

PART III

HARYANA GOVERNMENT
AGRICULTURE DEPARTMENT

Notification

The 4th December, 1972

No. G.S.R.-264/S.C.C.O.C/16/H.K.S.M.L.O./72.—In exercise of the powers conferred by clause 6(1)(e) of the Sugarcane (Control) Order, 1966, read with the Government of India, Ministry of Food, Agriculture, Community Development and Co-operative (Department of Food) Notification No. G.S.R. 1127/ESS-COM/Sugarcane, dated 16th July, 1966, the Governor of Haryana hereby makes the following Order, namely :—

THE HARYANA KHANDSARI SUGAR MANUFACTURERS'
LICENSING ORDER, 1972.

ORDER

1. Short title, extent and commencement.—(1) This Order may be called the Haryana Khandsari Sugar Manufacturers' Licensing Order, 1972.

(2) It extends to the whole of Haryana.

(3) It will come into force at once.

2. Definitions.—In this order unless there is anything repugnant in the subject or context,—

(a) 'Bel' means a rab manufacturing unit in the possession of a manufacturer comprising of not more than four juice boiling pans in a row ;

(b) 'Khandsari Sugar' means sugar containing more than ninety per cent sucrose and manufactured by open pan process including bels ;

(c) 'Khandsari Officer' means a person appointed or designated as such by the State Government for purposes of this Order ;

(d) 'Licence' means a licence granted under provisions of this Order ;

(e) 'Licensing Authority' means the authority mentioned in clause 6 ;

(f) 'Manufacturer' means a person who uses a power crusher, bel or a centrifugal in the process of the manufacture of Khandsari Sugar and includes a person who prepares rab for conversion into Khandsari Sugar ;

Explanation—'Person' shall include an agent or a servant ;

(g) 'Power Crusher' means a cane crusher operated by power ;

(h) 'Schedule' means the schedule appended to this order ; and

(i) 'State Government' means the Government of Haryana.

3. **Grant of Licences.**—(1) No manufacturer shall without obtaining from the Licensing Authority a licence in the form prescribed in Schedule I, carry on or undertake any process connected with the manufacture of Khandsari sugar by means of a power crusher, bel or centrifugal.

(2) An application for a licence under sub-clause (1) shall be made to the Licensing Authority in the form prescribed in Schedule II and shall be accompanied with a Treasury Challan for the licence fee prescribed in Schedule III.

(3) An application for the grant or renewal of a licence shall be disposed of by the Licensing Authority as expeditiously as may be possible and shall not be rejected except in a case where the Authority is of the opinion that it is necessary or expedient to do so in the public interest with a view to :—

- (a) Regulate Khandsari Sugar Manufacturing industry in the best interests of the industry ;
- (b) Avoid uneconomic concentration of Khandsari sugar manufacturing units ; or
- (c) ensure adequate supplies of sugarcane to a vacuum pan sugar factory.

(4) In case of a rejection of an application for grant or renewal of a licence, the applicant shall be entitled to a refund of the licence fee after the expiry of the period of limitation prescribed for filing an appeal against that order or on the rejection of the appeal.

4. **Period for which licences are to be issued.**—A licence granted under clause 3 shall be valid for a period of twelve months commencing from October 1 each year, but may, on an application being made, not less than thirty days before the expiry of the said period, be renewed from time to time, subject to provisions of sub-clause (3) of clause 3 to a period not exceeding twelve months reckoning from October 1, on payment of fees prescribed in Schedule III :

Provided that an application for a renewal of a licence may be entertained by the Licensing Authority after the expiry of the above-mentioned period on payment of late fee prescribed in Schedule IV.

5. **Issue of duplicate Licence.**—If a licence granted under this Order is defaced, lost or destroyed, the Licensing Authority may issue a duplicate copy thereof on an application bearing a court fee stamp of five rupees.

6. **Licensing Authority.**—The Cane Commissioner, Haryana, shall be the Licensing Authority.

7. **Conditions for suspension or cancellation of a licence.**—(1) The Licensing Authority may, in case of contravention of any of the provisions of this Order or of any conditions of the licence, suspend or cancel a licence granted under this order.

