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 Niyantran Adhiniyam, 1964.

(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;


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 contents (expressed as total reducing sugar, determined by the Lane and Egnon'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 with 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 coverage 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>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 (Sanskodhan) 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 (Sanskodhan) 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;"
(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 shunting charges</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>500 per cent and above</td>
<td>Rs. P.</td>
</tr>
<tr>
<td>II</td>
<td>44 per cent to 49.99 per cent</td>
<td>1.00</td>
</tr>
<tr>
<td>III</td>
<td>40 per cent to 43.99 per cent</td>
<td>0.80</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 (Sanskodhan) 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.)

U. P. Ordi-

nance 10 of 1974.
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 (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 Niyantran 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 Niyantran (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 Niyantran 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 rates, 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 Niyam (Sanskodhan) Adhyanesh, 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.
No. 621 (2)/XVII-V-1—1(KA) 16—1995
Dated Lucknow, March 14, 1995

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 (Sanskodhan) 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 PRADHES SHEERA NIYANTRAN (SANSKODHAN) 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 Niantran 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 Niantran (Sanskodhan) 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 Niantran 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 Niantran (Sanskodhan) 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,
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 Nyantran (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 PRADHESH SHEERA NIYANTRAN (SANSHODHAN) ADHINIYAM, 1998

[U.P. ACT No. 4 OF 1998]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

Further to amend the Uttar Pradesh Sheera Nyantran 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 Nyantran (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 Nyantran 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, 3

(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.

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<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 Niyantan (Sanskshodhan) Adhyan-desh, 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.
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 (Sanskodhan) Adhiniyam, 2000 (Uttar Pradesh Adhiniyam Sankhya 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 Nyantran 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 Nyantran (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 Nyantran 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 Nyantran (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.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विधायी परिषिद्ध
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-वि.1--18-1(क)-11-19
लखनऊ, 10 सितम्बर, 2018

अधिसूचना

विषय:
“भारत का संविधान” के अनुसूच अनुसार 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश शीरा नियंत्रण (संशोधन) विधेयक, 2018 पर विनाक्रम 7 सितम्बर, 2018 के अनुसूचित प्रदेश की ओर एवं वह उत्तर प्रदेश अधिनियम संख्या 33 संरु 2018 के रूप में सर्वसम्मान की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2018
(उत्तर प्रदेश अधिनियम संख्या 33 संरु 2018)
[जैसा उत्तर प्रदेश विधायी मंडल द्वारा पारित हुआ]
उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 का अनुसार संशोधन करने के लिये अधिनियम
भारत गणराज्य के उनहत्तरव्य क्षेत्र में नियंत्रित अधिनियम बनाया जाता है:-

1-(1) यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (संशोधन) अधिनियम, 2018 कहा जाएगा।

(2) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।

(3) यह 30 मई, 2018 को प्रकृत हुआ समझा जाएगा।
उत्तर प्रदेश असाधारण गजंग, 10 सितंबर, 2018

उत्तर प्रदेश
अधिनियम संख्या 24 तथा 1964

2-उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964, जिसे आगे मूल अधिनियम कहा गया है, की शारा 11 में;

(अ) उपाधि (1) में शब्द “दो हजार रुपये” के स्थान पर शब्द “एक लाख रुपये” तथा शब्द “एक तीव्र रूपे” के स्थान पर शब्द “पंच हजार रुपये” रख दिये जायेंगे।

(ब) उपाधि (2) के स्थान पर निम्नलिखित उपाधि रख दी जायेंगी, अर्थात्:
“(2) उपाधि (1) के अधीन दसवटी विनियमी अप्रवास पर विशेष नियंत्रण करने वाला कोई न्यायाधीश, यह निदेश के संबंध में कोई ऐसा श्रीरा और ऐसे पत्र या पैकेज जिसमें उत्तर शीरा रखा गया हो, को ले जाने में प्रयुक्त पसंत, पश्चात, जलवायु, कटेनर या वाहन, जिसमें संबंध में न्यायाधीश का यह समाहरण हो जाय कि ऐसा अपराध प्राप्त किया गया है, राज्य सरकार के लिये सम्भव है कि लिये जायेंगे।”

