The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964
Act 24 of 1964

Keyword(s):
Controller, Distillery, Excise Officer, Molasses, Occupier, Sugar Factory or Factory

THE UTTAR PRADESH SHEERA NIYANTRAN
ADHINIYAM, 1964

(U. P. Act No. XXIV of 1964)

[Authoritative English Text* of the Uttar Pradesh Sheera
Niyantran Adhiniyam, 1964.]

AN
ACT

to provide for the control of storage, supply, gradation and price
of molasses produced by sugar factories in Uttar Pradesh.

WHEREAS it is expedient to provide for the control of
storage, supply, gradation and price of molasses produced by
sugar factories in Uttar Pradesh with a view to ensuring in the
interest of industrial development of the country, its preservation
and equitable distribution at fair prices to distilleries and other
persons requiring it for purposes of industrial development:

It is hereby enacted in the Fifteenth Year of the Republic
of India as follows:—

CHAPTER I

Preliminary

1. (1) This Act may be called the Uttar Pradesh Sheera

(2) It extends to the whole of Uttar Pradesh.

2. In this Act unless there is anything repugnant in the
subject or context—

(a) “Controller” means the Controller of Molasses
appointed under section 4;

(b) “distillery” means the premises licensed under the
provisions of the United Provinces Excise Act, 1910 for the
manufacture of power, potable or industrial alcohol;

(c) “excise officer” shall have the meaning assigned to
it in the United Provinces Excise Act, 1910;

(d) “molasses” means the heavy, dark coloured viscous
liquid produced in the final stage of manufacture of sugar
by vacuum pan, from sugarcane or gur, when the liquid as
such or in any form or admixture contains sugar;

*For Statement of Objects and Reasons, please see Uttar Pradesh Gazette

Passed in Hindi by the Uttar Pradesh Legislative Council on February 12,
1964 and by the Uttar Pradesh Legislative Assembly on August 4, 1964.

Received the Assent of the President on October 17, 1964 under Article
201, of the Constitution of India and was published in the Uttar Pradesh
Gazette Extraordinary, dated November 9, 1964.
(e) "occupier" in relation to a sugar factory means the person who has ultimate control over the affairs of the factory and includes a managing agent of the factory;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "State" means the State of Uttar Pradesh; and

(h) "sugar factory" or "factory" means any premises including the precincts thereof, whereon twenty or more workers are working or were working on any day of the preceding twelve months and in any part of which a manufacturing process connected with the production of sugar by means of vacuum pans is being carried on or is ordinarily carried on with the aid of power.

CHAPTER II
Advisory and Administrative Machinery

3. (1) The State Government may, by notification in the Gazette, constitute an Advisory Committee to advise on matters relating to the control or storage, supply, gradation and prices of molasses.

(2) The committee shall consist of such number of persons and shall be constituted on such terms and conditions as may be prescribed.

4. The State Government may, by notification in the Gazette, appoint a person to be the Controller of Molasses for the purposes of exercising the powers and performing the duties of Controller of Molasses under this Act or the rules made thereunder.

CHAPTER III
Preservation, Distribution and Prices

5. Every occupier of a sugar factory shall provide——

(a) covered accommodation within the premises of the factory for the safe preservation of molasses produced in the factory;

(b) adequate safeguards against leakage, seepage, overflow or any other accident likely to damage the quality of molasses stored in the factory;

(c) adequate arrangements to prevent the mixing up of water with molasses or of old deteriorated molasses with fresh molasses; and

(d) adequate facilities for handling of molasses, including taking out of samples and pumping and loading of molasses into tank wagons, tank lorries and other containers.

6. (1) No occupier of a sugar factory shall adulterate or allow to be adulterated any molasses produced or held in stock by him.
(2) The presence of any molasses having less than forty per cent sugar content (expressed as total reducing sugar, determined by the Lane and Egon's volumetric method), in any storage tank of a sugar factory shall be sufficient to raise a presumption that the occupier of the factory has adulterated the molasses or allowed it to be adulterated.

7. (1) The Controller may, with a view to ensuring proper storage and preservation of unadulterated molasses, require the occupier of a sugar factory to remove any adulterated molasses from the premises of the factory within a reasonable period to be specified by him and the occupier shall within the time allowed comply with the requirement.

(2) For the purposes of this section the molasses referred to in sub-section (2) of section 6 shall be deemed to be adulterated.

8. (1) The Controller may by order require the occupier of any sugar factory to sell and supply in the prescribed manner such quantity of molasses to such person, as may be specified in the order, and the occupier shall, notwithstanding any contract, comply with the order.

(2) The order under sub-section (1)—

(a) shall require supply to be made only to a person who requires it for his distillery or for any purpose of industrial development;

(b) may be for the entire quantity of molasses in stock or to be produced during the year or for any portion thereof; but the proportion of molasses to be supplied from each sugar factory to its estimated total produce of molasses during the year shall be same throughout the State, save where, in the opinion of the Controller, a variation it necessitated by any of the following factors:

(i) the requirements of distilleries within the area in which molasses may be transported from the sugar factory at a reasonable cost;

(ii) the requirements for other purposes of industrial development within such area; and

(iii) the availability of transport facilities in the area.

(3) The Controller may make such modifications in the order under sub-section (1) as may be necessary to correct any error or omission or to meet a subsequent change in any of the factors mentioned in clause (b) of sub-section (2).

9. (1) Any person aggrieved by an order under sub-section (1) or sub-section (3) of section 8 may, within thirty days of the date on which the order is communicated to him, appeal to the State Government in the prescribed manner and the State Government may pass thereon such order as it deems fit.

(2) An order of the State Government under sub-section (1) shall be final.
10. (1) The occupier of a sugar factory shall sell molasses in respect of which an order under section 8 has been made at a price not exceeding that prescribed in the schedule.

(2) The State Government may, by notification in the Gazette, amend the schedule if such amendment is necessitated by reason of any variation in the cost of storage of molasses or loading or shunting charges of molasses in tank wagons or in order to bring the prices of molasses in conformity with the prices, if any, fixed by the Government of India.

Explanation---Prices shall include all costs incidental to the loading of molasses into railway tank wagons, tank lorries or other containers and shunting charges of railway tank wagons.

CHAPTER IV
Offences and Penalties

11. (1) Whoever contravenes any provision of this Act or the rules or orders made or the directions issued thereunder or wilfully makes any false statement or submits any false return regarding any matter in respect of which he is required under this Act or the said rules, orders or directions to give information shall, on conviction, be punishable with imprisonment of either description which may extend to one year or with fine which may extend to two thousand rupees or with both and, in the case of a continuing contravention, with an additional fine which may extend to one hundred rupees for every day during which the contravention continues after conviction for the first such contravention.

(2) Any court trying an offence punishable under sub-section (1) may direct that any molasses in respect of which the court is satisfied that such offence has been committed shall be forfeited to the State Government.

12. (1) If the person committing an offence under this Act is a company, the company as well as every person in charge of, and responsible to, the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, managing agent, secretary or any other officer of the company, such director, manager, managing agent, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
Explanation—For the purposes of this section—
(a) "company" means any body corporate and includes a firm or other association of individuals, and
(b) "director" in relation to a firm is a partner in the firm.

13. (1) No court shall take cognizance of an offence punishable under this Act except on a report in writing of the facts constituting such offence made by an excise officer of or above the rank of Excise Inspector.
(2) No court inferior to that of a Magistrate of the first class shall try any offence punishable under this Act.
(3) An offence punishable under this Act shall be cognizable and bailable within the meaning of the Code of Criminal Procedure, 1898.