(2) The cancellation or suspension of a licence under sub-clause (1) shall not entitle the licensee to any compensation or to the refund of any fee paid in respect of such licence.

8. Powers of Licensing Authority.—The Licensing Authority or any person authorised by it may, with a view to secure compliance of this order :—

- (a) require any manufacturer to give any information in his possession in respect of any process connected with the manufacture of Khandsari sugar ;
- (b) require a licensee to maintain, furnish or produce such records, data or information as may be necessary from time to time;
- (c) inspect any of the books or documents and any stock of Khandsari sugar or rab belonging to, or under the control of any person in respect of which it or he has reason to believe that a contravention of the order has taken place or is likely to take place and may take such books or documents into his possession for examination or scrutiny;
- (d) enter and search any premises, place or vehicle and seize any article in respect of which the Licensing Authority or the person authorised by it, has reason to believe that a contravention of this Order has been committed or is apprehended ;
- (e) seize and take into custody any implement used in connection with the manufacture of Khandsari Sugar or Rab intended for conversion into Khandsari Sugar in respect of which any breach of the provisions of this order or of the conditions of the licence has been committed or is apprehended.

9. Penalties.—If any person contravenes any of the provisions of this order or condition of the licence, he shall be punishable in accordance with the provision of the Essential Commodities Act, 1955.

SCHEDULE I
FORM OF LICENCE

Clause 3 (1)

Licence No. _____ Dated _____

Shri _____
Tehsil _____, District _____ son of/of the firm _____ resident of _____
is hereby permitted to set up :-

1. Power Crusher _____

2. Bels _____

3. Centrifugals _____ for crushing cane for the manufacture of Khandsari, sugar or
rab for conversion into khandsari sugar in village _____ District _____ Tehsil _____
subject to the following conditions :

1. The licensee shall not carry out any extension, addition or alteration in the licensed capacity or location of the power crusher, bel or centrifugals without the prior permission of the licensing authority.

2. The licensee shall, unless exempted from the operation of those conditions by a special order of the Licensing Authority or an officer duly authorised by him, maintain a daily account of the quantity of cane crushed, quantity of khandsari sugar or rab prepared for conversion into khandsari sugar and quantity of manufactured khandsari sugar and rab kept in storage or despatched. The licensee shall allow for purposes of inspection immediate access to the entire premises where any of the processes connected with the production of khandsari sugar are carried under the licence of khandsari officer or any person authorised for by Licensing Authority and shall also be bound to produce on demand for examination all records which he is required to maintain. The stocks in hand and the place of storage shall be open for inspection by khandsari officer or any person authorised for this purpose by the licensing Authority.

3. The licence is liable to be suspended or cancelled by the Licensing Authority for breach of any of the conditions of the licence or of the order. The power crusher, the bels and the centrifugals covered by the suspended licence shall not be put into commission again unless suspension order is withdrawn. For this purpose fresh order of the authority suspending the licence is required.

4. The licensee shall carry out such further instructions of the Licensing Authority or any other person authorised by it, as may be issued from time to time to implement and carry out the purpose of the order under which the licence is issued.

5. The licence shall remain valid till September 30, _____ unless suspended, cancelled or extended by the Authority granting it.

Licensing Authority.

SCHEDULE II

Caluse 3(2)

APPLICATION FORM

1. Name of the applicant with parentage _____
2. Name of the firm _____
3. Full address _____
4. Season for which licence or renewal of licence is applied for _____
5. Premises or place with name of town or village and tehsil where power crusher or bel is proposed to be installed or used giving information of adjoining site on four directions East, West, North and South.
6. Number of power crushers or bels for which licence is required with their size and capacity to crush cane per day.

Type of power crusher	Size	Cane crushing capacity per day in quintals
(i) Hydraulic (Sulphitation)
(ii) Non-hydraulic (Sulphitation)
(iii) Ordinary

7. Number and date of previous licence in case of renewal.
8. Whether the applicant set up power crusher and bels in the preceding year. ? mention number in column provided under this item :-

Power crusher/bels	Quantity of cane crushed during previous year	Quantity of Khandsari sugar manufactured during previous year

9. Whether the applicant has deposited the licence fee at the prescribed rate in the Government Treasury _____

10. Please give the following details :-

Treasury Challan No. _____ Date _____ Treasury _____
and attach the duplicate copy.

