

The U.P. Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972

UTTAR PRADESH

India

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Act 19 of 1972

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The U.P. Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972(U.P. Act 19 of 1972)[Dated 24th April, 1972]Received the Assent of the Governor on April 24, 1972 under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette, Extraordinary, dated April 25, 1972.An Act to provide, in the public interest, for creation of State monopoly in the purchase and distribution of tendu leaves and for matters connected therewithIt is hereby enacted in the Twenty-third year of the Republic of India as follows :

1. Short title, extent and commencement.

(1)This Act may be called the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972.(2)It extends to the whole of Uttar Pradesh.(3)[It shall be deemed to have come into force, in the districts of Allahabad, Mirzapur, Banda, Hamirpur, Jhansi and Varanasi on March 2, 1972, and shall come into force in the rest of Uttar Pradesh on such date as the State Government may by notification in the Gazette, appoint, and different [dates] [Substituted by U.P. Act 6 of 1973, Section 2.] may be appointed for different areas of Uttar Pradesh].

2. Definitions.

- In this Act, unless the context otherwise requires-(a)"agent" in relation to a unit, means an agent appointed under Section 4 in respect of such unit;(b)"unit" means a unit, constituted under Section 3;(c)"tenure-holder" means a bhumidhar, sirdar, asami, Government lessee or other Government grantee;(d)"grower of tendu leaves" means-(i)in respect of tendu leaves grown on land which is for the time being vested in and held by the State Government or constituted as a reserved forest or protected forest under the Indian Forest Act, 1927 (Act XIV of 1927)- the State Government.(ii)in respect of tendu leaves grown on land which is for the time being vested in and held by a Gaon Sabha or other local authority- such Gaon Sabha or other local authority;(iii)in respect of tendu

leaves grown on land which is for the time being held by a tenure-holder- such tenure holder;(iv)in respect of tendu leaves grown on land which is for the time being held by a mortgagee in possession or tenant or lessee on behalf of the State Government or such Gaon Sabha, local authority or tenure-holder as aforesaid- such mortgagee in possession, tenant or lessee, as the case may be;(v)in respect of tendu leaves grown on land which is for the time being in the custody of a receiver appointed by a court or by some other authority in exercise of a power conferred by law- such receiver;(vi)in respect of tendu leaves of on land which is for the time being held by any other person- such person;(e)"appointed day" in relation to any area, means the day on which this Act comes into force in that area;(f)["year" means the year beginning on the first day of January] [Substituted by U.P. Act 6 of 1973, Section 3.];(g)"prescribed" means prescribed by rules made under this Act;(h)words and expressions used but not defined in this Act, and defined in the Indian Forest Act, 1927 (Act XIV of 1927), shall have the meanings assigned to them in that Act.

3. Constitution of Units.

- The State Government may divide any area into such number of units as it may deem fit.

4. Appointment of agents.

(1)The State Government may, for the purpose of purchase of and trade in tendu leaves on its behalf, appoint agents in respect of different units, and any such agent may be appointed in respect of more than one unit.(2)The terms and conditions of and the procedure respecting, such appointment shall be such as may be prescribed.

5. Restrictions on sale, purchase and transport of tendu leaves.

- [(1)] [Section 5 shall be re-numbered as sub-section (1) by U.P. Act 6 of 1973, Section 4.] On and after the appointed day-(a)no person shall sell tendu leaves to any person other than the State Government or an officer of the State Government authorised by it in that behalf or an agent in respect of the unit in which the leaves have grown;(b)no person other than such Government, officer or agent shall purchase tendu leaves from any person other than such Government officer or agent, or collect tendu leaves grown on any land of which he is not owner or tenure-holder;(c)no person other than such Government, officer or agent shall transport tendu leaves except in the following cases namely :(i)where he being a grower of tendu leaves transports them from any place within the unit wherein such leaves have grown to any other place in that unit; or(ii)where he transports them on behalf of such Government officer or agent; or(iii)where he has purchased the leaves from such Government officer or agent either for the manufacture of bidis within Uttar Pradesh or for sale of the leaves outside Uttar Pradesh, and he transports them outside the unit in accordance with the terms and conditions of a permit issued in that behalf by such authority and in such manner as may be prescribed.(2)[Notwithstanding anything contained in sub-section (1) the State Government or an officer of the State Government authorised by it in that behalf may on such terms and conditions and in such manner as may be prescribed,-(a)permit any person who had purchased tendu leaves in the year 1971 or earlier,-(i)to sell such leaves to any person other than the State Government or an officer or agent referred to in clause (a) of sub-section (1), and permit any person other than such