14. (1) A police officer not below the rank of Sub-Inspector or an excise officer of or above the rank of Sub-Inspector (Excise) may—
(a) enter and search at any time any premises in which he has reason to believe that any molasses in respect of which an offence punishable under this Act has been or is about to be committed is kept or concealed;
(b) seize such molasses or any box, packet, receptacle, package or covering containing such molasses and any books, accounts, documents or statements relating to transactions in such molasses; and
(c) detain, search and arrest any person whom he has reason to believe to be guilty of any offence punishable under this Act.

(2) All searches made under this section shall be in accordance with the provisions of the Code of Criminal Procedure, 1898.
(3) A police officer not below the rank of Sub-Inspector or an excise officer of or above the rank of Excise Inspector may investigate any offence punishable under this Act and committed within the limits of the area in which such officer exercises jurisdiction.
(4) Any such officer may exercise the same powers in respect of such investigation as an officer in charge of a police station may exercise in relation to a cognizable offence under the provisions of Chapter XIV of the Code of Criminal Procedure, 1898.

15. (1) A report about any molasses or articles seized under section 14 shall, as soon as may be after such seizure, be submitted to the Magistrate having jurisdiction, who may after making such inquiry, if any, as he considers necessary, give such directions for their custody as he thinks fit.
(2) Where no prosecution is instituted within six months of such seizure, the Magistrate may order the release of such molasses or articles in favour of the persons from whom they were seized.
16. The Controller may accept, from any person who is reasonably suspected of having committed an offence punishable under this Act, a sum of money not exceeding five thousand rupees by way of *composition* for the offence which may have been committed and in all the cases in which any property has been seized as liable to forfeiture under this Act, may release the same on payment of value thereof as estimated by him. On payment of such sum of money or value or both, as the case may be, to the Controller, the accused, if in custody, shall be discharged and the property seized shall be released and no further proceeding shall be taken against such person or property.

**CHAPTER V**

**Miscellaneous**

17. Every occupier of a sugar factory and every person to whom molasses is supplied by such occupier shall be bound—

(a) to maintain such registers, records, accounts, instruments and reagents as may be prescribed;

(b) to furnish all such information and returns relating to the production and disposal of molasses in such manner, to such persons and by such dates as may, by order, be prescribed by the Controller;

(c) to produce, on demand by an excise officer not below the rank of a Sub-Inspector (Excise), registers, records, documents, instruments and chemical reagents which he is required to maintain under the provisions of this Act or the rules or orders made thereunder.

18. Every occupier of a sugar factory shall be bound to provide within the precincts of the sugar factory residential accommodation, on payment of such rent and on such terms as may be prescribed, to an excise officer posted to the sugar factory by the Controller to ensure the compliance of the provisions of this Act, and the rules and orders made and the direction issued thereunder.

19. The Controller may, by notification in the *Gazette*, direct that any power exercisable by him under this Act, except section 8 thereof, or the rules made thereunder shall in such circumstances and under such conditions, if any, as may be specified in the notification, be exercisable also by an officer subordinate to him.

20. No suit or other legal proceeding shall lie against the State Government or any officer in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rules or orders made thereunder.

21. (1) An order made under the provisions of this Act shall—

(a) in the case of an order of general nature or affecting a class of persons be notified in the *Gazette*; and
(b) in the case of an order directed to a specified individual be served on such individual---

(i) by post under postal certificate or by delivering or tendering it to that individual; or

(ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of the premises in which that individual lives and by preparing a return thereof witnessed by two persons living in that locality.

22. (1) The State Government may, after previous publication in the Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for---

(a) the composition of the Advisory Committee, the manner in which its members shall be chosen, the term of office of its members, the allowances, if any, payable to them, the manner in which the Advisory Committee shall tender its advice and the procedure for the conduct of its business;

(b) the procedure relating to the removal of members of the Advisory Committee;

(c) conditions relating to preservation and storage of molasses by sugar factories;

(d) specification and test in respect of grading and sampling of molasses including verification of its quantity and quality;

(e) manner of sale and supply of molasses;

(f) the form and manner of appeal to the State Government and the procedure to be followed in its disposal;

(g) the procedure for compounding of offences;

(h) registers, records, accounts, instruments and reagents to be maintained by the occupiers of sugar factories;

(i) the rent and the terms on which residential accommodation within the precincts of a sugar factory shall be provided to the excise officer;

(j) collection of information or statistics in respect of production, distribution and use of molasses;

(k) disposal of molasses and articles forfeited under this Act; and

(l) any other matter which is to be or may be prescribed.

(3) All rules made under this Act shall, as soon as may be after they are made, be laid before each House of the State Legislature while it is in session, for a total period of not less than fourteen days extending in its one session or more than one successive sessions and shall, unless some later date is appointed, take effect from the date of their publication in the Gazette, subject to such modifications or annulments as the two Houses of the
Legislature may agree to make; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.


23. The United Provinces Molasses (Control) Act, 1947 is hereby repealed.

**Schedule**  
(See section 10)

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage of total sugar contents of molasses (expressed as reducing sugar)</th>
<th>Maximum price per quintal of molasses, including loading and shunting charges</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>50% and above</td>
<td>67 P.</td>
</tr>
<tr>
<td>II</td>
<td>47% to 49.99%</td>
<td>59 P.</td>
</tr>
<tr>
<td>III</td>
<td>44% to 46.99%</td>
<td>51 P.</td>
</tr>
<tr>
<td>IV</td>
<td>40% to 43.99%</td>
<td>43 P.</td>
</tr>
</tbody>
</table>
THE UTTAR PRADESH SHEERA NIYANTRAN (SANSHODHAN) ACT, 1974

(U. P. Act No. 15 of 1974)

[*Authoritative English Text of the Uttar Pradesh Sheera Niyantran
(Sanshodhan) Adhiniyam, 1974*]

AN

ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964,

It is hereby enacted in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Sheera Niyantran (Sanshodhan) Adhiniyam, 1974.

2. For the long title of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (hereinafter referred to as the principal Act), the following shall be substituted namely:

   "AN
   ACT

   to provide in public interest for the control of storage, gradation and price of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof."

3. The preamble to the principal Act shall be omitted.

4. In section 3 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

   "(1) The State Government may, by notification in the Gazette constitute an Advisory Committee to advise on matters relating to the control of storage, preservation, gradation, price, supply and disposal of molasses."

5. In section 7 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:

   "(1) The Controller may, with a view to ensuring proper storage, preservation, gradation, supply or disposal of unadulterated molasses, require the occupier of a sugar factory to remove any adulterated molasses from the premises of the factory within a reasonable period to be specified by him and the occupier shall within the time allowed comply with the requirement."

6. After section 7 of the principal Act, the following section shall be inserted, namely:

   "7-A. (1) Any person, who requires molasses for his distillery or for any purpose of industrial development may apply in the prescribed manner to the Controller specifying the purpose for which it is required.

   (2) On receipt of an application under sub-section (1) and after making such inquiries in the matter as he may think fit, the Controller may make an order under section 8.

   (3) In disposing of an application under sub-section (1), the Controller shall consider—
   
   (a) the general availability of molasses;
   
   (b) various requirements of molasses;
   
   (c) the better utilization to which molasses may be put in the public interest;"

[*For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated June 12, 1974.*]

[Passed in Hindi by the Uttar Pradesh Legislative Assembly on June 12, 1974 and by the Uttar Pradesh Legislative Council on June 19, 1974.]

[Received the assent of the Governor on June 29, 1974 under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette (Extraordinary), dated July 3, 1974.]
(d) the extent to which the requirements of the applicant are genuine;

(e) reasonable likelihood or otherwise of the molasses that may be obtained by the applicant being diverted to purposes other than those specified in the application;

and where the application is rejected in whole or in part, he shall record reasons therefor.”