Signature of Applicant.

I/We have read the provision of the Haryana Khandsari Sugar Manufacturers' Licensing Order, 1972 and understand that the licence issued to me/us will be subject to the provisions of the order and that any breach of the conditions of such licence will amount to a breach of the order.

I/We declare that to the best of my/our information and belief the above information is correct and complete.

Place :

Date :

Signature of Applicant.

SCHEDULE II

Form of application for grant or renewal of licence to instal or use Centrifugal for the manufacture of Khandasari Sugar.

- 1. Name of the applicant with parentage
- 2. Name of the firm
- 3. Full address
- 4. Season for which Issue/renewal of Licence is applied for
- 5. Premises or place with name of town or village and Tehsil where centrifugal is proposed to be installed or used with site giving information of all four directions adjoining place
- 6. No. of Centrifugals for which licence is required stating their daily capacity and whether they are power driven or hand driven

Licen
(a)
(b)
(c)
(d)

Type of Centrifugal	Size	Capacity per day of Khandasari sugar manufactured in quintals
Power Driven		
Hand Driven		

(1) 1
(2) 1

(Number of power driven and hand driven centrifugals to be specified separately)

7. No. and date of previous licence in case of renewal.

8. Whether the applicant set up centrifugal in the last year. Mention number in columns provided under this item.

No. of Centrifugal	Quantity of Khandasari sugar manufactured in previous year in Qls.	Percentage of Khandasari recovery from cane	Quantity of molasses produced in quintals
Power driven			
Hand driven			

9. Whether the applicant has deposited the licence fee at the prescribed rate in the Government Treasury.

10. Please give the following details:-

Treasury Challan No. _____ date _____
Treasury _____ and attach the duplicate copy

Place :

Dated :

Signature of applicant

I/We have read the provisions of the Haryana Khandasari Manufacturers Licensing Order and understand that the licence issued to me/us will be subject to the provisions of order and that breach of the conditions of such licence will amount to a breach of the order.

I/We declare that to the best of my/our information and belief the above information is complete.

Place :

Dated :

Signature of applicant

(C)
(-6)
1.
2.
3.

SCHEDULE III

(FEES)

(Clause 4)

Licence fee for the year ending 30th September each year or part thereof :-

(a) Per Power Crusher	Rs. 600
(b) Per Bel	Rs. 400
(c) Per Power Driven (Centrifugal)	Rs. 200
(d) Per Hand Driven (Centrifugal)	Rs. 100

SCHEDULE IV

(Late fees) (Only for renewal of licence)

(CLAUSE 4)

- (1) For the first 30 days or part thereof from last date for receipt of the application .. Rs. 15
 (2) For the next 30 days or part thereof from the date of expiry of the first 30 days .. Rs. 25

AGRICULTURE DEPARTMENT.

18TH FEBRUARY, 1974.

No. 367 - Agri. II (33)-94/1776

- This order may be called the Haryana Khandasari Sugar Manufacturers Licensing (Amendment) Order, 1974.
- In the Haryana Khandasari Manufacturers Licensing Order, 1972 for Schedule III & IV the following Schedules shall be substituted, namely :-

SCHEDULE III (FEES) (Clause 4)

Licensing fee for the year ending on 30th September each year or part thereof :-

	Rs.
(a) (i) Per power crusher (Hydraulic system)	5000=00
(ii) Per Power crusher (Non hydraulic system)	2000=00
(b) Per Bel	800=00
(c) Per Power (Centrifugal)	1000=00
(d) Per Hand driven (")	500=00

SCHEDULE IV (LATE FEES) [Clause 4]

- For the first 30 days or part thereof from last date for receipt of application. Rs 100=00
- For the next 30 days or part thereof from the date of expiry of the first 30 days. Rs 200=00
Rs 400=00
- After sixty days.