Government, officer or agent to purchase the said leaves; or(ii)to transport such leaves to any place within Uttar Pradesh or to export them outside Uttar Pradesh; or(b)permit any person referred to in sub-clause (iii) of clause (c) of subsection (1) to sell within Uttar Pradesh any tendu leaves which he has been unable to utilise in the manufacture of bidis within Uttar Pradesh or, as the case may be, to export outside Uttar Pradesh; or(c)permit any person, who has purchased any tendu leaves outside Uttar Pradesh to bring them inside the State either for manufacture of bidis within the State or for transporting them elsewhere outside Uttar Pradesh; or(d)permit any person, who has purchased any tendu leaves within Uttar Pradesh outside any area to which this Act applies to transport them to any area to which this Act applies for the manufacture of bidis.](3)[A person to whom a permit referred to in clause (b) or clause (c) of clause (d) of sub-section (2) is granted shall be liable to pay, in the manner prescribed, a tax at the rate of three rupees per standard bag of tendu leaves.] [Substituted by U.P. Act 5 of 1980, Section 2 (w.e.f. 28th September, 1979).]

5A. [[Inserted by U.P. Act 15 of 1979, Section 2 (w.e.f. 7th April, 1979).]

(1)Notwithstanding anything contained in this Act but subject to Section 16, the State Government or an officer empowered by it by general or special order in this behalf, may, by permit, authorise in the manner prescribed a person to whom the State Government has sold or with whom it has agreed to sell tendu leaves to collect the same on its behalf directly from the grower of tendu leaves, on payment of price thereof to such growers.(2)The permit referred to in sub-section (1) shall specify the estimated quantity sold, the name of the grower of tendu leaves, the amount required to be paid to such grower and such other particular as may be prescribed.(3)A person authorised under sub-section (1) shall be deemed to be an agent for all or any of the purposes of this Act as may be prescribed, but shall not be entitled to payment of any amount by way of commission or otherwise for the collection of tendu leaves.] [Inserted by U.P. Act No. 6 of 1973, Section 4.]

6. Constitution of Advisory Committee.

(1)The State Government shall for each year constitute for each such Division of a Commissioner, where tendu leaves grow, an Advisory Committee which shall consist of not more than nine members nominated by the State Government :Provided that not more than one-third of such members shall be from amongst persons who are growers of tendu leaves.(2)The Advisory Committee for each division shall advise the State Government in the matter of fixation from time to time of a fair and reasonable price at which tendu leaves offered for sale may be purchased by or on behalf of the State Government in that division, and also on such other matters as may be referred to it by the State Government.(3)The business of the Committee shall be conducted in such manner as may be prescribed.

7. Fixation of price by State Government.

(1)The State Government shall, having regard to the following among other factors, fix the rate at which tendu leaves shall be purchased by or for [* * *] [The words 'from grower of tendu leaves' omitted by U.P. Act 6 of 1973, Section 5.] in each unit of the division during the year namely-(a)the price of tendu leaves, if any, fixed under this Act during the preceding three years in respect of the

unit;(b)the quality of the leaves grown in the unit;(c)the transport facilities available in the unit;'(d)the cost of transport; and(e)the general rate of wages for unskilled labour prevalent in the unit.(2)The price so fixed shall be published [* * *] [The words 'before such date and omitted by U.P. Act 16 of 1973, Section 2.] in such manner as the State Government may direct, [and shall not be reduced] [Substituted by U.P. Act 16 of 1973, Section 2 for the words 'and shall not be altered'.] during the year to which it relates.(3)Where an Advisory Committee has been constituted under Section 6 before the fixation of price under sub-section (1), the Advisory Committee shall, wherever practicable, be consulted by the State Government before such fixation.