7. In section 8 of the principal Act, after clause (a) of sub-section (2), the following clause shall be inserted, namely:

“(aa) may require the person referred to in clause (a) to utilise the molasses supplied to him under an order made under this section for the purpose specified in the application made by him under sub-section (1) of section 7-A and to observe all such restrictions and conditions as may be prescribed.”

8. After section 10 of the principal Act, the following section shall be inserted, namely:

“10-A. Every occupier of a sugar factory shall from the price prescribed in the Schedule referred to in sub-section (1) of section 10 for different grades of molasses, place in a separate fund the amount mentioned below or such other amount as the State Government may notify in that behalf for being utilised for provision and maintenance of adequate storage facilities in accordance with general or special orders issued from time to time by the Controller:

- Grade I molasses... Re.0.33 per 100 kilograms.
- Grade II molasses... Re.0.27 per 100 kilograms.
- Grade III molasses... Re.0.20 for every 40 kilograms of reducing sugar content therein.”

9. In section 15 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:

“(1) A report about any molasses or articles seized under section 14 shall as soon as may be after such seizure, be submitted to the Magistrate having jurisdiction, who may after making such inquiry, if any, as he considers necessary and after taking samples of the molasses give such directions for its disposal in accordance with the orders of the Controller as he may think fit.”

10. For the Schedule of the principal Act, the following Schedule shall be substituted, namely:

“SCHEDULE

(See Section 10)

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage of total sugar contents of molasses (expressed as reducing sugar)</th>
<th>Maximum price per quintal of molasses, including loading and unloading charges</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>I</td>
<td>500 per cent and above</td>
<td>1.00</td>
</tr>
<tr>
<td>II</td>
<td>44 per cent to 49.99 per cent</td>
<td>0.80</td>
</tr>
<tr>
<td>III</td>
<td>40 per cent to 43.99 per cent</td>
<td>0.60</td>
</tr>
</tbody>
</table>

NOTE—For quality of molasses below Grade III, the price will be Re.0.60 for every 40 kilograms reducing sugar content therein.”

11. (1) The Uttar Pradesh Sheera Niyantran (Sangshodhan) Adhyadesh, 1974, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act, as if this Act were in force at all material times.

PSUP.—A.P. 163 Sa. (Vidhayika)—1375—1974 1848 (M.)
In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niantran (Sanshodhan) Adhiniyam, 1986 (Uttar Pradesh Adhiniyam Sankhya 5 of 1986) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 14, 1986:

THE UTTAR PRADESH SHEERA NIYANTRAN (SANSHODHAN) ADHINIYAM, 1986
(U. P. Act no. 5 of 1986)
(As passed by the Uttar Pradesh Legislature)

AN
ACT

further to amend the Uttar Pradesh Sheera Niantran Adhiniyam, 1964

IT IS HEREBY enacted in the Thirty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh Sheera Niantran (Sanshodhan) Adhiniyam, 1986.

(2) It shall be deemed to have come into force on November 30, 1985.

2. In section 8 of the Uttar Pradesh Sheera Niantran Adhiniyam, 1964, hereinafter referred to as the principal Act,—

(a) in sub-section (1), for the words “sell and supply”, the words “sell or supply” shall be substituted;
(b) after sub-section (3), the following sub-sections shall be inserted, namely:

"(4) The occupier of a sugar factory shall be liable to pay to the State Government, in the manner prescribed, administrative charges at such rate, not exceeding five rupees per quintal as the State Government may from time to time notify, on the molasses sold or supplied by him.

(5) The occupier shall be entitled to recover from the person to whom the molasses is sold or supplied an amount equivalent to the amount of such administrative charges, in addition to the price of molasses."

3. In section 22 of the principal Act, in sub-section (2), after clause (e), the following clause shall be inserted, namely:

"(ee) the manner in which the administrative charges payable under sub-section (4) of section 8 shall be realised;".

4. (1) The Uttar Pradesh Sheera Niyaman (Sanskodhan) Adhivesh, 1985, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

S. N. SAHAY,
Sachiv.
In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Nyantran (Sanshodhan) Adhiniyam, 1995 (Uttar Pradesh Adhiniyam Sankhya 10 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 14, 1995.

THE UTTAR PRDAESH SHEERA NIYANTAN (SANSHODHAN) ADHINIYAM, 1995
(U. P. Act No. 10 of 1995)
[As passed by both Houses of the Uttar Pradesh Legislature] under Article 198 of the Constitution of India

AN

ACT

further to amend the Uttar Pradesh Sheera Nyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Forty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Sheera Nyantran (Sanshodhan) Adhiniyam, 1995.

(2) It shall be deemed to have come into force on January 13, 1995.

2. In section 8 of the Uttar Pradesh Sheera Nyantran Adhiniyam, 1964, hereinafter referred to as the principal Act, in sub-section (4) for the words "five rupees" the words "fifteen rupees" shall be substituted.

3. (1) The Uttar Pradesh Sheera Nyantran (Sanshodhan) Adhyadesh, 1995 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
N. K. NARANG,
Pramukh Sachiv.

प्रेमलक्ष्मी - ए ० पी ० ३१ शं ० विशेष - (४०९९) - १९९५ - ५० (मेक०)।
No. 293 (2)/XVII-V-1—1 (KA) 3-1998

Dated Lucknow, February 7, 1998

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niytran (Sanshodhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 4 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 6, 1998.

THE UTTAR PRADESH SHEERA NIYTRAN (SANSHODHAN) ADHINIYAM, 1998

[UP. ACT No. 4 OF 1998]

(AS PASSED BY THE UTTAR PRADESH LEGISLATURE)

AN ACT

further to amend the Uttar Pradesh Sheera Niytran Adhiniyam, 1964

IT IS HEREBY enacted in the forty-ninth Year of the Republic of India as follows :-

1. (1) This Act may be called the Uttar Pradesh Sheera Niytran (Sanshodhan) Adhiniyam, 1998.
(2) It shall be deemed to have come into force on January 8, 1998.

2. In section 2 of the Uttar Pradesh Sheera Niytran Adhiniyam, 1964, hereinafter referred to as the principal Act, after clause (d), the following clause shall be inserted, namely :

“(dd) ‘molasses year’ means the period beginning on the first day of November and ending on the thirty first day of October in the year next following;”

3. In section 8 of the principal Act,—

(a) in sub-section (1) for the words “may by order require”, the words “may, with the prior approval of the State Government, by order require” shall be substituted;

(b) after sub-section (1), following sub-section shall be inserted, namely :

“(1-a) Notwithstanding anything contained in sub-section (1), the occupier of a sugar factory shall sell or supply forty per cent of the molasses produced in each quarter of a molasses year in the sugar factory to such chemical industries which are actual users of molasses and are granted licence under the United Provinces Excise Act, 1910 :
Provided that such quantum of molasses as is not required by the said chemical industries may be sold or supplied by the occupier of the sugar factory to any other unit which is actual users of molasses with the prior approval of the Controller.

4. In section 10 of the principal Act—

(i) in sub-section (1), the words "at a price not exceeding that prescribed in the schedule" shall be omitted;

(ii) after sub-section (1), the following proviso shall be inserted, namely—

"Provided that the distilleries of potable alcohol which have been granted licence for wholesale contract supply of country liquor shall continue to be supplied molasses in respect of which an order under section 8 has been made at a price not exceeding that for the time being prescribed in the Schedule till March 31, 1998;"

(iii) sub-section (2) and explanation shall be omitted.

5. For section 10-A of the principal Act, the following section shall be substituted, namely:—

"10-A Every occupier of a sugar factory shall from the sale price for different grades of molasses specified below, place in a separate fund the amount as the State Government may notify in that behalf for being utilised for provision and maintenance of adequate storage facilities in accordance with general or special order issued from time to time by the Controller.

