

# **The Sugar (Retention and Sale by Recognised Dealers) Order, 1979**

UNION OF INDIA

India

## **The Sugar (Retention and Sale by Recognised Dealers) Order, 1979**

### **Rule**

### **THE-SUGAR-RETENTION-AND-SALE-BY-RECOGNISED-DEALERS-OR of 1979**

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The Sugar (Retention and Sale by Recognised Dealers) Order, 1979Published vide Notification Gazette of India, (Extraordinary), Part 2, Section 3(1), dated 17th December, 1979 vide Notification No. G.S.R. 702 (E)/Ess. Com./Sugar, dated December 17, 1979Last Updated 26th July, 2019In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:

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

(1)This Order may be called the Sugar (Retention and Sale by Recognised Dealers) Order, 1979.(2)It extends to the whole of India.(3)It shall come into force at once.

### **2. Definitions.**

- In this Order,-(a)"recognised dealer" means a person carrying on the business of purchasing, selling or distributing sugar and licensed under the Order relating to licensing of sugar dealers for the time being in force in a State or Union territory;(b)"sugar" means sugar manufactured by a vacuum pan process.

### **3. Retention of stocks of sugar.**

(1)Every recognised dealer shall retain sixty-five per cent of the stocks of sugar held by him at the close of business on the date of commencement of this Order for the purpose of sale to the State

Government, or to an officer or agent of such Government, or to' a corporation owned or controlled by such Government, or to such other person or class of persons as may be specified by the State Government, under the provisions of this Order and subject to such terms and conditions as may be specified by the State Government. Explanation. - For the purpose of this sub-clause, sugar delivered or despatched to a recognised dealer by a producer of sugarcane any other recognised dealer prior to the commencement of this Order but which is received by such recognised dealer at any time after such commencement shall be deemed to be sugar held by the recognised dealer on the commencement of this Order. (2) Where sugar has been retained under sub-clause (1) by a recognised dealer, he shall immediately thereafter intimate the quantity of sugar so retained by him in the State Government. (3) Where a recognised dealer sells sugar under the provisions of this Order, there shall be paid to him the price therefor as hereinafter provided: (a) where the price can, consistently with the controlled price fixed under Clause 4, be agreed upon, the agreed price; (b) where no such agreement can be reached, the price calculated with reference to such controlled price.

#### **4. Controlled price.**

- For the purposes of Clause 3, the controlled price of sugar shall be rupees two hundred and eighty only per quintal.

#### **5. Powers of entry, examination, search, seizure.**

(1) Any Police Officer, not below the rank of Assistant Sub-Inspector [or Enforcement Inspector or any other officer of the Central or State Government not below the rank of an Inspector of the Food and Civil Supplies Department] [Substituted by Notification No. G.S.R. 515 (E), dated 18.7.1984.], may with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with, - (a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the transport of sugar; (b) enter, search and examine any place; (c) seize, - (i) any stock of sugar in respect of which he has any reason to believe that a contravention of any of the provisions of this Order has been, is being or is about to be committed; (ii) any packages, coverings or receptacles in which such stock of sugar is found; (iii) [the animals, vehicles, vessels or other conveyances used in carrying such stock of sugar if he has reason to believe that such animals, vehicles vessels or other conveyances are liable to be confiscated under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and thereafter take or authorise the taking of all measures necessary of or dealing with the seized properties in accordance with the provisions of the said Act.] [Substituted Notification No G.S.R. 510 (E)/Ess Com/Sugar, dated 4.9.1980.] (d) examine or seize any books of accounts or documents which in his opinion, would be useful for, or relevant to, any proceedings in respect of any contravention of this Order and return such books of accounts and documents to the person from they were seized after copies thereof or extracts therefrom, as certified by that person, have been taken. (2) The provisions of Section 100 of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search and seizure, shall so far as may be, apply to search and seizures under this Order.