

MADHYA PRADESH SUGARCANE, RULES, 1959

GOVERNMENT OF MADHYA PRADESH 2CANE (of and r .-hase) {WLES, ('.40. CF 1959) Addidona; Cane fi'ice Rs. 1•25 COVEITMIINT REGIONAL PRESS Published in Part IV of ' Madhya Pradesh Rajpatra", dukl the 1st January, 1960.] GOVERNMENT OF MADHYA PRADESH AGRICULTURE DEPARTMENT Bhopal, th•e 8th December, 1959. No. made by the State Government under section 30 of the Madhya Pradesh Sugarcane (Wgulation of Supply and Purchase) Act, 1958 (No. 1 of 1959), are hereby published for general information. By order and in the name of the of Madhya Pradesh, R. C. MURAB, secy. In exercise ot the powers conferred by section "nf the Madhya Pradesh Sugarcane (Regulation of Supply and Purchase' Act, 1958 (No. I of 1959), the State Government hereby makes the folloVâB-f Oles, namely:— SHAPTER I—SHORT TITLE AND COMMENCEMENT 1. (1) "These rules may be called the Madhya Pradesh, Sugarcane (Regulation of Supply and Putchase) Rules, 1959. (2) They shall come into force from the date of their publication in the "Madhya Pradesh Gazette"

CHAPTER II—DEFINITIONS 2. In these rules, unless the context otherwise requires:— (a) "Act" means the Madhya Pradesh Sugarcane (Regulation of Supply and Purchase) Act, 1958 (No. i of 1959); (b) "Collector" means the Collector of the District in whose juris- diction the factory or the purchasing centre or the reserved area or the assigned area qr the headquarters of a Council or a Zone or a Society, as the case may be, is situated; (c) "Commissioner" means the Commissioner of a revenue division; (d) "Form" means a form specified in Appendix III to these rules; (e) "Notified" means no;ified by a notification published in the Madhya Pradesh Gazette; (f) "Purchasing Centre" means any place at which cane is purchased, delivered, weighed or paid for and includes such portion of the premises of a factory as is used for any of these purposes; (g) "Section" means a section of the Act; (h) "Weighbridge" means any mechanism or scales (including beam scales) used to weigh cane; (i) "Year" means the year beginning from first day of April. 11 2 CHAPTER III—SUGARCANE BOARD 3. Omitted

4. Meetings of the Board shall be held at Bhopal unless otherwise directed by the Chairman of the Board and on such dates as the Chairman may fix'

5. Notice in writing of a meeting of the Board shall be sent by the e Secretary of the Board to all members at least fourteen days before the date fixed for the meeting except in emergent cases, when a notice, both—by letter and telegram, may be sent at least thr days before the meeting. 6,. Omitié

7. The procedure in Appendix"l to these rules shall be followed at the rheetings of the Board

CHAPTER IV—CANE DEVEVOPMENT COUNCIL 8. Omitted. 9. (1) An annual budget shall be up •by every •Cöuncil and' 'sub: mitted for sanction to the Cane Commissioper at least one month' pefore the commencement of the budget year. The 'Cane CommiSsioneq inay sanction the budget with such modifications as he may considér necessary (2) No expen<iture shall be incurred unless. it has been provided for in the budget as sanctioned, provided that, the prior approval of the Cane Commissioner given in writing, expend!ure ynder.a sanctioped item may exceed the provision for that item. (3) The Cane, Commissioner may, at any time during the. currency of the budgei, order expenditure for thp purposes of this' Act on any item specified by him' and enforce payment therefor from the funds of; the Council, where due to any special circumstances or default of the Council such a course is considered necessary for meeting any sudden, émergent or unforeseen contingency. IO. (1) The accounts of the Council shall be audited annually by the State Local Fund Audit Department : Provided that if in any year the State Local Fund Audit Department is Unable to audit the accounts of the Council, the Cane Commissioner may, by order; appoifit other auditors for auditing the accounts. (2) The expenditure on audit under this rule shall be met from the funds of the Council. 11: ' The funds of the Council shall be kept in Scheduled Bank or a, Co-operative Bank approved by the Cane Commissioner and shall be operated by the Secretary under the control of the Châirman of the Council sübject to 3 the direction, •if any, issued by the Cane Commiss,oner. The Secretary of the Council shall maintain proper accounts, registers •d vouchers of all income and expenditure which shall be audited annually, ' and the Council shall remove ali the audit objections to the satisfaction o? the Cane Commissioner. Explanation. —The term "Scheduled Bank" in nis section shall have the same meaning as is assigned to it in the Reserve Bank of India Act, 1934 (11 of 1934)

12. Omitted., 13. The Secretary of the Council may, subject to the control of the Chairman of the Council, convene meetings of the Council as oft as may be necessary and shall do so when required by any two members of the Council. He shall circulate the agenda, keep the minutes of the meetings, carry on correspondence on behalf of the Council discharge such other functions as may be necessary. He shall forward a copy of the minutes of every meeting to the Cane Commissioner within a week of the date on which it is held