<table>
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<tr>
<th>Grade of molasses</th>
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<tr>
<td>III</td>
<td>40 per cent to 43.99 per cent</td>
</tr>
</tbody>
</table>

6. The Schedule to the principal Act shall be omitted with effect from March 31, 1998.

7. (1) The Uttar Pradesh Sheera Niyantar (Sanskodhan) Adhyaydesh, 1998 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

G. S. PANDEY
Vishesh Sachiv.
No. 1227(2)/XVII-V-1-1(KA) 6-2000

Dated Lucknow, May 5, 2000

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhiniyam, 2000 (Uttar Pradesh Adhiniyam Sankhyā 17 of 2000) as passed by the Uttar Pradesh Legislature and assented to by the Governor on May 5, 2000.

THE UTTAR PRADESH SHEERA NIYANTRAN (SANSHODHAN) ADHINIYAM, 2000

[U.P. Act No. 17 of 2000]
(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Fifty-first Year of the Republic of India as follows:

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhiniyam, 2000.

(2) It shall be deemed to have come into force on January 25, 2000.

Amendment of section 8 of U.P. Act no. 24 of 1964

2. In section 8 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 hereinafter referred to as the principal Act, sub-section (1-a) shall be omitted.

Omission of section 10

3. Section 10 of the principal Act shall be omitted.

Repeal and Saving

4. (1) The Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhyadesh, 2000 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

Y. R. TRIPATHI,
Pramukh Sachiv.

प्रेम एक दो पौ 47 साल दिखाते—(471)—2000—850 (केंद्र) ।
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विधायी परिषिक्ष
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, 10 सितम्बर, 2018
भाद्रपद 19, 1940 शक सम्बत्

उत्तर प्रदेश शासन
विधायी अनुभाग-1

संख्या 1904/79-दि-1-18-1(क)-11-19
लखनऊ, 10 सितम्बर, 2018

अधिसूचना
विषय

“बाहर का सविधान” के अनुसार 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश शीरा नियंत्रण (संशोधन) विकास, 2018 पर विनाक्रम 7 सितम्बर, 2018 के अनुसार प्रस्ताव की और वह उत्तर प्रदेश अधिनियम संख्या 33 सन 2018 के अंत में सर्वसम्मान की सूचना इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2018
(उत्तर प्रदेश अधिनियम संख्या 33 सन 2018)
[जैसा उत्तर प्रदेश विधान मंडल द्वारा पारित हुआ]
उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 का अनुसार संशोधन करने के लिए अधिनियम
भारत गणराज्य के उनहालते वर्तमान अंतरिक्ष अधिनियम बनाया जाता है :-
1-(1) यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2018 के अनुसार जाने का संशोधित नाम विस्तार एवं प्रबंध

(2) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।
(3) यह 30 मई, 2018 को प्रकाशित हुआ समय जाने का संशोधित नाम, विस्तार एवं प्रबंध

246_RPH_2018_Sheera Niyontran
उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964 का संशोधन

उत्तर प्रदेश शीर्षा नियांकन अधिनियम, 1964, जिसे आगे मूल अधिनियम कहा गया है, की शाखा 11 में;

(अ) उपशाखा (1) में शब्द “दो हजार रुपये” के स्थान पर शब्द “एक हजार रुपये” तथा शब्द “एक सौ रुपये” के स्थान पर शब्द “पच्च हजार रुपये” रख दिये जायेंगे।

(श) उपशाखा (2) के स्थान पर निम्नलिखित उपशाखा रख दी जायेगी, अथवा :-

“(2) उपशाखा (1) के अन्तिम रेखांकित किसी अपराध पर विचार करने वाला कोई न्यायाधीश, यह निर्देश दे सकता है कि कोई ऐसा शीर्षा और ऐसे पात्र या प्रेक्षक जिसके उसके उपर शीर्षा रख गया था, को ले जाने में प्रयुक्त पत्ता, कार्रवाई, जलनवाद, कलेन्दर या वाहन, जिनके सम्बन्ध में न्यायाधीश का यह समाधान हो जाय कि ऐसे अपराध किया गया है, राज्य सरकार के पत्र में सम्मान कर लिये जायेंगे।”

शाखा 16 का संशोधन

उत्तर प्रदेश अधिनियम (संशोधन) अधिनियम, 2018 प्रस्तुत निर्देश निर्धारित किया जाता है।

4-(1) उत्तर प्रदेश शीर्षा नियांकन (संशोधन) अधिनियम, 2018 प्रस्तुत निर्देश निर्धारित किया जाता है।

(2) ऐसे निर्देश के लिये हुई भी उपशाखा (1) में निर्दिष्ट अधिनियम द्वारा यथासंबंधित मूल अधिनियम के उपबन्धों के अन्वेषण कृत कार्य या कार्यवाही, इस अधिनियम द्वारा यथासंबंधित मूल अधिनियम के तत्सम उपबन्धों के अन्वेषण कृत कार्य या कार्यवाही समाप्त हो जायेंगी मानो इस अधिनियम के उपबन्ध सभी सार्वजनिक समय पर प्रस्तुत हो।

उद्देश्य और कारण

उत्तर प्रदेश में बैनी कार्यवाही द्वारा प्रशासित शीर्षा के नियंत्रण, चण्डरण, लोकल कारण तथा कीमत और उसकी आपूर्ति एवं वितरण का उपयोग करने के लिये उत्तर प्रदेश शीर्षा नियांकन अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964) अधिनियमित किया गया है। शीर्षा निर्धारित सह आवश्यक अनुसार द्वारा राज्य सरकार के संज्ञान में यह लागू हो जाय ताकि पूर्वाञ्चल अधिनियम के उपबन्धों का व्यवस्थापन करने पर अधिकारीय आर्थिक शासित की धनराशि, बार-बार अपराध लिये जाने की दशा में अधिधारित अधर्मितिक आर्थिक शासित की धनराशि, और साथ ही साथ अपराध शासन की अधिकतम धनराशि में व्यवस्थापन समय के अन्तर्गत आवश्यक अन्तर्गत हो गई है।

इसके अतिरिक्त उसके अधिनियम के उपबन्धों के विरुध शीर्षा द्वारा उठाने जाने में प्रयुक्त बाहरी/उपबन्ध का अविष्कार किये जाने के उपबन्ध के अधिकार में आवश्यक विभाग को अविष्कार संबंधित करने समय विचार संबंधित का सामना करना पड़ता है, जब आवश्यक में निरस्त बाहरी/उपबन्ध विचारण न्यायाधीश द्वारा तत्काल निर्देश कर दी जाती है। शीर्षे के अधिक विवेचन तथा मादिरा के अधीन आवश्यक पर प्रभावी नियंत्रण का बुद्धिमत्ता रखने हुई यह नियंत्रण किया गया है कि उसके अधिनियम के अन्तिम मुख्यतः आर्थिक धर्म की धनराशि तथा अपराध शासन अन्तर्गत उल्लिखित करने और ऐसा शीर्षा द्वारा ऐसे पात्र या प्रेक्षक, जिसके उसके उपर शीर्षा रख गया था, को ले जाने में प्रयुक्त कोई पत्ता, कार्रवाई, जलनवाद, कलेन्दर या वाहन को सम्मान करने के लिये सरकार को निर्देश देने हेतु न्यायाधीश को सम्मान करने का उपबन्ध करते के लिये उत्तर अधिनियम में संशोधन किया जाए।

जूनकी राज्य वित्त मंडल सचिव में नहीं था और पूर्वाञ्चल वित्तविभाग को लागू करने के लिये इसकी विभागीय कार्यवाही करना आवश्यक था, आर: राज्यवत्त द्वारा निर्देश 30 मई, 2018 को उत्तर प्रदेश शीर्षा नियांकन (संशोधन) अधिनियम, 2018 (उत्तर प्रदेश अधिनियम संख्या 7 सन् 2018) प्रस्तुतित किया गया।

यह विभेदक पूर्वाञ्चल अधिनियम को प्रतिस्पर्धित करने के लिये पुरस्कृति किया जाता है।

आजा से,
वीरेन्द्र कुमार श्रीवास्तव,
प्रमुख सचिव।
No. 1904 (2)/LXXIX-V-1-18-1(ka)-11-18  
Dated Lucknow, September 10, 2018

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhiniyam, 2018 (Uttar Pradesh Adhiniyam Sankhya 33 of 2018) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 7, 2018.

