

Uttar Pradesh Krishi Utpadan Mandi (Compounding of Market Fee on Legumes) Order, 1995¹

In exercise of the powers under the second proviso to sub-clause (b) of clause (iii) of Section 17 of the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964 (U.P. Act 25 of 1964, the Governor is pleased to make the following order namely:—

1. This order may be called the Uttar Pradesh Krishi Utpadan Mandi (Compounding of Market Fee on Legumes) Order, 1995.
2. In this order—
 - (a) "Act" means the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964;
 - (b) "specified agricultural produce" means such produce of agriculture as are specified in the Schedule to this order;
 - (c) "turn over" means the aggregate of sale price received or paid by a commission agent, trader or purchaser as the case may be, in an agricultural year in respect of the transaction of sale of the specified agricultural produce in the market area.
3. Subject to the provision of this order a commission agent, trader or purchaser, who has obtained a licence and has dealt in any of the specified agricultural produce, during the whole Agricultural Year 1994-95 may opt to pay a lump sum in lieu of the market fee that may be payable by him for the Agricultural Year 1995-96:

Provided that an option once exercised shall be irrevocable.

4. A commission agent, trader or purchaser who opts to pay a lump sum under this order shall apply in the Form appended to this order to the committee for the acceptance of the lump sum.

5. The committee shall, on receipt of the applications referred to in Paragraph 4 determine the amount of the market fee to be paid in the lump sum in the manner hereinafter provided.

6. All the commission agents, traders and purchasers in the market area dealing in the specified agricultural produce who have obtained the licence shall be divided into two categories first of which shall include persons engaged only in processing of agricultural produce and the second shall include all others, and thereafter, on the basis of their turnover in the Agricultural Year 1992-93, in their respective category, they shall be classified into slabs shown in Column 2 of the table below and the lump sum to be paid shall be such as is shown in Column 3 thereof.

Slab No.	Turnover slabs of commission agents, traders or purchasers of the market area	Lump sum amount
1	2	3
1.	Up to Rs 50.00 lakhs	A
2.	Exceeding Rs 50.00 lakhs, but not exceeding Rs 1.00 crore	2-A

1. Vide Noti. No. 4469/XII-5-95-600(11)-95, dated December 22, 1995, published in the U.P. Gazette, Extra., Part 4, Section (Kha), dated 22nd December, 1995, pp. 5-7.

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| 3. | Exceeding Rs 1.00 crore but not exceeding Rs 1.5 crores | 3-A |
| 4. | Exceeding Rs 1.5 crores but not exceeding Rs 2.00 crores | 4-A |
| 5. | And so on in the slabs of Rs 50.00 lakhs | .. |

Explanation.—Persons who are engaged in processing of agricultural produce and are also working as wholesalers or commission agents, or wholesalers and commission agents, both shall be kept in the second category.

7. The value of the lump sum amount shown in Column 3 of the table given in Paragraph 6 shall be determined in the manner that—

(a) the number of commission agents, traders and purchasers in each of the categories mentioned in Rule 6 in each slab who have obtained the licence and are dealing in the specified agricultural produce in the market area, shall be multiplied by lump sum shown in Column 3 against each slab and the product so arrived at shall be added together;

Illustration.—If in any market area the number of commission agents, traders and purchasers as the case may be is 20 in the first slab, 50 in the second, 20 in the third and 10 in the fourth, then by multiplying the lump sum, the product and its aggregate would be—

First Slab	20xA	= 20A
Second	50x2A	= 100A
Third	20x3A	= 60A
Fourth	10x4A	= 40A
Aggregate of lump sum		= 220A

(b) the amount of total market fee received in the market area during the Agricultural Year 1992-93 in respect of specified agricultural produce in the respective category shall be increased by fifty per cent thereof and in the amount so arrived at 33.3 per cent thereof shall be added:

Illustration.—If the amount of total market fee received in the market area during the Agricultural Year 1992-93 in respect of the specified agricultural produce is Rs 22 lakhs then by increasing fifty per cent thereof, it would be $22+11$ =Rs 33 lakhs and after addition of 33.3 per cent in this amount it would be $Rs (33+11)$ =Rs 44 lakhs;