14. The procedure prescribed in Appendix 11 to these rules shall be followed at the meeting of a Council



CHAPTER V—INSPECTORS 15. The Cane Commissioner, the Additional Cane Commissioner, Deputy Cane Commissioner, the Director of Agriculture, the Director of Industries, Registrar of Co-operative Societies, State Marketing Officer and Cane Development Officer shall be ex officio Inspectors for the whole of the State. The Collectors, the Deputy Director of Agriculture, District Agriculture Officer, Zonal Cane Officer and the Block Development Officer shall be the ex officio Inspectors within their respective jurisdictions. 16. Every Inspector may within the local limits of his jurisdiction and with such assistance as may be necessary— (a) enter any factory or other place which is used or which he has reason to believe is being used as a purchasing centre or for the maintenance of any registers, accounts or other documents relevant thereto; (b) examine the weighbridge or weights used, kept or possessed for the weighing or purchase of cane; (c) cause any vehicle carrying cane or other consignments of cane to be weighed or re-weighed in his presence; (d) check weighments, purchases and payments made; (e) inspect factory roads, cattle-sheds, cattle troughs and lighting arrangements made for weighments of cane; (f) examine the record showing the amounts of cane purchased and crushed; (g) (h) (j) (10 4 call for from the occupier of a factory any information relating to the purchase, supply and crushing of cane; issue from time to time such instructions as may be necessary to ensure equitable purchase of cane; examine any record, registers, accounts or documents of Cane grower's Co-operative Societies; examine any record, register or document or call for any information relating to the payment of cess, commission and price of cane; and take into his possession and remove from the premises of factory or purchasing centre such records, registers, documents statements and returns, maintained or caused to be maintained by the occupier of a factory or a purchasing agent as he may require for the purpose of any enquiry or examination. (I) Omitted. CHAPTER VI—RESERVATION AND ASSIGNMENT OF AREA 17. (I) The occupier of a factory shall, before the commencement of crushing season, apply to the Cane Commissioner in

Form I, for the reservation or assignment of an area for supply of cane to the factory during the ensuing crushing season. (2) The Cane Commissioner may, for any special reason entertain an application for reservation or assignment of an area, made after the commencement of a crushing season. (3) Every such application shall be accompanied • by {a treasury receipt showing that a fee of rupees two has been deposited in the local treasury



13. In reserving an area for or assigning an area to factory or determining the quantity of cane to be purchased from an area by a factor under section 15, the Cane Commissioner may take into consideration—(a) (b) (c) (d) (e) (g) 19. An the distance of the area from the factory; facilities for transport of cane from the area; the quantity of cane supplied from the area to the factory previous years; previous reservation and assignment orders; the quantity of cane to be crushed in the factory; . the arrangement made by the factory in previous years of payment of cess, cane price and commission; and the views of the Cane-grower's Co-operative Society of the area. appeal. to be preferred under section 18 of the Act shall be submitted in triplicate to the State Government. CHAPTER VI—CANE-GROWER'S REGISTER 20. The occupier of a factory shall prepare register to be called the Cane-grower's B Register, in respect of a reserved area in.



Form 2, and it shall be open to inspection by every Cane-grower

21. Any Cane-grower having ordain?ng to have grown sugarcane in a reserved area may apply to the occupier of the factory for the correction of an entry in, or the addition of a new entry to the Cane-growers' Register.The occupier of a factory shall keep a record of these applications.

22. The occupier of the factory shall, after such inquiry as he considers necessary, pass order On the application Within 14 days Of its receipt, and shall of such order free of charge to the applicant.An appeal from the order of the occupier of the factory shall lie to the Collector having jurisdiction, before the expiry of thirty days from the date of the receipt of the order.' **23. .** The occupier of a factory shall, on an application made to him in writing and on payment of fee of twenty-five Na Paise per Cane-grower, furnish to any person a copy of the entries in the Cane-growers' Register in respect of any cane-grower

24. The Cane-grower's Register shall be preserved by the occupier of factory for a period of two years following the crushing season to which it relates

CHAPTER VIM—WEIGHTMENTS **25, All transactions in connection With the purchase and supply of cane shall be made according to the maund 82.2/7 lbs. avoirdupois or quintal**

26. No cane shall be purchased without actual weightment

27. The net weight of cane shall be correctly recorded to the nearest eighth of a maund or equivalent in quintal

28. The occupier of a factory or a purchasing agent shall permit representatives of a Cane-growers' Co-operative Society or any other person, duly authorised by the Cane Commissioner in this behalf to watch or check weightments, weighbridges and weights and to examine the 'Parchas' in which weights and prices of cane are recorded.**29. -**An occupier of factory or a purchasing agent shall not use, keep or possess for weightment of Cane— (a) scales or weights which are incorrect ; Provided that if a weighbridge is incorrect up to one per cent, the weightment may not be stopped, but extra allowance in weight and price shall be made to the supplier of cane according to the extent of the mistake detected. • No deductions shall be permissible for incorrectness; (b) 6 scales, the arms of which are not legibly marked in Devanagari characters on both sides and are not accessible to the vendors of cane and their authorised agent and are not legible to persons standing near the carts which are being weighed; or scales or weights which have been disapproved by an Inspector

30. All weights used, kept or possessed for the purchase of cane shall be made of iron, brass or other suitable metal and shall be clearly stamped or marked to indicate the denomination

31. The part of the mechanism of a weighbridge by which its adjustment is controlled, shall be kept suitably sealed and locked

32. All weighbridges and weights used, kept or possessed for purchase of cane shall, at all times without notice be made available for inspection and test when required by an Inspector or such other person as may be authorised by the Cane Commissioner

33. Standard weights of ten maunds or 3.73 quintal in the aggregate shall be kept by the occupier of factory or the purchasing agent concerned, as the case may be, at any purchasing centre where there is a weighbridge

34. An occupier of a factory or a purchasing agent shall cause all weighbridges used, kept or possessed by him for the purchase of cane to be tested daily and shall maintain record of such test which shall on demand be shown to the Inspector

35. At any purchasing centre adequate facilities for weightment shall be provided to the satisfaction of the Cane Commissioner by the occupier of factory to avoid congestion and undue delay in weightment.' Cane carts and trucks shall not be kept waiting for more than ten hours without adequate reasons. Explanation —A, cart shall not be deemed to have been kept waiting unduly if the supplier of cane, having received instructions in writing to deliver cane on a certain day, ignores such instructions or where the practice of issuing written instructions is in force, brings cane without receiving such instructions