8. State Government to purchase all tendu leaves offered for sale.

(1)The State Government shall be bound to purchase at the price fixed under Section 7 all tendu leaves offered for sale to or for it during the normal hours of business at a depot set up by the State Government in that behalf :Provided that it shall be open to an officer of the State Government or agent, as the case may be, appointed in that behalf to refuse to purchase any leaves which in his opinion are not fit for the purpose of manufacture of bidis.(2)Any person aggrieved by the rejection of his leaves by an officer or agent under the proviso to sub-section (1), may, within fifteen days therefrom, and in the manner prescribed, complain to the Divisional Forest Officer, or such other officer as may be empowered by the State Government in that behalf.(3)On receipt of a complaint under sub-section (2), the officer concerned shall hold summary inquiry and pass such order as he may deem fit, and in case finds the rejection of the leaves to be improper he may-(a)if he considers the leaves in question still suitable for manufacture of bids, direct the authorised officer or agent, as the case may be, to purchase the same and also direct the payment to the person aggrieved of such compensation not exceeding twenty per centum of the price of the leaves payable to him, as he may deem fit; or(b)if he considers that leaves in question have since become unsuitable for manufacture of bidis, he direct the authorised officer or agent, as the case may be to pay to the person aggrieved an amount equivalent to the price of such leaves payable to him under subsection (1) and such further compensation not exceeding ten per centum of such price as may deem fit by way of damages for the loss suffered by such person.(4)Notwithstanding, anything in sub-section (1), where the State Government or its authorised officer or agent has reason to believe that any tendu leaves offered for sale were grown on any land which is vested in and held by the State Government or which is constituted as reserved forest in and protected forest, such leaves may be appropriated without payment of price; and on payment only of such collection charges, if any, as the State Government may, from time to time, determine.(5)The provisions of sub-sections (2) and (3) shall mutatis mutandis apply in relation to any action taken under sub-section (4).(6)Every order passed under this section shall be final and shall not be called in question in any Court.

9. Registration of growers, etc.

(1)Every grower of tendu leaves other than the State Government or a Gaon Sabha or other local authority shall, if the quantity of leaves grown by him during a year is likely to exceed such quantity as may be prescribed, get himself registered in the prescribed manner.Registration of manufacturer of bidis and exporter of tendu leaves. - (2) Every manufacturer of bidis and every export of tendu leaves shall get himself registered on payment of such fee and in such manner as may be prescribed.

10. Disposal of the leaves.

- Tendu leaves purchased by or for the State Government shall be sold or otherwise disposed of in such manner as the State Government may direct.(2)The sale of tendu leaves in respect of which the grower is the State Government or a Gaon Sabha or other local authority shall be governed by, and where the Government sells or causes to be sold the tendu leaves grown in any area in respect of a part of which the grower is the State Government and in respect of another part of which the grower is a Gaon Sabha or other local authority the net proceeds of such shall be apportioned between the State Government and such Gaon Sabha or other local authority in accordance with, any general or special order of the State Government issued in that behalf.

11. Delegation of powers.

- The State Government may, by general or special order, delegate any of its powers or functions under this Act or the rule made thereunder to any officer not below the rank of an Assistant Conservator of Forests, who shall exercise or perform the same subject to such conditions or restrictions, if any, as the State Government may specify in the order.

12. Powers of entry, search, seizure, etc.

(1)Any police officer not below the rank of a sub-inspector or any forest officer may, with a view to securing compliance with the provisions of this Act or the rules made thereunder or to satisfying himself that the said provisions have been complied with-(i)stop and search any person, boat, vehicle or receptacle used or intended to be used for the transport of tendu leaves;(ii)enter and search any place;(iii)seize tendu leaves in respect of which suspects that any provision of this Act or the rules made thereunder has been, is being or is about to be contravened alongwith the receptacle containing such leaves, or the vehicles or boats used in carrying such leaves.(2)The provisions of Sections 102 and 103 of the [Code of Criminal Procedure, 1898, (Act No. V of 1898)] [Now see under same sections of Code of Criminal Procedure, 1973 (2 of 1974)] of relating to search and seizure shall, so far as may be, apply to searches and seizures under this section.

