

Orissa Sugarcane Area Reservation and Power-crushers and Khandasari Units Licensing Order, 1968

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Rule

ORISSA-SUGARCANE-AREA-RESERVATION-AND-POWER-CRUSHER of 1968

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Orissa Sugarcane Area Reservation and Power-crushers and Khandasari Units Licensing Order, 1968Published vide Notification No. 1627-8-A-6/68-Agri., dated 16th January, 1968, Orissa Gazette, Part 3 No. 5 - page 310 - dated 2.2.1967No. 1627-8-A-6/68-Agri. - In exercise of the powers conferred by Clauses 6, 7, 8 and 9 of the Sugarcane (Control) Order, 1966, read with the Government of India's Notification No. 1127, C.R.S. Ess, Com./ Sugarcane, dated the 16th July, 1966, and of all other powers hereunto enabling the Government of Orissa hereby makes the following Order:

1. Short title, extent and commencement.

(1)This Order may be called the Orissa Sugarcane Area Reservation and Power-crushers and Khandasari Units Licensing Order, 1968.(2)It shall come into force at once and remain valid for a period of one year from the date of issue of this Order.

2. Definitions.

- In this Order, unless there is anything repugnant in the subject or context -(a)"Block" means Community Development Block.(b)"Factory" means the Sugar Factory at Aska operating under the Aska Co-operative Sugar Industries Ltd.(c)"Government" means the Government of Orissa;(d)"Licence" means a licence granted by the Government under the provisions of the

Order.(e)"Reserved area" means area comprising of Revenue Village or Villages where sugarcane is grown as declared in Clause 3.(f)"Schedule" means Scheduled appended to this Order.

3. Reservation of Sugarcane area.

(1)Having regard to the crushing capacity of the factory at Aska and the availability of sugar cane in the area reserved for the factory and the need for production of sugar with a view to enabling the factory to purchase the quantity of sugar required by the State Government hereby-(a)Reserve the area where sugarcane is grown comprising of the following 362 villages coming under 15 Blocks of Ganjam as specified in the Schedule hereunder;(b)determine the quantity of sugarcane at one thousand tonnes per day which the Sugar Factory at Aska will require for crushing;(c)fix that individual sugarcane grower or, if he is a member of a Co-operative Society of sugarcane growers operating in the reserved area through such society shall supply 80 of the sugarcane growers in the reserved area to the factory;(d)direct that a sugarcane grower or a Sugarcane Growers, Cooperative Society within the reserved area supplying sugarcane to the factory or purchase as, the case may be, the quantity of sugarcane fixed under Sub-clause (c) above.(2)Every Sugarcane Growers, Co-operative Society and Factory, to whom or to which an order made under paragraph (c) of Sub-clause (1) applies, shall be bound to supply or purchase, as the case may be, that quantity of sugarcane covered by the agreement entered into under the paragraph and any wilful failure on the part of the sugarcane grower, Sugarcane Growers, Co-operative Society or the Factory to do so shall constitute a breach of the provisions of this Order :Provided that where the default committed by any Sugarcane Grower's Co-operative Society is due to any failure on the part of any sugarcane grower, being a member of such society shall not be bound to make supplies of sugarcane to the factory to the extent of such default.

4. Grant of licence.

- No power-crusher, Khandasari unit or crusher not belonging to a grower or body of growers shall be installed without a licence obtained from Government.

5. Applications.

- Every application for a licence under this Order shall be made to the licensing authority in the form set out in Schedule I and shall be accompanied by a Treasury receipt for the appropriate fee.

6. Licence fee.

- A licence for the installation and working of power-crusher khandasari unit, or crusher shall, on payment of the fee specified in Schedule-II be issued in the Form specified in Schedule-III.

7. Licensing Authority.

- The Government of Orissa shall be licensing authority.

8. Refund of fees.

- The licensing authority, if satisfied, having regard to the supplies of sugarcane that in the interest of the general public a licence shall not be granted, may for reasons to be recorded in writing, refuse to grant a licence, in which case the fee paid by the applicant shall be refunded on an application bearing a Court-fee stamp of one rupee fifty paise being made by the applicant within one year of such refusal.

9. Issue of duplicate licence.

- If a licence granted under this Order is defaced, lost or destroyed, the licensing authority, may, on an application made by the licensee, bearing Court-fees stamp of one rupee fifty paise, issue a duplicate licence after satisfying itself on such defacement, loss or destruction.

10. Renewal of licence.

- A licence issued under this Order shall be valid for a period of one year or such other period not exceeding one year as the licensing authority deem fit. But the State Government may on applications made not less than 30 days before expiry of the said period of licence, renew the licence for another one month on payment of the fees specified in Schedule-II.

11. Late application.

- A renewal application may be admitted at any time before the period of licence expire on payment of the late fee of Rs. 50.

12. Cancellation or suspension of licences.

- The licensing authority may cancel or suspend the licence of a licensee who contravenes any of the conditions of the licence or any order or direction lawfully issued by the licensing authority or who has supplied incorrect information for the grant for renewal of the license.

13. Licensee not entitled to compensation or refund of fee.

- The cancellation of suspension or a licence under Clause 12 shall not entitle the licensee to any compensation or to the refund of any fee paid in respect of such license.

14. Maintenance and furnishing of records and data.

- The licensing authority or any person authorised may by its order, in writing direct any licensee to maintain and furnish such records and data, as may be specified by him from time to time.

15. Powers of licensing authority.

- The licensing authority or any person authorised by it may, with a view to secure compliance with this Order require any producer of Gur/Khandasari sugar to give any information in his possession in respect of any business carried on the working of power crusher/crushers, or khandasari unit by himself or through any other person and he shall give such information.

16. Licensing Inspector.

- The licensing authority may for the enforcement of this Order appoint, may designate an officer of the Government as he may think fit to be the Licensing Inspector within such jurisdiction as may be specified by it.(Schedules not printed)