



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

Keyword(s):

Controller, Distillery, Excise Officer, Molasses, Occupier, Sugar Factory or
Factory

**Amendments appended: 15 of 1974, 5 of 1986, 10 of 1995, 4 of 1998, 17 of
2000**

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**THE UTTAR PRADESH SHEERA NIYANTRAN
ADHINIYAM, 1964**

(U. P. ACT No. XXIV OF 1964)

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

Short title and extent.

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

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

Definitions.

(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 ;

U. P.
Act
no. IV
of
1910.
U. P.
Act
no. IV
of
1910.

*For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette Extraordinary*, dated February 4, 1964.

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

Constitution of
Advisory
Committee.

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.

Appointment of
Controller of
Molasses.

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

Preservation of
molasses.

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.

Preservation
against adultera-
tion.

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.

Removal
adulterated
molasses. of

(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.

Sale and supply
of molasses.

(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 is 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.

Appeal.

(2) An order of the State Government under sub-section (1) shall be final.

Maximum
prices
of
molasses.

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

Contravention
of provisions.

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.

Offence
companies.

by

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. Cognizance of offences.

(2) No court inferior to that of a Magistrate of the first class shall try any offence punishable under this Act.

Act V of 1898. (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--- Power to enter, search and seize.

(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.

Act V of 1898. (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.

Act V of 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. Report about seizure.

(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.

Power
compound
offences.

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

Maintenance of
accounts and
furnishing of
returns, etc.

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.

Accommodation
to inspectors
posted to
factories.

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.

Delegation
of powers.

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.

Protection
action taken
in good faith.

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.

Service
orders.

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. Power to make rules.

(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.

Repeal of U. P.
Act no. XXIII
of 1947.

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

SCHEDULE
(See section 10)

Grade	Percentage of total sugar contents of molasses (expressed as reducing sugar)	Maximum price per quintal of molasses, including loading and shunting charges
1	2	3
I	.50% and above	67 P.
II	47% to 49.99%	59 P.
III	44% to 46.99%	51 P.
IV	40% to 43.99%	43 P.

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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 Application for any purpose of industrial development may apply in molasses. 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 ;

Short title.

Amendment of long title of U.P. Act XXIV of 1964.

Omission of preamble.
Amendment of section 3.

Amendment of section 7.

Insertion of new section 7-A.

[*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."

Amendment of section 8.

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.”

Insertion of new section 10-A.

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.”

Amendment of section 15.

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.”

Amendment of the Schedule.

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

“SCHEDULE
(See SECTION 10)

Grade	Percentage of total sugar contents of molasses (expressed as reducing sugar)	Maximum price per quintal of molasses, including loading and shunting charges
1	2	3
		Rs. P.
I	500 per cent and above	1.00
II	44 per cent to 49.99 per cent	0.80
III	40 per cent to 43.99 per cent	0.60

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

Repeal and saving.

11. (1) The Uttar Pradesh Sheera Niyantaran (Sanshodhan) 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.

U. P. Ordinance No. 10 of 1974.

Dated Lucknow, March 15, 1986

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 Niyantaran (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 Niyantaran Adhiniyam, 1964

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

Short title and commencement

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

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

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

2. In section 8 of the Uttar Pradesh Sheera Niyantaran 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 :—

Amendment of section 22

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

J. P. Ordinance no. 17 of 1985

4. (1) The Uttar Pradesh Sheera Niyantran (Sanshodhan) Adhyadesh, 1985, is hereby repealed.

Repeal and saving

179648
(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.

उत्तर प्रदेश
असाधारण
गजट
क्रमांक 17
मार्च 1986

By order,
S. N. SAHAY,
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 Niyamtran (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 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 Niyamtran 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 Niyamtran (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 Niyamtran 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 :

Short title and commencement

Amendment of section 2 of U. P. Act No. 24 of 1964

Amendment of Section 8

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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."

Amendment of section 10

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.

Substitution of section 10-A

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.

Grade of molasses	percentage of total sugar contents of molasses (expressed as reducing sugar)
I	50 per cent and above
II	44 per cent to 49.99 per cent
III	40 per cent to 43.99 per cent

Omission of the Schedule

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

Repeal and savings

7. (1) The Uttar Pradesh Sheera Niyantara (Sanstodhan) Adhyadesh, 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.

U. P.
name
of 19

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 Niyantaran (Sanshodhan) 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

furtherto amend the Uttar Pradesh Sheera Niyantaran Adhiniyam, 1964.

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

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

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

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

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

4. (1) The Uttar Pradesh Sheera Niyantaran (Sanshodhan) 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.

नौ एषो यू पी०—ए० पी० १७ सा० वि०—(१७१)—२०००—८५० (मे०) ।

Short title and commencement

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

Omission of section 10

Repeal and Saving

U. P.
Ordinance
no. 2 of
2000