MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Food and Public Distribution)

NOTIFICATION

New Delhi, the 6th December, 2001

G.S.R. 886(E).— In exercise of the powers conferred by section 9 of the Sugar Development Fund Act, 1982 (4 of 1982), the Central Government hereby makes the following rules further to amend the Sugar Development Fund Rules, 1983 namely : -

1. (1) These rules may be called the Sugar Development Fund (Second Amendment) Rules, 2001

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Sugar Development Fund Rules, 1983 (hereinafter referred to as the said rules), in rule 19, after sub-rule (13), the following sub-rule shall be inserted, namely :-

" (13 A) Maintenance of funds received by way of subsidy towards interest, storage and insurance and utilisation thereof;

(a) Every occupier of a sugar factory shall set apart the amount, if any received from the Central Government by way of subsidy towards interest, storage and insurance on the quantity of buffer stock of sugar and credit the amount so set apart to a separate account with his banker with whom he has a separate account under clause (a) of sub-rule (13), for the purpose provided in clause (b) of this sub-rule.

(b) The amount credited to the separate account shall not be used by the said occupier for any purpose other than for payment of price, payable for the sugarcane purchased by the sugar factory;

Provided that where the State Government Authority/officer furnishes a certificate in Form VI to the banker referred to in clause (a) above to the effect that the concerned sugar factory has no sugarcane price dues including arrears of price outstanding against it on the date of credit of the amount of subsidy towards interest, storage and insurance into the separate account, the bank may allow the said occupier to use the said amount for any other purpose under intimation to the Central Government."

3. In the said rules for Form V, the following shall be substituted, namely :-

FORM – V
[Rule 19 (16)]

Form for claiming payment of subsidy towards, interest and storage and insurance charges for buffer stock of sugar for the period from _____ to _____ / quarter ending _____

(Quantity to be indicated in quintals and amount in rupees)

1.	Name and address of the sugar undertaking	:
2.	Reference number and date of communication(s) from Central Government/Chief Director communicating	
	a) total quantity of sugar to be maintained as buffer stock	
	b) Gradewise and sugar year-wise quantity of sugar to be segregated and stored as buffer stock.	
3.	Gradewise and sugar year-wise quantity of sugar actually segregated and stored as buffer stock.	Period (From / To) / Quantity
4.	Period-wise details of quantity of sugar segregated and stored as buffer stock	
5.	Additional credit (margin money) received from the Bank on buffer stock	
a)	Amount received with date of receipt	
b)	Amount out of (a) kept in separate Bank Account with number of the Account	
c)	Amount out of (b) actually utilised for payment of cane price	
d)	Balance [(b) minus (c)] at the close of last date of the period/quarter of the claim	
e)	Reasons for non-utilisation of the amount at (d)	

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5. A Particulars of the insurance policy under which the buffer stock is insured :-

(1) Name and address of the Insurance Company

(2) Number of Insurance Policy

(3) Period of Insurance

(4) Risks covered

(5) Godown No(s) where the buffer stock is stored

5.B Subsidy towards interest, storage and insurance received from the Central Government on buffer stock

Period		Quantity
From	To	

(a) Amount received with date of receipt

(b) Amount of (a) kept in separate Bank Account with number of the Account

(c) Amount out of (b) actually utilised for payment of cane price

(d) Balance [(b) minus (c)] at the close of quarter of claim/last date of claim

(e) Reasons for non-utilisation of amount in (d)

6. Rate specified under sub-rule (15) of rule 19 towards :

(a) Interest (percent per annum)

(b) Storage and insurance charges (percent per annum)

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7. Value of sugar provided under sub-rule (15) of rule 19

Month	Tariff value in rupees per quintal	Sale realisation (a) Quantity disposed of in quintals	Sale realisation (b) Amount of sale realisation in rupees
(i)			
(ii)			
(iii)			
Total			

Average tariff value/weighed average realisation ..... Rupees per quintal.

8. (i) Calculation of subsidy on account of interest charges on the buffer stock of sugar :

		Period		Principal amount of advance	Rate of interest	Amount of interest
(a)	Amount of interest actually paid or payable to the bank for the period from _____ to _____	From	To			Paid/Payable
(b)	amount calculated under sub-rule (15) of rule 19					

(ii) Amount on account of storage and insurance charges, calculated under sub-rule (15) of rule 19.

9. Amount of subsidy claimed :

(i) Interest charges as per item 8 (i) (a) or 8 (i) (b), whichever is less.

(ii) Storage and insurance charges as per item 8 (ii)

(iii) Total of (i) and (ii) rounded off to the nearest rupee, in figures and words.

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10. Name of the place nearest to the place of the factory, where the branch of the State Bank of India dealing with the Demand Drafts issued by the Reserve Bank of India is situated.

Signature :

The occupier Name :

Designation :

Place :

Date : Name and address of the Sugar Undertaking

DECLARATION

(1) I hereby solemnly affirm and declare that the information furnished above is correct and no information relevant for the purpose of this application has been concealed.

(2) I hereby undertake to refund to the Central Government such amount of subsidy received by me, as may be required, if any information furnished above is found to be wrong at any time.

