetre but not more than 28.5 x 35.5 centimetre	Hydraulic/ Non-Hydraulic with spring loaded device	3,66,444.00	91,611.00	4,58,055.00
5	More than 28.5 x 35.5 centimetre but not more than 33 x 46 centimetre	Non-Hydraulic	3,97,558.00	99,392.00	4,96,950.00
6	More than 28.5 x 35.5 centimetre but not more than 33 x 46 centimetre	Hydraulic/ Non-Hydraulic with spring loaded device	5,66,950.00	1,41,737.00	7,08,687.00
7	More than 33 x 46 centimetre	Hydraulic/Non-Hydraulic with spring loaded device	11,26,990.00	2,81,748.00	14,08,738.00



7. If any trader obtained license of crusher unit, has paid any amount of market fee in respect of Sugar Year 2008-09 and opts to pay a lump sum amount in lieu of market fee that may be payable by him, amount of market fee paid shall be deducted from the amount of lump sum arrived at in accordance with this notification.

8. After deduction, if any amount remains balance, that will be adjusted, in the next year, after that if any amount remains in balance then its adjustment will be made in forthcoming years.

9. Gate-pass book printed on security paper on the basis of expected production of the Crusher unit shall be made available on the unit. If any misuse of the Gate-pass book is found by the Market Committee on enquiry; the book shall be forfeited and the trader shall be liable to deprive of the benefits under the scheme and legal and coercive action shall be taken against the unit.

10. After exercising the option for the scheme, no market fee except the lump sum amount shall be payable till the end of the Sugar Year 2008-09. In case the trader indulges in the sale and purchase of the specified agricultural produce mentioned in the Schedule apart from the quantity produced or processed in his crusher unit, he shall on each transaction of sale and purchase on that quantity, have to pay market fee and development cess on the prevailing rate. This amount shall be in addition to the lump sum amount.

11. (1) For the trader, who opts for Gate-pass book, they have to submit office copy of the gate-passes weekly. At the end of the year the Market Committee shall determine that the trader has issued gate-passes according to the production capacity of his unit. For this purpose, the crusher unit shall have to furnish the monthly stock position to the committee every month.

(2) For the aforesaid purpose, traders will be bound to submit the records, required by the Market Committee.

12. (i) If any dispute arises in respect of payment of any amount of lump sum, it shall be decided by the Committee, by a speaking order, after giving the parties reasonable opportunity of hearing.

(ii) A revision under Section 32 of the Act may be filed within 30 days or within such time as may be extended in appropriate cases by the Director against the decision of the Committee.

13. The trader opting for this scheme shall pay the required lump sum amount of the year in two instalments; first instalment shall be deposited at the time of application and second instalment shall be deposited till 30th June, 2009.

14. If any amount of lump sum remains unpaid after it becomes due, it shall be recovered in accordance with Section 20 of the Act.

## SCHEDULE

[See Clause 2(d)]

## Specified Agricultural Produce:—

1. Gur
2. Khandsari
3. Rab
4. Shakkar
5. Jaggery