शारा 16 का संशोधन
3- मूल अधिनियम की शारा 16 में शब्द “पंच हजार रुपये” के स्थान पर शब्द “दो हजार पचास हजार रुपये” रख दिये जायेंगे।

निरसन और अपवाद
किया जाता है।

(2) ऐसे निरसन के होने के बाद ही उपाधि (1) में नियंत्रण अधिकार द्वारा यथासंपर्क मूल अधिनियम के उपक्रमों के अधीन कृत कार्य के कार्यवाही, इस अधिनियम द्वारा यथासंपर्क मूल अधिनियम के तत्कालीन उपक्रमों के अधीन कृत कार्य के कार्यवाही सयया जायेगी या इस अधिनियम के उपक्रम सबभी सार्वजनिक समय पर प्रस्तुत बै।

उद्देश्य और कारण
उत्तर प्रदेश में चीनी कारखानों द्वारा उस्मान शीरा के निर्यात, बण्डराव, श्रीकृष्णर तथा कीमत और उसकी आपूर्ति एवं वितरण का उपयोग करने के लिये उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 तथा 1964) अधिनियमित किया गया है। शीरा नियंत्रक शह आवश्यक अनुसार राज्य सरकार का संबंध में यह लागू करता था कि पृथक प्रकार अधिनियम के उपक्रमों का वितरण करने पर अधिकारी आधि नियंत्रक की नियंत्रण, बार-बार अपराधिक किये जाने की दशा में अधिकृत निरसन आधि नियंत्रक की नियंत्रण, और साथ ही साथ अपार गामन की अधिकता नियंत्रक में वर्तमान समय के अनुसार नहीं हो गई है। इसके अतिरिक्त उक्त अधिनियम के उपक्रमों के विश्लेषण शीरा ले जाने में प्रयुक्त वाहन/उपक्रम का अधिकरण किये जाने के उपक्रम के अभाव में आवश्यक विषय की अधिकता संशोधन करते समय सूचना की समन्वय करता और अभाव में निर्देश वाहन/अन्य वस्तुएं विषय में न्यायाधीश द्वारा तत्काल निरीक्षण कर दी जाती है। शीरा के अधीन वितरण और मदार के अधीन अपराध पर प्रभावी नियंत्रण का उद्देश्य करते हुए यह विनियम नियंत्रक गया है कि उक्त अधिनियम के अधीन मुख्याधि: आधि निरसन की नियंत्रण तथा अपार गामन नियंत्रक द्वारा लूक करने के लिये आवश्यक निरीक्षण करने के लिये संबंध अवश्यक निरीक्षण करने के लिये अवश्य अधिनियम में संशोधन किया जाए।

उत्तर प्रदेश अधिकारीदशा, 2018 (उत्तर प्रदेश अधिकारीलिखित संख्या 7 सन 2018) प्रकाशित किया गया।

यह विनियम पृथक अधिकारीलिखित को प्रतिस्पर्धित करने के लिये पुरुष है।

आजा से,

वीरेंद्र कुमार श्रीबाबाद, 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 Niyantan (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 NIYANTAN (SANSKODHAN)
ADHINIYAM, 2018

(U.P. ACT no. 33 of 2018)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Sheera Niyantan 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 Niyantan (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 Niyantan 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 Niyantan (Sanskodhan) Adhyades, 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 Niyantan 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 infraction 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 Niyantar (Sangsodhan) Adhyadesh, 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.