36. The occupier of a factory shall—(a) provide metalled approaches from the public roads to the parking ground at the factory premises, from the parking ground to the cane carrier of factory, and metalled exits from

the cane carrier to public roads, up to such distances as may be directed by the Cane Commissioner and keep the same in proper state of repairs; (b) provide to the satisfaction of the Cane Commissioner reasonable space with metalled tracks separated by railings and walls and properly lighted, for parking of carts waiting for weighing and keep the same in a proper state of hygienic cleanliness; (c) provide shelter and drinking water facilities for both cartmen and bullocks at the factory gate and drinking water facilities at all purchasing centres as directed by the Cane Commissioner; and (d) provide such other facilities as may be directed by the Cane Commissioner from time to time

37. Weighments of cane shall not be made more than half an hour after sunset unless lighting arrangements approved by an Inspector as sufficient for the easy reading of the scale arms are made and maintained

38. No deductions shall be made from the weight of cane on the ground that the cane is improperly stripped or any other ground except in so far as it may be permissible under any order or direction of the Central Government. 3. The occupier of a factory or a purchasing agent shall provide adequate labour for loading and unloading of cane at each purchasing centre

CHAPTER DC—PAYMENTS 40. Payments of the price of cane shall be made on the recorded weight of the cane at the purchasing centre. The price shall be calculated to the nearest Naya Paisa

41. Payments for cane shall be made only to the Cane-grower or his representative duly authorised by him in writing to receive payment or to a Cane-growers' Co-operative Society

42. Where dispute arises regarding the price of cane supplied or the claimants to the price or the "Parchas" under which payments are claimed, payment to the claimants to the extent of disputed amount may be withheld pending enquiry. All such cases shall be entered in a register and shall be immediately referred to the Collector for orders. An appeal against the orders of the Collector shall lie to the Commissioner within 30 days of the communication of the order: Provided that whenever payment to the claimant is withheld under this rule, the occupier of the factory or the purchasing agent, as the case may be, shall forthwith deposit the amount in dispute in the Court of the Collector

43. The occupier of a factory or a purchasing agent shall not make any deduction from the amount due for cane sold to him by a Cane-grower or Cane-growers' Co-operative Society: 8 Provided that recovery of the dues of a Cane-growers' Co-operative Society or Cane Development Council may be made by deduction from the price payable for cane

44. Omitted

CHAPTER X—COMMISSION ON PURCHASE OF CANE 45. The occupier of factory shall pay a commission for the cane purchased at the following rates, namely :— (i). Where the purchase is made through a Cane-growers' Co-operative Society, at the rate of 5 Naye Paise per maund out of which 2 Naye Paise shall be payable to the Society and 3 Naye Paise to the Council. (ii) Where the purchase is made directly from the Cane-grower, at the rate of 5 Naye Paise per maund, payable to the Council

46. In determining the proportion in which payments out of the commission shall be made to the Council and the Cane-growers' Co-operative Society of an area the State Government may take into consideration the financial resources and the working requirements of the Council and the Cane-growers' Co-operative Society

47. Necessary adjustments in the payment of the commission to Council or Cane-growers' Co-operative Society in respect of crushing season shall be made before the end of that season

CHAPTER XI—CANE-GROWERS' CO-OPERATIVE SOCIETIES 48. (1) This chapter shall apply to Cane-growers' Co-operative Societies recognised for the purposes of the Act. (2) A Cane-growers' Co-operative Society may apply to the Collector for recognition. The application will be accompanied by a declaration that the Society desires to be admitted to the benefits of the provisions of the Act and the rules framed thereunder and that it shall abide by the provisions of the Act and the rules made thereunder and the instructions issued by the Cane Commissioner from time to time. On receipt of the application the Collector may recognise the Society after such enquiry as he deems fit

49. The terms and conditions of service including the qualifications, grade and scale of salaries of the permanent as well as temporary staff of Cane-growers' Co-operative Societies shall be determined by the Collector subject to the approval of Cane Commissioner

50. The strength of staff to be maintained by a Cane-growers' Co-operative Society shall be fixed by the Cane Commissioner or an officer authorised by him in that behalf, with due regard to the working requirements and financial resources of the Society. 9 51 The power to appoint; grant leave of absence, to punish, dismiss, transfer and control Secretaries, Assistant Secretaries and Accountants of Cane-growers' Co-operative Societies whether permanent or temporary, shall be exercised by the Collector subject to the general control of the Cane Commissioner, who may rescind or modify any order of the Collector; Provided that the Cane Commissioner may himself exercise any of such powers in case of emergency

52. The powers referred to in rule 51 may be exercised by the Society in respect of the other staff, to the general control of the Cane Commissioner

53. The Cane Commissioner may after calling for explanation from a Cane-growers' Co-operative Society and for reasons to be recorded in writing, declare inoperative any decision or resolution passed by the Society or make such other order as he may deem fit

54. All arrangements in connection with the buying, sale and supply of cane by Cane-growers' Co-operative Societies shall be in accordance with such general or special instructions as may be issued by the Cane Commissioner from time to time

55. Every Cane-growers' Co-operative Society shall prepare a budget annually and submit it for sanction to the Cane Commissioner not later than thirty days before the commencement of the year. 56. (1) No expenditure shall be incurred unless it has been provided for in the budget as sanctioned. (2) In an emergency or to meet an unforeseen contingency the Cane Commissioner may order expenditure on any specified item from the funds of Cane-growers' Co-operative Society: Provided that such expenditure is in furtherance of the objects of the Society

57. If the Cane Commissioner finds that the management of a Society or any member thereof is misusing the resources of the Society or is utilising its funds against the provisions of the law relating to Co-operative Societies for the time being in force, the rules or the byelaws of the Society or any instructions of the Cane Commissioner he may by order prohibit the Society or the member concerned from incurring the expenditure or the liability, and the Society or the member concerned, as the case may be, shall be bound by such order

