

The U.P. Sheera Niyantran Adhiniyam, 1964

UTTAR PRADESH

India

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Act 24 of 1964

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The U.P. Sheera Niyantran Adhiniyam, 1964 U.P. Act No. 24 of 1964 Last Updated 7th October, 2019 Statement of objects and Reasons - U.P. Act No. 37 of 2018. - The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (Uttar Pradesh Act 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 per cent 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 Niyantran (Dwitiya Sansodhan) Vidheyak, 2018 is introduced accordingly. Statement of Objects and Reasons - U.P. Act No. 33 of 2018. - The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (Uttar Pradesh Act 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 Niyantran (Sanshodhan) Adhyadesh, 2018 (U.P. Ordinance 7 of 2018) was promulgated by the Governor on May 30, 2018. This Bill is introduced to replace the aforesaid ordinance accordingly. Statement of Objects and Reasons - U.P. Act No. 44 of 2018. - The Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (Uttar Pradesh Act 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 Sanshodhan) Vidheyak, 2018 is introduced accordingly. (As Amended by U. P. Act 4 of 1998) Received the assent of the Governor, vide Notification No. 15812/Licence, dated April 1, 1981, published in U. P. Gazette, Extraordinary, dated 1st April, 1981, pages 4-5. [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] [Substituted by U.P. Act No. 15 of 1974.][* * *] [The Preamble omitted by U.P. Act No. 15 of 1974.]. It is hereby enacted in the Fifteenth Year of the Republic of India as follows :

Chapter I

Preliminary

1. Short title and extent.

(1) This Act may be called the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964. (2) It extends to the whole of Uttar Pradesh.

2. Definitions.

- 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 as 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;] [Substituted by U.P. Act No. 37 of 2018, dated 7.9.2013.](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;] [Inserted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998).](e) "occupier" in relation to a sugar factory means the person who has ultimate control over to 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. Constitution of Advisory Committee.

- [(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] [Substituted by U.P. Act No. 15 of 1974.](2)The committee shall consist of such number of persons and shall be constituted on such terms and conditions as may be prescribed.

4. Appointment of Controller of Molasses.

- The State Government may, by notification in the Gazette, appoint a person to be the Collector of Molasses for the purpose 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. Preservation of molasses.

- Every occupier of a sugar factory shall provide-(a)covered accommodation within the premises of the factory for the sale and 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 adequate 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. Preservation against adulteration.

(1)No occupier of a sugar factory shall adulterate or allowed 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. Removal of adulterated molasses.

- [(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.] [Substituted by U.P. Act No. 15 of 1974.](2)For the purposes of this section the molasses referred to in sub-section (2) of Section 6 shall be deemed to be adulterated.

7A. [Application for molasses. [Inserted by U.P. Act No. 15 of 1974.]

- [(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.](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.]

8. Sale and supply of molasses.

(1)The Controller [may, with the prior approval of the State Government, by order require] [Substituted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998).] the occupier of any sugar factory to [sell or supply] [Substituted by U.P. Act No. 5 of 1986 (w.e.f. 30.11.1985).] 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.[(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.] [Inserted by U.P. Act No. 4 of 1998,(w.e.f. 8.1.1998).](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 or for export to any other country;] [Substituted by U.P. Act No. 44 of 2018, dated 24.12.2018.](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 Z-A and to observe all such restrictions and conditions, as may be prescribed] [Inserted by U.P. Act No. 15 of 1974.];(b)may be the entire quantity of molasses in stock or to be produced during the year or for any portion; but the proportion of molasses to be supplied from each sugar factory to

its estimated total produce of molasses, during tire year shall be the 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 subsection (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). (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 [fifteen rupees] [Inserted by U.P. Act No. 5 of 1986, Section 2 (b) (w.e.f. 30th Nov. 1985)] 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].

9. Appeal.

(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. Maximum prices of molasses.

(1) The occupier of a sugar factory shall sell molasses in respect of which an order under Section 8 has been made [* * *] [Certain words omitted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998)]. [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.] [Inserted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998)]. [* * *] [Sub-section (2) and Explanation of Section 10 omitted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998).]

10A. [Funds for regulation of adequate storage facilities. [Susbtituted by u.P. Act No. 4 of 1998 (w.e.f. 8.1.1998).]

- 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 contends 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.]

Chapter IV

Offences and Penalties

11. Contravention of provisions.

(1)Whoever contravenes any provisions 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 [one lakh rupees] [Substituted 'two thousand rupees' by U.P. Act No. 33 of 2018, dated 7.9.2018.] or with both and, in the case of a continuing contravention, with an additional fine which may extend to [five thousand rupees] [Substituted 'one hundred rupees' by U.P. Act No. 33 of 2018, dated 7.9.2018.] 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 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.] [Substituted by U.P. Act No. 33 of 2018, dated 7.9.2018.]