13. Penalty.

- If any person contravenes any of the provisions of this Act or the rules made thereunder he shall be deemed to have committed a forest offence and the tendu leaves, if any, in respect of which such offence is committed shall, in relation to the commission of such offence, be deemed to be forest produce, and the provisions of Chapter IX of the Indian Forest Act, 1927, as amended in its application to Uttar Pradesh (excepting Section 69) shall accordingly apply with necessary modifications.

14. Offences by Companies.

(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 any 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 managing agent, secretaries and treasurers, director, manager, or other officer of the company, such managing agent, secretaries and treasurers, director, manager or other officer of the company 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 and body corporate, and includes a firm or other association of individuals, and (b) "director", in relation to a firm means a partner in the firm.

15. Cognizance of offences.

- No court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by any Forest Officer not below the rank of a Divisional Forest Officer or by any other officer as may be empowered by general or special order of the State Government in that behalf.

16. Provisions of Act to have over-riding effect.

- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or any contract or other instrument.

17. Savings in respect of acts done in good faith.

(1) No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder. (2) No suit or other legal proceedings shall lie against the State Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by virtue of the provisions of this Act or the rules made thereunder or by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

18. Powers to make rules.

(1) The State Government [may by notification in the Gazette make rules] [Substituted by U.P. Act 6 of 1973, Section 6 (i), for the words 'may make rules'.] for carrying out purposes of this Act. (2) In

particular, and without prejudice to the generality of the foregoing power, such rule may provide for all or any of the following matters, namely : (a) the procedure to be followed in making appointment of agent; (b) the publication of the price lists of tendu leaves; (c) the manner of holding inquiries under this Act; (d) [the authority by whom, the manner in which and the conditions subject to which, permits may be issued under Section 5 and the manner in which tax under sub-section (3) of Section 5 shall be paid or realised;] [Substituted by U.P. Act 5 of 1980, Section 3 (w.e.f. 28th September, 1979).] (e) the manner of registration under Section 9, the period within which such registration shall be made, and the fee payable under subsection (2) thereof; (f) the guiding principles for the determination of compensation under sub-section (3) of Section 8; (g) any other matter which has 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 thirty 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. (4) [Notwithstanding anything contained in sub-section (3), any rules made within one year from the commencement of this Act may be made retrospectively to a date not earlier than the commencement of this Act.] [Inserted by U.P. Act No. 6 of 1973, Section 6 (iii).]

19. Transitory provisions.

- Where at any time between July 1, 1971 and February 24, 1972 any grower of tendu leaves had entered into any contract for the sale of tendu leaves expected to be grown by him during the year 1972 to any trader and obtained an advance from such trader towards the price of the leaves expected to be delivered to the trader under such contract, then notwithstanding that by virtue of the provisions of Sections 5 and 16 such contract shall have become void on the appointed day the said grower and trader may make a joint application before the Divisional Forest Officer or an officer authorised by him in that behalf giving particulars of such advance and thereupon the said officer, on being duly satisfied that the application has been voluntarily made by the grower, may direct the officer or agent referred to in Section 8 to pay on behalf of the grower to such trader a sum, not exceeding the total unpaid amount of the advance without any interest or compensation out of the price due to the grower for leaves sold under Section 8, and the liability of the State Government or the agent to the grower and of the grower to the trade shall to the extent of such payment stand discharged, and the grower shall not be liable to pay any interest or compensation in respect of such advance.

20. Validation.

- The Notification No. 1942/XIV-2-71-72, dated March 29, 1972, published by the State Government in the Gazette, dated March 30, 1972, by which applications were invited for appointment as agents for units and the Tender Notice No. 186-XIV/II-72, dated March 22, 1972, issued by the State Government by which tenders were invited from persons desirous of purchasing tendu leaves collected or likely to be collected by the State Government or by its officers or agents and anything

done or any action taken in pursuance of the said notices shall be deemed to be and always to have been as valid as if the rules made by the State Government under Section 18 and published in the Gazette, dated March 17, 1972 had come into force on March 17, 1972.