58. Where the Cane Commissioner is satisfied that the Managing Committee or the Governing Body of a Cane-growers' Co-operative Society have persisted in conducting its affairs in a manner prejudicial to the interests of the Society or its members or in violating the provisions of its byelaws, the Act or the rules made thereunder or any instructions of the Cane Commissioner, he may, after calling for explanation, from the Managing Committee or the Governing Body, either withdraw its recognition or suspend the Committee or the Governing Body in whole or in part as a temporary measure and entrust the management of the Society to an administrator or committee of administration for such period and with such powers as he may consider necessary

59. An appeal against an order of the Cane Commissioner under the provisions of this chapter shall lie to the State Government before the expiry of 30 days from the date of the communication of the order to the Society or, to the member concerned

CHAPTER XII—COLLECTION OF CESS 60. The Collector shall be the authority empowered to assess and collect cess

61. The occupier of a factory shall maintain a correct account day to day in



Form 3, of the cane entering the area specified in the notification under section 23.62. (1) Before the close of each month the occupier of a factory shall submit. to the Collector, a return in Form 4, showing the quantity of cane that has entered the specified area during the month immediately preceding. (2) Within 15 days of the close of the crushing season the occupie of a factory shall deposit - the cess leviable on the total quantity of cane which has entered the specified area during the crushing season and shall send the treasury receipt showing the amount 'of cess deposited to th Collector

63. The Collector shall check the amount of cess deposited by th occupier of the factory from' the returns submitted under rule 62 and see i the full amount of cess due from the occupier has been credited into th Treasury.If the Collector finds that the full amount of cess due from th occupier of the factory has not been deposited he shall by a written notic call upon the occupier to deposit the amount due from him within the perio Encified in such a notice and the occupier shall deposit the amount withi period specified



CHAPTER XIII—DETERMINATION OF OCCUPIER 64. •A notice of nomination of a person as "occupier of a factory" under section 25 shall be given to the Cane Commissioner and the Collector in



Form 5

65. The person nominated as "occupier of factory" under section shall deposit as security a sum of rupees one thousand in cash or in Government securities of the market value of rupees one thousand or post office cash certificates of the present encashment value of rupees one thousand. Such security shall be deposited with Collector and shall be retained so long as that person acts as occupier of the factory: 11 Provided that, for reasons to be recorded in writing, the Collector may dispense with the security deposit or permit the deposit of such smaller amount as security, as he may think proper.

66. The State Government shall have the first charge on such sum for the recovery of any fine or penalty due from the factory under the Act or the rules made thereunder.

CHAPTER XIV—LICENSING OF PURCHASING AGENTS 67. An application for licence to act as a purchasing agent shall be made in Form 6, to the Collector of the district in which the applicant wishes to purchase cane: Provided that if the applicant wishes to purchase cane in more than one district, he shall apply for a licence to the Collector of any one of such districts and for endorsement thereon in accordance with Rule 74 to the Collectors of other districts. 68. Such application be stamped and accompanied by— (a) a treasury receipt showing that a licence fee of rupees five has been deposited in the local treasury; (b) nomination from the occupier of the factory concerned in Form 7; and (c) a declaration that the applicant does not hold a licence for any other district. 69. (1) The applicant shall deposit as security a sum of rupees two thousand in cash or Government securities of the market value of rupees two thousand or post office cash certificates of the present encashment value of rupees two thousand. Such shall be deposited with the Collector to whom application for licence is made. Such security shall be retained so long as the applicant continues to work as a purchasing agent and for six months thereafter. (2) State Government will have the first charge on such sum or property for the recovery of any fine or compensation due from the purchasing agent on his employees under the Act or the rules made thereunder: Provided that for reasons to be recorded in writing, the Collector may dispense with the deposit of security in part or whole, as he may deem fit.

70. An application for licence of purchasing agent may be sent by registered post or presented in person or through an authorised representative.

71. On receipt of such application the Collector may issue a licence in



Form 8, if he is satisfied that the applicant—(i) is not minor or a pardanashin lady or an undischarged insolvent or a person of unsound mind; i/ 12 (ii) has not been convicted within two years next preceding of au, offence under the Act or the rules framed thereunder, other than one which is, in the opinion of the Collector, of technical nature and not such as to justify the refusal of a licence; (iii) has not been convicted of an offence involving moral turpitude; and (iv) is not a company, firm or other association of persons.

72. A 'licence shall remain in force up to the' 31st March-of next; following year and may be renewed from time to time on application being made to that effect by the purchasing agent in writing to the Collector granting the licence, in the same manner and on the same conditions as if it were an application for a new licence. On the expiry of a licence it shall, if, not renewed, be returned to the Collector who issued it. - 73.

A licence shall ordinarily authorise purchases being made at one purchasing centre only to be satisfied therein but the Collector may at his discretion authorise purchases to be made at not more than three purchasing centres in the district in which case no separate security shall be required

74. A licence shall be valid only for the local limits of the district of which it has been granted, If a purchasing agent desires to purchase cane in any district other than that covered by the licence, an application to that effect shall be made to the Collector of such other district for an endorsement on the licence making it valid for such district also. Unless there are valid reasons to the contrary, such endorsement shall be made and no extra charge shall be made therefor. 75. A licence shall be valid for making purchases on behalf of only one factory. If a purchasing agent desires to purchase cane for more than one factory, he shall be required to obtain a separate licence for each such factory. Such licence may be granted if— (a) the Collector is satisfied that the issue of another licence will not adversely affect the applicant's work as purchasing agent under the licence already held by him; and (b) the consent in writing of the occupiers of all factories on whose behalf he already holds licences, is produced before the Collector