12. Offence by companies.

(1)If the person committing an offence under this Act is' 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) wherein 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. Cognizance of offences.

(1)No Court shall take cognizance of an offence punishable under this Act except 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.] [See now the Code of Criminal Procedure, 1973.]

14. Power to enter, search and seize.

(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.] [See now the Code of Criminal Procedure, 1973.] (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.] [See now the Code of Criminal Procedure, 1973.]

15. Report about seizure.

— [(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 direction for its disposal in accordance with the orders of the Controller as he may think fit] [Substituted by U.P. Act No 15 of 1974.] (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 person from whom they are seized.

16. Power to compound offences.

— 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 [two lakh fifty thousand rupees] [Substituted 'five thousand rupees' by U.P. Act No. 33 of 2018, dated 7.9.2018.] by way of composition for the offence which may have been committed and in all the cases in which any property has been seized is 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. Maintenance of accounts and furnishing of returns, etc.

- 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, 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. Accommodation to inspectors posted to factories.

- 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 Official 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 directions issued thereunder.

19. Delegation of powers.

- The Controller may, by notification in the Gazette, direct that any power exercisable by him under this Act, except Section 8 thereof, or 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. Protection of action taken in good faith.

- 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. Service orders.

- 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. Power to make rules.

(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)condition relating to the 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;(ee)[the manner in which the administrative charges payable under sub-section (4) of Section 8 shall be realised] [Inserted by Act No. 5 of 1986, dated 15th March, 1986.];(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 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. Repeal of U. P. Act No. 23 of 1947.

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

Schedule

[* * *] ['The Schedule' omitted by U.P. Act No. 4 of 1998 (w.e.f. 8.1.1998).]NotificationsNotification No. 1253-E-2/13-254-83, dated March 24, 1993, published in the U. P. Gazette (Extraordinary), Part 4, Section (ka), dated 24th March, 1993.In exercise of the powers under sub-section (4) of Section 8 of the Uttar Pradesh Sheera Niyrantrn Adhiniyam, 1964 (U. P. Act. 24 of 1964) read with Section 21 of the Uttar Pradesh General Clauses Act. 1904 (U. P. Act No. 1 of 1904) and in supersession of Government Notification No. 596-E-2/13-254-93, dated March 25, 1991, the Governor is pleased to notify that with effect from the date of publication of this notification in the Gazette, the occupier of a sugar factory shall be liable to pay administrative charges to the State Government at the rate of Rs. 5.00 (rupees five) per quintal of molasses of any category sold by the occupier of the sugar factory.Notification No. 13804-A (Sheera Niyrantrn), dated January 1, 1994, published in the U. P.

Gazette, Part I (ka), dated 23rd July, 1994, p. 1775, No. 30, as amended by Notification No. 14125/Sheera Niyantran-94, dated January 5, 1994. In pursuance of the provisions of Section 8 of the U. P. Sheera Niyantran Adhiniyam, 1964, read with Rule 22 of the Uttar Pradesh Sheera Niyantran Niyamavali, 1974, the Controller of Molasses and Excise Commissioner, U. P. in supersession of Order No. 3336/Sheera Niyantran-93, dated August 13, 1993 hereby issues the following orders for general information, under the provision of Section 21 (1) of the U. P. Sheera Niyantran Adhiniyam, 1964, with immediate effect :

- 1. Sixty-five per cent of Graded molasses stored or produced in all the Vacuum Pan Sugar Mills of Uttar Pradesh is hereby reserved for indispensable internal requirements, i.e. for the distilleries and industries based on molasses and alcohol.**
- 2. If any sugar-mill produces below grade molasses or if the molasses become below grade on account of deterioration in its quality, 65 per cent of such below grade molasses, unless otherwise ordered, shall also be deemed to have been reserved.**
- 3. Sale, issue or transfer/disposal of the molasses calculated as above shall not be done without the orders of the Controller of Molasses and Excise Commissioner, U. P. and the sale of such molasses will be made at the rates prescribed in the Notification No. 5124-E-2/13-93-340-87, dated December 31, 1993, issued under subsection (2) of Section 10 of Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 with effect from January 11, 1994. The occupier of the Sugar-mill may sell remaining 35 per cent of the molasses to any distillery, registered industrial unit or any bona fide under according to the rules.**