(3) I hereby declare that all the requirements of the rule 19 have been complied with and that if subsequently it is found that any provision of that rule has not been complied with, I undertake to refund to the Central Government such amount of subsidy received by me, as may be required by the Central Government.

Signature :

The occupier Name :

Designation :

Place :

Date : Name and address of the Sugar Undertaking

Verification by the Bank which provided credit against buffer stock and with which the occupier of the sugar factory has opened a separate account under sub-clause (13) (a).

* Certified that the information furnished against items 4, 5 (a) [illegible] correct.

OR

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* Certified that the claimant sugar undertaking did not avail of during the quarter or the period to which this claim relates any additional bank credit, over and above the normal bank credit, on the quantity of sugar segregated by it as the buffer stock, as indicated by it against items 3 and 4.

OR

Also certified that the information furnished against items 4 and 8(i) (a) is correct.

OR

* Certified that since no sugarcane prices dues were outstanding against the claimant sugar undertaking during the period of this claim, the undertaking did not open a separate account with this Bank for depositing therein the amount of the additional credit of Rs..... given to it by this Bank on ..... on the buffer stock of sugar. However, subsequently the claimant sugar undertaking opened a separate account (No. .....) with this bank and deposited therein Rs. ..... on ..... for being utilised for payment of cane price dues which arose subsequently/may ** arise in future.

Also certified that the information furnished against items 4, 5(a), (b) and (d) and 8 (i) (a) is correct.

Signature of the Manager of the Bank with his name, address and seal.

Place :

Date :

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* Strike out whichever certificate is not applicable

** Strike out whichever is not applicable

AND

Verification by the Bank in respect of the subsidy towards interest, storage and insurance that has been credited into a separate account with the Bank.

(i) Certified that the information furnished against items 4, 5B(a), (b) and (d) and 8(i) (a) above is correct.

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(ii) Certified that the claimant sugar undertaking has opened a separate bank account number ..... on ..... (date) with this bank and has deposited an amount of Rs. ..... therein on ..... (date) received by it as subsidy towards interest, storage and insurance.

Also certified that out of the said amount of Rs. ..... deposited into the said account Rs. ..... have been paid by the claimant sugar undertaking towards cane price dues including arrears of cane prices.

Also certified that on the basis of the certificate of the State Government Authority/officer dated ..... (enclosed in original), the claimant sugar undertaking did not have any cane price dues including arrears of cane prices on the date of crediting the subsidy amount into the separate bank account and accordingly the claimant sugar undertaking has been allowed to use an amount of Rs. ..... for any other purpose.

Signature of the Manager of the Bank with his name, address and seal.

Place :

Date :

Certificate by the State Government Authority/officer.

* Certified that the information furnished against item 5(c) and (e) is correct.

OR

* Certified that during the period commencing from the date o the additional Bank credit was received as indicated against item 5(a) to ..... (the date on which period/quarter of this claim ended) no cane price dues were outstanding against the sugar undertaking.

Signature :

Place : Name :

Designation and Address

[To be signed by the District Cane Officer or a Gazetted Officer of the State Government who is responsible for enforcement and supervision of payment of price of sugarcane by the sugar undertaking]

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* Strike out whichever certificate is not applicable.

Certificate by the State Government Authority/Officer in respect of the subsidy towards interest, storage and insurance.

(i) Certified that the information furnished against items 5 B (c) and (e) is correct.

(ii) Certified that during the period from the date the subsidy towards interest, storage and insurance was received by the claimant sugar undertaking as indicated against items 5B (a) to ..... (the date on which period/quarter of this claim ended) Rs. ..... were outstanding against claimant sugar undertaking towards cane price dues including arrears of cane prices/no cane price dues including arrears of cane prices were outstanding.

Place : Signature :

Date : Name :

[To be signed by the District Cane Officer/Gazetted Officer of the State Government who is responsible for supervision of payment of price of sugarcane by the sugar undertaking]

RECEIPT

Received the sum of Rs. .....

Rupees .....

Signature (across a Revenue Stamp)

The Occupier Name :

Designation

Place :

Date : Name and address of the sugar undertaking :

4. After Form V and before "THE SCHEDULE" the following Form VI shall be inserted: namely :

FORM VI

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[Rule 19 (13A) (b)]

Certified that during the period ending ..... (date of crediting the subsidy amount into the separate account No. .....) of ..... (bank), no cane price dues including arrears of cane price were outstanding against .....
..... (name and address of the sugar undertaking)

Signature :

Name :

Designation and address :

[To be signed by the Cane Commissioner or a Gazetted Officer of the State Government who is responsible for enforcement and supervision of payment of price of sugarcane by the sugar undertaking]

[F. No. 1-7/2001-SDF]
R. N. DAS, Jt Secy.

Note : The principal rules were published in the Gazette of India vide No. GSR 752 (E) dated 28.9.83 and subsequently amended vide GSR 817 (E) dated 20.12.84, GSR 838 (E) dated 14.11.85, GSR 551 (E) dated 6.5.88, GSR 235 (E) dated 24.4.91, GSR 441 (E) dated 28.4.92, GSR 435 (E) dated 6.5.94, GSR 27 (E) dated 12.1.96, GSR 656 (E) dated 21.11.1997 and GSR 91 (E) dated 12.02.2001.

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