G.S.R. 402(E)/Ex-Com/Sugarcane.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Sugarcane (Control) Order, 1966, namely:

1. Short title and commencement.—(1) This Order may be called the Sugarcane (Control) Amendment Order, 1974.

(2) It shall come into force on the 1st day of October, 1974.

2. Amendment of clause 5.—In the Sugarcane (Control) Order, 1966 (hereinafter referred to as the said Order), in clause 5 in sub-clause (1), for the words "of the schedule" the words "of the First Schedule" shall be substituted.

3. Insertion of clause 5A.—In the said Order, after clause 5, the following clause shall be inserted, namely—

"5A. Additional price for sugarcane purchased on or after 1st October, 1974—
(1) Where a producer of sugar or his agent purchases sugarcane from a sugarcane grower during each sugar year, he shall, in addition to the minimum sugarcane price fixed under clause 3, pay to the sugarcane grower an additional price, if found due, in accordance with the provisions of the Second Schedule annexed to this Order.

(1785)
(2) The Central Government or the State Government, as the case may be, may authorise any person or authority, as it thinks fit, for the purpose of determining the additional price payable by a producer of sugar under sub-clause (1) and the person or authority, as the case may be, so authorised shall have the same powers and duties in connection with the supply of sugarcane as a producer of sugar.

(3)(a) Any producer of sugar or sugarcane grower, as the case may be, aggrieved by any decision of the person or authority, referred to in sub-clause (2), may, within the period of thirty days from the date of communication of such decision, appeal to the Central Government or the State Government, as the case may be.

Provided that the Central Government or the State Government, as the case may be, may, if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the aforesaid period of thirty days, admit the appeal, in such a case, within a further period of fifteen days.

(b) The Central Government or the State Government, as the case may be, may give an opportunity to the appellant to represent his case and after making such further enquiry as may be necessary, pass such order as it thinks fit.

(c) The decision of the person or authority referred to in sub-clause (2), where an appeal is filed, and of the Central Government or State Government, as the case may be, wherein an appeal is filed, shall be final.

(4) The additional price determined under sub-clause (2) shall be paid by the producer of sugar to the sugarcane grower, as such, at such time and in such manner as the Central Government or the State Government, as the case may be, may, from time to time, direct.

(5) No additional price determined under sub-clause (2) shall become payable to the producer of sugar who pays a price higher than the minimum sugarcane price fixed under clause 3 to the sugarcane grower.

Provided that the price so paid shall be in no case less than the total price comprising the minimum sugarcane price fixed under clause 3 and the additional price determined under sub-clause (2).

(6) Where any extra price is paid by the producer of sugar to the sugarcane grower, in addition to the minimum sugarcane price fixed under clause 3, the extra price so paid shall be adjusted against the additional sugarcane price determined under sub-clause (2), and the balance, if any, shall be paid to the sugarcane grower.

(7) Subject to the provisions of sub-clause (4), the additional price payable to a sugarcane grower if he, in performance of his agreement, supplies not less than 85 per cent. of the sugarcane, shall become payable by the producer of sugar.

(8) Where the additional price determined under sub-clause (2) or sub-clause (6), as the case may be, is paid to a sugarcane growers' cooperative society or to a local sugarcane growers' association of whatever name, it may, if it has supplied not less than 85 per cent. of the agreed sugarcane in performance of his agreement with it, within one month of the receipt of such additional price by it from the producer of sugar, pass the same to the person or authority, as the case may be, referred to in sub-clause (2).

(9) The additional price payable but not actually paid in view of sub-clause (7) shall be added to the amount found payable for the following sugar year arrived at as per provisions of the Second Schedule.

Explanation.—For purposes of this clause and the Second Schedule—

(1) 'Sugarcane grower' includes a grower of sugarcane, a sugarcane growers' cooperative society, or a sugarcane growers' association of whatever name, it may be, that, and who enters into an agreement with a producer of sugar to supply sugarcane.