Proviso-(1) No molasses shall be transported to other province, without previous written permission of the Controller of the molasses. If any attempt is made to export molasses out of the province without such permission, the molasses would be liable to be seized and confiscated and the offender shall be liable to be prosecuted for the offence. Notification No. 2055-E-2/13-254-83, dated August 12, 1996, published in the U. P. Gazette (Extraordinary), Part 4, Section (Kha), dated 12th August, 1996. In exercise of the powers under sub-section (4) of Section 8 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U. P. Act. 24 of 1964) read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U. P. Act No. 1 of 1904), and in supersession of Government Notification No. 86-E-2/13-254-83, dated January 16, 1995, the Governor is pleased to notify that, with effect from the date of publication of this notification in the Gazette till November 15, 1996, the occupier of a sugar factory shall be liable to pay administrative charges to the State Government at the rate of Rs. 5.00 (rupees five) per quintal of molasses of any category sold or supplied by him. Notification No. 2979-E-2/13-254-83, dated November 16, 1996, published in the U. P. Gazette (Extraordinary),

Part 4, Section (Ka), dated 16th November, 1996. In exercise of the powers under sub-section (4) of Section 8 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U. P. Act. 24 of 1964) read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U. P. Act No. 1 of 1904), and in supersession of Government Notification No. 2055-E-2/13-254-83, dated August 12, 1996, the Governor is pleased to notify that, with effect from the date of publication of this notification in the Gazette till January 31, 1997, the occupier of a sugar factory shall be liable to pay administrative charges to the State Government at the rate of rupees five per quintal of molasses of any category sold or supplied by him. Notification No. 3119-E-2/13-254-83, dated November 1, 1997, published in the U. P. Gazette (Extraordinary), Part 4, Section (Ka), dated 1st November, 1997. In exercise of the powers under sub-section (4) of Section 8 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U. P. Act. 24 of 1964) read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U. P. Act No. 1 of 1904), and in supersession of Government Notification No. 276-E-2/13-254-83, dated February 1, 1997, the Governor is pleased to notify that, with effect from the date of publication of this notification in the Gazette till October 31, 1998, the occupier of a sugar factory shall be liable to pay administrative charges to the State Government at the rate of rupees five per quintal of molasses of any category sold or supplied by him. Notification No. 1347-E-2/13-340-87, dated April 2, 1993, published in the U. P. Gazette (Extraordinary), Part 4, Section (ka), dated 2nd April, 1993. In exercise of the powers under sub-section (2) of Section 10 of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U. P. Act No. 24 of 1964), in order to bring the prices of molasses in conformity with the prices fixed by the Government of India, the Governor, with effect from the date of publication of this notification in the Gazette, is pleased to amend the Schedule as hereunder :

Schedule 2

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 per cent and above	Rupees 14.40 paise
II	44 per cent to 49.99 per cent	Rupees 11.50 paise
III	40 per cent to 43.99 per cent	Rupees 8.60 paise

Note.-For quality of molasses below Grade III, the price will be rupees 8.60 paise for every 40 Kilogram reducing sugar contents therein. Notification No. 3883-E-2/13-280-75, dated January 22, 1990, published in the U. P. Gazette (Extraordinary), Part 4, Section (ka), dated 22nd January, 1990. In exercise of the powers under Section 10-A of the Uttar Pradesh Sheera Niyantran Adhiniyam, 1964 (U. P. Act No. 24 of 1964) read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U. P. Act No. 1 of 1904) and in supersession of Government Notification No. 678-E-2/13-280-75, dated May 4, 1989 the Governor is pleased to notify that, with immediate effect, every occupier of a sugar factory shall from the price prescribed in the Schedule referred to in sub-section (1) of Section 10 of the said Adhiniyam for different grades of molasses placed in a separate fund the amount mentioned in the Schedule below for being utilized for provision and maintenance of adequate storage facilities in accordance with general or special order issued from time to time by the Controller :

Schedule 3

(I)An occupier of a sugar factory who do not have adequate storage facility as prescribed in Rule 3 (1) of the Uttar Pradesh Sheera Niyamtran Niyamavali, 1974 :

Grade	Percentage of sugar contents of molasses(expressed as reducing sugar)	Rates of molasses Fund
I	50 per cent and above	Rs. 2.00 (Rs. two) per 100 Kg.
II	44 per cent to 49.99 per cent	Rs. 1.50 (Rs. one and paise fifty only) per 100 Kg.
III	40 per cent to 43.99 per cent	
	Below grade-Below 40 per cent	Rs. 1.50 (Rs. one and paise fifty only) per 100 Kg.

(II)An occupier of a sugar factory, who have storage facility as prescribed in Rule 3 (1) of Uttar Pradesh Sheera Niyamtran Niyamavali, 1974, for the maintenance of existing storage facility :

on all grades of molasses [as per description given in para(1) above].	Re. 0.50 (Fifty paise) per 100 Kg.
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