पीएससी-एन राजस्व--(हिंदी)--2018--(669)--599 प्रतिवर्षा-(कम्प्यूटर/टी/आफसेट)।
पीएससी-एन 83 साल विवाही-2018--(670)--300 प्रतिवर्षा-(कम्प्यूटर/टी/आफसेट)।
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिद्ध
भाग—१, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, १० सितम्बर, २०१८
भाद्रपद १९, १९४० शक सम्मत

उत्तर प्रदेश शासन

विधायी अनुमान—१

संख्या १९०१/७९-वि-१७-१(के)-२१-१८
लखनऊ, १० सितम्बर, २०१८

अधिसूचना

विषय

"भारत का संविधान" के अनुसार, २०० के अधीन राज्यपाल महोदय ने उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) विधेयक, २०१८ के दिनांक ७ सितम्बर, २०१८ को अनुमति प्रदान की और उस उत्तर प्रदेश अधिनियम संख्या ३७ थान २०१८ के रूप में सर्वसाधारण की सूचना इस अधिसूचना द्वारा प्रकाशित किया जाता है:

उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) अधिनियम, २०१८
(उत्तर प्रदेश अधिनियम संख्या ३७ थान २०१८)
[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]
उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, १९६४ का अग्रता संशोधन करने के लिए
अधिनियम

भारत गणराज्य के उनहत्तरवे वर्ष में निम्नलिखित अधिनियम बनाया जाता है:-

1—(१) यह अधिनियम उत्तर प्रदेश शीर्ष नियंत्रण (द्वितीय संशोधन) अधिनियम, २०१८ कहा जायेगा।
(२) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।
उत्तर प्रदेश आयोग, 10 सितंबर, 2018

उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 की धारा 2 में, खण्ड (घ) के स्थान पर निम्नलिखित खण्ड रख दिया जाएगा, अर्थातः—

“(घ) "शीरा" का तालयभ गन्ना या गुड़ से शककर बनाने के दौरान उप उत्तर के रूप में निकलने वाले गद्दे, गहरे रंग के लसधार तरल ध्रुव, से हैं, जब उसा तरल या उसके किसी रूप अथवा निरंजन में शककर हो, जिसमें बी–हेवी मोलासेस सम्मिलित है।”

उद्देश्य और कारण

उत्तर प्रदेश में चीनी कार्मिक में द्वारा उपकरित शीरा के नियंत्रण, भक्तित्व, विनियमक तथा कृषि और उसकी आपूर्ति एवं वितरण के नियमित आदेश नियंत्रण के लिये उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964) अधिनियमित किया गया है। राज्यों में शीरे की पर्याप्त उपलब्धता के कारण, पेट्रोलियम आयाम्यों को कम करने तथा विदेशी मुद्रा की वृद्धि के लिए उद्देश्य से भारत सरकार ने अपनी महत्त्वाकांक्षी एथ्रोल सम्मिलण कार्यक्रम (ईबीपी) हेतु शीरे से एथ्रोल (प्लेनेपर्च एनाइड्स अव्यक्त) का उत्पादन करने के लिए योजना बनायी है और पेट्रोल में 10 प्रतिशत एथ्रोल मिश्रित किये जाने का लक्ष्य रखा गया है। इस कार्यक्रम को प्रोत्साहित करने के लिए भारत सरकार, राज्य सरकारों से पयाज एथ्रोल का उत्पादन करने की प्रतियोगिता कर रही है। बी–हेवी मोलासेस ऐसा मोलासेस है जिसमें अपेक्षित अधिक शरकस्युक्त अंश होते हैं। ऐसे समस्त संघठन, जो उक्त अधिनियम की धारा 2 के खण्ड (घ) में शीरे की परिभाषा में सम्मिलित है, बी–हेवी मोलासेस में भी प्रमुखता होते हैं। भविष्य में बी–हेवी मोलासेस से एथ्रोल के उत्पादन को प्रोत्साहित करने के उद्देश्य से यह विचारण किया गया है कि शीरे की परिभाषा में बी–हेवी मोलासेस को सम्मिलित करने के लिये उक्त अधिनियम में संशोधन किया जाए।

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

आजा से,

वीरेन्द्र कुमार श्रीवास्तव,

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 Niyantan (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 Niyantan 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 Niyantan (Dwitiya Sanshodhan) Adhiniyam, 2018.

(2) It extends to the whole of Uttar Pradesh.
2. In section 2 of the Uttar Pradesh Sheera Niyantran Act, 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 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. 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 Sansodhan) Vidheyak, 2018 is introduced accordingly.

