

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD and PUBLIC DISTRIBUTION
(DEPARTMENT OF FOOD and PUBLIC DISTRIBUTION)

ORDER

New Delhi, the 7th June, 2018

S.O. - (E)- In exercise of the powers conferred by clause (c) of sub-section (2) of 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 Price (Control) Order, 2018.
(2) It extends to the whole of India.
(3) It shall come into force on the date of its publication in the Official Gazette.
2. Definitions - In this Order, unless the context otherwise requires,-
 - (a) "sugar" means the sugar as defined in clause (e) of section 2 of the Essential Commodities Act, 1955 (10 of 1955);
 - (b) "white sugar" or "refined sugar" means the sugar produced by vacuum pan process conforming to minimum quality parameters of IS 5982:2003;
 - (c) "Indian sugar standard grades" means the grades represented by the standard sealed samples of sugar in bottles issued by the Director, National Sugar Institute, Kanpur, conforming to the standards of the Bureau of Indian Standards;
 - (d) "factory" means any premises including the precincts thereof in any part of which sugar is manufactured by vacuum pan process;
 - (e) "occupier", in relation to any sugar factory, means the person who has ultimate control over the affairs of the sugar factory or the owner of the sugar factory in case he is not the occupier;
 - (f) "producer" means a person carrying on the business of manufacturing sugar by vacuum pan process;
 - (g) "sugar season" means the period commencing on the first day of October of a year and ending with the thirtieth day of September in the year next following;
 - (h) all other words and expression used herein and not defined but defined in the Essential Commodities Act, 1955 or any other Order relating to sugar issued under the Essential Commodities Act, shall have the meanings respectively assigned to them in the said Act or the Order.
3. Power to issue direction to producers and dealers - The Central Government may, from time to time, by general or special order published in the Official Gazette, make such

directions regarding price of sugar for sale, as it deem fit, to any producer or importer or recognised dealer or any class of producers or importers or recognised dealers.

4. Methodology for prescribing price of sugar - The Central Government shall, at the time of issuing any Order regarding price of sugar for sale under clause 3, take into consideration the fair and remunerative price of sugarcane, conversion costs for production of sugar from sugarcane, realization of profit from by-products generated in the process of sugar production and such other costs as it may consider relevant.

5. Power to call for information etc. - The Central Government, or any person authorised by it in this behalf, may for the purpose of securing compliance with this order or any direction issued there under, require -

(a) any producer to furnish such information, returns, reports, accounts of any sales, purchases or other transactions of sugar, in such form, within such period and at such intervals as the Central Government may specify; and

(b) maintenance of accounts of sales, purchases or other transactions of sugar in such manner as the Central Government may specify.

6. Powers of inspection, entry, search, seizure, etc. - (1)The Central Government or any person authorised by it in this behalf may, -

(a) direct any producer or importer or recognised dealer to maintain such records as the Central Government may specify;

(b) direct any producer or importer or recognised dealer to furnish such information as the Central Government or such person may require;

(c) inspect any books or any documents or stocks of sugar belonging to or under the control of a producer or an importer or a recognised dealer;

(d) enter and search -

(i) any place where sugar is manufactured including the machinery installed therein;

(ii) any place in which there is reason to believe that sugar is stored in contravention of this order,

(e) stop and search -

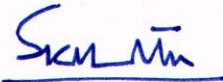
(i) any person transporting sugar; or

(ii) any vehicle, vessel or other conveyance used or capable of being used for the transport of sugar, in contravention of this order;

(f) seize any sugar in respect of which the Central Government or such person has reason to believe that contravention of this order has been, is being or is about to be, committed, along with the packages, coverings or receptacles in which sugar is found and the animals, vehicles, vessels, or other conveyances used in carrying such sugar and thereafter take all such measures necessary for securing the production of such packages, coverings, receptacles, animals, vehicles, vessels or other conveyances in a court and for their safe custody pending such production.

- (2) The provision of sections 102 and 103 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, as far as may be, apply to searches and seizures under this clause.
7. Delegation of Powers -The Central Government may, by notification in the Official Gazette, direct that all or any of the powers conferred upon it by this Order shall, subject to such restrictions, exceptions and conditions, if any, as may be specified in such direction, be exercisable also by:
- (a) any officer or authority of the Central Government;
 - (b) a State Government or Union Territory Administration or any officer or authority of the State Government or Union Territory Administration.
8. Compliance of orders - Every producer or importer or recognised dealer or other person to whom any order or direction is issued under any powers conferred by or under this order, shall comply with such order or direction.

[F.No.1(6)/2018-SP-I]



Suresh Kumar Vashishth,
Joint Secretary to the Government of India.