21. Repeal.

- [(1)] [Section 21 renumbered as sub-section (1) by U.P. Act 6 of 1973, Section 7.] The Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhyadesh, 1972 (U. P. Ordinance No. 1 of 1972), 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 was in force at all material times.] [Inserted by U.P. Act No. 6 of 1973, Section 7.] Notifications Notification No. 914/14-2-68-72, dated March 11, 1974, published in U. P. Gazette, Extraordinary, dated 11th March, 1974, p. 1. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors, is pleased to fix for the year beginning on the first day of January, 1974, the price as Rs. 22.50 (Rupees twenty-two and paise fifty only) per standard bag of tendu leaves in all the districts in which the said Adhiniyam has come into force and tendu leaves shall be purchased by the State Government, its duly authorised officers or agents at such price. Notification No 851/14-2-68-72, dated March 10, 1975, published in U. P. Gazette, Extraordinary, dated 10th March, 1975, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors, is pleased to fix for the year beginning on the first day of January, 1975, the price as Rs. 25.00 (Rupees twenty-five only) per standard bag of tendu leaves in all the districts in which the said Adhiniyam has come into force and tendu leaves shall be purchased by the State Government, its duly authorised officers or agents at such price. Notification No. 325/14-2-259-76, dated January 25, 1978, published in U. P. Gazette, Part I, dated 18th February, 1978, p. 432. - In exercise of the powers under the sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors, is pleased to fix for the year beginning on the first day of January, 1978, the price as Rs. 27.50 (Rupees twenty-seven and paise fifty only) per standard bag of tendu leaves in all the districts in which the said Adhiniyam has come into force and tendu leaves shall be purchased by the State Government, its duly authorised officers or agents at such price. Notification No 1656/14-2-259-76, dated March 18, 1981, published in U. P. Gazette, Extraordinary, dated 18th March, 1981, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors, is pleased to fix for the year beginning on the first day of January, 1981, the price of tendu leaves as Rs. 50.00 (Rupees forty only) per standard bag in all the districts in which the said Adhiniyam has come into force and tendu leaves shall be purchased by the State Government, its duly authorised officers or agents at such price. Notification No. 494/14-2-259-76, dated February 19, 1982, published in U. P. Gazette, Extraordinary, dated 19th February, 1982, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX

of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors, is pleased to fix for the year beginning on the first day of January, 1982, the price of tendu leaves as Rs. 45.00 (Rupees forty-five only) per standard bag in all the districts in which the said Adhiniyam has come into force and tendu leaves shall be purchased by the State Government, its duly authorised officers or agents at such price. Notification No 1920/14-2-259-76, dated April 7, 1983, published in U. P. Gazette, Extraordinary, dated 7th April, 1983, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1983, the price of tendu leaves as Rs. 50.00 (Rupees fifty only) per standard bag. Notification No. 1807/14-2-29-83, dated April 7, 1983, published in U. P. Gazette, Extraordinary, dated 7th April, 1983, at p. 1. - In exercise of the powers under sub-section (1) of Section 4 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No. XIX of 1972), read with sub-rule (7) of Rule 3 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Niyamavali, 1972, the Governor is pleased to appoint the Uttar Pradesh Forest Corporation, Lucknow as an agent of the State Government for the purpose of purchase of and trade in tendu leaves in the districts where the said Adhiniyam has come into force. Notification No 1684/14-2-259-76, dated April 9, 1984, published in U. P. Gazette, Extraordinary, dated 9th April, 1984. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1984, the price of tendu leaves as Rs. 65.00 (Rupees sixty-five only) per standard bag. Notification No 1197/15-2-259-76, dated March 23, 1985, published in U. P. Gazette, Extraordinary, dated 23rd March, 1985. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1985, the price of tendu leaves as Rs. 65.00 (Rupees sixty-five only) per standard bag. Notification No 3358/15-2-259-76, dated May 29, 1986, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 29th May, 1986, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also the other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1986, the price of tendu leaves as Rs. 75.00 (Rupees seventy-five only) per standard bag in all the districts in which the said Adhiniyam has come into force. Notification No 1504/14-2-259-76, dated April 22, 1987, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 22nd April, 1987, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1986, the price of tendu leaves as Rs. 80.00 (Rupees eighty only) per standard bag in all the districts in which the said Adhiniyam has come into force. Notification No 604/14-2-259-76,