(2) 'Sugar year' means the year commencing on the 1st day of October, and ending with the 30th day of September in the year next following.
In the said Order, "The Schedule" shall be renumbered and after the First Schedule as so renumbered, the following Schedule namely:

"SECOND SCHEDULE
(See clause 5A)

This formula:
the additional price in rupees per quintal of sugarcane payable by the producer of sugar to the sugarcane grower, the amount in rupees of sugar produced during the sugar year excluding excise duty paid or payable, the amount in rupees of sugar required to be sold as levy calculated on the basis of the levy price notified by Government as in force on 30th day of September of each sugar year for sugar produced during that sugar year, including excise duty paid or payable, the amount found payable for the previous year but not actually paid off, and the excess or shortfall in realisations from actual sales of the unsold stocks of sugarcane purchased by the producer of sugar during the sugar year, amounts 'R' and 'L' referred to in items 2 and 3 shall be computed as under:

Actual amount realised during the sugar year, and estimated value of the unsold stocks of sugar held at the end of 30th September calculated in regard to free sugar stocks at the average rate of sales made during the fortnight 16th to 30th September, and at the notified levy prices as applicable to levy stocks as on 30th September.

In this Schedule 'Sugar' means any form of sugar containing more than 70-80 per cent sucrose."

[No. 15-5/73-SPY]
S. V. SAMPATH, Ji. Secy.
2. खंड 5 का संतोष—ईंस (नियमित) गाजेट 1966 (जिसे इसमें इसके पश्चात या गाजेट के शहर में निर्दिष्ट किया गया है) के खंड 5, पउष्प (1) में “भारतीय के” शब्द के साथ प्रथम भारतीय के” शब्द लें जाएँ।

3. खंड 5 का युपः—उक्त गाजेट में खंड 5 के पश्चात निम्नलिखित चीजें स्थापित किया जाएगा, प्रथमः—

"संक्य 1 भारतेन, 1974 को या उसके पश्चात खंड की गई ईंस के लिए भारतीय संक्य
(1) जहां कोई चीनी विनिमयता या उपकरण कोई कामिकांत्र्यो हो वो केदारनाथ ईंस उपयोगक के ईंस के काम करता है तो वहाँ भी, खंड 3 के व्यवस्था नियम 8 व्युत्तम मूल्य के प्रतिरूप, ईंस उपयोगक को, इस गाजेट के उपयोग के भारतीय प्रतिरूप मूल्य, यदि व्यवस्था हो तो, देना।

(2) यावार्थित, केदार सरकार या राज्य सरकार ऐसे खंड के प्रथम या प्राधिकारी की ठीक सबसे उपवास (1) के प्रथम चीनी उपयोगक द्वारा देन प्रतिरूप ज्ञात व्यवस्था के व्यवस्था के लिए व्यवस्था कर सकता है बौद्ध व्यवस्था, या प्राधिकारी को प्रतिरूप मूल्य का व्यवस्था कर, उसकी विनिमयता में चीनी विनिमयता को बौद्ध ऐसे चीनी विनिमयता को चीनी करने से सम्बंधित ईंस उपयोगक को देना।

(3) (क) कोई चीनी विनिमयता या ईंस उपयोगक जो उपवास (2) में निर्देश या प्राधिकारी के विनिमयता से सुस्थ हो, उनके उपवास के प्रथम या प्राधिकारी की संस्थान की तरीके से तीस दिन के भीतर, यावार्थित, केदार सरकार को गाजेट कर सकता है:

पश्चात्—यावार्थित, केदार सरकार या राज्य सरकार, यदि उसके नहीं हो जाता है कि चीनी पारिश के पास व्यवस्था तीस दिन के भीतर गाजेट कर सकते हैं व्यवस्था कारण, या, गाजेट को जाएँ है यदि गाजेट 15 दिन के भीतर गाजेट के प्रवर्तक की जाती है।

(ख) यावार्थित, केदार सरकार या राज्य सरकार, चीनी पारिश के विनिमयता को प्रस्तुत करने का व्यवस्था देने के पश्चात् ऐसे व्यवस्था पटक कर सकते हैं व्यवस्था समस्या।

(ग) जहां गाजेट न की गई ही वहाँ उपवास (2) में निर्दिष्ट व्यवस्था का विनिमय, बौद्ध ऐसे गाजेट की गई ही वहाँ यावार्थित, या राज्य सरकार का विनिमय, प्राधिकार होगा।