By order,

VIRENDRA KUMAR SRIVASTAVA,

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

असाधारण

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

लखनऊ, सोमवार, 24 दिसम्बर, 2018
पोष 3, 1940 शाख सम्मत

उत्तर प्रदेश शासन
विधायी अनुभाग—1

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

अधिसूचना
विशिष्ट

"भारत का संविधान" के अनुसार 200 के अर्थात राज्यपाल महोदय ने उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) विषयक, 2018 पर दिनांक 24 दिसम्बर, 2018 को अनुमति 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 विधान मण्डल द्वारा पारित हुआ]
उत्तर प्रदेश शीरा नियंत्रण अधिनियम, 1964 का अंशतः संशोधन करने के लिए
अधिनियम
भारत गणराज्य के उपलब्धियों के अंतर्गत नियंत्रित अधिनियम बनाया जाता है :-
1-(1) यह अधिनियम उत्तर प्रदेश शीरा नियंत्रण (तृतीय संशोधन) अधिनियम, 2018 कहा जायेगा।
(2) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में है।
उत्तर प्रदेश अस्थायी गठब, 24 दिसम्बर, 2018

उत्तर प्रदेश अस्थायी गठब, 24 सन् 1964, जिसे जाने मूल अधिनियम कहा गया है, की धारा 7(क) में, उपधारा (1) के स्थान पर निम्नलिखित उपधारा रख दी जायेगी, अर्थात् -

“(1) कोई व्यक्ति, जिसे अपनी आस्था के लिए अथवा औद्योगिक विवाद के किसी अन्य प्रमुख के लिए या किसी अन्य देश को नियंत्रण के लिए शीर्ष की आवश्यकता हो, उस प्रमुख, जिसके लिए वह अपेक्षित है, को विनिवेश करने हेतु नियंत्रक को विभिन्न रूप से आवेदन कर सकता है”

धारा 8 के संशोधन

3-मूल अधिनियम की धारा 8 में, उपधारा (2) में खण्ड (क) के स्थान पर निम्नलिखित खण्ड रख दिया जाएगा, अर्थात् -

“(क) ऐसे ही व्यक्ति की शीर्षा सम्बन्धित करने की अपेक्षा करेगी जिसे उसकी अपेक्षा, अपनी आस्था के लिए या औद्योगिक विवाद के किसी प्रमुख के लिए अथवा किसी अन्य देश को नियंत्रण के लिए, हो।”

उद्देश्य और कारण

उत्तर प्रदेश में धीमी कारखानों द्वारा उत्पादित शीर्ष के भण्डारण, संरक्षण एवं अभीकरण पर निर्धारण रखने और उसकी आपूर्ति एवं वितरण के विनियम का उपयोग करने के लिए, उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964 (उत्तर प्रदेश अधिनियम संख्या 24 सन् 1964) अधिनियमित किया गया है। राज्य में गना के अवधिक उपयोग के वापस में शीर्ष के अपघात को रोकने, और धीमी नित्य में शीर्ष की सीमित भण्डारण स्थिति की दृष्टि से वह विनियमित किया गया है कि अन्य देशों के प्रशासनिक प्रभारियों के आधार पर अतिशय शीर्ष के नियंत्रण हेतु अनुमति करने के लिये उत्तर अधिनियम में संशोधन किया गया।

तदनुसार उत्तर प्रदेश शीर्ष नियंत्रण (तृतीय संशोधन) विधेयक, 2018 पुर-स्थापित किया जाता है।

आज्ञा से,
संजय खरे,
प्रमुख सचिव।

No. 2573(2)/1.XXXIX-V-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 Niyantar (Tritiya Sanshodhan) Adhiniyam, 2018 (Uttar Pradesh Adhiniyam Sankhya 44 of 2018) as passed by the Uttar Pradesh Legislature and assented to by the Governor on December 24, 2018.

THE UTTAR PRADESH SHEERA NIYANTAN (TRITIYA SANSHODHAN) 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 Niyantar Adhiniyam, 1964.

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

Short title and extent

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

(2) It extends to the whole of Uttar Pradesh.
2. In section 7A of the Uttar Pradesh Sheera Niyantran 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 Niyantran 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 Niyantran (Tritiya Samshodhan) Vidheyak, 2018 is introduced accordingly.