dated February 24, 1988, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 24th February, 1988, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No XIX of 1972), the Governor, after having regard to the factors mentioned in the said sub-section and also other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1986, the price of tendu leaves as Rs. 85.00 (Rupees eighty-five only) per standard bag in all the districts in which the said Adhiniyam has come into force. Notification No 604(1)/14-2-259-76, dated February 24, 1988, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 24th February, 1988, p. 2. - In continuation of Government Notification No. 604/XIV-2-259-76, dated February 24, 1988, the Governor is pleased to fix for the year beginning on the first day of January, 1988 the collection charges payable to the persons engaged for collection of tendu leaves from Government forest and land vested in Gaon Sabha or other local authority in all units as Rupees 80.00 (Rupees eighty only) per standard bag. Notification No 3262/14-2-259-76, dated May 12, 1989, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 12th May, 1989, p. 2. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam 1972 (U. P. Act No. XIX of 1972), and in supersession of Government Notification No. 776/14-2-259-76, dated April 24, 1989, the Governor, after having regard to the factors mentioned in the said sub-section and also other factors and after consulting the Advisory Committee constituted, is pleased to fix for the year beginning on the first day of January, 1989, the minimum price of tendu leaves as Rs. 125.00 (Rupees one hundred twenty-five only) per standard bag in all the districts in which the said Adhiniyam has come into force.

2. It is also clarified that in case purchase of the tendu patta is not possible at the rates fixed by the Government, the agent can himself decide to offer higher rates according to the local conditions.

Notification No 3262(1)/14-2-259-76, dated May 12, 1989, published in U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 12th May, 1989. - In suppression of Government Notification No. 776 (1)/14-2-259-76, dated April 24, 1989, and in continuation of Notification No. 3262/XIV-2-259-76, dated May 12, 1989, the Governor is pleased to fix for the year beginning on the first day of January, 1989, the minimum collection charges payable to the persons engaged for collection of tendu leaves from Government forest and land vested in Gaon Sabha or other local authority in all units as Rs. 120.00 (Rupees one hundred-twenty only) per standard bag.

2. It is also clarified that in case tendu patta collection is not possible at the rates fixed by the Government, the agent can himself decide to offer higher wages according to the local conditions.

Notification No 2446/14-2-135-89, dated May 17, 1990, published in the U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 17th May, 1990. - In exercise of the powers under sub-section (1) of Section 7 of the Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1972 (U. P. Act No. 19 of 1972), the Governor having regard to the facts are mentioned in the said sub-section and also other factors and after consulting the Advisory Committee constituted, is