76. Pending the receipt of a licence or an endorsement thereon for which any application has been made, the applicant may purchase cane for supply to the factory concerned on the authority of a certificate signed by the occupier of such factory. Thereupon the applicant shall be liable for the purchase of cane made by him in the same manner as if he had been a duly licensed purchasing agent. An occupier of factory who signs such a certificate, shall— (i) state therein that the applicant has made the application for the licence or endorsement, as the case may be, to the Collector concerned -and that the occupier of the factory has satisfied himself that the applicant is not subject to any of the disabilities mentioned in rule-71; (ii) forward within twenty-four hours of the issue of the certificate a copy thereof to the Collector and to the Inspector within whose jurisdiction [he applicant intends to purchase cane; and (iii) be liable under these rules for the purchase of cane made on the authority of such certificate in the same manner and to the same extent as if they had been made by a duly licensed purchasing agent

77. If a licence or an endorsement thereon, for which an application has been made, is refused by the Collector, the certificate, if any, on the authority of which the applicant has been operating pending the grant of a licence or an endorsement thereon, shall cease to be valid within seventy-two hours of the receipt of intimation of such refusal by the occupier or the factory. 78. A licence of purchasing agent shall be cancelled by the Collector who issued the licence if— (i) he receives an application to that effect from the occupier of the factory concerned; or the purchasing agent is adjudged insolvent or becomes of unsound mind

79. A licence granted to purchasing agent may be cancelled or an entry of warning may be made thereon by the Collector who issued the licence, for breach of any provision of the Act or the rules made thereunder or of any instructions issued by the Cane Commissioner from time to time. An endorsement on a licence of a purchasing agent may be cancelled or an entry of warning may be made thereon for similar reasons by a Collector who endorses the licence. In such case the Collector shall send intimation of the orders passed by him to the Collector who granted the licence for such action, he may deem fit

80. No order for the cancellation of a licence or an endorsement thereon, shall be made, until an opportunity for explanation has been given to the purchasing agent and reasonable notice to the occupier of the factory concerned. Pending inquiry under this rule the Collector may suspend a licence or an endorsement thereon, but such suspension shall not take effect until after the expiry of seventy-two hours from the giving of notice thereof to the occupier of the factory. 813 An appeal shall lie to the Cane

Commissioner from an order of the Collector suspending or refusing to grant a licence. Such appeal shall be before the expiry of thirty days from the date of the communication of the order of the Collector. The order of the Cane Commissioner on appeal shall be final. 14 CHAPTER XV—LICENSING OF OTHER EMPLOYEES 82. No person shall be employed by the occupier of a factory or by a purchasing agent to do any transaction for the purchase of cane including survey and preparation of lists of cane-growers or allotment and distribution of requisition slips for cane, unless he has been licensed by the Collector of the district in which such transaction takes place. The fee for each such licence shall be one rupee

83. An application for licence under rule 82 shall be made in Form 9, to the Collector of the district in which the applicant wishes to carry an transaction in connection with the purchase of Cane. Such application shall be accompanied by— (a) treasury receipt showing that the licence fee prescribed under rule 82 has been paid; (b) a nomination form from the occupier of the factory or the purchasing agent concerned in Form IO. An application may be made jointly for more than one employee but the licence fee of one rupee shall be payable for each employee: Provided that an occupier of a factory or a purchasing agent shall not nominate any person dismissed from the service of Cane-growers' Co-operative Society supplying cane to the factory, within three years of his dismissal



84. On receipt of an application for licence under rule 83 the Collecto may issue licence in



Form 11. Before granting a licence under this rule the Collector may demand a security not exceeding rupees one hundred or Government securities for the due observance of the conditions of the licence.

85. The security prescribed in rule 84 shall remain in deposit with the Collector throughout the period of the licence and for six months thereafter. State Government will have the first charge on such security for the recovery of any fine imposed on the licensee under the Act or these rules.

86. The Collector may cancel licence issued under rule 84 for breach of any provision of the Act or these rules or any condition of the licence, without prejudice and in addition to any other penalty which the licence may have incurred under the Act, or the rules made thereunder. No order for the cancellation of the licence shall be issued until an opportunity for hearing has been given to the employee concerned and to the occupier of the factory who has nominated him. Pending inquiry under this rule the Collector may suspend a licence, but such suspension shall not take effect until the expiry of seventy-two hours from the giving of notice thereof to the occupier of the factory concerned.

87. A licence issued under rule 84 shall be cancelled on the application of licensee's employer. 15 88. An appeal from the order of the Collector refusing, suspending or cancelling a licence shall lie to the Cane Commissioner before the expiry of thirty days from the date of the communication of the order. The decision of the Cane Commissioner shall be final.

CHAPTER XVI—NOTICES 89. The occupier of a factory or the purchasing agent, as the case may be, shall cause to be put up at each purchasing centre in Hindi— 90. (a) a copy of an abstract of these rules; and (b) a notice of suitable size in clear bold letters showing the minimum price of cane fixed by Government and the rates at which cane is being purchased at the centre. Such notice shall be put—L (a) at each entrance to the factory; b) at the place at which weighments of cane are made for the factory; and (c) at such other conspicuous places near the places mentioned in clauses (a) and (b) as the Collector or an Inspector may direct.

CHAPTER XVII—REGISTERS AND RECORDS 91. (1) An occupier of factory or a purchasing agent shall prepare and cause to be prepared at each purchasing centre a "Parcha" in triplicate showing correctly— (a) the serial number of the "Parcha"; (b) the date of purchase; (c) the name of the person from whom the cane is purchased with his parentage and full address together with similar particulars about the person, if any, authorised by the vendor to deliver cane on his behalf; (d) the number of the requisition slip or "purzi" issued to the (e) (g) vendor; the gross weight of the cane, including the weight of the vehicle in which the cane is brought; the weight of the vehicle in which the cane was brought; the weight of the binding material to be deducted; the weight of the cane purchased; the rate at which the cane is purchased; and the price that has to be paid for cane at that rate. 14 CHAPTER XV—LICENSING OF OTHER EMPLOYEES 82. No person shall be employed by the occupier of a factory or by purchasing agent to do any transaction for the purchase of cane including survey and preparation of lists of cane-growers or allotment and distribution of requisition slips for cane, unless he has been licensed by the Collector of the district in which such transaction takes place. The fee for each such licence shall be one rupee.