THE UTTAR PRADESH SHEERA NIYANTRAN (SANSHODHAN) 
ADHINIYAM, 2018  
(U.P. ACT no. 33 of 2018) 
(As passed by the Uttar Pradesh Legislature)

ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Sixty ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh Sheera Niyantran (Sanskodhan) Act, 2018.

(2) It extends to the whole of Uttar Pradesh.

(3) It should be deemed to have come into effect on May 30, 2018.

2. In section 11 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 hereinafter referred to as the principal Act,—

(a) in sub-section (1), for the words “two thousand rupees” the words “one lakh rupees” and for the words “one hundred rupees” the words “five thousand rupees” shall be substituted.

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Any Court trying an offence punishable under sub-section (1) may direct that any molasses and every animal, cart, vessel, container or conveyance used in carrying such receptacle or package containing such molasses in respect of which the court is satisfied that such offence has been committed shall be forfeited to the State Government.”

3. In section 16 of the principal Act, for the words “five thousand rupees” the words “two lakh fifty thousand rupees” shall be substituted.

4. (1) The Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhyadesh, 2018 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (Uttar Pradesh Act no. 24 of 1964) has been enacted to provide for the control, storage, gradation and price of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof. It was brought to the notice of the State Government by the Molasses Controller cum Excise Commissioner that the amount of imposable economic penalty on the infractio of provisions of the aforesaid Act and the amount of imposable additional economic penalty in the case of repeated offence as well as maximum amount of
composition of offence have been abated corresponding to the present time. Besides this, in absence of the provision of confiscating vehicle/equipment being used in carrying molasses against the provisions of the said Act the Excise Department has to face, the odd situation at the time of conduct of prosecution, when vehicle/other things detained in the custody are immediately released by the trial Court. With a view to effective controlling of illicit sale of molasses and illicit distillation of liquor, it has been decided to amend the said Act mainly to provide for increasing the amount of pecuniary punishment and fee for compounding the offences under the said Act and empowering the Court to direct the Government to forfeit any molasses and any animal cart, vessel, container or conveyance used in carrying such receptacle or package containing such Molasses.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Sheera Niyantran (Sanshodhan) Adhyanishad, 2018 (U.P. Ordinance no. 7 of 2018) was promulgated by the Governor on May 30, 2018.

This Bill is introduced to replace the aforesaid ordinance accordingly.

By order,

VIRENDRA KUMAR SRIVASTAVA,

Promukh Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विघायी परिस्थित
भाग—1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, 10 सितंबर, 2018
भाद्रपद 19, 1940 शाक सम्बत्

उत्तर प्रदेश शासन
विघायी अनुमान—1

संख्या 1901/79-वि-1-18-1(क)-21-18
लखनऊ, 10 सितंबर, 2018

अधिसूचना

विभिन्न

"भारत का संविधान" के अनुसार के 200 के अधीन राज्यपाल महादेव ने उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) विधेयक, 2018 पर दिनांक 7 सितंबर, 2018 को अनुमति प्रदान की और उन्होंने उत्तर प्रदेश अधिनियम संख्या 37 साल 1964 के रूप में सर्वाधिकार के सूचनाखंड इस अधिसूचना द्वारा प्रकाशित किया जाता है—

उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) अधिनियम, 2018
(उत्तर प्रदेश अधिनियम संख्या 37 साल 1964)
[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]
उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964 का अग्रता संशोधन करने के लिये
अधिनियम

भारत गणराज्य के उन्हात्तरवर्षों वर्ष में नियमलिखित अधिनियम बनाया जाता है—

1—(1) यह अधिनियम उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) अधिनियम,
2018 कहा जायेगा।

(2) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।
उत्तर प्रदेश अधिनियम 1964 की धारा 2 में, खण्ड (ध) के स्थान पर निम्नलिखित खण्ड रख दिया जाएगा, अर्थातः—

"(ध) "शीरा" का तालयक गगना या गुड़ से शक्कर बनाने के दौरान उप उत्तर के रूप में निकलने वाले गाढ़े, गहरे रंग के लसदर तरल द्रव्य, से है, जब उस तरल या उसके किसी रूप अथवा मिश्रण में शक्कर हो, जिसमें बी—हेवी मोलासेस समिलित है।"

उद्देश्य और कारण
उत्तर प्रदेश में चीनी कार्यालयों द्वारा उत्पादित शीरा के नियंत्रण, भण्डारण, श्रेणीकरण तथा कीमत और उसकी आपूर्ति एवं वितरण के विनिमय का उपयोग करने के लिये उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन 1964) अधिनियमित किया गया है। राज्यों में शीरे की पर्याप्त उपलब्धता के कारण, पेट्रोलियम आयातों को कम करना तथा विदेशी मुद्रा की बजट करने के उद्देश्य से भारत सरकार ने अपनी महत्त्वात्मक एथनॉल सम्मिलित कार्यक्रम (ईसोपी) हेतु शीरे से एथनॉल (सिनचेचम एथॉल इस्टर्न) का उत्पादन करने के लिए योजना बनायी है और पेट्रोल में 10 प्रतिशत एथनॉल मिश्रित किये जाने का लक्ष्य स्थापित किया गया है। इस कार्यक्रम को प्रोत्साहित करने के लिए भारत सरकार, राज्य सरकारों से प्रयास गुणवत्ता का उत्पादन करने की प्रतियोगिता नहीं है। बी—हेवी मोलासेस ऐसा मोलासेस है जिसमें अपेक्षाकृत अधिक शरकरसुक्त अंश होते हैं। ऐसे समस्त संघटक, जो उक्त अधिनियम की धारा 2 के खण्ड (ध) में शीरे की परिभाषा में समिलित है, बी—हेवी मोलासेस में भी प्रयुक्त होते हैं। भविष्य में बी—हेवी मोलासेस से एथनॉल के उत्पादन को प्रोत्साहित करने के उद्देश्य से यह विनिमय किया गया है कि शीरे की परिभाषा में बी—हेवी मोलासेस को समिलित करने के लिये उक्त अधिनियम में संशोधन किया जाए।

तदनुसार उत्तर प्रदेश शीरा नियंत्रण (द्वितीय संशोधन) विधेयक, 2018 पुरस्कारित किया जाता है।

आज़ा से,
वीरेंद्र कुमार प्रीवास्वत,
प्रमुख सचिव।

No. 1901 (2)/LXXIX-V-1-18-1(ka)-21-18
Dated Lucknow, September 10, 2018

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyaman (Dwitiya Sanshodhan) Adhiniyam, 2018 (Uttar Pradesh Adhiniyam Sankhya 37 of 2018) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 7, 2018.

THE UTTAR PRADESH SHEERA NIYANTRAN (DWITIYA SANSHODHAN)

ADHINIYAM, 2018

(U.P. Act No. 37 of 2018)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Uttar Pradesh Sheera Niyantran (Dwitiya Sanshodhan) Adhiniyam, 2018.

(2) It extends to the whole of Uttar Pradesh.
2. In section 2 of the Uttar Pradesh Sheera Niyantar Nandiniyam, 1964 for clause (d), the following clause shall be substituted, namely:-

"(d) "molasses" means the heavy, dark coloured viscous liquid produced as by-product during the manufacture of sugar from sugarcane or gur, when the liquid as such or in any form of admixture contains sugar including B-Heavy molasses."

