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**GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT**

**NOTIFICATION
(82 of 2021)**

25 March 2021

Notification No.SO (F-III)2-8/2020, dated 25.03.2021, issued by the Government of the Punjab, Food Department is hereby published in the Punjab Gazette (Extra Ordinary) for general information.



**GOVERNMENT OF THE PUNJAB
FOOD DEPARTMENT**

Dated Lahore, March the 25th, 2021

NOTIFICATION

No.SO (F-III)2-8/2020.- In exercise of the powers conferred under section 3 of the Punjab Foodstuffs (Control) Act, 1958 (XX of 1958), Governor of the Punjab is pleased to make the following Order:

1. Short title, extent and commencement.- (1) This Order shall be called as the Punjab Sugar (Supply-chain Management) Order 2021.

(2) It shall extend to the whole of the Punjab except the Tribal Areas.

(3) It shall come into force at once.

2. Definitions:- (1) In this Order:

- (a) "Act" means the Punjab Foodstuffs (Control) Act, 1958 (XX of 1958);
- (b) "bulk consumer" includes an industrial, commercial or any other manufacturing unit using sugar in excess of the quantity notified by the Cane Commissioner.
- (c) "Cane Commissioner" means the Cane Commissioner appointed under the Punjab Sugar Factories (Control) Act, 1950 (XXII of 1950);
- (d) "broker" means a person, registered as a broker under the Order by the Cane Commissioner, who sells sugar to a dealer or a wholesaler or a bulk consumer on behalf of occupier of a sugar factory;
- (e) "dealer" means a person, registered as a dealer under the Order by the Deputy Commissioner of the concerned district, who purchases or agrees to purchase sugar from an occupier of factory or a broker and sells or agrees to sell sugar to a wholesaler or a retailer;

- (f) "Deputy Commissioner" means the Deputy Commissioner of the district concerned and includes the Additional Deputy Commissioner;
- (g) "godown" means a place where sugar, exceeding two and half metric ton, is received or stored.
- (h) "Inspector" means :
 - i. An Additional Cane Commissioner, an Assistant Cane Commissioner, a District Food Controller, an Assistant Food Controller, a District Officer (IPWM), an Additional Deputy Commissioner, an Assistant Commissioner or a Revenue Officer not below the rank of a Naib-Tehsildar.
 - ii. Any other officer empowered as such by the Government by notification in the official gazette for the purposes of this Order.
- (i) "Occupier of factory" means an Occupier of factory as defined in the Sugar Factories (Control) Act, 1950 (XXII of 1950);
- (j) "Order" means the Punjab (Sugar Supply-chain Management) Order 2021;
- (k) "sale" includes an agreement to sell sugar on payment of token money or through a bank guarantee or through any other instrument securing payment at a future date;
- (l) "price of sugar" means the price of sugar as notified under the Price Control and Prevention of Profiteering and Hoarding Act, 1977;
- (m) "retailer" means a person who sells sugar to the general consumer in retail quantity;
- (n) "Wholesaler" means a person registered as a wholesaler under the Order by Deputy Commissioner of the concerned district, who purchases or agrees to purchase

sugar from a broker or a dealer or sells or agrees to sell it to a retailer.

(2) A word used but not defined in the Order shall have the same meaning as assigned to it in the Act.

3. Registration of godowns:- (1) An occupier of a factory, a broker, a dealer or a wholesaler shall apply to the Deputy Commissioner, on the prescribed format, for registration of a godown, as under:

- a. in case of an existing godown, within fifteen days from the commencement of the Order; and
- b. in case of establishment of a godown after the commencement of this Order, within thirty days.

(2) The Deputy Commissioner may, after his satisfaction regarding the information provided in the prescribed format, register the godown.

(3) In case of rejection of his application for registration of godown, the occupier of factory, the broker, the dealer or the wholesaler may file an appeal before the Cane Commissioner.

(4) The occupier of factory, the broker, the dealer or the wholesaler, whose godown is registered, shall comply with the provisions of the Act, the rules and the directions issued under the Order in respect of the godown or sugar stored in it.

(5) No occupier of factory, broker, dealer, wholesaler or any other person shall store sugar, exceeding two and half metric ton, except in a godown registered under the Order.