83. An application for licence under rule 82 shall be made in Form 9 to the Collector of the district in which the applicant wishes to carry on an transaction in connection with the purchase of Cane. Such application shall be accompanied by— (a) treasury receipt showing that the licence fee prescribed under rule 82 has been paid; (b) a nomination form from the occupier of the factory or the purchasing agent concerned in Form IO. An application may be made jointly for more than one employee but the licence fee of one rupee shall be payable for each employee: Provided that occupier of a factory or a purchasing agent shall not nominate any person dismissed from the service of Cane-growers' Cooperative Society supplying cane to the factory, within three years of his dismissal.

84. On receipt of an application for licence under rule 83 the Collecto may issue licence in



Form 11. Before granting a licence under this rule the Collector demand a security not exceeding rupees one hundred or Government securities for the due observance of the conditions of the licence

85. The security prescribed in rule 84 shall remain in deposit with the Collector throughout the period of the licence and for six months thereafter State Government will have the first charge on such security for the recovery of any fine imposed on the licensee under the Act or these rules

86. The Collector may cancel licence issued under rule 84 for breach of any provision of the Act or these rules or any condition of the licence, without prejudice and in addition to any other penalty which the licence may have incurred under the Act, or the rules made thereunder. No order for the cancellation of the licence shall be issued until an opportunity has been given to the employee concerned and to the occupier of the factory who has nominated him. Pending inquiry under this rule the Collector may suspend a licence, but such suspension shall not take effect until the expiry of seventy-two hours from the giving of notice thereof to the occupier of the factory concerned

87. A licence issued under rule 84 shall be cancelled on the application of licensee's employer. 15 88. appeal the order of the Collector refusing, suspending or cancelling a licence shall lie to the Cane Commissioner before the expiry of thirty days from the date of the communication of the order. The decision of the Cane Commissioner shall be final

CHAPTER XVI—NOTICES 89. The occupier of a factory or the purchasing agent, as the case may be, shall cause to be put up at each purchasing centre in Hindi— 90. (a) a copy of an abstract of these rules; and (b) a notice of suitable size in clear bold letters showing the minimum price of cane fixed by Government and the rates at which cane is being purchased at the centre. Such notice shall be put— (a) at each entrance to the factory; (b) at the place at which weighments of cane are made for the factory; and (b) at such other conspicuous places near the places mentioned in clauses (a) and (b) as the Collector or an inspector may direct

CHAPTER XVII—REGISTERS AND RECORDS 91. (1) An occupier of a factory or a purchasing agent shall prepare and cause to be prepared at each purchasing centre a "Parcha" in triplicate showing correctly— (a) the serial number of the "Parcha"; (b) the date of purchase; (c) the name of the person from whom the cane is purchased with his parentage and full address together with similar particulars about the person, if any, authorised by the vendor to deliver cane on his behalf; (d) the number of the requisition slip or "purzi" issued to the vendor; (e) the gross weight of the cane, including the weight of the vehicle in which cane is brought; (f) the weight of the vehicle in which the cane was brought; (g) the weight of the binding material to be deducted; (h) the weight of the cane purchased; (i) the rate at which the cane is purchased; and (7) the price that has to be paid for cane at that rate. 16 (2) The entries under items (e) and (f) or sub-rule (1) shall be made and announced in the presence of the person who actually delivers the cane while the vehicle is still standing on the weighbridge, and in the case of weighing on beam scales immediately on completion of the weighing entries under items (a) to (d) shall be made as soon as weighing takes place; and entries under items (g) to (j) shall be made as soon as the empty cart is weighed

92. The "Parcha" referred to in rule 91 shall be handed over in duplicate to the person from whom cane is purchased or to his authorised agent before the person or his authorised agent leaves the weighbridge. The triplicate counterfoil shall be kept at the purchasing centre

93. When payment is made for cane purchased, the receipt of the pay shall be taken on one of the counterfoil of the "parcha" handed over to him in accordance with the provisions of rule 92: Provided that if a number of "parchas" are presented together for payment, the receipt, of the payee for the whole amount due to him may be taken only on the last "parcha". In such case the number of or other references to, the other "parchas" covered by the receipt shall be given in the receipt and the other purchase shall be cancelled

94. An occupier of a factory and a purchasing agent shall maintain or cause to be maintained, at each purchasing centre, a register or record, showing correctly the particulars mentioned in items (a) to (f) of sub-rule (1) of rule 91, in addition to the following (i) the amount of authorised deduction, if any; (ii) the amount actually paid in cash; (iii) the amount paid otherwise than in cash, if so authorised; (iv) date of payment. 95. (1) An occupier of a factory shall maintain or cause to be maintained, except in respect of cane purchased through a Cane growers' Co-operative Society separately for each cane-grower, an account containing the following particulars:— (i) name of the supplier (with the necessary details to

ensure his identity, e. g., father's name, address, etc.); (ii) date of purchase; (iii) the rate per maund paid for cane; (iv) serial number(s) of the relevant parcha(s); (v) net weight of cane purchased; (vi) progressive total weight of cane purchased; (vii) amount due for cane purchased; (viii) progressive total amount due for cane purchased; (ix) amount paid for cane purchased; (x) progressive total amount paid for cane purchased. 17 (2) When the cane is supplied through a Cane-growers' Co-operative Society, the Society shall maintain the account referred to in sub-rule (I) in respect of each of its members. In addition, this account shall also show deductions, if any, made from the price of cane payable to a member. A separate register or record shall be maintained for each factory to whom cane is supplied. 96. An occupier of factory or a purchasing agent shall maintain or be maintained at, each purchasing centre an inspection book in which Inspectors or other persons authorised by the Cane Commissioner, may record their remarks and instructions. register and records maintained and copies of counterfoils or "parchas" issued, including or counterfoils of the "parchas" containing the receipts of the payees, shall be kept at the purchasing centre until they are finally closed for the year. They shall be open to inspection and check by an Inspector or such other public servant as may be appointed by him for the purpose: Provided that the registers and records may be taken for check to the factory once in a calendar month and retained therefor a period not exceeding twenty-four hours at a time when no purchases of cane are being made at the purchasing centre. 98.3 The registers, records, "parchas", etc., referred to in this Chapter shall be preserved by the occupier of the factory or the Cane-growers' Co-operative Society concerned for two years, from the date of the last transaction entered therein