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Sheera Niyantar Nandiniyam, 1964 (Uttar Pradesh Act No. 24 of 1964) has been enacted to provide for the control, storage, gradation and price of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof. Due to the ample availability of the molasses in the States, with a view to decreasing the petroleum imports and for saving foreign exchange, the Government of India has planned for the production of ethanol (Denatured Anhydrous Alcohol) from molasses for its ambitious Ethanol Blending Programme (E.B.P.) and a target of mixing 10 percent of ethanol in petrol has been set. To encourage this programme the Government of India is expecting from the State Governments to produce sufficient ethanol. B-Heavy Molasses is the molasses having more sugar contents. All the ingredients which are included in the definition of molasses in clause (d) of section 2 of the said Act, are also applied in B-Heavy molasses. With a view to encouraging production of ethanol from B-Heavy molasses in future, it has been decided to amend the said Act to include B-Heavy molasses in the definition of molasses.

The Uttar Pradesh Sheera Niyantar (Dwitiya Sansadhan) Vidheyak, 2018 is introduced accordingly.

By order,

VIRENDRA KUMAR SRIVASTAVA,
Pramukh Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विद्याली परिषिद्ध
भाग—1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, 24 दिसंबर, 2018
पी 3, 1940 शाक सम्बत्
उत्तर प्रदेश शासन
विद्याली अनुभाग—1

संख्या 2573/79-वि-1-18-1(क)-26-18
लखनऊ, 24 दिसंबर, 2018

अधिसूचना
विभिन्न

“भारत का संविधान” के अनुसार 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) विधेयक, 2018 पर वितरक 24 दिसंबर, 2018 को आयोजित प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 44 सन् 2018 के रूप में सर्वसामायिक की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) अधिनियम, 2018
(उत्तर प्रदेश अधिनियम संख्या 44 सन् 2018)
[जैसा उत्तर प्रदेश विभाग गणराज्य द्वारा पारित हुआ]
उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 का अनुसार संशोधन करने के लिये अधिनियम
भारत गणराज्य के उपहलरवँ वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-
1-(1) यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) अधिनियम, 2018 का जादू नाम एवं विस्तार
कहा जाएगा।
(2) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।
उत्तर प्रदेश असंस्थान गजट, 24 दिसम्बर, 2018

उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964, जिसे आगे मूल अधिनियम कहा गया है, की धारा 7(क) में, उपरांता (1) के अन्तर्गत पर निम्नलिखित उपरांता रख दी जायेगी, अशाऊँः—

“(1) कोई व्यक्ति, जिसे अपनी अस्तित्व के लिए आयुक्ता औद्योगिक विकास के किसी अन्य प्रयोजन के लिए या किसी अन्य देश की निर्यात के लिए शोषण के अधीन आए, उन प्रयोजन, जिसके लिए वह अपूर्व है, को विशेषता करते हुए निर्माण को बिखित रूप से आवेदन कर सकता है।”

धारा 8 का संशोधन

3-मूल अधिनियम की धारा 8 में, उपरांता (2) में खण्ड (क) के अन्तर्गत पर निम्नलिखित खण्ड रख दिए जाएँ, अशाऊँः—

“(क) ऐसे ही व्यक्ति को शीरा सम्बन्धित करने की अपेक्षा करेगी जिसे उसकी अपेक्षा, अपनी अस्तित्व के लिए या औद्योगिक विकास के किसी प्रयोजन के लिए आयुक्ता किसी अन्य देश की निर्यात के लिए, हो।”

उद्देश्य और कारण

उत्तर प्रदेश में वित्तीय कारकों द्वारा उत्पादित शीरा के भण्डारण, संरक्षण एवं विपक्षकरण पर नियंत्रण रखने और उसकी आपूर्ति एवं वित्तपति के प्रभाव का उपयोग करने के लिये, उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन 1964) अधिनियमित किया गया है। राज्य में गना के अनुसार उपरांता के मामले में शीरा के अप्यवय को रोकने, और वित्तीय निर्माण में शीरा की सिमित भण्डारण प्रभाव की दृष्टि से वह विभाजन किया गया है कि अन्य देशों के प्रशासनिक प्रभारों के आधार पर अल्पक्षण शीरा के निर्यात हेतु अनुमति करने के लिये उत्तर अधिनियम में संशोधन किया गया।

तदनुसार उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) विधेयक, 2018 पुरस्कारित किया गया है।

आज्ञा से,
संजय खरे,
प्रबुद्ध सचिव।

No. 2573(2)/LXXIX-V-1–18-1(Ka)26-18
Dated Lucknow, December 24, 2018

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyamtran (Tritiya Sanshodhan) Adhiniyam, 2018 (Uttar Pradesh Adhiniyam Sanshodhan 44 of 2018) as passed by the Uttar Pradesh Legislature and assented to by the Governor on December 24, 2018.

THE UTTAR PRADESH SHEERA NIYANTANN (TTRITYA SANSHOHDHAN) ADHINIYAM, 2018
(U.P. ACT No. 44 of 2018)

[As passed by the Uttar Pradesh Legislature]

AN ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Sixty-ninth Year of the Republic of India as follows:–

1. (1) This Act may be called the Uttar Pradesh Sheera Niyantran (Tritiya Sanshodhan) Adhiniyam, 2018.
   (2) It extends to the whole of Uttar Pradesh.
2. In section 7A of the Uttar Pradesh Sheera Niyamantr Adhiniyam, 1964 hereinafter referred to as the principal Act for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Any person, who requires molasses for his distillery or for any other purpose of industrial development or for export to any other country, may apply in the prescribed manner to the Controller specifying the purpose for which it is required."

3. In section 8 of the principal Act, in sub-section (2) for clause (a), the following clause shall be substituted, namely:—

"(a) shall require supply to be made only to a person who requires it for his distillery or for any purpose of industrial development or for export to any other country."

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STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Sheera Niyamantr Adhiniyam, 1964 (Uttar Pradesh Act no. 24 of 1964) has been enacted to provide for the control of storage, preservation and gradation of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof. With a view to avoiding wastage of molasses in case of excess production of sugarcane and limited storage capacity of the molasses in the sugar mills of the State, it has been decided to amend the said Act to allow for export of the surplus molasses to other countries on payment of administrative charges.

The Uttar Pradesh Sheera Niyamantr (Trityya Sanshodhan) Vidheyak, 2018 is introduced accordingly.

By order,
SANJAI KHARE,
Pramukh Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विधायी परिषिष्ट
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)
लखनऊ, बुधवार, 10 मार्च, 2021
फल्युन 19, 1942 शक सम्पूर्ण

उत्तर प्रदेश शासन
विधायी अनुमान-1

संख्या 452/79-वि-1-21-1-क-14-21
लखनऊ, 10 मार्च, 2021

अधिसूचना
विविध

“भारत का संविधान” के अनुसार 200 के अधीन साज्जिल महोदय ने उत्तर प्रदेश शीरा नियंत्रण (संशोधन) विवेचनक, 2021 जिससे आवागमी अनुमान-2 प्रशासनिक रूप से समाविष्ट है, पर दिनांक 10 मार्च, 2021 की अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 13 सन् 2021 के रूप में सर्वलोकारण की सुविधाय इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2021
(उत्तर प्रदेश अधिनियम संख्या 13 सन् 2021)
[जैसा उत्तर प्रदेश विधान मंडल द्वारा पारित हुआ]
उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 का अग्रत्र संशोधन करने के लिए
अधिनियम
भारत गणराज्य के बहुतवर्षों वर्ष में निरन्तर अधिनियम बनाया जाता है :-