4. Declaration of stock:- In case of storage of more than two and half metric ton sugar in a godown, the occupier of a factory, broker, dealer or wholesaler or any other person who stored such sugar, shall intimate the same to the Deputy Commissioner in the prescribed format immediately after such storage.

5. Purchase or sale of sugar:- No broker, dealer or wholesaler shall purchase or sell sugar unless he is registered under the Order.

6. Sale of sugar by occupier of a factory.- (1) An occupier of a factory shall sell sugar only to a registered broker, dealer, wholesaler or a bulk consumer.

(2) The broker, dealer or the wholesaler shall lift sugar within fifteen days and the bulk consumer shall lift sugar within three months, of the date of its sale.

7. Registration of brokers, dealers and wholesalers.- (1) No broker shall purchase or agree to purchase or sell or agree to sell sugar unless he is registered by the Cane Commissioner.

(2) No dealer or wholesaler shall purchase or agree to purchase or sell or agree to sell sugar unless he is registered by the Deputy Commissioner of the concerned district.

8. Power to issue directions to Occupier of a factory, broker, dealer and wholesaler.- (1) The Cane Commissioner may, by general or special order, issue to any occupier of a factory or broker or dealer or wholesaler or any class of occupiers of factories or brokers or dealers or wholesalers, such directions regarding maintenance of stocks, storage, movement including inter-provincial movement, sale, disposal, delivery or distribution of sugar and record thereof, as he may deem fit.

(2) In case of apprehension of or shortage of sugar in the market, it shall be lawful for the Cane Commissioner or the Deputy Commissioner of the concerned district to issue directions to an occupier of factory, a broker, a dealer or a wholesaler or a retailer to sell a specified quantity of sugar, held by such occupier of factory, broker, dealer, wholesaler or retailer, at notified ex-mill, wholesale or retail price, as the case may be.

(3) Notwithstanding clauses (1) and (2), the Cane Commissioner or Deputy Commissioner, in the event of shortage of sugar, may take possession of the stored sugar and sell or direct selling of such quantity of sugar, as he may deem necessary, through the dealers or wholesalers or retailers or officials of government of the Punjab in the market to the general consumers and deposit the proceeds thereof in the treasury.

- (4) The proceeds deposited under clause (3) may be refunded by the Tribunal to the owner of the sugar.

9. Powers of Cane Commissioner and Deputy Commissioner.- (1)

The Cane Commissioner may:

- (a) prescribe the manner for keeping the accounts of sale, purchase, agreement to sell or purchase or any other transaction of sugar; and
 - (b) require an occupier of a factory or broker or dealer or wholesaler or bulk consumer to furnish, within such period or at such intervals, as may be specified, such information, returns or reports, in such format, as may be required.
- (2) The Cane Commissioner or the Deputy Commissioner may himself or through Inspector:
- (a) inspect any books or documents or stocks of sugar belonging to or under the control of an occupier of a factory or broker, or dealer or wholesaler or bulk consumer ;
 - (b) enter and search:
 - (i) any place where sugar is manufactured;
 - (ii) any place or godown in which there is reason to believe that sugar is stored in contravention of the Order;
 - (c) 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 the Order;
 - (d) seize sugar in respect of which he has reason to believe that a contravention of the Order has been, is being or is

about to be, committed and get the sugar sold through the dealers or wholesalers or retailers or officials of the Government on notified price and deposit the proceeds thereof in treasury, which the Tribunal may confiscate in favour of State, in addition to any other penalty provided in the Act.

(3) (a) The Deputy Commissioner of the concerned district may, in case of contravention of any of the provisions of the Act or Rules made thereunder or directions issued under the Order, cancel the registration of godown.

(b) An appeal against the order of cancellation of registration of godown under clause (a) may be filed before the Cane Commissioner.

10. Information of selling or buying.- (1) Every occupier of factory, broker, dealer, wholesaler or bulk consumer shall intimate to the Cane Commissioner, each sale relating to future buying or future selling, on the prescribed format, within three days of such sale.

11. The Cane Commissioner may prescribe such forms and formats as are necessary for the purposes of the Order.

**SECRETARY
GOVERNMENT OF THE PUNJAB
FOOD DEPARTMENT"**

(BAHADAR ALI KHAN)
Secretary
Government of the Punjab
Law and Parliamentary Affairs
Department