99. The occupier of a factory shall submit correct returns relating to the production and sale of sugar and purchase of cane in such form, by such date and such authority as may be directed by the Cane Commissioner

100. An occupier of a factory shall maintain or cause to be maintained for each purchasing centre an abstract in the following form regarding the purchases of cane and payment of cane price and commission and send a copy thereof to the Cane Commissioner, or to any authority specified by the Cane Commissioner, in respect of each month' by the 14th day of the next following month (i) period from.... 1. (ii) quantity of cane purchased. (iii) rate. (iv) price of cane due. (v) price paid. (vi) balance of price due up-to-date. (vii) commission due to Societies. (viii) commission due to Councils. (ix) commission paid to Societies. (x) commission paid to Councils. 18 (xi) balance of commission to date. (xii) cane cess due. (xiii) cane cess paid. (xiv) balance of cess to date

CHAPTER XVIII—MANUFACTURE OF SUGAR 101. The Cane Commissioner may, by order, require the occupier of factory to submit to him or to any other authority specified in such order any information, return or statement relating to the production, supply a crushing of cane; the manufacture of sugar including its costs, the quantity and grade of sugar manufactured; in stock and issued; and the quantities which such sugar is sold

102. The Cane Commissioner may examine or cause to be examined by a person duly authorised by him in this behalf—(a) any machinery used, kept or possessed for the production of sugar; (b) such register, returns, accounts and documents as in opinion are relevant for the purpose of checking the recovery of sugar or for estimating the capacity of a machinery or any part thereof

CHAPTER XIX—ARBITRATION 103. The Cane Commissioner, or the arbitrator nominated by him under section 24 shall have power to administer oath and to require the attendance of the parties concerned and of witnesses and production of all books and documents relating to the matter in dispute.

104. (1) In these proceedings the Cane Commissioner or the arbitrator nominated by him under section 24 shall fix the date, time and place for hearing of the dispute and carry on the necessary correspondence in connection with the disposal of the case. (2) The summons and notices in these proceedings shall be served by registered post or by personal service or by affixing copies at the known residence or place of business of the person concerned

105. The arbitrator nominated by the Cane Commissioner under section 24 shall give an award within the time originally fixed or as extended by the Cane Commissioner, failing which the Cane Commissioner may decide the dispute himself, or appoint another arbitrator for the purpose : Provided that no award shall be invalid merely on the ground that it has been given after the expiry of the time fixed by the Cane Commissioner 19 CHAPTER XX—FORFEITURE OF SECURITIES 106.

The Collector may by order in writing forfeit in whole or in part, any security deposited with him under these rules after giving the occupier of a factory or a licensee an opportunity of explaining the charges against him and of producing evidence in his defence

107. An appeal against an order under rule 106 shall lie to the Cane Commissioner within thirty days of the date of communication of the order to the person whose security is forfeited. The order of the Cane Commissioner in appeal shall be final

108. The Collector or the Cane Commissioner in appeal, may order compensation to be paid out of the forfeited security to any person who has suffered loss owing to the misconduct of the occupier of a factory or licensee

109. The Collector may order the payment of any sum payable under an award given under the Act by forfeiture of the security deposited with him. CHAPTER XXI—POWER TO EXEMPT FROM RULES 110. Omitted. APPENDIX 1 Rules Of Procedure at Meetings of the Sugarcane Board (Rule 7) I. At all meetings of the Board four members inclusive of the Chairman shall form a quorum

2. Notice of resolution or a motion to be moved at a meeting, of the Board, other than the first meeting, shall be sent to the Secretary of the Board at least eight days before the date fixed for such meeting

3. The Secretary of the Board shall send to each member at least four days before the date fixed for a meeting other than an emergency meeting a notice of the business to be brought forward at the meeting

4. No business other than that contained in the agenda sent to members shall be transacted at meeting except with the consent of the Chairman

5. No motion or amendment shall be discussed at a meeting unless it is seconded

6. Every question shall be decided by a majority of vote of the members present. In case of the votes being equally divided, the Chairman shall have a casting vote. 20 7. The Chairman shall be the sole judge of any point of order and may, if necessary, dissolve the meeting or adjourn it to any other day

8. If at any meeting there is no quorum, Chairman shall adjourn the meeting to any subsequent date and no quorum shall be necessary for such an adjourned meeting

9. In any case not provided by these rules the procedure shall be in accordance with the ruling of the Chairman, APPENDIX 11 Rules of Procedure at Meetings of Cane Development Councils (Rule 14) I. All meetings of the Council shall be held at a place notified by the Secretary of the Council with the approval of the Chairman

2. Notice in writing of meeting of the Council and the agenda shall be circulated to all members of the Council not less than one week before the meeting. Notice of a resolution or motion to be moved at a meeting of the Council shall be made available to the Chairman of the Council at least ten days before the meeting

3. All meetings of the Council shall be presided over by the Chairman of the Council. In the absence of the Chairman the members present shall elect a Chairman from among themselves. - 4.9 At meeting of the Council one third of the members, inclusive of the Chairman shall form a quorum

5. No business other than that contained in the agenda shall be transacted at a meeting except with the approval of the Chairman

6. A motion or amendment may be withdrawn with the permission of the Chairman by any member who has given notice thereof

7. Every question shall be decided by a majority of votes of members present. In the case of votes being equally divided, the Chairman shall have a second or casting vote