1—(1) यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2021 चैत्र नाम और प्रारम्भ कहा जायेगा।
उत्तर प्रदेश अधिनियम गंजिट, 10 मार्च, 2021

उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964 की धारा 8 का संशोधन

(2) इस अधिनियम की धारा 3 का उपवच, गंजिट में प्रकाशित किये जाने के दिनांक से प्रवृत्त होगा और शेष उपवच, दिनांक 01 नवम्बर, 2020 से प्रवृत्त हुए समझे जायेगे।

उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964 की धारा 8 का संशोधन

2—उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964, जिसे आगे मूल अधिनियम कहा गया है, विषय धारा 8 में, उपवच (4) के स्थान पर निम्नलिखित उपवाक्य रख दी जायेगी, अर्थात्—

किसी चीनी कारकान का अधि, अपने द्वारा अतिरिक्त किये गये, विक्रय किये गये या आपूर्ति किये गये शीर्ष पर ऐसी दर, जैसा कि राज्य सरकार समय—समय पर अद्वितीय करे, पर प्रशासनिक प्रभार का निहित शीर्ष से राज्य सरकार को मुमकिन न रखने के लिए दायी होगा।

उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964 की धारा 16 का संशोधन

नई धारा 16 में, शब्द “नियंत्रक” के स्थान पर शब्द “नियंत्रक या अन्य कोई अधिकारी, जो विनियंत्रित अपराधों के लिए राज्य सरकार द्वारा प्रभावित हो,” रख दिये जायेंगे।

उद्देश्य और कारण

उत्तर प्रदेश में चीनी कारकानों द्वारा उत्तराधिकारी शीर्ष के नियंत्रण, भण्डारण, श्रेणीकरण तथा कीमत, और उसकी आपूर्ति एवं वितरण के विनियम का उपबंध करने के लिए उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964) (जिसे आगे उक्त अधिनियम कहा गया है) अधिनियम किया गया है।

उक्त अधिनियम की धारा 8 की उपवाक्य (4) में यह उपबंधित है कि किसी चीनी कारकान का अधि, अपने द्वारा अतिरिक्त किये गये, विक्रय किये गये या आपूर्ति किये गये शीर्ष पर, अनधिकरण पद्धति रूपये ग्राहक की ऐसी दर, जैसा कि राज्य सरकार समय—समय पर अवश्यक करे, पर प्रशासनिक प्रभार का निहित शीर्ष से राज्य सरकार को मुमकिन न रखने के लिए दायी होगा। उक्त अधिनियम की धारा 16 के अधीन अपराध प्राधिकृत करने की शक्ति नियंत्रक में निहित होती है।

राज्य के अधिकारी राजस्व के इतिहास में तथा प्रक्रियागत धुराबाने के योजनाएँ से चीनी कारकानों के अधि द्वारा अतिरिक्त किये गये, विक्रय किये गये या आपूर्ति किये गये शीर्ष पर ऐसी दर, जैसा कि राज्य सरकार समय—समय पर अवश्यक करे, पर प्रशासनिक प्रभार अवश्यक करने की शक्ति राज्य सरकार को प्रदत्त करने, और नियंत्रक तथा साथ ही साथ राज्य सरकार द्वारा विनियंत्रित अपराधों हेतु यथा प्रभावित किसी अन्य अधिकारी को अपराध प्रशासित करने की शक्ति प्रतिनिधित्व करने का उपबंध करने के लिए उक्त अधिनियम की पूर्वी धाराओं में संशोधन किये जाने का विनियम किया गया है।

तद्वपरापत उत्तर प्रदेश शीर्ष नियंत्रण (संशोधन) विधेयक, 2021 पुर्य:प्राप्त किया जाता है।

आज्ञा से,
अतुल श्रीवास्तव,
प्रमुख सचिव।

789 RPH 4e Adhiniyam folder vidhai 2021
No. 452(2)/LXXIX-V-1-21-1-ka-14-21

Dated Lucknow, March 10, 2021

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhiniyam, 2021 (Uttar Pradesh Adhiniyam Sankhya 13 of 2021) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 10, 2021. The Aabkaari Anubhag-2 is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH SHEERA NIYANTRAN (SANSHODHAN)

ADHINIYAM, 2021

(U.P. Act no. 13 of 2021)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

Further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

It is hereby enacted in the Seventy-second Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Sheera Niyantran (Sanskodhan) Adhiniyam, 2021. Short title and commencement

(2) The provision of section 3 of this Act shall come into force with effect from the date of its publication in the Gazette and the remaining provisions shall be deemed to have come into force with effect from November 01, 2020. Amendment of Section 8 of U.P. Act no. 24 of 1964

2. In section 8 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 hereinafter referred to as the principal Act, for sub-section (4) the following sub-section shall be substituted, namely:

"The occupier of a sugar factory shall be liable to pay to State Government, in the manner prescribed, administrative charges at such rate, as the State Government may from time to time determine, on the molasses transferred, sold or supplied by him"

3. In section 16 of the principal Act, for the word "Controller", the words "Controller or any other officer authorized for specific offences by the State Government" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (Uttar Pradesh Act no. 24 of 1964) (hereinafter referred to as the said Act) has been enacted to provide for the control, storage, gradation and price of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof.

Sub-section (4) of section 8 of the said act, provides that the occupier of a sugar factory shall be liable to pay to the State Government, in the manner prescribed, administrative charges at such rate, not exceeding fifteen rupees per quintal as the State Government may from time to time notify, on the molasses transferred, sold or supplied by him. Under section 16 of the said Act, power to compound offences lies with the Controller.
In the interest of the State excise revenue and for the purpose of procedural ease, it has been decided to amend the aforesaid sections of the said Act to confer the State Government with the power of determining the administrative charges at such rate as it may from time to time determine on the molasses transferred, sold or supplied by the occupier of the sugar factory; and to provide for delegation of the power of compounding offences to the Controller as well as any other the officer as authorized for specific offences by the State Government.

The Uttar Pradesh Sheera Niyantran (Sanshodhan) Vidheyak, 2021 is introduced accordingly.

By order,

ATUL SRIVASTAVA,

Pramukh Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिप्त
भाग—1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, शुक्रवार, 24 दिसम्बर, 2021
पौष 3, 1943 साक समवत्

उत्तर प्रदेश शासन
विधायी अनुमान—1

संख्या 1093 / 79-च-1-21-1-क-38-21
लखनऊ, 24 दिसम्बर, 2021

अधिसूचना
विज्ञापन

“भारत का संविधान” के अनुसार 200 के अधीन श्री राज्यपाल ने उत्तर प्रदेश शीरा नियन्त्रण (द्वितीय संशोधन) विषयक, 2021 जिससे आबादी अनुमान—2 प्रशासनिक रूप से संबंधित है, पर दिनांक 24 दिसम्बर, 2021 को अनुमान प्रदान की और यह उत्तर प्रदेश अधिनियम संख्या 35 सन् 2021 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीरा नियंत्रण (द्वितीय संशोधन) अधिनियम, 2021
(उत्तर प्रदेश अधिनियम संख्या 35 सन् 2021)
(जैसा उत्तर प्रदेश कानून मंडल द्वारा पारित हुआ)
उत्तर प्रदेश शीरा नियंत्रण, 1964 का अनुसार संशोधन करने के लिए
अधिनियम
भारत गणराज्य के बहतरथे वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-
1—यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (द्वितीय संशोधन) अधिनियम, 2021 संक्षिप्त नाम कहा जा येगा।
उत्तर प्रदेश अधिनियम संख्या 24 रविवार, 24 दिसंबर, 2021

उत्तर प्रदेश शीर्ष की नियंत्रण अधिनियम, 1964 (जिसे आज "मूल अधिनियम" कहा गया है) की धारा 2 में खंड (प्र) के स्थान पर निम्नलिखित खंड रख दिया जायेगा,
अर्थात्—