By order,

SANJAI KHARE,

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

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

लखनऊ, बुधवार, 10 मार्च, 2021
फाल्गुन 19, 1942 शक सम्बत

उत्तर प्रदेश शासन
विधायी अनुभाग—1

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

अधिसूचना
विविध

“भारत का संविधान” के अनुसार चौथी 200 के अधीन राज्यपाल भारदवाज ने उत्तर प्रदेश शीर्ष नियंत्रण (संशोधन) विधेयक, 2021 जिसे आबादी अनुभाग–2 प्रशासनिक रूप से सम्बन्धित है, पर दिनांक 10 मार्च, 2021 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 13 सन 2021 के रूप में सर्वसाधारण की सुविधा के लिए इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश शीर्ष नियंत्रण (संशोधन) अधिनियम, 2021
(उत्तर प्रदेश अधिनियम संख्या 13 सन 2021)
[जैसा उत्तर प्रदेश विधान सभा पारित हुआ]
उत्तर प्रदेश शीर्ष नियंत्रण अधिनियम, 1964 का अप्रति संशोधन करने के लिए
अधिनियम
भारत गणराज्य के बहतरयथ वर्ष में निम्नलिखित अधिनियम बनाया जाता है:—

1—(1) यह अधिनियम उत्तर प्रदेश शीर्ष नियंत्रण (संशोधन) अधिनियम, 2021 संकीर्ण नाम और प्रकार
कहा जायेगा।
उत्तर प्रदेश अधिनियम गजट, 10 मार्च, 2021

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

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

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

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

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

उद्देश्य और कारण

उत्तर प्रदेश में चीनी कार्यालयों द्वारा उत्पादित शीर्ष के नियंत्रण, भण्डारण, श्रेणीकरण तथा कीमत, और उसकी आपूर्ति एवं वितरण के विनियमन का उपचर 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 का उपचर (4) में यह उपविश्वास है कि किसी चीनी कार्यालय का अधेक्षीय, अपने द्वारा अंतरित किये गये, विक्रय किये गये या आपूर्ति किये गये शीर्ष पर, अनगिन्त पन्नक रूपों में प्रति गुन्तल की ऐसी दर, जैसा कि राज्य सरकार समय-समय पर अवस्थितित करे, पर प्रशासनिक प्रमाणों के विनियम शीर्ष से राज्य सरकार को भुगतान करने के लिये दायी होगा। उक्त अधिनियम की धारा 16 के अंतिम अपराध प्रायोगिक करने की शक्ति नियंत्रक में निहित होती है।

राज्य के आबादी राजस्त के हित में तथा प्रक्रियागत सुरक्षा के प्रयोजन से चीनी कार्यालय के अधेक्षीय द्वारा अंतरित किये गये, विक्रय किये गये या आपूर्ति किये गये शीर्ष पर ऐसी दर, जैसा कि राज्य सरकार समय-समय पर अवस्थितित करे, पर प्रशासनिक प्रमाण अवदानित करने की शक्ति राज्य सरकार को प्रदत्त करने, और नियंत्रक तथा साथ ही साथ राज्य सरकार द्वारा विनियमित अपराधों हेतु यथा प्राधिकृत किसी अन्य अधिकारी को अपराध प्रायोगिक करने की शक्ति प्रतिनिधित्व करते हैं, उक्त अधिनियम की पूर्वी 1986 के संशोधन किये जाने का विनियम किया गया है।

तद्नुसार उत्तर प्रदेश शीर्ष नियंत्रण (संशोधन) विधेयक, 2021 पुरुष-संपादित किया जाता है।

आज्ञा से,

अतुल श्रीवास्तव,

प्रमुख सचिव।
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 Niyantan (Sanshodhan) 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 NIYANTAN (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 Niyantan 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 Niyantan (Sanshodhan) Adhiniyam, 2021.

   (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.

2. In section 8 of the Uttar Pradesh Sheera Niyantan 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.

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STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Sheera Niyantan 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.

789 RPH 4e Adhiniyam folder vidhai 2021