8. The Chairman shall be the sole judge of any point of order, and may call any member to order and may, if necessary, dissolve the meeting or adjourn it to any other day

9. In any case not provided by these rules the procedure shall be in accordance with the ruling of the Chairman.

FORM I Application for Reservation and Assignment of Area [Rule 17 PART A Name and address of the applicant factory... . Name(s) and address(es) of the occupier(s) of the factory (1) (2) (3) (4) (5) (In case a nomination has been made, • individual so nominated 3. Model crushing capacity Of the Mills.. (a) Last season. (b) New.... mention only the name of -4. 196 196 196 Particulars of crushing of cane in the last three seasons— Quantity crushed in lakh maunds or quintals (2) Date of Number Of working days (3) Starting (4) Closing (5) Remarks (6) (1) -196 -196 -196 Average of three seasons...

5. Particulars of payments of cess, cane price and commission. Balance due In rest Of the last crushing season in respect of Total of Nature of dues seasons Amount Amount paid (4) Balance columns Remarks before the last season due (3) (5) (6) (7) Commission. . Cane price. Total... 22 6. Particulars of purchases, if any, at more than the minimum can price during the last crushing season. Name of purchasing centre (1) Increased rate Of From purchase (2) (3) Period To (4) Quantity purchased at increased rate (5) Remarks (6) 7. Assuming that the last year's area would be available to the facto give the expected duration of the season: Days.... from.



8. Loans, itany, advanced by the Mills.Particulars Of rates (1) Total amount advanced (2) Total amount to be realised during the season (3) Reference to the Cane Commissioner's order sanctioning advance Of loan (4) Remarks (5) 9. Requirement of wagons, assuming the availability of last yea area. Number of wagon Broad gauge Meter gauge PART B Names of purchasing centres that may be reserved or assigned. (1) Name of centre (2) Rail or road (3) To be reserved or assigned (4) Whether reserved or assigned for the mills last season , (yes or (5) Quantity Of cane supplied last season (in lakh maunds or quintals) (6) Estimated Acre- supply Name of age (in lakh Co-opera- Re this maunds tive Society season or quintals) (7) (8) (9) (1 23 11. Any new road or rail proposed to be opened. Name Of centre (1) 11. Name of cent (1) Rail, road (2) Distance from the factcry, exact location (3) Names of villages to be effected (4) Tahsil Dβtrict (5) Any new road or rail proposed to be opened. Rail, road (2) Distance from the factory, exact location (3) Names of villages to be effected (4) Tahsil District (5) Whether village already reserved for the Mills (6) Whether village already reserved for the Mills (6) Remarks (7) Remarks (7) 12. Names of villages' proposed to be added to or deleted or transferred from the existing lists of vjllages attached to various centres. Name of village (1) Date.... Proposed to At present District be deleted/ Tahsil (2) attached to centre (3) added/ transferred (4) Name of centre to which it may be attached (5) Remarks (6) Signature of Occupier of the Factory 24



FORM 2 Cane-grower's Register (Rule 20) Name of village, pargana or district..... .. Name of factory..
 Name of purchasing centre..... Khasra number Of plots und@r cane in his culti- vation (5) Area under
 Cane IMPROVED Amount Of Remarks cane bonded Z (1) Name Of cane-grower with father'S name (2)
 Quota Total of holdings supply (4) Desi (6) Ratoon (7) Plant (8) (9) (3) Local area.... Carts FORM 3 (Rule
 61) Quantity which entered local area (Maunds or Quintals) (10) Total Date Date.. Lorries Rail Others
 Signature of Occupier Return for calendar month. Local area... Quantity Of cane which entered local area
 Date 1/We. .. have nominated the.... .. 25 FORM 4 [Rule 62 (1) | Amount Of cess due and credited into
 treasury Number and date of treasury challan or receipt Signature of Occupier FORM 5 Notice of
 Nomination (Rule 64) .hereby give notice that Ilwe .to be the occupier of . factory for the purpose of the
 Madhya Pradesh Sugarcane (Regulation of Supply and Purchase) Act, 1958 and that he has accepted the
 nomination as such with effect from.. Signature of Person nominated (Signature)..... (witness, name and
 designation of witness) Signature of Occupier of the Factory (Signature) (witness, name and designation of
 witness) intended for use in the said factory and recommend that he may be given to purchasing work as a
 purchasing agent at.. centre on behalf of the said factory. I further declare that he is to the best of my
 knowledge a suitable person for the grant of such a licence. Signature of Occupier of the Factory 26
 FORM 6 Application for a Licence to Act as a Purchasing Agent (Rule 67) 1... .. son of.. Date.... and
 resident of.... .. occupiet of the... supply of cane from purchasing centres. ... having been selected by
 the . factory for the purchase and intended for use in the said factory, hereby apply for a licence Ürider the
 Madhya Pradesh Sugarcane (Regulation of Supply and Purchase) Act, 1958, to work as a Purchasing
 Agent on behalf of the said factory. I hereby agree to abide by the terms and conditions of the licence and
 declare tha tit shall be lawful for •the Collector to realize any sum payable by me for cane purchased by
 me or on my behalf for which due payment has not been made by me-of any penalty or any money due as
 compensation which I may be liable to pay under the conditions of the licence or under the Madhya
 Pradesh Sugarcane (Regulation of Supply and Purchase) Act, 1958 from the security which I have given
 under the said Act or the Rules framed thereunder without prejudice and in addition to any other lawful
 remedy for the realization of such dues or penalty. to son of.... Date.... . Nomination 1..... the.... ..
 be made Signature of Purchasing Agent FORM 7 by the Occupier (or Manager) of a Factory [Rule 68
 being the occupier of ... factory hereby nominate..... . for the purchase and supply of cane • ! J.l.n 1:1? 1,
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