

# The U.P. Restriction on Sugarcane Purchase Order, 1966

UTTAR PRADESH

India

## The U.P. Restriction on Sugarcane Purchase Order, 1966

### Rule

### THE-U-P-RESTRICTION-ON-SUGARCANE-PURCHASE-ORDER-1966 of 1966

- Published on 1 December 1966
- Commenced on 1 December 1966
- [This is the version of this document from 1 December 1966.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Restriction on Sugarcane Purchase Order, 1966Published vide Notification U.P. Gazette, (Extraordinary), dated December 1, 1966, vide Notification No. 4577-S/18-C-1874, 1966 dated 1st December, 1966Whereas, powers under Clauses 6, 7, 8 and 9, conferred on the Central Government under the Sugarcane (Control) Order, 1966, have been delegated to the State Government under the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), Government of India, Order No. G.S.R. 1127-Ess,-Comm/Sugarcane, dated July 16, 1966 issued under the Essential Commodities Act, 1955;Now, therefore, the Governor of Uttar Pradesh, in exercise of the said powers and being of opinion that it is necessary and expedient so to do for regulating and increasing the supply of sugarcane and for securing equitable distribution thereof, is pleased to make the following Order:

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

(1)This Order may be called the U.P. Restriction on Sugarcane Purchase Order, 1966.(2)It shall extend to the whole of Uttar Pradesh.(3)It shall come into force with effect from the date of its publication in the Gazette.

### 2. Definitions.

- In this Order, unless the context otherwise requires,-(a)"form" means a form appended to this Order;(b)"permit" means a permit issued under this Order;(c)"Cane Commissioner" means the Cane Commissioner, Uttar Pradesh;(d)the words and expressions defined in the Sugarcane (Control) Order, 1966 and used in this Order shall carry the meanings assigned to them in the said Order.

### **3. Restriction on purchase of sugarcane or sugarcane juice.**

- In reserved area-(i)no sugarcane shall be purchased for crushing by a power crusher; and(ii)no sugarcane or sugarcane juice shall be purchased for crushing or for manufacture of gur, shakkar, gur jaggery, rab or khandsari sugar, as the case may be, by a khandsari unit;except under, and in accordance with a permit issued by or on behalf of the Cane commissioner in that behalf.

### **4. Application for permits.**

- An application for issue of permit shall be made to the Cane Commissioner, in Form No. 1 by December 29, 1966, for the year 1966-67 and by October 15 for any subsequent year;Provided that no application need be made by a person who has already made an application for the grant or renewal of a licence under the U.P. Sugarcane (Purchase Tax) Act, 1961, or the U.P. Khandsari Sugar Manufacturer Licensing Order, 1963 and such application is pending.

### **5. Grant of permits.**

(1)A person who holds licence under the U.P. Sugarcane (Purchase Tax) Act, 1961, or the U.P. Khandsari Sugar Manufacturer Licensing Order, 1963, shall be entitled to a permit without any application.(2)A person whose request for grant or renewal of a licence referred to in sub-paragraph (1) is refused shall not be entitled to a permit.(3)In any other case, an application for issue of a permit shall be disposed of by the Cane Commissioner expeditiously and shall not be rejected except where the Cane Commissioner is of opinion that it is necessary or expedient so to do in public interest with a view to regulating the supply of sugarcane or securing its equitable distribution.

### **6. Conditions of permit.**

- The permit, which shall be issued in Form No.11, shall be subject to such conditions as are specified therein:Provided that while imposing quantitative restrictions on the purchase of sugarcane or sugarcane juice by a permit-holder, the Cane Commissioner shall have regard to the crushing capacity of the power crusher and the availability of sugarcane in the reserved area.

### **7. Period and hours of working.**

- A permit-holder shall work the power crusher or khandsari unit, as the case may be, only during such period and such working hours as may be specified in the permit:Provided that the Cane Commissioner may from time to time, having regard to the availability of sugarcane in a reserved area and the requirement of sugarcane of the factory for which the area has been reserved, vary the period and working hours during which the permit-holder shall work the power crusher or khandsari unit, as the case may be:Provided further that in any case the aforesaid period and working hours shall not be less than one hundred and ten days and ten hours per day respectively.

## 8. Suspension or cancellation of permit.

- The Cane Commissioner on being satisfied-(a)that the permit-holder has contravened any provisions of this Order; or(b)that the licence granted to the permit-holder under the U.P. Sugarcane (Purchase Tax) Act, 1961, or the U.P. Khandsari Sugar Manufacturer Licensing Order, 1963, has been suspended or canceled; or(c)that it is otherwise necessary or expedient so to do in the public interest with a view to regulating the supply of sugarcane or for securing its equitable distribution-may suspend or cancel the permit:Provided that the permit shall not be suspended or cancelled unless, except in the case of sub-paragraph (b), a reasonable opportunity of being heard has been given to permit-holder.

## 9. Weighment.

- The permit-holder shall weigh or cause to be weighed correctly all sugarcane or sugarcane juice at the time of purchase and maintain correct and daily record of all such purchases in a register showing the name, parentage and full address of the cane grower and the quantity of sugarcane and sugarcane juice purchased by him.

## 10. Power to inspect and seize.

- The Cane Commissioner or an officer not below the rank of Khandsari Inspector authorised by him in this behalf may, for the purpose of this Order-(a)require the permit-holder to maintain, furnish or produce such record, date or information as may be specified by him;(b)if he has reason to believe that a contravention of any of the provisions of this Order has been, is being or is likely to be committed-(i)enter and search the premises of the power crusher or khandsari unit, as the case may be;(ii)seize and take into custody any implement or record connected with the purchase of sugarcane or sugarcane juice or the working of the power crusher in case such seizure appears to him to be necessary for preserving the evidence of contravention of any provision of this Order, or(iii)put a seal on the power crusher or Khandsari unit or any part thereof in a manner so as to render it inoperative. The power crusher or the khandsari unit or any part thereof so sealed shall not be removed or operated unless the seal has been removed by the Cane Commissioner, or with his prior permission by any officer not below the rank of Khandsari Inspector, or in the consequence of an order passed by a competent Court.

Form No. IApplication for grant of permit for purchase of Sugarcane/Sugarcane juiceI request that a permit for purchase.....quintals of sugarcane/sugarcane juice during the year 19..... may be issued in my favour.I shall work the power crusher at

.....Village.....Tahsil,.....district.....The details of the power crusher/crushers are as below:(1)Number of power crusher/crushers.....(2)Size.....(3)Crushing capacity of the power crusher/crushers.....I hereby declare that I shall abide by the provisions of the Sugarcane Control) Order, 1966, and the U.P. Restriction on Sugarcane Purchase Order, 1966, and the conditions of the permit.

Signature of the applicant with full address.

Note. - Portions not applicable may be struck-off.

Form No. IIPermit for the purchase of Sugarcane/Sugarcane juice from the Reserved AreaDated.....19 .....Permit No.Sri/Sarvastri..... son of/of the

firm.....village/town.....post office.....district.....is  
hereby permitted to purchase not exceeding ..... quintals of sugarcane/sugarcane juice  
between .....19 and ..... 19 ..... from the reserved area as .....  
Sugar factorySignature of Cane Commissioner,Uttar PradeshConditions of Permit

- 1. The permit is not-transferable and none except the permit-holder, his agent or servant is authorised to purchase sugarcane/sugarcane juice under this permit.**
- 2. The permit-holder shall not purchase sugarcane/sugarcane juice in excess of the quantity specified in the permit.**
- 3. Permit-holder shall work his hand power crusher for.....hours between.....and..... per day.**