

# Uttar Pradesh Krishi Utpadan Mandi (Compounding of Market Fee) Order, 1994

*English translation of Krishi Anubhag-5, Noti. No. 3142/XII-5-94-600 (11)-94-T.C.-II, dated September 28, 1994, published in the U.P. Gazette, Extra, Part 4, Section (kha) dated 28th September, 1994, pp. 4-7 [AP 1062]*

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) Order, 1994.

2. In this Order—

- (a) 'Act' means the Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964;
- (b) "specified agricultural produce" means such specified agricultural produce as are specified in the Schedule to this Order;
- (c) "turnover" 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 provisions 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 whole Agricultural Year 1992-93, may opt to pay a lump sum in lieu of the market fee that may be payable by him—

- (a) for the Agricultural Year 1994-95 or
- (b) for any agricultural year or years prior to the commencement of the Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Adhiniyam, 1994 in respect of which payment of any market fee is outstanding within a period of two months from the date of publication of this order in the Gazette:

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 lump sum in the manner hereinafter provided.

6. All the commission agents, traders and purchasers of the market area dealing in the specified agricultural produce who have obtained the licence shall, on the basis of their turnover in the Agricultural Year 1992-93, be classified into the slabs shown in Column 2 of the table below and the lump sum to be paid shall be such as 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	—	2A
3.	Exceeding Rs 1.00 crore but not exceeding Rs 1.5 crore	—	3A
4.	Exceeding Rs 1.5 crore but not exceeding Rs 2.00 crore	—	4A
5.	And so on in the slabs of Rs 50.00 lakhs	—	

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 slab who have obtained the licence and are dealing in the specified agricultural produce in the market area, shall be multiplied by the lump sum shown in Column 3 against each slab and the product so arrived shall be added together;

*Illustration*—If in any market area the number of commission agents, traders and purchasers in the first slab is 20, 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  $20 \pi A = 20A$

Second slab  $50 \pi 2A = 100A$

Third slab  $20 \pi 3A = 60A$

Fourth slab  $10 \pi 4A = 40A$

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 shall be increased by fifty per cent thereof;

*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 lakh then by increasing fifty per cent thereof, it would be  $22 + 11 = \text{Rs } 33$  lakh;

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

*Illustration*—If the figure arrived at under sub-paragraph (b) is Rs 33 lakh and the aggregate lump sum arrived at under sub-paragraph (a) is 220-A, then the value of A lump sum would be  $33,00,000$  divided by 220, that is, Rs 15,000. The lump sum to be paid by a commission agent, trader or purchaser in the slab of turnover up to Rs 50 lakh who opts to pay lump sum in lieu of market fee would be Rs 15,000 in the slab of turnover exceeding Rs 50 lakh but not exceeding Rs 1 crore would be  $\text{Rs } 15,000 \times 2$ , that is Rs 30,000, in the slab of turnover exceeding Rs 1 crore but not exceeding Rs 1.5 crore would be  $\text{Rs } 15,000 \times 3$ , that is Rs 45,000 and so on:

Provided that if such commission agent, trader or purchaser has already paid any amount of market fee in any agricultural year in respect of which he opts to pay



a lump sum, the amount of market fee so 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 who opts to pay the lump sum under this order—

- (a) in respect of Agricultural Year 1994-95, shall pay the lump sum in two equal instalments; first instalment shall be paid when the option is exercised and second shall be paid within six months thereafter;
- (b) in respect of any agricultural year or years referred to in sub-paragraph (b) of paragraph (3), shall pay the lump sum when the option is exercised.

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

9. (1) A commission agent, trader or purchaser who has paid the instalment of lump sum in respect of Agricultural Year 1994-95 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. If a gate pass 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."

(2) A commission agent, trader or purchaser who has paid the lump sum in respect of any agricultural year or years referred to in clause (b) of paragraph 3 in accordance with paragraph 8, shall not be required to pay any market fee in respect of such agricultural year or years, as the case may be.

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 opportunities of hearing.

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

## 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. Soyabeen
9. Sanai (seed)
10. Dhainoha (seed)
11. Guar

## FORM

[See Paragraph 4]

To.

The Secretary,

Krishi Utpadan Mandi Samiti.

District .....

Sir,

I am exercising the option of payment of market fee in lump sum in lieu of the market fee that may be/is payable in respect of agricultural year ..... in accordance with the Uttar Pradesh Krishi Utpadan Mandi (Compounding of Market Fee) Order, 1994 issued under sub-clause (b) of clause (iii) of Section 17 of U.P. Krishi Utpadan Mandi Adhiniyam, 1964 for which the necessary information is given as below:—

1. Name and address of licensed \*commission agent/trader/purchaser
2. (a) Licence Number
- (b) Date of Issue/Renewal of licence
- (c) Date of Expiry of licence
3. Amount of \*\*turnover of Agricultural Year 1992-93.

It is, therefore, prayed that the amount of market fee to be paid in lump sum be calculated and accepted as per provision 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.