pleased to fix for the year beginning on the first day of January, 1990 the price of tendu leaves as Rs. 190.00 (Rupees one hundred and ninety only) per standard bag in all the districts in which the said Adhiniyam has come into force. Notification No 2446(1)/14-2-135-89, dated May 17, 1990, published in the U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 17th May, 1990. - In continuation of Government Notification No 2446/XIV-2-135-89, dated May 17, 1990, the Governor is pleased to fix for the year beginning on the first day of January, 1990 the collection charges payable to the persons engaged for collection of tendu leaves from Government forest and land vested in Gaon Sabha or other local authority in all units as Rupees 180.00 (Rupees one hundred eighty only) per standard bag. Notification No. 1698/14-2-135-1989, dated April 25, 1991, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 25th April, 1991. - mRrj izns'k rsUnw iRrk (O;kikj fofu;e) vf/kfu;e] 1972 (mRrj izns'k vf/kfu;e la;k 19 lu~ 1972) dh /kkjk 7 dh mi/kkjk (1) ds v/khu 'kfDr;ksa dk iz;ksx djs] jkT;iky mDr mi/kkjk esa mfYyf[kr rF;ksa rFkk vU; rF;ksa dks Hkh /;ku esa j[krs gq, ,oa xBr ijke'kZnk=h lfefr ds ijke'kZ ds i'pkr~ 1 tuojh] 1991 ls izkjEHk gksus okys o"KZ ds fy, ,sls leLr ftyksa esa tgka ij mDr vf/kfu;e izo`Rr gqv k gS] rsUnw iRrs ds izfr ekud FkSys dk ewY; dsoy 250-00 :i;s (:i;s nks lks ipkl ek=) fu/kkZfjr djrs gSaA Notification No. 2253/14-2-92-12-1992, dated May 11, 1992, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 11th May, 1992. - mRrj izns'k rsUnw iRrk (O;kikj fofu;eu) vf/kfu;e] 1972 (1972 dk mRrj izns'k vf/kfu;e la;k 19) dh /kkjk 4 dh mi/kkjk (1) lifBr mRrj izns'k rsUnw iRrk (O;kikj fofu;eu) fu;ekoyh] 1972 ds fue; 3 (7) ds v/khu 'kfDr;ksa dk iz;ksx djs] Jh jkT;iky mRrj izns'k ou fu;e dks ,sls leLr ftyksa esa tgka ij mDr vf/kfu;e izo`Rr gqv k gS] rsUnw iRrs dk dz; djus vkSj mldk O;kikj djus ds iz;kstufkZ jkT; ljdkj dk vfHkdrkZ ,rn~}kj fu;qDr djrs gSaA Notification No. 3188/14-2-92-135-1989, dated November 28, 1992, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 28th November, 1992. - mRrj izns'k rsUnw iRrk (O;kikj fofu;eu) vf/kfu;e] 1972 (mRrj izns'k vf/kfu;e la;k 1972) dh /kkjk 7 dh mi/kkjk (1) ds v/khu 'kfDr;ksa dk iz;ksx djs] jkT;iky mDr mi/kkjk esa mfYyf[kr rF;ksa rFkk vU; rF;ksa dks Hkh /;ku esa j[krs gq, ,oa xBr ijke'kZnk=h lfefr ds ijke'kZ ds i'pkr~ 1 tuojh] 1992 ls izkjEHk gksus okys o"KZ ds fy, ,sls leLr ftyksa esa tgka ij mDr vf/kfu;e izo`Rr gqv k gS] rsUnw iRrs ds izfr ekud FkSys dk ewY; dsoy 250-00 :i;s (:i;s nks lks ipkl ek=) fu/kkZfjr djrs gSaA Notification No. 3188(1)/14-2-92-135-1989, dated November 28, 1992, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 28th November, 1992. - ljdkjh vf/klwpuk la;k 3188@14&2&92&135&89] fnukaad 28 uoEcj] 1992 ds dze esa jkT;iky 1 tuojh] 1992 ls izkjEHk gksus okys o"KZ ds fy;s ljdkjh ou rFkk xzke lHkk vFkok vU; LFkkuh; izkf/kdj.k esa fufgr Hkwfe ls ,d= fd;s tkus okys rsUnw iRrs dk laxzg.k ifjO;; tks iRrs laxzg.k djus okys O;fDr;ksa dks ns; gksxk] leLr bdkbZ;ksa ds fy, dsoy 240-00 :i;s (:i;s nks lks ipkl ek=) izfr ekud FkSys fu/kkZfjr djrs gSaA Notification No. 2757/14-2-93(1)-92, dated June 8, 1993, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 12th June, 1993. - mRrj izns'k rsUnw iRrk (O;kikj fofu;eu) vf/kfu;e] 1972 (mRrj izns'k vf/kfu;e la;k lu~ 1972) dh /kkjk 7 dh mi/kkjk (1) ds v/khu 'kfDr;ksa dk iz;ksx djs] Jh jkT;iky mDr mi/kkjk esa mfYyf[kr rF;ksa rFkk vU; rF;ksa dks Hkh /;ku esa j[krs gq, ,oa xBr ijke'kZnk=h lfefr ds ijke'kZ ds i'pkr~ 1 tuojh] 1993 ls izkjEHk gksus okys o"KZ ls] tc rd bUgsa la'kksf/kkr u dj fn;k tk;s] ,sls leLr ftyksa esa tgka ij mDr vf/kfu;e izo`Rr gqv k gS] rsUnw iRrs ds izfr ekud FkSys (50]000 ifRr;ka) dk ewY; dsoy :i;s 250-00 (:i;s nks lks ipkl ek=) fu/kkZfjr djrs gSaA