(प्र) "शीर्ष" का तात्पर्य गणना या गूढ़ से चीनी विनिमित किये जाने के दौरान उप उत्पाद के रूप में उत्पादित गई, गहरे रंग के लसदार द्रव से हैं, जब इस रूप में या किसी भी कार्य प्रशिक्षण के रूप में द्रव में चीनी अनावश्यक हो, जिसमें बी-ही-चीनी शीर्ष और खान्दासारी शीर्ष सम्मिलित है।

3—मूल अधिनियम की धारा 8 में—

(1) उप धारा (4) के स्थान पर निम्नलिखित उप धारा रख दी जायेगी, अर्थात्—

"(4) राज्य सरकार, समग्र—समग्र पर ऐसी शर्ति से और ऐसी दरों पर, जैसा विभिन्न किया जाय, किसी चीनी कार्यालय से शीर्ष का किसी प्रकार का विक्रय, अंतरण या आपूर्ति किये जाने पर शीर्ष के ऐसे संदर्भ, आपूर्ति एवं वितरण पर प्रति अंतरण और नियंत्रण करने पर उपयोग लागत तथा तथ्यों को पूरा करने हेतु विनियमक शीर्ष अधिनियम कर कही तथा ऐसी फॉर्म की वसूली, चीनी कार्यालय के अध्याय से की जा सकती है।"

(2) उप धारा (5) निर्देश दी जायेगी।

उद्देश्य और कारण

उत्तर प्रदेश में चीनी कार्यालयों द्वारा उत्पादित शीर्ष मूल्य के नियंत्रण, भंडारण, श्रेणीकरण तथा उसकी आपूर्ति एवं वितरण के विनियम का उपयोग करने के लिए उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 रविवार, 24 दिसंबर, 1964) अधिनियमित किया गया है। विनियमित लेबरेटरी उत्पादकों की विशेषता के चीनी मिलों में उत्पादित शीर्ष और खान्दासारी शीर्ष में अंतरण कर पाना आवश्यक दुर्भाग्य है तथा इसके कारण चीनी मिलों में उत्पादित शीर्ष की तस्करी, खान्दासारी शीर्ष की आड़ में की जाती है। ऐसे तस्करीकृत शीर्ष का उपयोग विनियमन अंदर उत्पादी, विशेष रूप से अध्याय अंदर के निर्देश में किया जाता है। यो सभी नयारोग्य ने विशेष अनुमान याचिका 30-4796/1998 में सुरक्षा कृती सांडी शीर्ष कार्यालय उद्देश्य ब्रांड अभावी आयुक्त एवं शीर्ष अधिनियम, उत्तर प्रदेश व अंतरण में यह कहा है कि खान्दासारी शीर्ष सहित किसी भी शीर्ष का प्रदेश के बाहर उपयोग, विनियमक शीर्ष की अनुमान के नतीजे किया जायाज्ञा। खान्दासारी शीर्ष में चीनी का अंश, चीनी मिल में उत्पादित शीर्ष में चीनी के अंश को अधिक अथवा अन्य का होता है। ऐसे समस्त संचालन, जो उत्तर अधिनियम की धारा 2 के खंड (प्र) में शीर्ष की परिभाषा में सम्मिलित हैं, खान्दासारी शीर्ष में भी प्रमुख होते हैं। खान्दासारी शीर्ष की आड़ में चीनी मिल में उत्पादित शीर्ष की तस्करी को हातोंभारत करने के उद्देश्य से यह विशेषाधिकार किया गया है कि शीर्ष के पुरोहित में खान्दासारी शीर्ष को सम्मिलित करने के लिए उत्तर अधिनियम में संशोधन किया जाय।

अतः यह कि यह आवश्यकता अनुमान की गयी है कि चीनी मिलों से उन्नति निरंतर की बिक्री, अंतरण या आपूर्ति पर, ऐसे उपभोक्ताओं और नियंत्रण की लागत तथा तथ्य को प्रभुत्व के हेतु विनियमक खंड अधिनियम किया जाए और उपभोक्ता के दृष्टिगत पूर्हकाल अधिनियम की धारा 2 और 8 में संशोधन करने का विनियम किया गया है।

उद्देश्य और कारण

उत्तर प्रदेश शीर्ष की नियंत्रण (द्वितीय संशोधन) विषयक, 2021 पुरस्कारित किया जाता है।

आजा से,
अमूल शीर्षकर्ता,
प्रमुख सचिव।

492 RPH 2021 Seera (Adhiniyam-2021) data-4e
IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sheera Niyantran (Dwitiya Sanshodhan) Adhiniyam, 2021 (Uttar Pradesh Adhiniyam Sankhya 35 of 2021) as passed by the Uttar Pradesh Legislature and assented to by the Governor on December 24, 2021. The Aabkaari Anubhag-2 is administratively concerned with the said Adhiniyam:

THE UTTAR PRADESH SHEERA NIYANTRAN (DWITIYA SANSHODHAN) (ADHINITYAM), 2021 (U.P. Act no. 35 of 2021) (As passed by the Uttar Pradesh Legislature) AN ACT

further to amend the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964.

IT IS HEREBY enacted in the Seventy-second Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Sheera Niyantran (Dwitiya Sanshodhan) Adhiniyam, 2021.

2. In section 2 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (hereinafter referred to as the "principal Act") for clause (d), the following clause shall be substituted, namely:-

"(d) 'molasses' means the heavy, dark coloured viscous liquid produced as by-product during the manufacture of sugar from sugarcane or gur, when the liquid as such or in any form of admixture contains sugar including B-Heavy molasses and Khandari molasses."

3. In section 8 of the principal Act,—

(i) for sub-section (4), the following sub-section shall be substituted, namely:-

"(4) The State Government may, in such manner and at such rates as may be prescribed from time to time, impose on any sale, transfer or supply of molasses from a sugar factory, regulatory fees to meet the cost and expenses incurred on supervision and control over such preservation, supply and distribution of molasses and such fee shall be recoverable from the occupier of the sugar factory."

(ii) sub-section (5) shall be omitted.

STATEMENT OF OBJECTS AND REASONS
The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U.P. Act no. 24 of 1964) has been enacted to provide for the control, storage, gradation and price of molasses produced by sugar factories in Uttar Pradesh and the regulation of supply and distribution thereof.

It is very difficult to differentiate between molasses produced by sugar mills and Khandari molasses without an expert lab technician and because of which the molasses produced by sugar mills is easily smuggled in the garb of Khandari molasses. Such smuggled molasses is used for production of various illegal products especially illicit liquor. The Hon'ble Supreme Court in Special Leave Petition no. 4796/1998 M/s Kurali Khandari Udhyog Vs Excise Commissioner and Controller Molasses, Uttar Pradesh and others has also directed that no molasses including Khandari molasses, should be exported outside the State of Uttar Pradesh without the prior approval of the Controller. Sugar content in Khandari molasses is greater than that in the molasses produced in sugar mill. All the ingredients which are included in the definition of molasses in clause (d) of section 2 of the said Act, are also applied to Khandari molasses. In order to discourage the smuggling of molasses produced in the sugar mill in the garb of Khandari molasses, it has been decided to amend the said Act to include Khandari molasses in the definition of molasses.

Further a need has been felt to impose regulatory fees on the sale, transfer or supply of molasses released from the sugar mill to meet the cost and expenses of supervision, and control over such release of molasses. In view of the above, it has been decided to amend section 2 and 8 of the aforesaid Act.

The Uttar Pradesh Sheera Niyantran (Dwitiya Sanshodhan) Vidheyak, 2021 is introduced accordingly.

By order,

ATUL SRIVASTAVA,

Pramukh Sachiv.