(c) the figure arrived at in accordance with sub-paragraph (b) shall be divided by the aggregate lump sum arrived at in the respective category, in accordance with sub-paragraph (a);

Illustration.—If in the respective category the figure arrived at under sub-paragraph (b) is Rs 44 lakhs and the aggregate lump sum arrived at under sub-paragraph (a) is 220A, then the value of lump sum would be 44,00,000 divided by 220 that is Rs 20,000. The lump sum to be paid by a commission agent, trader or purchaser, as the case may be, in the slab of turnover up to Rs 50 lakhs who opts to pay lump sum in lieu of market fee would be Rs 20,000, in the slab of turnover exceeding Rs 50 lakhs but not exceeding Rs 1 crore would be $Rs 20,000 \times 2$ that is Rs 40,000, in the slab of turnover exceeding Rs 1 crore but not exceeding Rs 1.5 crores would be $Rs 20,000 \times 3$ that is 60,000 and so on:

Provided that if such commission agent, trader or purchaser has already paid any amount of market fee in respect of Agricultural Year 1995-96, and he opts to pay a lump sum in lieu of the market fee that may be payable by him, the amount of market fee to be paid shall be deducted from the amount of lump sum arrived at in accordance with this paragraph.

8. (1) A commission agent, trader or purchaser, as the case may be, who opts to pay the lump sum under this order in respect of Agricultural Year 1995-96 shall pay the lump sum in two equal instalments. First instalment shall be paid at the time of exercising the option and the second shall be paid within four months or before June 30, 1996 whichever is earlier.

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

9. A commission agent, trader or purchaser, as the case may be, who has paid the instalments of lump sum in respect of Agricultural Year 1995-96 in accordance with Paragraph 8 shall not be required to pay market fee on each transaction of sale of specified agricultural produce in the market area during the said agricultural year after publication of this notification in the Gazette. If a gatepass is to be issued to such commission agent, trader or purchaser for sale of specified agricultural produce outside the market area, it shall be issued with the endorsement "Lump sum of Market Fee paid."

10. (1) 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.

(2) A revision against the decision of the committee may be filed within 30 days under Section 32 of the Act, which may be extended by the Board in appropriate cases.

SCHEDULE

[See Paragraph 2(b)]

Legumes, whether whole or in split form

1. Gram
2. Peas
3. Arhar
4. Urad
5. Moong
6. Masoor
7. Lobia (seed)
8. Soyabean
9. Sanai (seed)
10. Dhaicha (seed)
11. Guar

FORM

[See Paragraph 4]

To,

The Secretary,

Krishi Utpadan Mandi Samiti

District

FORM] U.P. KRISHI UTPADAN MANDI (COMPOUNDING OF MARKET FEE ON LEGUMES) 105
ORDER, 1995

Sir,

I am exercising the option of payment of market fee in lieu of the market fee that may be* is payable in respect of Agricultural Year 1995-96 in accordance with the Uttar Pradesh Krishi Utpadan Mandi (Compounding of Market Fee on Legumes) Order, 1995 issued under sub-clause (b) of clause (iii) of Section 17 of the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964 for which the necessary information is given below :—

1. Name & address of licenced commission agent/trader/purchaser.
2. (a) Licence Number.
(b) Date of issue/Renewal of Licence.
(c) Date of expiry of Licence.
3. Amounts of** turnover of Agricultural Years 1992-93 and 1994-95.
4. Category for calculation of lump sum amount based on trading during Agricultural Year 1994-95—
*(i) Category one, that is a person engaged only in processing of the specified agricultural produce.
(ii) Category second, that is a person not included in category one mentioned in clause (i).

It is, therefore, prayed that the amount of Market Fee to be paid in lump sum shall be calculated and accepted as per provisions of the said order for the aforesaid agricultural year.

Yours faithfully,

Signature of the applicant

Verification

I, owner/partner/ of aforesaid applicant do hereby verify that the information given above is true to my personal knowledge and belief.

Signature

*Strike off which is not applicable.

**The amount of sale price of all the transactions in the market area in respect of agricultural produce during the agricultural year shall be included in the turnover.