

SINDH ACT NO.X OF 2009
THE SUGAR FACTORIES CONTROL (SINDH AMENDMENT) ACT, 2009

[8'* December, 2009]

An Act to amend the Sugar Factories Control Act, 1950, in its application to Sindh.

WHEREAS it is expedient to amend the Sugar Factories

Preamble.

Control Act, 1950, in its application to Sindh, in the manner hereinafter appearing;

It is hereby enacted as follows:-

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This Act may be called the Sugar Factories

Control (Sindh Amendment) Act, 2009.

2. In the Sugar applications to Sindh, hereinafter referred to as the said Act, for sections 3 and 4 the following shall be substituted:-

Factories Control

Act,

Short title and
commenceme
nt.

Substitution of
sections 3 and
4 of Act XXII of
1950.

1950, in its

"3 Establishment of the Board:- (1) Government may by notification, establish a Board consisting of-

(i)

(i)

(ii)

(iv)

(v)

(vi)

(vii)

Minister to Government of
Sindh, Agriculture Department

Two Members of Provincial
Assembly of Sindh are to be
nominated by the Speaker

Secretary to Government of
Sindh, Agriculture Department
Cane Commissioner
Representative of the Pakistan
Sugar Mills Association Sindh

Zone

Representative of the Sindh
Abadgar Board

Representative of the Sindh
Chamber of Agriculture

Chairperson

Members

Member/
Secretary of
the Board
Member

Member

Member

Member

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(viii) Representative of the Member
Sugarcane Growers
Association

(ix) Such other official and non- Members

official members as may be
appointed by Government

(2) © Anon-official Member shall hold office at the
pleasure of Government.

(3) | Anon-official Member may, by writing under his

hand, addressed to Government, resign his office.

(4) | The meetings of the Board shall be held as and

when convened by the Chairperson.”.

3. In the said Act, for section 6-A, the following shall be Substitution of
substituted:- section 6-A of
Act XXIII of

“6-A Appointment of Additional Cane Commissioner:- 1950

Government may, by notification, appoint any
officer, not below the rank of a BPS-19 officer to be
an Additional Cane Commissioner, who _ shall
subject to control and direction of the Cane
Commissioner exercise such powers and perform
such functions of the Cane Commissioner as may
be specified in the notification.”.

4. In the said Act, for section 14-A, the following shall be

substituted:-

“14-A Prohibition of cultivation of certain varieties of
sugarcane:- The Cane Commissioner may, on the
recommendations or in consultation with the Board
by an order in writing, prohibit the cultivation in any
area of any variety of cane declared to be
unsuitable under section 18.”.

5. In the said Act, for section 15, the following shall
substituted:-

“15(1) Sale, Purchase of cane:- No person other
than the cane grower shall sell or supply cane to an
occupier of a Factory.

be

Substitution of
section 14-A of
Act XXII of
1950.

Substitution of
section 15 of
Act XXII of
1950.

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(2) No occupier of a Factory shall purchase the cane through a middle man but all purchases shall be made directly from the cane grower.”.

6. In the said Act, for section 16, the following shall be substituted:-

“16 Fixation of Minimum Price:- (1) Government may,

on the recommendations of the Board or otherwise by notification determine minimum price of the cane having regard to-

(a) the cost of production of sugarcane; and

(b) the return to the grower from alternative crops and the general trend of prices of agricultural commodities.

(2) The Price determined under sub-section (1) may from time to time be reviewed.

(3) The occupier of a Factory shall pay quality premium at the end of crushing season at such rates as may be determined by Government in proportion of sucrose recovery of such Factory in excess of base level sucrose contents viz. 8.7 per 100 Kilograms.

(4) The price of the cane shall be paid to the cane grower by issuing payee's account cheque.

(5) If the payment under sub-section (4) is not made within fifteen days of supply of the cane, mark-up at the rate as may be fixed by Government by notification shall also be paid to the cane grower in addition to the principal amount.

(6) No occupier of a Factory shall make any deduction except the deduction as may be prescribed from the amount payable to the cane grower under sub-section (4).

(7) No occupier of a Factory shall, except with the approval of the Cane Commissioner, deduct any weight from the total weight of the cane on account of its unsuitable variety or immaturity or for any other reason.”.

Substitution of
section 16 of
Act XXII of
1950.

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7. In the said Act, for section 17-A, the following shall be

substituted:-

“17-A Installation of core sampler:- Every occupier of a Factory shall install a core sampler of the specification and in the manner as may be prescribed.”.

8. In the said Act, in section 22, for clause (iii), the

following shall be substituted:-

“(iii) No Court inferior to that of an Assistant Sessions Judge shall try any offence under this Act or any order or rule made there under.”.

Substitution of
section 17-A of
Act XXII of
1950.

Substitution of
clause (iii) of
section 22 of
Act XXII of
1950.