

# **Sales Promotion Employees (Conditions of Service) (Uttar Pradesh Amendment) Act, 2017**

UTTAR PRADESH

India

## **Sales Promotion Employees (Conditions of Service) (Uttar Pradesh Amendment) Act, 2017**

### **Act 18 of 2018**

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Sales Promotion Employees (Conditions of Service) (Uttar Pradesh Amendment) Act, 2017(U.P. Act 18 of 2018)Statement of Objects and Reasons. - The Sales Promotion Employees (Condition of Service) Act, 1976 has been enacted by the Central Government to provide for regulation of conditions of service of employees in certain establishment.For the last many years there has been a growing demand for the introduction of provision for compounding of small offences in order to avoid unnecessary litigation and to reduce the number of cases pending in courts. After due consideration and consultation with association of employers and trade unions, it has been decided to compound first offence on payment of fifty per cent of the fine as compounding fee along with prescribed fine for the offence under said Act.The Sales Promotion Employees (Conditions of Service) (Uttar Pradesh Amendment) Bill, 2017 is introduced accordingly.(As passed by the Uttar Pradesh Legislature)Received the assent of the President on February 10, 2018 and published in the U.P. Gazette, Extraordinary, Part I, Section (Ka), dated 7th March, 2018, pp. 3-4, SI. No. 63(Ka).An Act further to amend the Sales Promotion Employees (Conditions of Service) Act, 1976 in its application to Uttar PradeshIt is hereby enacted in the Sixty-eight Year of the Republic of India as follows -

### **1. Short title and extent.**

(1)This Act may be called the Sales Promotion Employees (Conditions of Service) (Uttar Pradesh Amendment) Act, 2017.(2)It shall extend to the whole of Uttar Pradesh.

### **2. Insertion of Section 10-A of Act 11 of 1976.**

- After Section 10 of the Sales Promotion Employees (Conditions of Service) Act, 1976 the following section shall be inserted, namely -"10A. Composition of Offences. - (1) Any offence punishable under

this Act shall be compounded on the application of accused before or after institution of prosecution by a competent authority notified by the State Government, after imposing 50% of the fine for the offence as compounding fee along with the prescribed fine: Provided that the remedy of compounding shall be available for the first offence only. (2) Every officer referred to in sub-section (1) shall exercise the power to compound an offence subject to the direction, control and supervision of the State Government. (3) Every application for the compounding of an offence shall be made in such manner as may be prescribed. (4) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded. (5) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (1) in writing to the notice of the court in which prosecution is pending and on such notice of the composition of the offence being given, the person against whom the offence is so compounded shall be discharged."